

[Title 17 LAND USE](#)

Chapter 17.74 ADDITIONAL SUBDIVISION PROCEDURES

[17.74.010 Purpose of chapter.](#)

[17.74.020 Certificates of compliance.](#)

[17.74.030 Condominiums and condominium conversion.](#)

[17.74.040 Lot line adjustment.](#)

[17.74.050 Parcel merger.](#)

[17.74.060 Reversion to acreage.](#)

17.74.010 Purpose of chapter.

This chapter establishes requirements consistent with the Map Act for certificates of compliance, condominiums and condominium conversions, lot line adjustments, parcel mergers, and reversion to acreage. (Ord. 766 §2 Exh. A (part), 2004).

17.74.020 Certificates of compliance.

The city shall process and approve or disapprove applications for certificates of compliance as provided by Map Act Sections 66499.34 and 66499.35, and as follows:

- A. Application. An application for the approval of a certificate of compliance or conditional certificate of compliance shall be filed with the director and include the information required by the director, together with the processing fee specified by the city fee schedule.
- B. Review by City Engineer. The city engineer shall review the completed application in the light of public records and applicable law. If the city engineer is able to determine from this review that the parcel is clearly in compliance with the provisions of this article and the Subdivision Map Act, a certificate of compliance shall be issued for the parcel and delivered to the county recorder for recordation. If the city engineer is unable to determine from this review that the parcel is clearly in compliance, the procedures identified in Map Act Section 66499.35 shall apply. (Ord. 766 §2 Exh. A (part), 2004).

17.74.030 Condominiums and condominium conversion.

Condominiums and condominium conversions shall comply with the following requirements, and the limitations and standards in Section 17.42.065 (Condominium, stock cooperative, and other common interest projects).

- A. Condominiums. When a residential structure is proposed at the time of construction as a condominium, community apartment project, or stock cooperative, a tentative map for the project shall be filed in the same form, have the same contents and accompanying data and reports and shall be processed, approved or denied in the same manner in compliance with Chapter 17.71 (Tentative Map Filing and Processing). Chapter 17.72 (Parcel Maps and Final Maps) of this title, determines whether a parcel or final map shall also be filed.
- B. Condominium Conversions. A condominium conversion is the conversion of real property to a common interest development as defined by Section 1351 of the California Civil Code.
 - 1. Approvals Required. A conversion shall require the approval of a tentative map, and parcel or final map, except where a parcel map, or tentative and final map are waived in compliance with Map Act Section 66428(b) or 66428.1, for the conversion of a mobilehome park. If a parcel map

is waived, a tentative map shall still be required.

2. Application Filing and Processing. A tentative map for a condominium conversion shall be filed in the same form, have the same contents and accompanying data and reports and shall be processed, approved or disapproved in the same manner as set forth in Chapter 17.71 (Tentative Map Filing and Processing) of this title, except as otherwise provided by the following provisions of this section.

3. Application Contents. Condominium conversion applications shall include the same information and materials as tentative map applications, except for conversions of residential projects, which shall also include the following information and materials:

a. Tentative Map. The tentative map for a condominium, community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative need not show the buildings or the manner in which the airspace above the property shown on the map are to be divided. However, the applicant shall provide an illustration of how subdivision will occur to enable verification of the accuracy of the legal descriptions on deeds for the transfer of ownership of the units;

b. Verification of Stock Cooperative Vote. If the development being converted to a condominium is a stock cooperative, the application shall also include verification of the vote required by Map Act Section 66452.10;

c. Relocation Assistance Program. A program proposed by the applicant that will assist tenants displaced through the conversion in relocating to equivalent or better housing;

d. Vacancy Rate Assessment. An assessment of the vacancy rate in multifamily housing within the city.

4. Staff Report. The staff report on the tentative map for the condominium conversion (Section 17.74.020) shall be provided to the subdivider and each tenant of the subject property at least three days before any hearing or action on the tentative map by the commission or council.

5. Public Notice. The following notice shall be provided in addition to that required by Chapter 17.88 (Public Hearings) of this title:

a. Tenant Notice. The subdivider shall give notice to all existing or prospective tenants as set forth in Map Act Sections 66452.8 and 66452.9, and shall provide the department satisfactory proof that the notice was given; and

b. Public Hearing Notice. Notice of the public hearing(s) on the tentative map shall be provided to all tenants of the subject property, as required by Map Act Section 66451.3.

6. Approval of Conversion, Required Findings.

a. Time limit, Stock Cooperatives. The approval or disapproval of the conversion of an existing building to a stock cooperative shall occur within one hundred twenty days of the application being found complete in compliance with Section 17.71.030 (Tentative map filing, initial processing) of this title. The one hundred twenty day time limit may be extended by mutual consent of the subdivider and the city.

b. Conversion Findings, Residential Projects. Approval of a tentative or final map for a subdivision to be created from the conversion of residential real property into a condominium project, community apartment project or stock cooperative shall not be granted unless the findings set forth in Map Act Section 66427.1 are first made.

7. Completion of Conversion. The filing, approval and recordation of a parcel map or final map in compliance with Chapter 17.72 (Parcel Maps and Final Maps) shall be required to complete the subdivision process, except where a parcel map, or tentative and final map are waived for the conversion of a mobilehome park in compliance with Map Act Section 66428(b). (Ord. 766 §2 Exh. A (part), 2004).

17.74.040 Lot line adjustment.

A lot line adjustment is permissible in compliance with Map Act Section 66412(d), and as follows:

A. Application Requirements. An application for a lot line adjustment shall be filed with the director and shall include the information required by the director, together with the processing fee specified by the city fee schedule.

B. Lot Line Adjustment Approval. After consultation with the city engineer, the director shall approve a lot line adjustment provided that all criteria identified in Map Act Section 66412(d) are met to the director's satisfaction. After city approval, the applicant shall be responsible for recording the approval document and paying the necessary fees charged by the county recorder for recording lot line adjustment approval documents in compliance with the Map Act. (Ord. 766

§2 Exh. A (part), 2004).

17.74.050 Parcel merger.

A. Procedures for Merger of Parcels. Two or more parcels may be merged as follows:

1. Parcels may be merged in compliance with Map Act Chapter 3, Article 1.5. A parcel or unit may be merged with a contiguous parcel or unit held by the same owner if any one of the contiguous parcels or units held by the same owner does not conform to standards for minimum parcel size as identified by this land use code applicable to the parcels or units of land, and if all of the requirements of Map Act Section 66451.11 are satisfied.

2. Parcels may also be merged in compliance with Map Act Sections 66499.20-1/2, or 66499.20-3/4; provided that a merger in compliance with Map Act Section 66499.20-3/4 shall require the recordation of an instrument evidencing the merger in the same manner as required by Map Act Section 66499.20-1/2.

B. Requirements for Unmerger of Parcels. The unmerger of parcels within the city shall comply with Map Act Chapter 3, Article 1.7. (Ord. 766 §2 Exh. A (part), 2004).

17.74.060 Reversion to acreage.

A. A reversion to acreage shall be initiated, processed, reviewed, and approved or denied in compliance with Map Act Chapter 6, Article 1.

B. An application for reversion submitted by a property owner shall include all information required by the department, and shall include the fee required by the city fee schedule.

C. A parcel map may be filed to revert to acreage land previously subdivided that consists of four or less contiguous parcels, in compliance with Map Act Section 66499.20-1/4. (Ord. 766 §2 Exh. A (part), 2004).

[<< previous](#) | [next >>](#)