

Title 18

SUBDIVISION

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ARTICLE I: SUBDIVISION CODE ENACTMENT AND APPLICABILITY**Chapter 18.010****SUBDIVISION CODE ENACTMENT****18.010.010 Title.****18.010.020 Authority.****18.010.030 Adoption of Code.****18.010.010 Title.**

This Title 18 constitutes, and may be referred to as, the Subdivision Code of the City of Riverside. (Ord. 6968 §1, 2007)

18.010.020 Authority.

This Subdivision Code is enacted based on the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, Subdivision Map Act (California Government Code Section 66410 - 66499.58), Planning and Zoning Law (California Government Code Section 65000 et seq.) and the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). (Ord. 6968 §1, 2007)

18.010.030 Adoption of Code.

This Subdivision Code, the comprehensive subdivision regulations of the City, is hereby adopted in conformance with current State planning, zoning, subdivision and related development laws. (Ord. 6968 §1, 2007)

Chapter 18.020**PURPOSE AND SCOPE****18.020.010 Purpose.****18.020.020 Scope.****18.020.010 Purpose.**

The purpose of this Subdivision Code is to regulate and control the design and improvement of subdivisions in order to achieve the following purposes:

- A. To assist in implementing the Riverside General Plan adopted by the City Council as a long-range, general comprehensive guide to the physical development of the City;
- B. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
- C. To provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;
- D. To provide sidewalks or pedestrianways where needed for the safety and convenience of pedestrians;
- E. To preserve the natural assets of the City's setting, to prevent the indiscriminate clearing of property and the destruction of trees and shrubs and other desirable landscape features, to ensure adequate access to each building site, and to create new beauty and safeguard the public safety and welfare through skilled subdivision design;
- F. To provide adequate systems of water supply, sanitary sewage disposal, storm drainage, street lighting, and other utilities needed for the public health, safety and convenience;
- G. To provide adequate sites for other public facilities needed to serve the residents of the new developments;
- H. 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 borne by the subdividers rather than by the taxpayers of the City at large;
- I. To ensure that, insofar as possible, land is subdivided in a manner that will promote the public health, safety, convenience, and general welfare; and
- J. To encourage clustering, the preservation of natural features and limit grading.

18.020.020 Scope.

Unless otherwise provided by law, the provisions contained in this Subdivision Code shall apply to all real property contained within the corporate limits of the City of Riverside. (Ord. 6968 §1, 2007)

Chapter 18.030**RELATIONSHIP TO OTHER PROVISIONS**

- 18.030.010 Relationship to Prior Code.**
- 18.030.020 Relationship to the Zoning Code.**
- 18.030.030 Relationship to the General Plan, Specific Plan and Street Alignments.**
- 18.030.040 Relationship to the Subdivision Map Act.**
- 18.030.050 Relationship to the California Environmental Quality Act.**

18.030.010 Relationship to Prior Code.

The provisions of this Subdivision Code, as it existed prior to the effective date of Ordinance No. 6968, are repealed and superseded as provided in the ordinance enacting this Code. No provision of this Code shall validate or legalize any subdivision established or maintained in violation of this Code as it existed prior to repeal by the ordinance enacting this Code. (Ord. 6968 §1, 2007)

18.030.020 Relationship to the Zoning Code.

All maps approved pursuant to the provisions of this Title shall conform with the City's Zoning Code (Title 19 of this Code) with respect to the uses of land, lot sizes and dimensions, and other applicable regulations.

Pursuant to the Land Use Element of the General Plan and Title 19 (19.780.050) the Planning Commission shall determine the base number of dwelling units allowable in a Planned Residential Development (PRD) based on benchmark densities for the underlying zone in which the project is located. Benchmark densities for a PRD by zone are shown in Table 19.780.040. The minimum standards for a project to qualify for a PRD with the benchmark density are that it be adequately served by public infrastructure, including good access to public and private services, and that the site is well designed with desirable amenities in accordance with adopted Citywide Design Guidelines and in accordance with City Codes (Note: Compliance with City Codes allows for granting of variances in certain instances.) In order for a project to qualify as a PRD it must meet these minimum benchmark density requirements. In the case of PRD's in the RC Zone, the following additional criteria apply to qualifying for the benchmark density:

- A. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas or otherwise as part of the project.
- B. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes. (Ord. 6968 §1, 2007)

18.030.030 Relationship to the General Plan, Specific Plan and Street Alignments.

All maps approved pursuant to the provisions of this Title shall conform with the principles and standards of the General Plan and with any applicable specific plans with respect to population densities and distribution, locations, alignments and sizes of public streets, easements, improvements, areas and provision of sites for schools, parks, public buildings, streets, trails, linkages or other public facilities in accordance with the recommendations of such plan. (Ord. 6968 §1, 2007)

18.030.040 Relationship to the Subdivision Map Act.

The provisions of this Title are adopted pursuant to, in compliance with, and in furtherance of the State Subdivision Map Act (California Government Code Section 66410 et seq.) All provisions of the Subdivision Map Act and future amendments thereto not incorporated in this Title shall apply to all subdivisions, subdivision maps and proceedings under this Title. (Ord. 6968 §1, 2007)

18.030.050 Relationship to the California Environmental Quality Act.

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application shall be reviewed in accordance with the provisions of this Subdivision Code, Public Resources Code Section 21000 et seq., Section 15000 et seq. of Title 14 of the California Code of Regulations (the CEQA Guidelines) and the environmental guidelines/regulations adopted by the City of Riverside Resolution 21106, or any subsequent revision thereto. (Ord. 6968 §1, 2007)

Chapter 18.040**SUBDIVISION CODE APPLICABILITY****18.040.010 Prior Rights and Violations.****18.040.020 Conflicts with Other Regulations.****18.040.010 Prior Rights and Violations.**

The enactment of this Subdivision Code shall not terminate nor otherwise affect vested subdivision maps, approvals or agreements authorized under the provisions of any prior ordinance or resolution, nor shall violation of any prior ordinance or resolution be excused by the adoption of this Code. (Ord. 6968 §1, 2007)

18.040.020 Conflicts with Other Regulations.

Where any conflict occurs between the provisions of this Subdivision Code and the provisions of other Titles of the Riverside Municipal Code or other regulations adopted by the City, the more restrictive provisions shall apply. Nothing contained in this Subdivision Code shall be deemed to repeal or amend any regulation of the City requiring a permit or license or both, nor shall anything in the Subdivision Code be deemed to repeal or amend other Titles of the Municipal Code. (Ord. 6968 §1, 2007)

**ARTICLE II: SUBDIVISION CODE ADMINISTRATION, INTERPRETATION AND
ENFORCEMENT**

Chapter 18.050

SUBDIVISION CODE ADMINISTRATION

- 18.050.010** **Approving Authority.**
- 18.050.020** **City Engineer.**
- 18.050.030** **City Surveyor**
- 18.050.040** **City Traffic Engineer.**
- 18.050.050** **Building Official.**
- 18.050.060** **Appeal Board.**
- 18.050.070** **Subdivision Committee.**

18.050.010 **Approving Authority.**

- A. The Planning Commission of the City, as defined in Section 806 of the City's Charter and further defined in Title 2 of this Municipal Code, is designated as the advisory agency with respect to subdivisions as set forth in the Subdivision Map Act except as otherwise specifically delegated in this Title; and shall have all such powers and duties with respect to subdivision maps and all other related proceedings as are provided by law and this Title.

- B. The Zoning Administrator is hereby designated as the advisory agency for those proceedings authorized pursuant to Chapters 18.080.040 Tentative Parcel Maps, 18.100 Lot Line Adjustments, Consolidations and Mergers, 18.110 Parcel Map Waivers and 18.120 Certificates of Compliance of this Title. (Ord. 6968 §1, 2007)

18.050.020 **City Engineer.**

The office of City Engineer is hereby established. The Public Works Director or the authorized designee shall be the City Engineer and shall exercise the powers and duties as provided in this Code and any other applicable Codes or ordinances of the City. (Ord. 6968 §1, 2007)

18.050.030 **City Surveyor.**

- A. The office of City Surveyor is hereby established. The City Surveyor shall be qualified and appointed pursuant to City personnel procedures and ordinance. The City Surveyor or the acting designee shall exercise the powers and duties as provided in this Title and any other applicable Codes or ordinances of the City.

- B. It shall be the general duty of the City Surveyor or designee to maintain and perpetuate survey monuments within the Public Rights of Way of the City, prepare, review and approve property descriptions involving acquisition or disposition of property interests by the City of Riverside, review and approve Subdivision Maps and Records of Surveys, conduct field surveys for the determination of boundaries, the location of improvements and the placement of fixed works, maintain the City land base mapping and to carry out the additional powers and duties imposed by ordinances of the City. (Ord. 6968 §1, 2007)

18.050.040 City Traffic Engineer.

The office of City Traffic Engineer is established under Section 10.08.030 of this Municipal Code. (Ord. 6968 §1, 2007)

18.050.050 Building Official

The office of Building Official is established under Section 16.08.020 of this Municipal Code. (Ord. 6968 §1, 2007)

18.050.060 Appeal Board.

The City Council of Riverside, hereinafter referred to as the City Council, is designated the appeal board charged with the duty of hearing and making determinations upon appeals with respect to divisions of real property, the imposition of requirements or conditions thereon, or the kinds, nature and extent of the design or improvements, or both, recommended or decided by the Planning Commission to be required. The Planning Commission shall serve as the appeal board for decisions of the Zoning Administrator relative to this Title. (Ord. 6968 §1, 2007)

18.050.070 Subdivision Committee.

A committee consisting of Planning Director, the Public Works Director, the Public Utilities Director, the Park, Recreation and Community Services Director, the Fire Marshal, or designated representatives of each, and which may include one or more representatives of such other City and County departments, special district, State and other public or private agencies as may, in the judgment of the Planning Director, be affected by a proposed subdivision, is formed for the purpose of reviewing and advising on subdivisions and maps in accordance with the provisions of this Title and of the Subdivision Map Act. (Ord. 6968 §1, 2007)

Chapter 18.060**INTERPRETATION OF CODE**

- 18.060.010 Purpose.**
- 18.060.020 Applicability and Authority for Interpretations.**
- 18.060.030 Rules and Interpretations.**
- 18.060.040 Record of Interpretations.**
- 18.060.050 Appeals of Interpretations.**

18.060.010 Purpose.

The purpose of this Chapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of this Subdivision Code and to ensure consistent interpretation and application of this Code. (Ord. 6968 §1, 2007)

18.060.020 Applicability and Authority for Interpretations.

If ambiguity arises concerning the meaning or applicability of any provision of this Subdivision Code, the Zoning Administrator shall have the responsibility to review pertinent facts, determine the intent of the provision and to issue an administrative interpretation. (Ord. 6968 §1, 2007)

18.060.030 Rules and Interpretations.**A. Terminology.**

When used in this Subdivision Code, the following rules apply to all provisions of the Subdivision Code:

Language. The words “shall,” “must,” “will,” “is to” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended and “may” is permissive.

