

Title 17 Subdivision Ordinance - 2010 Update

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Chapter 17.04 General Provisions

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17.04.010 Title and Authority

This Title 17 shall be known as the "Subdivision Ordinance of the City of Redding" and is adopted in accordance with the California Subdivision Map Act (SMA, Government Code Section 66410 et seq.) as a "local ordinance" as that term is used in the Subdivision Map Act and is supplemental to the provisions thereof.

17.04.020 Purpose

The purposes and intentions of this title are:

1. To provide policies, standards, requirements, and procedures to regulate and control the design and improvements of all subdivisions within the City;
2. To ensure that, insofar as possible, all proposed subdivisions, together with the provisions for their design and improvements, are subdivided in a manner that will promote the public health, safety, convenience, and general welfare in conformance with the General Plan and any applicable specific plan and specific-plan design guidelines, any applicable development agreement, and other provisions of the Redding Municipal Code;
3. To preserve and protect unique and valuable natural resources and amenities of the City's environment, including topographic and geologic features, open-space lands, streams, recreational areas, fish and wildlife habitats, wetlands (seasonal and perennial), historical and cultural places, and scenic vistas and attractions; and to accommodate the public's access to, and enjoyment of, such resources and amenities through the dedication or continuance of applicable easements thereto;
4. To relate land use intensity and population density to existing development, street capacity and traffic access, the slope of the natural terrain, and the availability of public facilities and utilities and open space;

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5. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
6. To provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;
7. To ensure adequate access to each building site;
8. To provide sidewalks and, where needed, pedestrian ways, biking paths, and equestrian and hiking trails for the safety, convenience, and enjoyment of the residents and employees of new developments and the general public;
9. To provide adequate systems of water supply, wastewater disposal, storm drainage, street lighting, electricity, natural gas, communications, and other utilities needed for the public's health, safety, and convenience;
10. To provide adequate sites for public facilities needed to serve the residents and employees of new developments and the general public;
11. To ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way and for the improvements therein needed to serve new developments are the responsibility of the subdivider;
12. To prevent land from being subdivided for any use or in any manner that would be detrimental to the public health, safety, or welfare, such as being located in the 100-year floodplain, proximity to excessive noise, inadequate access, inadequate water supply or fire protection, insufficient wastewater facilities, hazardous geological or soil conditions, or other actual or potential dangerous condition(s).

17.04.030 Applicability

- A. *Applicability.* Except as specifically excluded by the Subdivision Map Act, this title, or a development agreement approved by the City, the provisions of this title shall apply to any division of real property wholly or partially within the incorporated area of the City and shall govern the filing, processing, approval, conditional approval, or disapproval of: tentative maps, vesting tentative maps, final maps, parcel maps, administrative parcel maps, condominium and condominium conversions, property-line adjustments, lot mergers, reversion to acreage, certificates of compliance, and any modifications thereof. Except as otherwise provided in this title and in the Subdivision Map Act, all subdivisions shall be subject to the same substantive and procedural requirements.
- B. *Tentative Map Filed Prior to Annexation.* The City may process a tentative map involving land located within unincorporated territory adjacent to the City that is proposed for annexation as provided by SMA Section 66454.
- C. *Effect of Annexation.* In accordance with SMA Section 66413:
 1. The provisions of a final map and any agreements thereto for a subdivision originally approved and recorded under the jurisdiction of Shasta County shall continue to govern the subdivision following its annexation into the City of Redding.

2. The regulations of the City of Redding shall apply to any final subdivision map for which a valid tentative map, vesting tentative map, or tentative parcel map has been approved by Shasta County but not yet recorded at the time of annexation to the City of Redding. Adherence to all applicable City regulations shall commence on the effective date of annexation.
- D. *Presumption of Lawful Creation of Certain Parcels.* A parcel created prior to March 4, 1972, may be conclusively presumed to have been lawfully created when qualified in accordance with SMA Section 66412.6. This includes circumstances where a subsequent purchaser acquired a parcel for valuable consideration without actual or constructive knowledge that the parcel was created in violation of a local ordinance. In such circumstances, a certificate of compliance shall be obtained in accordance with Section 17.16.030, prior to a permit or other grant of approval for development of the property.

17.04.040 Interpretation, Conflict, and Separability

- A. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety, and welfare.
- B. Where the conditions imposed by any provisions of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this ordinance or of any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.
- C. Should any of the provisions of this title be found in conflict with the Subdivision Map Act or any other law or regulation of the State of California, the latter law or regulation shall govern.
- D. The provisions of this ordinance are separable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this ordinance.

17.04.050 Considerations for Implementation

- A. *General Plan and Zoning Laws.* The Redding General Plan and Zoning Ordinance guide the use of all land within the corporate boundaries of the City. The size and design of lots, the nature of utilities, the design and improvement of streets, the type and intensity of land use, and the provisions for any special facilities in any subdivision must conform to the land uses shown and the standards established in the General Plan and the zoning laws of the City.
- B. *Environmental Impact and Mitigation Monitoring.* The environmental impact of any subdivision must be considered in accordance with the California Environmental Quality Act (CEQA); with the current Guidelines for Implementation of CEQA, adopted by the Secretary for Resources of the State; and with ordinances and resolutions of the City Council adopted to implement the provisions of CEQA, including those established under Redding Municipal Code (RMC) Chapter 18.24.
- C. *Community Facilities and Utilities.* The impact of any proposed subdivision upon community facilities, such as schools; parks; recreation areas; and essential utilities and services, such as sewer, water, electric, gas, communications, storm-drain systems, and solid waste, must be considered. The provisions of this title establish procedures for the referral of proposed subdivision data to City

departments, interested boards, bureaus, other governmental agencies, and utility companies, both public and private, so that the necessary extension of community facilities and utilities may be fully understood and accomplished in an orderly manner and be coordinated with the development of the subdivision and surrounding lands in accordance with applicable facility or utility master plans. In order to facilitate the acquisition of land areas required to implement this policy, the City may require that the subdivider dedicate, grant easements, or otherwise reserve land for such public purposes as specified in the Subdivision Map Act and this title.

- D. *Grading and Erosion Control.* Every map approved pursuant to this title shall be subject to compliance with the requirements for grading and erosion control as set forth in RMC Chapter 16.12 and the California Building Code.

17.04.060 Compliance Required

Each subdivision and the map thereof shall be in conformity with the provisions of this title and the Subdivision Map Act.

17.04.070 Advisory Agency and Duties

- A. *Advisory Agency Designation.* The advisory agency, as such term is used in the Subdivision Map Act and this title, shall be as follows:
1. *Development Services Director* for property-line adjustments, voluntary mergers, administrative parcel maps, parcel-map waivers, certificates of compliance, and miscellaneous determinations and minor variations to previously approved subdivision projects in accordance with Chapter 17.04.080.
 2. *Board of Administrative Review* for a tentative map supporting a parcel map and any matter under authority of approval, and by referral, from the Development Services Director.
 3. *Planning Commission* for a tentative map supporting a final map, vesting tentative map, condominiums and condominium conversions, nonvoluntary mergers, and any matter under authority of approval, and by referral, from the Development Services Director or Board of Administrative Review.

Within this title, an advisory agency may also be commonly referred to as an "approval authority."

- B. *Duties.* The advisory agency shall have the duty of considering investigations and reports on the design and improvement of proposed divisions of real property; conducting a public hearing when required; imposing requirements or conditions thereon; and having the authority to approve, conditionally approve, or disapprove the discretionary matters governed by this title, while also ensuring project compliance with CEQA. Appeals of actions by an advisory agency shall be in accordance with Section 17.04.110. The City Council reserves the duty for final approval or denial authority in the case of appeals or when a subdivision project also requires legislative action.
- C. *Standard Conditions.* For the purpose of providing streamlining and efficiency in the tentative map approval process, the Planning Commission, in its role as advisory agency, shall also have the authority to adopt by resolution, and modify as necessary, standard conditions of approval to be applicable to all approved tentative maps, in addition to any required project-specific conditions.

Adoption or modification of standard conditions of approval shall be subject to a public hearing to allow input from the general public and the local development community.

17.04.080 Administrative Determinations

- A. In the event of any confusion, language conflict, vagueness, typographical error, or special circumstance where a design standard or condition of approval is questioned in terms of proper meaning or requirement for implementation, the Development Services Director shall have the authority to determine an appropriate standard or requirement or other remedy as necessary to ensure that the intent of the condition and related tentative map approval is met in full accordance with applicable laws and policies and as necessary to ensure orderly development. In the case where necessary modifications to a condition of approval and/or the overall project are extensive and would constitute a major variation in the project description, then a formal amendment to the approved tentative map shall be required in accordance with Section 17.20.160.
- B. Administrative determinations by the Director shall be documented and dated effective in writing, with copies provided to the subdivider, property owner if different than subdivider, any City department or outside agency potentially involved in the determination, and the subdivision file.
- C. Administrative determinations may be appealed as provided under Section 17.04.110.

17.04.090 Compliance Required for Permit Issuance

- A. In accordance with SMA Section 66499.34, no building shall be constructed, nor shall a building or grading permit be issued, except as allowed otherwise in the following section, unless the parcel of land subject to construction was lawfully created or a certificate of compliance was issued in compliance with the provisions of this title and the Subdivision Map Act. Development on legal nonconforming parcels of record shall be in accordance with the provisions of RMC Chapter 18.46.080.
- B. At the discretion of the Building Official, building permits may be issued to commence construction of structures on subdivided lands lacking completed and/or accepted public improvements or prior to the filing of a final map or parcel map, consistent with the following:
 - 1. *Parcel created.* A final map or parcel map has been recorded and required public improvements have been bonded, but improvements have not been constructed or accepted by the City. In this instance, the subdivider must demonstrate that sufficient access, utility, site preparation and survey, and fire-safety provisions are satisfied in accordance with the current Building Division Administrative Policy.
 - 2. *Parcel creation pending—model homes.* Building permits may be issued to commence construction on a maximum of four (4) model homes on pending lots prior to recordation of a final map or parcel map and before bonding or acceptance of required public improvements, when all of the following items are met:
 - a. The current tentative map approval has at least one year remaining.
 - b. The draft final map or parcel map has been filed with the City Engineer for checking and property corners have been set.

- c. The subdivider demonstrates that sufficient access, utility, site preparation and survey and fire-safety provisions are satisfied in accordance with the current Building Division Administrative Policy.
3. *Final certificate of occupancy.* Final certificate of occupancy shall not be permitted until all public improvements associated with the subdivision have been accepted by the City, or the City Engineer finds that the improvements are substantially complete, such that no danger to health or safety is created by issuance of said certificate of occupancy. Improvements may be deemed substantially complete at the discretion of the City Engineer when the majority of required infrastructure has been installed and only minor work or minor corrections remain. In such instance, it is expected that the subdivider will ensure that work continues expeditiously, such that the City may accept the improvements in a timely fashion.

17.04.100 Subdivision Modifications

- A. At the time of approving a tentative map or tentative parcel map, the approval authority may authorize modifications to the subdivision design and improvement standards, as specified in this title, when one or more of the following circumstances apply to the project:
 1. The subdivision is of such a size or shape and/or is affected by topographic, special habitat, soil conditions, or other unique constraint that render it impossible, impractical, or undesirable, in the particular case, to conform fully to the standard design criteria and improvement standards, and the requested modification(s) is necessary by reason of such subdivision characteristics or conditions.
 2. The subdivision is located in an urban infill area that contains existing streets, utilities, or other public improvements that do not conform to current design criteria and improvement standards and that modification of such design criteria and improvement standards is recommended by the City Engineer to allow the logical and compatible extension of streets, utilities, or other public improvements based on consideration of existing conditions.
 3. The subdivision is subject to a specific plan, area plan, planned development, mixed-use plan, or condominium plan, which has considered and required the construction of streets, utilities, or other public or private infrastructure in accordance with alternative design criteria and improvement standards specifically set forth therein and modification of the design criteria and improvement standards is necessary to support the alternative design criteria and improvement standards approved for the project.
 4. The subdivision design must incorporate one or more mitigation measures identified in a Mitigated Negative Declaration or Environmental Impact Report prepared for the project in accordance with CEQA, and modification of the design criteria and improvement standards is necessary to support the mitigation measure(s) that will result in reducing the subdivision's impact on the environment.
 5. The subdivision will include affordable housing approved under RMC Section 18.26, *Residential Density Bonus*, and California Government Code Section 65915 et seq., and modification of the design criteria and improvement standards in the case of proposed

subdivision is demonstrably necessary in order to make such affordable housing economically feasible.

- B. A subdivision modification request must be made and justified in writing by the subdivider at the time of application to the City. The basis and factual information supporting the subdivision-modification request shall be clearly stated by the subdivider. Additional information may be requested by the Director as necessary to evaluate the request. Submittal of a subdivision modification after a tentative map application is submitted shall constitute a formal revision to the application and be processed accordingly.
- C. Approval of modifications to subdivision design and improvement standards shall be based on the following findings by the authority approving the map:
 - 1. One or more special circumstances clearly apply to the subdivision as identified under Section 17.04.100.A.
 - 2. With the modification, the project remains consistent with the Subdivision Map Act, General Plan, and the general purpose and intent of this title.
 - 3. The modification(s) is necessary for preservation and enjoyment of a substantial property right of petitioner and does not result in a special privilege not available to others in the same circumstance.

17.04.110 Appeals

- A. *Procedure.* Any person unsatisfied with the action of an approval authority may file an appeal as supported under SMA Section 66452.5. Any such appeal shall follow the procedural requirements set forth in RMC Section 18.11.090.
- B. *Appeals Board.* For the purpose of this title, an Appeals Board shall be as specified under RMC Section 18.11.090.A.
- C. *Tenant Notification.* In the case where the land subject to appeal is developed with existing occupied units, all tenants shall also be served legal notice of the appeal, in addition to those specified under RMC Section 18.11.090.F.

17.04.120 Application Forms and Fees

- A. The Development Services Director shall prescribe the form and standard information required to be submitted for each application type required under this title. In addition to standard application requirements, the Director may also require supplemental information and data to complete the application as necessary to determine project consistency with the General Plan, Redding Municipal Code, Subdivision Map Act, and/or to satisfy the requirements of CEQA.
- B. Based on the current fee schedule adopted by the City Council, application fees shall be paid at the time of submittal to the City for the filing and processing of each application type required under this title, for the preparation of related CEQA environmental documents and, when applicable, appeals of decision.

Chapter 17.08 Definitions

Sections

17.08.010 Generally

17.08.020 List of Terms:

Access Control	Major Subdivision
Advisory Agency	Merger
Approval Authority	Model Home
CEQA	Parcel Map
Certificate of Compliance/	Park and Parkland
Conditional Certificate of Compliance	Parkway
City Engineer	Property-Line Adjustment
Condominium	Remainder Parcel
Contiguous	RMC
Dedication	SMA
Design	Standard Engineering Specifications
Design Standards	Street
Development	Subdivider
Director/Development Services Director	Subdivision
Easement	Subdivision Map Act
Final Map	Tentative Map
Improvements	Very High Fire Hazard Severity Zone
Local Ordinance	Vesting Tentative Map
Lot or Parcel	

17.08.010 Generally

Unless otherwise apparent from the context, certain words and phrases used in this title are as defined in this chapter. All definitions and rules of measurement provided in RMC Title 18, *Zoning Ordinance*; RMC Chapter 16.12, *Clearing, Grading, Fills, and Excavation*; and all definitions provided in the Subdivision Map Act shall also be applicable to this chapter, and said definitions are hereby incorporated by this reference as though fully set forth herein. Where two definitions conflict, the definitions in the Subdivision Map Act shall prevail over this chapter. Where two definitions contained in City code or policies conflict, the more restrictive shall apply.

17.08.020 List of Terms

The following definitions are hereby established for the purpose of this title in alphabetical listing:

Access Control. The dedication to the City of the right to access an individual lot or group of lots which abut certain public streets or highways.

Advisory Agency. Term established under SMA Section 66415 for the designated local official or official body assigned authority by the City Council to approve, conditionally approve, or disapprove the discretionary matters governed by this title. Specific "Advisory Agency" roles and duties are identified in Section 17.04.070.

Approval Authority. The local official or official body, including a designated Advisory Agency or the City Council itself, having authority to approve, conditionally approve, or disapprove a subdivision project and other matters governed by this title.

CEQA. The California Environmental Quality Act (Public Resources Code Sections 21000 et seq.).

Certificate of Compliance/Conditional Certificate of Compliance. A written declaration issued by the City in accordance with SMA Chapter 66499.35, recorded in the office of the Shasta County Recorder, stating that the parcel(s) referenced in said certificate was created in conformance with the provisions of this title and the Subdivision Map Act or will be considered in conformance upon the fulfillment of certain conditions.

City Engineer. "City Engineer" means the Director of Public Works of the City or other qualified City official designated to perform duties of the City Engineer in accordance with SMA Section 66416.5.

Condominium. A residential or commercial development designed to allow individually owned residential units or business spaces, which are supported by a formal arrangement of common areas and facilities as is further defined in Section 1351(f) of the California Civil Code.

Contiguous. One or more parcels or units of land sharing at least one common boundary, including parcels or units of land separated by road, street, utility easement, or railroad right-of-way.

Dedication. An official act of granting to the City an easement or fee title for land to accommodate public streets, utilities, parks, trails, open space, and/or other special public purposes.

Design. Design includes the following:

- ▶ Street alignments, profiles, cross sections, structural section, grades, and widths.
- ▶ Drainage and stormwater management and essential utilities and services, such as sewer, water, electric, gas, communications, and solid waste. Design of these includes alignments, sizing, grades, and provision for maintenance.
- ▶ Location and size of all required easements and rights-of-way.
- ▶ Fire access routes, fire hydrants and flows, and firebreaks.
- ▶ Lot size and configurations.
- ▶ Pedestrian, vehicular, and bicycle traffic circulation and access; equestrian access when applicable.
- ▶ Grading and erosion control.
- ▶ Land to be dedicated for park or other recreational purposes.
- ▶ Land to be preserved for floodplain management, protected habitat or land features, and/or public or private open space.

- ▶ Such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to conform to this title and ensure consistency with, or implementation of, the General Plan, any applicable specific plan or community plan, zoning ordinance, or CEQA.

Design Standards. Standards that set forth specific improvement requirements, including, but not limited to, development layout and public and private improvement requirements.

Development. The use or uses to which the land that is the subject of a map shall be put, the buildings to be constructed on it, and all alterations of the land and construction incident thereto.

Director/Development Services Director. The Director of the Development Services Department of the City.

Easement. A grant of certain property rights or limitations of use by the property owner to the public or other person or entity.

Final Map. A map recorded in the office of the Shasta County Recorder officially creating new parcels, which is consistent with a valid approved tentative map and prepared in accordance with SMA Chapter 66456 and this title.

Improvements. Streets, traffic marking and signage, sidewalks, storm-drain management facilities, water and sewer facilities, and other necessary utility infrastructure; fire-protection facilities and landscape to be installed, or agreed to be installed, by the subdivider as a condition to the approval and acceptance of the final map, parcel map, or other approvals pursuant to this title as are necessary for the general use or benefit of the lot owners in the subdivision and local neighborhood. "Improvement" shall also mean other specific physical features that the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the City, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the General Plan, any specific plan or community plan, zoning ordinance, or CEQA. Improvements shall be constructed in accordance with standard engineering specifications.

