

ATTACHMENT 7

**REQUIRED FINDINGS (VESTING TENTATIVE TRACT MAP AND
DEVELOPMENT PLAN REVIEW)**

Vesting Tentative Map Findings (Government Code Section 66474)

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density or development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection will apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Development Plan Review and Density Bonus Permit Findings

Except as provided in this section for development plans to be located in the C-5 zone and reviewed by the director of planning and community development, the reviewing authority shall approve a development plan review application only if it makes all of the following findings:

- (a) The proposed plan is consistent with the general plan and any specific plans adopted for the area.
- (b) The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area.
- (c) The nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

(d) The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

(e) The proposed plan will not be detrimental to the public health, safety or general welfare.

In approving a development plan application, the reviewing authority may impose such conditions as it deems appropriate to protect the public health, safety and general welfare.