

**ADDENDUM TO
City of Salinas
Subdivision Ordinance Update (CCA 2015-001)
November 2016**

The following modifications to the Public Review Draft Ordinance of August 29, 2016 are shown in ~~striketrough~~/underline format:

1. Section 31-201. Definitions

Dedication. A dedication is the surrender of an interest in real property for some public use by or on behalf of the public.

2. Section 31-202.3 City Planner

The city planner has the authority for:

...

(c) Approving, conditionally approving, or denying parcel maps for subdivisions of four (4) or fewer parcels, or referring such parcel maps to the planning commission for review and approval, except that all of the following shall be referred to the planning commission for review and approval: (1) mobile home park conversions described in *Section 31-707.1, Approval of parcel map for mobile home park conversion*; (2) parcels maps for which a negative declaration or environmental impact report has been prepared; and (3) parcel maps for which ~~a protest is received~~ the city was notified that there is a material issue supported by substantial evidence as described in *Section 31-603.4.2. Action by city planner*.

3. Section 31-603.1 Parcel Maps to be referred to planning commission.

The city planner shall refer the following parcel maps to the planning commission for decision within the deadlines for action provided in *Section 31-306, Deadlines for processing and action*:

- (a) Parcel maps for which a negative declaration or environmental impact report has been prepared.
- (b) Mobile home park conversions described in *Section 31-707.1, Approval of parcel map for mobile home park conversion*.

The city planner may also refer parcel maps to the planning commission if the city planner finds that the city was notified that any application for a parcel map has a material issue supported by substantial evidence. ~~involves an unresolved city policy issue or that there is public controversy regarding the application.~~

4. Section 31-1001. Improvement Agreements

Where required improvements have not been completed and accepted before final map or parcel map approval, the subdivider shall commit to complete those improvements by agreement with the city. The agreement shall be prepared and signed by the city engineer, and shall be approved as to form by the city attorney. The city council may, upon approval of the city attorney, enter

into improvement agreements for subdivisions of five (5) or more lots pursuant to *Section 31-402.7, Action by city council*. The city engineer may, upon approval of the city attorney, enter into improvement agreements for subdivisions of four (4) or fewer lots pursuant to *Section 31-603.3, Improvement agreements*.

The improvement agreement shall include provisions for all of the following:

- (a) Construction of all improvements according to the approved improvement plans and specifications on file with the city engineer.
- (b) Completion of improvements within the time specified by *Sections 31-1003.3 – 31-1003.4*.
- (c) Installation of all property corner points and city monuments.
- (d) Right of city to modify plans and specifications pursuant to *Section 31-1000.3*.
- (e) Warranty by subdivider that construction will not adversely affect any portion of adjacent properties.
- (f) Payment of inspection fees in accordance with the city's resolution establishing fees and charges.
- (g) Payment of in-lieu fees for undergrounding of utilities on peripheral streets where appropriate; payment of in-lieu fees for parkland dedication where appropriate.
- (h) Payment of drainage district or area fees.
- (i) Improvement security as required by this article.
- (j) Maintenance and repair of any defects or failures and their causes.
- (k) Release of the city from all liability incurred by the development and payment of all reasonable attorney's fees that the city may incur because of any legal action arising from the development.
- (l) Any other deposits, fees, or conditions as required by city ordinance or resolution and as may be required by the city engineer.
- (m) Dedication and transfer of title.
- (n) Surety bond descriptions.
- (o) Provisions as to right-of-way acquisitions.
- (p) Indemnification of City.
- (q) Liability insurance requirements.

Developers are responsible only for a proportionate share of necessary public works facilities, and may be eligible for reimbursement or credit of “oversized” facilities in accordance with policies established in City resolutions.