- ▶ *Off-Site.* Those improvements required to be provided outside the property boundaries of the tentative map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided.
- ▶ *On-Site.* Those improvements required to be provided within the property boundaries of the tentative map, including improvements of public rights-of-way which abut the boundary of the property to be subdivided.

Local or City Ordinance. All past and existing regulations and standards of the City of Redding pertaining to the subdivision of land, subdivision maps, parcel maps, and subdivision design, including, but not limited to, the first Subdivision Ordinance adopted on March 21, 1949, under Ordinance 366, along with all subsequent revisions up to, and including, the current effective Subdivision Ordinance as specified in this title.

Lot or Parcel. A unit of land separate from other units as shown on a final map or parcel map or by such other approval by the City under the provisions of the Subdivision Map Act and of City

ordinances in effect at the time of such approval for the purpose of sale, lease, or financing, or other parcels created prior to March 4, 1972, in accordance with SMA Section 66412.6.

Major Subdivision. A subdivision creating five (5) or more parcels, except for those subdivisions which are not required to have a tentative and final map pursuant to SMA Section 66426.

Merger. The joining of two (2) or more contiguous parcels of land under one (1) ownership into fewer parcels.

- ▶ *City-Initiated.* A merger initiated by the City as authorized under SMA Chapter 66451.11 to address substandard lot conditions and other special circumstances.
- ▶ *Owner-Initiated.* A merger requested by the property owner as authorized under SMA Chapter 66499.20.3/4, which is accomplished by a property-line adjustment, parcel map, or final map process.

Model Home. A single- or two-family residential structure, which is used for the purposes of display, advertising, promotion, or sales of other substantially identical structures in the same or contiguous subdivisions and for which construction is authorized by the Building Official to commence prior to the completion and acceptance of all required subdivision improvements.

Parcel Map. A map recorded in the office of the Shasta County Recorder, typically creating four (4) or fewer parcels, which is consistent with a valid approved tentative map and prepared in accordance with SMA Chapter 66463 and this title. Certain larger subdivisions may also qualify for lot creation using a parcel map pursuant to SMA Section 66426.

Park and Parkland. Land designated and used or intended to be used by the public for active and/or passive recreation.

Parkway. Landscape planter area located between the back of curb and inside edge of a separated sidewalk generally provided for the purpose of street-side landscape.

Property-Line Adjustment/Lot-Line Adjustment.

- ▶ *Resulting in same number of parcels.* The modification of an existing common lot line or lines located between adjoining parcels where the land taken from one parcel is added to an adjoining parcel and where the total number parcels involved does not change.
- ▶ *Resulting in a lesser number of parcels (parcel consolidation).* The modification and removal of an existing common lot line or lines located between existing adjoining parcels under the same ownership resulting in a lesser number of parcels than originally existed.

Remainder. That portion of an existing parcel which is not designated by the subdivider on the required tentative map as part of the subdivision for the purpose of sale, lease, or financing, whether immediate or future.

RMC. The City of Redding Municipal Code.

SMA. The California Subdivision Map Act (Government Code Section 66410 et seq.).

Standard Engineering Specifications. The current edition of the City of Redding Construction Standards and all references as approved by the City Engineer. Standard engineering specifications shall be the basis of design for all improvements which are to be dedicated to the public and accepted by the City for maintenance or operation and certain private works, as well as improvements to be installed within existing rights-of-way and easements.

Street. A permanently reserved public or private right-of-way or easement which affords a principal means of vehicular and pedestrian access to abutting or adjacent property.

Subdivider. A person, corporation, partnership, or association that proposes to divide, divides, or causes to be divided real property into a subdivision for oneself or for others. Employees and consultants of such persons or entities acting in such capacity are not "subdividers."

Subdivision. The division by any subdivider 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, or financing, whether immediate or future. "Subdivision" includes a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 1351 of the Civil Code. "Subdivision" does not include those activities excluded by Section 66412 of the Subdivision Map Act.

Subdivision Map Act. The provisions of Division 2 (commencing with Section 66410) of Title 7 of the California Government Code and such amendments and additions thereto as may be made from time to time by the California Legislature.

Tentative Map. A map made for the purpose of showing the intended design and improvements of a proposed subdivision and the existing conditions in and around the subdivision. The map need not be based upon a detailed field survey of the property but be of form and contain the information required by this title and the provisions of the Subdivision Map Act.

Very High Fire Hazard Severity Zone. An area officially designated by the City as having severe wildland fire danger pursuant to Government Code Sections 51175 through 51189 that necessitates special fire-resistant-construction measures for structures and enhanced fire safety and emergency-response accommodations in the final design of the subdivision.

Vesting Tentative Map. A tentative map for a residential subdivision, which map shall have printed conspicuously on its face the words "vesting tentative map" at the time it is filed and is thereafter processed in accordance with the provisions of the Subdivision Map Act and this title. An approved vesting tentative map confers a vested right to proceed with development in substantial compliance with the laws, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved as specified in SMA Chapter 66498.1.

Chapter 17.12 Maps Required

Sections

17.12.010	General
17.12.020	Division of Land—Five (5) or More Parcels
17.12.030	Division of Land—Four (4) or Less Parcels
17.12.040	Map Waivers
17.12.050	Designated Remainder, Omitted Parcel

17.12.010 General

The necessity for all tentative, final, and parcel maps shall be governed by the provisions of the Subdivision Map Act (SMA) and this title.

17.12.020 Division of Land—Five (5) or More Parcels

A tentative map and a final map as defined in Chapters 17.20 and 17.40 shall be required for all divisions of land that are proposed to be divided into five (5) or more contiguous parcels or five (5) or more residential condominiums or community apartments or the conversion of five (5) or more existing dwelling units to a stock cooperative and for property-line adjustments not exempted under SMA Section 66412(d), except under any of the following circumstances for which a tentative map and parcel map are allowed in accordance with SMA Section 66426:

1. The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the City.
2. Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a maintained public street or highway.
3. The land consists of a parcel or parcels of land having approved access to a public street or highway, is zoned for industrial or commercial development, and has the approval of the City as to street alignments and widths.
4. Each parcel created by the division has a gross area of not less than forty (40) acres or is not less than a quarter ($\frac{1}{4}$) section.
5. The land being subdivided is solely for the creation of an environmental subdivision defined and pursuant to SMA Section 66418.2. An environmental subdivision may also qualify for a map waiver in accordance with Chapter 17.12.040.

17.12.030 Division of Land—Four (4) or Less Parcels

A tentative map or administrative parcel map as defined in Chapters 17.20 and 17.24 and a parcel map as defined in Chapter 17.40 shall be required for all divisions of land that are proposed to be divided into four (4) or fewer contiguous parcels, except where specifically exempted by the Subdivision Map Act.

17.12.040 Map Waivers

- A. **Qualification.** In accordance with SMA Chapter 66428(b), the standard requirements for a tentative map, parcel map, or final map may be waived for the following types of subdivisions:
1. Commercial condominium and commercial condominium conversions on a single parcel.
 2. Land being subdivided solely for the creation of an environmental subdivision pursuant to SMA Section 66418.2.
 3. Mobile home-park conversions initiated by the owners of mobile homes who are tenants in accordance with SMA Chapter 66428.1.
- B. **Application.** An application for a map waiver shall be processed under an administrative parcel map as specified in Chapter 17.24, provided that the Development Services Director may, in individual cases, permit the omission of items of information deemed by the Director not to be necessary for a proper review of the application. The Director may incorporate conditions deemed necessary to support approval and required findings.
- C. **Findings.** In accordance with SMA Section 66428(b), approval of a map waiver must be based on the following finding:
1. The proposed division of land is consistent overall with requirements of the General Plan, Subdivision Map Act, this title, and RMC Title 18, *Zoning Ordinance*, as to parcel configuration and area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary-disposal facilities, water-supply availability, and/or environmental protection as are applicable to the project.
- D. **Recording.** An approved map waiver shall not become operative unless and until all conditions of approval have been satisfied and a map waiver form is recorded in the Office of the Shasta County Recorder prior to expiration of the initial approval. A request to record the map waiver shall be made from the subdivider to the City upon completion of all conditions of approval. Recording with the County Recorder shall be undertaken by the City with all recording costs paid by the applicant. When recorded, the map waiver form shall have the same force and effect as a recorded parcel map or final map.

17.12.050 Designated Remainder, Omitted Parcel

In accordance with SMA Chapter 66424.6, the requirements for a designated remainder or omitted parcel shall be as follows:

- A. A subdivider may designate as a single remainder area for that portion of a subdivision site which is not to be divided for the purpose of sale, lease, or financing. The subdivider may also omit from a tentative map that portion of a subdivision site that is subject to a previously approved and valid tentative map. The subdivider shall provide a written declaration at the time of submittal of the tentative map application, in a form approved by the Director, certifying that the identified remainder area is not intended for the purpose of sale, lease, or financing.

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- B. A remainder or omitted area will not be considered as part of the subdivision, nor be counted as a parcel, for the purpose of determining whether a parcel or final map is required, but the remainder or omitted area must still be shown and labeled on the required map as part of the original parcel from which the subdivision occurred.
- C. The fulfillment of any necessary construction requirements for improvements and payments of related improvement fees involving a remainder or omitted area shall be consistent with the requirements specified in SMA Section 66424.6.
- D. A designated remainder or any omitted parcel shall not be sold until a certificate of compliance or conditional certificate of compliance is obtained in accordance with Section 17.16.030.

Chapter 17.16 Enforcement, Remedies, Certificates of Compliance, and City-Initiated Mergers

Sections

17.16.010	Not Exclusive
17.16.020	Notices of Violation
17.16.030	Certificates of Compliance
17.16.040	City-Initiated Merger

17.16.010 Not Exclusive

The enforcement procedures and remedies set forth in this chapter are not intended to be exclusive but are in addition to any other prohibitions, penalties, remedies, and other procedures provided for in this title, the Subdivision Map Act, or any other provision of law.

17.16.020 Notices of Violation

Whenever the City has knowledge that real property has been divided, potentially in violation of the provisions of this title or of the provisions of the Subdivision Map Act, the procedures and actions pertaining to owner notification, meetings, clearance letter, or recording of a notice of violation shall be followed in accordance with SMA Section 66499.36. Properties verified as being in violation qualify as an illegal parcel and shall be subject to the development limitations specified under Chapter 17.04.090.

17.16.030 Certificates of Compliance

A Certificate of Compliance certifying that a lot complies with the provisions of the Subdivision Map Act and this title may be obtained pursuant to SMA Chapter 66499.35 and the following procedures:

- A. *Application.* Any property owner or any vendee of such owner pursuant to a contract of sale of a parcel may submit an application for a Certificate of Compliance to the Planning Division in a form prescribed by the Director and shall be accompanied by the following items:
1. Written statement explaining property history and justification for legal-parcel status.
 2. An 8½-inch by 11-inch map exhibit of the property drawn to scale that includes the following information: street address(s), Assessor's parcel number, abutting streets, existing property lines and dimensions, lot area, existing easements, location of all structures and distances to existing property lines, off-street parking areas and driveways, title block, north arrow, and date.
 3. Written legal description of the subject parcel typed on standard 8½-inch by 11-inch paper and wet-signed and stamped by a Licensed Land Surveyor, or Civil Engineer licensed prior to January 1, 1982.
 4. A preliminary title report prepared by a licensed title insurance company, current within forty-five (45) days of the date of application.

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5. Copy of all deeds in the chain of title from the title insurance company not more than 45 days old, listing grantor-grantee with recording date and document number in ascending chronological order from the date the parcel was created until the current vesting date.
 6. Other information and documentation as determined necessary by the Director for a particular property.
 7. Application processing fee.
- B. *Review.* The Development Services Director shall review the completed application based on the provided public records and applicable laws. If the Director is able to determine from this review that the subject parcel(s) is in compliance with the provisions of this title and the Subdivision Map Act, the Director shall issue a Certificate of Compliance and deliver the certificate to the County Recorder for recordation. If the Director is unable to determine from the public record that the lot is clearly in such compliance, he or she shall issue a Conditional Certificate of Compliance. The Conditional Certificate of Compliance shall be issued subject to satisfaction of certain conditions determined necessary by the Director, which must be satisfied prior to the issuance of a building permit or other grant of approval for development of the lot, subject to the requirements of SMA Chapter 66499.35(b).
- C. *Effect.* Certificates of Compliance shall serve only to officially determine whether the subject parcel(s) conforms to the requirements of the Subdivision Map Act and this title and do not grant any right to develop the parcel.

17.16.040 City-Initiated Mergers

The City may cause the merger of two (2) or more contiguous parcels held by the same owner(s) if the conditions specified in SMA Section 66451.11 are found to be in evidence. The City shall utilize the procedures set forth, commencing with SMA Section 66451.12 and ending with Section 66451.19, in processing actions to merge such parcels. The City reserves the right, however, to make determinations of nonmerger as specified in SMA Section 66451.16.

Chapter 17.20 Tentative Maps

Sections

17.20.010	General
17.20.020	Preliminary Conference
17.20.030	Application
17.20.040	Tentative Map Format and Content
17.20.050	Determination of Complete Application
17.20.060	Distribution
17.20.070	Authority for Approval or Denial
17.20.080	Environmental Review
17.20.090	Public Hearing and Notice
17.20.100	Optional Public Meeting
17.20.110	Distribution of Reports and Recommendations
17.20.120	Findings for Approval
17.20.130	Conditions of Approval
17.20.140	Approval Time Limits
17.20.150	Appeals
17.20.160	Amendments

17.20.010 General

The purpose of this chapter is to provide criteria for the preparation, processing, and consideration for approval or denial of a tentative parcel map or tentative map where required by Chapter 17.12, *Maps Required*, and the Subdivision Map Act. For the purpose of this chapter, all references to "tentative map" shall apply equally to a "tentative parcel map" unless specifically stated otherwise.

17.20.020 Preliminary Conference

Prior to the submittal of a tentative map, the subdivider is encouraged to consult with staff of the Planning Division, Public Works Department, Redding Electric Utility, and Fire Department as needed for technical input, which would prove helpful in refining the preliminary design of the project. Preliminary sketches of the subdivision may be submitted and discussed. For large projects or those projects facing complicated development issues, submittal of a formal preapplication is advised to allow a more comprehensive preliminary review and to help define specific development and environmental issues that will need attention and/or special study when processing the actual application.

17.20.030 Application

An application for a tentative map shall be filed with the Planning Division in a form prescribed by the Director and shall be accompanied by the following items:

1. A tentative map prepared in accordance with the requirements of this chapter as are further defined in the following section. One full-size reproducible copy of the tentative map sheet(s) and one reduction to 11 inches by 17 inches shall be provided. Twenty-five (25) additional copies of the tentative-map set in a printed format or digital data files as determined appropriate by the Director.
2. Subdivision Data Sheet.

3. Other information determined necessary by the Director for a particular project to determine compliance with this code, the Subdivision Map Act, and CEQA. The number of copies provided for each required item shall be also be as determined by the Director to allow efficient distribution and processing of the application.
4. Evidence of the ability to obtain any required permits from other responsible agencies that are critical to support the project, including, but not limited to, access, water service, well, and/or septic permits as may be applicable and as determined appropriate by the Director.
5. A preliminary title report prepared by a licensed title insurance company, current within forty-five (45) days of the date of application.
6. Application processing fee.

17.20.040 Tentative Map Format and Content

- A. *Tentative Map Format.* The basic format for a tentative map shall consist of one (1) or more sheets of equal size. The map sheet(s) shall not exceed 24 inches by 36 inches. The scale of the tentative map shall be a standard engineer scale no smaller than 1 inch equals 100 feet. Scale used must efficiently depict the project site and the pertinent site features required by this section. Where multiple sheets are used, one (1) reproducible map of a scale necessary to show the entire subdivision project on a single 24-inch by 36-inch sheet shall also be provided. Where the size and characteristics of a project site dictate, the Director may require an additional composite map to be provided at a size other than delineated above.
- B. *Tentative Map Content.* Tentative maps shall include the following information in a clear and competent manner:
 1. Date, north arrow, and scale.
 2. Application number and subdivision name (if proposed by subdivider).
 3. Name and address of the legal owner(s) and subdivider.
 4. Name, business address, phone number and registration number of the civil engineer or licensed land surveyor responsible for preparation of the map in accordance with state requirements.
 5. A location map showing the general location of the subdivision project in relation to the surrounding community.
 6. City-limit lines bordering the subdivision.
 7. Adjoining lot lines, Assessor's parcel numbers, and property-owner names labeled for the land bordering the subdivision.
 8. Statements with the following information:
 - a. Total and phased unit/lot count.

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- b. Gross acreage of the proposed subdivision to the nearest tenth (1/10) of an acre.
 - c. Gross acreage for all areas containing slopes exceeding twenty (20) percent and/or areas covered by a regulatory flood plain.
 - d. Gross acreage for all areas proposed for public or private parkland or other primary recreational purposes.
 - e. Net-developable acreage of the subdivision site remaining when subtracting slopes exceeding twenty (20) percent and floodplains.
 - f. Existing and proposed use or uses of the property.
 - g. General Plan and zoning designations, and the proposed residential density.
 - h. Utility providers for water supply, wastewater disposal, electrical service, gas, and communication utilities.
9. The overall boundary of the subdivision, limits, and configuration of existing parcels.
10. Phasing of development for major subdivisions, if proposed, to support the filing of more than one final map.
11. The layout and dimensions of each lot and the square footage (or percentage of an acre) of each lot. In those instances where a portion of a lot is proposed to be encumbered by a slope exceeding twenty (20) percent and/or a regulatory floodplain, both the gross and net developable acreage shall be provided. Each proposed lot shall also be lettered or numbered in a rational sequence for identification.
12. The location of existing lot lines proposed to be eliminated or modified by the subdivision.
13. The locations, widths, and grades of all roads, streets, and highways in the proposed subdivision which are to be offered for dedication. When an existing street is proposed for extension, the existing street name shall be provided; where a new street is proposed, generic name labeling, such as "Street A," shall be included. The typical sections of the proposed street improvements shall also be provided.
14. The locations, names, and widths of all existing adjoining streets and highways.
15. The widths, locations, and purposes of all existing and proposed easements, including those necessary for off-site access and utility extension.
16. The location of any existing rights-of-way or easements proposed for abandonment.
17. The location, type, and size of all existing and proposed public utilities. Any proposed off-site utility connections shall be shown. Where deemed necessary by the Director, preliminary engineering design may be required to verify that the proposed system(s) will be functional.

