

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
ESCONDIDO, CALIFORNIA, AMENDING CHAPTER 32 OF  
THE MUNICIPAL CODE PERTAINING TO SUBDIVISIONS

The City Council of the City of Escondido, California, does hereby ordain as follows:

SECTION 1. The City Council makes the following findings:

a. That the City of Escondido (“City”) is subject to the requirements of Subdivision Map Act; and

b. That the Subdivision Map Act allows the City to delegate authority for approval of final maps, execution of subdivision improvement agreements, accepting or rejection of dedications, and the release or reduction of securities to the City Engineer, or other designated official, pursuant to Government Code sections 66458(d), 66462(d), 66463(d), and 66499.7(j).

c. That the amendments to Escondido Municipal Code Chapter 32 pertaining to Subdivisions as proposed by this Ordinance reflect revisions necessary to align with the Subdivision Map Act.

SECTION 2. That upon consideration of the staff report, City Staff recommendation, and the findings set forth in Section 3 this Ordinance, this City Council finds that adoption of the proposed Municipal Amendments to Chapter 32 pertaining to Subdivisions are in the best interest of the City.

SECTION 3. ENVIRONMENTAL REVIEW. The proposed Ordinance is not a project under CEQA pursuant to CEQA Guidelines section 15378(b)(5), as the proposed updates are solely changes to the City’s administrative processes, under the authority provided by state law, and consist of administrative activities of the City that will not result in direct or indirect physical changes to the environment.

SECTION 4. That Chapter 32 of the Escondido Municipal Code is hereby amended as set forth in Exhibit “A” to this Ordinance and incorporated herein by this reference as though fully set forth herein.

SECTION 5. SEVERABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 6. As of the effective date of this Ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed. Renumbering and relabeling of existing ordinance title, chapter, article, and/or section headings by this ordinance does not affect the continuing validity of existing laws. Any existing reference to an ordinance, title, chapter, article, or section heading which is renumbered or relabeled by this ordinance must be construed to apply to the corresponding provisions contained within this ordinance.

SECTION 7. The adoption of this Ordinance is not intended to affect or disrupt the continuity of the City's business or administration of its law, including but not limited to the following:

- a. Actions and proceedings that began before the effective date of this Ordinance;
- b. Prosecution for ordinance violations committed before the effective date of this Ordinance; and/or
- c. The amount, or collection, of license, fee, penalty debt, forfeiture, or obligations due and unpaid as of the effective date of this Ordinance.

SECTION 8. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

SECTION 9. This Ordinance shall become effective on the 30<sup>th</sup> day following the date of its adoption.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 26<sup>th</sup> day of January, 2022 by the following vote to wit:

AYES : Councilmembers: GARCIA, INSCOE, MORASCO, MARTINEZ, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:  
*Paul McNamara*  
CAACE20782954D3...  
PAUL MCNAMARA, Mayor of the  
City of Escondido, California

ATTEST:

DocuSigned by:  
*Zack Beck*  
A58535D08DC1430...  
ZACK BECK, City Clerk of the  
City of Escondido, California

\*\*\*\*\*

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO : ss.  
CITY OF ESCONDIDO )

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2022-02 passed at a regular meeting of the City Council of the City of Escondido held on the 12<sup>th</sup> day of January, 2022, after having been read at the regular meeting of said City Council held on the 26<sup>th</sup> day of January, 2022.

DocuSigned by:  
*Zack Beck*  
A58535D08DC1430...  
ZACK BECK, City Clerk of the  
City of Escondido, California

ORDINANCE NO. 2022-02

## Chapter 32 Subdivisions, Article 1 General Provisions

### 32.101. TITLE AND APPLICABILITY

#### 32.101.01. TITLE

This Chapter 32 shall be known as the “Escondido Subdivision Code.” (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.101.02. SUBDIVISION MAP ACT

The City of Escondido hereby adopts the Subdivision Map Act (Division 2 of Title 7 of the Government Code of the State of California) hereafter “Map Act,” as amended, by reference. The provisions of the Map Act shall apply to all divisions of land occurring within the City of Escondido and the City’s General Plan area under a concurrent annexation and pre-zoning request or as specifically authorized by the City Council. Whenever any provision of this chapter is in conflict with any provision of the Map Act, the Map Act shall supersede this chapter. This chapter clarifies processes and requirements specific to the City of Escondido. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.101.03. OTHER LAWS

Any division of land to which this chapter applies shall also be subject to the requirements of any other federal, state or local laws, statutes, ordinances, rules and regulations otherwise applicable to such division. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.101.04. APPLICATIONS WITHIN COUNTY OF SAN DIEGO JURISDICTION

Map applications for property within the County of San Diego shall only be accepted with the approval of the City Council and the concurrent submittal of a pre-zoning and annexation request. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### 32.102. DEFINITIONS

Words used in this chapter, which are defined in the Map Act but not specifically defined in this chapter, shall have the same meaning as they do in the Map Act. Words used in this chapter which are not defined in this chapter or in the Map Act shall have the same meaning as in the Escondido Zoning Code. Whenever the following words are used in this chapter, they shall have the meaning ascribed to them in this division.

**ADJUSTMENT PLAT:** An adjustment to the property lot line(s) between two (2) or more existing lots by means of a plat prepared pursuant to Division 32.402 of this chapter and certified by the Director of Planning and Building as having been approved pursuant to this chapter and filed in the Planning Division.

**ADVISORY AGENCY:** As the term is used in the Map Act (including Map Act section 66415) or this chapter, the advisory agency shall be defined as follows:

- (i) the Planning Commission is hereby designated as the advisory agency as to the final review and decision for Tentative Subdivision Maps pursuant to section 32.105.03;
- (ii) the Director of Community Development is hereby designated as the advisory agency as to certificates of compliance pursuant to section 32.404.03, boundary adjustments, substantial compliance, environmental document certification (including environmental impact report addenda, mitigated negative declarations and categorical exemptions) pursuant to section 32.105.02, tentative map and tentative parcel map extensions of time pursuant to section 32.210.02, tentative map

modification pursuant to section 32.211, minor modifications of design standards pursuant to section 32.105.05; and

(iii) the City Engineer is hereby designated as the advisory agency as to the approval of Final Maps, Parcel Maps, minor modifications of design standards, Final and Parcel Map modifications and corrections, abandonment of public easements granted without remuneration, plan approval, acceptance of improvements as complete, filing of notices of completion, release of security pursuant to section 32.205.03, and the approval and execution of improvement agreements subject to this chapter, including pursuant to section 32.205.01.

**CEQA:** The California Environmental Quality Act, Public Resources Code Sections 21000—21177, and the state CEQA Guidelines for implementation prescribed by the Secretary for Resources.

**CERTIFICATE OF COMPLIANCE:** A document describing a unit or contiguous units of real property and stating that the division thereof complies or conditionally complies with applicable provisions of the Map Act and City ordinances enacted pursuant thereto.

**CERTIFIED MAP:** A revised tentative map incorporating all modifications and changes required by the Tentative Subdivision Map or Tentative Parcel Map approval, which is determined by the Planning Division to be in substantial conformance with the tentative map approval.

**CITY ENGINEER:** As used in this chapter, City Engineer shall mean the City Engineer of the City of Escondido or their authorized representative.

**COMPLETE APPLICATION:** Submittal of an application with all information required to evaluate conformance with the General Plan and Zoning Code.

**DENSITY:** The number of residential dwelling units per acre of lot area excluding areas of remainder parcels, areas of nonresidential development, the panhandle portion of a flag lot, and areas of dedication for street rights-of-way, adjustments for floodways as defined by the Federal Emergency Management Agency (FEMA — see Flooding Map) or the City, slope categories, and other environmental factors as designated.

**DISCRETIONARY ACTION:** The review process which requires consideration of and action on a request at a duly noticed public hearing by the Planning Commission and/or the City Council, including but not limited to, tentative subdivision maps, variances, zone changes, general plan amendments, conditional use permits, zoning code amendments, development agreements, planned development proposals, annexations, and condominium permits.

**FINAL MAP:** A final map prepared pursuant to Chapter 2, Article 2 of the Map Act in accordance with the approved or conditionally approved tentative map.

**IMPROVEMENT, ON-SITE AND/OR OFF-SITE:** In addition to its definition in Section 66419 of the Map Act, all those items necessary to satisfy the needs of the subdivision including, but not limited to, local neighborhood traffic, drainage, flood control, fire protection, sanitation and water requirements as a condition prior to the approval of a Final Map or Parcel Map.

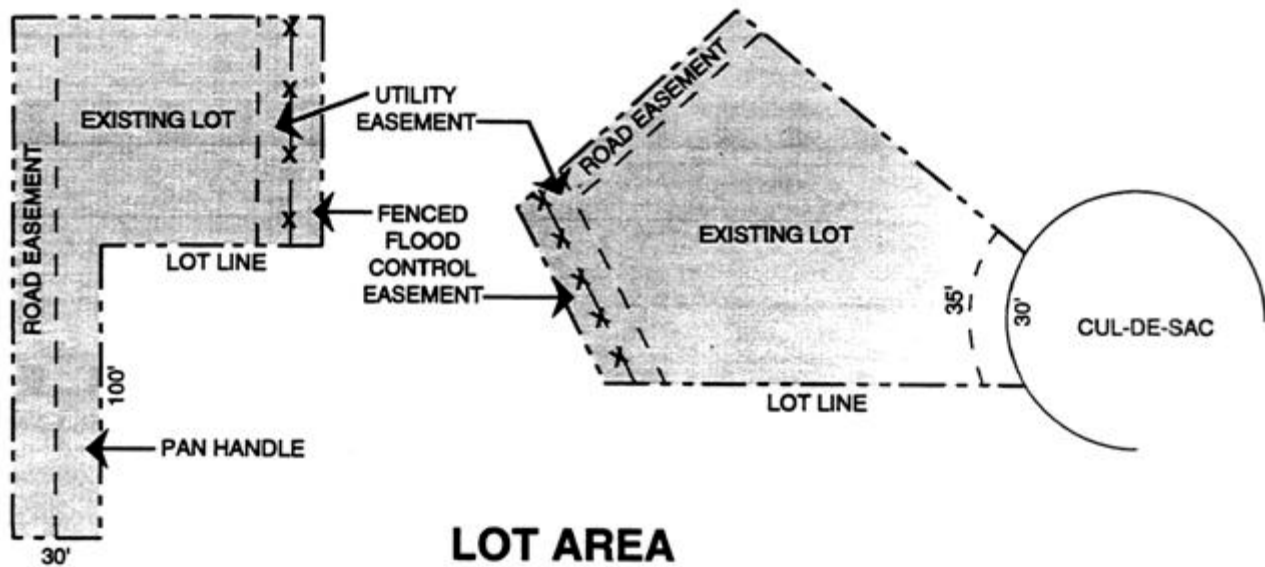
**INFILL DEVELOPMENT:** Development that occurs on contiguous vacant lots scattered within areas that are already predominantly developed or urbanized to the highest intensity allowed by the Zoning designation and the General Plan.

