



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: October 7, 2008

SUBJECT: Introduce an Ordinance to Repeal and Replace Chapter 21 of the
City of Woodland Municipal Code Regarding Subdivisions

Report in Brief

Chapter 21 of the City of Woodland Municipal Code governs the entitlement process for the subdivision of land within the City of Woodland. This Chapter has not been updated since 2002 and is inconsistent with the State Subdivision Map Act. Therefore, Community Development staff has worked with the City Attorney's Office to update the Chapter.

Staff recommends that the City Council introduce and read by title only an Ordinance to repeal and replace Chapter 21 regarding subdivisions and schedule a Public Hearing to be held on October 21, 2008.

Background

Chapter 21 of the City of Woodland Municipal Code governs the entitlement process for the subdivision of land within the City of Woodland. This updated code is a further implementation and clarification of the State Subdivision Map Act. The original code, which was adopted in 1991, needed to be revised and updated to reflect current practices and policies. Chapter 21 was last updated in 2002.

Due to the length of time since its initial adoption, Chapter 21 requires numerous changes and must be extensively rewritten. As such, staff recommends the repeal of the old code and adoption of the new Subdivision Ordinance.

Some of the articles relate to subdivision of land and therefore require a public hearing by both the Planning Commission and the City Council.

Discussion

Changes were drafted by the City Engineer and Community Development Department staff.

Proposed changes were then circulated to interested parties both within the City and the Development Community. The proposed new Subdivision Ordinance will amend the current Chapter 21 as follows:

1. Map Requirements – The Planning Commission is additionally authorized to waive all or any part of the requirements for a tentative or parcel map for the division of real property due to a court order, for a public purpose, if the property that has previously been merged, construction of a condominium project on a single parcel, or any other division of property which would otherwise require a parcel map. Any approved or conditionally approved waiver may be brought before the City Council at a councilmember’s request.
2. Design and Improvements – All utilities will be placed underground and subdivision designs must comply with the City’s flood plain ordinance and FEMA requirements.
3. Hearings, Reports and Appeals – The Subdivision Ordinance adds additional findings to be made by the Planning Commission to approve, conditionally approve or disapprove a map.
4. Vesting Tentative Map – The Subdivision Ordinance would require a subdivider, at the time a vesting tentative map is filed, to additionally provide: (i) final public improvement plans stamped and signed by the engineer of record; and (ii) the final design package approved by the Planning Commission.
5. Final Map and Parcel Map – Final and parcel maps would contain the City Engineer’s statement and additional information required by the City Engineer. The Subdivision Ordinance additionally clarifies when a final or parcel map may be amended subsequent to recordation with the County Recorder’s office.
6. Reversion to Acreage by Final or Parcel Map – The Subdivision Ordinance would allow the City Council, as well as the property owner, to initiate proceedings to revert property previously subdivided by a final or parcel map to acreage.
7. Dedication and Improvement Regulations – Subdividers would no longer be required to execute an improvements agreement with the City unless, at the time of approval of the final or parcel map, any public improvements required by the Subdivision Ordinance or state law have not been completed. All public improvements would have to comply with the City’s Standard Specifications and Details in effect at the time of the approval of the improvement plans, rather than at the time of approval of the tentative map.
8. Supplemental Improvements Reimbursement Agreements – Reimbursement for public improvements of a size, capacity or number greater than necessary for the subdivision would now be provided in accordance with state law and specifically the Subdivision Map Act.

9. Condominiums, Community Apartments and Stock Cooperatives – subdivisions that include a condominium, community apartment or stock cooperative would now be subject to the requirements of the Subdivision Ordinance.
10. Lot Line Adjustments – The Community Development Director would be able to approve, conditionally approve, or disapprove an application for a lot line adjustment, for 4 or fewer existing adjoining parcels, for specified reasons as set forth in the Subdivision Ordinance.
11. Mergers – The Subdivision Ordinance simplifies the procedure for merging contiguous parcels under common ownership at the request of the property owner.
12. Mobile Home Park Conversions – A subdivider filing a tentative subdivision or parcel map to convert a mobile home park to resident ownership would be required to file a report on the impact of the conversion upon displaced residents and must take certain measures to avoid economic displacement of all nonpurchasing residents.

A detailed description of the changes made to Chapter 21 by the Subdivision Ordinance is attached hereto as Attachment A. The description lists each change by article.

Fiscal Impact

This item has no fiscal impact.

Public Contact

Prior to the bringing of the draft ordinance to the Planning Commission for review, staff circulated the proposed documents to engineering firms that regularly conduct business within the City of Woodland. On June 19, 2008 a public hearing was held by the Planning Commission. In addition to posting notices to meet legal requirements for public hearings in accordance with State Law, the City direct mailed notices to engineers and developers that regularly conduct business within the City of Woodland. There have been no comments received from representatives of the engineering firms.

Commission Recommendation

This item was discussed at the June 19, 2008 Planning Commission meeting. A public hearing was conducted and the Planning Commission adopted Resolution No. 08-03, recommending to the City Council the adoption of an ordinance relating to subdivisions.

Alternative Courses of Action

1. Introduce and Read by title only an Ordinance to repeal and replace Chapter 21 regarding subdivisions and schedule a public hearing for the Ordinance to be held on October 21, 2008.
2. Request staff to make further revisions to the ordinance, have the Planning Commission hear the item again and reschedule the public hearing before the City Council.

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PAGE: 4
ITEM:

Recommendation for Action

1. Staff recommends that the City Council approve Alternative No. 1.

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Attachments: Ordinance Repealing and Replacing Chapter 21
Planning Commission Resolution