

Title 17

SUBDIVISIONS

Chapters:

- 17.04 General Provisions**
- 17.08 Definitions**
- 17.12 Preliminary Map**
- 17.16 Tentative Map**
- 17.20 Final Map**
- 17.24 Parcel Map Subdivision**
- 17.28 Development Standards**
- 17.32 Public Improvements**
- 17.36 Modifications and Appeals**
- 17.40 Enforcement**
- 17.44 Vesting Tentative Maps**

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Authority.**
- 17.04.020 Purpose.**
- 17.04.030 General plan, environmental design plans and zoning ordinance.**
- 17.04.040 Existing conditions.**
- 17.04.050 Community facilities.**
- 17.04.060 Subdivider responsibilities.**
- 17.04.070 Planning director responsibilities.**
- 17.04.080 Engineer responsibilities.**
- 17.04.090 Planning commission responsibilities.**
- 17.04.100 Council responsibilities.**
- 17.04.110 Referrals to other agencies.**

17.04.010 Authority.

This title is enacted pursuant to Section II of Article XI of the Constitution of the state, and the general laws of the state, including the Subdivision Map Act. The provisions of this title are in addition to the regulations of the Subdivision Map Act, and are supplemental thereto. (Ord. 341 § 1 (19.1.100), 1979)

17.04.020 Purpose.

The purpose of this title and any pursuant rules, regulations and specifications hereafter adopted, is to regulate and control the design and improvement of land for all purposes within the city in order to preserve and enhance the health, safety, welfare and amenities of the community. (Ord. 341 § 1 (19.1.200), 1979)

17.04.030 General plan, environmental design plans and zoning ordinance.

The general plan for the city shall guide the use of all land within the corporate boundaries of the city. When environmental design plans have been adopted for certain areas, they shall provide more

detailed guidance. The size and design of lots, the nature of utilities, the design and improvements of streets, the type and intensity of land use and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the general plan, the environmental design plans, the zoning ordinance and any precise plans designed for the area. (Ord. 341 § 1(19.1.300 (part)), 1979)

17.04.040 Existing conditions.

Trees, native land cover, natural watercourses and topography shall be respected, and the subdivision shall be so designed as to prevent excessive grading and scarring of the landscape. The design of new subdivision streets shall consider and relate to present street widths, alignments and names. (Ord. 341 § 1 (19.1.300 (part)), 1979)

17.04.050 Community facilities.

Community facilities such as schools, parks, recreation areas, etc., shall be provided in the subdivision in accordance with general plan standards, and, where applicable, environmental design plan standards. This title establishes procedures for the referral of proposed subdivision data to interested boards, bureaus and other governmental agencies and utility companies, both public and private, so that the extension of community facilities and utilities may be accomplished in an orderly manner, coordinated with the development of the subdivision. In order to facilitate the acquisition of land areas required to implement this policy, the planning commission may require that the subdivider dedicate, grant easements or otherwise reserve land for schools, parks, playgrounds, thoroughfares, utility easements and other public purposes as specified, in accordance with the provisions of the Subdivision Map Act. (Ord. 341 § 1 (19.1.300 (part)), 1979)

17.04.060 Subdivider responsibilities.

The subdivider shall prepare maps consistent with the standards contained in this title, and design public improvements consistent with the pub-

lic improvement standards of the city. He shall process the maps in accordance with the regulations set forth in this title. (Ord. 341 § 1 (19.1.400 (part)), 1979)

17.04.070 Planning director responsibilities.

The planning director shall be responsible for design analysis for conformity with the general plan, the environmental design plan and the zoning ordinance; for the environmental quality of the subdivision design; and for the expedient processing of subdivision maps and reports, as provided in this title. (Ord. 341 § 1 (19.1.400 (part)), 1979)

17.04.080 Engineer responsibilities.

The city engineer shall be responsible for reporting to the planning commission and the city council as to engineering requirements including street width, grade and alignment, and whether the proposed public improvements are consistent with the regulations contained in this title, and for the inspection and ultimate approval of all such public improvements. (Ord. 341 § 1 (19.1.400 (part)), 1979)

17.04.090 Planning commission responsibilities.

The city planning commission shall act as the advisory agency to the city council. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the general plan, the environmental design plans and this title. The planning commission shall report its actions and recommendations concerning the subdivision to the city council. (Ord. 341 § 1 (19.1.400 (part)), 1979)

17.04.100 Council responsibilities.

The city council shall have final jurisdiction in the approval of tentative and final subdivision maps, the establishment of requirements for and standards of design of public improvements, and the acceptance of lands and public improvements that may be proposed for dedication as a result of

the subdivision process. (Ord. 341 § 1 (19.1.400 (part)), 1979)

17.04.110 Referrals to other agencies.

Maps of proposed subdivisions shall be referred to all special districts, governmental boards, bureaus, utility companies and other agencies which provide public and private facilities and service to the subdivision, and to such other agencies which the planning director determines may be affected, for their information and comment. (Ord. 341 § 1 (19.1.400 (part)), 1979)

Chapter 17.08**DEFINITIONS****Sections:**

- 17.08.010 **Generally.**
Whenever any words or phrases used in this title are not defined in this chapter, but are defined in the Subdivision Map Act of the Government Code of the state, or in the zoning ordinance of the city,
- 17.08.020 **Alley.**
- 17.08.030 **Block.**
- 17.08.040 **City engineer.**
- 17.08.050 **Collector street.**
- 17.08.060 **Condominium.**
- 17.08.070 **Community apartment project.**
- 17.08.080 **Cul-de-sac.**
- 17.08.090 **Final map.**
- 17.08.100 **Flag lot.**
- 17.08.110 **Freeway.**
- 17.08.120 **Frontage road.**
- 17.08.130 **General plan.**
- 17.08.140 **Industrial street.**
- 17.08.150 **Intersection.**
- 17.08.160 **Local street.**
- 17.08.170 **Loop street.**
- 17.08.180 **Lot.**
- 17.08.190 **Major arterial.**
- 17.08.200 **Parcel map.**
- 17.08.210 **Parcel map subdivision.**
- 17.08.220 **Planning commission.**
- 17.08.230 **Planning director.**
- 17.08.240 **Preliminary map.**
- 17.08.250 **Public improvement.**
- 17.08.260 **Public works director.**
- 17.08.270 **Standard specifications.**
- 17.08.280 **Street.**
- 17.08.290 **Subdivider.**
- 17.08.300 **Subdivision.**
- 17.08.310 **Subdivision committee.**
- 17.08.320 **Subdivision design.**
- 17.08.330 **Subdivision Map Act.**
- 17.08.340 **Tentative map.**

the definitions are incorporated in this chapter and shall apply as though set forth in this chapter in full, unless the context clearly indicates a contrary intention. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.020 Alley.

"Alley" means a street providing only secondary access to abutting property. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.030 Block.

"Block" means an area of land within a subdivision entirely bounded by any streets (other than alleys), freeways, railroad rights-of-way, natural barriers, or the exterior boundaries of the subdivision. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.040 City engineer.

"City engineer" means the Lindsay city engineer. (Ord. 341 § 1 (Art. 2(part)), 1979)

17.08.050 Collector street.

"Collector street" means a street designed to collect and distribute traffic between local streets and arterials. (Ord. 341 § 1 (Art. 2(part)), 1979)

17.08.060 Condominium.

"Condominium" means a property conforming to the definition set forth in the Civil Code of the state. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.070 Community apartment project.

"Community apartment project" means a property conforming to the definition set forth in the Business and Professions Code of the state. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.080 Cul-de-sac.

"Cul-de-sac" means a local street open at only one end, which has a turnaround for vehicles at the closed end. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.090 Final map.

"Final map" means a map, prepared in accordance with the provisions of the Subdivision Map

Act and this title, designed to be placed on record in the office of the county recorder. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.100 Flag lot.

"Flag lot" means a lot having its buildable area removed from a public street, and being connected to the street by means of a narrow extension or access strip. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.110 Freeway.

"Freeway" means a divided arterial highway designed for through traffic having grade-separated intersections and full control of access. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.120 Frontage road.

"Frontage road" means a street adjacent and auxiliary to a freeway or arterial, and separated by a divider strip, which street provides access to abutting property. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.130 General plan.

"General plan" means the general plan for the future development of the city. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.140 Industrial street.

"Industrial street" means a street which serves an industrial area and connects the area to the major street system. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.150 Intersection.

"Intersection" means the place at which two or more streets meet. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.160 Local street.

"Local street" means a street which provides direct access to abutting properties, primarily in residential districts. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.170 Loop street.

"Loop street" means a local street which intersects the same collector street at both its ends and has not intermediate intersections with through streets. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.180 Lot.

"Lot" means a parcel or portion of land, established for purposes of sale, lease, finance, division of interest or separate use, separated from other lands by description on a subdivision map or parcel map. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.190 Major arterial.

"Major arterial" means a street designed to serve high volume intercity and intracity traffic and to act as a distributor between freeways, other arterials and major traffic generators. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.200 Parcel map.

"Parcel map" means a map prepared in accordance with the provisions of this title and the Subdivision Map Act designed to be placed on record in the office of the county recorder. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.210 Parcel map subdivision.

"Parcel map subdivision" means any real property, including condominiums, planned unit development or resubdivision, improved or unimproved; which is divided into four or fewer lots, or is divided as described in subparagraphs (a), (b), (c) and (d) under Section 66426 of the Subdivision Map Act, either by establishing new lot lines or changing existing lot lines, for the purpose of sale, lease or financing. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.220 Planning commission.

"Planning commission" means the city planning commission. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.230 Planning director.

"Planning director" means the city planning director. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.240 Preliminary map.

"Preliminary map" means a map to be submitted to the planning director prior to the filing of a tentative map to show the general characteristics of the proposed subdivision and any other data necessary to enable the subdivision committee to review the proposed subdivision design. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.250 Public improvement.

"Public improvement" means street work, utilities and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.260 Public works director.

"Public works director" means the city public works director. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.270 Standard specifications.

"Standard specifications" means all the standard specifications and standard detailed drawings prepared by the city engineer and approved by resolution of the city council. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.280 Street.

"Street" means an improved facility used for vehicular traffic. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.290 Subdivider.

"Subdivider" shall be as defined in the Subdivision Map Act. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.300 Subdivision.

"Subdivision" shall be as defined in the Subdivision Map Act. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.310 Subdivision committee.