Tense. The present tense includes the past and future tense and the future tense includes the present.

Number. The singular number includes the plural number and the plural the singular, unless the natural construction of the words indicates otherwise.

Conjunction. “And” indicates that all connected items or provisions shall apply. “Or” indicates that the connected items or provisions may apply singly or in any combination. “Either ...or” indicates that the connected items and provisions shall apply singly but not in combination. “Includes” and “including” shall mean “including but not limited to ...”.

Local Reference. “City” as used herein means the City of Riverside and all public officials, bodies and agencies referenced herein are those of the City unless otherwise stated.

B. Number of Days.

Whenever the number of days is specified in this Title, or in any permit, condition of approval, or notice issued or given as provided in this Title, the number of days

shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.

C. Minimum Requirements.

In interpreting and applying the provisions of this Title, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where this Title imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this Code or other Codes, rules, regulations or by easements, covenants or agreements, the provisions of this Title shall control.

D. Intent.

Whenever there is any question regarding the interpretation of the provisions of this Title or their application to any specific case or situation, the Zoning Administrator shall interpret the intent of this Title. The Zoning Administrator shall have the authority to forward to the Planning Commission any question regarding interpretation. (Ord. 6968 §1, 2007)

18.060.040 Record of Interpretations.

- A. Once the Zoning Administrator has identified the ambiguity and considered relevant information, an official interpretation of this Title shall be established in writing and shall cite the provisions being interpreted, together with an explanation of the meaning or applicability of the provision(s) in the particular or general circumstances that caused the need for interpretation.
- B. Any provision determined by the Zoning Administrator to be ambiguous pursuant to this Chapter shall be clarified by amendment as soon as is practical.

18.060.050 Appeals of Interpretations.

Any aggrieved interested persons may appeal an interpretation of the regulations. Appeals shall be processed pursuant to [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

Chapter 18.070**ENFORCEMENT****18.070.010 Enforcement Authority.****18.070.020 Compliance.****18.070.030 Penalties.****18.070.040 Permit or Approval.****18.070.050 Notice of Violation.****18.070.010 Enforcement Authority.**

It shall be the duty of the City and all officers of the City to enforce this Subdivision Code. Any condition imposed as part of an approved subdivision case shall also be enforceable by the appropriate City officials. (Ord. 6968 §1, 2007)

18.070.020 Compliance.

No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, except for model homes, or allow occupancy thereof, for which a final map or parcel map is required by this Title or the Subdivision Map Act, until said final map or parcel map in full compliance with this Title and the Subdivision Map Act has been filed for record with the Riverside County Recorder. (Ord. 6968 §1, 2007)

18.070.030 Penalties.

Each violation of this Title and the Subdivision Map Act by a person who is the subdivider or an owner of record, at the time of the violation, of property involved in the violation shall be punishable by imprisonment in the county jail not exceeding one year or in the State prison, by a fine not exceeding ten thousand dollars (\$10,000), or by both that fine and imprisonment. Every other violation of this Title and the Subdivision Map Act is a misdemeanor (California Government Code §§ 66499.31). (Ord. 6968 §1, 2007)

18.070.040 Permit or Approval.

- A. No permit shall be issued or approval granted necessary to develop any real property which has been divided, or which has resulted from a division in violation of the Subdivision Map Act or this Title if it is determined that development of such real property is contrary to public health or the public safety. The authority to deny such a permit or such approval shall apply whether the applicant was the owner of the real property at the time of such violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of the acquisition of said applicant's interest in such real property.
- B. If a permit or approval is granted, such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property may be imposed. (Ord. 6968 §1, 2007)

18.070.050 Notice of Violation.

- A. Notice of Intention.

Upon determination that real property has been divided in violation of the provisions of the Subdivision Map Act or this Title and an application is not

pending for a Certificate of Compliance pursuant to [Chapter 18.120 Certificates of Compliance](#), the Zoning Administrator shall cause to be mailed by certified mail to the then current owner of record of the property a notice of intention to record a notice of violation, describing the real property in detail, naming the owners, and stating that an opportunity will be given to the owner to present evidence. The notice shall specify a time, date and place for a meeting of the Planning Commission at which the owner may present evidence to the Planning Commission why the notice should not be recorded. The notice shall also contain a description of the violations and the explanation as to why the subject parcel is not lawful. The date set for the meeting before the Planning Commission shall be no sooner than thirty (30) days and no later than sixty (60) days from the date of mailing of the notice of intention.

B. Planning Commission Meeting; Notice of Violation.

If at the scheduled hearing, the owner of the real property fails to object to recording the notice of violation, the Planning Commission shall direct the recording of the notice of violation with the County Recorder. If, after the owner has presented evidence, it is determined that there has been no violation, the Zoning Administrator shall mail a clearance letter to the then current owner of record. If, however, after the owner has presented evidence, the Planning Commission determines that the property has in fact been illegally divided, the Planning Commission shall direct the recording of the notice of violation with the Riverside County Recorder. The notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property. (Ord. 6968 §1, 2007)

ARTICLE III: MAPS & PERMITS**Chapter 18.080****TENTATIVE MAPS**

- 18.080.010 Preliminary Maps.**
- 18.080.020 Requirements For Filing.**
- 18.080.030 Tentative Tract Maps Required.**
- 18.080.040 Tentative Parcel Maps Required.**
- 18.080.050 Tentative Vesting Maps.**
- 18.080.060 Tentative Reversion to Acreage Maps.**
- 18.080.070 Tentative Condominium Maps.**
- 18.080.075 Tentative Condominium Conversion Maps.**
- 18.080.080 Tentative Environmental Subdivision Maps.**
- 18.080.090 Tentative Maps Not Required.**
- 18.080.095 Phasing a Map.**
- 18.080.100 Approving and Appeal Authority for Tentative Maps.**
- 18.080.110 Appeals.**
- 18.080.120 Tentative Map Revisions.**
- 18.080.130 Changes in Essential Information.**
- 18.080.140 Withdrawal of Tentative Map.**
- 18.080.150 Unincorporated Territory.**
- 18.080.160 Expiration of a Tentative Map.**
- 18.080.170 Time Extensions.**
- 18.080.180 Tentative Maps (except Parcel Maps and Environmental Subdivisions) Processing Flow Chart.**
- 18.080.190 Tentative Parcel Map and Environmental Subdivisions Processing Flow Chart.**

18.080.010 Preliminary Maps.

For every proposed subdivision the subdivider may, at his or her option, file a preliminary map with the Planning Division, and as many additional copies as may be required, for the purpose of obtaining advice on the conformity of the map with the provisions of this Title and other applicable Codes, and possible improvements in the design of the subdivision. (Ord. 6968 §1, 2007)

18.080.020 Requirements For Filing.

For information on filing a map see [Article 4: Requirements for Filing and Approval](#) in this Title. (Ord. 6968 §1, 2007)

18.080.030 Tentative Tract Maps Required.

A tentative tract map, as defined under [Article 6 Definitions](#), shall be required for all subdivisions creating five (5) or more parcels, five (5) or more condominiums as defined in Section 783 of the California Civil Code, a community apartment project containing five (5) or more parcels, or for the conversion of a dwelling to a stock cooperative containing five (5) or more dwelling units, except where a Parcel Map is required pursuant to [18.080.040 Tentative Parcel Maps Required](#) of this Title (California Government Code § 66426). (Ord. 6968 §1, 2007)

18.080.040 Tentative Parcel Maps Required.

- A. A tentative parcel map, as defined under [Article 6 Definitions](#), shall be required for all subdivisions creating four (4) or fewer parcels or where:
1. the land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the Approving or Appeal Authority;
 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, which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the Approving or Appeal Authority 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 of a quarter section;
 5. or the land being subdivided is solely for the creation of an environmental subdivision pursuant to [18.080.080 Environmental Subdivision Maps](#) (California Government Code § 66426).
- B. A tentative parcel map shall not be required for:
1. subdivisions of a portion of the operating right-of-way of a railroad corporation, as defined by Section 230 of the Public Utilities Code, that are created by short-term leases (terminable by either party on not more than 30 days' notice in writing); or
 2. land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map. For purposes of this subdivision, land conveyed to or from a governmental agency shall include a fee interest, a leasehold interest, an easement or a license. (California Government Code §§ 66428 (a)) (Ord. 6968 §1, 2007)

18.080.050 Tentative Vesting Maps

A tentative vesting map, as defined under [Article 6 Definitions](#), may be used whenever a provision of the Subdivision Map Act, as implemented and supplemented by this Title, requires the filing of a tentative tract map or tentative parcel map, in accordance with the following:

- A. If a subdivider does not seek the rights conferred by a tentative vesting map, the filing of a tentative vesting map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction or work preparatory to construction.
- B. The approval or conditional approval of a tentative vesting map shall confer a vested right to proceed with development in substantial compliance with the

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

- C. Notwithstanding subdivision (B) any fee required to be paid after the tentative map is approved, such as park development fees, school development fees, drainage mitigation fees or all other applicable fees, shall be paid in the amount required at the time the fee is required to be paid.
- D. Notwithstanding subdivision (B), a permit, approval, extension or entitlement may be made conditional or denied if any of the following are determined:
 - 1. A failure to do so would place residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
 - 2. The condition or denial is required in order to comply with State or Federal law.
- E. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the tentative vesting map as provided in [18.180.030 Permit Time Limits](#). If the final map is approved, these rights shall last for the following periods of time:
 - 1. An initial time period of three (3) years. Where several final maps are recorded on various phases of a project covered by a single tentative vesting map, this initial timer period shall begin for each phase when the final map for that phase is recorded.
 - 2. The initial time period set forth in (E) (1) shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceed thirty (30) days, from the date a complete application is filed.
 - 3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in (E) (1) expires. If the extension is denied, the subdivider may appeal that denial to the City Council within ten (10) days.
 - 4. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions (E) (1-3), the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.
- F. Whenever a subdivider files a tentative vesting map for a subdivision whose intended development is inconsistent with the Zoning Code in existence at that time, that inconsistency shall be noted on the map. The City may deny such a vesting tentative map or approve it conditioned on the subdivider, or his or her

designee, obtaining the necessary change in the Zoning Code to eliminate the inconsistency. If the change in the Zoning Code is obtained, the approved or conditionally approved tentative vesting map shall, notwithstanding Section (C), confer the vested right to proceed with the development in substantial compliance with the change in the Zoning Code and the map, as approved. The rights conferred by this Section shall be for the time periods set forth in Section (E).