18. Land-elevation contours and notations shall be provided as follows:
 - a. The standard contour interval shall be two (2)-foot, labeled at 10-foot contours. A contour interval of one foot may be required at the discretion of the Director for a subdivision site with level to gentle-sloping terrain and/or where greater topographic detail is necessary to facilitate subdivision review.
 - b. Areas with slopes exceeding twenty (20) percent shall be identified.
 - c. Contours of adjacent land shall also be shown whenever the surface features of the land affect the design and/or improvement of the proposed subdivision.
 - d. The source of contour data shall be noted.
 19. The location and direction of flow of all watercourses and natural drainage swales. If jurisdictional waters are known to exist and have been surveyed on the site, the general limits of the jurisdictional waters shall be shown.
 20. The location of all floodway, flood-fringe, and any other special flood-hazard areas subject to inundation from a 100-year-storm event shall be depicted on the tentative map. Base flood elevations as determined by FEMA and/or a hydrologic study approved by the City shall be provided at 100-foot intervals along affected watercourses.
 21. The outline of any existing buildings to remain in place and their locations in relation to the existing or proposed streets and lot lines. The locations of any wells, septic tanks, leach fields, and underground storage tanks shall also be delineated.
 22. A preliminary grading plan showing all proposed cut-and-fill slopes over two (2) feet in height or depth and the approximate finished elevation of each graded lot. The estimation of cut-and-fill quantities/volume shall also be provided.
 23. The location of all candidate trees or tree groups in accordance with RMC Section 18.45.070.B.
 24. Delineation of any proposed "remainder parcel." If a remainder parcel is proposed, the subdivider must provide a written statement with submittal of the application that the remainder parcel is not intended for any sale, lease, or financing, in accordance with Section 17.12.050.
 25. Any other information deemed necessary by the Director to make a determination of application completeness.
- C. *Subdivision Design.* The overall design of a subdivision as depicted on a proposed tentative map must be consistent with the subdivision design and improvement standards specified in Chapter 17.60 and Section 17.70.020, the General Plan, and applicable zoning development standards. Where modification(s) to an established design or improvement standard is desired by the subdivider to support a custom project design, such a request must be formally included, along with the tentative map application, including any necessary joining applications, such as a subdivision modification as provided in Section 17.04.100, zoning change or variance, General Plan amendment, planned-development plan, or condominium plan.

17.20.050 Determination of Complete Application

- A. *Staff Review.* Following submittal, an application for a tentative map shall be examined by the Planning Division and other appropriate City departments to determine whether it contains all required information as outlined in this chapter. No later than thirty (30) days following submittal of the application, the subdivider shall be notified in writing whether it is complete or incomplete. If the application is determined to be incomplete, the subdivider shall be advised of the specific items and information needed to complete the application.
- B. *Termination of Incomplete Applications.* After six (6) months have passed since the date of notification of incompleteness, processing of an incomplete application may be terminated and the file closed if it is determined by the Director that no serious effort is being made by the subdivider to complete the application and/or pursue the project. Prior to terminating the application, the subdivider shall be given a written 30-day notice and allowed reasonable opportunity to communicate with City staff on the reasons behind delays to the project.

17.20.060 Distribution

As part of the processing of a tentative map application, the Planning Division shall route copies of the tentative map, together with accompanying data to such public agencies, utility companies, and City departments as may be concerned or involved in the project. Each of the public agencies, utilities, and City departments shall be allowed (20) working days from receipt of a copy of the tentative map to provide written comments and recommendation to the Planning Division. The initial subdivision review and comment period provided by this section shall be in addition to subsequent review and notification of the project's environmental determination and documentation as required by CEQA.

17.20.070 Authority for Approval or Denial

Consideration for approval or denial of a tentative map shall be by the designated approval authority as established under Chapter 17.04.070, *Advisory Agency and Duties*, which, for a tentative parcel map, is the Board of Administrative Review, and for a tentative map supporting a major subdivision is the Planning Commission. When circumstances of a particular subdivision project also require a legislative action, such as a General Plan or zoning amendment, the City Council will have final approval or denial authority over the tentative map, with the Planning Commission providing review and recommendation for the project to the City Council.

17.20.080 Environmental Review

Information shall be submitted by the subdivider as required by the Director to allow a determination on environmental impacts to be made in compliance with CEQA and RMC Chapter 18.24, *Environmental Clearance*. The various time limits for taking final action on tentative maps based on SMA Sections 66452.1 and 66452.2 shall not commence until the date that the environmental determination for a subdivision project is completed and certified by the City.

17.20.090 Public Hearing and Notice

A public hearing shall be held before any final action on the tentative map, and notice thereof shall be given pursuant to the public-hearing and -notice requirements outlined in RMC Sections 18.11.060, *Notice of Public Hearings*, and 18.11.070, *Conduct of Public Hearings*.

17.20.100 Optional Public Meeting

For a tentative map supporting a major subdivision or having complicated or controversial development issues, an optional public-comment meeting may be scheduled with the Board of Administrative Review, if determined beneficial by the Director or at the request of the subdivider. The purpose of the optional public meeting is to allow an early opportunity for public review and input that could prove beneficial in helping refine the project's design. The Board of Administrative Review's action in this case will be limited to conducting the meeting, accepting public comments, and referring the project to the Planning Commission for formal consideration at a later date. While not a formal public hearing, the Director shall provide written notification of the public meeting to surrounding property owners and interested parties and agencies based on procedures of RMC Section 18.11.060, *Notice of Public Hearings*.

17.20.110 Distribution of Reports and Recommendations

In accordance with SMA Section 66452.3, all reports, recommendations, and proposed conditions of approval on a tentative map by City staff to an approval authority shall also be provided to the subdivider and any officially designated project representative(s) at least three (3) days prior to any hearing or action on the tentative map. The required report copies may be provided by mail, courier, or electronic email methods.

17.20.120 Findings for Approval

If the final approval authority determines that a proposed tentative map complies with the requirements of this title, the General Plan and zoning laws of the City, the Subdivision Map Act, and other applicable state and federal laws, then the map will qualify for approval. Prior to taking action to approve a tentative map, the approval authority shall find that none of the circumstances based in SMA Section 66474 exist, specifically:

1. That the density or use of the proposed map is not consistent with the General Plan or applicable area and specific plans as specified in Section 65451 of the Government Code.
2. That the design or improvement of the proposed subdivision is not consistent with the applicable General Plan or area or specific plans.
3. That the site is not physically suitable for the proposed density and type of development due to steepness of terrain; location of water courses; size or shape of the property; inadequate frontage, access, or building area; or other physical condition.
4. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habit, provided that the approval authority may approve the tentative map if an environmental impact report was prepared with respect to the subdivision and findings and a Statement of Overriding Considerations were adopted.
5. That the design of the subdivision or the type of improvements is likely to cause serious public-health problems.
6. That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through, or use of, property within the proposed

subdivision. In this connection, the approval authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public.

17.20.130 Conditions of Approval

- A. *Basis for Conditions.* The final approval authority shall require as a condition of approval of a tentative map the dedication of land and easements for necessary public streets and utilities, construction of specific improvements necessary to support the subdivision, compliance with environmental mitigation measures adopted for the project, and other actions or obligations of the subdivider deemed necessary to protect the public health, safety, and welfare and to ensure compliance with the Subdivision Map Act, the Municipal Code, the General Plan, and applicable state or federal laws.
- B. *Tentative Parcel Map Improvements.* In accordance with SMA Section 66411.1.(b), fulfillment of conditions of approvals for a tentative parcel map involving the construction of improvements generally are not required until the time of a grading permit, building permit, or any other grant of approval for development of a resulting parcel(s). Notwithstanding, the City may require fulfillment of construction of improvements at an earlier time, including prior to recordation of the parcel map, when the final approval authority finds it necessary for either of the following reasons:
 - 1. The public health and safety.
 - 2. The required construction is vital to ensure the orderly development of the property and/or surrounding area.

17.20.140 Approval Time Limits

- A. *Initial Time Limit.* The standard approval period for a tentative map shall be thirty-six (36) months from the date of approval, unless the tentative map project qualifies for a longer initial approval period based on special circumstances defined in Chapter 3, Article 2 of the Subdivision Map Act.
- B. *Time Extension.* The subdivider may request a time extension of a tentative map approval by written application to the Planning Division, together with the current fee as established by the City Council. The time extension application must be filed before the current tentative map approval expires. The term of any individual extension shall not exceed three (3) years; consecutive extensions shall not total more than six (6) years. The time-extension application shall be considered for approval or denial by the approval authority responsible for the type of tentative map involved.

17.20.150 Appeals

Within ten (10) days following the date of the approval or denial of a tentative map, any person may file an appeal of the approval authority's action in accordance with the provisions of Section 17.04.110, *Appeals*.

17.20.160 Amendments

The subdivider may request amendments to an approved tentative map or conditions of approval by written application to the Planning Division, together with the current fee as established by the City Council. Minor

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amendments may be granted administratively by the Director in accordance with Section 17.04.080, provided that:

1. No lots, units, or building sites are added.
2. Changes are consistent with the intent of the original tentative map approval and related environmental determination.
3. There are no resulting violations of the Subdivision Map Act or this title.

Proposed amendments which, in the opinion of the Director, are not minor shall be presented to the approval authority typically responsible for the type of tentative map involved. Any approved amendment shall not alter the expiration date of the tentative map.

Chapter 17.24 Administrative Parcel Maps

Sections

17.24.010	General
17.24.020	Qualifying Subdivisions
17.24.030	Application; Map Format and Content; Processing
17.24.040	Authority for Approval or Denial
17.24.050	Determination by Director
17.24.060	Findings and Conditions
17.24.070	Notification of Pending Approval
17.24.080	Approval Time Limits; Amendment

17.24.010 General

It is the intent of this chapter to provide procedures whereby the tentative map for certain small and routine subdivisions requiring a parcel map may be reviewed and approved administratively by the Director. A tentative map process in accordance with this chapter shall be called an "Administrative Parcel Map."

17.24.020 Qualifying Subdivisions

A proposed subdivision will qualify for an administrative parcel map if it meets all the following criteria:

1. The subdivision involves the creation of only two (2) parcels with a combined area of not more than one (1) acre.
2. Water, waste water, and electric utilities are readily available to serve all parcels in accordance with City improvement standards.
3. All parcels have legal frontage on a public street
4. The subdivision fully complies with applicable zoning standards; neither a zoning variance nor subdivision modification is required to support the subdivision.
5. The existing parcel does not have slopes greater than twenty (20) percent and is not encumbered by a regulatory floodplain.
6. The map qualifies as categorically exempt under the provisions of CEQA and, therefore, is not subject to environmental review.

17.24.030 Application; Map Format and Content; Processing

- A. An application for an administrative parcel map shall be filed with the Planning Division in accordance with the requirements for a tentative map as specified in Section 17.20.030.
- B. The format and content of an administrative parcel map shall comply with the requirements for a tentative map as specified in Section 17.20.040, except a modified format and/or lesser data may be provided if first approved by the Director as adequate to document and evaluate a particular routine subdivision and related site conditions.

- C. Processing of an administrative parcel map shall follow the requirements for a tentative map as specified in Section 17.20.050 for determining a complete application, Section 17.20.060 for distribution and comments, and Section 17.20.080 pertaining to environmental review.

17.24.040 Authority for Approval or Denial

In accordance with Section 17.04.070, the Director is authorized to approve, conditionally approve, or deny administrative parcel maps.

17.24.050 Determination by Director

After examining a complete application, the Director shall make a determination to either approve, conditionally approve, or deny the administrative parcel map or refer it to the Board of Administrative Review for consideration. If the application is referred to the Board of Administrative Review, notification of the Board of Administrative Review hearing and report distribution shall be provided as set forth in Sections 17.20.090 and 17.20.110.

17.24.060 Findings and Conditions

The required findings and conditions for approval of an administrative parcel map shall be the same as those as those required for a standard tentative map in Sections 17.20.120 and 17.20.130.

17.24.070 Notification of Pending Approval

If the determination is made by the Director to approve or conditionally approve an administrative parcel map, a notification of the pending approval and opportunity for appeal shall be prepared in written form, specifying the nature of the proposed parcel map and reciting such conditions and limitations that may be imposed in consideration for such approval. The notice shall be sent by first-class mail to the applicant and to all owners of property within at least 300 feet of the subdivision site. The notice shall specify a ten (10) calendar-day period following the date of mailing, during which the Director's pending approval may be appealed to the Board of Administrative Review for consideration as provided in Section 17.04.110. If no appeal is submitted, the Director's approval shall become effective at the conclusion of the noted ten-day period.

17.24.080 Approval Time Limits; Amendments

The tentative map approval time limits and amendment provisions of Sections 17.20.140 and 17.20.160 shall apply to an administrative parcel map.

Chapter 17.28 Vesting Tentative Maps

Sections

17.28.010	General
17.28.020	Preapplication Required
17.28.030	Application
17.28.040	Processing
17.28.050	Planning Commission Authority
17.28.060	Findings and Conditions of Approval
17.28.070	Time Limits
17.28.080	Appeals
17.28.090	Amendments

17.28.010 General

The purpose of this chapter is to provide local criteria for the preparation, processing, and consideration for approval or denial of a vesting tentative map in accordance with Subdivision Map Act Section 66498.1 et seq. It is the further intent of this chapter to require sufficient information and process in considering a vesting tentative map and, if approved, its conferred vested rights to proceed with development, as necessary to ensure the preservation of the public health, safety, and general welfare and to promote orderly growth and development of the community.

17.28.020 Preapplication Required

- A. Prior to the submittal of a vesting tentative map application, the subdivider shall complete a preapplication in accordance with this section. A detailed written project description and preliminary subdivision drawings and related information shall be submitted to the Planning Division, along with the formal preapplication form as required by the Development Services Director and applicable processing fee.
- B. The preliminary subdivision drawings shall be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size, and design of lots and the location and width of streets; provisions for utilities; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and topography; any necessary off-site street and utility improvements; and any other details necessary to facilitate a beneficial preliminary review.
- C. Upon receipt of a complete preapplication, the Planning Division will schedule a conference with the subdivider and appropriate City departments to discuss the preliminary subdivision design and make recommendations concerning the type and amount of information necessary for submittal of a specific vesting tentative map application. At the conclusion of the preliminary conference, the Planning Division shall advise the subdivider, in writing, if the proposed vesting tentative map conforms to the General Plan and Zoning Ordinance; of the information to be provided with the filing of a vesting tentative map, along with any other information that will be deemed necessary to address CEQA environmental clearance; and/or other requirements of the project.

17.28.030 Application

Once a preapplication has been completed, an application for a vesting tentative map may then be filed with the Planning Division in the same form and shall have the same contents, accompanying data and reports, and other requirements as set forth Chapter 17.20 for a standard tentative map, except as follows:

- A. At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map."
- B. At the time a vesting tentative map is filed, the subdivider shall also supply all additional information specifically identified during the preapplication process.

17.28.040 Processing

The general processing of the vesting tentative map shall be same as that required for a standard tentative map in Chapter 17.20.050 in determining a complete application, Chapter 17.20.060 for distribution for comments, Chapter 17.20.080 for environmental review, Chapter 17.20.090 for public hearing notices, Chapter 17.20.100 for an optional public meeting, and Chapter 17.20.110 for report distribution.

17.28.050 Planning Commission Authority

- A. Consideration for approval or denial of a vesting tentative map shall be by the Planning Commission as established under Chapter 17.04.070. The Planning Commission's initial review of a vesting tentative map shall consist of (1) consideration of the project's CEQA environmental documentation and (2) consent to the overall design of the subdivision or, if deemed necessary by the Commission, recommendations to the subdivider of project-design changes viewed as necessary to gain approval in accordance with the requirements of this title, the Subdivision Map Act, General Plan, and Zoning Code.
- B. Based on the action of the Planning Commission during initial review of the vesting tentative map, the subdivider shall make any necessary project design modifications and then secure the following administrative plan approvals prior to setting a final public hearing for project approval with the Planning Commission:
 - 1. Obtain approval from the City Engineer of complete public-improvement and grading plans for the project in accordance with RMC Chapter 16.12 and Chapter 17.70.
 - 2. Obtain final plan review approval from the Director of all required architectural drawings for buildings, site layout, and accessory features in accordance with the requirements of the Zoning Code.

17.28.060 Findings and Conditions of Approval

The required findings and conditions of approval for a vesting tentative map shall be same as those required for a standard tentative map in Sections 17.20.120 and 17.20.130.

17.28.070 Time Limits

- A. *Tentative Map.* Approval time limits for a vesting tentative map shall be same as those allowed for a standard tentative map in Chapter 17.20.140.
- B. *Conferred Development Rights.* The rights conferred under an approved vesting tentative map shall expire if a final map is not approved prior to the expiration of the map as provided in Section 17.20.140. If the final map is approved, these rights shall last for a period of one (1) year beyond the recording date of the final map. Other time periods and provisions for rights conferred by a vesting tentative map shall be in accordance with SMA Section 66498.5.

17.28.080 Appeals

Within ten (10) days following the date of the approval or denial of a vesting tentative map by the Planning Commission, any person may file an appeal of the Commission's action in accordance with the provisions of Section 17.04.110, *Appeals*.

17.28.090 Amendments

Amendments to an approved vesting tentative map shall be as provided for a standard tentative map in Chapter 17.20.160 and as authorized under SMA Section 66498.2.

Chapter 17.30 Residential Condominiums

Sections

17.30.010	General
17.30.020	Application and Preliminary Condominium Plan
17.30.030	Application Process
17.30.040	Development Standards

17.30.010 General

This chapter is intended to provide procedures for the establishment of new residential condominium projects and similar common-interest developments as described in Section 1351 of the California Civil Code, when allowable in accordance with applicable zoning standards and the General Plan.

17.30.020 Application and Preliminary Condominium Plan

Application for a new residential condominium project shall consist of the following:

- A. A tentative subdivision map and application in accordance with Chapter 17.20.
- B. A preliminary condominium plan to be considered along with the tentative map, consisting of the following items:
 1. Written project description and statement of project-design intent.
 2. A set of maps and drawings depicting the project's site design and layout, including:
 - a. Detailed architectural site plan with location of all buildings, parking areas, pedestrian paths, common grounds, recreation areas and improvements, walls, fences, natural open-space areas, and all other proposed and existing physical features associated with the project.
 - b. Preliminary grading and drainage plans; provision for essential public and private utilities.
 - c. Conceptual landscape plan and tree-preservation plan.
 3. A set of building elevation drawings demonstrating the architectural character of all proposed buildings.
 4. Preliminary floor plans for all building and unit types.
 5. A tabulation of unit and building areas and land areas designated for various uses.
 6. Checklist identifying project compliance with all zoning development standards required under RMC Section 18.43.170, *Residential Condominiums*.
 7. A preliminary common-facility maintenance cost report, which includes a general description and location map of all land and facilities proposed to be owned and/or maintained in common by a

property-owners' association, along with descriptions of the project's maintenance obligations, projected monthly dues per unit, and any other applicable economic or market considerations.

8. Proposed sequence and schedule of development.

17.30.030 Application Process

An application for a new residential condominium project shall be processed and considered for approval or denial by the Planning Commission in accordance with Chapter 17.20. In the event that a final map for an approved residential condominium project is not filed timely in accordance with Section 17.40.020, then the approval of the condominium plan shall expire along with expiration of the tentative map.

17.30.040 Development Standards

New residential condominium projects shall comply with the development standards established in RMC Section 18.43.170, *Residential Condominiums*.

Chapter 17.34 Residential Condominium Conversions

Sections

17.34.010	General
17.34.020	Application and Preliminary Condominium Conversion Plan
17.34.030	Application Process
17.34.040	Conversion to Condominiums—Annual Limitation
17.34.050	Standards for Condominium Conversion Projects
17.34.060	Tenant Rights
17.34.070	Effect of Proposed Conversion on the City's Low and Moderate Income Housing Supply
17.34.080	Findings—Condominium Conversion Projects
17.34.090	Buyer Information—Condominium Conversion Projects

17.34.010 General

This chapter is intended to establish requirements and standards for the conversion of existing apartments or other facilities to residential condominiums or similar common-interest housing as described in Section 1351 of the California Civil Code. The City recognizes that while condominium conversions may provide favorable housing-ownership opportunities, they also present some unique concerns which require special attention and regulation. The regulations set forth in this chapter pertaining to condominium conversions address the needs, goals, and policies of the Housing Element of the City's General Plan, including, but not limited to, the following:

1. To promote affordable rental and owner housing.
2. To encourage adequate housing selection by location, type, price, and tenure.
3. To minimize tenant displacement and loss of rental housing as a result of condominium and cooperative conversions.
4. To encourage new condominium construction, rather than conversion, in order to assist in maintaining an adequate supply of rental housing.