"Subdivision committee" means a review committee comprised of the city engineer, the public works director, the planning director and a public safety official, or their designated representative. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.320 Subdivision design.

"Subdivision design" means the overall layout of the proposed subdivision, including, but not limited to, the arrangement of streets and intersections, the layout and size of lots, the widths and locations of easements and rights-of-way for utilities, drainage structures, sewers, the nature and location of public or semipublic facilities, programs for the preservation of natural features and the installation of public improvements. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.330 Subdivision Map Act.

"Subdivision Map Act" means the Subdivision Map Act of the Government Code of the state. (Ord. 341 § 1 (Art. 2 (part)), 1979)

17.08.340 Tentative map.

"Tentative map" means a map made in accordance with the provisions of the Subdivision Map Act to show the design of a proposed subdivision and the existing conditions in and around the subdivision. It need not be based upon a detailed final survey of the property, except as otherwise provided in this title and the Subdivision Map Act; however, it shall be graphically accurate to reasonable tolerances. (Ord. 341 § 1 (Art. 2 (part)), 1979)

Chapter 17.12

PRELIMINARY MAP

Sections:

- 17.12.010 Subdivision committee established.**
- 17.12.020 Contents and preliminary conference.**

17.12.010 Subdivision committee established.

A subdivision committee is established consisting of the city engineer, the public works director, the planning director and a public safety official, or their designated representative. The city council, by resolution, may appoint additional individuals or employees as members of the subdivision committee as deemed necessary. (Ord. 341 § 1 (19.3.100), 1979)

17.12.020 Contents and preliminary conference.

Prior to the filing of a tentative map, the subdivider shall submit to the planning director fifteen copies of a preliminary map at a scale and in detail sufficient to indicate the essential characteristics of the subdivision including the number, size and design of lots; the location and width of streets; the location of any reservations or easements; the general nature and extent of grading; the relation of the subdivision to all surrounding lands; and any other data necessary to enable the subdivision committee to review the proposed subdivision. The planning director will then, within thirty days, schedule a conference of the subdivision committee with the subdivider on the preliminary map. The committee will make such general recommendations to the subdivider as seem proper regarding the preliminary map, and shall recommend consultations by the subdivider with such other public or private agencies as it designates. The subdivision committee shall furnish written copy of its recommendations to the subdivider and to all other public or private agencies which may be interested. (Ord. 341 § 1 (19.3.200), 1979)

Chapter 17.16**TENTATIVE MAP****Sections:**

- 17.16.010 Filing.**
- 17.16.020 Fees.**
- 17.16.030 Preparation.**
- 17.16.040 Scale.**
- 17.16.050 Vicinity sketch.**
- 17.16.060 Information required.**
- 17.16.070 Street names.**
- 17.16.080 Accompanying data statement.**
- 17.16.090 Distribution.**
- 17.16.100 Planning commission action.**
- 17.16.110 Council action.**
- 17.16.120 Approval notice.**
- 17.16.130 Standards compliance required.**

17.16.010 Filing.

The subdivider shall file with the planning director twenty copies and one sepia and such other copies and data as may be required of the tentative map of each proposed subdivision. The planning director shall indicate upon all copies of the tentative map and accompanying data, the date of filing, which shall be the date on which all required maps, tracings and accompanying data are deposited in the office of the director. (Ord. 341 § 1 (19.4.100), 1979)

17.16.020 Fees.

At the time of filing a tentative subdivision map, the subdivider shall pay an application fee as established by resolution of the city council. (Ord. 341 § 1 (19.4.200), 1979)

17.16.030 Preparation.

The tentative map shall be prepared in accordance with the provisions of the Subdivision Map Act and this title. (Ord. 341 § 1 (19.4.300), 1979)

17.16.040 Scale.

The scale of a tentative map of a subdivision shall be not less than one inch equals one hundred

feet, and the map shall be clearly and legibly reproduced. (Ord. 341 § 1 (19.4.400), 1979)

17.16.050 Vicinity sketch.

A vicinity sketch at a scale of one inch equals one thousand feet shall be drawn on the tentative map. It shall show the street and tract lines and names or numbers of all existing subdivisions, and the outline of acreage parcels of land adjacent to the proposed tract. (Ord. 341 § 1 (19.4.500), 1979)

17.16.060 Information required.

The following information shall be shown on the tentative map or in an accompanying data statement:

1. Any subdivision containing five lots or more shall be given a tract name and unit number, if applicable. The tract names shall not duplicate or nearly duplicate the name of any tract in the city;
2. The name and address of the record owner or owners;
3. The name and address of the subdivider; if different from the record owner, there shall be a statement of the record owner authorizing the subdivider to act;
4. The name and address of the person, firm or organization preparing the tentative map, and a statement indicating the record owner's permission to file the map;
5. The date, north point and a written and graphic scale;
6. A sufficient description to define the location and boundaries of the proposed subdivision, and total and net areas;
7. The location, names and existing widths and grades of adjacent streets;
8. The names or numbers of adjacent tracts and the names of owners of adjacent unplatted land;
9. The contours at one-foot intervals for predominant ground slopes within the tract between level and five percent, and five-foot contours for predominant ground slopes within the tract over five percent. The contours shall be based on the city datum. The closest city benchmark shall be used and its elevation called out on the map.

Benchmark information shall be obtained from the city engineer;

10. A grading plan, showing by appropriate graphic means the proposed grading of the subdivision;

11. The approximate location of all isolated trees with a trunk diameter of four inches or greater, within the boundaries of the tract, and the outlines of groves or orchards;

12. The approximate boundaries of areas subject to inundation or storm water overflow, and the location, width and direction of flow of all water-courses;

13. The existing use or uses of the property and, to scale, the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines;

14. A statement of the present zoning and proposed use of the property, as well as proposed zoning changes, whether immediate or future;

15. Any proposed public areas;

16. Any proposed lands to be retained in private ownership for community use. When a subdivision contains such lands, the subdivider shall submit with the tentative map the proposed articles of incorporation of an owner's or tenant's organization legally empowered to own, maintain and pay taxes on the lands;

17. The approximate widths, locations and uses of all existing or proposed easements for drainage, sewerage and public utilities;

18. The approximate radius of each curve;

19. The approximate layout and dimensions of each lot;

20. The area of each lot;

21. A statement of the domestic water source or sources;

22. A statement of provisions for sewerage and sewage disposal;

23. Preliminary indication of needed or proposed storm drain facilities;

24. The locations, names, widths, approximate grades and a typical cross-section of curbs, gutters, sidewalks and other improvements of all street and

access easements, including proposed locations of all underground utilities;

25. Any proposed dedications, easements and deed restrictions;

26. Proposed building setback lines, lower floor elevations, and maximum building elevations, coordinated with topographic elevations, if not in accordance with the city zoning ordinance;

27. The location of any of the foregoing improvements which may be required to be constructed beyond the boundaries of the subdivision shall be shown on the subdivision map or on the vicinity map as appropriate;

28. If it is contemplated that the development will proceed by units, the boundaries of such units shall be shown on the tentative map. (Ord. 341 § 1 (19.4.600), 1979)

17.16.070 Street names.

The following principles shall govern street names in a subdivision:

A. Each street which is a continuation, or approximately the continuation, of any existing dedicated street shall be shown on the tentative map and shall be given the name of the existing street. When any street forms a portion of a proposed street previously ordered by the city council to be surveyed, opened, widened or improved, the street shall be given the name established in the council order.

B. The words "street," "avenue," "boulevard," "place," "way," "court" or other designation of any street shall be spelled out in full on the map and shall be subject to approval by the planning commission. (Ord. 341 § 1 (19.4.700), 1979)

17.16.080 Accompanying data statement.

Such information as cannot be conveniently shown on the tentative map of a subdivision shall be contained in a written statement accompanying the map. (Ord. 341 § 1 (19.4.800), 1979)

17.16.090 Distribution.

A. Within ten days of filing of a tentative map of a subdivision, the planning director shall trans-

mit the requested number of copies of the map together with accompanying data to such public agencies and utilities as may be concerned. Each of the public agencies and utilities may, within twenty days after the map has been filed, forward to the planning director a written report of its findings and recommendations thereon.

B. The planning director shall prepare a written report on the conformity of the tentative map to the provisions of the general plan, any applicable environmental design plan, the zoning ordinance and all other applicable requirements of this and other ordinances and regulations of the city.

C. The city engineer shall prepare a written report of recommendations on the tentative map in relation to the public improvement requirements of this title and the provisions of the Subdivision Map Act. (Ord. 341 § 1 (19.4 900), 1979)

17.16.100 Planning commission action.

Within fifty days after the filing of a tentative map of a subdivision or at such later date as may be required to concurrently process the appurtenant environmental impact review documents required by state law and local ordinances, unless such time is extended by agreement with the subdivider, the planning commission shall act thereon. If the planning commission finds that the proposed map complies with the requirements of this title and the Subdivision Map Act, it shall recommend approval of the map. If the planning commission finds that the proposed map does not meet the requirements of this title and the Subdivision Map Act, it shall recommend conditional approval or disapproval of the map. (Ord. 341 § 1 (19.4.1000), 1979)

17.16.110 Council action.

Within ten days after receipt of the report of the planning commission on the tentative map, or at its next regular meetings the city council shall act thereon. If the city council finds that the proposed map complies with the requirements of this title and the Subdivision Map Act, it shall approve the map. If the city council finds that the proposed map does not meet the requirements of this title and the

Subdivision Map Act, it shall conditionally approve or disapprove the map. (Ord. 341 § 1 (19.4.1100), 1979)

17.16.120 Approval notice.

The planning director shall notify the subdivider, in writing, of the action taken by the city council, together with one copy of the planning commission's report thereon. One copy of the map and accompanying data and the planning commission's report thereon shall be retained in the permanent file of the planning commission. (Ord. 341 § 1 (19.4.1200), 1979)

17.16.130 Standards compliance required.

Approval of the tentative map shall in no way relieve the subdivider of his responsibility to comply with the required conditions and to provide the improvements and easements necessary to meet all city standards. (Ord. 341 § 1 (19.4.1300), 1979)

