

Moore, Tania

From: tony sellas <tony.sellas@gmail.com>
Sent: Monday, May 31, 2021 8:09 PM
To: supplementalcomm@surfcity-hb.org; CITY COUNCIL
Subject: Please deny agenda item #16 (21-418) - eliminating the Subdivision Committee
Attachments: Subdivision email City Council.pdf

Please add this email and the attachment to the City records.

Dear City Council,

Please deny agenda item #16 (21-418) - eliminating the Subdivision Committee and the Environmental Assessment Committee.

Under the Subdivision Map Act, state law 66415 defines the advisory Agency as an designated official or an official body.

66415. Advisory Agency Defined

Advisory agency means a designated official or an official body charged with the duty of making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, or having the authority by local ordinance to approve, conditionally approve or disapprove maps.

Designated official - The Director of Community development, Ursula Luna-Reynosa is a Director not an official. Both Ursula Luna-Reynosa and the Zoning Administrator are employees not officials of the City. **Under State law 64415 neither one of them has the authority or duty of making investigations and reports on the design and improvement of proposed divisions of real property.** The City's designated officials are located at this link.

Official body- The Subdivision Committee was removed from the Boards and Commission's website before the City even voted on it. In the screenshot below the City describes the Boards and Commission as **advisory bodies** to the City's officials. Please note it does not state anywhere in the City's website that the Director or Zoning Administrator are an advisory body or a City official.

Boards and Commissions

The City Council appoints a number of citizen committees, boards, and commissions that serve as **advisory bodies** to the City Council. These bodies play an essential role in the governance of our City and provide the City Council with valuable input. Committee, board, and commission members are appointed by the respective **Council Liaisons**. Each serve four-year terms (for a maximum of two terms) and may only serve on one committee, board, or commission at a time. A brief description of the purpose and authority delegated to each body is provided below.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 6/1/2021

Agenda Item No.: #116(21-418)

I believe if the City Council votes to remove the Subdivision Committee it will be violating state law 64415

Attached is a real example from last month where the Planning Staff bypassed the Subdivision Committee and approved a project that violated the City ordinance HBZSO 250.14Map Requirements Section B- and 250.12 Responsibilities . Not only that, but the staff also violated the Coastal Act and 231.28 Oceanside or On-Street Parking Within the Coastal Zone

because they failed to document in the CDP application the replacement public parking spot that would be lost to make way for a new driveway on 15th street.

To conclude, the oversight needs to be done by a Committee not by the staff that works directly with the applicant.

Please deny this project.

Thank you,

Tony Sellas