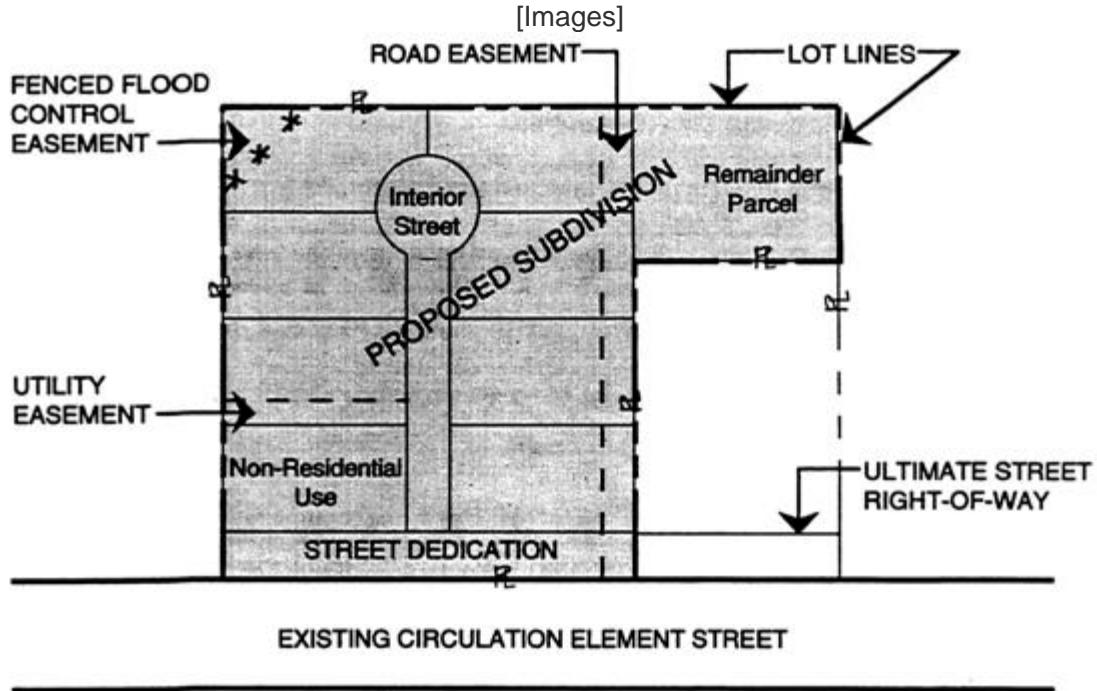
**LEGISLATIVE BODY:** The City Council is the legislative body of the City of Escondido.

**LOT AREA:** The horizontal area within the boundary lines of a lot.

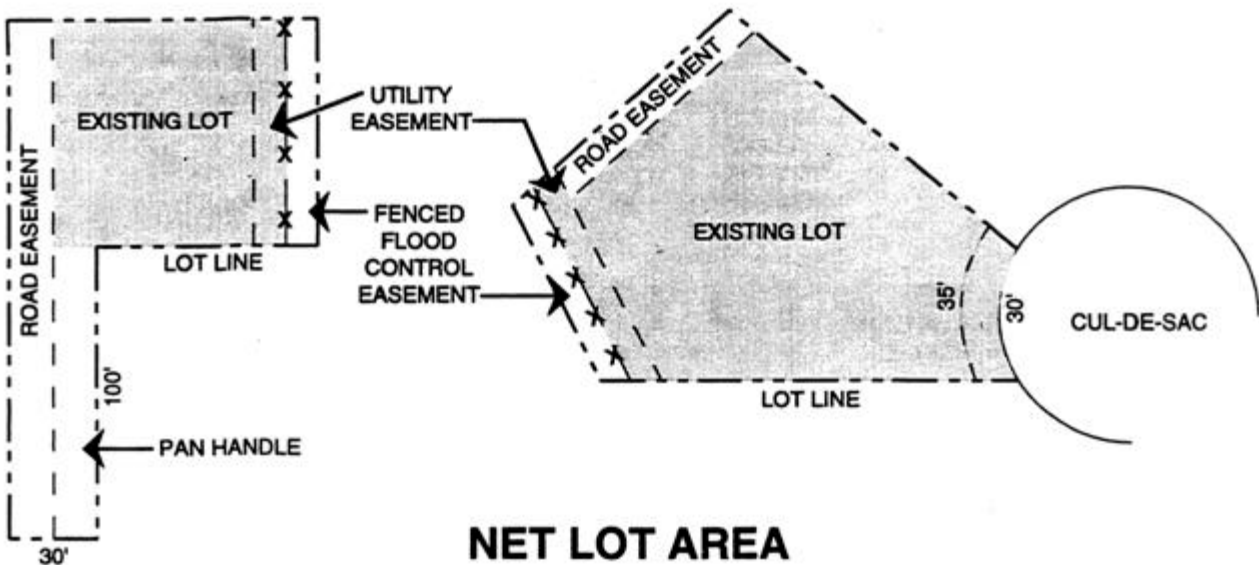
**NET LOT AREA:** The horizontal area within the boundary lines of a lot exclusive of:

- The area of any street or alley right-of-way, dedication, offer of dedication, and road easements.
- Any fenced flood-control easement.
- Any portion of the lot which is less than thirty-five (35) feet wide for a distance of fifty (50) feet or more and which is designed or used to provide vehicular or pedestrian access to the part of such lot which is designed for use as a building site.





 **LOT AREA**



**MAP ACT:** The Subdivision Map Act as set forth in Division 2 of Title 7 of the Government Code (Sections 66400 et seq.) of the State of California.

**PANHANDLE LOT:** A lot having access to a street by a narrow extension of the lot.

**PARCEL MAP:** A map prepared pursuant to Chapter 2, Article 3 of the Map Act in accordance with the approved or conditionally approved tentative map.

**REMAINDER PARCEL:** That portion of land which is not divided for the purpose of sale, lease, or financing when only a portion of real property is subdivided, which meets the minimum development standards of the General Plan and Zoning Code as if it were a lot.

**RESIDENT PURCHASE OF A MOBILEHOME PARK:** The purchase by existing residents of a mobilehome park for the purpose of conversion to a mobilehome condominium project, mobilehome stock cooperative or any similar project where the member of the project owns a home ownership share, fee lot, or condominium unit.

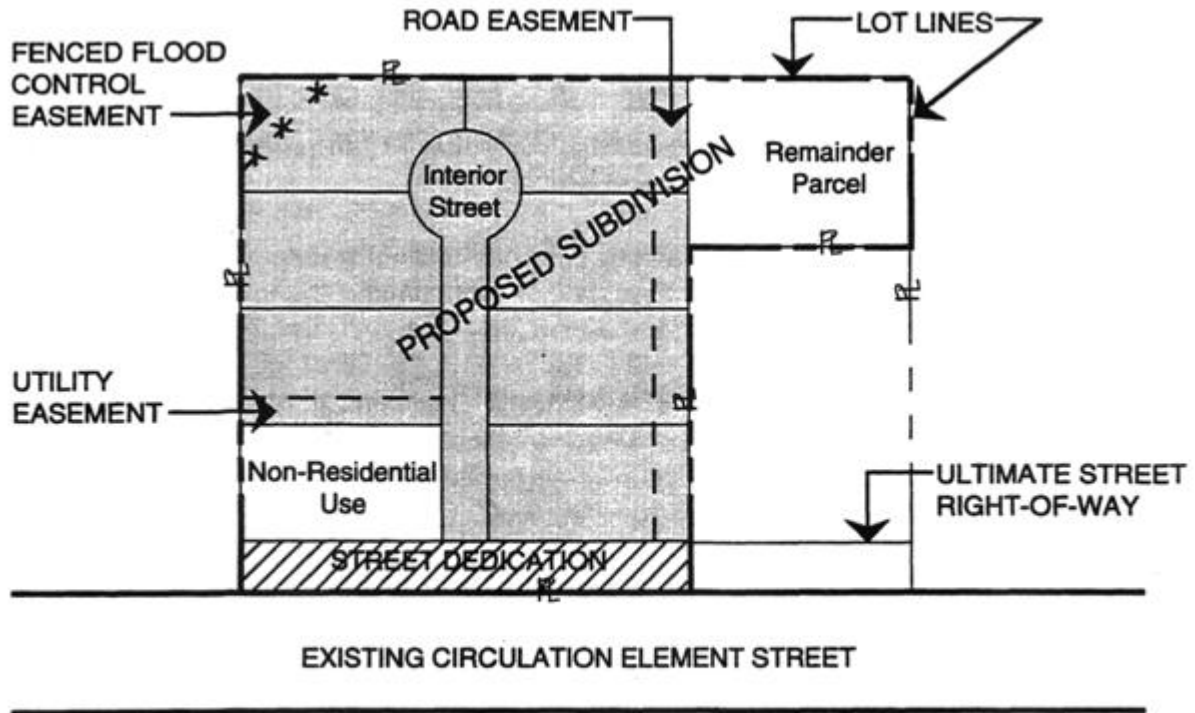
**SUBSTANTIAL CONFORMANCE:** A determination by the Director of Planning and Building that a revised map complies with the conditions of the map approval where no additional grading exemptions, units, property, or parcels are involved, the approved minimum lot size is maintained, no significant environmental impact is created, and the revisions are consistent with the character of the original approval.