Chapter 17.20**FINAL MAP****Sections:**

- 17.20.010 Filing.**
- 17.20.020 Accompanying data required.**
- 17.20.030 Size, material and scale.**
- 17.20.040 Title.**
- 17.20.050 Coordinate system.**
- 17.20.060 Subdivision boundary.**
- 17.20.070 Dimensions, bearing and curve data.**
- 17.20.080 Lots and blocks.**
- 17.20.090 Streets.**
- 17.20.100 Easements.**
- 17.20.110 Building setback lines.**
- 17.20.120 High water line.**
- 17.20.130 Monuments.**
- 17.20.140 Certificates, acknowledgments and descriptions.**
- 17.20.150 Public improvement agreement.**
- 17.20.160 Improvement security.**
- 17.20.170 Engineer action.**
- 17.20.180 Planning director action.**
- 17.20.190 City council—Approval.**
- 17.20.200 City council—Disapproval.**
- 17.20.210 Recordation.**
- 17.20.220 Fees.**

17.20.010 Filing.

Within the time specified in Section 66452.6(a) of the Government Code of the state of California, after the approval or conditional approval of the tentative map, the subdivider shall file the final map for recordation. The final map shall be in conformance with the approved tentative map and any conditions attached thereto. The original on polyester base film or cloth linen, and five prints of the final map shall be submitted to the city engineer. Upon application of the subdivider filed prior to the expiration of the approved or conditional approved tentative map the time at which the map expires may be extended by the city council for a period or periods not exceeding the total period specified in

Section 66452.6(e) of the Government Code of the state of California; provided, that the provisions of said Sections 66452.6(a) and 66452.6 (e) as amended by Chapter 259 of the Statutes of 1982, shall also apply to any tentative subdivision map approved prior to June 11, 1982, which has not expired by action of law prior to such date. (Ord. 382 (part), 1983: Ord. 341 § 1 (19.5.100), 1979)

17.20.020 Accompanying data required.

At the time of submitting the final map of a subdivision to the city engineer the subdivider shall submit therewith the following documents:

A. Traverse Sheets. Calculation and traverse sheets in a form approved by the city engineer, giving bearings and distances and coordinates of the boundary of the subdivision and blocks and lots therein shown on the final map;

B. Public Improvement Plans. The original tracings of detailed plans, cross-sections and profiles, and of all other improvements to be installed as required by the provisions of this title or proposed by the subdivider in, on, over or under any street, right-of-way, easement or parcel of land dedicated by the map or previously dedicated, including the estimated cost thereof, shall be filed with the city engineer for his approval and signature. All such plans shall be prepared in accordance with the requirement of the city engineer. Plan sheets shall be twenty-four inches by thirty-six inches with plan and profile drawn to a scale of one inch equals fifty feet, or to an appropriate scale previously approved by the city engineer.

A no-access rights certificate shall be shown on the final map where required by the city engineer;

C. Design Data. Design data, assumptions and computations for proper analysis in accordance with sound engineering practices;

D. Report and Guarantee of Clear Title. The final map shall be accompanied by a current report prepared by a duly authorized title company naming the persons whose consent is necessary for the preparation and recordation of the map and for dedication of the streets, alleys and other public places shown on the map and certifying that as of

the date of the preparation of the report, the persons therein named are all the person necessary to give clear title to the subdivision. At the time of recording the map, following approval by the city council, there shall be filed with the county recorder a guarantee executed by a duly authorized title company for the benefit and protection of the city showing that persons (name them) consenting to the preparation and recordation of the map and offering for dedication the streets, alleys and other public places shown thereon are all the persons necessary to pass clear title to the subdivision and to the dedication shown thereon;

E. Preliminary Soil Report. A preliminary soil report prepared by a civil engineer registered by the state, based upon adequate test borings or excavations. The fact that a soil report has been prepared shall be noted on the final map in accordance with the Subdivision Map Act.

If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision may be required, prepared by a civil engineer registered by the state. The soil investigation shall recommend corrective action intended to prevent structural damage to each dwelling proposed to be constructed on expansive or unstable soil. The report shall be filed with the city building department. (Ord. 341 § 1 (19.5.200), 1979)

17.20.030 Size, material and scale.

The final map shall be clearly and legibly drawn in black waterproof India ink upon good tracing cloth. Signatures shall be in opaque black ink. The dimensions of each sheet of the map shall be eighteen inches by twenty-six inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale of the map shall be sufficient to show all details clearly and in no case shall be less than one inch equals one hundred feet. Enough sheets shall be used to accomplish this end. The number of each sheet and the total number of sheets comprising the map shall be stated on each of the sheets and the

relation of each adjoining sheet shall be clearly shown by a small key map on the first sheet. Each sheet shall show north point and written and graphic scale. The map shall be so made and shall be in such condition when filed that good legible prints and negatives can be made therefrom. The location of the subdivision within the city shall be shown by a small scale map on the first sheet. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.040 Title.

The title of each sheet of the final map shall consist of the approved name and unit number of the tract, if any. Maps filed for the purpose of showing as acreage land previously subdivided shall be conspicuously marked with the words "Reversion to Acreage." (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.050 Coordinate system.

Wherever the city engineer has established a system of coordinates, then the survey shall be tied into the system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision name or number and place of record, or other proper designation. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.060 Subdivision boundary.

An accurate and complete boundary survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground, shall close within a limit of one foot to ten thousand feet of perimeter. The boundary of the subdivision shall be indicated on the final map by a blue line approximately one-sixteenth of an inch wide. Any area within the exterior boundary line which does not constitute a part of the subdivision shall be labeled "not a part of this subdivision." All lines enclosing the excluded areas shall be dashed. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.070 Dimensions, bearing and curve data.

The final map shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius, and arc length of curves, and such information as may be necessary to determine the location of the centers of curves. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.080 Lots and blocks.

All lots and blocks and all parcels offered for dedication for any purpose shall be particularly delineated and designated with all dimensions, boundaries and courses clearly shown and defined in every case. Parcels offered for dedication other than for streets or easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with the numeral "1" and continue consecutively throughout the tract, with no omissions or duplications. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.090 Streets.

The map shall show the right-of-way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet of the subdivision shall be shown. If any street in the subdivision is a continuation or approximately a continuation of an existing street, the conformity or the amount of nonconformity of the street to the existing streets shall be accurately shown. Whenever the centerline of a street has been established or re-

corded, the data shall be shown on the final map. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.100 Easements.

The side lines of all easements shall be shown by fine dashed lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference shall appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement shall be arrowed or so shown that the map will indicate clearly the actual lengths of the lot lines. The widths of all easements and sufficient ties thereto to definitely locate them with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference shall be given. If an easement is being dedicated by the map, it shall be set out in the owner's certificate of dedication. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.110 Building setback lines.

The map shall show all building setback lines which do not conform with the zoning ordinance, by long dash lines, and shall be labeled. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.120 High water line.

The map shall show the mean high water line with a fine continuous line in case the subdivision is adjacent to a waterway, and shall also show with a fine continuous line any lots or portions thereof which are subject to inundation by a one-hundred-year frequency storm. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.130 Monuments.

The map shall show fully and clearly what stakes, monuments or other evidence to determine the boundaries of the subdivision were found on the ground and each adjacent corner of each adjoining subdivision or portion thereof, by lot and block numbers, tract name or number, and place of record, by section, township and range, or other

proper designation. Any monument or benchmark, as required by this title, that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the subdivider. The following required monuments shall be shown on the final map:

A. The location of all monuments placed in making the survey. If any points were reset by ties, that fact shall be stated;

B. Concrete monuments depressed below street grade with case iron ring and cover of a type approved by the city engineer shall be set at intersections of street centerline tangents or offsets therefrom, or as required by the city engineer. The exact location of all such monuments shall be shown on the final map;

C. All lot corner pipes;

D. Monuments shall be set after approval of the final map by the city council, and prior to acceptance of the public improvements by the city council;

E. Any monument or benchmark required by this title, that is disturbed before acceptance of all improvements, shall be replaced by the subdivider. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.140 Certificates, acknowledgments and descriptions.

The title sheet of the map, below the title, shall show the name of the engineer or surveyor, together with the date of the survey, the scale of the map and the number of sheets. The following certificates, acknowledgments and description shall appear on the title sheet of the final maps, and the certificates may be combined where appropriate:

A. Certificate by Parties Holding Title. A certificate in accordance with the provisions of the Subdivision Map Act;

B. Dedication Certificates. A certificate in accordance with the Subdivision Map Act;

C. Engineer's Certificate. A certificate in accordance with the Subdivision Map Act;

D. Certificate to be Executed. Certificates for execution by each of the following:

1. City engineer,

2. Secretary to the city planning commission,
3. City clerk,
4. County recorder;

E. Description of Property. A brief description of all property being subdivided. Each reference in the description to any tract or subdivision shall show a complete reference to the book and page of records of the county. The description shall also include reference to any vacated area with the number of the ordinance of vacating thereof;

F. Other Affidavits. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law and by this title;

G. Certificate Regarding Tax Lien. Prior to the filing of the final map with the city council, the subdivider shall file the certificates and documents set forth in Article 8 of the Subdivision Map Act or any amendment thereto relating to taxes and assessments. (Ord. 341 § 1 (19.5.300 (part)), 1979)

17.20.150 Public improvement agreement.

Prior to the approval by the city council of the final map, the subdivider shall execute and file an agreement between himself and the city, specifying the period within which he shall complete all public improvement work to the satisfaction of the city engineer, and providing that if he fails to complete the work within the period, the city may complete it and recover the full cost and expense thereof from the subdivider or his surety. The agreement shall also provide for inspection of all public improvements by the city engineer and that the cost of the inspections shall be reimbursed to the city by the subdivider. The agreement may also provide the following:

A. For the construction of the improvements in units;

B. For extension of time under conditions therein specified. (Ord. 341 § 1 (19.5.400), 1979)

17.20.160 Improvement security.

A. The subdivider shall file with the agreement required by the provisions of Section 17.20.150, to assure his full and faithful performance thereof, a bond or security for such sum as the city engineer

deems sufficient to cover the cost of the improvements. The security shall be in the manner, form and kind provided by the Subdivision Map Act. The security shall be in the amount of one hundred percent of the estimated cost of the improvements, conditioned upon the faithful performance of his agreement by the subdivider, and in the additional amount of fifty percent of such sum securing the payment by the subdivider to his contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials to them for improvements. The security provided shall guarantee maintenance and/or repair of all defects in required public improvements for a period of one year following acceptance of the improvements by the city.

