

Title 16

SUBDIVISIONS *

Chapters:

- 16.04 General Provisions
- 16.08 Definitions
- 16.12 Standards of Land Division--General
- 16.16 Tentative Maps--General
- 16.20 Tentative Maps--Information Required
- 16.24 Tentative Maps--Processing
- 16.28 Denial of Tentative Land Division Maps
- 16.32 General Regulations
- 16.36 Final Land Division Maps
- 16.40 Land Division Dedications, Improvements, Fees and Reservations
- 16.44 Flood Control and Tract Drainage
- 16.48 Dry Sewers
- 16.52 Electrical and Communication Facilities
- 16.56 Security for Improvements
- 16.60 Reversion to Acreage
- 16.61 Merger of Contiguous Parcels
- 16.64 Lot Line Adjustments
- 16.68 Enforcement and Penalties

Chapter 16.04

GENERAL PROVISIONS

Sections:

- 16.04.010 Authority.
- 16.04.020 Advisory agencies.
- 16.04.030 Land division committee.
- 16.04.040 Appeal board.

16.04.010 Authority.

A. This title is adopted pursuant to the provisions of the Subdivision Map Act of 1975 with current amendments.

B. All land divisions in the incorporated area of the city, as defined in this title, are subject to all of the applicable provisions of the Subdivision Map Act and this title.

C. The provisions of this title are adopted to promote orderly growth and development of the city; to protect existing and future citizen rights; to develop a harmonious and workable relationship between the citizens of the city, employees of the city and applicants for land division; and to provide a means whereby the process, from submission to approval, is completed in a minimum time frame. (Ord. 547 §1.1, 1983)

* Prior ordinance history: Ord. 324, 393, 397, 424, 430, 471 and 483.

16.04.020 **Advisory agencies.** The city planning commission is designated as the "advisory agency" charged with the duty of making investigations and reports on the design and improvement of all proposed parcel map land divisions and tentative subdivision maps in the city. The planning commission is authorized to conditionally approve or disapprove all tentative parcel maps and tentative subdivision maps and land divisions and submit to the city council for final approval. (Ord. 547 §1.2, 1983)

16.04.030 **Land division committee.** There *is* created a land division committee to act in an advisory capacity on all land divisions to the designated advisory agencies.

A. The land division committee shall consist of representatives from the following departments and districts:

1. Planning department;
2. Engineering department;
3. Department of building and safety;
4. Public works department;
5. Riverside County Flood Control and Water Conservation District;
6. Fire department.

B. The representative from the planning department shall be the chairman and shall coordinate recommendations from the other departments and districts.

C. The land division committee shall consider all land division maps and report its findings and recommendations on subdivision maps and parcel maps to the advisory agency that has jurisdiction over the map.

D. The land division committee shall meet at least once each month and shall hold such additional meetings as may be required. (Ord. 547 §1.3, 1983)

16.04.040 **Appeal board.** The city council is established as the appeal board to which the land divider or any interested person may appeal from any action of the advisory agency with respect to tentative parcel maps and tentative tract maps. (Ord. 547 §1.4, 1983)

Chapter 16.08
DEFINITIONS

Sections:

I. GENERAL DEFINITIONS

16.08.010	Generally.
16.08.020	Advisory agency.
16.08.030	Building director.
16.08.040	City engineer.
16.08.050	Department of Transportation.
16.08.060	Flood control engineer.
16.08.070	Health officer.
16.08.080	Land use ordinance.
16.08.090	Planning director.
16.08.100	Public works director.
16.08.110	Recorder.
16.08.120	Road commissioner.
16.08.130	Staff

II. TECHNICAL DEFINITIONS

16.08.140	Contiguous units.
16.08.150	Design.
16.08.160	General plan.
16.08.170	Improvement.
16.08.180	Improvement standards.
16.08.190	Land division.
16.08.200	Land project.
16.08.210	Minor change.
16.08.220	Planned residential development.
16.08.230	Public access.
16.08.240	Revised tentative map.
16.08.250	Specific plan.
16.08.260	Storm frequency of one in one hundred years.

III. STREET AND HIGHWAY DEFINITIONS

16.08.270	Access road.
16.08.280	Alley.
16.08.290	Arterial highway.
16.08.300	Barrier strip.
16.08.310	Bicycle way.
16.08.320	Collector street.
16.08.330	Cul-de-sac street.
16.08.340	Deadend street.
16.08.350	Expressway.
16.08.360	Freeway.
16.08.370	Frontage road or service road .
16.08.380	General local street.
16.08.390	Highway or street.
16.08.400	Major highway.
16.08.410	Median.

16.08.420	Multilane demand.
16.08.430	Outer separation.
16.08.440	Part-width street.
16.08.450	Pedestrian way/sidewalk.
16.08.460	Private street.
16.08.470	Restricted local street.
16.08.480	Right-of-way.
16.08.490	Roadside strip.
16.08.500	Roadway.
16.08.510	Roadbed.
16.08.520	Secondary highway.
16.08.530	Short local street.
16.08.540	Traveled way

I. GENERAL DEFINITIONS

16.08.010 **Generally.** In this title, unless the context otherwise requires, the words set out *in* this chapter shall have the meanings set out *in* Sections 16.08.020 through 16.08.540. (Ord. 547 52.1(part), 1983)

16.08.020 **Advisory agency.** "Advisory agency" means the planning commission for all tentative subdivision maps, including parcel maps. (Ord. 547 52.1(A), 1983)

16.08.030 **Building director.** "Building director" means the director of building and safety of the city. (Ord. 547 52.1 (B), 1983)

16.08.040 **City engineer.** "City engineer" means the engineer of the city. (Ord. 547 52.1(C), 1983)

16.08.050 **Department of Transportation.** "Department of Transportation" means the Department of Transportation of the state. (Ord. 547 52.1 IE), 1983)

16.08.060 **Flood control engineer.** "Flood control engineer" means the chief engineer of the Riverside County Flood Control and Water Conservation District. (Ord. 547 52.1(F), 1983)

16.08.070 **Health officer.** "Health officer" means the health officer of the county. (Ord. 547 52.1 (G), 1983)

16.08.080 **Land use ordinance.** "Land use ordinance" means the ordinance codified in Title 17 of this code. (Ord. 547 52.1 (M), 1983)

16.08.090 **Planning director.** "Planning director" means the planning director of the city. (Ord. 547 §2.1(H), 1983)

16.08.100 **Public works director.** "Public works director" means the director of public works of the city. (Ord. 547 §2.1 (I), 1983)

16.08.110 **Recorder.** "Recorder" means the recorder of the county. (Ord. 547 §2.1(J), 1983)

16.08.120 **Road commissioner.** "Road commissioner" means the road commissioner and county surveyor of the county. (Ord. 547§2.1 (K), 1983).

16.08.130 **Staff.** "Staff" means the employees of the city. (Ord. 547 §2.1 (L), 1983)

II. TECHNICAL DEFINITIONS

16.08.140 **Contiguous units.** "Contiguous units" means adjacent parcels of land which shall be considered contiguous even if separated by roads, streets, utility easements or railroad rights-of-way. (Ord. 547 §2.2(A), 1983)

16.08.150 **Design.** "Design" means:

- A. Street alignments, grades and widths;
- B. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
- C. Location and size of all required easements and rights-of-way;
- D. Fire roads and firebreaks;
- E. Lot size and configuration;
- F. Traffic access;
- G. Grading;
- H. Land to be dedicated for park or recreational purposes;
- I. Such other specific requirements in the plan and configuration of the entire land division as may be necessary or convenient to insure conformity to or implementation of the general plan of the city or any adopted specific plan. (Ord. 547 § 2 . 2 (B), 1983)

16.08.160 **General plan.** "General plan" means the general plan of the city including the elements thereof, as required by Section 65300 et seq. of the Government Code as adopted by the city council. (Ord. 547 §2.2(C), 1983)

16.08.170 **Improvement.** "Improvement" means such street work, surveys and monuments and utilities to be installed, or agreed to be installed, by the land divider on the land to be used for public or private street, highways, ways, and easements as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic needs as a condition precedent to the approval and acceptance of the final map thereof. "Improvement" also means such other specific improvements or types of improvements, the installation of which, either by the land divider, by public agencies, by private utilities, by any other entity or by any combination thereof, is necessary or convenient to insure conformity and implementation of the conditions of approval of the tentative map and the general plan of the city and any adopted specific plan. (Ord. 547 §2.2 CE), 1983)

16.08.180 **Improvement standards.** "Improvement standards" means the standards set forth in the ordinance codified in this title and other ordinances related to the development of land as a subdivision or parcel map division. (Ord. 547 §2. 2 CF), 1983)

16.08.190 **Land division.** "Land division" means both subdivision and parcel map divisions of land as defined in this section:

A. "Subdivision" means the division of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, gift or financing, whether immediate or future, except the land divisions described in subsection B of this section shall qualify as parcel map divisions.

B. "Parcel map division" means the division of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, gift or financing, whether immediate or future, if any of the following conditions prevail:

1. The land is divided into four or less parcels;
2. The whole parcel before division contains less than five acres, each parcel created by the division abuts upon a fully improved maintained public street or highway, and no dedication or improvements as normally required under this title are required for the land division;
3. Each parcel created by the land division has a gross area of not less than twenty acres up to forty acres and each parcel has an approved access to a maintained public street or highway;
4. The land consists of a parcel or parcels of land having approved access to a public street or highway; is part of a tract of land zoned for industrial or commercial development; and is approved as to street alignment and width;
5. Each parcel created by the "land division" has a gross area of forty acres and more, or each of which *is* not less than a quarter of a quarter section.

B. "Land division" does not include:

1. The financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings, mobile home parks or trailer parks;
2. Agricultural, gas, *oil* or mineral leases;
3. Land dedicated for cemetery purposes under the California Health and Safety Code;
4. The division of land caused by the acquisition of a property interest by a public utility for operating public utility purposes, or the conveyance of land by a public utility to a contiguous ownership;
5. A lot line adjustment solely for the purpose of increasing or adjusting the size of an adjacent lot or parcel; provided, that the lot line adjustment does not reduce the original parcels below the zoning development standards applicable to the land, no additional parcels are created and the adjustment *is* approved by the planning director in accordance with Section 16.68.010. (Ord. 547 S2.2ID), 1983)

16.08.200 **Land project.** "Land project" means a land division as defined in Section 11000.5 of the Business and Professions Code. (Ord. 547 §2.2IG), 1983)

16.08.210 **Minor change.** "Minor change" means a modification of an approved tentative map that involves a change of lot lines, lot shape, lot dimensions, street alignment width or grade, grading proposals or other elements that do not change the basic design or improvements required *in* the approved tentative map and the conditions thereof. (Ord. 547 § 2.2(H), 1983)

16.08.220 **Planned residential development.** "Planned residential development" means residential development including, but not limited to, statutory and non-statutory condominiums, cluster housing, townhouses and community apartments, that *is* permitted reduced lot area, width and depth requirements and building setback requirements, by integrating into the overall development open space and outdoor recreational facilities, and which may include recreational and public assembly buildings intended for the use of the residents of the project, within the development. (Ord. 547 § 2 • 2 (M), 1983)

16.08.230 **Public access.** Public access means:

A. A dedication to public use to the city, or to the county to the required width for road purposes.

B. A permanent written easement for road purposes to the required width from the state or federal government

C. An access road as defined *in* this *title* that has been open to the public without posting for five years or more, provided adequate evidence thereof is submitted to and approved by the city engineer. (Ord. 547 § 2.2IL), 1983)

16.08.240 **Revised tentative map.** "Revised tentative map" means a modification of an approved tentative map *wherein* the design of the land division is changed from the approved tentative map, but there is no substantial change *in* concept from the original approved map. (Ord. 547 § 2.2II), 1983)

16.08.250 **Specification.** "Specific plan" means a plan adopted by the *council* that is based upon the general plan of the *city*, as provided in Section 65450 et seq. of the Government Code. (Ord. 547 § 2.2IJ), 1983)

16.08.260 **Storm frequency of one in one hundred years.** "Storm frequency of one in one hundred years" means a storm that will probably be equaled or exceeded on the average of once every one hundred years. It does not follow, however, that such a storm will be equaled or exceeded once in every one-hundred-year period, or that, having occurred once, it will not occur again for one hundred years. It may occur several times in a one-hundred-year period but over a sufficient length of time the average is expected to be once in one hundred years. (Ord. 547 § 2.2IK), 1983)

III. STREET AND HIGHWAY DEFINITIONS

16.08.270 **Access road.** "Access road" means a road with a *minimum* right-of-way of sixty feet, or a part-time street having a minimum right-of-way of forty feet, which provides access to a division of land from an existing maintained highway. If the land division is a parcel map creating four or less parcels, the minimum right-of-way for a part-width street may be reduced to thirty feet. Use of an access road for new land divisions is permitted only where there is a reasonable probability of full road improvements being made in the foreseeable future. (Ord. 547 §2.3(A) (10), 1983)

16.08.280 **Alley.** "Alley" means a secondary means of access to property and is located at the rear or side of the property. *Minimum* right-of-way width shall be twenty feet. (Ord. 547 §2.3 (A) (11), 1983)

16.08.290 **Arterial highway.** "Arterial highway" means a divided highway primarily for through traffic to which access from abutting property shall be kept at a *minimum*. Intersections with other streets or highways shall be limited to approximately one-quarter *mile* intervals. Minimum rights-of-way width shall be one hundred ten feet. (Ord. 547 52.3 (A) (3), 1983)

16.08.300 **Barrier strip.** "Barrier strip" means a strip of land one foot or more in width dedicated to' the city for street purposes and access control at the end of a dead-end street or along the side of a part-width dedicated street or other public right-of-way. (Ord. 547 52.3(B) (I), 1983)

16.08.310 **Bicycle way.** "Bicycle way" means an area either within or outside the right-of-way of a dedicated street where bicycle travel is the designated use. (Ord. 547 52.3 (B) (2), 1983)

16.08.320 **Collector street.** "Collector street" means a street which is intended to serve intensive residential land use, multiple-family dwellings, or to convey traffic through a subdivision to roads of equal capacity or greater. Minimum right-of-way width shall be sixty-six feet. (Ord. 547 52.3 (A) (6), 1983)

16.08.330 **Cul-de-sac street.** "Cul-de-sac" means a road open at one end only, with special provisions for turning around and which may be further extended in adjoining property. (Ord. 547 52.3 (A) (13), 1983)

16.08.340 **Dead-end street.** "Dead-end street" means open at one end only, without provisions for turning around and which may be further extended in adjoining property. (Ord. 547 52.3 (A) (14), 1983)