17.34.020 Application and Preliminary Condominium Conversion Plan

Application for a residential condominium conversion project shall consist of the following:

- A. A tentative subdivision map and application in accordance with Chapter 17.20.
- B. A preliminary condominium conversion plan, consisting of the following items:
 1. Written project description.
 2. A set of maps and drawings depicting the existing site design and layout and any proposed modifications, including:
 - a. Detailed architectural site plan with location of all buildings, parking areas, pedestrian paths, common grounds, recreation areas and improvements, walls, fences, irrigated landscape,

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natural open-space areas, and all other proposed and existing physical features associated with the conversion project.

- b. Existing drainage and utility plans.
 3. A set of building elevation drawings and/or equivalent photos demonstrating the existing architectural character of all buildings and any proposed building modifications.
 4. Floor plans for all building and unit types.
 5. A tabulation of unit and building areas and land areas designated for various uses.
 6. Checklist identifying project compliance with all condominium conversion standards required in Section 17.34.050.
 7. If applicable, proposed sequence and schedule of phasing of unit conversion to condominiums.
- C. A physical-elements report, which shall include, but not be limited to:
1. A report detailing the existing condition and proposed improvements and estimating the remaining useful life of each element of the project proposed for conversion: roofs; foundations; exterior paint; paved surfaces; mechanical systems; electrical systems; plumbing systems, including sewage systems, drainage systems, and swimming pools; sprinkler systems for landscape; utility-delivery systems; central or community heating and air-conditioning systems; fire-protection systems, including automatic-sprinkler systems, alarm systems, or standpipe systems; and structural elements. Such report shall be prepared by a registered civil or structural engineer other than the applicant, in a form approved by the Director. The completeness and accuracy for such report shall be reviewed by the Building Official and Fire Marshal in a field inspection of the project. Any deficiencies or inaccuracies in the report shall be corrected to their satisfaction.
- D. A structural pest-control report. Such report shall be prepared by a licensed structural pest-control operator pursuant to Section 8516 of the Business and Professions Code.
- E. A building-history report, including the following:
1. The date of construction of all elements of the project.
 2. A statement of the primary uses of said project since construction.
 3. The approximate date and a description of any major repair, renovation, or maintenance of any structure or structural element since the date of construction. For the purposes of this subsection, "major repair, renovation, or maintenance" means any repair for which expenditure of more than \$1,000 was made.
- F. A socioeconomic elements report, which shall include, but not be limited to:
1. A report detailing the rent history of the project, including vacancy rates, rents, and increases applicable to each unit during the twenty-four (24) months preceding the application.

2. A tenant composition report detailing the makeup of existing tenant households, including size of household, length of residency, ages of tenants estimated to be receiving federal or state rent subsidies, number of elderly tenants, and number of school-age minors.
3. A tenant's policy report that outlines provisions to satisfy all tenant rights identified in Section 17.34.060, including, but not limited to, the notice of intent, right to purchase, right of notification to vacate, limitations on rent increase, and special-case provisions. Special-case provisions for the elderly, handicapped, families with school-age children, and low- and moderate-income tenants may include, but not be limited to, extended leases, lifetime leases, additional moving allowances, transportation to locate replacement housing, and reduced purchase prices.
4. A current list of the names and addresses of all tenant heads of households, which shall be certified as correct by the developer, with such list to be used to notify tenants of all public meetings and public hearings concerning the proposed conversion.

17.34.030 Application Process

An application for a residential condominium conversion project shall be processed and considered for approval or denial by the Planning Commission in accordance with Chapter 17.20. In the event that a final map for an approved residential condominium conversion is not timely filed in accordance with Section 17.40.020, then the approval of the condominium conversion plan shall expire along with expiration of the tentative map.

17.34.040 Conversion to Condominiums—Annual Limitation

The City, recognizing the necessity of maintaining an adequate supply of rental housing for all income groups, and in order to achieve the purposes and goals set forth in this chapter and the General Plan Housing Element, sets forth an annual limitation on condominium conversion projects as follows:

- A. The maximum number of condominium conversions for any calendar year shall not exceed one-half ($\frac{1}{2}$) the number of dwelling units for which building permits have been issued for two- (2) family and multiple-family dwelling units averaged over the previous ten-(10) year period.
- B. In the event that approvals are not obtained for the number of units permitted to be converted in a given calendar year, the remaining number shall be carried forward and added to the maximum permitted in future years, provided that such annual surplus shall not be carried forward more than three (3) calendar years.
- C. Prospective condominium conversion-project applicants are encouraged to confer with the Planning Division prior to generating information required in the following sections of this chapter to determine whether their proposed project may be prohibited as a result of the annual limitation.

17.34.050 Standards for Condominium Conversion Projects

To achieve the purpose of this chapter, the Planning Commission shall require that all condominium conversions conform to the Redding Municipal Code in effect at the time of approval, except as otherwise provided in this chapter, prior to the issuance of a building permit or sale of the first unit, if no building permit is required. The Planning Commission shall require conformance with the standards of this section, in addition to the standards set forth in previous sections, in approving an application for conversion.

Notwithstanding, the Planning Commission shall have the authority to consider and allow modifications to standard development requirements subject to the qualifications, procedures, and findings identified under Section 17.04.100.

- A. *Code Compliance.* No existing building shall be approved for conversion to a condominium project unless it meets the following requirements:
 - 1. All residential buildings shall, on the date of conversion, be in compliance with the minimum standards of the Uniform Housing Code, as adopted by the City and those of the state.
 - 2. All buildings shall, on the date of conversion, be in compliance with the exit and occupancy requirements for the type of construction and occupancy involved as outlined in the California Building Code and California Fire Code as adopted by the City.
 - 3. All buildings and related property sought to be converted are, on the date of conversion, in compliance with the Zoning Ordinance and the goals and policies of the General Plan.
- B. *Common Ownership and Maintenance Association.* Residential condominium conversion projects shall have and maintain a functional property-owners' association established in accordance with California Civil Code, Section 1350 et seq, and as specified in RMC Chapter 18.43.170.D.
- C. *Unit Size.* The enclosed living or habitable area of each unit shall be not less than 600 square feet, unless the Planning Commission determines at the time of approval that other project amenities compensate for the minimum required enclosed area.
- D. *Sound Transmissions.* Wall and floor/ceiling assemblies shall conform to Title 25, California Administrative Code, Section 1092, or its successor. Permanent mechanical equipment, including domestic appliances, which is determined by the Building Official to be a potential source of vibration or noise, shall be shock-mounted, isolated from the floor and ceiling, or otherwise installed in a manner approved by the Building Official to lessen the transmission of vibration and noise. Floor covering may only be replaced by another floor covering that provides the same or greater insulation. The requirements of this subsection shall not apply to a residential unit in a building with no other residential unit.
- E. *Utility Metering.*
 - 1. a) The consumption of water, gas, and electricity within each unit shall be separately metered so that the unit owner can be separately billed for each utility. Each unit shall have access to its own meter(s) and heater(s), which shall not require entry through another unit.
 - b) In the case of water service, the City Engineer may grant at his/hers discretion an exception allowing use of master metering when it is demonstrated by the developer that providing individual meters and service connections is infeasible based on existing utility line and/or metering arrangements and significant modification constraints. When master metering is approved, arrangements for the property-owners' association to assume responsibility for payment of utility cost shall be met in accordance with RMC Section 18.43.170.D.
- 2. Each unit shall have its own electrical panel, or access thereto, for all electrical circuits which serve the unit.

- F. *Household Appliances.* All household appliances, including, but not limited to, refrigerators, stoves, ovens, dishwashers, air conditioners, garbage disposals, hot-water tanks, and clothes washers and dryers, shall be warranted by the subdivider for twelve (12) months from the date of sale of each unit. Such warranties shall be secured by adequate bond, reserve fund, or insurance to the City Attorney's satisfaction prior to the recordation of the final.
- G. *Underground Utilities.* The applicant shall waive the right, through deed restrictions, to protest the formation of an underground utility district.
- H. *Refurbishing and Restoration.* All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, driveways, landscaped areas, irrigation systems, and additional elements as required by the Planning Division shall be refurbished and restored as necessary to achieve high-quality appearance and safety.
- I. *Physical Elements.* All physical elements identified in the Physical Elements Report required in Section 17.34.020.C shall be warranted by the subdivider for twenty-four (24) months from the date of the close of escrow on the sale of the first (1st) condominium unit. Such warranty shall be secured by adequate bond, reserve fund, or other instrument to the City Attorney's satisfaction prior to the recordation of the final map.

17.34.060 Tenant Rights

- A. *Notice of Intent.* A notice of intent to convert shall be delivered to each tenant's dwelling unit preceding, by at least sixty (60) days, but by no more than ninety (90) days, the subdivision application. Evidence of delivery shall be submitted with the application for conversion. The form of the notice shall be as approved by the Development Services Director and shall contain not less than the following:
 - 1. Name and address of current owner.
 - 2. Name and address of the proposed subdivider.
 - 3. Approximate date on which the subdivision application is proposed to be filed.
 - 4. Approximate date on which the unit is to be vacated by nonpurchasing tenants.
 - 5. Tenant's right to purchase.
 - 6. Tenant's right of notification to vacate.
 - 7. Statement of limitations on rent increase.
 - 8. Provision of moving expenses.
 - 9. Provision for special cases (see Section 17.34.020F3).
 - 10. Other information as may be deemed necessary by the Development Services Director.

- B. *Tenant's Right to Purchase.* Any present tenant or tenants of any unit shall be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public, or terms more favorable to the tenant. The right shall run for a period of not less than ninety (90) days from the date of the issuance of the Subdivision Public Report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenants give prior written notice of their intention not to exercise the right.
- C. *Vacation of Units.* Each nonpurchasing tenant not in default under the obligations of the rental agreement or lease under which he or she occupies his or her unit shall have not less than 180 days from the date of receipt of notification from the owner of his or her intent to convert or sixty (60) days from the issuance of a Subdivision Public Report, whichever is later, to find substitute housing and to relocate.
- D. *Increase in Rents.* From the date tenants are notified of the intent to convert until the date of conversion, no tenant's rent shall be increased:
1. More frequently than once every six (6) months.
 2. At a rate greater than the rate of increase in the Consumer Price Index (all items, San Francisco Bay Area) on an annualized basis for the same period.

This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the tentative map.

- E. *Moving Expenses.* The subdivider shall provide moving expenses of one and one-half (1½) times the monthly rent to any tenant household that relocates from the building to be converted after approval of the condominium conversion by the City, except when the tenant household has given written notice of its intent to convert or the tenant household is being evicted for proven performance failure in a rental agreement.
- F. *Utility Allowances.* The subdivider shall provide a utility connection and deposit allowance of fifty (\$50) dollars to each tenant household upon vacation of its unit.
- G. *Notice of New Tenants.* After delivery to tenants of the notice of intent to convert, any prospective tenants shall be notified in writing of the intent to convert prior to leasing or renting any unit and shall not be subject to the provisions of Sections B through F of this section.
- H. *Notice of Application for a Public Report.* The subdivider shall provide each tenant household and/or person or persons applying for rental with ten (10) days' written notification that an application for a public report will be or has been submitted to the Department of Real Estate and that such report will be available on request.

17.34.070 Effect of Proposed Conversion on the City's Low- and Moderate-Income Housing Supply

In reviewing requests for condominium conversion projects, the Planning Commission shall consider the following:

- A. Whether or not the amount and impact of the displacement of tenants, if the conversion is approved, would be detrimental to the health, safety, or general welfare of the community.

- B. The role that the apartment structure plays in the existing housing market. Particular emphasis will be placed on the evaluation of rental structures to determine if the existing apartment complex is serving low- and moderate-income households. Criteria to determine low- and moderate-income households used by the federal and state governments will be used in the evaluation. Along with other factors, the City will consider the following:
 - 1. The number of families on current waiting lists for assisted rental-housing programs that operate in Redding, such as the Section 8, Section 23, and Section 236 programs and the most recent Housing Assistance Plan (HAP) of the City and any successor programs.
 - 2. The probable income range of tenants living in existing apartments, based on factual information supplied by the applicant which can be adequately documented, or the assumption that households pay between one-fourth ($\frac{1}{4}$) and one-half ($\frac{1}{2}$) of their income for housing. That income range will be compared with existing income limits for said Section 8 program to determine whether potential displaced tenants can be categorized as low- and moderate-income.
- C. The need and demand and community benefits which are derived from the provision of lower-cost homeownership opportunities that are increased by the conversion of apartments to condominiums.
- D. If the Planning Commission determines that vacancies in the project have been increased for the purpose of preparing the project for conversion, the conversion shall be denied. In evaluation of the current vacancy level under this subsection, the increase in rental rates for each unit and the average monthly vacancy rate for the project over the preceding two (2) years shall be considered.

17.34.080 Findings—Condominium Conversion Projects

The Planning Commission shall not approve an application for condominium conversion unless the Planning Commission finds that:

- A. All provisions of this chapter are met and the project will not be detrimental to the health, safety, and general welfare of the community.
- B. The proposed conversion is consistent with the Redding General Plan or legally nonconforming with the density requirement of its Community Development and Design Element.
- C. The proposed conversion will conform to the Redding Municipal Code in effect at the time of approval, except as otherwise provided in this chapter.
- D. The overall design and physical condition of the conversion will result in a project which is aesthetically attractive, safe, and of quality construction.
- E. The proposed conversion will not displace a significant percentage of low- and moderate-income or senior-citizen tenants, handicapped tenants, or tenants with children, or it will not delete a significant number of low- and moderate-income rental units from the City's housing stock at a time when no comparable replacement housing is readily available in the Redding area.
- F. The applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the notice of intent to convert or an application through the date of approval. In making this finding, consideration shall be given to:

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1. Rent increases at a rate greater than the rate of increase in the Consumer Price Index (all items, San Francisco Bay Area), unless provided for in leases or contracts in existence prior to the submittal of the first application for City review.
 2. Any other action by applicant which is taken against tenants to coerce them to refrain from opposing the project. An agreement with tenants which provides for benefits to the tenants after the approval shall not be considered a coercive or retaliatory action.
- G. The requirements of Section 17.34.050, *Standards for Condominium Conversion Projects*, have been met.

17.34.090 Buyer Information—Condominium Conversion Projects

- A. Prior to the execution of any agreement for sale, the subdivider shall provide each purchaser with a copy of the physical-elements report, structural pest-control report, and building-history report required in Section 17.34.020. Copies of the reports shall be made available at all times at the project sales office.
- B. Any purchaser may rescind the purchase agreement within seventy-two (72) hours of its execution. Notice of this right shall be plainly inserted on the face of the purchase agreement.

Chapter 17.40 Final and Parcel Maps

Sections

17.40.010	General
17.40.020	Time Limits
17.40.030	Submittal by Units/Multiple Final Maps
17.40.040	Map Filing
17.40.050	Map Format and Content
17.40.060	Review and Certification by City Engineer
17.40.070	City Council Notification and Appeal for Final Maps
17.40.080	Disapproval
17.40.090	Recording of Maps

17.40.010 General

The purpose of this chapter is to provide criteria for the form, contents, accompanying data, and filing of a final map or parcel map when such maps are required to complete the legal subdivision of land in accordance with the Subdivision Map Act and this title.

17.40.020 Time Limits

In accordance with SMA Section 66452.6(d), a final or parcel map must be filed timely with the Public Works Department for review by the City Engineer prior to the expiration date of the approval of the tentative map. The expiration of the tentative map shall terminate all proceedings, and no final or parcel map can be filed thereafter without first obtaining a new tentative map approval. A final or parcel map shall be considered "filed timely" when the map is submitted along with all other required items and information as specified in Section 17.40.040.

17.40.030 Submittal by Units/Multiple Final Maps

Multiple final or parcel maps may be filed prior to the expiration of a tentative map to support the phasing of subdivision development if: (a) the subdivider, at the time the tentative map application is filed, informs the City in writing of the intention to phase the subdivision and file multiple maps, or (b) after filing the tentative map, the City and the subdivider concur in the filing of multiple maps to facilitate phased development of the subdivision. Each final or parcel map which constitutes a part or unit of the approved tentative map shall have a separate subdivision unit number that is assigned in logical order.

17.40.040 Map Filing

The following items shall be required at the time of filing a final map or parcel map for review by the City Engineer:

1. *Final or Parcel Map.* A final or parcel map prepared in accordance with the requirements of this chapter. Three copies of the final or parcel map set shall be submitted for checking.
2. *Traverse Sheets.* Calculation and traverse closure sheets, in a form approved by the City Engineer shall be provided, giving the bearings and distances and coordinates of the boundaries of the subdivision and blocks, lots, and rights-of way as are shown on the final or parcel map.

3. *Reports and Guarantees of Clear Title.* A title report shall be provided, current within 45 days of map submittal and prepared by a duly authorized title company, naming the persons whose consent is necessary for the preparation and recordation of the map and for the dedication of streets, alleys, and other public places shown on the map and certifying that as of the date of the preparation of the report, the persons named therein are all the persons necessary to give clear title to the subdivision.
4. *Deeds for Easements or Rights-of-Way.* A deed for all necessary off-site easements or rights-of-way shall be required for road or utility purposes which are not dedicated on the final or parcel map. Written evidence acceptable to the City will be in the form of rights of entry or permanent easements across private property outside the subdivision, permitting or granting access to perform necessary construction work and permitting the maintenance of the facility.
5. *Improvement Plans.* Improvement plans and related information as are applicable to the subdivision shall be provided in accordance with the requirements of Chapter 17.70.
6. *Soils Report.* A preliminary soils report shall be provided as required in Chapter 17.70.
7. *Improvement Bond Estimate.* When applicable, an estimate of improvement security shall be provided in accordance with Section 17.40.060.B and Section 17.74.030.
8. *Organization Documents.* The submittal of the final map or parcel map shall include the proposed Declaration of Covenants, Conditions, and Restrictions and all other organizational documents for the subdivision in a form as prescribed by Section 1355 of the Civil Code of the State of California. All documents shall be subject to review by the City Engineer and City Attorney.
9. *Additional Data.* Additional data, reports, or information shall be provided as determined necessary by the City Engineer to support recordation of the final or parcel map in conformance with this title and the Subdivision Map Act, or as necessary to satisfy conditions of approval of the related tentative map.
10. *Fees.* The subdivider shall, at the time of submitting the final or parcel map to the City Engineer, pay to the City the County Recorder's fee for recording the final map, plan-check fees, and all other fees required by law to be paid in connection with the approval of the subdivision.

17.40.050 Map Format and Content

The form and content of final and parcel maps shall fully conform to the requirements of SMA Section 66433 et seq. for final maps and SMA Section 66444 et seq. for parcel maps, and as follows:

- A. *Preparation.* A final map or parcel map shall be prepared by or under the direction of a licensed land surveyor or a registered civil engineer licensed prior to 1982. A final map shall be based upon a field survey. A parcel map may be based upon record data or a field survey in accordance with SMA Section 66448.
- B. *Tentative Map Consistency.* The final map or parcel map shall fully conform to its tentative map and to all applicable conditions of approval.