**THROUGH LOT:** A lot having a frontage on two (2) parallel or approximately parallel streets.

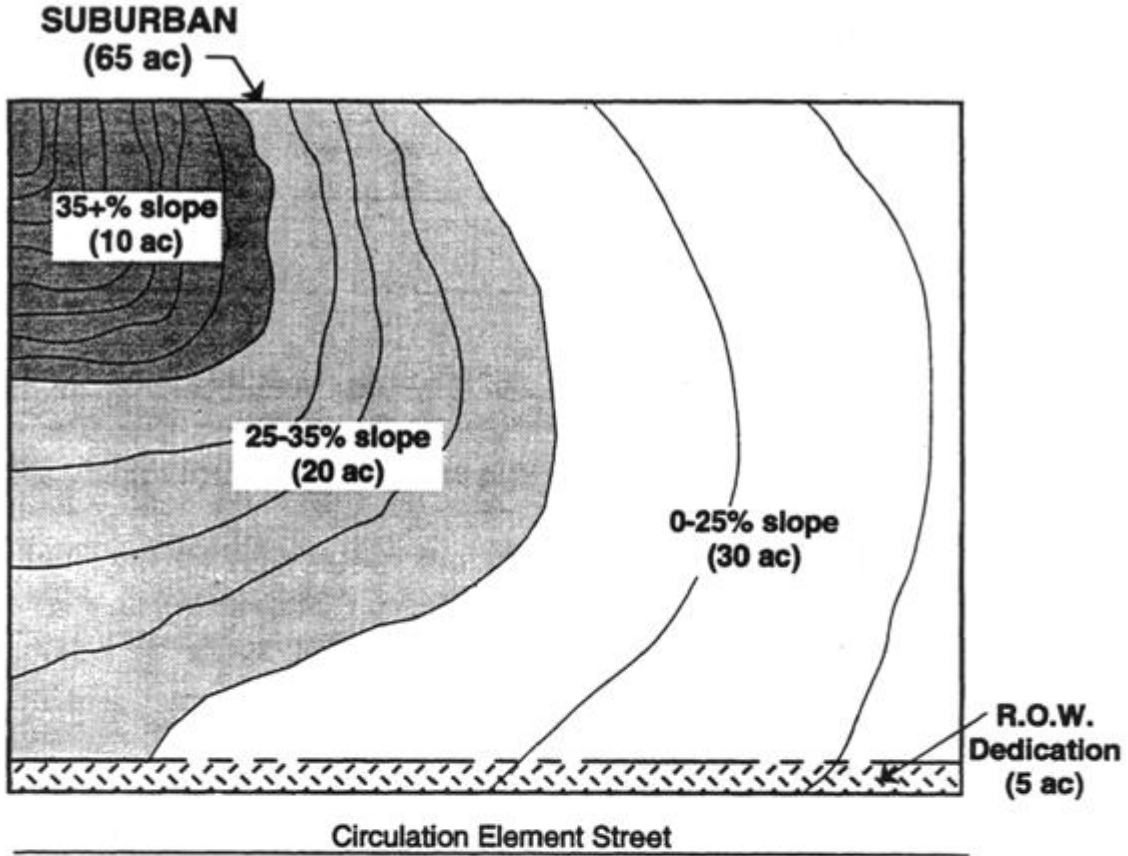
**YIELD:** The maximum allowable number of dwelling units permitted for a proposed subdivision, reflective of all General Plan and Zoning Code criteria. The yield is the sum of the density calculations for all lot area within each General Plan Land Use Designation and slope category and/or other constrained land category. For the purpose of calculating yield, the lot area excludes the area of remainder parcels, areas of nonresidential development, and ultimate Circulation Element street rights-of-way, and includes the area of any interior noncirculation element streets. See "Yield Example."





**ZONING CODE:** The Escondido Zoning Code, Chapter 33 of the Escondido Municipal Code. (Ord. 96-26, § 1, Exh. A, 9-11-96; Ord. No. 2020-31R, § 6, 1-13-21)





 **LOT AREA FOR PURPOSES OF CALCULATING YIELD & DENSITY**



<b>SUBURBAN (min lot size 10,000 SF)</b>			
	0 - 25% @ 3.3 du/ac	- 30 ac	= 99 du
	25 - 35% slope @ 1.5 du/ac	- 20 ac	= 30 du
	35+% slope @ 1 du/20 ac	- 10 ac	= 0.5 du
	Circulation Element Street Dedication	- 5 ac	= N/A
Total Site Area.		65 ac	129.5 du
Potential Yield = 129 du			

**Maximum Allowable Density**

$$\frac{\text{Maximum permitted dwelling units}}{\text{Lot area for purposes of calculating yield}} = \frac{129 \text{ du}}{60 \text{ ac}} = 2.15 \text{ du/ac}$$

**YIELD EXAMPLE**

[Image]

### 32.103. RESPONSIBILITIES

The City Council and/or the advisory agency as designated in Division 32.102, or the authorized representative, is empowered and directed to carry out the duties assigned by this chapter including, but not limited to:

- A. Investigate each application.
- B. Consider the recommendations of:
  - 1. The City Engineer and the Director of Planning and Building, or their authorized representatives, with respect to the design of the proposed subdivision and the kind, nature, and extent of the proposed on-site and off-site improvements; and
  - 2. The Fire Chief, the Chief of Police, and other City departments, public agencies and public and private utilities, or their authorized representatives, with respect to the availability of service and the kind, nature, and extent of necessary improvements.
- C. Consider the matters set forth in Chapter 4 of the Map Act and make findings in accordance with Division 32.209 of this chapter.
- D. Take an action or make a recommendation on the application.
- E. Prescribe or recommend the kind, nature and extent of the improvements to be constructed or installed. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### 32.104. FEES

All applications or other filings required or permitted by this chapter, or by the Map Act, shall be accompanied by a fee to be established by resolution of City Council. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### 32.105. REVIEW PROCESS—GENERAL

#### 32.105.01. MULTIPLE APPLICATIONS

Any discretionary action needed to achieve conformance to the General Plan or the Zoning Code shall be processed concurrently with the application required or permitted by this chapter. Where one or more actions requires the approval of the Planning Commission, then all actions shall be taken by the Planning Commission. When one or more actions require the approval of the City Council, then all actions shall be taken by the City Council. The effective date of any action on a tentative map shall be concurrent with the associated discretionary application. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.105.02. DIRECTOR OF PLANNING AND BUILDING REVIEW

The Director of Planning and Building or his designated representative shall review applications for completeness and shall prepare the appropriate environmental document pursuant to CEQA and the Administration and Enforcement division of the Zoning Code. Upon consideration of the application, comments from other city departments, other agencies or utilities, and other available information, the Director of Planning and Building shall take an action or make a recommendation as follows:

- A. **Action.** The Director shall approve, conditionally approve or deny a Tentative Parcel Map, Adjustment Plat, or Certificate of Compliance, and shall make such findings as may be required by

the Map Act and this chapter. The Director shall provide written notification to the applicant of the decision on the application.

**B. Recommendation.** The Director shall submit written recommendations concerning a Tentative Subdivision Map to the Planning Commission, and recommendations concerning a Reversion to Acreage to the City Council, for consideration at a public hearing. For projects requiring potential condemnation, the Director shall provide written notification to the City Council prior to consideration by the Planning Commission. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.105.03. PLANNING COMMISSION REVIEW**

**A. Action.** The Planning Commission shall hold a duly noticed public hearing to consider an application for a Tentative Subdivision Map. The Planning Commission shall approve, conditionally approve, or deny the application, and shall make such findings as are required by the Map Act and this chapter. The Commission shall file a resolution of its action with the City Clerk within five (5) days of the action.

**B. Recommendation.** When an application for a Tentative Subdivision Map is accompanied by a request for a discretionary review which requires action by the City Council, the Planning Commission shall submit written recommendations to the City Council for consideration at a public hearing. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.105.04. CITY COUNCIL REVIEW**

**A. Action.** The City Council shall hold a duly noticed public hearing to consider an application or a Reversion to Acreage or a Tentative Subdivision Map accompanied by a request for a discretionary review which requires action by the City Council. The City Council shall approve, conditionally approve, or deny the application and shall make such findings as are required by the Map Act and this chapter. The City Council may also refer an application back to staff or the Planning Commission without taking an action.

**B. Resolution.** The City Council shall file a resolution indicating the action taken on the application, and the findings made by the City Council as required by the Map Act and this chapter. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.105.05. WAIVER OR MODIFICATION OF REGULATIONS**

When the approval body or official of a proposed subdivision, as specified in Division 32.105 and 32.303, finds that it is impossible or impractical for the subdivider to conform fully to the design and improvement requirements of this chapter due to unusual conditions related to size, shape, topography, proposed use, or title limitations of record affecting the real property to be divided, that approval body may waive or modify these requirements provided that this waiver or modification shall be in conformity with the requirements of the Map Act and the spirit and purpose of this chapter. Reasonable conditions deemed necessary and appropriate by the approval body or official may be imposed. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.106. NOTICE REQUIREMENTS**

#### **32.106.01. PUBLIC HEARINGS**

**A.** Notice of required public hearings shall be given as provided in the Administration and Enforcement division of the Zoning Code. The Director of Planning and Building may give such other notice as deemed necessary or advisable.

**B.** In the case of a conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, the subdivider shall give all notices required by the Map Act. In addition, the subdivider shall be responsible for expenses incurred by the City in giving notice as required by Sections 66427.1, 66451.3, 66452.3 and 66452.5(e), or any successor section or replacement sections of the California Government Code. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.106.02. NOTICE OF INTENDED DECISION**

A Notice of Intended Decision shall be given as provided in the Administration and Enforcement division of the Zoning Code for Tentative Parcel Maps. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.106.03. LETTER OF ACTION**

A letter detailing the action taken on an application and any conditions of approval shall be provided to the applicant for Adjustment Plats, Certificates of Compliance, minor map modifications, and correction and amendments of recorded maps. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.107. APPEALS**

**A.** If the subdivider or any interested person is dissatisfied with an action of the Director of Planning and Building, or Planning Commission with respect to a subdivision related application, the subdivider or such interested person may file a written appeal as provided in the Map Act and the Administration and Enforcement division of the Zoning Code.