16.08.350 **Expressway.** "Expressway" means a highway for through traffic to wh1ch access from abutting property is restricted. Intersections with other streets or highways shall be limited to approximately one-half mile intervals. (Ord. 547 52.3 (A) (1), 1983)

16.08.360 **Freeway.** "Freeway" means a highway upon which the abutter's rights of access is controlled and which provides separated grades at intersecting streets. (Ord. 547 52.3 (A) (2), 1983)

16.08.370 **Frontage road or service road.** "Frontage road or service road" means a local street auxiliary to and adjacent to freeways, expressways, arterial highways, major highways and secondary highways. Minimum right-of-way width shall be fifty-two feet. (Ord. 547 52.3(A) (12), 1983)

16.08.380 **General local street.** "General local street" means a through street serving one hundred or more single-family lots with at least one end terminating at a road of greater capacity. Minimum right-of-way width shall be sixty feet. (Ord. 547 §2.3 (A) (7), 1983)

16.08.390 **Highway or street.** "Highway" or "street" means a right-of-way within which improvements are constructed for the conveyance of vehicular traffic and includes all highways, streets, roads and alleys. Said rights of- way and improvements shall be in conformity with City Engineering Department Standards and Specifications as set forth in Resolution No. 1980-35. (Ord. 547 §2.3(A) (part), 1983)

16.08.400 **Major highway.** "Major highway" means a highway intended to serve property zoned for major industrial and commercial uses, or to serve through traffic. Intersections with other streets or highways shall be limited to approximately one-eighth mile intervals. Minimum rights-of way width shall be one hundred feet. (Ord. 547 §2.3 (A) (4), 1983)

16.08.410 **Median.** "Median" means that portion of a divided highway separating the traveled-way for traffic in opposite directions. (Ord. 547 §2.3 (B) (3), 1983)

16.08.420 **Multilane demand.** "Multilane demand" means that projected traffic volume will exceed the nominal capacity of a two-lane street section when such projected traffic volume is determined by a rational method of traffic generation employing land use techniques and traffic engineering principles. (Ord. 547 §2.3 (B) (3), 1983)

16.08.430 **Outer separation.** "Outer separation" means the area between the traveled-way of a highway for through traffic and a frontage road or service road. (Ord. 547 §2.3 (B) (5), 1983)

16.08.440 **Part-width street.** "Part-width street" means any street, the improved width of which, is less than the width necessary for a normal full-width street. (Ord. 547 §2.3 (B) (6), 1983)

16.08.450 **Pedestrian way/sidewalk.** "Pedestrian way/ sidewalk" means a right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or without a street right of-way (Ord. 547 §2.3 (B) (7), 1983)

16.08.460 **Private street.** "Private street" means a street for which access control is permitted by land division design, posting or gating (Ord. 547 §2.3 (A) (15), 1983)

16.08.470 **Restricted local street.** "Restricted local street" means a local street where, due to unusual conditions, it is impractical to provide for a wider right-of-way. Minimum right-of-way width shall be fifty feet. (Ord.. 547 §2.3 (A) (9), 1983)

16.08.480 **Right-of-way.** "Right-of-way" means the entire width of property for the use of highways, flood and drainage works, overhead and underground utilities-, or any related improvements. (Ord.. 547 §2.3(B) (8), 1983)

16.08.490 **Roadside strip.** "Roadside strip" means the area adjoining the outer edge of the roadbed, extending to the right-of-way line in which sidewalks, plantings, utilities, bank slopes and related facilities may be located. (Ord.. 547 §2.3 (B) (9), 1983)

16.08.500 **Roadway.** "Roadway" means that portion of the highway including roadbed, all slopes, side ditches, channel, waterways and all other related facilities which are located within a road right-of-way. (Ord.. 547 §2.3(B) (10), 1983)

16.08.510 **Roadbed.** "Roadbed" means that portion of the roadway extending from curb face to curb face or to outside line of improved shoulders. Divided highways shall be considered as having two roadbeds. (Ord.. 547 §2.3(B) (11), 1983)

16.08.520 **Secondary highway.** "Secondary highway" means a highway intended to serve property zoned for multiple residential, secondary, industrial or commercial uses, or to serve through traffic. Minimum right-of-way width shall be eighty-eight feet. (Ord. 547 §2.3 (A) (5), 1983)

16.08.530 **Short local street.** "Short local street" means a residential street limited by subdivision design to serve less than one hundred single-family dwellings. Minimum right-of-way width shall be sixty feet. (Ord.. 547 §2.3 (A) (8), 1983)

16.08.540 **Traveled way.** "Traveled way" means that portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes. (Ord. 547 §2.3(B) (12), 1983)

Chapter 16.12
STANDARDS OF LAND DIVISION--GENERAL

Sections:

16.12.010	Conformance.
16.12.020	General street design.
16.12.030	Private streets.
16.12.040	Street grades.
16.12.050	Street alignment.
16.12.060	Intersections--General.
16.12.070	Alleys.
16.12.080	Lots.
16.12.090	Inclusions.
16.12.100	Required access.

16.12.010 **Conformance.**

A. All land divisions shall conform to the general plan of the city; with all applicable specific plans; with the requirements of the land use ordinance and other ordinances; and with the requirements of this title except as provided hereafter provided.

B. Exceptions from the requirements of this title relating to the design or improvement of land divisions shall be granted only when it is determined that there are special circumstances applicable to the property, such as, but not limited to, size, shape or topographical conditions, or existing road alignment and width, and that the granting of the modification will not be detrimental to the public health, safety or welfare or be damaging to other property in the vicinity.

C. Application for exceptions shall be made in writing, as a variance application, stating fully the reasons and justification for the requested exception, and shall be filed with the tentative map. (Ord. 547 §3.1, 1983)

16.12.020 **General street design.**

A. The street system in the proposed land division shall relate, in general, to the existing streets in the area adjoining the proposed land division.

B. The proposed street plan shall give consideration to the future land division of adjoining undivided property.

C. All streets shall be designed to serve the proposed use of the abutting land.

D. When improvements are required, part-width boundary streets in a land division adjacent to undivided land shall have a minimum right-of-way of thirty feet.

E. When no improvements are required, part-width boundary streets shall have a minimum right-of-way of thirty feet.

F. Additional right-of-way or easements shall be provided where necessary to accommodate roadway slopes, drainage structures, and other facilities related to land division improvements

G. When consistent with existing development; access to residential property along freeways, expressways, arterial highways, major and secondary highways for residential subdivisions, one of the following shall apply:

1. A frontage road or service road;
2. A street separated by a tier of lots.

H. Design of streets shall make provisions for railroads, parkways, expressways, grade separations, flood control channels, prevailing geological conditions and local drainage facilities.

I. Whenever lots of a proposed land division abut on a dead-end road or a cul-de-sac exceeding one thousand feet in length, or five hundred feet in a high fire hazard area, or whenever a proposed land division lies more than one thousand feet from a publicly maintained road, or five hundred feet from a high fire hazard area, alternate or secondary access shall be provided, unless waived as part of the tentative map review. Documentation and improvement for such access shall be determined as part of the tentative map review.

J. Where cul-de-sac streets are proposed, the turnaround shall have a right-of-way diameter of not less than ninety feet.

K. Dead-end and part-width streets shall not be permitted if it is determined that adjacent land use or topographical features will preclude the extension or widening of such streets. Dead-end streets shall so designed that access to abutting property shall be physically possible.

L. On land divisions where improvements are not required, the centerline alignment of the street right-of-way shall be in accordance with city standards and ordinances. (Ord. 547 §3.2, 1983)

16.12.030 Private streets.

A. Private streets may be permitted when it is determined that there is adequate provision for their construction and continued maintenance; that the welfare of the occupants of the development will be adequately served; and that it will not be detrimental to the public health, safety and general welfare.

B. Private streets, other than interior streets of planned residential developments, shall be required to be offered for dedication to public use. All dedicated private streets shall meet the width requirements set by the city and shall be constructed in accordance with Improvement Standards of the City of Beaumont Resolution No. 1980-35. All offers of dedication shall remain in effect and shall be irrevocable unless abandoned under the Street and Highways Code.

C. All streets that are permitted to be private, whether offered for dedication or not, may provide for access control by land division design, posting or gating.

D. Interior streets of a planned residential development, if not offered for dedication, shall be constructed to minimum widths of forty feet for minor interior access and forty-four feet for major interior access in accordance with Improvements Standards of Resolution No. 1980-35; however, reduced widths may be permitted when either of the following conditions occur:

- 1) Where the design and topography permit the taking of access only on one side of the street; and
- 2) Where twenty-five percent of the slope of the land is on a grade of twenty-five percent or greater.

E. When a special design for a cul-de-sac, length of a street terminating in a cul-de-sac, landscaped median, or any other improvement design is proposed and is not provided for in this title or in the Improvement Standards of Resolution No. 1980-35, the design shall first be submitted to the City engineer for approval in accordance with Sections 16.04.010 through 16.04.040.

F. Sidewalks shall be required to be constructed in conjunction with dedicated or non-dedicated private streets unless it is determined by the approving body to be unnecessary, considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Resolution No. 1980-35.

G. Improvement plans, agreements and bonds shall be required for all dedicated and non-dedicated private streets in accordance with the applicable provisions of this title. (Ord. 547 §3.3, 1983)

16.12.040 Street grades.

A. Street grades shall not exceed six percent except they may be increased to and may exceed fifteen percent only when engineering design shows that the grade proposed is safe and that the lesser grade would deny access to land appropriate for use.

B. Street grades of less than 0.35 percent may be approved only when engineering design shows that local drainage provisions are adequate and steeper gradients cannot be obtained. (Ord. 547 §3.4, 1983)

16.12.050 Street alignment. Curves of streets with right-of-way width of sixty feet or less shall have a minimum centerline radius of three hundred feet in comparatively level locations and shall have a minimum centerline radius of one hundred fifty feet in comparatively steep hillside locations. (Ord. 547 §3.5, 1983)

16.12.060 Intersections--General.

A. All street connections shall be at as near right angles as possible.

B. Street-to-street centerline offsets of less than two hundred feet shall not be permitted, except that in special design cases offsets of less than five feet may be used when approved by the city engineer

- C. Curb returns shall be as follows:
1. A minimum curb return radius of twenty-five feet shall be provided at intersecting streets designated as collector or local streets.
 2. A minimum curb return radius of thirty-five feet shall be provided when one or both of the intersecting streets is designated as a secondary highway or greater.
 - 1) In hillside areas, the curb return radius may be modified if required because of the topography.
- D. Corner cutbacks shall be established as provided in City Standard No. 805.

E. Frontage road connections providing access to the main highway shall incorporate a bulb in conformance with City Standards No. 802.

F. Median openings or crossovers between opposing lanes of a divided highway shall be located only at approved intersections at intervals of not less than five hundred feet. (Ord. 547 §3.6, 1983)

16.12.070 Alleys.

A. Improved alleys not less than twenty feet in width may be required at the rear of all lots.

B. Alley intersections shall have minimum corner cutback of twenty-five feet.

C. Dead-end alleys shall provide an adequate turnaround.

D. Part-width alleys shall not be permitted. (Ord. 547 §3.7, 1983)

16.12.080 Lots.

A. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan for the city

B. Corner lots shall be designed to provide a building site equal to that required for interior lots in the same zone.

C. When lots eighteen thousand square feet or less are proposed, the depth of lots shall not exceed two and one-half times the width. When lots greater than eighteen thousand square feet are proposed, the depth shall not exceed four times the width.

D. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred square feet, exclusive of the utility easement.

E. When the access portion of a corridor access lot (flag lot) abuts a through street, the width of the access strip shall be no less than twenty-four feet with twelve feet of paving. In no case shall the length of the access strip exceed five hundred feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than one thousand feet.

F. Side lot line shall be at approximately right angles or radial to the street centerline, except where terrain or other restrictions make such design impractical.

G. Lots less than two acres shall not have double street frontage except that in hillside areas where the topography requires, lots may abut two or more streets; provided, that the frontage and vehicular access is from only one such street.

H. No lot shall be divided by a city, county, school district or other taxing agency boundary line. (Ord. 547 §3.8, 1983)

16.12.090 **Inclusions.**

A. Any contiguous property that is owned by the land divider shall be included within the boundaries of a land division when necessary or desirable in the design or improvement of the land division.

B. Any contiguous property that is owned by the land divider, but not included within the boundaries of the land division, shall be of such size and shape as to conform to the provisions of this title, the land use ordinance, the general plan of the city, or any adopted specific plan; otherwise it shall be included within the boundaries of the land division. (Ord. 547 §3.9, 1983)

16.12.100 **Required access.**

A. No land division final map shall be recorded unless public access is provided from the land division to a city, county, state or federal road that is maintained for public use.

B. The requirement for public access may be waived under the following circumstances:

1. If a parcel map creates four or less parcels and public access over intervening lands cannot be offered for dedication, a private road easement may be approved, provided:
 - a. The land to be divided is not zoned for commercial, industrial or multiple-residential use,
 - b. No parcel under one acre in size is created or only two additional parcels are being created,
 - c. The access easement is recorded and not less than thirty feet in width,
 - d. The access easement owned by the land divider is not an exclusive easement or specifically written to prohibit further division of the land;
2. If a subdivision map has been previously recorded that permitted private streets without the requirement of offering the streets for dedication, a private road easement may be approved provided the easement grants the new lots unrestricted access rights to the existing private streets.

C. Public access is not required if each parcel created is forty acres or more or is quarter section. (Ord. 547 §3.10, 1983)

Chapter 16.16
TENTATIVE MAPS--GENERAL

Sections:

16.16.010	Tract number.
16.16.020	Preliminary corner stakes.
16.16.030	Application.
16.16.040	Division of land.
16.16.050	Optional procedure.
16.16.060	Date of filing.

16.16.010 **Tract number.**

A. Prior to the filing of a tentative map for a land division, a tract number shall be obtained from the road commissioner. Any number that is not used within two years from the date it is issued shall become null and void. The land divider shall pay the fee required as set forth in the ordinance codified in this title, and on file in the city clerk's office.

B. When the tentative map is a parcel map division, this shall be so indicated thereon.

C. The road commissioner shall maintain a permanent record of all tract numbers.

D. When applying for a tract number, the land divider shall certify that he is a record owner of the property, or that the record owner consents to the filing of the map, or the land divider shall submit such proof of ownership or consent of the owner as shall be necessary for the road commissioner.