- G. Notwithstanding any provision of this Section ([18.080.050 Tentative Vesting Maps](#)) a property owner or his or her designee may seek approvals or permits for development which depart from the Codes, policies and standards described in Sections (B) and (F), and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law. (Ord. 6968 §1, 2007)

18.080.060 Tentative Reversion to Acreage Maps.

A tentative reversion to acreage map, as defined under [Article 6 Definitions](#), is used when any previously subdivided real property is reverted to acreage. A tentative map shall be prepared and processed in accordance with the applicable provisions of [Chapter 18.080 Tentative Maps](#).

- A. Findings.

Subdivided real property may be reverted to acreage only if the Approving and Appeal Authority finds that:

1. Dedications or offers of dedications to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes, and
2. Either all owners of an interest in the real property within the subdivision have consented to reversion or 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 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.

- B. Conditions.

As a condition of approval, the City may require the complete removal of any improvements located in any right-of-way to be eliminated by the reversion to acreage map, and may require dedication of land for public streets, highways or other easements and the installation of improvements, in accordance with the provisions of [Chapter 18.220 Improvements](#). (Ord. 6968 §1, 2007)

18.080.070 Tentative Condominium Maps.

A tentative condominium map, as defined under [Article 6 Definitions](#), is used for the mapping of a condominium project, a community apartment project or for the conversion of five or more existing dwelling units to a stock cooperative project. (California Government Code §§ 66427) (Ord. 6968 §1, 2007)

18.080.075 Tentative Condominium Conversion Maps.

A tentative condominium map, as defined under [Article 6 Definitions](#), is used for the conversion of existing residential real property to condominiums, community apartments or stock cooperative projects or any other form of ownership except conversion projects for which a final or tentative parcel map has been approved or where the conversion involves a limited equity housing cooperative as defined in Section 33007.5 of the Health and Safety Code. All provisions, conditions and further definitions of condominium development as approved included in the California Civil Code shall apply to the divisions of real property as permitted herein.

A. Findings.

The Approving or Appeal Authority shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project or a stock cooperative project unless it finds all of the following:

1. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has received, pursuant to Section 66452.9 of the Government Code, written notification of intention to convert at least sixty (60) days prior to the filing of a tentative map pursuant to Section 66452 of the Government Code. There shall be a further finding that each such tenant, and each person applying for the rental of a unit in such residential real property, has, or will have, received all applicable notices and rights now or hereafter required by Government Code §§ 66410 - 66499.58. In addition, a finding shall be made that each tenant has received 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. The written notices to tenants required by this subdivision shall be deemed satisfied if such notices comply with the legal requirements for service by mail.
2. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given written notification within ten (10) days of approval of a final map for the proposed conversion.
3. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given one hundred and eighty (180) days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.
4. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit 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 issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

5. This Section shall not diminish, limit or expand, other than as provided herein, the authority of City to approve or disapprove condominium projects.

B. Development Review Required.

In addition to the limitations and restrictions contained within this Title, the Subdivision Map Act and the applicable Building and Fire regulations, no residential apartment unit shall be converted for sale, transfer or conveyance as a community apartment project, condominium or stock cooperative project without concurrently obtaining approval of a Condominium Conversion Permit pursuant to 19.790 of Title 19.

C. Exceptions.

A tentative condominium map shall not be required for:

1. Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.
2. Unless a tentative parcel or final map was approved by the legislative body of a local agency, the conversion of a community apartment project, as defined in Section 1351 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:
 - a. At least 75 percent of the units in the project were occupied by record owners of the project on March 31, 1982.
 - b. A final or parcel map of the project was properly recorded, if the property was subdivided, as defined in Section 66424, after January 1, 1964, with all of the conditions of that map remaining in effect after the conversion.
 - c. The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.
 - d. Subject to compliance with subdivision (e) of Section 1351 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the project as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a

majority of owners in the project shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the project.

3. Unless a tentative parcel or final map was approved by the legislative body of a local agency, the conversion of a stock cooperative, as defined in Section 1351 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:
 - a. At least 51 percent of the units in the cooperative were occupied by stockholders of the cooperative on January 1, 1981, or individually owned by stockholders of the cooperative on January 1, 1981. As used in this paragraph, a cooperative unit is "individually owned" if and only if the stockholder of that unit owns or partially owns an interest in no more than one unit in the cooperative.
 - b. No more than 25 percent of the shares of the cooperative were owned by any one person, as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1981.
 - c. A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits.
 - d. The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.
 - e. Subject to compliance with subdivision (e) of Section 1351 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative (California Government Code §§ 66412 f, g, and h.) (Ord. 6968 §1, 2007)

18.080.080 Tentative Environmental Subdivision Maps.

A tentative environmental subdivision, as defined under [Article 6 Definitions](#), may be used for the subdivision of land for biotic and wildlife purposes.

- A. Findings.

Prior to approving or conditionally approving an environmental subdivision, the local agency shall find each of the following:

1. That factual biotic or wildlife data, or both, are available to the local agency to support the approval of the subdivision, prior to approving or conditionally approving the environmental subdivision.
2. That provisions have been made for the perpetual maintenance of the property as a biotic or wildlife habitat, or both, in accordance with the conditions specified by any local, state, or federal agency requiring mitigation.
3. That an easement will be recorded in the county in which the land is located to ensure compliance with the conditions specified by any local, state, or federal agency requiring the mitigation. The easement shall contain a covenant with a county, city, or nonprofit organization running with the land in perpetuity, that the landowner shall not construct or permit the construction of improvements except those for which the right is expressly reserved in the instrument. Where the biotic or wildlife habitat, or both, are compatible, the local agency shall consider requiring the easement to contain a requirement for the joint management and maintenance of the resulting parcels. This reservation shall not be inconsistent with the purposes of this section and shall not be incompatible with maintaining and preserving the biotic or wildlife character, or both, of the land.
4. The real property is at least twenty (20) acres in size, or if it is less than twenty (20) acres in size, the following conditions are met:
 - a. The land is contiguous to other land that would also qualify as an environmental subdivision.
 - b. The other land is subject to a recorded perpetual easement that restricts its use to a biotic or wildlife habitat, or both.
 - c. The total combined acreage of the lands would be twenty (20) acres or more.
 - d. Where the biotic or wildlife habitat, or both, are compatible, the land and the other land will be jointly managed and maintained. (Ord. 6968 §1, 2007)

18.080.090 Tentative Maps Not Required.

This Article shall not be applicable to:

- A. The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobilehome parks or trailer parks.
- B. Mineral, oil, or gas leases.

- C. Land dedicated for cemetery purposes under the Health and Safety Code.
- D. The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.
- E. Leases of agricultural land for agricultural purposes. As used in this subdivision, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock.
- F. The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the project is not subject to review under other local agency ordinances regulating design and improvement.
- G. The financing or leasing of existing separate commercial or industrial buildings on a single parcel.
- H. The construction, financing or leasing of dwelling units pursuant to Section 65852.1 or second units pursuant to Section 65852.2, but this Section shall be applicable to the sale or transfer, but not leasing, of those units.
- I. Subdivisions of four parcels or less for construction of removable commercial buildings having a floor area of less than 100 square feet. (California Government Code §§ 66412, 66412.1, 66412.2 and 66412.5.) (Ord. 6968 §1, 2007)

18.080.095 Phasing a Map.

If a map is proposed to be constructed in phases, the proposed phasing schedule is subject to approval by the Zoning Administrator. (Ord. 6968 §1, 2007)

18.080.100 Approving and Appeal Authority for Tentative Maps.

The Approving and Appeal Authority for tentative maps shall be as defined in [18.050.010 Approving and Appeal Authority](#) and as further designated in [18.140.040 Approving and Appeal Authority Table](#). (Ord. 6968 §1, 2007)

18.080.110 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving Authority with respect to the approval or disapproval of a lot line adjustment, consolidation or merger or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

18.080.120 Tentative Map Revisions.

Any revision of a tentative map or portion thereof shall comply with all requirements of this Title,

other applicable Codes, specific plans, and planned street lines in effect at the time such revised map is considered by the Approving or Appeal Authority. (Ord. 6968 §1, 2007)

18.080.130 Changes in Essential Information.

When any change is made in the information, statements and drawings filed pursuant to [Chapter 18.150 General Application Processing Procedures](#), such change shall be submitted to the Approving Authority in writing and shall be approved prior to the filing of the final map. (Ord. 6968 §1, 2007)

18.080.140 Withdrawal of Tentative Map.

See [18.150.150 Withdrawal of Application](#). (Ord. 6968 §1, 2007)

18.080.150 Unincorporated Territory.

- A. A tentative map may be filed for property located outside the boundaries of the City and within the City's adopted Sphere of Influence. The map may, in the discretion of the approving Authority, may be acted upon in the manner prescribed by this Chapter, except that if it is approved, such approval shall be conditioned upon annexation of the property to the City within such period of time as shall be specified by the Approving or Appeal Authority.
- B. No final map shall be approved until annexation of the property to the City has been completed. If annexation is not completed within the time specified or any extension thereof granted by the Approving or Appeal Authority, the approval of such map shall be null and void. (Ord. 6968 §1, 2007)