**B.** An appeal shall not be deemed filed unless and until a fee, established by resolution of the City Council has been paid, to cover the costs of processing and noticing the appeal. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## Chapter 32 Subdivisions, Article 2 Tentative Maps

### 32.201. APPLICATIONS 32.201.01. SUBMITTALS

**A. Application Package.** Applications for the development of a subdivision shall be submitted to the Planning Division on a City application form, together with all fees, plans, maps, technical studies, and any other information required by the Division to determine and conduct the appropriate environmental process required, potential condemnation for off-site improvements, and whether the proposed project is consistent with federal and state requirements, the Escondido General Plan, and City codes and policies. A Tentative Parcel Map application shall be required for all subdivisions for which a Tentative Subdivision Map is not required by Map Act Section 66426 et seq., or as otherwise permitted by this chapter. All related discretionary and/or administrative applications necessary for evaluating the project's compliance with required findings shall be submitted concurrently.

**B. Map Requirements.** Tentative Maps shall be prepared by or under the direction of a licensed surveyor or registered civil engineer. Tentative Maps shall clearly show all information required by this Article, and shall be drawn to an engineer's scale of not less than one inch equals 40 feet. The Tentative Map shall contain all of the following:

1. The tract number.
2. Sufficient legal description of the property to define its boundaries.
3. Names, addresses, and telephone numbers of the record owner, subdivider, and person preparing the map.
4. North point, engineering scale, date, and area.
5. The widths and approximate locations of all existing and proposed public easements or rights of way, or private street easements, within and adjacent to the property involved.
6. Locations, widths, and approximate grades of existing and proposed highways, streets, or alleys, whether public or private, within and adjacent to the property involved.
7. Existing street names, and the names or designations for all proposed streets and highways.
8. Approximate radii of all center line curves for streets, highways, or alleys.
9. Lot layout, approximate dimensions of each lot, lot size and number of each lot.
10. The locations of potentially dangerous areas, including geologically hazardous areas and areas subject to inundation or flood hazard; the location, width, and direction of flow of all watercourses, flood control channels, and mud or debris paths where ravines or swales will exist within and adjacent to the property involved; building setbacks from such hazards and the proposed method of providing flood, erosion, and mud or debris control; and areas where access and emergency paths will be located in the event flood design capacity is exceeded. Lot lines shall be located so that the flow of watercourses and mud and debris paths, access and emergency paths, and setbacks shall be adjacent to lot lines or in areas of restrictions against construction.
11. The existing contour of the land at intervals of not more than two-foot intervals, proposed pad elevations, proposed contours, slopes, identification of slopes over 2:1, proposed grading exemptions, and identification of ridgeline.
12. The approximate location of all buildings or structures on the property involved that are to be retained, notations concerning all buildings that are to be removed, and approximate locations of all existing wells.
13. The approximate location and general description of any large or historically significant trees or shrubs and of any protected trees or shrubs and an indication as to the proposed retention or destruction of the trees or shrubs.
14. Location of adjacent leach fields and demonstrate cut slope setbacks per County Department of Health Standards.

15. Method, Location, and Sizing of all applicable Storm Water Treatment and Hydromodification.
16. Identify all proposed Street Vacations and/or Public Easement Abandonments.
17. If any streets shown on the Tentative Map are proposed to be private streets, they shall be clearly indicated. Such streets shall conform to the requirements of the City's Design Standards.
18. The existing and proposed method of providing sewage disposal, potable water, reclaimed water where applicable, and drainage for the property.
19. Existing and proposed electric, gas, and communications facilities, including overhead poles and lines, underground conduit and substructures.
20. A statement regarding existing and proposed zoning.

### C. Vesting Tentative Maps.

1. **Application.** Whenever a provision of the Map Act or this Chapter requires the filing of a Tentative Map, a Vesting Tentative Map may instead be filed, in accordance with the provisions of this Chapter. If a subdivider does not seek the vested development rights conferred by the Map Act and this subsection, the filing of a Vesting Tentative Map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.
2. **Procedures.** A Vesting Tentative Map shall be filed on the same form and have the same contents, accompanying data, and reports, and shall be processed in the same manner as set forth in this Chapter for a Tentative Map, except as otherwise provided in this subsection 32.101.01(C). At the time a Vesting Tentative Map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map." If it is known at the time of filing that an additional approval is necessary, the application for such additional approval shall be filed prior to or simultaneously with the Vesting Tentative Map. Fees for review of each of the map requirements listed below, and any other requirements identified by the Director, at the time of application.
3. At the time a Vesting Tentative Map is filed, a subdivider shall provide all information required in connection with the filing of a Tentative Map by this Code, including but not limited to the information required by subsection 32.101.01(B). In addition to any other required information, a subdivider shall provide the following supplemental information:
  - a. Architectural Design Review, including four-sided elevations showing the architectural features of each proposed building and other features including height, bulk, location and colored materials boards.
  - b. The final engineering design for grading and improvement plans and specifications for all public and private facilities, including but not limited to on-site and off-site sewer, water, recycled water, drainage, roads, and other onsite and offsite improvements. The subdivider must submit detailed geological, drainage, flood control, stormwater management, soils, traffic, or other reports deemed necessary by the Director to permit a complete review of the design and improvements for the subdivision.
  - c. Precise grading plans showing existing and proposed finished grades, including the plotting of each building on each lot, driveways, fencing, drainage, and the sizing of storm water treatment and attenuation facilities, in sufficient detail to permit approval of such final grading plans.
  - d. Detailed irrigation and landscape plans, including water use calculations.
  - e. A plan showing proposed phasing of final maps, and phasing for construction.
  - f. Building permit applications, including the plans, and calculations for each building, electrical, mechanical, plumbing and structural details.
  - g. Fire sprinkler plans and calculations.
  - h. Documentation of successful coordination with each resource agency or alternate jurisdiction that has approval authority for any component of the project.

4. **Development Rights.** The approval or conditional approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect on the date the application is deemed complete, and with the conditions of approval imposed and specifically enumerated by the advisory agency.

**D. Health Department Certification.** A Tentative Map application will not be accepted for processing unless a sanitary sewer is available to each lot or the county Health Department has approved each lot for installation of a sewage disposal system in accordance with the Private Sewage Disposal Systems ordinance.

**E. Type of Application.** Pursuant to Map Act Section 66426 et seq., a Tentative Subdivision Map application shall be required when the proposed subdivision would result in the creation of five (5) or more lots, condominiums, or stock cooperative dwelling units, and a Tentative Parcel Map application shall be required when the proposed subdivision would result in the creation of four (4) or fewer lots, except as may otherwise be permitted by the Map Act. No application for a subdivision shall be accepted where the land proposed for division is a lot or parcel created illegally, unless the lot or parcel has been approved by the Director of Planning and Building, or on appeal by City Council, in accordance with Division 32.404 of this chapter and the Certificate of Compliance has been filed with the County Recorder. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### 32.201.02. EXCEPTIONS

The provisions of this article shall not apply to the conveyance, transfer, creation or establishment of an easement for sewer, water or gas pipelines and appurtenances or electrical or telephone poles, lines or conduit appurtenances; nor shall it apply to those subdivisions or circumstances described in Sections 66412 and 66428 of the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### 32.202. YIELD

#### 32.202.01. APPLICABILITY

Proposed residential development projects shall not exceed the densities listed for the residential land use designations in the Escondido General Plan and Zoning Code, which indicate MAXIMUM development potential. The ACTUAL yield may be less than the maximum development potential due to development standards, policies, and environmental factors detailed in the General Plan and Zoning Code. Yield calculations resulting in any fractional units shall be rounded down to the next whole number to determine the number of residential units permitted on a parcel of land, except as may be permitted by Sections 32.202.02 and 32.202.03. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.202.02. EXCEPTIONS

Exceptions from density requirements may be permitted for the timely development of lots pursuant to a development agreement, or Vesting Tentative Subdivision Map or Vesting Parcel Map approved prior to the effective date of the General Plan (June 6, 1990), and for the conversion of existing mobile home parks or multiple residential units to resident ownership, and for requests for a density bonus pursuant to the residential land use section of the Zoning Code. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.202.03. DENSITY CONFORMANCE—TENTATIVE PARCEL MAPS

Notwithstanding Section 32.202.01, proposed Tentative Parcel Maps involving constrained lands or limited street dedications on the property, may be considered in conformance with the General Plan,



if the Director of Planning and Building determines that the proposed project satisfies each of the following criteria:

- A.** The Tentative Subdivision or Parcel Map proposes lot sizes which conform with the standards of the current zoning designation and such zoning conforms with the current land use category of the General Plan;
- B.** The proposed lot sizes conform with the minimum size specified in the General Plan Land Use Category in which it is located;
- C.** The proposed map is infill in nature and the proposed lot sizes are compatible with the size and design of surrounding properties; and
- D.** The map design conforms with other General Plan goals regarding the preservation of wetlands, riparian areas, steep slopes, and sensitive habitat areas. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.203 DESIGN CRITERIA**

All subdivisions shall meet the design, dedication, easement and construction of off-site and on-site improvement requirements pursuant to the Map Act, this chapter, and the City's design standards and standard drawings as may be adopted by the City Council, unless a waiver or modification is granted in accordance with Section 32.105.05.

- A.** Every lot and remainder parcel shall conform to the minimum net lot area and lot dimensions specified in Chapter 33 of this code for the zone in which said lot is located at the time the application is deemed complete.
- B.** When structures and/or improvements exist and are to remain on a parcel designated as a remainder parcel on the tentative map, the proposed subdivision design shall not result in the creation of any situation not in conformance with the development standards of the zone in which it is located.
- C.** Every lot and remainder parcel shall front on a dedicated street or a street offered for dedication, unless easement access is permitted by Chapter 33 of this code.
- D.** Through lots shall not be allowed unless vehicular access rights are relinquished to one of the abutting streets.
- E.** To the extent feasible, the side lines of all lots shall be at right angles or radial to the street upon which the lots front.
- F.** To the extent feasible, side and rear lot lines shall be located along the top of man-made slopes.
- G.** Bicycle ways shall be included in a subdivision when shown on the General Plan or adopted Master Plan in accordance with Section 66475.1 of the Map Act.
- H.** Parks, trails and recreational facilities shall be included in a subdivision when shown on the General Plan or adopted Parks, Trails and Open Space Master Plan in accordance with Section 66477 of the Map Act.

