

Article 4: Subdivision Regulations

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Division 1: General Provisions for Subdivisions

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0101 Purpose of Subdivision Regulations

The purpose of this article is to regulate the design and improvement of *subdivisions* of land and to protect the public and purchaser and to supplement the provisions of the *Subdivision Map Act*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0102 Subdivision Procedures

The filing of maps and other related documents regulated in this article shall be processed in accordance with the provisions of Chapter 12, Article 5 (Subdivision Procedures).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0110 Enforcement of Subdivision Regulations

Parcels of land that were not subdivided in compliance with the provisions of this article or are not legal *lots* shall not constitute legal building sites, and no permit shall be issued for *development* of the parcel unless a map as required by this article is filed in accordance with Chapter 12, Article 5 (Subdivision Procedures).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0120 Vesting Maps

- (a) Where a *tentative map* is filed with the intention to secure *development* rights conferred by the *Subdivision Map Act*, Chapter 4.5, the map shall be conspicuously labeled as a vesting *tentative map* or vesting *tentative parcel map*.
- (b) Where a final or *parcel map* is filed pursuant to a vesting *tentative map*, the map shall bear a notation in the lower left-hand corner of the first sheet of the map that such map secures vested *development* rights including the date of the regulations for which the vesting rights will apply in accordance with the *Subdivision Map Act*, Section 66498.1.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0130 Survey Monuments

- (a) Survey monuments shall be set in accordance with the *Subdivision Map Act*, Chapter 4, Article 9, to the satisfaction of the City Engineer. When the setting of monuments is deferred, a cash security deposit, in the amount of the estimated cost as provided by the engineer or land surveyor, shall be deposited with the City to guarantee setting such monuments and payment of the surveyor of record for setting them. When the final monuments are set as certified on the final map or *parcel map* and are accepted by the City Engineer and the surveyor of record is paid for setting them, the monument security shall be released in accordance with Section 144.0130(b).
- (b) The City Land Surveyor may approve the release of any security posted for the setting of monuments upon the satisfaction of the requirements in Section 144.0130(a), the *Subdivision Map Act* Chapter 4, Article 9, and California Government Code section 66497(d).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)

§144.0131 Remainder Parcel

All lands that have been included within the boundaries of the *tentative map* but which are not proposed to be divided, as defined by the *Subdivision Map Act*, Section 66424, shall be shown on the final or *parcel map* and designated as a *remainder parcel*. Where the *remainder parcel* has a gross area of 5 acres or more, the location and configuration of the parcel may be indicated by deed references. The improvement security and the time of completion of any *public improvements* required within the *remainder parcel* may be made a condition of a separate agreement pursuant to the provisions of the *Subdivision Map Act*, Section 66424.6, relating to *remainder parcels*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0132 Security Required for Improvement Agreements

- (a) Whenever an agreement providing for *grading*, the construction of *public improvements* and the undergrounding of existing private utilities in conjunction with a *subdivision* is required, an improvement security shall be provided by the *subdivider*. Such improvement security shall be one of the types specified by the *Subdivision Map Act*, Chapter 5, and shall be subject to approval as to type and form by the City.
- (b) Whenever the *subdivider* presents evidence satisfactory to the City of an executed agreement with a private utility company for the undergrounding of existing overhead facilities by the private utility company, the improvement securities need not include such work.
- (c) Security to guarantee performance of any act or agreement shall be in the following amounts:
 - (1) An amount equal to 100 percent of the total estimated cost of *public improvement* to be performed plus the amount equal to that required by Section 129.0119, conditioned upon faithful performance of the act or agreement; and
 - (2) An additional amount equal to 50 percent of the total estimated cost of *public improvement* and *land development* to be performed, securing payment to the contractor, the subcontractors and to persons furnishing labor, materials, or equipment to them for the improvement or the performance of the required act.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§144.0133 Informational Disclosures

- (a) At the time of filing of a final map or *parcel map*, additional information may be required for disclosure purposes as provided in the *Subdivision Map Act*, Section 66434.2. The informational disclosure may be recorded by separate document with the recording data reflected on the final map or *parcel map*, or it may be included on an additional sheet of the map.
- (b) Such informational disclosures, if placed upon a final or *parcel map*, shall contain a statement that the disclosure is for informational purposes and is not intended to affect the record title interest. Where the informational disclosure is contained in a separate document that is recorded concurrently with the final or *parcel map*, the final or *parcel map* shall by note refer to the document and indicate its identifying recording information.
- (c) The information required to be included in the informational disclosure may be established at the time of the approval of the *tentative map* or by the City Engineer before the filing of the final or *parcel map*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)