B. In lieu of a one hundred percent performance bond and fifty percent labor and materials bond, surety may be assured by the filing of an instrument of credit, cash deposit, or deposit of negotiable bonds, which creates a trust fund in an amount equal to one hundred fifty percent of the cost of the work estimated by the city engineer. The trust fund shall be maintained in a financial institution subject to regulation by the state and federal governments with the trust fund limited to the following conditions:

1. Ten percent of the cost, representing a labor and materials deposit, to be retained for thirty-five days after the filing of the notice of completion;

2. Funds may be discharged from the balance of the surety account from time to time as work is completed, up to ninety percent of value of work completed, with authorization of the city engineer, until all work is completed and the notice of completion is filed;

3. Prior to final acceptance by the city of improvements, the subdivider shall provide the city with a one-year maintenance bond in the amount of one hundred percent of the estimated cost of improvements.

C. In the event the subdivider fails to complete all improvement work in accordance with the provisions of this title and the city has completed them, or if the subdivider fails to reimburse the city for the cost of incidental expenses or to cover the

cost of replacement and repair of existing streets or other improvements damaged in the development of the subdivision or requiring repair or replacement during the one-year guarantee period, the city shall demand performance of the agreement by the bonding company, or use the cash or other security deposit placed with the city by the subdivider to do the work and reimburse itself for the cost of work agreed to be performed by the subdivider. If the amount of the surety bond or cash deposit exceeds all costs and expenses incurred by the city, the city shall release the remainder of the bond or certification less the cost and expense incurred by the city. The subdivider shall be liable to the city for any costs additional to those secured, in an action to be brought therefor by the city.

D. The city will require that the completion of all improvements be secured under the provisions of this title and will not permit completion of the improvements by assessment act financing.

E. All required improvements shall be constructed under the inspection of the director of public works, planning director and/or the city engineer. The cost of inspection of work shall be paid by the subdivider in an amount, as determined by the city engineer, sufficient to pay for the inspection, and in no case less than two percent of the estimated cost of the improvements.

F. No extension of time, progress payments from cash deposits, or releases of surety bond or cash deposit shall be made except upon the certification by the city engineer that the work covered thereby has been satisfactorily completed, and upon approval of the city council. (Ord. 341 § 1 (19.5.500), 1979)

17.20.170 Engineer action.

Upon receipt of the final map and other data submitted therewith, the city engineer shall examine them to determine that the subdivision as shown is substantially the same as it appeared on the tentative map, and any approved alterations thereof, that all provisions of this title or any other ordinance and the Subdivision Map Act applicable at the time of approval of the tentative map have

been complied with, and that he is satisfied that the map is technically correct. If the city engineer determines the final map is not in full conformity with the tentative map, he shall advise the subdivider of the changes or additions that must be made for such purposes and shall afford the subdivider an opportunity to make such changes or additions. If the city engineer finds the final map to be in correct form and the matters shown therein are sufficient, the city engineer shall endorse his approval thereon and transmit it to the city council for approval. (Ord. 341 § 1 (19.5.600), 1979)

17.20.180 Planning director action.

The planning director shall certify to the city engineer that the final map is in full conformity with the approved tentative map, and all provisions of the zoning ordinance, by endorsing his approval thereon. (Ord. 341 § 1 (19.5.700), 1979)

17.20.190 City council—Approval.

At its first regular meeting following the filing of the final map with the city clerk by the city engineer as aforesaid, the city council shall consider the map, the plan of subdivision, and the offers of dedication. The council may reject any or all offers of dedication, and may, as a condition precedent to the acceptance of any streets or easements or the approval of the subdivision, require the subdivider, at his option, to either improve or agree to improve the streets, install such drainage and utility structure and service as it determines, and within the period it specifies. The agreement shall include and have incorporated as part thereof, the plans, specifications and profiles referred to and required under Section 17.20.150. If the city council determines that the map is in conformity with the requirements of this title, that it is satisfied with the plans of subdivision, and accepts all offers of dedication, it shall approve the map and the city clerk shall thereupon so certify upon the map and transmit it to the clerk of the board of supervisors of the county in conformity with the Subdivision Map Act. (Ord. 341 § 1 (19.5.800), 1979)

17.20.200 City council—Disapproval.

If the city council determines either that the map is not in conformity with the requirements of this title, or that it is not satisfied with the plans of subdivision, or if it rejects any offer or offers of dedication, it shall disapprove the map specifying its reason therefor and the city clerk shall in writing advise the subdivider of the disapproval, and of the reason or reasons for the disapproval. Within thirty days after the city council has disapproved any map, the subdivider may file with the city engineer a map altered to meet the approval of the city council. In such case the city engineer shall review the altered map for conformance with the requirements of the city council and shall then submit the altered map to the city council for its approval along with a certification that the altered map is technically correct. No final map shall have any force or effect until it has been approved by the city council and no offer of dedication shall be accepted until the county clerk has recorded the map with the county recorder. (Ord. 341 § 1 (19.5.900), 1979)

17.20.210 Recordation.

When the city council has approved the final map as set forth in this chapter, and when the subdivider has filed with the city clerk the applicable agreement and sureties, and when the agreement and sureties have been approved by the city attorney, as to form and sufficiency, the city clerk shall present the map to the county clerk, who shall record it with the county recorder. (Ord. 341 § 1 (19.5.1000), 1979)

17.20.220 Fees.

At the time of filing a final subdivision map, the subdivider shall pay such fees as established by resolution of the city council. (Ord. 341 § 1 (19.5.1100), 1979)

Chapter 17.24

PARCEL MAP SUBDIVISION

Sections:

- 17.24.010 **Applicability.**
- 17.24.020 **Tentative parcel map—Filing and fees.**
- 17.24.030 **Tentative parcel map—Contents.**
- 17.24.040 **Tentative parcel map—Consideration.**
- 17.24.050 **Tentative parcel map—Planning commission action.**
- 17.24.060 **Required conditions and improvements.**
- 17.24.070 **Appeal.**
- 17.24.080 **Recording time limit.**
- 17.24.090 **Final parcel map—Preparation.**
- 17.24.100 **Final parcel map—Field survey.**
- 17.24.110 **Final parcel map—Form.**
- 17.24.120 **Final parcel map—Information contained.**
- 17.24.130 **Final parcel map—Certificates.**
- 17.24.140 **Final parcel map—Improvement agreement and security.**
- 17.24.150 **Final parcel map—Recording.**
- 17.24.160 **Lot line adjustment.**
- 17.24.170 **Merger and reversion to acreage.**

17.24.010 **Applicability.**

Notwithstanding any other provisions of this title to the contrary, the procedure set forth in this chapter shall govern the processing of and requirements pertaining to parcel map subdivisions. (Ord. 341 § 1 (19.6.100), 1979)

17.24.020 **Tentative parcel map—Filing and fees.**

A. Twenty copies of the tentative parcel map shall be filed with the planning director.

B. The tentative parcel map shall be accompanied by an application fee and environmental impact fee as established by city council resolutions.

C. The planning director may refuse to accept a tentative parcel map which is inaccurate, illegible, incomplete or which fails to comply with the requirements of this chapter. (Ord. 341 § 1 (19.6.200), 1979)

17.24.030 **Tentative parcel map—Contents.**

The size of each sheet shall be eighteen inches by twenty-six inches. The tentative parcel map shall be legibly drawn, in pencil or ink, and shall use a decimal or engineer's scale of not less than one inch equals one hundred feet unless the planning director determines that a different scale will be adequate and appropriate for the tentative map. The tentative map shall clearly show the following information:

A. The dimensions and boundaries of the original parcel, with a legal description of the original parcel attached to the map;

B. The dimensions, computed area and boundaries of each parcel to be created;

C. All existing surface and underground structures and improvements located on the original parcel together with the exterior dimensions of the structures and improvements, the distance between structures and improvements, the number of stories or the height of each structure and the distance from the structures and improvements to the boundary line of the lots which are to be created by the proposed division of land;

D. The names, locations and widths of all existing and proposed streets abutting the original parcel;

E. The location, purpose and width of all existing and proposed easements and the names of the owners and proposed owners of the easements. Easement boundaries shall be shown by means of a dotted line;

F. Sufficient elevations and contours to determine the general slope of the land and the high and low points thereof shall be shown;

G. Approximate location of all areas subject to flooding or ponding of surface water, the location, width and direction of flow of all watercourses and the location of selected flood lines;

H. Existing use or uses of the property;

I. Proposed use of the property and, if property is proposed to be used for more than one purpose, the areas proposed for each type of use;

J. Statement of the improvements and public utilities proposed to be made or installed and the time at which the improvements are proposed to be completed;

K. North point, scale and date of preparation;

L. Provisions for sewage disposal;

M. The proposed water supply;

N. The names, addresses and telephone numbers of the property owners, the person filing the map, and the registered civil engineer or licensed land surveyor, if any, who prepared the map;

O. A statement signed by the owners of the property certifying the division request and accuracy of the information shown. (Ord. 341 § 1 (19.6.300), 1979)

17.24.040 Tentative parcel map— Consideration.

The planning commission shall review and approve, conditionally approve or disapprove the tentative parcel map within fifty days after the date of filing with the planning director or at such later date as may be required to concurrently process the appurtenant environmental impact review document required by state law and local regulations. (Ord. 341 § 1 (19.6.400), 1979)

17.24.050 Tentative parcel map—Planning commission action.

A. If the planning commission determines that the tentative parcel map complies with all of the provisions of this chapter, it shall approve the map.

B. If the tentative parcel map fails to meet one or more requirements set forth in this chapter, the planning commission may approve the map subject to such conditions as may be necessary to conform to the requirements.

C. When approving or conditionally approving the tentative parcel map, the planning commission shall specify the dedications and improvements to be made by the owner.

D. Within seven days after the action by the planning commission, written notice of the action by the planning commission shall be mailed to the applicant.

E. Upon approval of the tentative parcel map by the planning commission, the tentative parcel map shall be so marked and all conditions of approval and required dedications and improvements clearly specified on or with the map. Copies of the approved tentative parcel map shall be filed with the planning director, the public works director and the city engineer. (Ord. 341 § 1 (19.6.500), 1979)

17.24.060 Required conditions and improvements.

A parcel map subdivision shall conform to the standards specified in Chapter 17.28, the state Subdivision Map Act, and in addition, the following requirements shall be imposed as a condition of approval of a parcel map subdivision:

A. Lots created shall conform to the applicable requirements of the zoning ordinance;

B. Utility easements and street rights-of-way shall be offered for dedication;

C. Water supply and sewage disposal shall be satisfactory to the city engineer;

D. Public improvements shall be satisfactory to the city engineer. (Ord. 341 § 1 (19.6.600), 1979)

17.24.070 Appeal.

Within fifteen calendar days after the date on which the written notice of disapproval or conditional approval is mailed to the owner, the owner or his authorized agent may appeal to the city council for review of the action of the planning commission. The action of the planning commission shall be final unless such an appeal is filed within the fifteen-day period. An appeal shall be in writing, shall be filed with the city clerk, and shall state specifically wherein it is claimed there was an error or abuse of discretion by the planning commission.