E. When a number has been assigned by the road commissioner for a particular parcel or contiguous parcels of land, the land divider shall place the tract number upon each tentative map of the land division and neither the number nor the area of the parcel of land for which the number is issued shall thereafter be changed or altered in any manner upon the tentative map of the land division unless and until a new number has been assigned by the road commissioner.

F. The road commissioner shall not issue tract numbers to different persons for the same parcel of land or any portion thereof without first obtaining a release of the number from the person previously issued such number. (Ord. 547 §4.1, 1983)

16.16.020 **Preliminary corner stakes.** Prior to filing a tentative map, the land divider shall place a conspicuous stake identified with a number or corner description and flag at each approximate corner of the property to be divided. The stake shall extend at least three feet above the ground and be identified with a number and corner description. Detailed vicinity maps may be provided in lieu of corner stakes if approved by staff. Failure to place the required stakes or provide detailed maps may cause discontinuance or delay of the processing of the tentative map. (Ord. 547 §4.2, 1983)

16.16.030 Application.

A. Prior to filing a tentative map, the land divider shall obtain an application for a land division, which form shall be furnished by the planning director and be completed by the land divider.

B. The application shall be for the purpose of:

1. Providing and clarifying the information required to be shown on, or to accompany, the tentative map;
2. Determining whether the land division conforms to all the requirements of this and other city ordinances;
3. Expediting the processing of the tentative map. (Ord. 547 §4.3, 1983)

16.16.040 Division of land.

A. No person shall make any land division, as defined in this title, of real proper city located *in* the incorporated area of the city, except in accordance with the provisions of the Subdivision Map Act and this title.

B. When a tentative map has been submitted, no grading or construction work shall be performed until the tentative map and the improvement plans for such work have been approved. (Ord. 547 §4.4, 1983)

16.16.050 Optional procedure. Prior to filing of a tentative map, a land divider may, without payment of fee, discuss the proposed land division with the planning department staff. (Ord. 547 §4.5, 1983)

16.16.060 Date of filing. The date of filing of a tentative map shall be the date on which the map and information required by the Subdivision Map Act and this title have been filed; the fees have been paid; all procedures required by the City of Beaumont Rules Implementing the California Environmental Quality Act to hear a matter have been completed; and, if the land division is within a special study zone for geological hazards when all procedures under Riverside County Ordinance No. 547 have been completed. The time limitations for processing a tentative map shall not begin to run until the tentative map is deemed finally filed upon completion of all requirements during the preliminary filing stage. (Ord. 547 §4.6, 1983)

Chapter 16.20
TENTATIVE MAPS—INFORMATION REQUIRED

Sections:

- 16.20.010 Tentative subdivision maps.
- 16.20.020 Tentative parcel maps.

16.20.010 Tentative subdivision maps.

A. The following information shall be shown on or accompany tentative subdivision maps unless certain items are determined by the staff as not being required for a particular land division:

1. Tract number, title of map and legal description of property, not including tract name;
2. Name and address of owner and land divider, and name and address of person preparing map;
3. Ownership information on additional property owned adjacent or continue to the land to be subdivided;
4. Approximate acreage, overall dimensions, north arrow, scale and date;
5. Subdivision boundary line and vicinity map showing relationship to surrounding community;
6. Names, locations, rights-of-way, widths and improvements of adjacent streets, alleys, railroads and existing structures, both above and below ground;
7. Names, locations, widths of rights-of-way for proposed streets, alleys and easements, and the approximate grade of proposed and existing streets and approximate street centerline radii of curves;
8. Streets, alleys and rights-of-way providing legal access to the property;
9. If private streets are proposed, they shall be so noted. on the tentative map;
10. Names of utility purveyors and locations of existing public utility easements;
11. Watercourses, channels, existing culverts and drain pipes, including existing and proposed facilities for control of stormwaters;
12. Land subject to overflow, inundation or flood hazards;
13. Any land or right-of-way to be dedicated to public use;
14. Identify common areas and open spaces;
15. Proposed lot lines and approximate dimensions;
16. Adjoining property and lot lines;
17. Contours, with maximum interval as follows:

<u>Slope</u> (in percent)	<u>Interval</u> (in feet)
0 to 4.99	1
5 plus	4

Copies of U.S.G.S. maps are not acceptable;

18. Site grading:
 - a. Whenever any area of the proposed subdivision has a gradient of five percent or more, as measured between natural contours, the following information shall be shown on or accompany the tentative map:
 - i. The proposed cuts and fills in the subdivision.

- ii. The elevations of all individual building pads in the subdivision
 - iii. The elevations at the perimeter of the subdivision
 - iv. The relationship to adjoining land and development,
 - b. The finished grade elevations on the final grading plan where the gradient is five percent or more shall not vary more than two feet, plus or minus, from the difference in elevations shown on the approved tentative map,
 - c. On gradients less than five percent, when elevations are not shown on the tentative map, the finished grade elevations shall not create cuts or fills of more than four feet, plus or minus, from the natural contour;
 - 19. Existing use of property immediately surrounding tract;
 - 20. Existing zoning, and proposed land use (single family, multiple-family, business, industrial);
 - 21. Two typed sets of gummed labels indicating all the property owners' names, and the mailing addresses, that are within a three-hundred-foot radius of the exterior of the proposed project, as shown on the last equalized assessment roll, and any update issued by the county assessor.
- B. Reports and written statements on the following matters shall accompany the tentative map:
- 1. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimensions of the proposed facilities;
 - 2. A written statement stating that:
 - a. The Beaumont-Cherry Valley Water District has agreed in writing to serve all lots in the land division; or
 - b. The land divider has an acceptable application for a water purveyor permit on file with the department of public health; or
 - c. The land divider has agreed in writing to form a domestic water system under permit from the proper authorities to serve the land division;
 - d. The land divider has filed with the health department information regarding the quantity and quality of water of any wells existing on the property, and the estimated current cost of drilling a well on the property.
 - 3. A written statement stating the type of sewage disposal that will be used. If on-site sewage disposal is proposed, the public works director shall require soil percolation tests or other pertinent information.
- C. If the land division lies within a special studies zone shown on the map prepared by the State Geologist pursuant to the Alquist-Priolo Geologic Hazard Zone Act, a geologic report or waiver thereof pursuant to the provisions of Riverside County Ordinance No. 547 shall accompany the tentative map. (Ord. 547 §5.1, 1983)

16.20.020 Tentative parcel maps.

A. The following information shall be shown on or accompany all tentative parcel maps unless certain items are determined by the staff as not being required for a particular land division:

1. Parcel map identification, title of map, and legal description of property, but not including tract name;
2. Name and address of owner and land divider and name and address of person preparing map;
3. Approximate acreage, overall dimensions, north arrow, scale and date;
4. Land division boundary line and vicinity map showing relationship to surrounding community;
5. Map book and page numbers of adjoining land divisions;
6. Names, locations, rights-of-way, widths and *improvements* of adjacent streets, alleys, railroads, and *existing* structures, both above and below ground;
7. Names, locations, widths of rights-of-way for proposed streets, alleys and easements, and the approximate grades of proposed streets and approximate street centerline radii of curves;
8. Streets, alleys and rights-of-way providing legal access to the property;
9. If private streets are proposed, it shall be so noted on the tentative map;
10. Names of utility purveyors and location of *existing* known public utilities;
11. Watercourses, channels, existing culverts and drain pipes, including existing and proposed facilities of control of storm waters;
12. Land subject to overflow, inundation or flood hazard;
13. Any land or right-of-way to be dedicated to public use and rights- of-way for railroads and other uses;
14. Identify common areas and open spaces;
15. Proposed lot lines and approximate dimensions;
16. Adjoining property and lot lines;
17. Contours with maximum interval as follows:

<u>Slope</u>	<u>Interval</u>
(in percent)	(in feet)
0 to 4.99	1
5 plus	4

Copies of U.S.G.S. maps are not acceptable;

18. Existing use of property immediately surrounding tentative map;
19. Existing zoning and proposed land use (single family, multifamily, business, industrial);
20. A statement as to whether the tentative map includes the entire contiguous ownership of the land divider or only a portion thereof;
21. A list of the names and addresses of the owners of real property located within three hundred feet of the exterior boundaries of the property to be considered, as shown on the last equalized assessment roll, and any update issued by the county assessor.

B. Reports and written statements on the following matters shall accompany the tentative map:

1. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimensions of the proposed facilities;
2. A written statement stating the type of sewage disposal that will be used shall be submitted for all commercial and industrial parcel map as defined in subdivision 4 of subsection B of Section 16.08.190. If on-site sewage disposal is proposed, the public works director shall require soil percolation tests or other pertinent information;
3. A written statement shall be submitted for all commercial and industrial maps as defined in subsection 4 of subsection B of Section 16.08.190, stating that:
 - a. The Beaumont-Cherry Valley Water District has agreed in writing to serve all lots in the land division; or
 - b. The land divider has an acceptable application for a water purveyor permit on file with the State Department of Public Health or the county department of public health; or
 - c. The land divider has agreed in writing to form a domestic water system under permit from the proper authorities to serve the land division; or
 - d. The land divider has filed with the health department information regarding the quantity and quality of water of any wells existing on the property, and the estimated current cost of drilling a well on the property; or
 - e. Water is not available, or will not be furnished.

C. If the land division lies within a special studies zone shown on the map prepared by the State Geologist, pursuant to the Alquist-Priolo Geologic Hazard Zone Act, a geologic report or waiver thereof pursuant to the provisions of Riverside County Ordinance No. 547 shall be filed at the time of the filing of the tentative parcel map. (Ord. 547 §5.1, 1983)

Chapter 16.24
TENTATIVE MAPS--PROCESSING

Sections:

- 16.24.010 Filing of tentative maps.
 16.24.020 Fee for flood protection study.
 16.24.030 Map distribution.
 16.24.040 Review by land division committee.
 16.24.050 Consideration by the advisory agency.
 16.24.060 Appeal of actions of advisory agency.
 16.24.070 Extension of the time for processing.

16.24.010 Filing of tentative maps.

A. Preliminary filing shall be as follows: All tentative maps shall be filed with the planning director on a preliminary filing basis and shall be accompanied by a fee as set forth in the ordinance codified in this title, and on file in the city clerk's office. During the preliminary filing period, the fifty-day time limit for processing tentative maps shall not commence to run. Not less than fifteen copies of a tentative map shall be filed, which maps shall be drawn to an engineer's scale appropriate to clearly present necessary details, and shall be on pages not less than eighteen inches by twenty-six inches.

B. During the time that the tentative map is considered preliminarily filed:

1. The land divider shall comply with the City of Beaumont Rules to Implement the Provisions of the California Environmental Quality Act (C.E.Q.A.) including the preparation of an Environmental Impact Report if one is required.

2. The land divider shall comply with Riverside County Ordinance No. 547 and all the requirements of the Alquist-Priolo Geologic Special Studies Zone Act. The land divider shall obtain clearance from the Beaumont-Cherry Valley Water District for all requirements relating to water.

C. Actual filing of tentative map: When all requirements of the preliminary filing stage are completed, the planning director shall notify the land divider and the tentative map shall then be accepted for filing upon the payment of the required fees as set forth in the ordinance codified in this title, and on file in the city clerk's office. (Ord. 547 §6.I, 1983)

16.24.020 Fee for flood protection study.

A. A flood protection study fee shall be paid at the *time* of actual *filing* of a tentative map as set forth in the ordinance codified in this title, and on file in the city clerk's office.

B. When the fee is collected, it shall be paid to the Flood Control District that performs the flood protection study.

C. No charge shall be made for a flood protection study on a revised tentative map filed within two years of the original filing unless additional lots have been added. If a resubmitted map has additional lots proposed, a supplemental payment of the normal lot fee multiplied by the additional number of lots will be required. After two years the fee shall be the same as the original fee.

D. There shall be no flood protection study fee for reverting subdivided lands to acreage. (Ord. 547 §6.2, 1983)

16.24.030 **Map distribution.** Upon the actual filing of the tentative map with the *planning* director, one copy thereof shall be forwarded to each member of the appropriate advisory agency and to each of the following as may be concerned:

A. California Department of Transportation;

B. City of Banning; County of Riverside;

C. The Flood Control District or person designated who will perform flood control and drainage studies;

D. Any city, Community Services District, school or other authorized district requesting a copy;

E. Any utility purveyor serving the area with its facilities;

F. Any others as may be appropriate. (Ord. 547 §6.3, 1983)

16.24.040 **Review by land division committee.**

A. All tentative maps shall be reviewed by the appropriate section of the land division committee. The land divider and his representative shall be notified of the date and time of the meeting, at which time the land divider may review his proposed map with the committee.

B. Upon the completion of its review, the land division committee shall prepare a report and recommendations and shall transmit a copy to the appropriate advisory agency. The report shall be in writing and a copy thereof served on the land divider and his representative at least five days prior to any hearing or action on the map by the advisory agency. (Ord. 547 §6.4, 1983)

16.24.050 Consideration by the advisory agency.

A. Within fifty days after the date of actual filing of a tentative map, a public hearing on the map shall be held before the advisory agency. Notice of the hearing shall be given at least ten days before the hearing by U.S. mail, postage prepaid, to owners of real property located within three hundred feet of the exterior boundaries of the property to be considered, as shown on the last equalized assessment roll of the county and any update issued by the county assessor and by publication once in a newspaper of general circulation in the city. After closing the hearing, the advisory agency shall file a written report with the city council recommending approval, approving with conditions or disapproving the tentative subdivision or parcel map, and report its actions directly to the land divider and his authorized agent.

B. The advisory agency, upon the request of the land divider, may waive the requirement that a final parcel map be recorded if the advisory agency finds that the proposed land division complies with the requirements as to:

1. Area;
2. Improvement and design;
3. Flood water drainage control;
4. Appropriate improved public roads;
5. Sanitary disposal facilities;
6. Water supply availability;
7. Environmental protection;
8. Adequate existing survey control;
9. Other provisions of this and other applicable ordinances of the *city* and the Subdivision Map Act. (Ord. 547 §6.5, 1983)

16.24.060 Appeal of actions of advisory agency. The land divider or any interested party may appeal the decision of the advisory agency on a tentative subdivision or parcel map, to the *city* council within fifteen days after the decision of the advisory agency. The appeal shall be filed in the city manager's office, stating in writing the basis for the appeal and accompanied by the fee set forth in the ordinance codified in this title, and on file in the city clerk's office. All appeals shall be heard by the council at a public hearing, on a date within thirty days after the date of the filing of the appeal and notice of public hearing shall be given in the same manner as was given for the original hearing. Upon the conclusion of the hearing, the council shall render its decision on the appeal within twenty days. (Ord. 547 §6.6, 1983)

16.24.070 Extension of the time for processing. All the time limits specified in this title for reporting and acting on tentative maps may be extended by the mutual consent of the land divider and the advisory agency or the council. (Ord. 547 §6.7, 1933)

Chapter 16.28
DENIAL OF TENTATIVE LAND DIVISION MAPS

Sections:

- 16.28.010 General.
 16.28.020 Land projects.