18.080.160 Expiration of a Tentative Map.

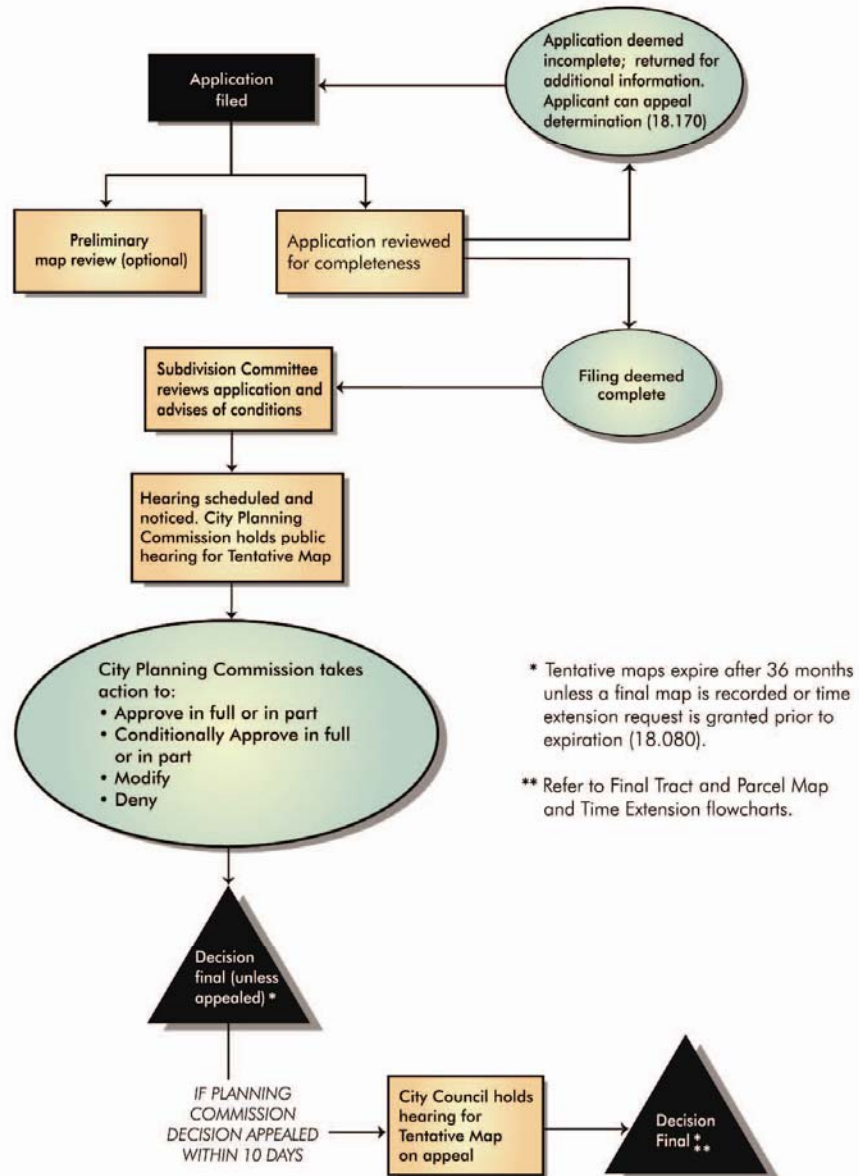
A tentative map for which a Final Map or Parcel Map has not been recorded as a final map shall expire within thirty-six (36) months of the date of approval or conditional approval of a tentative map, except for any time extension granted by the Approving Authority and shall terminate all proceedings (California Government Code Section 66452.6 (a)). Before a map may thereafter be recorded, a new tentative map shall be processed in accordance with the provisions of this Chapter. (Ord. 6968 §1, 2007)

18.080.170 Time Extensions.

Extensions of time may be granted in accordance with [18.180.030 Permit Time Limits](#) of this Title. (Ord. 6968 §1, 2007)

18.080.180 Tentative Maps (except Parcel Maps and Environmental Subdivisions) Processing Flow Chart.

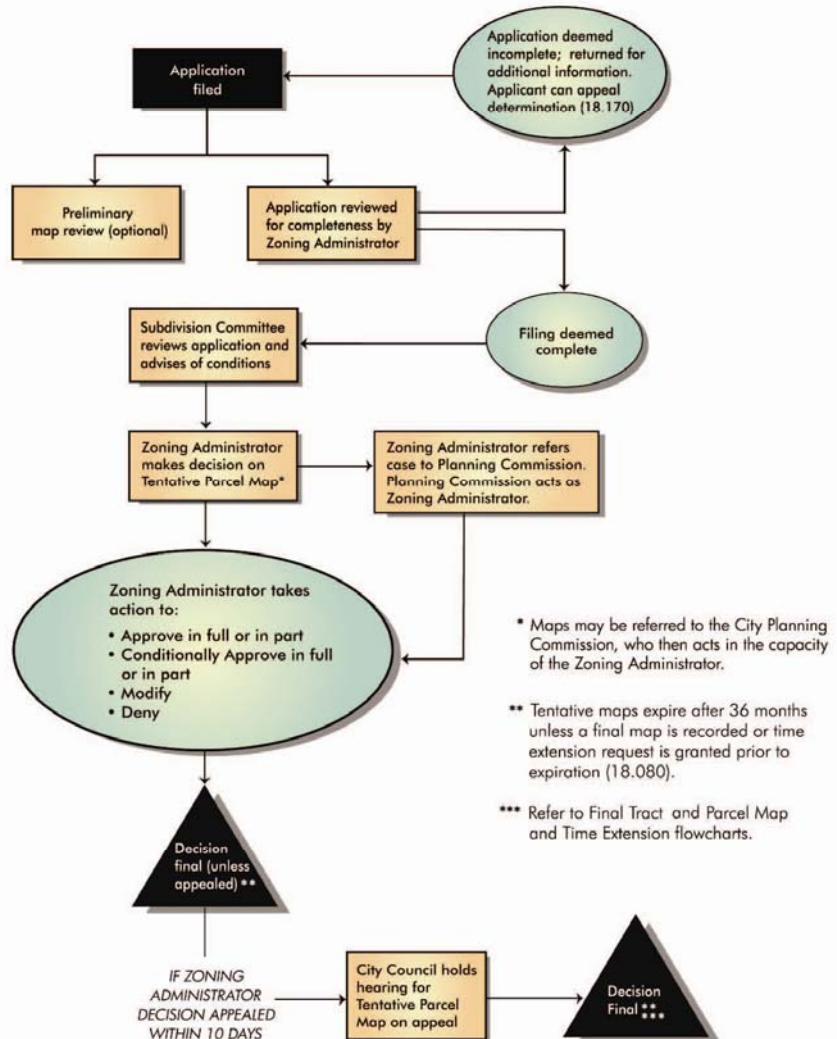
18.080.180 Tentative Maps (except Parcel Maps and Environment Subdivisions) Processing Flow Chart.



(Ord. 7091 §1, 2010; Ord. 6968 §1, 2007)

18.080.190 Tentative Parcel Map and Environmental Subdivisions Processing Flow Chart.

18.080.190 Tentative Parcel Maps and Environmental Subdivisions Processing Flow Chart.



(Ord. 7091 §2, 2010; Ord. 6968, §1, 2007)

Chapter 18.090**FINAL TRACT AND PARCEL MAPS**

- 18.090.010 Final Tract and Parcel Maps.**
- 18.090.020 Final Map Timing.**
- 18.090.030 Certificates.**
- 18.090.040 Survey and Monuments.**
- 18.090.050 Preliminary Soils Report.**
- 18.090.060 Procedure.**
- 18.090.070 Final Tract and Parcel Maps Processing Flow Chart.**

18.090.010 Final Tract and Parcel Maps.

The subdivider may cause a final tract or parcel map to be prepared substantially in accordance with the tentative map as approved and in accordance with the provisions of this Chapter. (Ord. 6968 §1, 2007)

18.090.020 Final Map Timing.

Within thirty-six (36) months of the date of approval or conditional approval of a tentative map, except for any time extension granted by the Approving Authority, the subdivider may cause the property or any part thereof to be surveyed and a final map to be prepared in accordance with the tentative map as approved and in accordance with the provisions of this Chapter and the Subdivision Map Act. A final map shall be filed with the County Recorder only after a determination by the Public Works Department that the conditions of the tentative map have been met. Such determination by the Public Works Department may be appealed to the City Council in accordance with the provisions of [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

18.090.030 Certificates.

For the appropriate certificates that are to appear on the final map see the City of Riverside's Final Map Preparation Guide. (Ord. 6968 §1, 2007)

18.090.040 Survey and Monuments.

For information on survey and monuments see the City of Riverside's Final Map Preparation Guide. (Ord. 6968 §1, 2007)

18.090.050 Preliminary Soils Report.**A. Filing Report.**

Prior to the approval of any Final Map or Parcel Map, a preliminary soils report or waiver thereof shall be filed with and approved by the City Engineer.

B. Contents of Report.

The preliminary soils report shall be prepared by a civil engineer registered by the State, and shall indicate the presence, if any, of critically-expansive soils or of any other soil problems which, if not corrected, would lead to structural defects. If expansive or defective soils are indicated, the report shall recommend corrective measures to prevent structural damage to any building or structure proposed to be constructed on any expansive or defective soil.

C. Investigations.

The preliminary soils report shall be based on investigations consisting of test borings or excavations. The number of investigations shall be adequate to determine fully the extent and degree of soil problems which exist on the site. If expansive or defective soils are present, investigations shall be required at the probable building location on each lot or parcel designated on the map.

D. Approval.

The City Engineer shall approve the report if no critically-expansive soil or other soil problems are indicated, or if the recommended corrective measures will prevent structural damage to a building or structure to be constructed on any expansive or defective soil. The City Engineer may review the preliminary soils report and may require additional information or reject the report if it is found to be incomplete, inaccurate or unsatisfactory.

E. Building Permit.

No building permit shall be issued for the construction of any building or structure on a lot or parcel of land which has been found to contain defective soils unless the approved corrective measure is incorporated in the construction plans. (Ord. 6968 §1, 2007)

18.090.060 Procedure.

A. Filing.

1. *Final Tract, Parcel, Vesting, Condominium and Environmental Subdivision Maps.* Where a final tract, parcel, vesting, condominium or environmental subdivision maps is required, the subdivider shall, prior to submitting the map for final review, complete all offers of dedication, secure the required approvals with respect to public and private easements and complete plans and specifications for public improvements including drainage facilities and sewer facilities and all applicable provisions of [Chapter 18.220 Improvements](#). All certificates shall be executed except those to be executed by the City Engineer, City Surveyor, City Clerk and County Recorder. The County Tax Collector/Clerk Certificates may be completed or left blank at the discretion of the subdivider, although failure to have the certificates completed will further delay recordation of the map.

The subdivider shall submit to the Public Works Department for approval, the original mylar and as many prints as may be required, along with any required statements and documents.

The Public Works Department, after insuring that all conditions and approvals have been met or secured, shall process the map for adoption by the City Council and recordation with the County Recorder.

For final parcel maps where adoption by the City Council is not required the City Surveyor shall have the map transmitted to the County Recorder for recordation.

2. *Final Reversion to Acreage Map.* The owner or his representative shall cause all of the required certificates to be executed, except the certificates of the City Clerk, the City Engineer and the County Recorder, and shall file with the Public Works Department the original tracing and as many prints of the final reversion to acreage map as may be required. Following approval of the final reversion to acreage map and execution of the City Clerk's certificate, the City Clerk shall cause the final reversion to acreage map to be filed with the County Recorder. Filing with the County Recorder of the map shall constitute legal reversion to acreage of the land affected, and shall constitute abandonment of any street, alley, pedestrian way, easement or other right-of-way not shown on the map. Following execution of the County Recorder's certificate, the owner or the representative shall file a durable duplicate transparency of the recorded map with the Public Works Department.