Upon the filing of an appeal, the planning commission shall transmit to the city clerk copies of all documents in the files of the commission pertaining to the tentative parcel map. The city clerk shall give notice to the person filing the appeal and to the planning commission of the date when the appeal will be heard by the city council. After the appeal hearing, the city council may affirm, reverse or modify the action of the planning commission, or refer the matter back to the commission for further action. (Ord. 341 § 1 (19.6.700), 1979)

17.24.080 Recording time limit.

Failure to file a final parcel map with the county recorder within the time specified in Section 66463.5(a) of the Government Code of the state of California, after the date of approval or conditional approval of the tentative parcel map shall automatically revoke the approval. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative parcel map the time at which the map expires may be extended by the city council for a period or periods not exceeding the total period specified in Section 66463.5(c) of the Government Code of the state of California; provided, that the provisions of Sections 66463.5(a) and 66463.5(c) as amended by Chapter 923 of the Statutes of 1982 shall also apply to any tentative parcel map approved prior to September 13, 1982, which has not expired by action of law prior to such date. (Ord. 382 (part), 1983; Ord. 341 § 1 (19.6.800), 1979)

17.24.090 Final parcel map—Preparation.

The final parcel map shall be prepared in accordance with the approved tentative parcel map by a registered civil engineer or licensed land surveyor and shall be submitted to the city engineer for his examination prior to filing with the county recorder. Calculations and traverse sheets shall be submitted with the final parcel map indicating closures and areas of the original parcel and each parcel being created. At the time of submitting the final parcel map, the applicant shall pay a fee as established by city council resolution to defray the

expenses of checking the map. Within twenty calendar days after receipt of the final parcel map, or within such additional time as may be reasonably necessary, the city engineer shall examine it for the survey information shown thereon, and if he is satisfied that it is technically correct, he shall sign the appropriate certificate on the map. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.100 Final parcel map—Field survey.

If the division of land creates four or less parcels, the final parcel map may be compiled from recorded or filed data when survey information exists on recorded or filed maps to sufficiently locate and retrace the exterior boundary lines of the final parcel map and when the location of at least one of these boundary lines can be established from an existing monumented line. In all other cases, the final parcel map shall be based on a field survey of the land conducted in accordance with the Land Surveyor's Act of the state. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.110 Final parcel map—Form.

A. The final parcel map shall be a map legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

B. The size of each sheet shall be eighteen inches by twenty-six inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.120 Final parcel map—Information contained.

A. Each parcel shall be consecutively numbered. Each parcel shall have its area shown to the nearest one-hundredth of an acre or nearest square foot. The exterior boundary of the land included within the new parcel or parcels being created shall be indicated by a blue colored border one-eighth of an inch in width. The map shall show the definite location of the parcel or parcels, and particularly the relationship to existing surveys.

B. The final parcel map shall also contain the following information:

1. The parcel map number and date of preparation;
2. The net dimensions of each lot. No ditto marks shall be used;
3. The names, locations and right-of-way widths of all abutting public streets;
4. The proposed location, purpose and width of all proposed public roads and private access easements;
5. The boundaries of any private easement, whether an easement of record or a prescriptive easement, shall be shown by means of a dotted line and the name of the person owning the easement shall be shown on the map;
6. Location and widths of easements for public utilities, if required;
7. The location and widths of watercourses and areas subject to inundation and location of selected flood lines within the parcels being created;
8. Building setback lines, if applicable;
9. A north point and graphic scale;
10. Location or vicinity map at a minimum scale of one inch equals one mile;
11. Names and addresses of the owners of the property being divided. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.130 Final parcel map—Certificates.

The following certificates shall appear on the final parcel map:

A. A certificate of the registered civil engineer or licensed land surveyor who prepared the survey

and the parcel map in compliance with the Subdivision Map Act.

B. A certificate for execution by the city engineer which complies with the Subdivision Map Act.

C. A certificate for execution by the planning director on behalf of the planning commission certifying that the final parcel map conforms to the approved tentative parcel map.

D. A certificate for execution by the county recorder in compliance with the Subdivision Map Act. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.140 Final parcel map—Improvement agreement and security.

If the required improvements have not been completed at the time when the final parcel map is submitted to the city engineer, the final parcel map shall not be approved until the owner has entered into an agreement with the city council to complete all of the improvements and the agreement shall be subject to all of the provisions of this title governing the agreements between the city and subdividers. In addition, the owner shall provide security to guarantee to the city the completion of the improvements and the security shall be in the same form, and subject to all of the same conditions, restrictions, and other provisions applicable to the similar security provided by a subdivider to the city under this title. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.150 Final parcel map—Recording.

When all certificates have been executed and all other requirements of this chapter complied with, the city engineer shall present the final parcel map to the county recorder for filing in accordance with the Subdivision Map Act. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.160 Lot line adjustment.

A lot line adjustment between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not

17.24.170

thereby created, may be approved by the city engineer and planning director or their authorized representatives, with the filing of a final parcel map and necessary information required by the city engineer and planning director. Applications for lot line adjustments shall be filed with the planning director and shall be in the form and contain the information required by the city engineer and planning director. A lot line adjustment shall not be approved unless the diminished parcel and any structures or parking spaces located thereon will comply with area, width, frontage and yard requirements of the zone in which the parcel is located. The lot line adjustment shall not be complete until a final parcel map is recorded with the office of the county recorder. (Ord. 341 § 1 (19.6.900 (part)), 1979)

17.24.170 Merger and reversion to acreage.

Subdivided real property may be merged or reverted to acreage pursuant to provisions of Chapter 6, Article 1 of the Subdivision Map Act. (Ord. 341 § 1 (19.6.900 (part)), 1979)

Chapter 17.28

DEVELOPMENT STANDARDS

Sections:

- 17.28.010 Conformance required.
- 17.28.020 Buildable lots required.
- 17.28.030 Access to public streets.
- 17.28.040 Lot standards.
- 17.28.050 Streets—Conformance required.
- 17.28.060 Streets—Minimum standards.
- 17.28.070 Streets—Right-of-way width.
- 17.28.080 Streets—Pattern.
- 17.28.090 Streets—Names.
- 17.28.100 Alleys.
- 17.28.110 Areas adjacent to arterials.
- 17.28.120 Grades, curves and sight distances.
- 17.28.130 Curbs, sidewalks and pedestrian ways.
- 17.28.140 Hillside subdivisions.
- 17.28.150 Landscaping.
- 17.28.160 Utility facilities and easements.
- 17.28.170 Watercourses.
- 17.28.180 Blocks—Width.
- 17.28.190 Blocks—Length.
- 17.28.200 Reserve strips.
- 17.28.210 Neighborhood facilities—Site reservation.
- 17.28.220 Neighborhood facilities—Determination of need.
- 17.28.230 Neighborhood facilities—Service areas.
- 17.28.240 Neighborhood facilities—Principles and standards.
- 17.28.250 Dedications for park and recreation purposes.
- 17.28.260 Nonresidential subdivisions—General plan and environmental design plan conformance.
- 17.28.270 Nonresidential subdivisions—Types.

17.28.280 Nonresidential subdivisions—Principles and standards.

17.28.010 Conformance required.

Except where modified by the city council, each subdivision or parcel map subdivision and map thereof shall be in conformity with the standards set forth or referred to in this chapter. (Ord. 341 § 1 (19.7.100), 1979)

17.28.020 Buildable lots required.

All subdivisions shall result in the creation of lots which are developable and capable of being built upon. No subdivision shall create lots which are impractical of improvement due to size or shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other natural physical conditions. (Ord. 341 § 1 (19.7.200), 1979)

17.28.030 Access to public streets.

All lots or parcels created by the subdivision of land shall have access to a public street improved to standards required in this chapter. Private streets shall not normally be permitted. However, if the planning commission finds that the most logical development of the land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons therefor, then such access may be recommended by the planning commission. The subdivider shall submit a development plan showing the alignment, width, grade and material specifications of any proposed private street, the topography and means of access to each lot, drainage and sewerage of the lots served by the private street, and a plan satisfactory to the city council for ownership and maintenance of the street and the liability for taxes thereon. Construction of the private street or access shall be completed prior to occupancy of any buildings on lots served by a private street. (Ord. 341 § 1 (19.7.300), 1979)

17.28.040 Lot standards.

The size, shape and orientation of lots in the subdivision shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following principles and standards shall be observed:

A. The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinance for the district in which the subdivision is located.

B. The sidelines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or approximately radial to the center of curvature, if the street is curved. Side lines of lots shall be approximately radial to the center of curvature of a cul-de-sac on which the lot faces.

C. No residential lot shall have a width less than sixty feet at the building setback line, as set forth in the zoning ordinance.

D. Corner lots for residential use shall be platted wider than interior lots in order to permit conformance with the required street side yard requirements of the zoning ordinance.

E. No lot shall have a depth of less than ninety-five feet.

F. No lot shall be divided by a city boundary line, nor any boundary between parcels registered under separate ownership. Each such boundary line shall be made a lot line.

G. A lot depth in excess of twice the width shall be avoided whenever possible.

H. No remnants of property shall be left in the subdivision which do not conform to lot requirements, or are not required for a private utility or public purpose.

I. Lot numbers shall begin with the number "1" and shall continue consecutively through the tract, with no omissions or duplications, and no block designations shall be used.

J. Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions. The width of each block shall be sufficient for an ultimate layout of two tiers of lots therein of a size required by the provisions of this title unless the general layout in

the vicinity, lines of ownership, topographical conditions, or locations of arterial streets or freeways justify or make necessary a variation from this requirement.