16.28.010 **General.** A tentative subdivision map and a tentative parcel map shall be denied by the advisory agency if the map does not meet all of the requirements of this title, or if the advisory agency or council makes any of the following findings:

A. That the proposed land division is not consistent with applicable general and specific plans;

B. That the design or improvement of the proposed land division is not consistent with applicable general and specific plans;

C. That the site of the proposed land division is not physically suitable for the proposed density of the development;

D. That the site of the proposed land division is not physically suitable for the proposed density of the development;

E. That the design of the proposed land division or proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;

F. That the design of the proposed land division or the type of improvements are likely to cause serious public health problems;

G. That the design of the proposed land division or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division. The council may approve a land division if it finds that alternate easements for access or for use will be provided and that they will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements established by judgment of a court of competent jurisdiction. (Ord. 547 §7.1, 1983)

16.28.020 **Land projects.**

A. A tentative land division map for any land project as defined in the Business and Professions Code Section 11000.5 shall not be approved unless:

B. A specific plan covering the area proposed to be included within the land project has been adopted by the council.

C. It is determined that the proposed land project, together with the provisions for its design and improvement, is consistent with the adopted specific plan for the area (Ord. 547 §7.2, 1983)

Chapter 16.32
GENERAL REGULATIONS

Sections:

- 16.32.010 Revised tentative maps.
- 16.32.020 Minor changes.
- 16.32.030 Division into units.
- 16.32.040 Expiration of approved tentative maps--Extension of time.

16.32.010 **Revised tentative maps.**

A. Any revised tentative map shall comply with all of the provisions of the Subdivision Map Act and this title in effect at the time the revised map is approved.

B. Proceedings on a revised tentative map shall be conducted in the same manner as for the original approval of a tentative map except those procedures that are not applicable. The approval or conditional approval of a revised tentative map shall annul approval of the previous tentative map, but the approval thereof shall not extend the time within which the final map may be filed. (Ord. 547 §8.1, 1983)

16.32.020 **Minor changes.**

A. A request for approval of a minor change to an approved tentative map shall be filed with the planning department, accompanied by the fee specified by the ordinance codified in this title, and on file in the city clerk's office, and referred to the land division committee. The request shall be reviewed by the land division committee, which committee shall make a written recommendation thereon to the advisory agency.

B. The advisory agency shall consider the matter, review the recommendation of the land division committee, and make a decision on the request. An appeal of the advisory agency decision may be made to the city council. The decision of the council on the minor change shall be final.

C. A minor change shall not require a noticed public hearing; however, the advisory agency or the city council may, at their discretion, allow testimony to be given on the proposed change. The advisory agency or council may make a final decision on the matter when it initially appears on its agenda, or it may continue the matter without the consent of the land divider. The approval by the advisory agency or council of a minor change shall not affect the time period within which the land divider must prepare and file the final map. (Ord. 547 §8.2, 1983)

16.32.030 **Division into units.**

A. If a land divider proposes to file a final map on only a portion of land shown on an approved tentative map, he shall file an application with the planning director accompanied by the fee as set forth in the ordinance codified in this title, and on file in the city clerk's office.

B. The planning director shall refer the application to the land division committee for its review.

C. No unit map shall be approved unless it *is* complete and in compliance with all of the provisions of this title, including fire protection, flood control, traffic circulation, access and environmental considerations and with all conditions of approval of the tentative tract.

D. The unit will be identified by the approved tentative map number with a dash number designating said unit. The unit number shall be obtained from the road commissioner upon payment of the fee specified in the ordinance codified in this title, and on file in the city clerk's office. Units shall be recorded in the order as indicated by the unit number. The last unit within a tentative map to be recorded will not bear a unit number. (Ord. 547 §8.3, 1983)

16.32.040 Expiration of approved tentative maps-Extension of time.

A. Tentative Subdivision Maps. An approved or conditionally approved tentative subdivision map shall expire twenty-four months after such approval unless within that period of time a final map shall have been approved and filed with the county recorder. Prior to the expiration date, the land divider may apply in writing for an extension of time. Each application shall be made to the advisory agency thirty days prior to the expiration date of the tentative map and shall be accompanied by the fee set forth by the ordinance codified in this title, and on file in the city clerk's office. The advisory agency shall forward to the council an approval or denial of the application. The council may extend the date on which the map expires for one year.

B. Tentative Parcel Maps. An approved or conditionally approved tentative parcel map shall expire twenty-four months after such approval, unless within that period of time a final map shall have been approved and filed with the county recorder. Prior to the expiration date, the land divider may apply in writing for an extension of time period. Each application shall be made to the advisory agency thirty days prior to the expiration date of the tentative map, and shall be accompanied by the fee set forth in the ordinance codified in this title, and on file in the city clerk's office. The advisory agency may extend the date on which the map expires for one year. The advisory agency shall report its action directly to the land divider.

C. An extension of time shall not be granted unless the land division conforms to the general plan and is consistent with zoning and with the applicable schedule of improvements in effect at the time an extension is granted. (Ord. 547 §8 • 4, 1983)

Chapter 16.36
FINAL LAND DIVISION MAPS

Sections:

16.36.010	General.
16.36.020	Subdivision boundary plat requirements.
16.36.030	Preliminary filing of final subdivision map.
16.36.040	Preliminary filing of final parcel map.
16.36.050	Data required--Final land division maps.
16.36.060	Parcel maps compiled from recorded data.
16.36.070	Filing of final land division maps.
16.36.080	Action by the city engineer.
16.36.090	Action by the city council.
16.36.100	Survey and monuments.
16.36.110	Delivery of final map to the recorder.
16.36.120	Certificate of compliance--Waiver of final parcel map.

16.36.010 **General.** After the approval or conditional approval of the tentative map and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map thereof prepared in accordance with the approved or conditionally approved tentative map. (Ord. 547 §547 § 9.1, 1983)

16.36.020 **Subdivision boundary plat requirements.**

A. Surveys made in preparation of final land division maps shall be in accordance with standard practices and principles of surveying and all applicable provisions of the Subdivision Map Act.

B. Before the final map of a subdivision will be accepted by the city engineer for checking, the land divider shall submit and obtain approval by the road commissioner of a map showing:

1. A boundary survey of the land division, including all courses and distances to compute a closure;
2. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found or set, adjoining maps or property lines of record;
3. The map shall be drawn on eighteen inches by twenty-six inches minimum sheets of reproducible material.

C. The city engineer may waive the boundary plat if sufficient survey information is of record.

D. Wherever the city engineer has established the centerline of a street, that data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show city boundaries adjoining the division of land. (Ord. 547 §9.2, 1983)

16.36.030 Preliminary filing of final subdivision map.

A. When a boundary survey map is approved or waived by the city engineer, the subdivider may then file his final map for preliminary checking in the *office* of the city engineer. *Five* positive prints shall be filed with the city engineer to be distributed as follows:

1. Two to the city engineer;
2. One to the planning department;
3. One to the appropriate flood control agency.

B. The final map shall be accompanied by the following: map checking fees as set forth in the ordinance codified in this title, and on file in the city clerk's *office*.

C. Improvement plans shall be accompanied by the following: Two sets of prints of plans of the proposed improvements together with the plan checking fee as set forth in the ordinance codified *in* this title, and on file in the city clerk's *office*.

D. Prior to the recordation of the final map, the following items shall be provided and approved:

1. A copy of the approved Conditions, Covenants and Restrictions (CC & R's) that are to be recorded with the final map;
2. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final land division map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of title.
3. All request for waivers of signatures as proved in the Subdivision Map Act shall be required.
4. Utility plans required shall be as follows:
 - a. An original and three positive prints of each map showing the proposed water distribution and sewage collection systems, signed by the purveyors and a registered civil engineer; each system shall comply with all applicable state, county and city regulations. The city "fire department shall also sign the water plan when conditions include fire protection.
 - b. Letters from other utility purveyors that will serve the land division certifying that satisfactory provisions have been made with each of the said public utility purveyors as to location of their facilities and construction thereof. (Ord. 547 §9.5, 1983)

16.36.040 Preliminary filing of final parcel map. After a tentative parcel map is approved, the land divider may cause a final parcel map to be prepared and submitted to the city engineer. The land divider shall submit the following:

A. Two prints of the final parcel map with the plan checking fee as required in the ordinance codified in this title, and on file in the city clerk's office.

B. Two prints each of any required improvement plans with plan checking fee as required in the ordinance codified in this title, and on file in the city clerk's office.

C. Evidence of title in the form of a current preliminary title report issued by a California title company showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final parcel map, a subdivision guarantee shall be issued by a California title company. (Ord. 547 §9.4, 1983)

16.36.050 **Data required--Final land division maps.**

A. Final subdivision and parcel maps shall conform to all of the following provisions:

1. Each map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or good quality polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque material when recommended by the city engineer and authorized by the county recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. 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.

2. Each map shall bear the number as assigned by the road commissioner which shall be followed by a subtitle consisting of a general description of all the property being divided by reference to record maps, and to section surveys or ranchos. Reference shall be spelled out and worded identically with original records, with complete reference to proper book and page of record.

3. All sheets shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth on each sheet. An adequate number of sheet shall be submitted to clearly present all pertinent data.

4. When required by the city engineer, a location map shall be placed on the final map which indicates the location of the proposed land division and its relationship to existing streets and highways.

5. Prior to recording, the certificates and acknowledgments required by the Subdivision Map Act shall appear on the maps.

6. The recorder's certificate shall be placed in the upper right hand corner of the first sheet only on multi-sheet maps.

7. The surveyor's or engineer's certificate shall state that the survey was made by him or under his direction, that the survey is true and complete as shown, that all monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced, that the map conforms to the approved tentative map and conditions of approval thereof, and that all provisions of the applicable state and local ordinances have been complied with.

8. The number, scale, north point and sheet number shall be shown on each sheet of map. The map shall be drawn at a suitable engineer's scale to identify and describe all essential details clearly. If no more than two map sheets are used, an index showing the division of land with lots numbered as shown on the map, shall be shown. A boundary survey shall be shown on one sheet.

9. A land division name shall not be shown on the map.

10. The exterior boundary of the land within a land division shall be indicated by a distinctive delineation and clearly designated.

11. A statement labeled "Map Notes" shall be shown on one sheet of the map. The statement shall include the basis of bearings; the monuments that were found; the monuments and points that were set, with reference to Resolution No. 1980-35 standards; and a key to the symbols and abbreviations and such other information required by the city engineer.

12. Lots shall be numbered consecutively, commencing with the number "1," with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys, or barrier strips shall be lettered. Easements shall be clearly identified.

13. Where a part-width street is shown on a map, the centerline of the improvements shall be monumented and shown correctly, as related to the full future width of the street.

14. Preparation of maps shall conform to county standards, as found in policies and ordinances, except as modified by the city engineer and approval of the city council.

15. For each centerline intersection monument set, the engineer or surveyor under whose supervision the survey has been made, shall furnish the city engineer a set of notes showing clearly four reference monuments.

B. The following data shall be shown on each final subdivision and parcel map:

1. Dates of survey and the name of the registered civil engineer or licensed surveyor responsible for the preparation of the maps;

2. Locations and names, without abbreviations, of all adjoining, existing and proposed streets and the location of alleys. Proposed public areas and easements shall also be identified;

3. Gross area of land division, and the net acreage, computed to nearest 0.01 acres, on all lots containing one acre or more. Lot lines shall be shown by solid lines;

4. Centerlines of all streets and lengths, tangent, radius and central angle or radial bearings on all points on curves and the bearings of radial lines to each lot corner on a curve; the width of each street, the width of the portion being dedicated and the width of existing dedications; and the widths of rights-of-way of railroads, flood control or drainage channels and other easements appearing on the map;

5. Sufficient data to determine readily the bearing and length of each line. Recorded survey data as required by the city engineer;

6. Sufficient primary survey control points;

7. Ties to and recording references to adjacent record maps and to section corners, quarter section corners and also to section lines and quarter section lines when adjacent or within the map;

8. Centerline data and width of all easements to which the division of land is subject. If the easements are not definitely located by record, a statement as to the easement shall appear on the title sheet of the land division map. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual location. Alignment data alongside lot lines of easements shall be provided when not controlled by paralleling lines or centerline. The easement shall be clearly labeled and identified and, if already on record, proper reference to the records given. Easements dedicated in land divisions shall be included in the owners Certificate of Dedication. Easements shall be shown on the map by broken lines.

9. Clear indication of stakes, monuments or other evidence found on the ground to determine the boundaries of the tract, data to determine physical description, size, ground position, tag number and record reference of survey markers. Untagged monuments accepted as control shall be tagged or replaced by the surveyor or engineer making the survey;

10. No setback lines shall appear on the final map;

11. New street names shown on a land division map must be approved by the city engineer;

12. Any required conditions related to geologic hazard. (Ord. 547 §9.5, 1983)

16.36.060 **Parcel maps compiled from recorded data.** A parcel map of four or less parcels may be compiled from recorded or filed data, if such data is acceptable to the city engineer. Parcel maps compiled from record data must be part of a recently recorded tract or parcel map that was not compiled from recorded data. (Ord. 547 §9.6, 1983)

16.36.070 **Filing of final land division maps.** After the preliminary final land division map is determined to be correct, the city engineer shall notify the land divider to prepare and submit the original final map together with all required agreements for improvements and securities and all other required documents as may be necessary for council consideration of the final map. If the final land division map or documents are not determined complete by the city engineer, they shall be returned to the land divider for corrections. (Ord. 547 §9.7, 1983)

16.36.080 **Action by the city engineer.** When the final land division map and all agreements, securities and other required documents have been submitted and found to be in correct form, the city engineer shall, within twenty days thereof, file the final map and documents with the city council and certify that:

- A. He has examined the map.
- B. The land division as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof.
- C. All provisions of the Subdivision Map Act and all city ordinances applicable at the time of approval of the tentative map have been complied with.
- D. He is satisfied that the map is technically correct.
- E. In the certificate, the city engineer shall state the date of approval of the tentative map and the date of expiration. (Ord. 547 §9.8, 1983)

16.36.090 **Action by the city council.** The city council shall, at the meeting at which it receives the map or, at its next regular meeting after the meeting at which it receives the map, approve the map if it conforms to all the requirements of the Subdivision Map Act and this title applicable of the tentative map and any rulings made thereunder or, if it does not so conform, disapprove the map; provided, however, the final map shall not be disapproved due to technical or inadvertent errors which can easily be corrected and, in the opinion of the city engineer, do not materially affect the validity of the map. (Ord. 547 §9.9, 1983)

16.36.100 **Survey and monuments.**

A. At the time of making the survey for a final land division map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code and also comply with the requirements of Resolution 1980-35 and the city engineer.