B. City Engineer and City Surveyor Action.

The City Engineer and City Surveyor shall, within twenty (20) working days (California Government Code Section 66442) of receipt of the final map and accompanying documents, fees and materials, cause the same to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications and provisions made or required by the Approving and Appeal Authority, and if found to be complete, technically correct, in conformity with the improvement plans and specifications, and in compliance with the requirements of this Title, other applicable Codes, Specific Plans, General Plan and planned street lines, shall execute their respective certificate on the map and shall file the final map and accompanying materials with the City Clerk. Should the final map or other accompanying documents, fees or materials be found not to be complete or correct in any respect, the subdivider shall be advised of the changes or additions that must be made. The City Engineer and City Surveyor shall then, within ten (10) working days of receipt of the corrected final map or accompanying materials, documents or fees, cause the same to be reexamined, and if found to be correct and in compliance with this Title and all other applicable Codes, Specific Plans, General Plan and planned street lines shall execute the City Engineer's certificate on the map, and shall file the final map and accompanying materials with the City Clerk. The date of filing, as set forth in California Government Code Section 66458, shall be the date the final map is filed with the City Clerk.

C. Final Approval Action.

City Council. At its next regular meeting, or within a period of not more than ten (10) days (California Government Code Section 66458) after filing the final map and accompanying materials with the City Clerk, the City Council shall consider the final map, and if it is found to comply with all requirements shall approve the final map and instruct the City Clerk to execute the approval certificate. At the time of approval of the final map, the City Council also shall accept, subject to improvement or reject any and all offers of dedication. The time limit for approval of the final map may be extended by mutual consent of the subdivider and the City Council. If the City Council does not approve or disapprove the final map within the prescribed time, or any authorized extension and the final

map conforms to all said requirements and rulings, it shall be deemed approved, and the City Clerk shall certify its approval.

City Engineer. City Council approval is not required for final parcel maps without offers of dedication which are approved by the City Engineer. The time limit for approval for these maps may be extended by mutual consent of the subdivider and the City Engineer. If the City Engineer does not approve or disapprove the final parcel map without offers of dedication within the prescribed time, or any authorized extension and the final parcel map conforms to all said requirements and rulings, it shall be deemed approved.

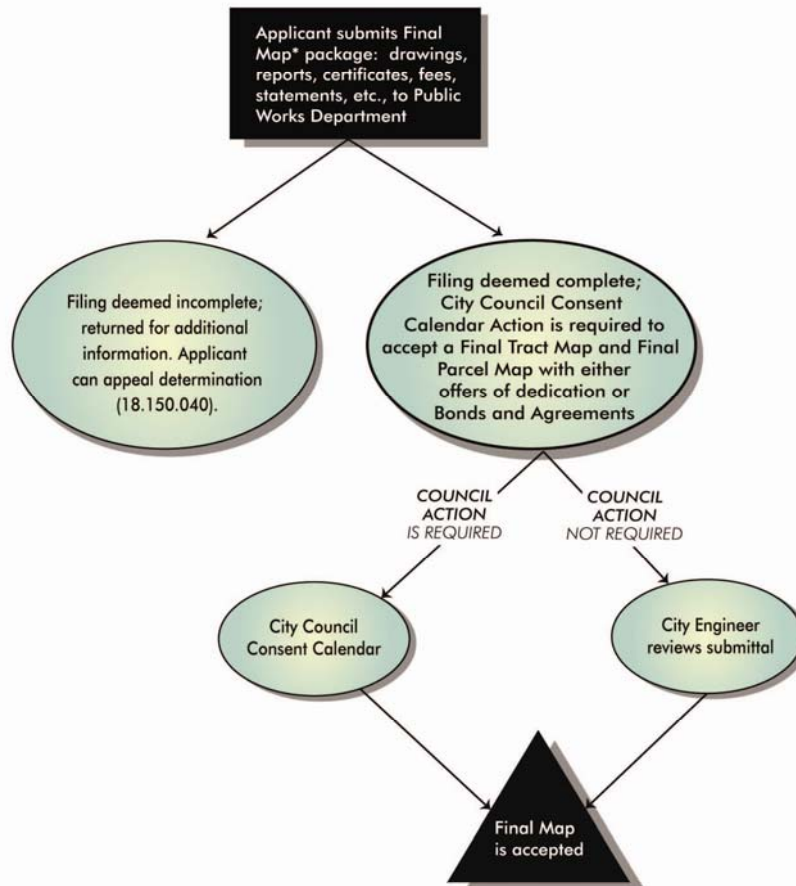
D. Final Parcel Map Filing.

City Clerk. Following approval of the final map and execution of the City Clerk's certificate, the City Clerk shall transmit the final map to the Clerk of the County Board of Supervisors for ultimate transmittal to the County Recorder. The subdivider shall file with the Public Works Department a durable duplicate transparency of the recorded final map.

Public Works Department. Following approval of a final parcel map without offers of dedication the Public Works Department shall cause the map to be transmitted to the County Recorder for recordation. The subdivider shall file with the Public Works Department a durable duplicate transparency of the recorded final map. (Ord. 6968 §1, 2007)

18.090.070 Final Tract and Parcel Maps Processing Flow Chart

18.090.070 Final Tract and Parcel Maps Processing Flow Chart.



* Eligible Map: Tentative Tract or Parcel Map that was approved within last 36 months or had time extension granted.

(Ord. 7091 §3, 2010; Ord. 6968 §1, 2007)

Chapter 18.100**LOT LINE ADJUSTMENTS, CONSOLIDATIONS AND MERGERS/UNMERGERS**

- 18.100.010** **Applicability.**
- 18.100.020** **Approving and Appeal Authority.**
- 18.100.030** **Lot Line Adjustment, Lot Consolidations and Lot Merger/Unmerger.**
- 18.100.040** **Finalization of Lot Line Adjustment, Consolidation or Merger/Unmerger.**
- 18.100.050** **Appeals.**
- 18.100.060** **Expiration of Lot Line Adjustment, Consolidation and Merger/Unmerger.**
- 18.100.070** **Time Extensions.**
- 18.100.080** **Lot Line Adjustments, Consolidations and Mergers/Unmergers Processing Flow Chart.**

18.100.010 **Applicability.**

The provisions of this Chapter shall also be applicable to the adjustment of lot lines between existing parcels, the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished and the merger and unmerger of parcels. (Ord. 6968 §1, 2007)

18.100.020 **Approving and Appeal Authority.**

The Approving and Appeal Authority for lot line adjustments, consolidations and mergers/unmergers shall be as defined in [18.050.010 Approving and Appeal Authority](#) and as further designated in [18.140.040 Approving and Appeal Authority Table](#). (Ord. 6968 §1, 2007)

18.100.030 **Lot Line Adjustment, Lot Consolidations and Lot Merger/Unmerger.**

- A. A lot line adjustment is the adjustment of lot lines between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not created, if the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, specific plan (SB 983, 2006) and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code (California Government Code § 66412 (d)).

- B. Lot consolidation are the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot consolidation. The lot consolidation shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by

Section 8762 of the Business and Professions Code (California Government Code § 66412 (d)).

- C. A lot merger is the merger of two or more contiguous parcels under one ownership into one or more parcels so as to comply with parcel size and zoning standards. All procedures and processes associated with the merging of lots shall be done in compliance with the applicable sections of the Subdivision Map Act of the State of California.
- D. A lot unmerger is the ability to unmerge lots previously merged. All procedures and processes associated with the unmerging of lots shall be done in compliance with the applicable sections of the Subdivision Map Act of the State of California. (Ord. 6968 §1, 2007)

18.100.040 Finalization of Lot Line Adjustment, Consolidation or Merger/Unmerger.

- A. Issuance of Certificate of Compliance.

The approval of the lot line adjustment, consolidation or merger/unmerger by the Approving or Appeal Authority shall be evidenced by the issuance of a Certificate of Compliance for Lot Line Adjustment or a Certificate of Compliance of Lot Consolidation or a Certificate of Compliance to Lot Merger/Unmerger, as may be applicable, and recordation of Grant Deeds reflecting the newly configured parcels. The property description or descriptions on the Certificate shall describe the reconfigured parcel or parcels which will be recognized by the City as legal lots.

- B. Recordation of Deeds and Other Documents.

Concurrently with the recordation of the Certificate of Compliance for Lot Line Adjustment, Lot Consolidation or Lot Merger/Unmerger, all deeds exchanging property between the affected parcels or consolidating the affected parcels accompanied by reconveyances or partial reconveyances or other releases of deeds of trust or similar encumbrances on the subject property or amended deeds of trust or similar encumbrances describing the reconfigured parcels shall be submitted to the City's Surveyor for review and approval. The applicant shall be notified of any corrections requested by the City, and any corrected or new documents shall be promptly submitted to the City Surveyor.

- C. Recordation of Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance of Lot Consolidation or Certificate of Compliance to Lot Merger/Unmerger.

All deeds and other documents approved by the Surveyor shall be signed by the appropriate parties and notarized in accordance with applicable law. The recordation as hereinabove provided of the Certificate of Compliance for Lot Line Adjustment, a Certificate of Compliance of Lot Consolidation or a Certificate of Compliance for a Lot Merger/Unmerger, as may be applicable, shall immediately follow the recordation of the required deeds exchanging property between the affected parcels or consolidating the affected parcels and any necessary reconveyances or partial reconveyances or other documents to ensure that any deed of trust or similar encumbrance now describes the reconfigured parcel or

parcels.

D. Payment of Recording Fees.

The fees for the recording of all documents as established by the Office of the County Recorder of Riverside County shall be remitted by applicant to County Recorder at the time of recordation of such documents including the Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance of Lot Consolidation or Certificate of Lot Merger/Unmerger.

E. Failure to Submit Required Deeds and Documents Within One Year or Within the Time Permitted by an Approved Time Extension.