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- C. *Basic map format.* The size, material, and scale used for a final map or parcel map shall be consistent with SMA Section 66434 and Section 66445. All lettering on the map shall be of such height, shape, and weight so to be readily legible on prints and reproductions made from the original drawings. Each sheet of the map shall show the name and license number of the responsible engineer or surveyor, the date of the survey, north arrow, written and graphic scale, and other information as determined necessary by the City Engineer.
- D. *Title.* The title of each sheet of the final map shall consist of the approved subdivision name and tentative map application number at the lower right-hand corner of the sheet, followed by the words "City of Redding." Maps filed for special purposes such as vesting approval or reversion to acreage shall also be titled accordingly. Reference shall be made to maps which have been previously recorded as appropriate.
- E. *Coordinate System.* Wherever the City Engineer has established a system of coordinates, the survey shall be tied into that system. The adjoining corners of all adjoining lots shall be identified by lot and block numbers, subdivision name and place of record, or other property designation.
- F. *Subdivision Boundaries.* The boundary of the subdivision shall be indicated on the final map by a distinctive border in accordance with SMA Section 66434(e) and Section 66445(d).
- G. *Dimensions, Bearings, and Curve Data.* The final map shall show all the survey and mathematical information and data necessary to locate all monuments thereon, including bearings and distances of straight lines and central angles, radii, arc lengths of curves, and such information as may be necessary to determine the location of the centers of the curves. Dimensions of lots shall be given as total dimensions, corner to corner, and shall be shown in feet and hundredths thereof.
- H. *Lots and Blocks.* All lots and blocks and all parcels offered for dedication for any purpose shall be particularly delineated and designated with all dimensions, boundaries, courses, and lot areas clearly shown and defined in every case.
 - 1. Sufficient linear, angular, and curve data shall be shown to determine readily the location, bearing, and length of the boundary lines of every block, lot, and parcel which is a part thereof.
 - 2. The square footage or acreage of each lot shall be provided. Lots containing more than one-half ($\frac{1}{2}$) acre shall show total acreage in nearest hundredths; lots containing less than one-half ($\frac{1}{2}$) acre shall show total area in square feet. In those instances where a portion of a lot is encumbered by a slope exceeding twenty (20) percent and/or a regulatory floodplain, both the gross and net-developable areas shall be provided.
 - 3. Lot numbers shall begin with the numeral "1" and continue in a rational sequence throughout the tract with no omissions or duplications.
 - 4. Parcels offered for dedication or reserved for special use shall be designated by letter and shall indicate the purpose of dedication or special use.
 - 5. Sheets shall be arranged so that no lot is split between two or more sheets; and wherever practicable, blocks in their entirety shall be shown on one (1) sheet.
- I. *Adjoining Properties.* The adjoining corners of all adjoining subdivisions shall be identified by subdivision number (or name when not identified by official number) and reference to the book and page of the filed map showing such subdivision.

- J. *City Limits.* City limits which abut the subdivision shall be clearly designated.
- K. *Street Names.* The approved names of all streets, alleys, or highways within or adjoining the subdivision shall be shown. New street names must be approved in accordance with Chapter 17.64.
- L. *Streets.* The map shall show the right-of-way lines of each street, the width of any portion being dedicated, and the widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty (50) feet of the subdivision shall also be shown. If any street in the subdivision is a continuation or approximately a continuation of any existing street, the conformity or the amount of nonconformity of the street to the existing streets shall be accurately shown. Whenever the centerline of a street has been established or recorded, the data shall be shown on the final map.
- M. *Relinquishment of Access Rights.* The owner's certificate and map sheet shall acknowledge and indicate all access-rights' relinquishment required for the subdivision.
- N. *Easements.* The side lines of all existing and new easements shall be shown by thin dashed lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference shall appear on the final map or parcel map. The widths of all easements and sufficient ties thereto to definitely locate them with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference shall be given. If an easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.
- O. *Regulatory Floodplain.* The limits of an established base (100-year) floodplain for any waterway affecting the subdivision and related base flood elevations shall be shown on the map in accordance with RMC Section 18.51.180. The sources of data used to establish the 100-year floodplain shall be identified. A warning and disclaimer of liability note shall also be provided consistent with RMC Section 18.51.140.
- P. *Monuments.* The map shall fully and clearly show what stakes, monuments, or other evidence to determine the boundaries of the subdivision were found on the ground and each adjacent corner of each adjoining existing subdivision, or portion thereof, by lot and block numbers, tract name or number, and place of record by section, municipality and range, or by other proper designation as follows:
 - 1. The location, kind, and size of all monuments placed. If any points were reset by ties, that fact shall be so stated.
 - 2. All lot corners shall be permanently monumented.
 - 3. All monuments shall be set prior to the acceptance of the public improvements by the City Council, unless a note on the final map states that the monuments will be set by a certain date.
- Q. *Certificates, Acknowledgments, and Descriptions.* Certificates, acknowledgments, and descriptions authorized or required by the Subdivision Map Act shall appear on the title sheet of the final map or parcel map as directed by the City Engineer.
- R. *Basis of Bearings.* All property subdivided by reference to maps or deeds of property previously recorded or filed shall have filed with the final map or parcel map copies of the maps or deeds of the property made reference to. Each reference in a description to any tract or subdivision shall show a complete reference to the book and page of records of the county where the tract is recorded.

- S. *Certificate Regarding Tax Liens.* The subdivider shall file the certificate and documents set forth in SMA Section 66492, or any amendments thereto, relating to taxes and assessments.
- T. *Other Affidavits and Certificates.* Such other affidavits, certificates, acknowledgments, endorsements, and notary stamps, as are required by law and by this chapter, shall be filed.
- U. *Development Notes and Conditions.* When required by conditions of approval of the tentative map, informational notes shall be provided on the map in accordance with RMC Section 18.40.040.
- V. *Other information.* Other information and notation shall be shown on the map if determined necessary by the City Engineer to fulfill the requirements of the Redding Municipal Code and/or Subdivision Map Act.

17.40.060 Review and Certification by City Engineer

The City Engineer is hereby granted authority to (1) approve or disapprove of all final or parcel maps, (2) officially accept, accept subject to improvement, or reject dedications and offers of dedications that are made by a statement on the map, and (3) officially accept completed public improvements, subject to the following procedures:

- A. *Map Review.* Upon receipt of a complete final or parcel map filing, as specified in Section 17.40.040, the City Engineer shall examine the map and related materials to determine if the subdivision, as shown, is substantially the same as it appeared on the approved tentative map; that the map addresses all applicable conditions of approval; that all the provisions of this title and the Subdivision Map Act have been complied with; and that the map is technically correct (survey data, mathematical data, and computations). If the City Engineer determines that the final or parcel map is not in full conformity with the tentative map or is deficient in other ways, the subdivider shall be informed of the changes or additions that must be made to achieve conformity and shall be allowed an opportunity to make such changes or additions.
- B. *Public Improvement Agreement.* If, at the time of the review of a final map by the City Engineer, any public improvements required of the subdivision have not been completed in accordance with approved improvement plans, the City Engineer, as a condition precedent to the approval of the final map, shall require the subdivider to enter into an improvement agreement with the City upon mutually agreeable terms to thereafter complete such improvements at the subdivider's expense. The agreement shall be secured by improvement security in the amount and form set forth in Chapter 17.74. The improvement agreement shall provide for a certificate of insurance in the terms and amount as approved by the City Attorney and naming the City as additionally insured. The City Engineer is authorized to execute the improvement agreement.
- C. *Certification.* When the City Engineer determines the proposed final map or parcel map and other required documents are sufficient and acceptable, the City Engineer shall certify his or her approval on the original tracing and all necessary prints of the map. This shall also include any certificates accepting, accepting subject to improvement, or rejecting dedications and offers of dedications that are made by a statement on the map, as determined necessary by the City Engineer. Rejected offers of dedication may nevertheless be accepted at a later date.
- D. *Delegation Review.* The City Council shall periodically review this delegation of authority to the City Engineer.

17.40.070 City Council Notification and Appeal for Final Maps

The following procedures shall apply to final maps:

- A. After the City Engineer receives a complete and corrected final map submittal from the subdivider, the City Engineer shall inform the City Clerk for notification to the City Council that the map is being reviewed for final approval.
- B. The City Clerk shall thereafter provide notice of final map review by the City Engineer, which notice shall be attached and posted with the City Council's next regular agenda and shall be mailed to interested parties who request notice.
- C. The City Engineer shall approve or disapprove the final map within 10 days following the meeting of the City Council that was preceded by the notice in Section (B) above.
- D. The final decision by the City Engineer regarding the final map may be appealed to the City Council by filing with the City Clerk a written notice of appeal on a form provided by the City Clerk within 10 days of the date of the decision, together with any applicable fees as determined by Council resolution.

17.40.080 Disapproval

A final or parcel map shall not be approved if it is determined by the City Engineer or City Council that the map is not consistent with the requirements of this title, the tentative map, conditions of approval, or the Subdivision Map Act, despite the fact that the subdivider was given sufficient opportunity to make corrections and additions as informed necessary to achieve approval as set forth in Section 17.40.060.A.

17.40.090 Recording of Maps

- A. Upon certification by the City Engineer and the passing of any required appeal period, the City Clerk shall deliver the approved final or parcel map to the Shasta County Recorder for final recording in accordance with SMA Section 66464 et seq. Additional information shall also be delivered to the County Recorder to be recorded simultaneously with the final or parcel map if determined necessary by the City Engineer to support the subdivision based on the tentative map approval, as authorized by SMA Section 66434.2.
- B. To support the recording of the final or parcel map, the subdivider shall provide a current guarantee executed by a duly authorized title company showing that persons (naming them) consenting to the preparation and recordation of the map and offering for dedication the streets, alleys, and other public places shown thereon are all the persons necessary to grant clear title to the subdivision and the dedications shown thereon.

Chapter 17.42 Correction and Amendment of Recorded Maps

Sections

17.42.010	General
17.42.020	Application; City Engineer Authority
17.42.030	Format and Content
17.42.040	Review and Approval
17.42.050	Filing with the County Recorder
17.42.060	Other Amendments and Corrections; Advisory Agency Hearing

17.42.010 General

The purpose of this chapter is to provide criteria for the correction or amendment of a final map or parcel map after it is recorded, by either a certificate of correction or an amending map, as authorized by SMA Section 66469, for any of the following purposes:

1. To correct an error in any course or distance.
2. To add any course or distance that was omitted.
3. To correct an error in the description of real property.
4. To indicate monuments set after the death, disability, retirement from practice, or replacement of the engineer or surveyor charged with responsibilities for setting monuments.
5. To show the proper location or character of any monument which has been changed in location or character originally shown in the wrong location or incorrectly as to its character.
6. To correct any additional information filed or recorded pursuant to SMA Section 66434.2, if the correction does not impose any additional burden on the present fee owners of the real property and does not alter any right, title, or interest in the real property reflected on the recorded map.
7. To correct any other type of map error or omission as approved by the City Engineer that does not affect any property right, including, but not limited to, lot numbers, acreage, street names, and identification of adjacent record maps.

As used in this section, "error" shall not include changes in courses or distances from which an error is not ascertainable from the data shown on the recorded final or parcel map.

17.42.020 Application; City Engineer Authority

Whenever a person or party desires to amend or correct a map as authorized by SMA Section 66469, they shall submit an amending map or certificate of correction to the Public Works Department for review by the City Engineer, along with any required plan check and County Recorder's fees. The City Engineer is authorized to approve or deny all such applications as a ministerial action.

17.42.030 Format and Content

In accordance with SMA Section 66470, the amending map or certificate of correction shall be prepared and signed by a registered civil engineer or licensed land surveyor. An amending map must conform to the format and content requirements of Section 17.40.050 as approved by the City Engineer. The amending map

or certificate of correction shall also set forth in detail the corrections made and show the names of the fee owners of the real property affected by the correction or omission on the date of the filing or recording of the original recorded map.

17.42.040 Review and Approval

- A. The City Engineer shall examine the amending map or certificate of correction, and if the changes are consistent with those authorized under SMA Section 66469, the City Engineer shall certify to this fact on the amending map or certificate of correction.
- B. As to a certificate of correction, the City Engineer shall have 20 working days in which to examine the certificate of correction for compliance with this chapter, endorse a statement on it of his or her examination and certification, and present it to the County Recorder for recordation.
- C. In the event the submitted certificate of correction fails to comply with SMA Sections 66469 and 66470, the City Engineer shall return it within the same 20 working days to the person who presented it, together with a written statement of the changes necessary to make it conform to the requirements of Sections 66469 and 66470. The licensed land surveyor or registered civil engineer submitting the certificate of correction may then make the required changes and resubmit the certificate of correction to the City Engineer for final approval. The City Engineer shall have 10 working days after resubmission and approval of the certificate of correction to present it to the County Recorder for recordation.

17.42.050 Filing with the County Recorder

The amending map or certificate of correction certified by the City Engineer shall be filed with the County Recorder. Upon such filing, the County Recorder must index the names of the fee owners and the appropriate tract designation shown on the amending map or certificate of correction in the general index and map index, respectively. Thereupon, the original map shall be deemed to have been conclusively so corrected, modified, or amended and thereafter shall impart constructive notice of all such corrections, modifications, or amendments in the same manner as though set forth in the original map.

17.42.060 Other Amendments and Corrections; Advisory Agency Hearing

- A. In addition to the amendments authorized by SMA Section 66469, a recorded final or parcel map may also be modified by a certificate of correction or an amending map if there are changes in circumstances that make any conditions of the map no longer appropriate or necessary and the modifications do not impose any additional burden on the fee owners of the real property and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map.
- B. Approval of an amendment pursuant to this section shall require an application and public hearing by the Advisory Agency that reviewed the tentative map for the subdivision, in addition to certification and other actions by the City Engineer as defined in the chapter. An application for Advisory Agency action shall be in a form as determined by the Director and shall include any required processing fee. In reviewing the matter, the Advisory Agency shall confine the hearing to consideration of, and action on, the proposed modification(s). Approval of the modification must be based on the following findings:
 - 1. The modifications do not impose any additional burden on the fee owners of the real property reflected on the recorded map.

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2. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map.
 3. The modifications do not conflict with the findings required for approval of the original tentative map for the subdivision as identified in Section 17.20.120.
- C. Notification and conduct of the public hearing required by this section shall be given pursuant to RMC Sections 18.11.060 and 18.11.070.

Chapter 17.44 Reversion to Acreage

Sections

17.44.010	General
17.44.020	Initiation of Proceedings by Owner
17.44.030	Initiation by City Council
17.44.040	Procedure
17.44.050	Return of Fees, Deposits, Release of Securities
17.44.060	Recording Final Map

17.44.010 General

The purpose of this chapter is to provide criteria for the preparation, processing, and consideration for approval or denial of a reversion to acreage of previously subdivided land in accordance with SMA Section 66499.11 et seq.

17.44.020 Initiation of Proceedings by Owner

Proceedings to revert subdivided property to acreage may be initiated by petition of all the owners of record of the property. The petition shall include the following:

1. Evidence of title to the real property.
2. Evidence of the consent of all the owners of an interest in the property.
3. Evidence that none of the improvements required to be made have been made within two (2) years from the date the final map was recorded or within the time allowed by agreement for completion of the improvements, whichever is later.
4. Evidence that no lots shown on the final or parcel map have been sold within five (5) years from the date the final or parcel map was filed for record.
5. A final map in the form prescribed by Section 17.40.050, which delineates dedications that will not be vacated and dedications required as a condition to reversion.
6. Such other information that the Development Services Director determines is necessary to complete the application.
7. Application processing fee.

17.44.030 Initiation by City Council

The City Council, at the request of any person or on its own motion, may, by resolution, initiate proceedings to revert property to acreage.

17.44.040 Procedure

- A. *Public Hearing.* A public hearing shall be held before the City Council on all proposed reversions to acreage. Notice of Public Hearing shall be given in accordance with RMC Section 18.11.060 and Section 18.11.070. The City Council may give other additional notice as it deems necessary or advisable.

- B. *Planning Commission Review.* Prior to the City Council's consideration of a reversion to acreage, the proposed reversion shall first be reviewed by the Planning Commission for report and recommendation.
- C. *Findings.* The City Council may approve a reversion to acreage only if it finds and determines the following:
 - 1. Dedications or offers of dedication to be vacated or abandoned by the proposed reversion are unnecessary for present or prospective public use; and
 - 2. Either:
 - a. All owners of an interest in the real property within the subdivision have consented to reversion; or
 - b. 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 for record or within the time allowed by agreement for completion of the improvements, whichever is later; or
 - c. No lots shown on the final or parcel map have been sold within five (5) years from the date such map was filed for record.
- D. *Conditions.* The City Council may require as conditions to the approval of reversions the following:
 - 1. The owners dedicate or offer to dedicate streets or easements.
 - 2. The retention of all or a portion of previously paid fees if necessary to accomplish the purposes of this title or other applicable requirements of the Redding Municipal Code or Subdivision Map Act.
 - 3. The retention of any portion of required improvement security or deposits if necessary to accomplish the purposes of this title or other applicable requirements of the Redding Municipal Code or Subdivision Map Act.

17.44.050 Return of Fees, Deposits, Release of Securities

Upon filing of the final map for reversion to acreage with the County Recorder, all existing deposits and unused fees shall be returned to the subdivider and all remaining improvement securities shall be released, except those retained by condition in accordance with Section 17.44.040.D.

17.44.060 Recording Final Map

Following approval of a reversion to acreage by the City Council, the City Clerk shall deliver the approved final map to be filed for record with the Shasta County Recorder. Fees for recording the final map shall be paid by the person(s) requesting the reversion to acreage. Upon filing, the reversion to acreage shall become effective and the prior dedications and offers of dedication not shown on the final map shall have no further force and effect.

Chapter 17.48 Property-Line Adjustments and Owner-Initiated Mergers

Sections

17.48.010	General
17.48.020	Application
17.48.030	Authority for Approval or Denial
17.48.040	Findings for Approval
17.48.050	Notification and Appeal
17.48.060	Recordation
17.48.070	Approval Time Limits

17.48.010 General

The purpose of this chapter is to provide criteria for processing, approving, and recording voluntary property-line adjustments and owner-initiated parcel mergers in accordance with Subdivision Map Act (SMA) Sections 66412(d) and 66499.20.3/4. The provisions of this chapter and references to "property-line adjustment" shall apply equally to an "owner-initiated merger," unless specifically stated otherwise.

17.48.020 Application

An application for a property-line adjustment shall be filed with the Planning Division in a form prescribed by the Director and shall be accompanied by the following items:

1. An 8½-inch by 11-inch map exhibit drawn to scale that includes the following information: street addresses, Assessor's parcel numbers, existing property lines and dimensions, proposed property lines and dimensions, property lines or sections proposed for removal, existing lot areas, proposed lot areas, existing easements, location of all structures and distances to existing and proposed property lines, location of all utility-service lines, location of septic disposal system and wells, 100-year floodplain of any watercourse, location of creeks and drainages, areas of slopes over 20 percent, off-street parking areas and driveways, title block, north arrow, and date.
2. A preliminary title report prepared by a licensed title insurance company, current within forty-five (45) days of the date of application.
3. Other information and documentation as determined necessary by the Director for a particular project. This may include evidence that the properties proposed for adjustment were legally created.
4. Application processing fee.