B. When five or more lots are shown on the final map, final monuments need not be set at the time the map is recorded if the engineer or surveyor certifies on the map that the monuments will be set on or before a specified later date, and if the land divider enters into a secured agreement guaranteeing the setting of the monument.

C. When four or less lots are shown on the final map, monuments shall be set prior to the recordation of the final map. (Ord. 547 §9.10, 1983)

16.36.110 Delivery of final map to the recorder.

A. The final land division map shall be presented by the city clerk to the recorder for filing within five days of the action approving the final map by the city council.

B. The land developer shall present to the recorder evidence that, at the time of the filing of a final land division map, the parties consenting to the filing are all of the parties having a record title interest in the real property being divided whose signatures are required, as shown by the records in the office of the recorder; otherwise, the map shall not be filed.

C. The recorder shall have not more than ten days within which to examine the final land division map and either accept or reject it for filing.

D. If the recorder accepts the map for filing, such acceptance shall be certified on the face thereof.

E. Within ten days following the filing of the final subdivision map or parcel map by the county recorder, the land divider shall make a polyester type film duplicate of the original recorded map and deliver the same to the city engineer who shall retain custody thereof. (Ord. 547 §9.11, 1983)

16.36.120 Certificate of compliance--Waiver of final parcel map. When a final parcel map has been waived, upon completion of all requirements of the Subdivision Map Act, this title and the conditions required for waiver of the final map, the planning director shall file a certificate of compliance with the recorder upon payment of the fee set forth in the ordinance codified in this title, and on file in the city clerk's office. (Ord. 547 §9.12, 1983)

Chapter 16.40
LAND DIVISION DEDICATIONS, IMPROVEMENTS,
FEES AND RESERVATIONS

Sections:

16.40.010	Dedications.
16.40.020	Land division improvements.
16.40.030	Improvement plans required.
16.40.040	Improvement for subdivisions.
16.40.050	Schedule A subdivision.
16.40.060	Schedule B subdivision.
16.40.070	Schedule C parcel map division.
16.40.080	Schedule D parcel map division.
16.40.090	Schedule E parcel map division.
16.40.100	Drainage fees.
16.40.110	Bridge and major thoroughfare fees.

16.40.010 Dedications.

A. All streets, highways and alleys, and other parcels of land intended for public use including, but not limited to, access road easements required for flood control and utilities intended for public use, shall be offered for dedication to the public by owners certificate as a part of a final land division map. No utility easement or other rights-of-way shall be granted within proposed street dedications subsequent to the date of filing of a preliminary tentative map. Necessary rights-of-way outside of the tract boundary must be processed by separate instruments.

B. Whenever a limited access highway is eighty-eight feet or greater in right-of-way width as shown on the circulation element of the general plan of the city or as provided by this title, adjoins or passes through a division of land, access rights to the highway may be required to be offered for dedication to the city. In such event, the note "ACCESS RIGHTS RESTRICTED" shall be shown along the highway right-of-way. Access rights may be restricted when necessary where the ultimate right-of-way width is eighty-eight feet or greater, except for approved access openings. (Ord. 547 §10.1, 1983)

16.40.020 Land division improvements.

A. Improvements installed in land divisions shall be constructed in conformance to the provisions of Resolution No. 1980-35.

B. In the absence of a standard for an improvement, the city engineer may establish a standard in keeping with good construction and engineering practices.

C. When asphalt-concrete dikes are permitted and drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters shall be installed.

D. Structural roadbed section shall be designed using recognized design methods, employing engineering soils analysis and determination of traffic evaluations.

E. The street pattern in the land development shall not landlock adjacent or preclude access to public land.

F. When located under the pavement, utility mains and utility services shall be installed before the final street surfacing is installed.

G. Asphalt-concrete dikes shall be waived when it is determined that they are unnecessary for drainage purposes. (Ord. 547 510.2, 1983)

16.40.030 Improvement plans required.

A. All improvements constructed or installed in land divisions shall be in accordance with detailed plans and specifications as approved in writing by the city engineer prior to commencement of said improvement work.

B. All plans shall be submitted to the city engineer and shall be approved by him before submitting a final land division map to the council.

C. All improvements constructed or installed in land divisions, other than rough grading for physical access, whether such work is required by the city or is done at the option of the land divider, shall be on accordance with plans and specifications as approved by the city engineer.

D. Improvement plans shall be required for all improvements, whether installed before or after recordation of the final map.

E. Contractors shall secure an encroachment permit for all work done in connection with land division projects within public right-of-way.

F. The improvement plans shall show the location of all existing improvements, gas and any other service facilities.

G. Improvements proposed or required on State Highway rights-of-way shall be included in the improvement plans and designed to Department of Transportation standards. Prior to approval by the city engineer, the land divider's engineer shall acquire the Department of Transportation's approval of such improvements. (Ord. 547 510.3, 1983)

16.40.040 **Improvement for subdivisions.** The minimum improvements which a land divider shall install, or enter into an agreement to install, for subdivisions shall be as set forth in Schedules A and B in Sections 16.40.050 and 16.40.060. (Ord. 547 §10.4, 1983)

16.40.050 **Schedule A subdivision.** Any division of land into five or more parcels, where any parcel is less than eighteen thousand square feet in net area, shall be defined as a Schedule A subdivision. The minimum improvements for a Schedule A subdivision shall be as follows:

- A. Streets. The minimum improvements for streets are established as follows:
1. Arterial Highways. Eighty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 100;
 2. Major Highways. Seventy-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 101;
 3. Secondary Highways. Sixty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 102;
 4. Collector Streets. Forty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 103, Section A;
 5. General Local Streets. Forty feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 104, Section A;
 6. Short Local Streets. Forty feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 104, Section A;

7. Restricted Local Streets. Thirty-two feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 106, Section A;
8. Access Road. Twenty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 107;
9. Frontage Road. Thirty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 109, Section A;
10. Cul-de-sac Streets. These streets shall be designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 800. The various street widths shall be compatible with the adjacent land uses;
11. Alleys. Twenty feet in width, designed and constructed in conformance with Riverside County Ordinance 461, Standard No. 500;
12. Part-width Streets. Twenty feet in width, designed and constructed in conformance with Riverside County Ordinance 461, Standard No. 110, Section A, except when a part-width street serves as an access to the interior subdivision street network, the minimum width shall be one-half of the required improvement, but not less than twenty-eight feet;
13. Street Name Signs. Type and placement shall conform with Riverside County Ordinance 461, Standard No. 461, No. 815 or 816;
14. Barricades shall be placed at the end of dead-end streets in accordance with Riverside County Ordinance 461, Standard No. 810;
15. Sidewalks shall be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Riverside County Ordinance 461, Standard Nos. 400 or 401.

B. Domestic Water. The minimum requirement for domestic water supply and distribution system is as follows:

1. Water Supply. Three hundred gallons per day per single-family lot and four hundred fifty gallons per day per lot for all other lots, in all cases deliverable in a four-hour period;
2. Piped water systems;
3. Service Connections. Single-family residence lot, five-eighths of an inch; multiple-family residence lot; one inch.

C. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:

1. Type of fire hydrant and connection as approved by the city fire department;
2. Hydrants located one at each street intersection to conform to city code Chapters 15.04 and 15.20 and Riverside County Ordinance 546, and not greater than five hundred feet apart in any direction;
3. Minimum flow of water which a system shall be capable of delivering at any hydrant; five hundred gallons per minute at twenty pounds per square inch flowing pressure above the average daily domestic consumption;
4. For the purposes of this section, fifty gallons per minute is established as the average daily domestic consumption rate for the area served by one fire hydrant. In zones that allow multifamily residential uses, the minimum fire protection shall be set forth in city code Chapters 15.04 and 15.20 and Riverside County Ordinance 546.

D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows: Connection to an existing collection system is required.

E. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: Electrical and communication facilities shall be installed in conformity with the provisions of Section 16.52.010. (Ord. 547 §10.5, 1983)

16.40.060 **Schedule B subdivision.** Any division of land into five or more parcels, where any parcel is not less than eighteen thousand square feet in net area, shall be defined as a Schedule B subdivision. The minimum improvements for a Schedule B subdivision shall be as follows:

A. Streets. width of asphalt paving required shall be determined as a part of the approval of the tentative map in accordance with the following factors:

1. Design.
 - a. The intensity of the use permitted by the zoning on the property;
 - b. The nature of the developed street improvements in the surrounding area;
 - c. The topography of the parcel and surrounding area;
 - d. Drainage, erosion and similar factors.

2. Width. The maximum width of paving shall be as required for Schedule A streets, and the minimum width of paving required shall be as follows:
 - a. Arterial Highway. Forty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 100;
 - b. Major Highways. Forty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 101;
 - c. Secondary Highways. Forty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 102;
 - d. Collector Streets. Thirty-two feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 103, Section B;
 - e. General Local Streets and Short Local Streets. Twenty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 104, Section B;
 - f. Restricted Local Streets. Twenty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 106, Section B;
 - g. Access Roads. Twenty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 107;
 - h. Frontage Roads. Twenty-six feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 109, Section B;
 - i. Cul-de-sac Streets. These streets shall be designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 800;

- j. Part-width Streets. Twenty feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 110, Section C, except when a part-width street serves as an access to an interior subdivision street network the minimum width shall be one-half of the required improvement, but not less than twenty~ eight feet;
- k. Street Name Signs. Type and placement shall conform with Riverside County Ordinance No. 461, Standard Nos. 815 or 8161
- L. Barricades shall be placed at end of dead-end streets in conformance with Riverside County Ordinance No. 461, Standard No. 810.

B. Domestic Water. The minimum requirement for a domestic water supply and distribution system *is* as follows:

- 1. Water Supply. Three hundred gallons per day per single-family lot, and four hundred fifty gallons per day per lot for all other lots, in all cases deliverable in a four-hour period;
- 2. Piped water systems;
- 3. Service Connection. Single-family residence lot, five-eighths of an inch multiple-family residence lot, one inch.

C. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:

- 1. Type of fire hydrant and connection as approved by the agency providing fire protection;
- 2. Hydrants located one at each street intersection, but not greater than permitted by city code Chapters 15.04 and 15.20 and Riverside County Ordinance 546, in any direction;
- 3. Minimum flow of water which system shall be capable of delivering at any hydrant; five hundred gallons per minute, at twenty pounds per square inch following pressure above the average daily consumption rate;
- 4. For the purpose of this section, fifty gallons per minute is established as the average daily domestic consumption rate for the area served by one fire hydrant 1 in zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in city code Chapters 15.04 and 15.20 and Riverside County Ordinance 546.

D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:

- 1. Connection to an existing collection system is required ; or
- 2. If an existing collection system is not available and if it is determined that satisfactory individual disposal systems cannot be proved because of soil conditions, determined by percolation tests in conformity with the standards of the "Ludwig Modification," and finding that the conditions and requirements of the health department and Regional Water Quality Control Board cannot be met, then a package treatment plant and collector system shall be required.

E. Fences. Minimum fencing requirements shall be as follows: Six-foot chain-link galvanized wire fences shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.

F. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: Electrical and communication facilities shall be installed in conformity with the provisions of Section 16.52.010. (Ord. 547 §10.6, 1983)

16.40.070 Schedule C parcel map division. Any division of land into two or more parcels in commercial or industrial zones, regardless of parcel size, shall be defined as a Schedule C subdivision. The minimum improvements for a Schedule C subdivision shall be as follows:

A. Streets. The minimum improvements for streets are established as follows:

1. All streets shall be constructed in accordance with Schedule A, except:

- a. No street shall be less than sixty-four feet in width, designed and constructed in conformance with Riverside County Ordinance No. 461, Standard No. 102;
- b. No part-width street shall be less than thirty-two feet in width;
- c. Concrete curb and gutter shall be required in all cases.

2. Sidewalks shall be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Riverside County Ordinance No. 461, Standard Nos. 400 or 401.

B. Domestic Water. The minimum requirement for domestic water supply and distribution system is as follows:

1. Water Supply. Four hundred fifty gallons per day per lot, and in all cases deliverable in a four-hour period;
2. Piped water system;
3. Service Connections. Service connections shall be one and one-half inches.

C. Fire Protection. The minimum fire protection requirements shall be as provided in city code Chapters 15.04 and 15.20 and Riverside County Ordinance 546.

D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:

1. Connection to an existing collection system is required; or
2. If an existing collection system is not available and if it is determined that satisfactory individual disposal systems cannot be provided because of soil conditions, determined by soil percolation tests in conformity with the standards of the "Ludwig Modification" arid finding that the conditions and requirements of the health department and the Regional Water Quality Control Board cannot be met, a package treatment plant and collector system shall be required.

E. Fences. Minimum requirement for fencing shall be as follows: Six-foot chain-link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.

F. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows: Electrical and communication facilities shall be installed in conformity with the provisions of Section 16.52.010. (Ord. 547 §10.7, 1983)

16.40.080 Schedule D parcel map division. Any division of land into four or less parcels, where any parcel is less than eighteen thousand square feet in net area, shall be defined as a Schedule D parcel map division. The minimum improvement for a Schedule D parcel map division shall be the same as those required for Schedule A subdivisions in accordance with Section 16.40.050. (Ord. 547 §10.8, 1983)

16.40.090 **Schedule E parcel map division.** Any division of land into four or less parcels, where any parcel is not less than eighteen thousand square feet in net area, shall be defined as a Schedule E parcel map division. The minimum improvements for a Schedule E parcel map division shall be the same as those required for Schedule B subdivisions in accordance with Section 16.40.060. (Ord. 547 §10.9, 1983)

16.40.100 **Drainage fees.**

A. This section is adopted pursuant to Section 66483, et seq. of the Government Code which provides for the payment of fees for the construction of drainage facilities, as a condition to the division of land.

B. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, a drainage fee in the amount required by the plan for the area, as adopted or thereafter amended, shall be required as a condition of approval of the division of land in that drainage area.

