

### **ARTICLE XIII. CORRECTION AND AMENDMENT OF MAPS**

#### **Sec. 26-141. Amending maps**

After a final map or parcel map is filed in the office of the County Recorder, it may be amended by a certificate of correction or an amending map for the reasons and in the manner set forth in Sections 66469 through 66472 of the Subdivision Map Act.

(Ord. No. 1608, §2)

#### **Sec. 26-142. Amending conditions**

After a final map or parcel map is filed in the Office of the County Recorder, the conditions of approval of such filed map may be amended as provided in Sections 26-142.1 through 26-142.6.

(Ord. No. 1608, §2)

##### **Sec. 26-142.1. Application**

The Director of Environmental Management, or any person having a financial interest in conditions of approval of a filed final map or parcel map, may apply for an amendment of such conditions. Such application shall be submitted to the Planning Services Division in a form satisfactory to the Director of Environmental Management and shall include such information and documentation as the Director of Environmental Management may require.

(Ord. No. 1608, §2)

##### **Sec. 26-142.2. Notice**

Upon receipt of a complete application for an amendment of such conditions and all applicable processing fees, the Director of Environmental Management shall give notice in accordance with Section 26-95.1 of a public hearing on such application to be held by the appropriate hearing body.

(Ord. No. 1608, §2)

##### **Sec. 26-142.3. Hearing body**

The hearing body(s) shall be the same Advisory Agency and Approval Body that approved or conditionally approved the tentative map.

(Ord. No. 1608, §2)

##### **Sec. 26-142.4. Approval or denial**

(a) The hearing body may approve an application to amend conditions of approval for a final map or parcel map if, after conducting a public hearing in accordance with the required notice, it makes all of the following findings:

(1) There are changes in circumstances that make such conditions no longer appropriate or necessary;

(2) The amendments do not impose any additional burden on the present fee owner(s) of the property;

(3) The amendments do not alter any right, title or interest in the real property reflected on the map;

(4) The map, as amended, will conform to the provisions of this Chapter and does not alter any previous findings made under the provisions of Section 66474 of the Subdivision Map Act; and

(5) The amendment does not alter any previous findings made under the provisions of CEQA.

(b) Otherwise, the hearing body shall deny the application.

(c) The hearing and the actions of the hearing body shall be limited to consideration of and action upon the conditions that are the subject of the application. The decision of the hearing body shall be in writing.

(Ord. No. 1608, §2)

**Sec. 26-142.5. Appeals**

A decision by the hearing body, to approve or disapprove an application to amend conditions of approval for a parcel map may be appealed by any interested person to the Planning Commission if the hearing body was the Zoning Administrator or if the hearing body was the Planning Commission to the Board of Supervisors. A decision of the Planning Commission action on appeal may itself be appealed to the Board of Supervisors. An appeal may be commenced only by filing with the Secretary or Clerk of the appropriate body, within 10 calendar days after the date of the decision being appealed, an appeal application on a form approved by the Director of Environmental Management. No appeal application shall be accepted for processing unless it contains all information, data and papers prescribed by the forms supplied by the clerk or secretary of the appeal board and are accompanied by payment of the fee, if any, specified by the Board of Supervisors. A public hearing on the appeal shall be noticed in the same manner as the hearing before the hearing body. The decision of the Board of Supervisors on appeal shall be final and conclusive.

(Ord. No. 1608, §2)

**Sec. 26-142.6. Recording amendments**

If, in order to implement an approved amendment of conditions, it is necessary or desirable also to amend the filed final map or parcel map, the Director of Environmental Management and the County Surveyor shall determine the appropriate document to be recorded for such purposes and the document shall be recorded as provided in Section 66472 of the Subdivision Map Act.

(Ord. No. 1608, §2)