17.48.030 Authority for Approval or Denial

Consideration for approval or denial of a property-line adjustment is by the Director, as established under Chapter 17.04.070. Within five (5) working days of submittal of a complete application, the Director shall approve or disapprove the property-line-adjustment request by executing a letter of approval or denial to the applicant.

17.48.040 Findings for Approval

In accordance with SMA Section 66412.(d), approval of a property-line adjustment shall be based upon a determination by the Director that the following criteria are in evidence:

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1. The adjustment involves four (4) or fewer adjoining parcels that were legally created and will not result in the creation of more parcels than originally existed.
2. Each resulting parcel is viable in supporting existing and/or planned land uses based on applicable General Plan and Specific Plan policies.
3. The resulting parcels and/or any structure(s) or parking space(s) located thereon will comply with the requirements of the zoning district in which the parcel is located and with applicable building regulations, except that where an existing parcel(s) or structure(s) is nonconforming with respect to zoning regulations, a property-line adjustment may be approved if the degree of nonconformance is not increased.
4. The adjustment will not impair any existing public-street or private-access easement or create parcels without legal access to a public street and the number of lots fronting on a public street is not being reduced.
5. The adjustment will not require substantial alteration of any existing public easements or improvements.
6. The adjustment will not result in a utility service line being located on any property other than the lot being served, unless the service line is contained in a recorded utility easement.
7. Each resulting parcel has been, or can be, provided with adequate sewage-disposal facilities as follows:
 - a. Each parcel is connected to the City sanitary sewer system, or
 - b. City sanitary sewer service is within 200 feet of each parcel and is attainable in accordance with RMC Section 14.16.300, or
 - c. In the case of parcels without City sanitary sewer availability, the Environmental Health Division of the Shasta County Department of Resource Management has verified, in writing, that said parcels have been approved for on-site sewage-disposal systems.
8. Each resulting parcel has been, or can be, provided with an adequate potable water supply as follows:
 - a. Each parcel is connected to the City or other special-district water system, or
 - b. City or other special-district water service is within 100 feet of each parcel and is attainable, or
 - c. In the case of parcels without City or other special-district water availability, the property owner can demonstrate that an adequate water supply can be provided by the installation of a private well satisfying applicable City ordinances and County health regulations.

17.48.050 Notification and Appeal

- A. *Notification of Approval.* All parties of interest as reflected on deed(s) of trust and any other individuals or entity who, in the opinion of the Director, may have a direct interest in the involved parcels, shall be notified of the approval of the property-line adjustment at the same time as the

applicant. The notice shall include a statement that the legal descriptions in any existing deeds of trust may need to be amended to conform to the new lot configurations resulting from the property-line adjustment.

- B. *Appeal.* Within ten (10) days following the initial date of the approval or denial letter for a property-line adjustment, any person may file an appeal of the Director's action as provided under Section 17.04.110.

17.48.060 Recordation

- A. Prior to recording an approved property-line adjustment, the applicant must first submit the following items to the Public Works Department for document checking and final approval by the City Engineer:
 - 1. An 8½-inch by 11-inch map exhibit depicting the approved property-line adjustment, prepared by a licensed surveyor or professional engineer licensed to practice land surveying.
 - 2. Deeds necessary to convey property to implement the property-line adjustment. The deeds shall include a legal description of all affected parcels as they will exist after the property-line adjustment is recorded. Said deeds shall contain the words "PROPERTY LINE ADJUSTMENT" in bold letters at the top of each page and exhibit and also contain the following statement: "Recordation of this deed is for the purpose of adjusting property lines only and does not create or convey a separate parcel," as defined in SMA Section 66412(d).
 - 3. Map-check fee.
 - 4. A completed application form and any applicable fee paid by the owner(s) for apportionment of any assessment district encumbering the property subject to the property-line adjustment.
- B. Following final approval of all exhibits, deeds, and legal descriptions by the City Engineer, approved documentation shall be returned to the applicant or a designated title company for recording with the Shasta County Recorder's Office.
- C. As an alternative, the applicant may submit a parcel map to the City Engineer for recordation of the property-line adjustment, along with applicable map-check and recording fees. A parcel map prepared to accomplish an approved lot-line adjustment shall comply with the requirements of Chapter 17.40.

17.48.070 Approval Time Limits

- A. *Initial Time Limit.* The applicant shall submit the necessary documents for checking and gain final document approval by the City Engineer within one (1) year of the original property-line-adjustment approval date. Failure by the applicant to complete the final approval process within the specified time line shall cause expiration of the property-line-adjustment approval.
- B. *Time Extension.* The applicant may request an extension of the original property-line-adjustment approval by written request to the Director, which must be received prior to expiration of the original approval. Only one extension, not to exceed a period of ninety (90) days, may be allowed for good cause at the discretion of the Director.

Chapter 17.50 Dedications and Reservations

Sections

17.50.010	General
17.50.020	Dedications Required
17.50.030	Dedications for Elementary School Purposes
17.50.040	Acceptance, Rejection, and Termination of Dedications
17.50.050	Effective Date of Acceptance
17.50.060	Reservations for Public Use

17.50.010 General

The purpose of this chapter is to provide local requirements for the dedication, irrevocable offer of dedication, or reservation of real property within a subdivision for various public purposes, in accordance with the Subdivision Map Act (SMA) Sections 66475 et seq and 66479 et seq.

17.50.020 Dedications Required

The subdivider of any proposed subdivision within the City shall dedicate or make an irrevocable offer of dedication of real property for the following purposes, as determined necessary by the final approval authority, based on applicable specific plan, master plan and/or general plan policies and related subdivision and improvement design standards provided in Chapter 17.60 and Chapter 17.70:

1. Streets and alleys; waiver of access rights and abutters' rights as necessary.
2. Bicycle paths and pedestrian trails outside the street right-of-way for the use and safety of the residents of the subdivision.
3. Local transit facilities, such as bus turnouts, benches, shelters, landing pads, and similar items which directly benefit the residents of the proposed subdivision.
4. Drainage easements, public-service easements, and other public-facility easements as needed.
5. Reasonable public access to and along public waterways in accordance with SMA Sections 66478.4 and 66478.5.
6. The 100-year regulatory floodplain of the Sacramento River and its tributary streams within the boundary of a subdivision, including dedication of any buffer area which may, in the opinion of the approval authority, be necessary for purposes of protecting water quality, riparian vegetation, wetlands, and/or other sensitive habitats.
7. Dedication of slopes in excess of twenty (20) percent where determined to be integral to the establishment of a public greenway corridor or directly related to a public park.
8. Dedication for park and recreational purposes in accordance with SMA Section 66477 (Quimby Act) as required in Chapter 17.54.

17.50.030 Dedications for Elementary School Purposes

The requirements and limitations set forth in SMA Section 66478 pertaining to the dedication of real property for elementary school purposes shall fully apply to any proposed subdivision in the City as determined necessary by the affected school district(s) and the final approval authority.

17.50.040 Acceptance, Rejection, and Termination of Dedications

- A. *Acceptance.* At the time the City Engineer or City Council approves a final map in accordance with Chapter 17.40, it shall also accept, accept subject to improvement, or reject any offer of dedication. The City Clerk shall certify on the map the action by the City Engineer or City Council.
- B. *Rejection.* If any offers of dedication are rejected in accordance with Subsection A, the offer of dedication shall remain open and valid. The City Council may, by resolution at any later date and without further action by the subdivider, rescind the initial action rejecting an offer of dedication and accept and open the offered dedication for public use. Such later acceptance resolution shall be recorded in the office of the County Recorder.
- C. *Termination.* Offers of dedication may be terminated by resolution of the City Council as prescribed in Section 8300 et seq, *Public Streets, Highways, and Service Easements Vacation Law*, of the California Streets and Highways Code.

17.50.050 Effective Date of Acceptance

Acceptance of offers of dedication shall become effective on the date an approved final map or resolution of acceptance by the City Council is filed in the office of the County Recorder.

17.50.060 Reservations for Public Use

As a condition of approval of a tentative map for any subdivision, the subdivider may be required to reserve real property within the subdivision site in accordance with SMA Section 66479 et seq. Potential public uses of reserved areas include, but are not limited to, locations for fire stations, electric substations, wells, sanitary sewer lift stations, regional storm-drainage detention basins, recreational facilities, libraries, and other public facilities. Any such reservation shall be based upon adopted specific plan, master plan or general plan policies and standards specifically supporting the intended public use(s).

Chapter 17.54 Park and Recreational Land Dedications and In-Lieu Fees

Sections

17.54.010	General
17.54.020	Requirements
17.54.030	Limitations on Application of Chapter
17.54.040	Amount of Parkland to be Dedicated
17.54.050	Requirements for Dedication
17.54.060	Procedure
17.54.070	Formula for Fees In Lieu of Land Dedication
17.54.080	Credits
17.54.090	Credit for School Sites
17.54.100	Subdivider-Provided Park and Recreation Improvements
17.54.110	Disposition of Fees
17.54.120	Sale of Dedicated Land

17.54.010 General

This chapter is enacted pursuant to the authority granted by the California Quimby Act, Subdivision Map Act (SMA) Section 66477, to provide by local ordinance for the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park and recreational purposes as a condition of approval for a final map or parcel map.

The park and recreational land requirements imposed shall be based on the goals, policies, and facility planning contained in the Recreation Element of the General Plan and the Parks, Trails, and Open Space Master Plan. As required by this Chapter, the amount and location of land to be dedicated or the fees to be paid do, in the opinion of the City Council, bear a reasonable relationship to the park and recreational needs of the future inhabitants of the subdivision.

17.54.020 Requirements

As a condition of approval of a final map or parcel map, the subdivider shall dedicate land or pay a fee in lieu thereof, or both, at the option of the City for park or recreational purposes according to the standards and formula contained in this chapter.

17.54.030 Limitations on Application of Chapter

- A. In subdivisions containing fifty (50) parcels or less, the City shall require only the payment of fees and shall not require the dedication of land.
- B. The provisions of this chapter do not apply to:
 1. Commercial or industrial subdivisions, provided that a condition shall be placed on the approval of such tentative map that if a building permit is requested for construction of a residential structure or structures on one (1) or more of the parcels, the fee will be required to be paid by the owner of each such parcel prior to issuance of the building permit.
 2. The conversion of an existing apartment building into airspace condominium units or stock cooperative when no new dwelling unit(s) are added.

- 3. Parcels in a subdivision that contain existing residential units and the new parcels do not support any additional future residential units based on applicable zoning and General Plan criteria.

17.54.040 Amount of Parkland to be Dedicated

- A. It is found and determined that the public interest, convenience, health, welfare, and safety require that five acres of property for each 1,000 persons residing within the City be devoted to neighborhood and community-park recreational purposes. Where the dedication of land is required by the final approval authority as a condition of a final map, the amount of such land will be based on the following:

Housing Type _____	Park Area per Unit
Single-family (including mobile home)	531 square feet
Multiple-family	531 square feet

The above reflects the amount of land required to be dedicated to achieve five acres of parkland per 1,000 population based on a density factor of 2.44 persons per dwelling pursuant to SMA Section 66477(b) and based on population-per-dwelling-unit estimates supplied by the year 2000 U.S. Census.

- B. For the purposes of this section, the number of new dwelling units in areas designated for one dwelling unit per parcel shall be based on the number of parcels indicated on the final map. When all or part of the subdivision is located in an area classified for more than one dwelling unit per parcel, the number of new dwelling units shall be based on the density permitted by the zoning classification of the subject property or any specific dwelling unit numbers entitled by the project.
- C. Should a rezoning or General Plan amendment application accompany the tentative map, density shall be calculated according to the density of the designation requested. However, if it appears that the actual number of dwelling units that will be built is reasonably certain for the foreseeable future and is less than the highest density permitted in the applicable zone, then the calculations shall be based upon such actual density. In the event that the calculation is based upon actual density, a note shall be placed upon the final map or parcel map that prior to the issuance of a building permit for all or any part of the subject property at a higher density than was used for the calculations made pursuant to this chapter, the building-permit applicant shall pay the difference between the fee paid pursuant to this chapter and the fee which would have been required had the calculations been based upon the density proposed in the building-permit application.
- D. In the case of a condominium project or planned development, the number of new dwelling units shall be the number of condominium units or planned-development units.
- E. The term "new dwelling unit" does not include dwelling units lawfully in place prior to the date on which the parcel or final map is filed.

17.54.050 Requirements for Dedication

- A. The subdivider shall, without credit, provide:
 - 1. Full street improvements and utility connections, including, but not limited to, curbs, gutters and sidewalks, street paving and striping, traffic-control devices, and street trees, on land which is dedicated pursuant to this section, or provide any necessary easements for usable public access together with any necessary access improvements.

2. Fencing along the property line of that portion of the subdivision contiguous to the dedicated land.
 3. Other improvements which the City determines to be essential to the acceptance of the land for recreational purposes.
- B. Lands to be dedicated or reserved for park and/or recreational purposes shall be suitable, in the opinion of the City, in location, topography, environmental characteristics, and development potential for park uses based on the policies and standards of Parks, Trails, and Open Space Master Plan. The primary intent of this section shall be construed to provide the land for functional recreation units of local or neighborhood service, including, but not limited to, tot lots, play lots, playgrounds, neighborhood parks, play fields, community or district parks, bike paths and other specialized recreational facilities that may serve the family group and also senior-citizen and child-care activities. Principal consideration shall be given to lands that offer:
1. A variety of recreational potential for all age groups.
 2. Recreational opportunities within walking distance from residents' homes.
 3. Possibility for expansion, connection, or coordination with school grounds.
 4. Integration with hiking, riding, and bicycling trails; natural-stream reserves; and open space.
 5. Connectivity with other park systems.
 6. Frontage on at least one (1) existing or proposed public street.

17.54.060 Procedure

- A. Community Services Advisory Commission. All tentative maps shall be referred to the Community Services Department for comments related to parkland consistent with the intent and provisions of this chapter. The Community Services Department shall forward all subdivisions consisting of more than 50 parcels that are eligible for park and recreational-land dedication to the Community Services Advisory Commission for review, including, but not limited to, consideration of whether land, in-lieu fees, or a combination of land and fees should be dedicated and/or paid by the subdivider. The recommendations of the Community Services Advisory Commission shall then be forwarded to the Planning Commission for consideration prior to action on the tentative map application.
- B. Planning Commission. The Planning Commission shall consider the recommendation of the Community Services Advisory Commission. Where the Planning Commission applies an alternative requirement of land, in-lieu fees, or a combination of land and fees, the basis of any such alternative requirements shall be reported to the Community Services Advisory Commission.
- C. Timing of payment and/or dedications. At the time of filing of the parcel map or final map, the property owner(s) shall grant an irrevocable offer to dedicate the land and/or pay the fees as required with the tentative map approval. At the discretion of the final approval authority, fees may be paid prior to the issuance of any building permit (rather than at the time of recording a parcel map or final map) for lots zoned for multiple-family uses if said property, after the land division, could be developed with more than fifteen (15) dwelling units as provided under the base zoning classification of the property.
- D. Dedication criteria. For any subdivision in which dedication is required, the documents dedicating such land shall be approved by the City and recorded at the same time as the final map. When land is to be dedicated, it shall be dedicated in fee and free and clear of all liens, charges, and encumbrances that are unacceptable to the City.

17.54.070 Formula for Fees In Lieu of Land Dedication

A. General Requirements. Where the final approval authority has required the payment of fees in lieu of land dedication or the proposed subdivision of land contains fifty (50) parcels or less, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of that land which would otherwise be required to be dedicated, plus twenty (20) percent for off-site improvements, such as utility-line extensions, streetlights, curb, gutter, and pavement. However, nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of fifty (50) parcels or less where the subdivider proposes such dedication voluntarily and the land is acceptable to the City.

In subdivisions of more than fifty (50) parcels, the subdivider shall:

1. Dedicate land in accordance with this chapter and the park needs identified in the General Plan and the Parks, Trails, and Open Space Master Plan.
2. Dedicate land and pay in-lieu fees when the actual area needed by the City onsite for a proposed park or recreation site is less than the area required by this Chapter for dedication. When this occurs, the needed land shall be dedicated for park and recreation purpose, and a fee computed pursuant to the provisions of this section shall be paid in an amount equal to the value of the remaining land that would otherwise have been required to be dedicated.

B. Calculation of In-Lieu Fees. The amount of in-lieu fees shall be based upon the fair market value of the amount of land which would otherwise be required for dedication. The fair market value shall be determined annually by resolution adopted by the City Council. The amount to be paid shall be calculated pursuant to the following formula:

$$A \times V = M$$

Where A = The amount of land required for dedication as determined in Section 17.54.040.

Where V = The fair market value (per acre) of the property to be subdivided as established by resolution of the City Council.

Where M = The number of dollars to be paid in lieu of dedication of land, to which shall be added twenty (20) percent for off-site improvements.

C. Use of Money. The money collected pursuant to this section shall be used only for the purpose of acquiring necessary land and developing new, or rehabilitating existing, park or recreational facilities in the general geographic area of the subject subdivision, based on the park-planning quadrants established in the Parks, Trails, and Open Space Master Plan, which are Northwest, Northeast, Southwest, and Southeast.

D. Reservation. If the amount of land required to be dedicated is less than the area of the park or recreation facility deemed necessary onsite by the City, the approval authority may require that the subdivider set aside the remainder of said park area pursuant to reservation provisions of Chapter 17.50.060.

17.54.080 Credits

The final approval authority may grant credit for privately owned and maintained common open-space or recreational facilities, or both, in planned developments and similar projects. Fee credits in this case must be requested at the time of application for development. This is the only time in the development approval process when fee credits can be requested by the developer. The requests for fee credit shall be reviewed

by the Community Services Advisory Commission, which shall make their recommendation to the approval authority. A partial credit, not to exceed seventy-five (75) percent, may be given against the requirement of land dedication or payment of fees in lieu thereof if the final approval authority finds based on the recommendation of the Community Services Advisory Commission that it is in the public's interest to do, subject to the following criteria:

1. The facilities proposed shall be in substantial accordance with the provisions of the Recreation Element of the General Plan and the facilities must provide for park needs of the residents of the project in such a manner as to reduce the impact on existing facilities or reduce the need to provide new facilities by the City.
2. Private parkland against which credit will be given shall be at least 3 acres in size.
3. The private recreation area will provide at least five of the basic park elements listed below or a combination of such and other recreation improvements that will meet the specific recreation needs of future residents of the area:

Park Elements	Minimum Size in Acres
Children's Area with Play Equipment	0.50
Landscaped Park	0.50
Family Picnic Area	0.25
Game Court Area	0.25
Turf Play Field	1.00
Recreation Center Building	0.15
Swimming Pool (42 feet by 75 feet with adjacent deck and lawn areas)	0.25

4. Yards, court areas, setbacks, and other private open-space areas required by the zoning and building regulations shall not be included in the credit computation.
5. Provision is made by written agreement, recorded covenants running with the land, or other contractual instrument that the areas will be adequately maintained.
6. The use of private open-space or recreation facilities is limited to park and local recreation purposes and shall not be changed to another use without the express written consent of the City.