C. The area drainage plan shall be adopted by resolution of the city council, pursuant to the provisions of Government Code Section 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan; and shall include a map of the area that shows the boundaries of the drainage area and the location of the required facilities serving the drainage area. As a part of the adoption of a plan, the council shall find and determine that the subdivision and development of land within the plan area will require construction of the facilities described in the plan. The council shall further find and determine that the drainage fees are fairly apportioned within the local drainage area, on the basis of benefits conferred on property proposed for subdivision or on the need for local drainage facilities created by the proposed subdivision and development of other properties within the adopted drainage area, and may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within the area which would be assessable on such property if the costs were apportioned uniformly on a per acre basis.

D. Drainage fees shall be paid at the time of the filing of the final map or parcel map, or as a condition of the waiver of the filing of a parcel map; provided, however, at the option of the land divider the fee may be paid, in pro rata amounts, at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels. The amount of the drainage fee required to be paid shall be in the amount that is in effect for the particular area drainage plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of a grading or building permit, the recorded final map or parcel map or certificate of compliance evidencing the waiver of the filing of a parcel map shall specifically state that payment of a drainage fee is required to be paid prior to issuance of a grading permit or building permit for the parcels that have been created by the land division. In addition, a separate instrument shall be recorded by the land divider in the office of the county recorder at the time of the filing of the final map or parcel map or certificate of compliance evidencing the waiver of the parcel map, which gives notices that a drainage fee is required to be paid by any person that owns such parcels prior to issuance of a grading or building permit.

E. If the drainage fee is paid at the time of the filing of the final map or parcel map or certificate of compliance evidencing the waiver of the parcel map, it shall be paid to the city engineer. If the drainage fee is paid at the time of issuance of a grading or building permit, it shall be paid to the building director. All fees that are collected shall thereafter be deposited into a local drainage facilities fund maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the district for each adopted local drainage area. Money *in* such funds shall be expended for construction or reimbursement for construction, including acquisition of right-of-way necessary for construction of the drainage facilities serving the drainage area for which the fees are collected, or to reimburse the district for the cost of engineering and administrative services to design and construct and acquire any' necessary right-of-way for the facilities.

F. In the discretion of the council considerations such as dedications of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.

G. Money may be advanced by the Riverside County Flood Control and Water Conservation District to design or construct drainage facilities or to acquire necessary right-of-way within an adopted drainage area; therefore, money so advanced may be reimbursed to the district from the fund for the local drainage area in which the facilities are located.

H. When required for the implementation of an adopted area plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance money for the construction of facilities, or design or construct facilities within a local drainage area; provided, that the sole security to the developer for repayment of money or other consideration advanced shall be money subsequently accruing to the local drainage facilities fund for the drainage area in which the facilities are located. Reimbursement shall be for the amount agreed upon in advance only and shall not include interest or other charges. The agreement shall expire fifteen years after the date it was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.

I. The drainage plan area, the required facilities and the drainage fee in an adopted plan may be amended by the council at any time upon a determination that it is necessary to do so in order to correctly reflect the drainage area, the required facilities or estimated cost of the facilities. (Ord. 547 §10.10, 1983)

16.40.110 **Bridge and major thoroughfare fees.**

A. Purpose. This chapter is adopted pursuant to Section 66484 of the Government Code of the state which provides for the payment of fees to defray the actual or estimated costs for the construction of bridges over waterways, railways, freeways and canyons and/or major thoroughfares as a condition of approval of a final map or as a condition of issuing a building permit.

B. Major Thoroughfare and Bridge Fees. A subdivider, as a condition of approval of a final map for property within an area of benefit, or a building permit applicant, as a condition of issuance of a building permit for property within an area of benefit, shall pay a fee as hereinafter established to defray the cost of constructing bridges over waterways, railways" freeways and canyons, and/or constructing major thoroughfares. No property shall be assessed a fee under this section for both a final map and a building permit.

C. Definitions.

1. "Area of benefit" means a specified area wherein it has been determined that the real property located therein will benefit from the construction of a bridge and/or major thoroughfare.

2. "Bridge facilities" means those locations identified in the transportation element of the general plan of the city (the "general plan") requiring construction of or addition to a bridge spanning a waterway, railway, freeway or canyon that is part of a major thoroughfare.

3. "Construction" means and includes formation and preliminary studies, design, acquisition of right-of-way, administration of construction contracts and actual construction.

4. "Major thoroughfares" means those roads designated as arterial, major or secondary highways, as defined by Section 16.08.290 and reflected in the circulation element of the general plan, the primary purpose of which is to carry through traffic and provide a network connecting to or which is part of the state highway system.

5. The singular number includes the plural, and the plural the singular.

D. General Plan Requirement. The provisions in this section for payment of fees shall apply to a parcel located within the boundaries of the areas of benefit if the bridge and/or major thoroughfare has been included in an element of the general plan adopted by the city council at least thirty days prior to the filing of a final map or application for a building permit on the parcel location within the boundaries of the area of benefit.

E. Major Thoroughfares. Payment of fees shall not be required unless a major thoroughfare is in addition to or a widening or reconstruction of any major thoroughfares serving the area at the time of the adoption of the boundaries of the area of benefit.

F. Bridge Facilities. Payment of fees shall not be required unless any planned bridge facility is a new bridge serving the area or an addition to an existing bridge facility serving the area at the time of the adoption of the boundaries of the area of benefit.

G. Proceedings to Establish.

1. Action to establish an area of benefit may be initiated by the city council upon its own motion or upon the recommendation of the city manager, or community development director.

2. The city council will set a public hearing for each proposed area benefited. Notice of the time and place of the hearing, including preliminary information related to the boundaries of the area of benefit, estimated costs of construction and the method of fee apportionment, shall be given pursuant to Section 65091 of the Government Code.

H. Public Hearing and Protest.

1. At the public hearing, the city council will consider the preliminary report that sets forth the area for inclusion within the area of benefit, designates the major thoroughfares and/or bridge facilities to be constructed, estimates the cost of construction of each improvement and describes the method of fee apportionment within the area of benefit. The council will also consider testimony from interested persons, written protests and other evidence submitted. Within a reasonable time after the conclusion of the public hearing, the city council may, unless a majority written protest is filed and not withdrawn, determine- to establish an area of benefit. If established, the city council shall adopt a resolution describing the boundaries of the area of benefit, setting forth the cost, whether actual or estimated, and the method of fee apportionment. A certified copy of such resolution shall be recorded with the county recorder.

2. Such apportioned fees shall be applicable to all property within the area of benefit, and shall be payable as a condition of approval of a final map or as a condition of issuing a building permit for such property or portions thereof. Where the area of benefit includes lands not subject to the payment of fees pursuant to this section, the city shall make provisions for payment of the share of improvement cost apportioned to such lands from other sources. The designation of such alternate funding need not be addressed in the resolution establishing the area of benefit.

3. Written protests will be received by the city clerk at any time prior to the close of the public hearing. Each written protest must be filed by a person or entity owning property within the proposed boundaries of the area of benefit and must describe the property with sufficient specificity so that the parcel may be identified. If the person or entity filing the protest is not shown on the last equalized assessment roll as the owner of the parcel, the protest must contain or be accompanied by documentary evidence establishing ownership. If written protests are filed by the owners of more than one-half of the area of the property to be benefited by the improvement, and sufficient protests are not withdrawn so as to reduce the area represented by the protests to less than one-half of the area to be benefited, then the proposed proceedings shall be abandoned and the city council shall not, for one year from the filing of the written protests, commence or carry on any proceedings for the same improvement under the provisions of this section. Any protest may be withdrawn in writing by the owner making the same, at any time prior to the close of the public hearing.

4. If any majority protest is directed against only a portion of the improvement, then all further proceedings under the provisions of this section to construct that portion of the improvement so protested against shall be barred for a period of one year, but the city council shall not be barred from commencing new proceedings not including any part of the improvement so protested against. Such proceedings shall be commenced by a new notice and public hearing as set forth in subsection G of this section.

5. Nothing in this section shall prohibit the city council, within such one-year period, from commencing and carrying on new proceedings for the construction of an improvement or portion of the improvement so protested against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such improvement or portion thereof.

I. Amendments. The resolution establishing an area of benefit may be amended from time to time by the city council to reflect modifications in either the bridge and/or major thoroughfare facilities to be constructed or the property to be included within the area of benefit due to alterations in land use and to reflect adjustments in the fees schedule necessitated by any such modifications. The amendment(s) shall be adopted in the same manner as the original resolution.

J. Periodic Review. The city council shall review the costs designated for construction of the bridge and/or major thoroughfare facilities from time to time and shall make modifications to such costs and corresponding adjustments to the fees as are necessary to ensure that the bridge and/or major thoroughfare facilities can be constructed from accumulated funds and fees remaining to be collected from the property in the area of benefit.

K. Payment of Fees.

1. Fees shall be paid prior to the recordation of a final subdivision or parcel map except that fees may be paid as described in subdivision 2 of this subsection. Fees paid shall be based on the fee schedule in effect on date of payment.

2. At the option of the subdivider of property within the area of benefit on which a subdivision or parcel map with four lots or less is recorded, the payment of fees may be deferred to the issuance of a building permit for each approved parcel.

3. If a parcel or lot has been created prior to the adoption of the resolution establishing the area of benefit, the fees shall be paid prior to the issuance of a building permit for each approved parcel or lot.

4. Notwithstanding the provisions of subdivisions 1, 2 and 3 of this subsection, payment of fees shall not be required for the following:

- a. An application for building permit for alteration or enlargement of an existing building or structure;
- b. Accessory buildings and structures, as follows: private garages, barns, children's playhouse or buildings accessory to one-family or two-family dwellings
- c. Outdoor advertising structures;
- d. Wells.

L. Funds. Fees paid pursuant to this section shall be deposited in a planned bridge facility and/or major thoroughfare fund. A fund shall be established for each planned bridge facility project and/or each planned major thoroughfare project. If the benefit area is one in which more than one bridge and/or major thoroughfare is required to be constructed, a separate fund may be established covering all of the bridge projects and/or major thoroughfares in the benefit area. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the city for the costs of construction of the improvement.

M. In-lieu Construction. The city council may approve the acceptance of considerations in lieu of the payment of fees established in this section.

N. Advances. The city council may approve the advancement of money from the general fund to pay the costs of constructing the major thoroughfare and/or bridge improvements covered in this section and may reimburse the general fund for such advances from the bridge facility and/or major thoroughfare funds established pursuant to subsection L of this section.

O. Debt Incurred. The city may incur an interest bearing indebtedness for the construction of bridge facilities or major thoroughfares, provided that the sole security for repayment of such indebtedness shall be money in the bridge facility or major thoroughfare funds.

P. Reimbursement. If a subdivider, as a condition of approval of a subdivision, is required or desires to construct a bridge and/or major thoroughfare, the city council may enter into a reimbursement agreement with the subdivider. Such agreement may provide for payments to the subdivider from the bridge facility and/or major thoroughfare fund covering that specific project to reimburse the subdivider for costs not allocated to the subdivider's property in the resolution establishing the area of benefit. If the bridge and/or major thoroughfare fund covers more than one project, reimbursement shall be made on a pro rata basis, reflecting the actual or estimated costs of the projects covered by the fund. (Ord. 631 §I, 1986)

Chapter 16.44
FLOOD CONTROL AND TRACT DRAINAGE

Sections:

16.44.010 General provisions.
16.44.020 Flood control.
16.44.030 Tract drainage.

16.44.010 **General provisions.** Facilities required for the control of tract drainage and floodwaters in Schedules A, B, C, D and E land divisions, set out in Sections 16.40.050 through 16.40.090, are established as follows:

A. The minimum design for facilities which control drainage water generated within a land division or floodwater flowing into or crossing a land division shall be based on a storm having a frequency of once in one hundred years. Hydrologic and hydraulic calculations for the design of drainage facilities which control drainage water generated within a land division shall be submitted for approval to the city engineer. Hydrologic and hydraulic calculations for the design of flood-control facilities to control floodwater flowing into or crossing a land division shall be submitted for approval to the flood-control agency having jurisdiction and to the city engineer.

B. The use of streets for flood-control and drainage purposes may be prohibited by the city engineer if the use thereof is not in the interest of the public health, safety and welfare.

C. When the city engineer permits the use of streets for flood-control and drainage purposes, the ten-year frequency design discharge shall be contained between the tops of curbs, and the one-hundred-year frequency design discharge shall be contained within the street right-of-way. If either of these conditions is exceeded, additional flood control facilities shall be provided. (Ord. 547 §11.1, 1983)

16.44.020 **Flood control.**

A. The flood-control engineer shall review the hydrologic calculations submitted by the land divider and determine the adequacy of peak discharges of off-site floodwaters impinging upon the land division from which protection must be provided. The land divider may consult and confer with the flood-control engineer or *his* representative as to the adequacy of any flood control facilities proposed.

B. Improvement plans for flood-control facilities to control floodwater flowing into or crossing a land division shall be approved by the Flood Control Agency and the city engineer.

C. After receipt of an acceptable tentative map, the flood-control engineer will recommend conditions to be imposed. He shall also furnish a flood hazard report to the land divider and such governmental agencies as may require the same. (Ord. 547 §11.2, 1983)

16.44.030 Tract drainage.

A. Improvement plans for the drainage facilities to control drainage water generated within a land division shall be approved by the city engineer.

B. In land division where lot grading is not proposed, the following criteria are established:

1. Where land division streets on sustained gradients cross natural drainage courses, adequate culverts shall be provided to accommodate the one-hundred-year storm with maximum ponding to an elevation of two feet below the road centerline profile grade, provided diversion of ponded water into another drainage area will not result therefrom.

2. Runoff in natural drainage courses exceeding the ten-year storm may be permitted to overtop the roadway in dip sections where, in the opinion of the city engineer, topography, soil conditions, adjacent development and available all-weather routes indicate its feasibility. If permitted, the roadway embankment slopes shall be adequately protected.

3. Culverts of adequate size, but not less than eighteen inches in diameter or equal, to prevent the ten year storm from overtopping the roadway shall be provided in dip sections or as approved by the city engineer.

4. Streets crossing improved channels shall be provided with culverts of adequate size to permit passage of the channel design flow or such other type of crossing as approved by the Flood Control Agency and the city engineer.

5. Asphalt concrete for lining of channels shall not be permitted.

6. When a land division substantially changes, concentrates or increases the natural flow of surface water onto adjacent property, facilities shall be required to direct the water to an adequate outlet, or the land divider shall obtain a recordable easement or written agreement for drainage purposes across the affected property. (Ord. 547 §11.3, 1983)

Chapter 16.48
DRY SEWERS

Sections:

16.48.010 Dry sewers.

16.48.010 Dry sewers. If a land division is filed that proposes a density of two or more lots per acres, and if connection to a wet sewerage system is not required, the installation of a dry sewer system may be required. Installation of the sewer mains, laterals and connections shall be completed prior to the installation of street improvements. (Ord. 547 §12.1, 1983)

Chapter 16.52
ELECTRICAL AND COMMUNICATION FACILITIES

Sections:

16.52.010 Installation requirements.

16.52.010 **Installation requirements.**

A. Electric power, telephone or other communication, street lighting and cable television lines shall be placed underground.