In the event the Certificate of Compliance or any deed, reconveyance or other document required for the finalization of the approved lot line adjustment, lot consolidation or lot merger/unmerger is not submitted to the County Recorder for recordation within one (1) year following the effective date of the approval of such by the Approving or Appeal Authority, or within the time permitted by an approved Time Extension ([18.180.050 Map Approval and Permit Extension](#)), the [Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance of Lot Consolidation or Certificate of Compliance for a Lot Merger/Unmerger](#), as may be applicable, shall be void and of no further force and effect and shall not be recorded. If the applicant still wishes to proceed with the lot line adjustment, consolidation or merger/unmerger, a new application must be submitted in accordance with the provisions of [Chapter 18.100 Lot Line Adjustments, Consolidations and Merger/Unmergers](#). (Ord. 6968 §1, 2007)

18.100.050 Appeals.

If the applicant, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving or Appeal Authority with respect to the approval or disapproval of a lot line adjustment, consolidation or merger/unmerger or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

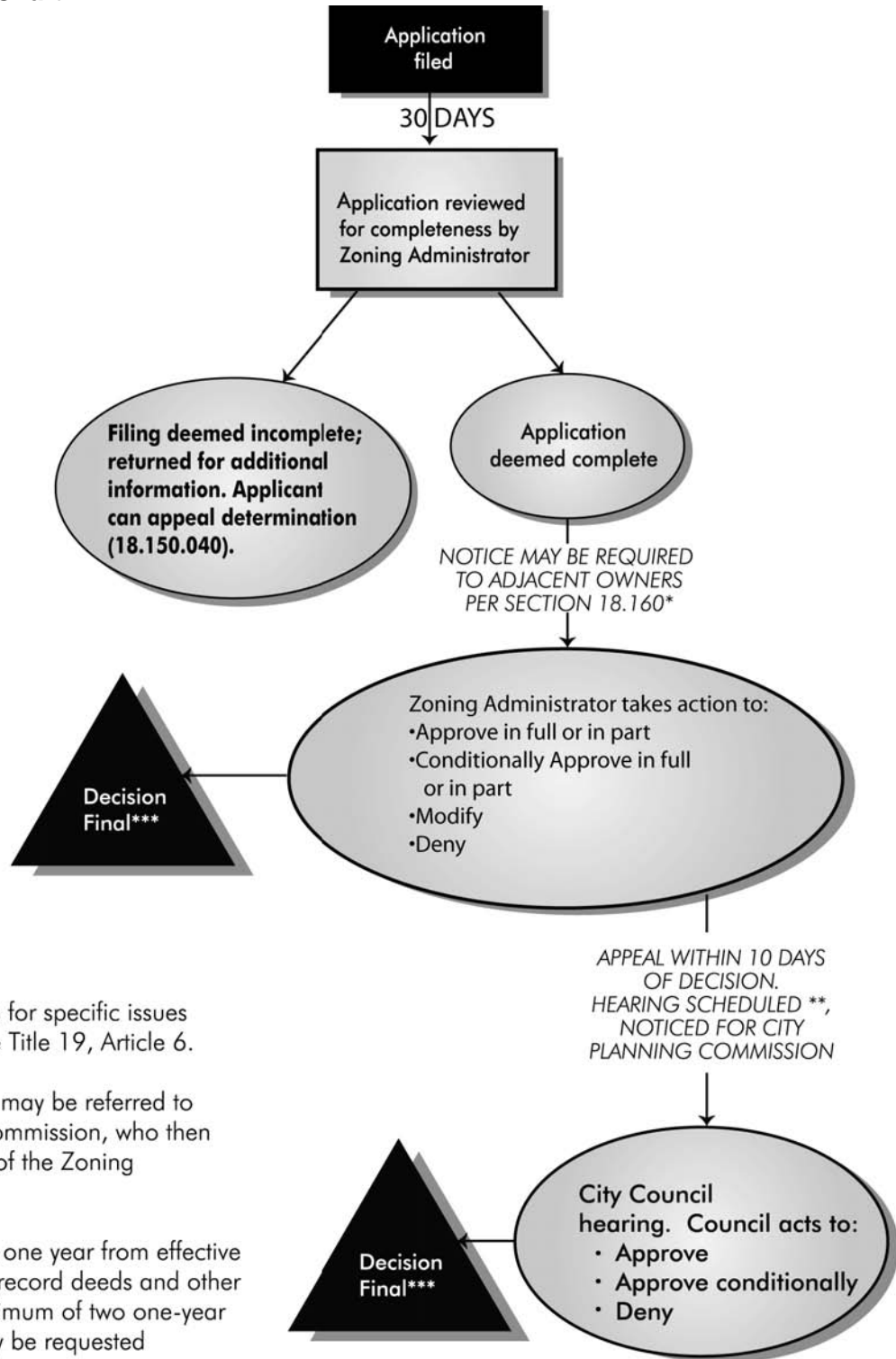
18.100.060 Expiration of Lot Line Adjustment, Consolidation and Merger/Unmerger.

A lot line adjustment, consolidation or merger/unmerger which has not been recorded shall expire within one (1) year of the date of approval or conditional approval of a lot line adjustment, consolidation or merger/unmerger, except for any time extension granted by the Approving or Appeal Authority ([18.180.050 Map Approval and Permit Extension](#)), and shall terminate all proceedings. Before a lot line adjustment, consolidation or merger/unmerger may thereafter be recorded, a new lot line adjustment, consolidation or merger/unmerger shall be processed in accordance with the provisions of this Chapter. (Ord. 6968 §1, 2007)

18.100.070 Time Extensions.

Extensions of time may be granted in accordance with [18.180.050 Map Approval and Permit Extension](#) of this Title. (Ord. 6968 §1, 2007)

18.100.080 Lot Line Adjustments, Consolidations and Mergers/Unmergers Processing Flow Chart.



* Noticing requirements for specific issues may be different. See Title 19, Article 6.

** Controversial issues may be referred to the City Planning Commission, who then acts in the capacity of the Zoning Administrator.

*** Grantee shall have one year from effective date of decision to record deeds and other documents. A maximum of two one-year time extensions may be requested per 18.100.040

Chapter 18.110**PARCEL MAP WAIVERS**

- 18.110.010** **Applicability.**
- 18.110.020** **Approving and Appeal Authority.**
- 18.110.030** **Finalization of Parcel Map Waiver.**
- 18.110.040** **Appeals.**
- 18.110.050** **Expiration of Parcel Map Waiver.**
- 18.110.060** **Time Extension.**

18.110.010 **Applicability.**

Except where required by the Subdivision Map Act, a Final Parcel Map may be waived subject to the approval of the Zoning Administrator, City Surveyor and City Engineer.

The subdivider, upon obtaining approval of a Tentative Parcel Map may request the waiving of a Final Parcel Map. The request shall be in writing in a form acceptable to the City of Riverside. The request shall be forwarded to the Zoning Administrator, City Surveyor and City Engineer for review. (Ord. 6968 §1, 2007)

18.110.020 **Approving and Appeal Authority.**

The Approving and Appeal Authority for parcel map waivers shall be as defined in [18.050.010 Approving and Appeal Authority](#) and as further designated in [18.140.040 Approving and Appeal Authority Table](#). (Ord. 6968 §1, 2007)

18.110.030 **Finalization of Parcel Map Waiver.**

- A. A parcel map waiver shall not become operative unless and until a Certificate of Compliance for Parcel Map Waiver signed by the Zoning Administrator is recorded in the Office of the County Recorder prior to the expiration of the approval.
- B. The City Surveyor shall, upon receipt of the required documents, review them for completeness and compliance with the approved tentative. If the City Surveyor determines that any documents need to be revised, the City Surveyor shall notify the person submitting such document. Any necessary changes, modifications or corrections shall be promptly made and resubmitted to the City Surveyor.
- C. Upon receipt of all necessary documents as reviewed and approved by the City's Surveyor, the City Surveyor shall prepare the appropriate Certificate of Compliance and submit it to the applicant's title officer for completion of the required statements and certificates.
 - 1. The title officer will return the certificate of compliance to the City Surveyor who shall verify completeness of the certificates and transmit the document to the Zoning Administrator who shall sign the Certificate of Compliance for Parcel Map Waiver.

The Certificate of Compliance for Parcel Map Waiver shall be returned to the City Surveyor who shall transmit the documents to the applicant's title officer for recordation in the Office of the County Recorder for Riverside County, California together with any other required documents. (Ord. 6968 §1, 2007)

18.110.040 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving Authority with respect to the approval or disapproval of a parcel map waiver or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

18.110.050 Expiration of Parcel Map Waiver.

A parcel map waiver which has not been recorded shall expire within one (1) year of the date of approval or conditional approval of a parcel map waiver, except for any time extension granted by the Approving Authority, and shall terminate all proceedings. Before a parcel map waiver may thereafter be recorded, a new parcel map waiver shall be processed in accordance with the provisions of this Chapter. (Ord. 6968 §1, 2007)

18.110.060 Time Extension.

Extensions of time may be granted in accordance with [18.180.030 Permit Time Limits](#) of this Title. (Ord. 6968 §1, 2007)

Chapter 18.120**CERTIFICATES OF COMPLIANCE**

- 18.120.010 Applicability.**
- 18.120.020 Determination of Compliance by the City Surveyor.**
- 18.120.030 Certificate of Compliance.**
- 18.120.040 Conditional Certificate of Compliance.**
- 18.120.050 Required Information on Certificates.**
- 18.120.060 Right of Development.**
- 18.120.070 Appeals.**

18.120.010 Applicability.

Any interested person may request, and the City shall determine, whether a real property complies with the provisions of the Subdivision Map Act and this Title. If the City determines that the real property complies, the City shall cause a certificate of compliance to be filed for record with the Recorder of the County of Riverside. The certificate of compliance shall identify the real property and shall state that the division of the real property complies with applicable provisions of the Subdivision Map Act and this Title. Certificates issued by the City through the Approving or Appeal Authority shall include the following:

A. Certificate of Compliance.

A Certificate of Compliance is issued when the real property is in compliance with the Subdivision Map Act and this Title.

B. Conditional Certificate of Compliance.

A Conditional Certificate of Compliance is issued when it is determined that the subject property was divided in violation of the Subdivision Map Act or this Title, and conditions are imposed.

C. Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/Unmerger.

A Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/Unmerger is issued when a lot line adjustment is approved pursuant to the provisions of [Chapter 18.100 Lot Line Adjustments, Consolidations and Merger/Unmergers](#).