- I. Grading within the subdivision should not be in excess of that reasonably required to develop the site in harmony with the natural configuration of the land, pursuant to the Excavating and Grading division of the Zoning Code.
- J. Intersections of local streets or of local streets with streets shown on the Circulation Element of the Escondido General Plan shall be aligned in accordance with Escondido City standards.
- K. In general, the streets shall extend to the boundary of the subdivision to provide the proper access to the adjoining property, and provide for proper connection with the highway system for contiguous and adjacent land and provide adequate turnaround.
- L. Intersections of streets shall be at an angle of ninety degrees (90°) or as close to such an angle as practical.
- M. Grades of all streets shall be as low as possible, consistent with the advantageous development of the proposed subdivision.
- N. Cul-de-sac streets, emergency access roads, and fuel modification zones in areas of high fire hazard, shall be in accordance with Escondido City standards to the satisfaction of Engineering and Fire departments.
- O. Panhandle lots are discouraged. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.204. REQUIRED IMPROVEMENTS**

#### **32.204.01. APPLICABILITY**

All subdividers shall be required to pay the same fees and make the same improvements as required herein, except where the subdivision results in:

- A. The division of any parcel or parcels of land into lots or parcels of forty (40) acres or more; or
- B. The creation of not more than two (2) lots for financing purposes or to establish vehicle parking areas.

The Director of Planning and Building, City Engineer, Planning Commission, or City Council may grant a waiver or modification of improvement requirements in accordance with Section 32.105.05. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.02. REQUIREMENTS**

Before approval of a Final or Parcel Map for a subdivision, the subdivider shall:

- A. Grade and improve or agree to grade and improve all land dedicated or to be dedicated for streets or easements, bicycle ways and all private streets and private easements laid out on a Final Map or Parcel Map in such manner and with such improvements as are necessary in accordance with the Escondido City standards;
- B. Install or agree to install sewers or sewage disposal systems in accordance with the Private Sewage Disposal Systems ordinance;
- C. Provide proof satisfactory to the City Engineer that there exists an adequate potable water supply available to each lot or parcel and that the subdivider will install or agree to install water supply facilities to the satisfaction of the City Engineer provided that the City Engineer may require

such other system or size of water supply pipe as recommended by the water facility serving the subdivision;

**D.** Install or agree to install as required by the City Engineer, fire hydrants and connections, which hydrants and connections shall be of a type approved by the Escondido Fire Chief; and

**E.** Construct or agree to construct all off-site improvements required by the City Engineer. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.03. EXCEPTIONS TO SURFACING REQUIREMENTS**

For offers of dedication for streets rejected pursuant to Section 66477.1 of the Map Act, and for private streets delineated on Parcel Maps where each parcel shown contains a gross area of twenty (20) acres or more, no surfacing shall be required provided that this shall not be construed as relieving the subdivider of the obligation to:

**A.** Grade such rejected streets to grades and widths required by the Escondido City standards and this chapter.

**B.** Install all drainage structures and facilities required by the City Engineer which shall conform to the Escondido City standards.

**C.** Install water supply pipelines, sewer mains, reclaimed water pipelines, fire hydrants and connections as may be required by the City Engineer and Fire Chief, which shall conform to the Escondido City standards. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.04. PUBLIC SEWER SYSTEM**

When the City Engineer determines that, by reason of the size and shape of the proposed lots, the nature of the terrain to be subdivided, the soil condition of the lots and the development of the area in the vicinity of the proposed subdivision, a public sewer system serving the lots will be required to preserve the public health, or if there is a public sewer main within two hundred (200) feet of the property boundary, the subdivider shall be required to install or agree to install a public sewer system serving said lots as a condition precedent to the approval of any Final or Parcel Map. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.05. UNDERGROUNDING UTILITIES**

All new and existing utilities distribution facilities, including cable television lines and other communication facilities within the boundaries of any new subdivision or within any property abutting a proposed new subdivision, shall be placed underground pursuant to the requirements of Escondido Municipal Code Section 23-47. (Ord. 96-26, § 1, Exh. A, 9-11-96; Ord. 2005-02 § 1)

#### **32.204.06. FLOOD CONTROL OR DRAINAGE**

The subdivider shall install or cause to be installed all flood control and drainage improvements in conformance with the drainage policies of the General Plan, the Drainage Master Plan, the Engineering Division Policy for Drainage Studies, and City design standards. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.07. STREET TREES**

The subdivider shall install or cause to be installed street trees as required by Escondido City standards pursuant to the landscape standards of Chapter 33, the Zoning Code. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.08. TRAFFIC CONTROL SIGNALS**

The subdivider shall install or cause to be installed such traffic control signals or make modifications and upgrades to traffic signal/control equipment as may be required by the City Engineer, Planning Commission or City Council. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.204.09. STORM WATER QUALITY**

The subdivider shall install or cause to be installed all required site design, source control and treatment control improvements in conformance with the Stormwater Design Manual, City design standards and Article 2 of Chapter 22 of the Municipal Code, including required maintenance agreement listed therein.

#### **32.205. IMPROVEMENT AGREEMENTS**

##### **32.205.01. SUBDIVISION IMPROVEMENT AGREEMENTS—FINAL MAPS**

A. As a condition precedent to the approval of a Final Map, and as permitted by Section 66462 of the Map Act, a subdivider may:

1. Enter into a subdivision improvement agreement with the City for the construction of improvements; or
2. Contract to a special assessment district if authorized by the City Council.

B. The City Engineer is authorized to enter into subdivision improvement agreements on the City's behalf. The City Engineer's action pursuant to this section may be appealed to the City Council for conformance with the Map Act and this chapter. The City Council shall periodically review the delegation of authority to the City Engineer

C. The subdivider shall prepare and deposit with the City Engineer detailed plans and specifications of the improvements to be constructed and such plans and specifications shall be made a part of any such subdivision improvement agreement pursuant to this section and of the improvement security.

D. A subdivider who enters into a subdivision improvement agreement pursuant to this section shall be required to furnish security for performance of the improvement agreement to the satisfaction of the City Engineer, and in conformance with this chapter and Chapter 5 (beginning with Section 66499) of the Map Act.

E. All agreements and securities pursuant to this section shall be approved as to form by the City Attorney.

(Ord. 96-26, § 1, Exh. A, 9-11-96)

##### **32.205.02. IMPROVEMENT AGREEMENTS—PARCEL MAPS**

A. Prior to approval of a Parcel Map, if improvements are to be located in public easements or rights-of-way, the City Engineer may require that the subdivider enter into an improvement agreement with the City to defer the construction of the improvements until some time in the future

**B.** Any improvement agreement executed pursuant to this section may be used to secure future improvements in easements, rights-of-way, or irrevocable offers of dedication; and may be used when the streets serving adjacent properties, or the area in general, or both, are below City standards to a degree that public action, such as assessment district proceedings, would be required in the future in order to improve such streets to City standards.

**C.** The City Engineer is authorized to enter into improvement agreements made pursuant to this section on the City's behalf. The City Engineer's action pursuant to this section may be appealed to the City Council for conformance with the Map Act and this chapter. The City Council shall periodically review the delegation of authority to the City Engineer

**C.** The subdivider shall prepare and deposit with the City Engineer detailed plans and specifications of the improvements to be constructed and such plans and specifications shall be made a part of any such improvement agreement pursuant to this section and of the improvement security.

**D.** A subdivider who enters into an improvement agreement pursuant to this section shall be required to furnish security for performance of the improvement agreement to the satisfaction of the City Engineer, and in conformance with this chapter and Chapter 5 (beginning with Section 66499) of the Map Act.

**E.** All agreements and securities pursuant to this section shall be approved as to form by the City Attorney.

(Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.205.03. IMPROVEMENT SECURITY**

Any improvement agreement, contract or act for which security is required or authorized by the Map Act, this chapter, or any other local ordinances or regulations, shall be secured in accordance with the provisions of Chapter 5 (beginning with Section 66499) of the Map Act generally as listed below. The amount of security may be modified by the City Engineer as the City Engineer deems appropriate consistent with the Map Act.

**A. Security Requirements.** When public or private improvements are required to be constructed by the City, an agreement to improve and improvement security, in a form acceptable to the City Attorney, shall be posted by the applicant with the City for said improvements. This security shall be posted prior to filing of the Final Map or Parcel Map in the following amounts:

1. Faithful Performance Bond in an amount not less than 100% of the approved engineer's estimate of the cost of public improvements.
2. Labor and Materials Bond in an amount not less than 50% of the approved engineer's estimate of the cost of public improvements.
3. Guarantee and Warranty Bond in an amount not less than 10% of the approved engineer's estimate of the cost of public improvements.
4. Grading Bond in an amount not less than 100% of the approved engineer's estimate of the cost of grading, drainage, landscaping, water quality and private improvements. 10% of the Grading Bond bond shall be in the form of cash not exceeding \$50,000.

5. Monumentation Bond in an amount not less than 100% of the approved engineer's estimate of the cost of setting monuments.

6. Additional improvement security may be required for the faithful performance for any changes or alterations in the work to the extent that those changes or alterations exceed 10% of the original estimated cost of the improvement.

**B. Special Assessment Proceedings.** In the event that the required subdivision improvements are financed and installed pursuant to special assessment proceedings, the subdivider may apply to City Council for a reduction in the amount of the improvement security.

**C. Release of Security.** The improvement security required by this chapter may be released by City Engineer upon approval and acceptance of the secured improvements. A partial release of security for partial performance may be authorized by the City Engineer. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.206. SUPPLEMENTAL IMPROVEMENTS**

#### **32.206.01. REQUIREMENTS**

**A.** The subdivider may be required to construct or install supplemental improvements in excess of those required to serve the property in the subdivision, as a condition prior to the approval of a Final or Parcel Map, and thereafter to dedicate those improvements to the public pursuant to Section 66485 of the Map Act.

**B.** The City may also require a subdivision to install supplemental improvements for the benefit of property outside the subdivision, pursuant to an adopted local drainage or sanitary sewer plan or map, or the establishment of an area of benefit for bridges or major thoroughfares. The City may impose a reasonable charge on property within the area benefited and may provide for the collection of the charge in accordance with the provisions of this chapter and Section 66487 of the Map Act.

**C.** Prior to the filing of any Final or Parcel Map, fees may be required for defraying the actual or estimated cost of constructing or installing any or all of the following improvements pursuant to Article 5 of Chapter 4 (beginning with Section 66483) of the Map Act.

1. Planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas, and of sanitary sewer facilities for local sanitary sewer areas.

2. Bridges or major thoroughfares. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.206.02. REIMBURSEMENT OR REPAYMENT FOR SUPPLEMENTAL IMPROVEMENTS**

When supplemental improvements are required, the City shall enter into reimbursement or repayment agreements with the subdivider who shall be reimbursed or repaid for that portion of the cost of improvements installed or constructed for the benefit of property outside of the subdivision in accordance with the provisions of this chapter and Article 6 of Chapter 4 (beginning with Section 66485) of the Map Act, and adopted City policies.

**A. Funding Procedures for Supplement Improvements.** A charge, and area of benefit or local benefit district shall be established in order to provide a fund for reimbursement or repayment of the subdivider who constructs or installs supplemental improvements; however, no such charge, area of benefit or local benefit district shall be established unless and until a public hearing is held by City Council and it finds that:

1. The fee or charge is reasonably related to the cost of the supplemental improvements; and
2. The area of benefit or local benefit district substantially comprises the actual ultimate beneficiaries of the improvements.

**B. Notice Requirements.** In addition to the notice required by the Map Act and the Notices and Appeals division of the Zoning Code, written notice of the public hearing, regarding the establishment of a charge, area of benefit or local benefit district, shall be given to the subdivider and to those who own property within the proposed area of benefit as shown on the latest equalized assessment roll, and to the potential users of the supplemental improvements insofar as they can be ascertained at the time. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## **32.207. MONUMENTS**

### **32.207.01. SETTING MONUMENTS**

Monuments shall be set as required by Escondido City standards and Article 9 of Chapter 4 of the Map Act. Monuments shall be shown on the Final or Parcel Map. The setting of exterior boundary monuments shall not be deferred unless the City Engineer determines that such monuments might be disturbed by the construction of improvements. An engineer's certificate as required by Section 66441 of the Map Act shall be filed prior to approval of the Final or Parcel Map. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.207.02. COORDINATE SYSTEM**

Monuments for a final map, parcel map, adjustment plat, record of survey, or other survey maps, shall be set and tied to the California Coordinate System of 1983 (CCS-83), Zone 6, based on the North American Datum of 1983 (NAD-83) geodetic datum. When vertical positioning is required, it shall be tied to the National Geodetic Vertical Datum (NGVD) of 1929. Other geodetic and vertical coordinate systems may be used if prior approval of the City Engineer is obtained. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.207.03. CONTROL MONUMENTS**

The City of Escondido has established a permanent network of geodetic control monuments on an approximate 1/2-mile grid for proper coordinate tie-in of such map boundaries. All data pertaining to these control monuments has been filed in accordance with the Land Surveyors Act and these records have been indexed and are readily available to the general public. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.207.04. WAIVER**

In the event that existing control monuments are not accessible, the surveyor or engineer shall submit a written request to waive this requirement. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## **32.208. DEDICATION REQUIREMENTS**

### **32.208.01. DEDICATION**

The subdivider shall make all applicable dedications, or irrevocable offers of dedication, as required by the Map Act, this chapter, and Escondido City Standards.

- A.** The subdivider shall offer to dedicate the right-of-way for streets within, and along the boundary of, the subdivision in accordance with Escondido City standards.

- B.** If all, or a portion, of any street abuts an unincorporated area, a one-foot control lot, over which access rights are relinquished, shall be dedicated.
- C.** Where it is necessary to extend a street beyond the boundaries of a subdivision to provide adequate circulation for residents of the subdivision, the subdivider shall cause the required easements to be dedicated to the City and shall improve said easements in accordance with Escondido City standards.
- D.** Where a drainage facility or flood control facility is necessary for the use of lot owners or for the protection of lots, adequate rights-of-way for such drainage facilities or flood control facilities shall be offered for dedication to the City or to such other public entities as the City Council designates and shall be shown on the map.
- E.** Where necessary to extend streets, sewer systems, drainage or flood control facilities beyond the boundaries of the subdivision, the necessary easements and rights-of-way shall be offered for dedication and shown on the map, or demonstrate that off-site easements can be obtained.
- F.** Drainage and flood control facilities within and outside the subdivision shall be designed and dedicated so as to carry both tributary and original source runoff within the subdivision.
- G.** Pursuant to the authority granted by Section 66477 of the Map Act, the subdivider shall offer to dedicate land for park and recreational purposes, pay fees in lieu thereof, or do a combination of both in conformance with the standards of the Escondido General Plan, the Parks, Trails and Open Space Master Plan, and Chapter 6, Article 18C of the Escondido Municipal Code.
- H.** The subdivider shall offer to dedicate, in accordance with Escondido City standards, the necessary rights-of-way for bicycle ways when such ways as shown on the Bicycle Facilities Master Plan, pass through or abut a subdivision with two hundred (200) or more parcels.
- I.** Prior to approval of any Final Map or Parcel Map, an offer of dedication for public use shall be made for all parcels within a subdivision which are intended for public use; except, that no offer of dedication need be made for those parcels intended for the exclusive use of the lot owners within the subdivision.
- J.** In the event that an offer of dedication for an open-space easement is to be made over any portion of the subdivision, the Final Map or Parcel Map shall contain an irrevocable offer of dedication to the City, signed and acknowledged by those parties having any record title interest in the subdivided land. Maintenance responsibilities shall remain with the land owner, or other designated party. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.208.02. PRIVATE EASEMENTS**

Whenever a private easement for access is created within the boundaries of a subdivision, it shall be perpetual and shall be conveyed to subsequent purchasers of each parcel affected by the grant. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.208.03. OFF-SITE EASEMENTS**

The subdivider shall secure all needed easements for off-site improvements or address the status of the easements in the application. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.208.04.**



[Reserved]

## **32.209. FINDINGS**

### **32.209.01. FINDINGS FOR APPROVAL**

**A.** Prior to the approval or conditional approval of a Tentative Subdivision or Tentative Parcel Map, findings shall be made that the map meets all of the requirements or conditions imposed by the Map Act and this chapter. No map shall be approved if it is not consistent with the required findings, the Escondido General Plan and this chapter.

**B.** In addition to the findings required by Section 32.209.01.A, a Tentative Subdivision or Tentative Parcel Map shall not be approved unless the following requirements have been satisfied or conditions are attached to the approval which insure that such requirements will be satisfied before a Final or Parcel Map is approved:

1. All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of this code have been obtained.
2. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating or otherwise relating to the conversion of existing buildings into condominiums or stock cooperatives have been satisfied.
3. The proposed Tentative Map shall be in conformity with the zone in which it is located. To the extent that the property, which is the subject of the proposed Tentative Map, is an existing legal nonconforming multi-family residential use, this requirement shall not apply, in accordance with Chapter 33 of this code.
4. All requirements of CEQA have been met. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## **32.210. EXPIRATION OF TENTATIVE MAPS AND EXTENSIONS OF TIME**

### **32.210.01. EXPIRATION**

A Tentative Map which has been approved or conditionally approved shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act, or pursuant to a development agreement. If the tentative map is subject to a development agreement, the term of the tentative map may be extended as provided in the development agreement, but not beyond the expiration date of the development agreement.

### **32.210.02. EXTENSION OF TIME.**

**A.** Extensions of time for an approved or conditionally approved tentative map will be considered upon submittal of a written request, justification statement, and all required fees to the Planning Division prior to and within four months of the expiration date of the tentative map.

**B.** The time at which an approved or conditionally approved tentative map expires may be extended by the legislative body or advisory agency for a period or periods not exceeding a total of six years. A public hearing and/or public notice may be required if the Director of Community Development determines that it is warranted.

**C.** If an extension of time is approved, an applicant must comply with the provisions of Chapter 3, Article 2 of the Map Act and all provisions and findings of this ordinance applicable to the initial filing of tentative maps pursuant to Article 2 of this chapter. In order to assure this compliance, the conditions of initial approval of the tentative map may be modified or deleted and new conditions may be added when the extension of time is approved.

### **32.211. MAP MODIFICATIONS**

Modifications to a tentative map and/or conditions of approval, which, in the opinion of the Director, are not in substantial conformance, shall comply with the provisions for processing a tentative map as contained in this Subdivision Code. Modifications may be referred to the Planning Commission and/or City Council when the Director determines that said modification affects a related discretionary action. If the modification is approved, the applicant shall submit a revised Certified Map for approval. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## Chapter 32 Subdivisions, Article 3 Final and Parcel Maps

### 32.301. GENERAL MAP REQUIREMENTS

The form, contents, accompanying data, and filing of a Final Map or Parcel Map shall conform to the provisions of the Map Act and this chapter and to all applicable Conditions of Approval of the Tentative Map. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.301.01. PARCEL MAP ALTERNATIVE

A Parcel Map, prepared in accordance with the Map Act and this chapter may be filed in lieu of:

- A.** A Final Map, when an approved Tentative Subdivision Map has been filed for a subdivision which meets the requirements of Section 66426 of the Map Act.
- B.** A Tentative Subdivision Map and Final Map, for construction of a condominium project on a single parcel. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.301.02. WAIVER OF PARCEL MAPS

**A.** Pursuant to Article 1 of Chapter 2 of the Map Act, the requirement for a Parcel Map may be waived if a finding is made that the proposed subdivision complies with the requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this chapter and the Map Act, including the following types of subdivisions:

1. Residential purchase of mobilehome park according to Division 32.401.
2. A subdivision, wherein the average gross area of all resulting lots or parcels equals forty (40) acres or more provided that no lot or parcel contains a gross area of less than twenty (20) acres.

**B.** The applicant for a subdivision, pursuant to subsection (A) shall submit an application for a Tentative Parcel Map and a written request for waiver of the Parcel Map with sufficient information in the opinion of the Director of Planning and Building, to make the findings required by this section. The processing of any such application shall be subject to the same fees, time requirements and appeal procedures as are provided in this chapter for Tentative Parcel Maps.