B. The owner or land divider is responsible for complying with the requirement of this section and shall make necessary arrangements with the serving agencies for the installation of such facilities.

C. For the purposes of this section, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, concealed ducts, and pedestal-mounted terminal boxes and meter cabinets may be placed aboveground.

D. Underground lines shall not be required:

1. For any part of a land division as to which an existing overhead line is in a street or easement adjacent to the lot or lots to be served from the line or from one or more additional lines on the same poles;

2. In any land division or portion thereof where it is determined that, due to severe soil or topographical problems in the greater portion of the land, underground installation would be unreasonably costly and the use of overhead lines would not be detrimental to other property in the vicinity;

3. In any case in which it is determined that the use of overhead facilities is compatible with the surrounding development and is not inconsistent with the purposes of this title, underground lines as to all or a portion of a land division may be waived at the time of the approval of the tentative map. Application shall be made in writing by the land divider at the time of filing of the tentative map, stating fully the facts and grounds upon which the waiver is sought.

E. When arrangements are made with the serving agency, a letter stating that arrangements have been made for underground facilities and such other comments the agency may have regarding easements, utility locations and other pertinent matters must be submitted by the agency to the city engineer. (Ord. 547 §13.I, 1983)

Chapter 16.56
SECURITY FOR IMPROVEMENTS

Sections:

16.56.010	Forms of security.
16.56.020	Execution requirements--Bonds.
16.56.030	Period of agreement and security—Additional agreements may be required.
16.56.040	Security to guarantee performance--Amount.
16.56.050	Form of release--Exception.
16.56.060	Liability upon security.
16.56.070	Requirements for cash bond.
16.56.080	City engineer duties.

16.56.010 **Forms of security.** If the improvements are not completed prior to the approval of the final map, the land divider shall enter into an agreement with the city to complete the improvements and in connection therewith shall furnish the city improvement security in the amounts required by Section 16.56.040. Acceptable forms of security shall be limited to the following:

- A. A bond or bonds by one or more duly authorized corporate sureties;
- B. A deposit with the city of cash;
- C. An irrevocable instrument of credit from one or more financial institutions subject to regulation by the state or federal government pledging that the funds necessary to carry out the agreements are on deposit, guaranteed for payment, and constitute a trust fund which is not subject to levy or attachment by any creditor of the depositor until released by the city;
- D. An irrevocable letter of credit issued by a financial institution subject to regulation by the state or federal government guaranteeing that all or any portion of the funds available pursuant to the letter of credit will be paid upon the written demand of the city engineer, and that such written demand need not present documentation of any type as a condition of payment, including proof of loss;
- E. A recorded covenant with the city, if approved by the planning commission and city council, to defer improvements until the city requires them to be completed. (Ord. 547 §14.1 (A), 1983)

16.56.020 **Execution requirements--Bonds.** The agreement and the improvement security shall be executed only upon forms and terms approved by the council and shall be checked by the city engineer. If bonds are to be used they shall substantially be in the form provided for in the Subdivision Map Act. (Ord. 547 §14.1 (B), 1983)

16.56.030 **Period of agreement and security—Additional agreements may be required.** The original period of the agreement and security shall be twelve months. If a written request for an extension of time is filed with the city clerk prior to the expiration of the initial twelve-month period, or any granted extension, the council may grant extensions for additional one-year periods. Such extensions may be granted only at the request of the landowner and after a showing that, if construction of improvements has commenced, reasonable progress is being made toward completion of the required improvements, or, if construction has not been commenced, the additional security has been furnished to cover the increased cost of construction of the improvements. In addition to the above requirements, and as a further condition to granting an extension of time, the council may require additional agreements or security be furnished as are necessary to guarantee the completion of the improvements. (Ord. 547 §14.1 (C), 1983)

16.56.040 **Security to guarantee performance--Amount.**

A. Security to guarantee the performance of any act or agreement shall be in the following amounts:

1. One hundred percent of the total estimated cost of the improvement or of the act to be performed, conditioned upon the faithful performance of the act or agreement;
2. 0.50 percent of the total estimated cost of the improvement or the performance of the required act, securing payment to the contractor, his subcontractors, and to persons furnishing labor, materials or equipment to them for the improvement or the performance of the required act;
3. Ten percent of the total estimated cost of the improvement or the performance of the required act for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished.

B. As a part of the obligation guaranteed by the security and in addition to the face amount of the security, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the city in successfully enforcing any obligation, all to be taxed as costs and included in any judgment. (Ord. 547 §14.1(D), 1983)

16.56.050 **Form of release--Exception.**

A. The security may be released, in whole or in part, in the following manner:

1. The security given for faithful performance of any act or agreement shall be released upon the performance of the act and final completion and acceptance of the required work. A maximum of three partial releases of the security may be granted by written order of the city engineer upon a determination by the city engineer of the acceptable work that has been completed and the amount of security that is necessary to guarantee the completion of the remaining improvements. Requests for partial releases, setting forth in detail the amount of work completed, shall be made in writing to the city engineer;

2. Security securing the payment to the contractor, his subcontractors, and to persons furnishing labor, materials or equipment may, six months after the performance of the act or the completion and acceptance of the work, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the council, and, if no such actions have been filed, the security may be released in full;

3. The release of such security shall not apply to any required guarantee and warranty period, nor to the amount of the security given for such guarantee and warranty period, nor to costs and reasonable expenses and fees, including reasonable attorney's fees.

B. In any case where the performance of the obligation for which the security is required is subject to the approval of another agency, the security shall not be released until the obligation is performed to the satisfaction of such other agency. The city shall notify the serving agency in writing and such agency shall have two months after completion of the performance of the obligation to register its satisfaction or dissatisfaction. If at the end of that period it has not registered its satisfaction or dissatisfaction, it shall be conclusively deemed that the performance of the obligation was done to its satisfaction. (Ord. 547 §14.1(E, F), 1983)

16.56.060 **Liability upon security.** The liability upon the security given for the faithful performance of any act or agreement shall be limited to:

A. The performance of the work covered by the agreement between the subdivider and the council for the performance of the required act;

B. The performance of any changes or alterations in such work; provided, that all such changes or alterations do not exceed ten percent of the original estimated cost of the improvement;

C. The guarantee and warranty of the work for a period of one year following completion and acceptance thereof against any defective work or labor done or defective materials furnished in the performance of the agreement or the performance of the act;

D. Costs and reasonable expenses and fees, including reasonable attorney's fees. (Ord. 547 §14.1 (G), 1983)

16.56.070 **Requirements for cash bond.** If the estimated cost of completing the street/drainage improvements, water system improvements, sewer system improvements or the setting of the monuments, is five thousand dollars or less, a cash bond shall be required for that specific improvements. A cash bond shall also be required to guarantee the payment of taxes of two thousand five hundred dollars, or less, which at the time of filing the map are a lien against the real property, but not yet payable. (Ord. 547 §14.1H), 1983)

16.56.080 **City engineer duties.** The city engineer is authorized to release or reduce the security in accordance with the provisions of this section. (Ord. 547 §14.1I), 1983)

Chapter 16.60
REVERSION TO ACREAGE

Sections:

16.60.010	Reversion.
16.60.020	Procedures for filing.
16.60.030	Review of tentative map.
16.60.040	Consideration by the advisory agency.
16.60.050	Consideration by the council.
16.60.060	Final map procedure.

16.60.010 **Reversion.** Divided real property may be reverted to acreage pursuant to the provisions of this title and the Subdivision Map Act. Reversion to acreage proceedings may be initiated by the city council on its own motion, or by petition of all owners of record of real property that *is* proposed to be reverted to acreage. Ord. 547 §15.1, 1983)

16.60.020 **Procedures for filing.** To revert divided lands to acreage, a tentative map shall be filed as follows:

A. A tract number shall be obtained from the road commissioner upon payment of the fee, set forth in the ordinance codified in this title, and on file in the city clerk's office.

B. Fifteen copies of the tentative map shall be filed with the planning director, accompanied by the fee as set forth in the ordinance codified in this title, and on file in the city clerk's office. The fee shall be paid by the owners filing the tentative map, or, if the reversion to acreage is initiated by the council upon request of the owners of the, property, the fee shall 'be paid by the person making the request to the council.

C. The tentative map prepared in the form required by Chapter 16.20 shall show all relevant details of the land division proposed to be reverted, its relationship 'to existing sheets, dedications and adjoining lands, and configurations of the proposed reversion.

D. Proof of ownership of the real property proposed to be reverted to acreage shall be submitted with the tentative map. (Ord. 547 §15.2, 1983)

16.60.030 **Review of tentative map.** The tentative map shall be distributed by the planning director to all interested and affected agencies and utilities. Thereafter, the tentative map shall be considered by the land division committee, which committee shall report and recommend to the advisory agency. (Ord. 547 §15.3, 1983)

16.60.040 **Consideration by the advisory agency.** The advisory agency shall consider the report and recommendation of the land division committee on the tentative map, and shall forward a report and recommendation to the council for approval, conditional approval or disapproval of the proposed reversion to acreage. A copy of the advisory agency report and recommendations shall be mailed to the applicant or the authorized agent. (Ord. 547 §15.4, 1983)

16.60.050 Consideration by the council.

A. After receipt of the report and recommendations of the advisory agency, the council shall set the matter for public hearing. Notice of the time and place of the public hearing before the council, including a general description of the location of the property proposed to be reverted to acreage, shall be given at least ten days before the public hearing by publication once in a newspaper of general circulation that is published and circulated in the city.

- B. Divided real property may be reverted to acreage only if the council finds that:
1. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and
 2. Either:
 - a. All owners of an interest in the real property within the land division have consented to the reversion, or
 - b. None of the improvements required to be made have been made within two years from the date the final land division map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later, or
 - c. No lots shown on the final land division map have been sold within five years from the date such map was filed for record.

- C. The following shall be required as conditions to approval of a reversion:
1. Dedications necessary for a logical street pattern for access to any lands not proposed for reversion or as may be necessary for drainage or utilities;
 2. Retention of all previously paid fees;
 3. Retention of any necessary improvement security or deposit. (Ord. 547 §15.5, 1983)

Chapter 16.61
MERGER OF CONTIGUOUS PARCELS

Sections:

16.61.010	Authority for Merger of Contiguous Parcels.
16.61.020	Owner Initiated Mergers of Contiguous Lots or Parcels.
16.61.030	City Initiated Mergers of Contiguous Lots or Parcels.
16.61.040	Notice of Intention to Determine Status.
16.61.050	Request for Hearing on Determination of Status.
16.61.060	Hearing: <i>Time</i> , Place, Date; Notification of Owner and Procedure.
16.61.070	Failure to Request Hearing; Determination and Time of Recordation.
16.61.080	Determination of Non-Merger.
16.61.090	Release of Notice of Intention to Determine Status.
16.61.100	Appeals.
16.61.150	Non-applicability.
16.61.200	<i>Time</i> of Determination of Ownership.
16.61.210	Notice of Merger.
16.61.220	Forms and Fees.
16.61.230	Conflict with Government Code.

16.61.010 Authority for Merger of Contiguous Parcels. Notwithstanding Section 16.08.190, except as is otherwise provided for in this Chapter, two (2) or more contiguous parcels or units of land which have been created under the provisions of the Subdivision Map Act, or any prior law regulating the division of land, or a City ordinance enacted pursuant thereto, or which were not subject to those provisions at the time of their creation, shall not be deemed merged by virtue of the fact that the contiguous parcels or units are held by the same owner, and no further proceeding under the provisions of this Chapter shall be required for the purpose of sale, lease, or financing of the contiguous parcels or units, or any of them. (Ord. 677 §I, 1989)

16.61.020 Owner Initiated Mergers of Contiguous Lots or Parcels. The owner of any two (2) or more contiguous lots may request a merger of said lots by filing with the Community Development Director an Application for Owner Initiated Merger and Waiver of Parcel Map, on a form provided by the Community Development Department in conformance with Section 16.64.010 of the Beaumont Municipal Code. The Application shall be processed and the request approved, disapproved and/or appealed in accordance with the provisions of Chapter 16.64 (Lot Line Adjustments) of the Beaumont Municipal Code. (Ord. 677 §I, 1989)

16.61.030 City Initiated Mergers of Contiguous Lots or Parcels. Pursuant to authority granted by Government Code Sections 66451.10 et seq., the Community Development Director shall, by taking the steps outlined in Section 16.61.040, initiate the process to merge into a single parcel any two (2) or more contiguous parcels or units of land including those which have been created pursuant to this Ordinance, the Subdivision Map Act or prior law, Municipal, County or State, which are held by the same owner, prior to any land use approval pursuant to Beaumont Municipal Code Chapters 17.70, 17.80 and/or 17.90 or the issuance of any building permits if no land use approval is required, when the following requirements are satisfied:

A. Anyone or more of the following conditions apply:

1. Anyone of the contiguous parcels or units held by the same owner does not conform to standards set forth in Title 17 for minimum parcel size;
2. One or more of the parcels or units is developed or will be developed with a single structure that is also partially sited on a contiguous parcel or unit;
3. Merger is required by the City as a condition of any land use approval or for the issuance of any permit;

B. At least one of the affected parcels is undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is developed only with an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous parcel or unit.

C. With respect to any affected parcel, one or more of the following conditions exists:

1. Comprises less than five thousand (5,000) square feet in area at the time of the determination of merger.
2. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation.

3. Does not meet current standards for sewage disposal and domestic water supply.
4. Does not meet slope stability standards.
5. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability.
6. Its development would create health or safety hazards.
7. Is inconsistent with the General Plan and any applicable specific plan, other than minimum lot Size or density standards.