D. Certificate of Compliance for Parcel Map Waiver.

A Certificate of Compliance for Parcel Map Waiver is issued when the filing of a parcel map is waived pursuant to the provisions of [Chapter 18.110 Parcel Map Waivers](#). (Ord. 6968 §1, 2007)

18.120.020 Determination of Compliance by the City Surveyor.

At the request of an interested party, the City Surveyor will determine whether or not that the real property is in compliance with the provisions of the Subdivision Map Act and this Title which were applicable at the time the property was divided. The applicant shall be notified in writing of such determination. (Ord. 6968 §1, 2007)

18.120.030 Certificate of Compliance.

A. Application for Certificate of Compliance.

If the City Surveyor determines that the real property is in compliance with the provisions of the Subdivision Map Act and this Title which were applicable at the time the property was divided, the applicant may file an application for a Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. If the application for a Certificate of Compliance is filed within one (1) year or less following the Determination of Compliance by the City Surveyor, the application need only be accompanied by any current vesting deed(s) not submitted with the Application for Determination. If the application for a Certificate of Compliance is filed over one (1) year following the Determination of Compliance, the application for a Certificate of Compliance shall be accompanied by the current vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents, including the vesting deed(s) and map have been received together with the processing fee.

B. Preparation of Certificate of Compliance.

The application and any accompanying materials shall be forwarded by the Planning Division to the City Surveyor for preparation of the Certificate of Compliance within five (5) working days of receipt of a completed application. The City Surveyor shall within five (5) working days of referral prepare the Certificate of Compliance, unless the City Surveyor finds and determines that changed circumstances prevent the issuance of the Certificate of Compliance, in which event, the City Surveyor shall issue a notice of determination in accordance with the provisions of [Section 18.120.020 Determination of Compliance by the City Surveyor](#). The Certificate of Compliance shall contain the information as set forth in [Section 18.120.050 Required Information on Certificates](#).

C. Issuance.

Upon receipt of the Certificate of Compliance from the City Surveyor, the Approving or Appeal Authority shall issue the Certificate of Compliance. The Approving or Appeal Authority shall then cause the applicant to be notified of the estimated recording fees for recording the Certificate of Compliance.

D. Payment of Recording Fee; Recordation.

Upon issuance of the Certificate of Compliance and payment to the City of the estimated recording fees by the applicant, the Approving or Appeal Authority shall then cause the Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance of the estimated recording fees shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded. (Ord.

6968 §1, 2007)

18.120.040 Conditional Certificate of Compliance.

A. Application for Conditional Certificate of Compliance.

If the City Surveyor determines that the real property was divided in violation of the provisions of the Subdivision Map Act or this Title which were applicable at the time the property was divided, the applicant shall within thirty (30) days of such determination file an application for a Conditional Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. Failure to file an application in thirty (30) days will result in enforcement as prescribed under [Chapter 18.070 Enforcement](#). The application for a Certificate of Conditional Compliance need only be accompanied by any current vesting deed(s) not submitted with the Application for Determination; provided, however, if the application for a Conditional Certificate of Compliance is filed over one (1) year from the date of the notice of the determination by the City Surveyor of noncompliance, the application for a Conditional Certificate of Compliance shall be accompanied by the current vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents including the vesting deed(s) and map have been received together with the processing fee.

B. Zoning Administrator's Decision.

If the City Surveyor has determined that the real property was divided in violation of the Subdivision Map Act or this Title, the Zoning Administrator may either administratively issue a Conditional Certificate of Compliance, thereby approving the Conditional Certificate of Compliance or refer the matter to the Planning Commission as hereinafter provided. Such decision shall be made within twenty (20) working days after receipt of the completed application and written notice shall be given to the applicant. The decision to refer the matter to the Planning Commission is not appealable.

Written notice of the Zoning Administrator's decision to approve the Conditional Certificate of Compliance, including conditions imposed, shall be forwarded to the applicant. The Zoning Administrator's decision to issue a Conditional Certificate of Compliance, shall be final and effective ten (10) days following the notice of decision, unless the applicant or other interested party files an appeal in accordance with [Chapter 18.170 Appeals](#).

C. Conditions.

The Zoning Administrator may impose such conditions on the issuance of the Conditional Certificate of Compliance as would have been applicable to the division of the property at the time that the current owner of record acquired the property; except that where the applicant was the owner of record at the time of the initial violation, who by a grant of the real property created a parcel or parcels

in violation of the Subdivision Map Act or this Title, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the Zoning Administrator may impose such conditions as would be applicable to a current division of the property, including the requirement of filing a parcel map or tract map.

The conditions may be fulfilled and implemented by the owner or vendee who applied for the Conditional Certificate of Compliance or any subsequent owner. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the City, unless the property is thereafter included as a part of a legal division of said real property pursuant to the provisions of this Title.

D. Preparation of Conditional Certificate of Compliance.

At such time as the decision of the Zoning Administrator or the Planning Commission acting in its capacity as Zoning Administrator, or, in the case of an appeal, the decision of the City Council to issue a Conditional Certificate of Compliance is final, the application and any conditions imposed shall be forwarded by the Planning Division to the City Surveyor for preparation of the Conditional Certificate of Compliance within five (5) days of the decision becoming final. The City Surveyor shall within five (5) working days of referral prepare the Conditional Certificate of Compliance. The Conditional Certificate of Compliance shall contain the information as set forth in [Section 18.120.050 Required Information on Certificates](#).

E. Issuance.

Upon receipt of the Conditional Certificate of Compliance from the City Surveyor, the Zoning Administrator shall issue the Conditional Certificate of Compliance. The Zoning Administrator shall then cause the applicant to be notified of the estimated recording fees for recording the Conditional Certificate of Compliance.

F. Payment of Recording Fee; Recordation.

Upon remittance to the City of the estimated recording fees by the applicant, the Zoning Administrator shall then cause the Conditional Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded.

G. Completion of Conditions.

Upon completion of the conditions imposed by a Conditional Certificate of Completion, the owner shall notify the Zoning Administrator. If the conditions are satisfactorily completed, the Zoning Administrator shall then issue and record a final Certificate of Compliance upon the payment by the applicant of any fee as may be established by the City's Fee Resolution, together with the estimated recording costs. (Ord. 6968 §1, 2007)

18.120.050 Required Information on Certificates.

Each Certificate of Compliance or Conditional Certificate of Compliance shall include the following information:

1. Name or names of owners of record;
2. Assessor parcel number or numbers of the parcel;
3. The number of parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued;
4. The legal description of the parcel or parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued and recorded;
5. A Notice stating as follows:

“This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and any local Codes enacted pursuant thereto including Title 18 of the Riverside Municipal Code. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local Code enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.”; and
6. Any conditions to be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property. (Ord. 6968 §1, 2007)

18.120.060 Right of Development.

The issuance of a Certificate of Compliance or a Conditional Certificate of Compliance does not imply or grant the right of development of the said property. (Ord. 6968 §1, 2007)

18.120.070 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving Authority with respect to the approval or disapproval of a Certificate of Compliance or the conditions of approval imposed, is aggrieved by the action, they can appeal the action in accordance with [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

ARTICLE IV: REQUIREMENTS FOR FILING AND APPROVAL PROCESS**Chapter 18.130****GENERAL PERMIT PROVISIONS****18.130.010 Purpose and Intent.****18.130.020 Maps, Permits and Actions Covered by This Title.****18.130.030 Burden of Proof and Precedence.****18.130.010 Purpose and Intent.**

This Article establishes the overall structure for the application, review and action on discretionary permits. Further, it identifies and describes the permits regulated by this Title and requires compliance with all applicable laws and regulations. (Ord. 6968 §1, 2007)

18.130.020 Maps, Permits and Actions Covered by This Title.**A. Definition.**

Discretionary permits or actions apply to projects which require the exercise of judgment or deliberation when the Approving or Appeal Authority decides to approve or disapprove a particular map, permit or action, as distinguished from situations where a City Department, Planning Commission or City Council merely has to determine whether there has been conformity with applicable statutes, Codes or regulations.

B. Discretionary Administrative Maps, Permits and Actions not Requiring a Public Hearing.

The Zoning Administrator, acting as the advisory agency, has primary administrative approving authority over maps, permits and actions which require the determination of compliance with applicable subdivision provisions and the application of judgment to a given set of facts. No public hearing is required for administrative maps, permits and actions unless the decision is appealed in accordance with provisions of [Chapter 18.170 Appeals](#). [Table 18.140.040 Approving and Appeal Authority](#) describes the various administrative permits which can be approved by the Zoning Administrator.

C. Discretionary Maps, Permits and Actions Requiring a Public Hearing.

Except when combined with legislative actions (see [18.140.030 Concurrent Processing of Permits](#)), the Planning Commission is the designated Approving Authority for discretionary maps, permits and actions. The table in [18.140.040](#) describes the various discretionary maps, permits and actions which can be approved by the Planning Commission. (Ord. 6968 §1, 2007)

18.130.030 Burden of Proof and Precedence.**A. Burden of Proof.**

The burden of proof to establish the evidence in support of the required finding(s) for any map, permit or action in accordance with this Article is the responsibility of the applicant.

B. Precedence

Each map, permit or action shall be evaluated on a case-specific basis. Therefore, granting of a prior map, permit or action does not create a precedent and is not justification for the granting of a new map, permit or action. (Ord. 6968 §1, 2007)

Chapter 18.140**APPROVING AND APPEAL AUTHORITY**

- 18.140.010 Purpose.**
18.140.020 Designated Approving and Appeal Authority.
18.140.030 Concurrent Processing of Permits.
18.140.040 Approving and Appeal Authority Table.

18.140.010 Purpose.

This Chapter identifies the designated approving authority for the review of maps, permits and actions required by this Title. (Ord. 6968 §1, 2007)

18.140.020 Designated Approving and Appeal Authority.**A. General Provisions.**

The Approving and Appeal Authority, as designated in Table 18.140.040, shall approve (in full or in part), conditionally approve (in full or in part), modify, or deny (in full or in part) applications in accordance with the requirements of this Title. [Table 18.140.040](#) identifies both final (F) and appeal (A) authorities for each application. When a proposed project requires more than one permit, the permits shall be processed pursuant to Section [18.140.030 Concurrent Processing of Permits](#) of this Title.

B. Findings Required.

In acting on an application, the Approving or Appeal Authority shall make the applicable findings required for a particular map, permit or action and as may be required by other laws and regulations.