17.54.090 Credit for School Sites

Where land for a school site is given free and clear to a school district by a developer pursuant to the approval of a tentative map and the gift provides that the playground area shall be available to the general public during nonschool hours, such land may be credited against the requirements of Section 17.54.040, provided that the City Council finds it in the public interest to do so. In the event a school is not constructed on the gift land and the real property is returned to the original subdivider or to another successor in interest, the requirements of Section 17.54.040 that were in effect at the time the land was given to the school district shall apply and the City Council, at its discretion, may require a park dedication from the land being returned, payment of in-lieu park fees, or a combination thereof. The determination of the City Council as to whether credit shall be given and as to the amount of credit shall be final and conclusive.

17.54.100 Subdivider-Provided Park and Recreation Improvements

With the approval of the City Council, the subdivider may elect to improve dedicated park land with approved park facilities in exchange for in-lieu fee credit. Requests for park improvement credit shall be first reviewed by the community services advisory commission, which shall make their recommendation to the City Council. The value of approved park and recreation improvements provided by the subdivider to the dedicated land shall be credited against the fees or dedication of land required by this chapter. The City Council reserves the right to approve such improvements prior to agreeing to accept the dedication of land and to require in-lieu fee payments should the land and improvements be unacceptable.

17.54.110 Disposition of Fees

- A. Fees determined pursuant to Section 17.54.070 shall be paid to the City Treasurer and shall be deposited into the subdivision park trust fund or its successor. Money in said fund, including accrued interest, shall be expended solely for acquisition or development of parkland or improvements related thereto.
- B. Collected fees shall be appropriated within five (5) years upon receipt of payment or within five (5) years after the issuance of building permits on one-half (½) of the lots created by the subdivision, whichever occurs later. If such fees are not so committed, these fees, without any deductions, shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots in the subdivision.
- C. The Finance Director shall report to the City Council at least annually on income, expenditures, and status of the subdivision park trust fund.

17.54.120 Sale of Dedicated Land

- A. If the City Council has determined that the public-park purpose for which a dedication was required does not exist or that another nearby site would be more suitable, it shall reconvey the property to the subdivider or the successor in interest in exchange for payment of the in-lieu park fees that would otherwise have been collected.
- B. The City Council shall give at least 60 days' notice to the original subdivider or the successor in interest before vacating, leasing, selling, or otherwise disposing of dedicated property. This notice is not required if the dedicated property will be used for the same public purpose for which it was dedicated. Should the subdivider or successor in interest not respond to said notice within 60 days, the City may vacate, lease, sell, or otherwise dispose of the property, provided all funds are retained for park improvements within the same geographic area in which the park is located, as listed in Section 17.54.070(C). In the event the subdivider is no longer alive or there is not a successor in interest, the City may sell the lands subject to the same restriction on use of the funds as set forth in the preceding sentence.
- C. This section shall only apply to property required to be dedicated on or after January 1, 1990, pursuant to SMA Section 66477.5(e).

Chapter 17.60 Subdivision Design

Sections

17.60.010	Subdivision Design - General
17.60.020	Lot Design
17.60.030	Streets and Circulation
17.60.040	Pedestrian, Bicycle, and Transit Accommodations
17.60.050	Connections with the Natural Environment
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17.60.090	Underground Utilities
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17.60.120	Large-Lot Subdivisions
17.60.130	Maintenance District
17.60.140	Consolidated Postal Delivery
17.60.150	Design Modifications

17.60.010 Subdivision Design - General

The purpose of this Chapter is to provide standards for the design of subdivisions in accordance with the guidance of the General Plan, Zoning Ordinance, this title, and other applicable provisions of the Redding Municipal Code. All subdivisions shall be consistent with the following:

- A. *General Plan and Zoning Consistency.* The design of the subdivision must be consistent with applicable goals and policies of the General Plan and any adopted area plan or specific plan that includes the area to be subdivided. The subdivision must also be in full conformance with the zoning standards applicable to the property.
- B. *Basic Design.* The subdivision and related improvements shall be designed to:
 1. Provide lots that are suitable for development based on applicable zoning criteria.
 2. Provide adequate vehicle and pedestrian access to all lots and building sites.
 3. Provide a logical network of connected streets within a subdivision and adjacent neighborhoods.
 4. Provide essential utilities to all lots; provide for utility-line looping, maintenance, and the logical extension of utilities to neighboring properties in accordance with utility master plans, RMC Titles 14 and 16, and RMC Chapter 18.22.
 5. Minimize grading and potential for soil erosion, particularly in areas with steep slopes in excess of 20 percent.
 6. Minimize risk of flooding, wildland fire, and related damages.
 7. Mitigate adverse effects of traffic, drainage, noise, and any potentially hazardous site conditions.
- C. *Neighborhoods.* Residential subdivisions shall be designed with the goal to create liveable, healthy, and aesthetically pleasing neighborhoods. Design attributes that help achieve this goal include, but are not limited to:

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1. A system of street sidewalks and other improved bikeways and paths that promote walking and bicycling. Sidewalks separated from the curb by a landscaped parkway is preferred along streets.
2. Convenient connections to open spaces and river/creek corridors, parks, schools, transit stops, and other neighborhoods and commercial areas nearby.
3. A system of interconnected streets that is designed to discourage excessive speed and high volumes of traffic.
4. Provision for public-transit facilities, such as bus turnouts and benches.
5. Shade trees and complementary landscape planted along streets, paths, and common areas.
6. Notable natural site features, including existing trees, preserved and effectively integrated into the project design.
7. Attractive neighborhood gateway treatments provided at the main entrances.
8. Decorative perimeter fencing and walls along adjacent arterial and collector streets and other appropriate locations.
9. Provision for park and/or community building and facilities at a central location; provision for other appropriate public or private recreation facilities for the use and enjoyment of residents.

The actual design attributes utilized in a residential subdivision to satisfy the goal of this section can vary, as determined appropriate by the approval authority, based on the subdivision size, location, land characteristics, and other site-/project-specific considerations.

D. *Environmental and Safety.* In accordance with General Plan policy, development is discouraged within the following specific areas:

1. Hillsides with slope areas exceeding twenty (20) percent.
2. Lands within a 100-year floodplain as established by the Federal Emergency Management Agency and/or a hydrology study acceptable to the City.
3. Sensitive habitats of special status fish or wildlife as identified on federal and/or state lists. Plant life listed as endangered, rare, or threatened on federal and/or state lists.
4. Unique and/or environmentally fragile areas, including, but not limited to, creek/riparian areas and other wetlands.
5. Significant archaeological sites.

Areas preserved from development pursuant to this section shall be placed in a permanent open space easement, in a manner determined appropriate by the approval authority, to be kept in a natural undeveloped condition, except for approved recreation and utility facilities and necessary fire-fuel management (brush removal and tree limbing) as approved by the Fire Marshal. No grading, placement of fill or spoils, fences, gardens, or other private improvements may be located within designated public or private open-space areas.

17.60.020 Lot design

Lots shall be designed and arranged throughout the subdivision in accordance with the following criteria:

1. The size, dimensions, and street frontage of lots shall be in conformance with zoning standards applicable to the subdivision site with approval of the project.
2. The sidelines of all lots shall generally be at right angles to the street which the lot faces, or radial, or approximately radial if the street is curved.
3. No lot shall be divided by the city-limits line.
4. Lots shall be designed to minimize creating unuseable and/or access-constrained remnants of land due to the position of roadways, creeks, wetlands, or other obvious development constraint.
5. Residential lots shall have frontage on, and take direct access from, a public street. Exceptions may be granted by the approval authority for planned developments, condominiums, and similar projects having private streets.
6. Commercial or industrial lots shall either have public-street frontage or appropriate access provided by way of common/reciprocal easement(s), such as in the context of a shopping center or similar commercial development.
7. Lots other than corner lots may front on more than one street (double-frontage lot) only where necessitated by location of adjacent arterial streets or topographic or other unusual conditions. The approval authority may restrict access and/or require fencing, walls, or plantings in such instances to limit street access to a single street.
8. Use of flag lots shall be minimized and limited primarily to situations where use of a standard-lot frontage configuration is challenged by site conditions. New flag lots shall not be created by parcel map in developed areas where these lots are not in character with the surrounding neighborhood and the existing pattern of development.
9. Lots that must rely on a private septic system for wastewater disposal shall have sufficient size and configuration, in addition to standard zoning criteria, to support installation and maintenance of the septic system in accordance with the requirements of the Shasta County Environmental Health Division.

17.60.030 Streets and Circulation

Streets shall be designed and extended throughout the subdivision in accordance with the following criteria:

1. The street system shall provide vehicle access to all proposed lots in accordance with the applicable street-frontage requirements of the Zoning Ordinance and be extended to the boundaries of the subdivision as necessary to allow for the logical extension of public streets to adjacent properties.
2. Street design shall conform both in width and alignment to the Transportation Element of the General Plan, City Construction Standards, and to any plan line adopted by the City Council or State. The right-of-way for any such street or highway so designated within or benefitting the subdivision shall be dedicated for public use at the time of recording a final or parcel map.
3. A subdivision with dedicated public streets shall not derive primary access through a private-street easement.

4. Street segments shall meet the following requirements:
 - a. For residential subdivisions, use of long, continuous street segments greater than 600 feet without cross streets shall be avoided. Where possible, a system of interconnected streets with shorter blocks shall be utilized to diffuse traffic and allow residents multiple ways to get to and from their homes.
 - b. Street segments longer than 600 feet may be allowed where topography or other site constraints limit road-design options and when fire-protection and/or alternate emergency access measures are provided as recommended by the Fire Marshal to ensure the safety of residents and emergency-response personnel. A sufficient emergency-vehicle turnaround area shall be provided where a street terminates.
 - c. Use of short dead-end streets with cul-de-sacs shall be minimized when other street-design options are available supporting better neighborhood connectivity. When used in the design of a subdivision, the length of a cul-de-sac street should not exceed 600 feet.
5. Road design shall be used to control traffic speeds in neighborhoods where necessary. Appropriate design features may include jogs in the street pattern, traffic circles, narrowed streets and/or narrowing at intersections (neck-downs), median islands, provisions for on-street parking, or other features as approved by the City Engineer and Fire Marshal.
6. Traffic and circulation mitigation improvements, including, but not limited to, medians and center islands, traffic signals/controls, and roadway widening, shall be constructed as part of the required subdivision improvement based on applicable General Plan policies, traffic/circulation analysis findings, and the recommendations of the City Engineer.
7. At least two connected points of public-street access shall be provided to the subdivision under the following circumstances:
 - a. Residential subdivisions that could result in 50 or more dwelling units with access from a single roadway, including existing development; and
 - b. Commercial subdivision projects potentially supporting employment of more than 150 people.

Modifications or alternative means of achieving the intent of these standards may be authorized by the approval authority upon consideration of recommendations from the Fire Marshal.
8. Direct access to arterial and major collector streets shall be restricted for new single-family residential lots, except in special circumstances when determined appropriate by the City Engineer. The City Engineer may also require that access controls be applied to new lots in other subdivisions when necessary to address specific traffic-safety needs.

17.60.040 Pedestrian, Bicycle, and Transit Accommodations

The subdivision shall provide for pedestrian, bicycle, and transit use in accordance with the following:

1. Streets shall be designed to safely accommodate the pedestrian, as well as automobile use.
 - a. Sidewalks shall be provided on both sides of the street consistent with City standards. Preferably, the street design should provide sidewalks separated from the curb with a

minimum six-foot-wide landscaped planter-parkway strip and/or other similar pedestrian-friendly design as determined appropriate by the approval authority.

- b. Where crosswalks are needed or desired, such as key intersections of designated midblock locations, they shall be designed to promote pedestrian safety by utilizing measures such as shortening crossing-lane lengths by use of neckdowns or bulbouts, textured and/or colored pavement to identify crossings, and/or other appropriate measures as approved by the City Engineer and Fire Marshal.
2. Bicycle facilities (i.e., paths-Class I, lanes-Class II, and routes-Class III) shall be provided in accordance with the Parks, Trails, and Open Space Master Plan and Bikeway Action Plan, as are applicable to the subdivision project.
 3. Improved pedestrian and bicycle paths shall be provided to facilitate alternative (nonmotorized) access to/from the subdivision under the following circumstances:
 - a. To an adjacent public street where a standard street connection is not available or desired, such as from the end of a cul-de-sac to an adjacent street.
 - b. To adjacent public or private parks, open-space area, a designated public-trail system, such as the Sacramento River Trail, transit stops, commercial developments, schools, and/or other activity centers.
 4. In addition to sidewalks, improved pedestrian and bicycle paths shall be provided to activity centers, parks, and open spaces within the subdivision as necessary to provide convenient alternative access to these areas.
 5. Appropriate accommodations shall be provided to offer residents of the subdivision safe and efficient access to public transportation. Bus-stop pullout(s) shall be provided when a subdivision is adjacent to a street with an existing fixed transit route, or when it is likely that transit service will be extended along an adjacent street or new street in the subdivision in the future. This requirement may be waived if it is determined by the approval authority that an existing bus stop is available to serve the residents of the subdivision. Passenger amenities should be provided to enhance the comfort and safety of waiting passengers, particularly as a planned development amenity or when accommodations are required as a mitigation measure.

17.60.050 Connections with the Natural Environment

The design of a subdivision shall take advantage of natural features, such as rivers/creeks and related greenways, scenic-view corridors, preserved open-space areas, and other notable natural features, so that they are integrated and connected efficiently into the project design for the benefit of residents. The design shall provide opportunity for public views and access while also considering the privacy and security of adjacent residents.

17.60.060 River/Stream Setbacks

The design of the subdivision shall provide appropriate setbacks from active streambanks and riparian vegetation in accordance with RMC Chapter 18.48 *River/Creek Corridor Development*.

17.60.070 Storm Drains and Flood Protection

- A. The design of the subdivision shall comply with the criteria of RMC Chapter 18.51.180 *Standards for Subdivisions* to minimize hazards associated with flooding.
- B. Stormwater runoff from the subdivision shall be collected and properly managed by a storm-drain system and/or other appropriate stormwater management facilities/measures as approved by the City Engineer. The storm-drain system shall be designed in accordance with City specifications and may require the use of detention or retention facilities in accordance with City policy. The storm-drain system shall provide for the protection of abutting and off-site properties that would be adversely affected by any increase in runoff attributed to the development. Off-site storm-drain improvements may be required to satisfy this requirement.
- C. When construction of an open stormwater detention or retention basin is required to mitigate postdevelopment drainage impacts on- and/or off-site, the facility shall be designed to:
 - 1. Achieve minimal depths, natural shapes, and varying side slopes to accommodate limited recreational, open-space, and other reasonable uses. Large detention basins shall also be designed to accommodate active recreational pursuits, such as field sports (softball, soccer, football, etc.) and similar activities, as determined appropriate the approval authority based on input from the Community Services Department.
 - 2. Use suitable landscape to enhance the visual appearance of the basin from adjacent development and public streets and areas.

17.60.080 Utilities - General

Utilities shall be designed and installed to serve the subdivision in accordance with this section, RMC Titles 14 and 16, and any applicable utility master plan.

- A. *Sanitary Sewers.* Each lot intended for development shall be served by an approved sanitary sewer lateral connection. In the case where the extension of sanitary sewer service to the subdivision site is not feasible or possible as determined by the City Engineer, the approval authority may recognize use of private septic systems as an alternative, based on verification of suitability of septic systems provided by the Shasta County Environmental Health Division.
- B. *Water Supply.* Each lot intended for development shall be served by an approved water-system connection capable of providing sufficient flows and pressure for domestic use and required fire protection. A "Will Serve" letter shall be secured by the subdivider prior to approval of a tentative map for subdivisions located within a water district outside the City's water service area.
- C. *Other Utilities.* Each lot intended for development shall be served by lateral connections for underground electric, telephone, cable television, and natural gas (if available).
- D. *Utility Extension, Looping, and Maintenance.* Subdivision utility design shall provide for necessary utility-line looping, maintenance needs, and the logical extension of utilities to the boundary of bordering properties.

17.60.090 Underground Utilities

The subdivider shall provide for the undergrounding of utilities as follows:

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- A. All new dry utilities (e.g., cable television, electric, and telephone) within a proposed subdivision project shall be installed underground in accordance with the service policy and/or tariff (in effect at the time of development) of the public, private, or City utility involved.
- B. All existing overhead distribution facilities within a proposed subdivision and along peripheral streets shall be replaced with underground distribution facilities at the subdivider's expense in compliance with the specifications of the public, private, or City utility involved.
- C. The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies for granting of easements and the installation of such facilities. Exceptions to the undergrounding requirements are as follows:
 - 1. Transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts may be placed aboveground if within the subdivision and used solely in connection with the underground distribution lines.
 - 2. Non-wood poles supporting streetlights and the electrical lines within the poles may be situated above the surface of the ground.
 - 3. The Planning Commission may waive any requirement of this section if topographical, soil, or other conditions make such underground installation unreasonable or impractical. Such conditions include, but are not limited to:
 - (a) Where the cost to the subdivider for undergrounding the existing overhead utilities would be an excessive burden to the subdivider with little or no benefit to the City undergrounding policy.
 - (b) Where the undergrounding of existing overhead facilities would require existing customers served from the line to have their service facilities placed underground and the majority of these customers do not want their facilities placed underground.
 - 4. Any parcel map with a maximum of four (4) residential parcels, no parcel of which has previously been exempted from this section—and where at least fifty (50) percent of developed parcels within a radius of 500 feet have been previously developed without underground installation of utilities.
 - 5. That portion of a previously developed nonresidential parcel map.
 - 6. The requirement to underground shall apply to all utility lines traversing a subdivision or installed along the subdivision side of the streets or alleys adjoining the subdivision, except for electrical lines of 60kV or more. Where one (1) line is exempt, all parallel lines on that same pole shall be exempt.
 - 7. The utility does not have in its standard material inventory the materials needed to replace the existing overhead facilities with underground or pad-mounted facilities.
- D. All underground utilities crossing streets, service roads, alleys, or highways shall be installed prior to the surfacing of such streets, service roads, alleys, or highways. Service connections for all underground utilities and sanitary sewers shall be placed to such length as will obviate the necessity for disturbing the street or alley improvements when service connections are made.
- E. Subdividers shall make the necessary arrangements with cable television operators to comply with the following requirements with respect to cable television installation in residential subdivisions:

1. Prewire all residential structures.
2. Extend service laterals to each residential structure.

17.60.100 Energy Conservation

The design of a subdivision shall, to the extent feasible, provide for future passive or natural heating or cooling opportunities as set forth in SMA Section 66473.1.

17.60.110 Fire Safety

The design of the subdivision shall provide for adequate fire-safety conditions, particularly in areas having a Very High Fire Hazard Severity Zone designation, as reviewed and approved by the Fire Marshal. This may include provisions for:

1. Multiple public-street access to the subdivision and limitations on street lengths as provided in Section 17.60.030.
2. Access to open space and related natural areas for fire apparatus.
3. Additional development setbacks from adjacent natural areas.
4. Fire-fuel reduction work and fire-fuel management easements.
5. Use of noncombustible fencing materials.
6. Inclusions of fire sprinkler systems and fire-resistant construction for homes/structures in the subdivision beyond the minimum required by applicable building codes.
7. Keypads with appropriate emergency code, Knox Boxes, or other devices to allow efficient access for emergency responses to gated communities or other restricted-access areas.
8. Other fire-protection measures as supported by the General Plan and determined appropriate by the Fire Marshal to reduce risk from wildland fires.