K. A flag lot shall only be permitted in hillside development where topographic conditions preclude direct lot frontage on the abutting street. In such case the access strip shall be not less than twenty feet in width and shall not exceed one lot in depth. In calculating the lot area of a flag lot, the square footage included in the access strip shall not be counted. (Ord. 341 § 1 (19.7.400), 1979)

17.28.050 Streets—Conformance required.

The subdivision design shall conform to the pattern of arterials designated in the general plan, and where applicable the environmental design plan, and to any future street plan lines designated by the planning commission and approved by the city council. Whenever a subdivision fronts on a designated arterial, it shall be included in the tract and shall be platted by the subdivider in the location indicated. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.060 Streets—Minimum standards.

Where higher standards have not been established as specified in Section 17.28.050, all streets and arterials shall be platted according to the minimum set forth in Sections 17.28.070 through 17.28.130 except where it can be shown by the subdivider, to the satisfaction of the city council, that the topography or the small number of lots served and the probable future traffic development are such as to unquestionably justify a lesser standard. A planned community or planned unit development, if designed with a comprehensive circulation and parking system including separate pedestrianways, may also justify modification of standards. High standards may be required where streets are to serve commercial or industrial property or where probable traffic conditions warrant. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.070 Streets—Right-of-way width.

Right-of-way width shall be as follows:

Type of Street	Right-of-Way (Feet)
Major arterial street	110
Secondary street	84
Collector street	60
Local street	56
Cul-de-sac street	56
Private streets and alleys	20—30

(Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.080 Streets—Pattern.

The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed:

A. Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.

B. Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the planning commission, the extension is not necessary for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

C. Where necessary to give access to or permit a satisfactory subdivision of adjoining land, streets shall extend to the boundary of the property and the resulting dead-end streets may be approved with a temporary turnaround. In all other cases, a turnaround having a minimum pavement radius of forty-four feet measured to the face of the curb, shall be required.

D. Proposed streets shall intersect on another as nearly at right angles as topography and other limiting factors of good design permit. T intersections rather than cross intersections shall be used wherever possible.

E. Excessively long straight local residential streets, conducive to high-speed traffic, shall be prohibited.

F. Cul-de-sacs or dead-end streets should not be more than six hundred feet in length whenever possible. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.090 Streets—Names.

A. All street names shall be approved by the planning commission. Duplication of existing names shall not be allowed unless the streets are approximately in alignment with existing streets and not so far removed as to be confusing.

B. Names of through streets in a north-south alignment shall be followed by the designation "Avenues" and the names of through streets in an east-west alignment shall be followed by the designation "Street."

C. Cul-de-sac streets in a north-south alignment shall be followed by the designations of either "Lane," "Circle" or "Court" and cul-de-sac streets in an east-west alignment shall be followed by the designations of either "Place," "Way" or "Drive." (Ord. 391, 1984; Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.100 Alleys.

A. Alleys shall be optional in residential subdivisions. The planning commission for any one of the following reasons may require alleys (if alleys are required, they shall be constructed to city standards):

1. Unusual size, shape or topographical character of the property to be subdivided;

2. The relationship to existing or proposed commercial, industrial or high density residential development or adjacent railroad right-of-way;

3. The special nature of the design or density of a residential subdivision where dwellings are grouped in such a manner as to require access from other than the street frontage;

4. The need to maintain continuity of existing alleys where the property to be subdivided is located immediately between existing residential blocks where alleys are provided.

B. Residential alleys shall have a minimum dedicated width of twenty feet.

C. Alleys shall be provided where needed to serve existing or proposed commercial or industrial areas and shall have a minimum dedicated width of thirty feet with adequate provisions for ingress and egress.

D. A twenty-foot corner diagonal cutoff measured along the property lines from the point of intersection will be required where two alleys intersect.

E. Alleys shall be so laid out and aligned as to provide reasonable access for utilities and other services.

F. Dead-end alleys shall be prohibited. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.110 Areas adjacent to arterials.

Subdivision design adjacent to arterials shall be as specified in the general plan, or the environmental design plan, and as determined by the planning commission. The following principles and standards shall be observed:

A. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on the arterials.

B. The number of intersecting streets along arterials shall be held to a minimum.

C. Frontage roads, if required, shall conform to the standards and shall be separated from the arterial or freeway by a strip of permanent landscaping, not less than ten feet in width, subject to approval by the planning director. Frontage roads shall enter arterials by means of intersections designed with turning and stacking capacity adequate for the traffic volume as estimated by the city engineer.

D. Where frontage roads are not required, residential lots adjacent to an arterial shall be served by a local residential street paralleling the arterial at a generous lot depth therefrom, or by a series of cul-de-sacs or loop streets extending towards the arterial from a collector street five hundred feet therefrom. In such cases, a wall or fence with masonry pillars of a design approved by the planning director shall be required at the rear of properties

adjacent to the arterial. A strip of permanent landscaping within the arterial right-of-way not less than six feet in width, subject to approval of the planning director shall be required adjacent to the wall or fence, facing the arterial.

E. When the rear of any lot borders an arterial, the subdivider may be required to execute and deliver to the city an instrument, deemed sufficient by the city attorney, prohibiting the right of ingress and egress from the arterial to the lot. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.120 Grades, curves and sight distances.

Grades, curves and sight distances shall be subject to approval by the city engineer, to insure proper drainage and safety for vehicles and pedestrians. The following principles and minimum standards shall be observed:

A. Grades of streets shall not be less than two-tenths percent and not greater than seven percent, unless because of topographical conditions or other exceptional conditions, the city engineer determines that a grade less than two-tenths percent or in excess of seven percent is necessary.

B. Whenever any street intersects an arterial street or state highway, the property lines at the intersection shall be rounded with a curve having a radius of not less than thirty feet. On all other street intersections, the property line at each block corner shall be rounded with a curve having a radius of not less than twenty feet. In either case, a greater curve radius may be required if streets intersect at other than right angles.

C. The centerline curve radius on all streets and highways shall conform to accepted engineering standards of design. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.130 Curbs, sidewalks and pedestrian ways.

The following principles and standards shall apply to the design and installation of curbs, sidewalks and pedestrianways:

A. Vertical curbs and gutters as shown on the city's standard detail drawings shall be required in

all subdivisions, except for the exceptions specified in this section.

B. Sidewalks shall be required on both sides of the street in any subdivision.

C. The planning commission may recommend that sidewalks be omitted in a subdivision or section thereof in which all lots have an area of one-half acre or more, or in a planned community or planned unit development having an internal pedestrian system; provided, that the planning commission finds that the public safety is not jeopardized by the omission.

D. When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities, or for unusually long blocks, the subdivider shall construct pedestrianways not less than twenty feet in width, provided with fencing, landscaping and a pavement not less than ten feet in width.

E. Sidewalks shall normally be located within the street right-of-way as shown on the city's standard detail drawings.

F. For lots containing trees with a trunk diameter of four inches or greater, curb cuts for driveways shall be so located as to ensure the preservation of the trees. (Ord. 341 § 1 (19.7.500 (part)), 1979)

17.28.140 Hillside subdivisions.

In case any portion of a planned community or planned unit development of a subdivision having lots not less than one-half acre in area is situated on land having an average slope of ten percent or more, the planning commission may recommend modification of the foregoing requirements of this chapter in a manner that will result in the best possible utilization of the land to be subdivided giving consideration to the topography and natural cover of the land and the general character of the proposed subdivision. The following principles and standards shall be observed:

Street grades for other than arterial or collector streets may be increased to a maximum of twenty percent grade. (Ord. 341 § 1 (19.7.600), 1979)

17.28.150 Landscaping.

Landscaping by the subdivider shall be required in all subdivisions. Substantial trees shall be planted throughout the development in all front yard setbacks, at least one five-gallon tree provided on each lot. Specimen trees, approved by the planning director, of no less than ten-gallon container size, may be required at least every thirty feet along the setback adjacent to, but not within, the right-of-way of a designated arterial, secondary and collector street. (Ord. 341 § 1 (19.7.700), 1979)

17.28.160 Utility facilities and easements.

A. All utility distribution facilities shall be placed underground.

B. Utility easements shall be provided within the subdivision where required for public utility purposes. Modification of the easement width requirement may be granted only when approved by both the city engineer and the public utility or utilities concerned. (Ord. 341 § 1 (19.7.800), 1979)

17.28.170 Watercourses.

The subdivider shall dedicate a right-of-way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream or creek that traverses the subdivision, or at the option of the planning commission the subdivider shall provide by dedication further and sufficient easements or construction, or both, to dispose of the surface and storm water. (Ord. 341 § 1 (19.7.900), 1979)

17.28.180 Blocks—Width.

Blocks shall normally have sufficient width for an ultimate layout of two tiers of lots of the size required by the provisions of the zoning ordinance. (Ord. 341 § 1 (19.7.1000), 1979)

17.28.190 Blocks—Length.

Blocks shall not normally exceed nine hundred feet in length between street lines, or be less than four hundred thirty feet, except in hillside developments or where subdivisions containing parcels of one-half acre or larger justify or require a varia-

tion from this requirement. (Ord. 341 § 1 (19.7.1100), 1979))

17.28.200 Reserve strips.

A one-foot reserve strip shall be provided at the dead-end of a stubbed street or at the edge of a partial width street and shall be offered for dedication to the city for future street purposes and show on the final map. (Ord. 341 § 1 (19.7.1200), 1979)

17.28.210 Neighborhood facilities—Site reservation.

The subdivider shall reserve sites, appropriate in area and location, for necessary and desirable residential facilities, such as schools, parks, playgrounds and shopping centers. Such sites shall be located in accordance with the principles and standards contained in this chapter or expressed in the general or environmental design plans. School sites shall be dedicated in accordance with the provisions of the Subdivision Map Act. Recreation sites shall be dedicated in accordance with the provisions of the Subdivision Map Act or in the alternative pay the fee required in this chapter. (Ord. 341 § 1 (19.7.1300(part)), 1979)

17.28.220 Neighborhood facilities—Determination of need.

The neighborhood facilities needed shall be determined on the basis of the estimated number of families in the area to be served by the facilities. (Ord. 341 § 1 (19.7.1300 (part)), 1979)

17.28.230 Neighborhood facilities—Service areas.

The delineating of service areas determining the need for residential facilities at the district or community level shall be based on the general or environmental design plans, if applicable. The "planning neighborhood" will normally provide the basis for estimating the number of families to be served by facilities at the local level. A "planning neighborhood" shall insofar as possible exhibit the following characteristics:

A. It is bounded, rather than bisected, by major thoroughfares or other substantial land use or natural barriers to pedestrian traffic;

B. It is usually not over a mile in extent in any direction;

C. It contains a minimum of five hundred families. (Ord. 341 § 1 (19.7.1300 (part)), 1979)

17.28.240 Neighborhood facilities—Principles and standards.

The following principles and standards are intended to serve as a general guide in determining the residential facilities for which sites normally will be required:

A. An elementary school site of approximately ten acres will be required for each six hundred families or more or less, required to be served by the school. The school site shall be central to the population to be served and shall not face on an arterial.