D. The contiguous lots were not created by the recording of a Final Map or Parcel Map approved by the City of Beaumont. (Ord. 677 §I, 1989)

16.61.040 Notice of Intention to Determine Status. Prior to recording a notice of merger, the Community Development Director shall cause to be mailed by certified mail to the then current record owner of the property a notice of intention to determine status, notifying the owner that the affected parcels may be merged pursuant to standards specified in the merger ordinance, and advising the owner of the opportunity to request a hearing on determination of status and to present evidence at the hearing that the property does not meet the criteria for merger. The notice of intention to determine status shall be filed for Record with the Riverside County Recorder on the date that notice is mailed to the property owner. (Ord. 677 §I, 1989)

16.61.050 Request for Hearing on Determination of Status. At any time within thirty (30) days after recording of the notice of intention to determine status, the owner of the affected property may file with the Community Development Director a request for a hearing on determination of status. (Ord. 677 §I, 1989)

16.61.060 Hearing: Time, Place, Date; Notification of Owner and Procedure.

A. Upon receiving a request for a hearing on determination of status from the owner of the affected property pursuant to Section 16.61.050, the Community Development Director shall fix a time, date, and place for a hearing to be conducted by the Planning Commission, and shall notify the property owner of that time, date, and place for the hearing by certified mail.

B. The hearing shall be conducted not more than sixty (60) days following the Community Development Director's receipt of the property owner's request for the hearing, but may be postponed or continued with the mutual consent of the Community Development Director and the property owner.

C. At the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for merger specified in Section 16.61.030.

D. At the conclusion of the hearing, the Planning Commission shall make a determination that the affected parcels are to be merged or are not to be merged and shall so notify the owner of its determination within ten (10) days of the hearing.

E. A determination of merger shall be recorded as provided for in Section 16.61.030 within thirty (30) days after conclusion of the hearing or within thirty (30) days after conclusion of the hearing before the City council if the Planning Commission decision is appealed pursuant to Section 16.61.100. (Ord. 677 §1, 1989)

16.61.070 Failure to Request Hearing; Determination and Time of Recordation.

A. If, within the thirty (30)-day period specified in Section 16.61.050, the owner does not file a request for a hearing in accordance with Section 16.61.060, the Planning Commission may, at any time thereafter, make a determination that the affected parcels are to be merged or are not to be merged.

B. The determination shall appear as an item on the regularly noticed agenda of the Planning Commission without public hearing.

C. A determination of merger shall be recorded as provided for in Section 16.61.030 no later than ninety (90) days following the mailing of notice required by Section 16.61.040. (Ord. 677 §1, 1989)

16.61.080 Determination of Non-Merger Discretionary. A determination of non-merger may be made pursuant to Section 16.61.060 or 16.61.070 whether or not the affected property meets the standards for merger specified in Section 16.61.030. (Ord. 677 §1, 1989)

16.61.090 Release of Notice of Intention to Determine Status. If, in accordance with Section 16.61.060 or 16.61.070, the Planning Commission determines that the Subject property shall not be merged, it shall cause to be recorded in the manner specified in Section 16.61.210 a release of the notice of intention to determine status, recorded pursuant to Section 16.61.040, and shall mail a clearance letter to the then current owner of record. (Ord. 677 §1, 1989)

16.61.100 Appeals. A determination made by the Planning Commission may be appealed to the City Council following procedures outlined in Section 17.70.005(e). A determination on appeal by the City Council shall be final. (Ord. 677 §1, 1989)

16.61.150 Non-applicability. The provisions of this Chapter relating to City initiated mergers shall not apply if one of the following conditions exist:

A. On or before July 1, 1981, one or more of the contiguous parcels or units of land is enforceably restricted open-space land pursuant to a contract, agreement, scenic restriction, or open-space easement, as defined and set forth in Section 421 of the Revenue and Taxation Code.

B. On July 1, 1981, one or more of the contiguous parcels or units of land is timberland as defined in subdivision (f) of Section 51104, or is land devoted to an agricultural use as defined in subdivision (b) of Section 51201.

C. On July 1, 1981, one or more of the contiguous parcels or units of land is located within two thousand (2,000) feet of the site on which an existing commercial mineral resource extraction use is being made, whether or not the extraction is being made pursuant to a use permit issued by the local agency.

D. On July 1, 1981, one or more of the contiguous parcels or units of land is located within two thousand (2,000) feet of a future commercial mineral extraction site as shown on a plan for which a use permit or other permit authorizing commercial mineral resource extraction has been issued by the local agency. For purposes of paragraphs C and D of this subdivision, "mineral resource extraction" means gas, oil, hydrocarbon, gravel, or sand extraction, geothermal wells, or other similar commercial mining activity. (Ord. 677 §1, 1989)

16.61.200 **Time of Determination of Ownership.** For purposes of determining whether contiguous parcels are held by the same owner under this Chapter, ownership shall be determined as of the date that the notice of intention to determine status is recorded. (Ord. 677 §I, 1989)

16.61.210 **Notice of Merger.** A merger of parcels becomes effective when the Community Development Director causes to be filed for Record with the Riverside County Recorder a notice of merger specifying the names of the record owners and particularly describing the real property. (Ord. 677 §I, 1989)

16.61.220 **Forms and Fees.** The Community Development Director is authorized and directed to prepare application and notice forms to implement the procedures of this Chapter and to determine a fee to be paid by the property owner for services rendered by the City in completing the procedures of this Chapter for each merger initiated, prior to initiation of the procedure. The fee may be waived if the City initiates the procedure and there has been no land use approval or building permit requested by the property owner. (Ord. 677 §I, 1989)

16.61.230 **Conflict with Government Code.** This Ordinance is enacted pursuant to Title 7, Division 2, Chapter 3, Article 1.5 (Section 66451.10 et seq.), Section 66499.20-3/4 and Section 66412(d) of the Government Code. Any conflict between this Chapter and said provisions as amended, shall be resolved by conforming the procedures herein to those required by said provisions. (Ord. 677 §I, 1989)

Chapter 16.64 **LOT LINE ADJUSTMENTS**

Sections:

16.64.010	Submission of application to planning director.
16.64.020	Review and determination of application.
16.64.030	Recordation of certificate of compliance.
16.64.040	Appeal Decision on appeal.

16.64.010 **Submission of application to planning director.** An application for a lot line adjustment shall be made to the planning director and shall be accompanied by the items as follows:

- A. The application shall be made on a form provided by the planning department;
- B. Copies of the current assessor's map page showing the involved parcels and delineating the proposed adjustment;
- C. The fee set forth in the ordinance codified in this title, and on file in the city clerk's office;
- D. An application for a certificate of compliance as set forth in Section 16.68.020. (Ord. 547 §16.1(A), 1983)

16.64.020 **Review and determination of application.** Upon receipt of completed application, the planning director shall review the matter and shall then submit the application to the land division committee at one of its regular meetings for its report and recommendations. Within fifty days after receipt of the completed application, the planning director shall make a final determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this title, including the following requirements: .

A. The adjustment involves adjacent parcels;

B. No new parcels are created;

C. The parcels involved are not reduced below the zoning development standards applicable to the land. (Ord. 547 §16.1 IB), 1983)

16.64.030 **Recordation of certificate of compliance.** The planning director shall cause the certificate of compliance to be recorded following the approval of the lot line adjustment. (Ord. 547 §16.1 (C), 1983)

16.64.040 **Appeal--Decision on appeal.** The applicant or any interested party may appeal the decision of the planning director on the action to the advisory agency within fifteen days after the decision. The appeal shall be filed in the planning department, stating in writing the basis for the appeal and accompanied by the fee set forth in the ordinance codified in this title, and on file in the city clerk's office. All appeals shall be heard by the advisory agency on a date within thirty days after the date of the filing of the appeal. This is not a public hearing. Upon the conclusion of the hearing, the advisory agency shall render its decision on the appeal within twenty days. (Ord. 547 § 16 . 1 (D), 1983)

Chapter 16.68
ENFORCEMENT AND PENALTIES

Sections:

16.68.010	Denial of permits.
16.68.020	Certificate of compliance.
16.68.030	Notice of violation.
16.68.040	Prohibition.
16.68.050	Violation--Penalty.
16.68.060	Cumulative penalties.

16.68.010 Denial of permits. No building permit, grading permit or any other permit or approval necessary to develop real property shall be granted or issued for any parcel of real property which has been divided, or which has resulted from a division, in violation of the provisions of the Subdivision Map Act or this title that were applicable at the time such division occurred, unless the planning director, as provided in this title, and on file in the city clerk's office, finds that development of such real property is not contrary to the public health, welfare or safety. A permit or approval shall be denied whether the applicant was the owner of the real property at the time of the violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of acquisition of the real property. Whenever a permit or approval is sought to develop such real property, the department from which the permit is sought shall notify the applicant that the permit cannot be granted because of the illegal division of land, and the planning director for a determination as to whether the development of the property would not be contrary to public health or safety and for the possible issuance of the certificate of compliance. (Ord. 547 §18.1, 1983)

16.68.020 Certificate of compliance.

A. Application. Any owner of real property, including owners denied a permit, may file an application for certificate of compliance. Application for a certificate shall be made to the planning director, accompanied by the fees set out in the ordinance, codified in this title, and on file in the city clerk's office, as follows:

1. A map shall be submitted, drawn on a form provided by the planning department. The map shall be legibly drawn, in ink, to an engineer's scale, with the scale shown on the map. It shall show the subject property with dimensions and the gross and net area, and it shall show the location, width and names of all streets and roads adjacent to land providing access to the property.

2. The map shall show the location and use of all structures on the property, with the distances from the structures to the parcel boundaries and distances between structures and all existing utilities and easements.

3. A small scale vicinity map shall be shown with distances (in feet or tenths of a mile) to the nearest street intersections.

4. The map shall show the name, address, telephone number and signature of the current owner of the property.

5. The map shall show the current zoning on the property and the current assessor's parcel number.

6. The application shall also include:
 - a. A legible copy of the current owner's grant deed or contract of sale;
 - b. A map and copies of deeds of all other property owned by the applicant that is contiguous to the subject real property.
 - c. Documentation of recorded access to the subject property unless abutting a public street.
 - d. A legal description for the subject property to be typed on plain white paper, eight and one-half inches by eleven inches, with one-inch margins at the top, sides and bottom. This legal description shall be reproducible so as to yield a legible copy that can be used as a part of a recorded certificate of compliance.
 - e. A lot book report that shows transactions of the subject property for the previous four years.

B. Processing. Upon receipt of a completed application, the planning director shall review the matter and shall then submit the application to the land division committee at one of its regular meetings for its report and recommendations. Within fifty days after receipt of the completed application, the planning director shall make a final determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this title, or whether the proposed development of the real property can be approved as not contrary to the public health, welfare and safety.

C. Issuance.

1. If the planning director determines that the real property was divided in compliance with the provisions of the Subdivision Map Act and this title that were applicable at the time the property was divided, he shall cause a certificate of compliance to be filed for record with the county recorder.

2. If the planning director determines that the property was illegally divided, but that a proposed development may be approved as being not contrary to the public health, welfare or safety, he may issue a certificate of compliance, which certificate may be contingent upon the completion of specified conditions. The planning director may impose, as conditions, any requirements that would have been applicable to the division of property at the time the current owner of record acquired the property.

a. When the planning director imposes conditions, he shall file for record with the county recorder a conditional certificate of compliance.

b. The conditions may be fulfilled and implemented by the owner who has applied for the certificate of compliance or any subsequent owner.

c. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the city unless the property is thereafter included as a part of a legal division of the property pursuant to the provisions of this title.

d. Upon completion of the conditions, the owner shall notify the planning director. If the conditions are satisfactorily completed, the planning director shall then issue and record a final certificate of compliance.

D. Ineligible. A person that has caused land to be illegally divided shall not be eligible to file for a certificate of compliance for such land, but shall, instead, be required to file an application for a land division pursuant to the provisions of this title.

E. Appeal to Planning Commission. The decision of the planning director regarding a certificate of compliance may be appealed to the planning commission within ten calendar days after the date of the decision by the planning director. Upon receipt of a completed appeal, the planning director shall set the matter for hearing before the planning commission, not less than fifteen days nor more than sixty days thereafter, and shall give written notice of the hearing, by mail, to the appellant. The planning commission shall render its decision within thirty days following the close of the hearing on the appeal, and a copy thereof shall be mailed to the appellant. (Ord. 547 §18.2, 1983)

16.68.030 **Notice of violation.** Whenever the planning director has knowledge that real property has been divided in violation of the provisions of the Subdivision Map Act or of this title, he shall cause to be filed for record with the county recorder notice of intention to record a notice of violation, describing the real property in detail, naming the owners thereof, describing the violation and stating that an opportunity will be given to the owner to present evidence. Upon recording a notice of intention to record a violation, the planning director shall mail a copy of such notice, by certified mail, to the owner of such property. The notice shall specify a time, date and place at which the owner may present evidence to the advisory agency why such notice should not be recorded. If, after the owner has presented evidence, it is determined that there has been no violation, the planning director shall file a release of the notice of intention to record a notice of violation with the county recorder. If, after the owner has presented evidence, the advisory agency determines that the property has, in fact, been illegally divided, or if within sixty days of receipt by the owner of the involved real property of a copy of the notice of intention to record a notice of violation, the owner of the real property fails to inform the advisory agency as to why the involved real property has not been illegally divided, the advisory agency shall record the notice of violation with the county recorder. The notice of intention to record a notice of violation and the notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property. The county recorder shall index the names of the fee owners in the general index. (Ord. 547 §18.3, 1983)

16.68.040 **Prohibition.**

A. No person shall offer to sell, or lease, to contract to sell, or lease, to sell or lease, or to finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereof, or allow occupancy thereof, for which a final subdivision map is required by this title, except model homes, until such map thereof, in full compliance with the provisions of this title, has been filed for record by the recorder.

B. No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, or allow occupancy thereof, for which a final parcel map is required by this title, except model homes, until such map thereof in full compliance with the provisions of this title has been filed for record by the recorder.

C. Conveyances of any part of a division of real property for which a final subdivision or parcel map is required by this title, shall not be made by parcel or block number, initial or other designation until such map has been filed for record by the recorder.

D. This section does not apply to any parcel or parcel of a division offered for sale, lease, or finance, contracted for sale, lease or finance, sold, leased or financed in compliance with or exempt from this title at the time the land division was established.

E. Nothing contained in subsections A and B of this section shall be deemed to prohibit an offer or contract to sell, lease or finance real property or to construct improvements thereon where such sale, lease or financing, or the commencement of such construction, is expressly conditioned upon the approval and filing of a final subdivision map or parcel map, as required under this division.

F. Nothing in this section shall in any way modify or affect the provisions of Section 11018.2 of the Business and Professions Code. (Ord. 547 18.4, 1983)

16.68.050 **Violation--Penalty.** Any person violating any of the provisions of this title shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed five hundred dollars or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment. (Ord. 547 §18.5, 1983)

16.68.060 **Cumulative penalties.** All remedies provided for in this title shall be cumulative and not exclusive. The conviction and punishment of any person under this title shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof. (Ord. 547 §18.6, 1983)