**C.** Where waiver of the Parcel Map is granted by the Director of Planning and Building, the Director shall cause to be filed for record with the County Recorder a Certificate of Compliance or Conditional Certificate of Compliance pursuant to Division 32.404 of this chapter. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### 32.301.03. CONTENTS OF FINAL MAP OR PARCEL MAP

In addition to the information required by the Map Act, every Final Map or Parcel Map shall contain or show all of the following:

- A.** A legal description of the land subdivided by references to recorded deeds, recorded maps and official United States surveys. Reference to tracts, recorded deeds and recorded maps shall be spelled out, worded identically with original records and show the book and page of records or map numbers;

- B.** The Basis of Bearings shall be the California Coordinate System (NAD 83) as established by use of existing monuments, Global Positioning System (GPS) surveys, or by use of astronomic observation;
- C.** Those ties to such control monuments and the coordinates published by the City for these control monuments. The boundary of the map shall be tied into the California Coordinate System (NAD 83) in at least two locations, preferably on opposite ends of a single boundary line having found monuments or as agreed to by the City Engineer. These ties shall include both grid and ground distances and include the combined scale factor at one of the tie points on the subdivision boundary.
- D.** All easements to which land is, or will be, subject, including all open space easements and mitigation requirements;
- E.** Existing monuments that are found and a description of them;
- F.** The size of all parcels expressed in square feet for parcels less than one acre and expressed in acres for parcels more than one acre in size;
- G.** All areas which are subject to inundation as determined by the City Engineer, including flood-way limits and the 100-year flood-plain;
- H.** A solid line separating from public streets all private ways, easements and other rights-of-way not to be accepted as public streets, and clearly designate their nature and the manner in which the right is reserved or granted;
- I.** The number of the subdivision on every sheet;
- J.** Figures which are mathematically correct; and
- K.** No contingencies. (Ord. 96-26, § 1, Exh. A, 9-11-96)

## **32.302. CERTIFICATES**

### **32.302.01. FINAL MAPS**

**A. At Time of Filing.** At the time of filing with the City Engineer, every Final Map shall bear, in addition to those certificates, statements, acknowledgements, and endorsements required by the Map Act, all of the following completed certificates and endorsements:

1. A certificate by the City Treasurer, County Tax Collector, and County Public Works Director to the effect that there are no unpaid special assessments or bonds, which may be paid in full shown by the records in their offices, against the subdivision or any part thereof;
2. A certificate by the Clerk of the Board of Supervisors that the provisions of the Map Act have been complied with regarding deposits for taxes on the property within the subdivision; and
3. A certificate of a qualified title company guaranteeing that the parties who executed the Owner's Certificate, required by Section 66436 of the Map Act, are all the parties having any recorded title interest in the land subdivided. Said certificate shall also set forth the names of the parties owning the interests as defined in Section 66436 of said act together with a description of said interests and the reasons the parties did not execute the owner's certificate. The clerk of the Board of Supervisors shall notify the title company making such certificate of the date the Final Map

will be transmitted to the County Recorder. Such notification shall be made at least 48 hours before said date. The title company shall, on said date, present to the County Recorder a letter stating that on said date the names of the parties and the other facts set forth in the title company's certificate were the same as shown by the certificate.

4. In lieu of the title company certificate required above, there may be filed with the City Engineer a subdivision guarantee from a qualified title insurance company, in an amount approved by the City Engineer, which guarantees that the parties named are the only parties having any record title interest in the land subdivided. The Clerk of the Board of Supervisors shall notify the title company furnishing the subdivision guarantee of the date the Final Map will be transmitted to the County Recorder. Such notification shall be made at least 48 hours before said date. The title company, shall, on said date, present to the County Recorder, pursuant to the requirements of Section 66465 of the Map Act, a letter stating that at the time of filing of the Final Map or Parcel Map in the office of the County Recorder, the parties consenting to such filing are all of the parties having a record title interest in the real property being subdivided whose signatures are required by the Map Act, as shown by the records in the office of the County Recorder.

**B. Additional Certificate on Final Maps.** In addition to the certificates and other material required by the Map Act and by this chapter, every Final Map shall bear a certificate by the City Engineer that:

1. The map conforms with all provisions of this chapter;
2. The map conforms to the approved Tentative Map; and
3. Provides for acceptance, acceptance subject to improvement or rejection of a dedication or an offer to dedicate by the City Engineer.

**C. After Approval by the City Engineer.** All of the following certificates and endorsements shall be completed after approval by the City Engineer:

1. The Clerk of the County Board of Supervisors; and
2. The County Recorder.

**D.** The certificates and endorsements required by subsections (A) and (B) may be contained in a separate instrument in accordance with the provisions of the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.302.02. PARCEL MAPS**

**A. Additional Certificate on Parcel Maps.** In addition to the certificates and other material required by the Map Act and this chapter, every Parcel Map shall bear a certificate by the City Engineer that:

1. The map conforms with all provisions of this chapter;
2. The map conforms to the approved Tentative Map; and
3. Provides for acceptance, acceptance subject to improvement, or rejection of a dedication or an offer to dedicate by the City Engineer.

**B.** The certificates and endorsements required by this section may be contained in a separate instrument as provided in the Map Act.

**C.** Dedications or offers to dedicate may be made either by certificate on the Parcel Map, or by separate document in accordance with the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.303. REVIEW PROCESS—FINAL MAPS AND PARCEL MAPS**

#### **32.303.01. GENERAL PROVISIONS**

A Final Map or Parcel Map shall not be approved unless:

**A.** A Tentative Map has been approved or conditionally approved by the Director of Planning and Building, Planning Commission, or City Council, as required by this chapter; and

**B.** The Final Map or Parcel Map meets all requirements of this chapter, and all requirements of the Map Act. The Final Map and all necessary documents shall be submitted to the City Engineer far enough in advance of the expiration date of the tentative map approval to allow sufficient time for processing. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.303.02. PRIOR TO FILING**

Prior to filing a Final Map or Parcel Map with the City Engineer, each of the following requirements shall be met:

**A.** The Final Map or Parcel Map must conform to the approved or conditionally approved tentative map;

**B.** All required fees shall be paid, including plan check and inspection fees;

**C.** All bonds guaranteeing required improvements or performance shall be posted and shall be approved as to form by the City Attorney;

**D.** All improvement agreements shall be executed, and approved as to form by the City Attorney;

**E.** A Certified Map shall be submitted to and approved by the Director of Planning and Building; and

**F.** A digital graphics file containing the boundary, street centerline, right-of-way, and lot/parcel line data necessary to facilitate transferring of the file into the City mapping system shall be submitted in an acceptable format as determined by the City Engineer. In the event the surveyor or engineer submitting a map does not have the capability to fulfill this requirement, an appeal may be filed with the City Engineer to waive the requirement. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.303.03. FILING A FINAL MAP**

**A. City Engineer.** After the Final Map has satisfied all requirements of this chapter and all conditions of the tentative map, the Final Map shall be filed with the City Engineer for approval or disapproval as outlined in this chapter and in accordance with Chapter 3, Article 4, of the Map Act.

1. Upon the City Engineer's receipt of a Final Map:

- i. The City Engineer shall notify the City Council at its next regular meeting after the City Engineer receives the Final Map that the Final Map is being reviewed for final approval; and
  - ii. The Clerk of the City Council shall provide notice of any pending approval or disapproval by the City Engineer, which notice shall be attached and posted with the City Council's regular agenda and shall be mailed to interested parties who request notice.
2. Upon receipt of a Final Map, the City Engineer shall examine the Final Map to determine:
  - a. whether the subdivision as shown is substantially the same as it appeared on the approved tentative map, and any approved alterations thereof;
  - b. whether all provisions of law and of this chapter applicable at the time of approval of the tentative map have been complied with; and
  - c. whether the Final Map is technically correct.
3. Within 10 days following the meeting of the City Council that was preceded by the notice described in subsection 32.303.03(A)(1)(i) of this section, the City Engineer shall approve a Final Map if it conforms to (i) all requirements of this chapter applicable at the time of approval or conditional approval of the tentative map, and (ii) all requirements of the Map Act. The City Engineer shall disapprove a Final Map for failure to meet or perform any such requirements, supported by a finding identifying the requirements or conditions that have not been met or performed.
4. In connection with the City Engineer's approval or disapproval of a Final Map, the City Engineer may accept, accept subject to improvement, or reject dedications and offers of dedications that are made by a statement on the Final Map.
5. Any appeal of the City Engineer's approval or disapproval of a Final Map shall be made to the City Council.
6. The City Council shall periodically review the delegation of authority to the City Engineer made pursuant to this section.

**B. Signatures.** After approval, the City Engineer shall sign the map. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.303.04. FILING A PARCEL MAP**

A Parcel Map approved by the Director of Planning and Building as complying with the Certified Map shall be filed with the City Engineer for approval prior to the expiration of the Tentative Parcel Map, after the requirements of Section 32.303.02 have been completed to the satisfaction of the City Engineer. The date the map shall be deemed filed with the City Engineer is the date on which the City Engineer receives a complete parcel map package. (Ord. 96-26, § 1, Exh. A, 9-11-96)

1. The City Engineer is authorized to make all findings necessary for approval, conditional approval, or disapproval of a Parcel Map.
2. In connection with the City Engineer's approval, conditional approval, or disapproval of a Parcel Map, the City Engineer may accept or reject dedications and offers of dedication that are made by a statement on the Parcel Map. The City Engineer shall disapprove a Parcel Map for failure to meet or perform any of the requirements or conditions imposed by the Map Act or this chapter.
3. Any appeal of the City Engineer's approval, conditional approval, or disapproval of a Parcel Map shall be made to the City Council.