B. Whenever possible, playground and neighborhood recreation areas shall be developed in conjunction with elementary school sites. A park site, if required, shall not normally be less than five acres in area, and the sites shall specifically include areas with natural advantages for park development.

C. Where natural waterways are included within the boundaries of a subdivision, such areas shall be reserved for public use, including recreation and the disposal of storm waters. These purposes may be accomplished through dedication and/or storm drainage and scenic easements.

D. A site of two to five acres including off-street parking and landscaping will normally be required for a local shopping center to serve a population of one thousand to two thousand families. (Ord. 341 § 1 (19.7.1300(part)), 1979)

17.28.250 Dedications for park and recreation purposes.

A. Pursuant to the Subdivision Map Act, as amended, the recreation element of the general plan and park and recreation facilities, standards and principles in the general or environmental design

plans, a subdivider, as a condition of approval of a final subdivision map, shall dedicate land, pay a fee in lieu thereof, or both, at the option of the city council, for park or recreation purposes according to the following standards:

1. For subdivisions of one hundred lots or more the subdivider shall dedicate land or pay a fee, or both, in such ratio as the planning commission deems most desirable. Dedication of land shall be at the rate of not less than two acres of land per one hundred lots in the subdivision or ten percent of the total area in the subdivision, whichever is greater. The rate for payment shall be established from time to time by city council resolution.

2. For subdivisions containing between fifty and one hundred lots, the subdivider shall dedicate land, or pay a fee, or both, in such ratio as the planning commission deems most desirable. The rates for dedication and payment shall be established by city council resolutions.

3. For proposed condominium or multifamily developments, the number of dwelling units proposed shall be considered as the number of lots for the requirements specified in this section, or if no particular number of dwelling units is proposed, the requirements shall be based on the number of dwelling units per acre permitted in the zoning regulations which apply to the land to be subdivided.

4. All land to be dedicated for park or recreational purposes shall be found to be suitable by the planning commission and the park and recreation commission as to location, parcel size and topography for the park and recreation purposes for which it is indicated in the general plan or the environmental design plan. Such purposes may include active recreation facilities such as playgrounds, playfields, pedestrian or bicycle paths or areas of particular natural beauty, including hilltops and natural watercourses to be developed or left in their natural state.

5. Land to be dedicated may include all of a proposed park or recreational facility, or may include only part of a facility. Such partial dedication may be added to by public land purchase or by

dedication of additional land on adjoining property not owned by the subdivider.

B. At the time of approval of the final subdivision map, the city shall specify when development of the park or recreational facility shall begin and be completed.

C. The provisions of this section shall not normally apply to industrial subdivisions; however, the planning commission may recommend as a condition of approval, the dedication by an industrial subdivider of that portion of a stream bed or drainage channel falling within an industrial subdivision when such portion forms part of an open space network designated in the general plan or an environmental design plan. (Ord. 341 § 1 (19.7.1400), 1979)

**17.28.260 Nonresidential subdivisions—
General plan and environmental
design plan conformance.**

The street and lot layout of a nonresidential subdivision shall be appropriate to the land use for which the subdivision is proposed, and shall conform to the proposed land use and standards established in the general plan, the environmental design plans and the zoning ordinance. (Ord. 341 § 1 (19.7.1500 (part)), 1979)

**17.28.270 Nonresidential subdivisions—
Types.**

Nonresidential subdivisions shall include industrial tracts, and may include commercial tracts. (Ord. 341 § 1 (19.7.1500 (part)), 1979)

**17.28.280 Nonresidential subdivisions—
Principles and standards.**

In addition to the principles and standards in this title which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the planning commission that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

A. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated;

B. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon;

C. Special requirements may be imposed by the city with respect to street, curb, gutter, walk design, building design, construction and landscaping;

D. Special requirements may be imposed by the city with respect to the installation of public utilities including water, sewer and storm water drainage;

E. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed nonresidential subdivisions, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary;

F. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets intended for predominantly residential traffic;

G. Subdivisions for proposed commercial development shall take into account and specifically designate all areas proposed for vehicular circulation and parking, for pedestrian circulation, and for buffer strips and other landscaping. (Ord. 341 § 1 (19.7.1500 (part)), 1979)

Chapter 17.32

PUBLIC IMPROVEMENTS

Sections:

- 17.32.010 Minimum requirements.
- 17.32.020 Inspection and supervision.
- 17.32.030 General requirements.
- 17.32.040 Underground utilities.
- 17.32.050 Railroad crossings.
- 17.32.060 Landscaping.
- 17.32.070 Lot corners.
- 17.32.080 Additional improvements.
- 17.32.090 Supplemental improvements—
Requirement.
- 17.32.100 Supplemental improvements—
Reimbursement agreement.
- 17.32.110 Utility fees and off-site charges.
- 17.32.120 As-built plan.
- 17.32.130 Benchmarks.

17.32.010 Minimum requirements.

The subdivider shall improve, or agree to improve, all streets, pedestrianways or easements in the subdivision and adjacent thereto required to serve the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the city engineer and a subdivision agreement contract has been concluded between the subdivider and the city. Improvements shall be installed to permanent line and grade and to the satisfaction of the public works director, prior to the issuance of home building permits, and in accordance with the standard subdivision specifications adopted by the city council, a copy of which shall be on file in the office of the city engineer. Cost of inspection shall be paid by the subdivider. The minimum improvements which the subdivider normally makes, or agrees to make, at the cost of the subdivider, prior to the acceptance and approval of the final subdivision map by the city, shall be as set out in Section 17.32.020 through 17.32.070. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.020 Inspection and supervision.

All improvements shall be inspected and approved by the city engineer or his authorized representative. The subdivider shall be responsible for the actions of this contractor. Twenty-four hours' minimum notice will be required prior to an inspection by city personnel. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.030 General requirements.

Improvements shall be as follows:

A. The subdivider shall be required to pay plan check and inspection fees which shall include all charges for engineering and inspection services rendered by the city including cost of recording maps. The plan check and inspection fee shall be as indicated in the city comprehensive fee schedule and shall be submitted to the city prior to the approval of the subdivision agreement by the city council or included in the instrument of credit if such is the form of security for the subdivision agreement;

B. Grading, curbs and gutter, paving, drainage structures necessary for the proper use and drainage of streets and pedestrianways, and for the public safety;

C. Site grading and drainage taking into consideration the drainage pattern of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved;

D. All streets and pedestrianways shall be graded and surfaced to widths and grades shown on the improvement plans and profiles signed by the city engineer, and approved by the city council or as established by law. The subdivider shall improve the extension of all subdivision streets and pedestrianways to the intercepting paving line of any county road, city street or state highway;

E. Sidewalks shall be installed as shown on the improvement plans and profiles signed by the city engineer;

F. Sanitary sewer facilities connecting with the existing city sewer system shall be installed in accordance with the city's master water and sewer

plan and shall serve the subdivision with a separate private lateral for each lot and to grades and sizes shown on the plans signed by the city engineer. No septic tanks or cesspools will be permitted;

G. Storm water drains shall be installed as shown on the plans signed by the city engineer;

H. Water mains and fire hydrants connecting to the water system serving the city shall be installed as indicated in the city's master water and sewer plan, and shown on the plans signed by the city engineer. Mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection;

I. Parking bays where required or permitted;

J. Street signs shall be installed by the subdividers. Any required barricades to prevent traffic access at dead-end streets shall be provided by the subdivider in accord with the standard specifications;

K. Street trees, if required, shall be of a type approved by the city council and planted in locations approved by it;

L. Permanent monuments, barricades and traffic safety devices shall be placed as required by the city engineer;

M. Street lighting facilities shall be provided in accordance with the city council's policy for the area of the city where the subdivision is located. Lighting shall be adequate to permit proper policing of the subdivision. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.040 Underground utilities.

All utility distribution facilities, including, but not limited to, electric, communication and cable television lines installed in and for the purpose of supplying service to any subdivision, shall be placed underground in accordance with the utility's rules and regulations on file with the California Public Utilities Commission.

A. Equipment appurtenant to underground facilities, such as surface-mounted transformers, street light poles, pedestal-mounted terminal bases and meter cabinets and concealed ducts may be

installed above the surface of the ground. The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies involved for the installation of the facilities.

B. All underground utilities, sanitary sewers and storm drains installed in streets, service roads, alleys or highways shall be constructed in accordance with the standards specifications prior to the surfacing of the street, service road, alley or highway. Service connections for all underground utilities and sanitary sewers shall be placed in such length as will obviate the necessity for disturbing the street or alley improvements when service connections thereto are made. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.050 Railroad crossings.

Provisions shall be made for any railroad crossings necessary to provide access to or circulation within the proposed subdivision, including the preparation for all documents necessary for application of the State Public Utilities Commission or the establishment and improvement of the crossings. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.060 Landscaping.

Landscaping shall be in accordance with Section 17.28.150. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.070 Lot corners.

The subdivider's engineer shall set at all lot corners a marker consisting of a one-inch diameter iron pipe twenty-four inches long with the engineer's marker thereon. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.080 Additional improvements.

Where deemed necessary by the city council for the public health, safety or welfare, other improvements may be required. (Ord. 341 § 1 (19.8.100 (part)), 1979)

**17.32.090 Supplemental improvements—
Requirement.**

The subdivider may be required to install improvements for the benefit of the subdivision which may contain supplemental size, capacity or number for the benefit of property not within the subdivision as a condition precedent to the approval of a subdivision or parcel map, and thereafter to dedicate such improvements to the public. Supplemental size, capacity or number shall mean that size, capacity or number in excess of the minimum standard city requirements. (Ord. 341 § 1 (19.8.100 (part)), 1979)

**17.32.100 Supplemental improvements—
Reimbursement agreement.**

The city may enter into an agreement for reimbursement to the subdivider of the cost of the supplemental capacity, size or number. However, the subdivider shall be reimbursed only for that portion of the cost of the improvements equal to the difference between the amount it would cost the subdivider to install improvements to serve the subdivision only and the actual cost of oversize improvements. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.110 Utility fees and off-site charges.

