



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 09/07/99

AGENDA ITEM 4

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** An Ordinance Amending Chapter 10, Article 3 of the Hayward Municipal Code, the Real Estate Subdivision Regulations, in Connection with Authority for Final Map Approval

**RECOMMENDATION:**

Adopt an Ordinance introduced by Council Member Ward at a meeting of the Hayward City Council on July 27, 1999.

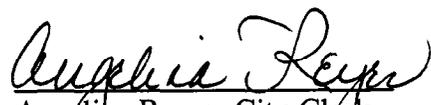
**BACKGROUND:**

The ordinance was introduced with the following vote:

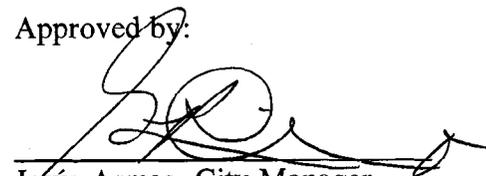
**AYES:** Council Members: Jimenez, Hilson, Rodriquez, Ward, Dowling, Henson  
Mayor: Cooper  
**NOES:** Council Members: None

The ordinance was published in the Hayward Daily Review on September 4, 1999. Adoption at this time is therefore appropriate.

Prepared by:

  
Angelina Reyes, City Clerk

Approved by:

  
Jesús Armas, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY  
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3  
OF THE HAYWARD MUNICIPAL CODE, THE REAL  
ESTATE SUBDIVISION REGULATIONS, IN CONNECTION  
WITH AUTHORITY FOR FINAL MAP APPROVAL

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 10, Article 3 of the Hayward Municipal Code, the Real Estate Subdivision Regulations, is hereby amended by adding the following section, to read in full as follows:

"SEC. 10-3.161 CITY ENGINEER - FINAL MAP APPROVAL. Pursuant to section 66458 subd.(d) of the State Subdivision Map Act (Gov't Code § 66458(d).) the City Engineer shall have final jurisdiction to approve, conditionally approve or disapprove final maps. The City Engineer may also accept, accept subject to improvement, or reject dedications and offers of dedications that are made by a statement on the map. The City Engineer may act upon the following conditions:

- a) The City Engineer shall notify the City Council at its next regular meeting after the City Engineer receives the map that he or she has received it and is in the process of reviewing it;
- b) The City Council shall then provide notice of any pending approval or disapproval by the City Engineer, which notice shall be attached and posted with the City Council's regular agenda and shall be mailed to interested parties who request notice;
- c) The City Engineer shall approve or disapprove the final map within 10 days following the meeting of the City Council for which the notice required in subdivision (b) was attached;
- d) The City Engineer's action may be appealed to the City Council;
- e) Within 24 months after the effective date of this ordinance, and every 24 months thereafter as necessary, the City Engineer shall review this ordinance and report and make recommendations to the City Council concerning the effectiveness of and the continuing need for the ordinance.

Except as specifically authorized by this section, the processing of final maps shall conform to all procedural requirements of state and local law.

Section 2. Section 10-3.180 of Chapter 10, Article 3 of the Hayward Municipal Code, the Real Estate Subdivision Regulations, is hereby amended by adding the following language, to read in full as follows:

SEC.10-3.180 CITY COUNCIL. Except as otherwise provided in section 10-3.161, the City Council shall have final jurisdiction to approve, conditionally approve, or disapprove final maps and to establish standards of design and improvements as a result of the map review process. It shall also have jurisdiction as an appellate agency in cases in which appeals to the Council are authorized by this article.

Section 3. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a regular meeting of the Hayward City Council held July 27, 1999, the above entitled ordinance was introduced by Council Member Ward.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on September 7, 1999, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California.

DATED: September 4, 1999

ANGELINA REYES  
CITY CLERK OF THE  
CITY OF HAYWARD