**32.303.05. RECORDATION**

After the approved Final Map or Parcel Map has been signed by the City Engineer, the map and any improvement agreement required by this chapter shall be filed in the Office of the County Recorder by the City Clerk. After recordation, the subdivider shall furnish the City Engineer with a reproducible copy of the recorded map and any improvement agreement required by this chapter. (Ord. 96-26, § 1, Exh. A, 9-11-96)



## Chapter 32 Subdivisions, Article 4 Other Processes

### **32.401. WAIVER OF SUBDIVISION MAP PROCESS REQUIREMENTS FOR RESIDENT PURCHASE OF A MOBILEHOME PARK**

#### **32.401.01. APPLICABILITY**

Notwithstanding any other provision of this chapter, the requirement for the filing of a Tentative Subdivision Map, Final Map, or Parcel Map for the resident purchase of a mobilehome park, may be waived by the Director of Planning and Building according to the requirements of this division. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.401.02. SUBMITTAL REQUIREMENTS**

An applicant for a conversion to resident ownership pursuant to this division shall submit an application and fee for a Tentative Parcel Map to the Planning Division pursuant to this chapter, together with a written request that the applicable Tentative Subdivision Map, Final Map, or Parcel Map requirement be waived. The application shall contain sufficient information to enable the Director of Planning and Building to make the findings required by this division, or the Director may impose such conditions as deemed necessary to make the findings required by this division. Waiver of the Tentative Subdivision and Final Map, or Parcel Map, does not waive any other discretionary review required by this chapter or Chapter 33, the Zoning Code. Refer to City Council Resolution 96-159, Mobilehome Park Conversion Guidelines for Change of Use Application. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.401.03. REVIEW PROCESS**

- A.** The Director of Planning and Building shall review the request for a waiver of required maps and may approve the waiver if all of the findings can be made or conditions necessary to make the findings can be imposed. When a waiver is approved, the Tentative Parcel map shall be processed pursuant to Article 2 of this chapter, or in conjunction with any associated discretionary applications.
- B.** Where waiver of the Tentative Subdivision and Final Map, or Parcel Map is granted, the Director of Planning and Building shall cause to be filed for record with the County Recorder a Certificate of Compliance or Conditional Certificate of Compliance. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.401.04. FINDINGS**

No waiver shall be issued for any map for a resident purchase of a mobilehome park unless the following findings have been made by the Director of Planning and Building:

- A.** The applicant has submitted evidence that requirements for notification of all existing and prospective residents have been met as required by Section 66427.1 of the Map Act;
- B.** The required number of residents in the mobilehome park as specified in the bylaws or other organizational documents, have voted in favor of such purchase. If the bylaws or other organizational documents do not specify the number of votes required for such a purchase, a majority vote of the residents shall be required; and
- C.** The applicant has demonstrated compliance with Sections 66427.4, 66428(b), and 66428.1 of the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.402. ADJUSTMENT PLATS**

#### **32.402.01. APPLICABILITY**

An Adjustment Plat may be submitted pursuant to the provisions of this division to adjust the boundaries between two or more adjacent parcels. Notwithstanding any other provisions of this chapter to the contrary, the procedure set forth in this division shall govern the processing of and requirements for Adjustment Plats. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.402.02. SUBMITTAL REQUIREMENTS**

Applications for the review of an Adjustment Plat shall be submitted to the Planning Division on a City application form, together with all fees, plats, certificates, and any other information required by the Director of Planning and Building to determine whether or not the required findings can be made, and that the proposed adjustment is consistent with Escondido zoning and building ordinances. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.402.03. REVIEW PROCESS**

- A.** Referral. The Director of Planning and Building may refer copies of such plats to other city departments as well as public agencies for review and comment.
- B.** Approval. The Director of Planning and Building shall review the application, any comments received from other city departments or public agencies and the provisions of this chapter and then shall approve, conditionally approve or disapprove the plat. The applicant shall be notified in writing of the Director's action.
- C.** Certification. If the Director of Planning and Building determines that the Adjustment Plat meets the requirements of this chapter, the Director shall certify on the Adjustment Plat that it has been approved pursuant to this chapter and file said plat in the Planning Division. A revised Adjustment Plat shall be submitted for certification when the Director of Planning and Building finds that the number or nature of the changes necessary for approval are such that they cannot be shown clearly or simply on the original Adjustment Plat.
- D.** Recordation. The Adjustment Plat approved and certified by the Director of Planning and Building shall be recorded in the office of the County Recorder in conjunction with grant deeds and certificates of compliance, and the appropriate legal descriptions. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.402.04. FINDINGS FOR APPROVAL**

Approval of an adjustment plat shall be based on the determination that the exchange of property does not:

- A.** Create any new lots;
- B.** Include any lots or parcels created illegally;
- C.** Impair any existing access or create a need for new access to any adjacent lots or parcels;
- D.** Impair any existing easements or create a need for any new easements serving adjacent lots or parcels; nor
- E.** Require substantial alteration of any existing improvements or create a need for substantial new improvements. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.402.05. REQUIREMENTS FOR APPROVAL OF ADJUSTMENT PLATS**

Whenever applicable the Director of Planning and Building may prescribe the following requirements as Conditions of Approval of an Adjustment Plat;

- A. Relocation of lot lines to provide lots that meet the requirements of the Health Department, comply with all applicable zoning and General Plan regulations, conform to standards of lot design specified in Division 32.202 of this chapter, and do not result in irregular/unbuildable lots.
- B. The provisions of safe and adequate access to each lot or parcel within the Adjustment Plat.
- C. The addition of a distinctive boundary line, clearly labeled, which delineates the limits of any area determined by the City Engineer to be subject to flooding or inundation. The plat shall contain an appropriate note stating that the area is subject to flooding or inundation. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.402.06. TERMINATION OF PROCEEDINGS**

The failure to file a revised Adjustment Plat for certification within six (6) months from the date of conditional approval of the original plat shall result in a termination of all proceedings unless prior to expiration of the period, an application for extension is made and approved by the Director of Planning and Building. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### **32.403. MERGERS AND REVERSIONS TO ACREAGE**

##### **32.403.01. MERGERS**

The merger of two or more contiguous parcels or units of land shall be governed by Article 1.5 of Chapter 3 (beginning with Section 66451.10) of the Map Act. Those contiguous parcels or units of land which do not conform to the requirements of Section 66451.11 of the Map Act shall be deemed merged. (Ord. 96-26, § 1, Exh. A, 9-11-96)

##### **32.403.02. RESUBDIVISION**

Subdivided land may be merged and resubdivided in accordance with the provisions of Section 66499.20-1/2 of the Map Act, this chapter and any other applicable ordinances of the City of Escondido. (Ord. 96-26, § 1, Exh. A, 9-11-96)

##### **32.403.03. REVERSIONS TO ACREAGE**

Subdivided property may be reverted to acreage pursuant to the provisions of this division and Article 1 of Chapter 6 (beginning with Section 66499.11) of the Map Act.

**A. Submittal Requirements.** A petition for Reversion to Acreage shall be submitted to the Planning Division and shall contain, in addition to all of the information required by the Map Act, all of the following:

1. Evidence of the consent of all the owners of any interest in the property;
2. Evidence that none of the improvements required to be made have been made within two (2) years from the date the Final or Parcel Map was filed of record, or within the time allowed by agreement for completion of the improvement, whichever is later;
3. Evidence that no lots shown on the Final or Parcel Map have been sold within five (5) years from the date such Final or Parcel Map was filed of record;

4. Fee for processing in an amount to be determined by resolution of City Council; and
5. A Final or Parcel Map which delineates dedications which will not be vacated and dedications which are a condition to reversion.

**B. Review Process.** The Director of Planning and Building shall forward a recommendation on the application to the City Council at a noticed public hearing, pursuant to the requirements of the Map Act. The City Council shall make the findings required by Section 66499.16 of the Map Act prior to approving or conditionally approving a Reversion to Acreage.

**C. Conditions of Reversion.** When necessary to accomplish any of the purposes of this chapter, the City Council shall require as conditions of the reversion, that:

1. The owners dedicate or offer to dedicate streets or easements; and
2. All or a portion of previously paid subdivision or other fees, improvement security and any other deposits be retained.

**D. Return of Fees, Deposits and Release of Securities.** Upon filing of a Final or Parcel Map for a reversion to acreage with the County Recorder, all dedications and offers of dedication not shown on the map shall be of no further force or effect. In addition, all fees and deposits shall be returned to the subdivider and all improvement securities shall be released except those retained pursuant to Section 32.403.03.C of this chapter. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### [32.404. CERTIFICATES OF COMPLIANCE](#)

#### [32.404.01. APPLICABILITY](#)

The Director of Planning and Building may, upon written request, issue certificates of compliance in accordance with the provisions of the Map Act, after determining that the parcel of real property was created in compliance with the provisions of the Map Act and of local ordinances enacted pursuant thereto. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### [32.404.02. SUBMITTAL REQUIREMENTS](#)

An application for a Certificate of Compliance shall be submitted to the Planning Division on a City application form together with all grant deeds, chain of title, legal descriptions, title reports, fees, and any other information required by the Director of Planning and Building to determine if the parcel was created in conformance with the state law and local ordinances. (Ord. 96-26, § 1, Exh. A, 9-11-96)

#### [32.404.03. REVIEW PROCESS](#)

**A. Approval.** The Director shall make a determination on whether to issue Certificates of Compliance or Conditional Certificates of Compliance, pursuant to Section 66499.35 of the Map Act.

1. Whenever the Director of Planning and Building has knowledge that real property has been divided in violation of the provisions of the Map Act, of this chapter or of any other City ordinance, the Director of Planning and Building shall mail a notice of intention to record a notice of violation to the current owner of record of the property, in accordance with the provisions of the Map Act.

**B. Recordation.** The Certificate of Compliance, or the Conditional Certificate of Compliance, shall be recorded in the office of the County Recorder. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### [32.405. CORRECTION AND AMENDMENT OF MAPS](#)

### **32.405.01. APPLICABILITY**

After a Final Map or Parcel Map is filed in the office of the County Recorder, it may be amended by a certificate of correction or an amending map, pursuant to Article 7 of Chapter 3 (beginning with Section 66469) of the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.405.02. SUBMITTAL REQUIREMENTS**

A written request to amend or correct a recorded Final Map or Parcel Map shall be submitted to the Engineering Department. In addition to the submittal requirements of the Map Act, the application shall also include each of the following:

- A.** The amending map or certificate of correction prepared and signed by a registered civil engineer or licensed land surveyor;
- B.** A copy of the original recorded map with the proposed changes shown and highlighted; and
- C.** Any other information or materials as may be required by the City Engineer. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.405.03. REVIEW PROCESS**

The City Engineer, and the City Council if applicable, shall review map corrections or amendments pursuant to the provisions of the Map Act. (Ord. 96-26, § 1, Exh. A, 9-11-96)

### **32.405.04. RECORDATION**

The amending map or certificate of correction approved and certified by the City Engineer, and if applicable, approved by the City Council, shall be recorded in the office of the county Recorder by the applicant, and a copy of the recorded document returned to the City Engineer. (Ord. 96-26, § 1, Exh. A, 9-11-96)