The subdivider shall pay utility and off-site charges as may be required by the council resolution or ordinance in effect at the time of approval of the tentative subdivision map. The schedule of charges shall terminate at the time the tentative map expires or is reapproved by the city council. Utility and off-site charges in effect at the time of reapproval of a tentative subdivision map shall apply to the subdivision. These charges shall be paid prior to the approval of the subdivision agreement by the city council or included in the instrument of credit if such is the form of security for the subdivision agreement. (Ord. 341 § 1 (19.8.100 (part)), 1979)

17.32.120 As-built plan.

A complete improvement plan "as built" shall be filed with the city engineer upon completion of the

improvements. The as-built plans are to be drawn on copies of the original tracings and certified as to accuracy and completeness by the subdivider's engineer. Upon receipt and acceptance of the as-built plan, the city engineer will recommend formal acceptance by the city council. (Ord. 341 § 1 (19.8.200), 1979)

17.32.130 Benchmarks.

Elevations on city datum shall be shown on the as-built improvement plans for all monuments in the subdivision. (Ord. 341 § 1 (19.8.300), 1979)

Chapter 17.36

MODIFICATIONS AND APPEALS

Sections:

- 17.36.010 Modifications—Provisions of title.
- 17.36.020 Modifications—Planned community or planned unit district.
- 17.36.030 Modifications—Referral for recommendations.
- 17.36.040 Modifications—Objectives to be secured.
- 17.36.050 Modifications—Planning commission report.
- 17.36.060 Modifications—Council action.
- 17.36.070 Appeal—Notice.
- 17.36.080 Appeal—Report.
- 17.36.090 Appeal—Hearing.

17.36.010 Modifications—Provisions of title.

Whenever the land involved in any subdivision is of such size or shape or is subject to such title limitations of record or is affected by such topographical location or conditions or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider fully to conform to the regulations contained in this title, the planning commission may recommend and the city council may permit such modification thereof as may be reasonably necessary if the modifications are in conformity with the spirit and purpose of the Subdivision Map Act and this title. Application for any such modification shall be made by a verified petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. The petition shall be filed with or after the filing of the tentative map of the subdivision. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary that the planning commission finds the following facts with respect thereto:

A. That there are special circumstances or conditions affecting the property;

B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

C. That the granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the territory in which the property is situated. (Ord. 341 § 1 (19.9.100), 1979)

17.36.020 Modifications—Planned community or planned unit district.

Whenever a planned community or planned unit district has been approved, the planning commission may recommend and the city council may permit modifications of the regulations contained in this title as may be necessary, in accordance with the criteria established in the zoning ordinance. (Ord. 341 § 1 (19.9.200), 1979)

17.36.030 Modifications—Referral for recommendations.

Each proposed modification shall be referred to the officer of the department under whose jurisdiction the regulation involved comes and the officer or department shall transmit to the planning commission his or its written recommendation, which recommendation shall be reviewed, prior to the recommending of any modification. (Ord. 341 § 1 (19.9.300), 1979)

17.36.040 Modifications—Objectives to be secured.

In recommending the exception, the planning commission shall secure substantially the objectives of the regulations to which the modifications are granted, as to light, air and public health, safety, convenience and general welfare. (Ord. 341 § 1 (19.9.400), 1979)

17.36.050 Modifications—Planning commission report.

In recommending the authorization of any modification under the provisions of this section, the planning commission shall report to the city council its findings with respect thereto and all facts in connection therewith, and shall specifically and fully set forth the exception recommended and the conditions designated. (Ord. 341 § 1 (19.9.500), 1979)

17.36.060 Modifications—Council action.

Upon receipt of the report, the city council may by resolution authorize the planning commission to approve the tentative map with the modifications and conditions the city council deems necessary to substantially secure the objectives of this title. (Ord. 341 § 1 (19.9.600), 1979)

17.36.070 Appeal—Notice.

Appeal may be made from any decision, determination or requirement of the planning commission or city engineer by filing a notice thereof in writing with the city clerk within fifteen days after the decision or determination or requirement is made. The notice shall set forth in detail the action and grounds upon which the subdivider deems himself aggrieved. (Ord. 34:1 § 1 (19.9.700), 1979)

17.36.080 Appeal—Report.

The city clerk shall report the filing of the notice to the planning commission and the city engineer. A written report shall be submitted to the city council by the one whose decision, determination or requirement is being appealed, not later than the date set for hearing the appeal. (Ord. 341 § 1 (19.9.800), 1979)

17.36.090 Appeal—Hearing.

The city council shall, not later than its next regular meeting following the filing of the appeal, set the appeal for hearing to be held within twenty-one days thereafter and the hearing may for good cause be continued by order of the city council. Written notice of the date set for hearing the appeal

shall be mailed by the city clerk to the subdivider within five days after the fixing of the hearing date by the council. Upon hearing of the appeal, the city council may overrule or modify the decision, determination or requirement appealed from and enter any such order or orders as are in harmony with the spirit and purpose of this title and the disposition of the appeal shall be final. (Ord. 341 § 1 (19.9.900), 1979)

Chapter 17.40

ENFORCEMENT

Sections:

17.40.010 Voidability of deeds or contracts.

17.40.020 Penalty for violation.

17.40.010 Voidability of deeds or contracts.

Any deed of conveyance, sale or contract to sell made contrary to the provisions of this title is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative or trustee in solvency or bankruptcy within one year after the date of execution of the deed of conveyance, sale or contract to sell; but the deed of conveyance, sale or conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor or person contracting to sell, or his assignee, heir or devisee. (Ord. 341 § 1 (19.10.100), 1979)

17.40.020 Penalty for violation.

Any offer to sell, contract to sell, sale or deed of conveyance made contrary to the provisions of this title is a misdemeanor, and any person, firm or corporation, upon conviction thereof shall be punishable by a fine of not more than five hundred dollars, or imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment. (Ord. 341 § 4, 1979)

Chapter 17.44

VESTING TENTATIVE MAPS

Sections:

- 17.44.010 Title for citation—Statutory authority.
 - 17.44.020 Purpose of provisions.
 - 17.44.030 Definitions.
 - 17.44.040 Consistency with general plan and other provisions.
 - 17.44.050 Applicability of chapter provisions.
 - 17.44.060 Filing and processing.
 - 17.44.070 Fees.
 - 17.44.080 Expiration of approval.
 - 17.44.090 Rights conferred on approval of map—Conditions.
 - 17.44.100 Conditional approval for developments inconsistent with zoning.
 - 17.44.110 Applications inconsistent with current policies.
- 17.44.010 Title for citation—Statutory authority.

The ordinance codified in this chapter was enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the state (hereinafter referred to as the Vesting Tentative Map Statute), and may be cited as the "Vesting Tentative Map Ordinance." (Ord. 402 § 402-1, 1986)

17.44.020 Purpose of provisions.

A. It is the purpose of this chapter to establish procedures necessary for the implementation of the Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act and the Lindsay Municipal Code, Title 17, otherwise set forth in the provisions of the ordinance codified herein, the provisions of Title 17 of the Lindsay Municipal Code shall apply to the Vesting Tentative Map Ordinance.

B. To accomplish this purpose, the regulations outlined in this chapter are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development. (Ord. 402 § 402-2, 1986)

17.44.030 Definitions.

As used in this chapter:

A. "Vesting tentative map" means a "tentative map" for residential subdivision, as defined in Title 17 of the Lindsay Municipal Code, that shall have printed conspicuously on its face the words, "Vesting Tentative Map" at the time it is filed, in accordance with Section 17.44.060, and is thereafter processed in accordance with the provisions of this chapter.

B. All other definitions set forth in Title 17 of this code are applicable. (Ord. 402 § 402-4, 1986)

17.44.040 Consistency with general plan and other provisions.

No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the general plan, and any applicable specific plan, or not permitted by the zoning ordinance or other applicable provisions of this code. (Ord. 402 § 402-3, 1986)

17.44.050 Applicability of chapter provisions.

A. This chapter shall apply only to residential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by Title 17 of this code, requires the filing of a tentative map or tentative parcel map for a residential development, a vesting tentative map may instead be filed, in accordance with the provisions of this chapter.

B. If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction. (Ord. 402 § 402-5, 1986)

17.44.060 Filing and processing.

A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports, and shall be processed in the same manner as set forth in Title 17 of this code for a tentative map, except at the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words, "Vesting Tentative Map." (Ord. 402 § 402-6, 1986)

17.44.070 Fees.

Upon filing a vesting tentative map, the subdivider shall pay the application fee as established by resolution of the city council for the filing and processing of a tentative map. (Ord. 402 § 402-7, 1986)

17.44.080 Expiration of approval.

The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to Title 17 of the Lindsay Municipal Code, for the expiration of the approval or conditional approval of a tentative map. (Ord. 402 § 402-8, 1986)

17.44.090 Rights conferred on approval of map—Conditions.

A. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards described in Government Code Section 66474.2. However, if Section 66472 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the time the vesting tentative map is approved or conditionally approved.

B. Notwithstanding subsection A of this section, a permit, approval, extensions or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or

both, in a condition dangerous to their health or safety, or both;

2. The condition or denial is required, in order to comply with state or federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map, as provided in Section 17.44.080. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of one year. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded;

2. The initial time period set forth in subsection C1 of this section shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds thirty days from the date of a complete application is filed;

3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subsection C1 of this section expires. If the extension is denied, the subdivider may appeal that denial to the legislative body within fifteen days;

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subsections C1 or C3, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit. (Ord. 402 § 402-9, 1986)

17.44.100 Conditional approval for developments inconsistent with zoning.

A. Whenever a subdivider files a vesting tentative map for a subdivision where intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The city may deny such a vesting tentative map, or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to elimi-

nate the inconsistency. If the change in the zoning ordinance is obtained the approved or conditionally approved vesting tentative map shall, notwithstanding subsection A of Section 17.44.090, confer the vested right to proceed with the development in substantial compliance with the change in the zoning ordinance and that map, as approved.

B. The rights conferred by this section shall be for the time periods set forth in subsection C of Section 17.44.090. (Ord. 402 § 402-10, 1986)

17.44.110 Applications inconsistent with current policies.

Notwithstanding any provision of this chapter, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies and standards described in subsection A of Section 17.44.090 and Section 17.44.100, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law. (Ord. 402 § 402-11, 1986)