17.60.120 Large-Lot Subdivisions

Where a parcel is subdivided into lots of one (1) acre or more, the approval authority may require that the blocks and lots be of such size, width, depth, and shape to provide for the extension and opening of streets and alleys at such intervals as will permit a subsequent division of any parcel into two (2) or more lots when supported by the General Plan and zoning classifications of the property.

17.60.130 Maintenance District

- A. A formal maintenance district, property-owners' association, and/or equivalent maintenance entity shall be created when determined necessary by the approval authority to ensure proper ongoing maintenance of the following features of a subdivision project:
 1. Landscape along major street frontages, medians, common areas, and other landscaped areas incorporated into the project design.

2. Walls along major street frontages; other retaining wall and fence systems affecting multiple properties.
 3. Drainage courses, levees, or detention basins.
 4. Fire-protection setback and fire-fuel reduction areas.
 5. Private streets, trails, walkways, and/or bike paths within the project.
 6. Neighborhood-serving parks.
 7. Private street lighting.
 8. Ongoing environmental mitigation monitoring and related resource maintenance needs.
 9. Any other special maintenance need.
- B. The developer shall be responsible for all costs and fees associated with the formation of the maintenance district/association. Formal arrangements for creation of the required maintenance entity(s) shall be completed with recordation of a final map.

17.60.140 Consolidated Postal Delivery

The design of the subdivision shall provide for the placement of centralized mail-delivery units. Specific locations for such units shall be to the satisfaction of the U.S. Postal Service and the City Engineer.

17.60.150 Design Modifications

The design standards specified in this chapter may be modified in accordance with the criteria and procedures provided in Chapter 17.04.100, *Subdivision Modifications*.

Chapter 17.64 Street Names

Sections

17.64.010	General
17.64.020	Street Names - New Streets
17.64.030	Streets Names - Renaming
17.64.040	Street Name Signs
17.64.050	Log of Street Names

17.64.010 General

The purpose on the chapter is to provide criteria for the official naming of new public and private streets and the renaming of existing streets.

17.64.020 Street Names - New Streets

- A. All proposed names for public and private streets shall be submitted to the Development Services Director for approval. Street names may either accompany the tentative map application or be provided separately prior to, or with, a final map or parcel map check print. If the names are provided separately from the tentative map application, they shall be depicted on an exhibit not exceeding 11 inches by 17 inches. At least two (2) street-name options shall be submitted for each new street, listed in the order of preference.
- B. Street names shall conform to the following standards:
1. Names for streets generally less than 1,000 feet in length shall end with "Court," "Place," "Lane," or "Way," excluding continuations of existing streets.
 2. Names for streets generally longer than 1,000 feet in length shall end in "Road," "Street," "Avenue," "Boulevard," "Parkway," "Drive," or "Highway."
 3. When justified by a defining circular alignment of a street, names ending in "Circle" or "Loop" may be considered.
 4. Names of private streets shall end in "Trail," "Path," "Trace," or "Walk."
 5. One-word street names shall not exceed ten (10) letters, and two-word street names shall not exceed a total of nine (9) letters.
 6. Street names shall be easily pronounced and spelled as nearly as possible to the phonetic sound.
 7. If a street is named after a person, it shall be only a first or last name.
 8. A street which is a logical extension of an existing street shall have the same name as the existing street.
 9. Street names shall not duplicate the spelling or phonetic sound of any existing street name within the City's fire-response area.
 10. A street generally should not be named after a business.
 11. Alleys generally should not be named, except under special circumstances when they function in a subdivision's design in providing primary access to homes or businesses.
- C. Agency Review. All proposed street names shall be circulated to the Police Department, Fire Department, U.S. Postal Service, Shasta County Planning Division, and the Shasta Area Safety Communications Agency (SHASCOM) for comment in order to avoid name conflicts or duplications.

- D. Following agency review, the Director shall either approve or reject the proposed street names based on the standards of this chapter. The decision of the Director may be appealed in accordance with Section 17.04.110.
- E. Approved street names shall become final with construction of the street or recordation of the related final map, whichever comes first. In the case of an approved subdivision project that is abandoned, street-name approvals shall expire along with expiration of the related tentative map.

17.64.030 Streets Names - Renaming

- A. Requests to rename existing streets may be initiated by one of the following:
 - 1. A petition in support of the name change signed by sixty (60) percent of the property owners along the street, submitted to the Planning Division together with the applicable application fee.
 - 2. By motion of the Planning Commission.
 - 3. By motion of the City Council.
- B. A proposal to rename an existing street shall first be subject to agency review as specified in Section 17.64.020.C and then a public hearing with the Planning Commission. Written notice of the time and place of such hearing shall be given at least ten (10) days in advance to all property owners abutting the street proposed to be renamed as shown on the latest assessment roll of the county, along with any nonowner residents also living along the street. The notice shall include the existing and proposed street names. At the conclusion of the hearing, the Planning Commission shall forward its recommendation for the appropriate street name to the City Council. The Planning Commission may also recommend names other than the ones requested.
- C. Upon receipt of the recommendation by the Planning Commission, the City Council shall consider the recommendation within sixty (60) days. If the Council approves a name change, it shall do so by resolution, giving the effective date of the name change and providing notification to all reviewing agencies in Section 17.64.020.C, the County Clerk, City and County Surveyor, City Engineer, and to any other affected public agencies.
- D. A request to change streets approved with a tentative map shall be processed as an administrative amendment of the tentative map, subject to the procedures and standards outlined in Section 17.64.020.

17.64.040 Street Name Signs

- A. Street-name signs in conformance with City standards shall be installed at the intersection of all streets and highways and at such other locations as may be determined necessary by the City Engineer in support of the subdivision project. The subdivider shall be responsible for cost to fabricate and install the street signs.
- B. Signing of private streets shall conform to City standards for public streets and shall have the abbreviation of private (pvt.) in order to indicate that the street is not a public street.

17.64.050 Log of Street Names

The Director shall keep a log of existing and approved street names.

Chapter 17.70 Improvement Design, Plans, and Final Survey

Sections

17.70.010	General
17.70.020	Improvement Design Standards
17.70.030	Plan Approval by City Engineer
17.70.040	Improvement Plans
17.70.050	Revisions to Approved Plans
17.70.060	Notification of Commencement of Work
17.70.070	Final Survey and Monumentation
17.70.080	Map and Report

17.70.010 General

The purpose of this chapter is to provide criteria for the design, plan preparation, and approval of required subdivision improvements and for final subdivision survey and monumentation.

17.70.020 Improvement Design Standards

All public improvements shall be designed and constructed in conformance with the Redding Municipal Code, City Construction Standards, applicable utility and transportation master plan(s), and the specific standards of any other utility company involved in the subdivision project. The City Engineer shall have the authority to determine the appropriate final improvement design in the case of any uncertainty, variability, or conflict between potential improvement design options. Custom improvement design may be considered for approval in accordance with the subdivision modification criteria and process identified in Section 17.40.100.

17.70.030 Plan Approval by the City Engineer

Improvement plans and profiles for all subdivision-related work must be submitted to, and approved by, the City Engineer before construction occurs. The plans shall be required before approval of the final map. All such plans and profiles shall be prepared in accordance with the requirements of the City Engineer and shall conform to the approved tentative map.

17.70.040 Improvement Plans

- A. *General.* Improvement plans shall be prepared under the direction of and signed by a registered civil engineer licensed by the State of California. Improvement plans shall include, but not be limited to, grading, drainage, storm drains, landscape, environmental-protection measures, streets, sewer, water, electric, and related facilities.
- B. *Form.*
 1. Plans, profiles, and details shall be legibly drawn, printed, or reproduced on 24-inch by 36-inch mylar sheets. A border shall be made on each sheet, providing one-half ($\frac{1}{2}$) inch at top, bottom, and right side and one and one-half ($1\frac{1}{2}$) inches on the left side.
 2. A suitable title block shall be placed in the lower right corner or along the right edge and provide adequate space for approval by the City Engineer and for approval of plan revisions.

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3. Plans and profiles shall be drawn to the scale of 1 inch equals 50 feet or larger unless approved by the City Engineer. Details shall be drawn to such scale that clearly show the facility being constructed. The scales for various portions of the plans shall be shown on each sheet.
 4. A vicinity map shall be shown on the first sheet of all sets of plans.
 5. A north arrow shall be shown on each sheet when applicable.
 6. Plans shall be laid out to orient north to the top or right edge of the sheet, unless approved otherwise by the City Engineer.
 7. If the plans include multiple sheets, a cover sheet showing the streets, lots, easements, storm drains, index, and vicinity map shall be included.
 8. The form of all plans shall conform to additional requirements as may be established by the City Engineer. The final form of all plans shall be approved by the City Engineer.
- C. *Contents.* The improvement plans shall show complete plans, profiles, and details for all required improvements to be constructed, both public and private, including common areas. Street names must be shown. The plans will not be approved until the use of the street names is authorized in accordance with Chapter 17.64. Reference shall be made to City of Redding Construction Standards or State Standard Plans in lieu of duplicating the drawings.
- D. *Grading Details.* Information and details pertaining to grading and erosion control shall be provided in accordance with RMC Chapter 16.12.
- E. *Soils Report.* A preliminary soils report shall be provided in accordance with SMA Section 66490 and Section 66491, and RMC Section 16.12.060.C.
- F. *Supplementary Plans and Calculations.* Hydrology, hydraulic plans and calculations, bond estimates, soil or geological studies, structural calculations, and/or any other necessary special engineering study(s), shall be submitted with the improvement plans as required by the City Engineer. All such reports and calculations shall be legible, systematic, and signed and dated by a registered civil engineer licensed by the State of California and in a form approved by the City Engineer.
- G. *Approval by the City Engineer.*
1. After completing all required revisions and obtaining any other necessary agency approvals, the subdivider's engineer shall transmit the originals of the improvement plans to the City Engineer for signature.
 2. Upon finding that all required revisions have been made and that the plans conform to all applicable City ordinances, design-review requirements, and conditions of approval of the tentative map, the City Engineer shall sign and date the plans. The originals will be returned to the subdivider's engineer.
 3. Approval of the improvement plans shall not be construed as approval of the gas, electric, cable television, and telephone service construction plans except as to location.

4. Approval by the City Engineer shall in no way relieve the subdivider or the subdivider's engineer from responsibility for the design of the improvements and for any deficiencies resulting from the design, from any required conditions of approval of the tentative map, or from obtaining permits or encroachment permits from other agencies or utilities.

17.70.050 Revisions to Approved Plans

- A. *By Subdivider.* Requests by the subdivider or the engineer for revisions to the approved plans appearing necessary or desirable during construction shall be submitted in writing to the City Engineer or authorized representative and shall be accompanied by revised drawings showing the proposed revision. If the revision is acceptable, the originals shall be submitted to the City Engineer's office for initialing. The originals shall be returned to the subdivider's engineer, and the revised plans shall be immediately transmitted to the City Engineer. Construction of any proposed revision will not be permitted to commence until revised plans have been received and forwarded to the City's Engineering Inspection Division.
- B. *By City Engineer.* When revisions are deemed necessary by the City Engineer to protect public health and safety or as field conditions may require, a request in writing shall be made to the subdivider and engineer. The subdivider's engineer shall revise the plans and transmit the originals to the City Engineer for initialing within the time specified by the City Engineer.

Upon receipt of the initialed originals, the subdivider's engineer shall immediately transmit revised drawings to the City Engineer. Construction of all or any portion of the improvements may be stopped by the City Engineer until revised drawings have been submitted.

If revisions are made that would be in conflict with the approved tentative map, the subdivider shall seek an amendment of the tentative map.

17.70.060 Notification of Commencement of Work

Construction shall not commence until the following has occurred:

1. Improvement plans have been approved by the City Engineer.
2. A preconstruction conference is held with the subdivider and the City Engineer.
3. The City Engineer has been notified of the date construction will commence. If work is discontinued for any reason for a period exceeding thirty (30) days, it shall not be resumed until the City Engineer has been notified.

17.70.070 Final Survey and Monumentation

Final survey and monumentation for a subdivision shall be performed in accordance with the following:

- A. Permanent monuments shall be set at all angle and curve points on the exterior boundaries of the subdivision, in all street intersections, at all angle points of street lines, and at all curve points, both simple and compound, of street lines unless otherwise approved by the City Engineer.
- B. Street centerline monuments shall be set at all angle points, intersections, and at points of curves, unless approved otherwise by the City Engineer.

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- C. The engineer or surveyor shall set at all lot corners and at all curve points on lot boundary lines a marker not less substantial and enduring than a steel pin five-eighths (5/8) inches in diameter by eighteen (18) inches long, with a noncorroding-metal or synthetic surface approximately one (1) inch in diameter on the head thereof marked at the exact point.
- D. Witness corners of a type approved by the City Engineer may be set for front corners or other appropriate locations where constraints in setting standard permanent monuments exist.

17.70.080 Map and Report

A map showing all subdivision improvements as built shall be filed with the City Engineer upon completion of the improvements.

Chapter 17.74 Improvement Security and Inspection

Sections

17.74.010	Conformance Required
17.74.020	Security Required
17.74.030	Amount of Improvement Security
17.74.040	Special Assessment Proceeding
17.74.050	Inspection
17.74.060	Completion of Improvements
17.74.070	Acceptance of Improvements
17.74.080	Warranty Security
17.74.090	Release of Security

17.74.010 Conformance Required

Any public improvement agreement, contract, or act required or authorized by the Subdivision Map Act for which financial assurance is required shall be secured in accordance with SMA Section 66499 et seq and as provided in this chapter.

17.74.020 Security Required

Whenever this title authorizes or requires the furnishing of security in connection with the performance of any act or agreement, the security shall be one of the following at the option of, and subject to the approval of, the City Engineer and City Attorney:

- A. A subdivision bond or bonds issued by one (1) or more duly authorized corporate sureties.
- B. A deposit either with the City or a responsible escrow agent or trust company, at the option of the City, of money or negotiable bonds of the kind approved for securing deposits of public monies.
- C. An instrument of credit from one (1) or more financial institutions subject to regulation by the State or Federal Government pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.
- D. A bond or bonds to secure the faithful performance or for the security of laborers and materialmen shall be substantially in the form prescribed by Sections 66499.1 or 66499.2 of the Subdivision Map Act, respectively.

17.74.030 Amount of Improvement Security

The improvement security shall be in the amounts set forth as follows:

- A. An amount which is equal to 100 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. The estimated cost of improvement shall include contingency costs and an estimated inflation factor. Contingency costs shall be determined by the City Engineer, but in no case shall exceed ten (10) percent of improvement costs; inflation adjustments shall be based on the change in the Construction Cost Index over the averaged previous three (3) years' changes as published in the Engineering News Record.

- B. If the improvement security is other than a bond or bonds furnished by duly authorized corporate surety, an additional amount may be included as determined by the City Attorney as necessary to cover the cost and reasonable expenses and fees, including reasonable attorneys' fees which may be incurred by the City in successfully enforcing the obligation secured.
- C. The improvement security shall also secure the faithful performance of any changes or alterations in the work to the extent that such changes or alterations do not exceed ten (10) percent of the original estimated cost of the improvement.
- D. An additional amount equal to fifty (50) percent of the total estimated cost of the improvement or 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. The estimated cost of improvement shall include contingency costs and an estimated inflation factor. Contingency costs shall be determined by the City Engineer, but in no case shall exceed ten (10) percent of improvement costs; inflation adjustments shall be based on the change in the Construction Cost Index over the averaged previous three (3) years' changes as published in the Engineering News Record.

17.74.040 Special Assessment Proceeding

In the event the required subdivision improvements are financed and installed pursuant to special assessment proceedings, the subdivider may apply to the City Council for a reduction in the amount of the improvement security required under this chapter up to an amount corresponding to the amount of faithful performance and payment bonds required of the contractor by the special assessment act being used. The City Council may grant the reduction if it finds that the bonds have been in fact provided and that the obligations secured thereby are substantially equivalent to that required by this title.

17.74.050 Inspection

All required public improvements shall be constructed under the inspection of, and to the approval of, the City Engineer. Cost of inspection and approval shall be paid by the subdivider on an hourly basis, and shall not exceed two (2) percent of the cost of the improvement work.

17.74.060 Completion of Improvements

- A. Required subdivision improvements shall be fully installed and inspected prior to recordation of a final map, except when formally deferred for construction at a later date in accordance with the security requirements of this chapter and an approved Public Improvement Agreement as allowed by Section 17.40.060.B.
- B. Deferred subdivision improvements shall be completed by the subdivider within twenty-four (24) months, or such time as approved by the City Engineer not to exceed a period of thirty-six (36) months from the recording of the final map, unless an extension is granted by the City Council.
- C. Timing of improvements required as a condition of approval for a parcel map shall be in accordance with Section 17.20.130.B.
- D. Public improvements shall be completed prior to final building inspection or occupancy of any unit within the subdivision. The City Engineer shall have the authority to approve phasing of improvements when deemed appropriate to allow orderly phased development of the subdivision.

17.74.070 Acceptance of Improvements

When all improvement deficiencies have been corrected and as-built improvement plans filed, the subdivision improvements shall be considered by the City for acceptance. The City Engineer shall have the authority to accept on behalf of the City completed subdivision improvements in accordance with Section 17.40.060. Acceptance of the public improvements shall imply only that the improvements have been completed satisfactorily and that improvements have been accepted for public use.

17.74.080 Warranty Security

Upon acceptance of the subdivision improvements by the City, the subdivider shall provide warranty security in the amount as required by the City Engineer to guarantee the improvements throughout a one- (1) year warranty period. The amount of the warranty security shall be not less than five (5) percent of the cost of the construction of the improvements.

17.74.090 Release of Security

The improvement security required under this chapter shall be released in the following manner:

- A. *Performance Security.* The performance security shall be released only upon acceptance of the improvements by the City and when an approved warranty security has been filed with the City Engineer. If warranty security is not submitted, performance security shall be released twelve (12) months after acceptance of improvements and correction of all warranty deficiencies.
- B. *Reduction in Performance Security.* The City Engineer may authorize in writing the release of a portion of the security in conjunction with the acceptance of the satisfactory completion of a part of the improvements upon application by the subdivider. In no case shall the security be reduced to less than ten (10) percent of the total improvement security given for faithful performance. The amount of reduction of the security shall be determined by the City Engineer; however, in no event shall the City Engineer authorize a release of the improvement security which would reduce the security to an amount below that required to guarantee the completion of the improvements and any other obligation imposed by this ordinance, the Subdivision Map Act, or the improvement agreement.
- C. *Material and Labor Security.* Security given to secure payment to the contractor, his subcontractors, and to persons furnishing labor, materials, or equipment may, ninety (90) days after the completion and acceptance of the improvements by the City Council, be reduced to an amount equal to the amount of all claims filed and of which notice has been given to the City Council. The balance of the security shall be released upon the settlement of all such claims and obligations for which the security was given.
- D. *Warranty Security.* The warranty security shall be released upon satisfactory completion of the warranty period, provided:
 - 1. All deficiencies appearing on the warranty deficiency list for the subdivision have been corrected.
 - 2. Not less than twelve (12) months have elapsed since the acceptance of the improvements by the City Council.