C. Appeals.

An action of the Approving Authority may be appealed pursuant to procedures set forth in [Chapter 18.170 Appeals](#). (Ord. 6968 §1, 2007)

18.140.030 Concurrent Processing of Permits.

When a proposed map, permit or action requires more than one application with more than one Approving or Appeal Authority, all applications shall be processed concurrently as interrelated permits for a project and shall not be bifurcated. The highest designated Approving or Appeal Authority for all such requested applications shall take final action on multiple permits. For example, the Planning Commission takes final action on a Tentative Tract Map. However, when processed in conjunction with a Development Agreement, the Tentative Tract Map shall be reviewed and acted upon by the City Council in conjunction with the other application request(s). The Planning Commission provides recommendations to the City Council on both entitlement requests. (Ord. 6968 §1, 2007)

18.140.040 Approving and Appeal Authority Table.

Type of Map, Permit or Action	Zoning Administrator (ZA)	City Planning Commission (CPC)	City Council (CC)1, 2
Administrative			
Certificate of Compliance	F	AR	A/F
Final Condominium Map			F(3)
Final Environmental Subdivision Map			F(3)
Final Parcel Map			F(3)
Final Reversion to Acreage Map			F(3)
Final Tract Map			F(3)
Final Vesting Map			F(3)
Lot Line Adjustments	F	AR	A/F
Lot Consolidations	F	AR	A/F
Lot Mergers/Unmergers	F	AR	A/F
Modifications	F	AR	A/F(4)
Notice of Violation	F	AR	A/F
Parcel Map Waivers	F	AR	A/F
Tentative Parcel Map	F	AR	A/F
Time Extensions	F	AR	A/F
Public Hearing			
Tentative Condominium Map		F	A/F
Tentative Environmental Subdivision		F	A/F
Tentative Reversion to Acreage Map		F	A/F
Tentative Tract Map		F	A/F
Tentative Vesting Map		R	A/F

R = Recommending Authority; F = Final Action Authority (unless appealable or referred); A = Appeal Authority; AR = Approving Authority as Zoning Administrator on Referral

- (1) Decisions of the City Council are final and cannot be appealed.
- (2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing, will need to be re-advertised for such hearing prior to being heard.
- (3) The Public Works Department submits all Tract Maps and those Parcel Maps that require offers of dedications to the City Council for adoption. After adoption they are transmitted to the County Recorder for recordation. Parcel Maps not requiring offers of dedication are approved by the Public Works Department and submitted to the County Recorder for recordation.
- (4) See Title 19 (Zoning Code) of the Riverside Municipal Code, Section 19.650.020 (C) (2) - Designated Approving Authority

Note: The Zoning Administrator may refer the action to the next higher Approving Authority in the hierarchy of decision-making. (Ord. 7091 §4, 2010; Ord. 6968 §1, 2007)

Chapter 18.150**GENERAL APPLICATION PROCESSING PROCEDURES**

- 18.150.010 Purpose.**
- 18.150.015 Initiation of Applications.**
- 18.150.020 Application Submittal.**
- 18.150.030 Eligible Applicants.**
- 18.150.040 Initial Application Completeness Review.**
- 18.150.050 Submittal Requirements.**
- 18.150.060 Water Discharge, Adequate Water Supply Requirements and Storm Water Run-off.**
- 18.150.070 Processing Application.**
- 18.150.080 Subdivision Committee.**
- 18.150.090 Environmental Review.**
- 18.150.100 Zoning Administrator Review.**
- 18.150.110 Planning Commission Review.**
- 18.150.120 Acceptance of Dedications or Offers of Dedication.**
- 18.150.130 Notice of Decision.**
- 18.150.140 Application Denial – Reapplication.**
- 18.150.150 Withdrawal of Application.**

18.150.010 Purpose.

This Chapter establishes standard procedures for maps, permits and actions, both administrative and those requiring a public hearing. (Ord. 6968 §1, 2007)

18.150.015 Initiation of Applications.

For all case types the City Manager, Executive Director of the Redevelopment Agency, or a designee by either position, is authorized to initiate Subdivision applications, notwithstanding any other section of this Title, for any project authorized under this Title. (Ord. 6968 §1, 2007)

18.150.020 Application Submittal.

All applications for maps and permits pertaining to this Title shall be submitted to the Planning Division on a City application form, together with all fees, plans, maps and any other information required by the Planning Division.

18.150.030 Eligible Applicants.

- A. The owner(s) of the property, the authorized agent(s), or a plaintiff in an action of eminent domain, or the City Manager, Executive Director of Redevelopment Agency, or a designee by either position shall make the application. Any authorized agent shall be formally delegated as such in writing by the property owner. The application shall contain adequate evidence of title to the real property within the subdivision and sufficient data to enable the City Council to make all of the determinations and findings required by this Title.
- B. Proceedings for reversion to acreage may be initiated by the City Council on its own motion or by application of all of the owners of record of the real property within the subdivision. The application shall contain adequate evidence of Title to the real property within the subdivision and sufficient data to enable the City Council to make all of the determinations and findings required by this Title (California Government Code 66499.12). (Ord. 6968 §1, 2007)

18.150.040 Initial Application Completeness Review.

All applications filed with the Planning Division in compliance with this Title shall be initially reviewed for application completeness as follows:

- A. Within thirty (30) days of application submittal, the Zoning Administrator or the designee shall determine whether or not the application is complete. The applicant shall be notified in writing if specific information and/or materials are still necessary to complete the application.

The applicant may appeal the determination in accordance with [Chapter 18.170 Appeals](#) and the Permit Streamlining Act (California Government Code Section 65943).

- B. In the event an application is deemed incomplete and the applicant resubmits the application, within thirty (30) days of application resubmittal the Zoning Administrator shall determine whether or not the resubmitted application is complete. The applicant shall be notified in writing of the determination if specific information and or materials are still necessary to complete the application.
- C. The City, at its discretion, may deem void any application that remains incomplete 180 days from the date of the original submittal. The City shall notify the applicant of its intention to void the stagnant application at least thirty (30) days prior to withdrawal. Upon withdrawal, the applicant's fee may or may not be partially refunded.
- D. Any resubmittal of a voided application shall require submittal of a new application, along with the appropriate fees; a new case number will be assigned.
- E. Nothing in this Chapter precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this Chapter (Government Code Section 65943). (Ord. 6968 §1, 2007)

18.150.050 Submittal Requirements.

- A. General Requirements.
1. Every application for a map or permit pursuant to this Title shall include a completed application form designated for the particular request, the owner and applicant signature(s), the agent authorization as appropriate and processing fee(s) established by City Fee Resolution.
 2. Applications will not be accepted by the Planning Division without required signed application forms and permit fees as established by City Fee Resolution.
- B. Additional Requirements for Tentative Tract, Parcel, Vesting, Reversion to Acreage, Condominium and Environmental Subdivision Maps.
1. *Tentative Tract, Parcel, Vesting, Reversion to Acreage, Condominium and Environmental Subdivision Maps.*
 - a. The tentative map shall be clearly and legibly drawn by or under

the direction of a registered civil engineer authorized to practice land surveying or licensed land surveyor. The scale of the map shall be at least one inch equal to one hundred feet. If necessary to provide the proper scale, more than one sheet may be used, but the relation of the several sheets shall be clearly shown on each. The minimum size of each sheet should be eighteen inches by twenty-six (26) inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch.

- b. The tentative map shall contain the following information:
- 1). The map number assigned by the Riverside County surveyor;
 - 2). Names and addresses of the record owner and subdivider of the land;
 - 3). Name, signature and address of the person, firm or organization that prepared the map and the applicable registration and/or license number;
 - 4). Date of preparation, north point and scale of the map; if based on a survey, the date of the survey;
 - 5). Boundaries of the subdivision with suitable ties to readily locate the property;
 - 6). Riverside County Assessor's parcel number(s) of the property included within the map;
 - 7). The locations, names and widths of adjacent streets, alleys, and pedestrian ways;
 - 8). Numbers of adjacent subdivisions, buildings and property lines sufficient to show their relationship to the proposed subdivision;
 - 9). All properties that are "Not A Part" of the map and/or are designated remainders shall be clearly delineated;
 - 10). Contour lines at five-foot intervals or less where the slope of the land is one percent (1%) or more, and contour lines at two-foot intervals or less where the slope of the land is less than one percent (1%). Topographic information shall be sufficient fully to show the configuration of the land and any and all depressions that present drainage problems, and shall extend beyond the tract boundaries where necessary to show essential conditions;
 - 11). A preliminary 100-scale grading plan (40-scale grading

plans are required for maps in the RC - Residential Conservation Zones) shall be submitted with the map which includes how the grading relates to existing contours on adjoining property, location of trees, rock outcroppings, arroyos, blue line streams, and other significant natural features;

- 12). The outlines of groves of trees and orchards, the approximate location of other trees with a trunk diameter of six inches or more, and an indication of all trees that are to remain on the lots;
- 13). Location, width and direction of flow of all watercourses and the outline of any area subject to flooding or storm water overflow;
- 14). Location of all railroads, buildings and other structures, structures for demolition, and all natural obstacles, and an indication of any physical restrictions or conditions in the subdivision which affect the use of the property; distances between all buildings to remain and property lines shall be shown;
- 15). Locations, widths and purposes of all existing and proposed easements for utilities, drainage and other public purposes, shown by dashed lines;
- 16). Locations of existing utilities in and adjacent to the tract; size and invert elevation of sanitary and storm sewers; size of water mains; if sewers and water mains are not in or adjacent to the tract, the direction and distance to the nearest sewer and water main with invert elevation of sewer and size of main;
- 17). Locations, widths and grades of all public streets, private streets, alleys, pedestrian ways and other rights-of-way, and proposed street names; the radius of each curve; any planned line for street widening or for any other public project in or adjacent to the tract;
- 18). Lines and approximate dimensions of all lots and the number assigned to each lot; the total number of lots, the approximate area of each lot and the total area of the map;
- 19). Boundaries of existing and proposed public areas in or adjacent to the tract, with the nature of each indicated by label; the area of each parcel proposed for public use to the nearest one-tenth acre, including any areas proposed to be dedicated as parkland per the requirements of Government Code Section 66477 et seq (Quimby Act);

- 20). Proposals for handling storm water and drainage;
- 21). Areas designated for preservation or protection from development due to their status as sensitive or protected biological habitat, archaeological resource areas, significant geological formations, or other environmentally important or legally designated lands, as so identified by local Code and/or applicable county, state, or federal regulations; and
- 22). The following drawings and statements shall be filed on or along with the tentative map:
 - i. A vicinity map showing the location of the proposed subdivision;
 - ii. A statement of the total area of the tentative map;
 - iii. For mixed use developments, a statement of the total area of the land used for each type of use;
 - iv. A statement of the proposals for sewage disposal, water supply, electric service, gas service, telephone service, television reception and for other utilities;
 - v. Any application and the drawings and documents required to be filed therewith for any modification that may be proposed in accordance with [Chapter 18.230 Modifications](#); and
 - vi. Any application and the drawings and documents required to be filed therewith for hillside grading pursuant to [Title 17](#).
 - vii. Cross sections at the perimeter, location and design of required trails, Water Quality Management Plan and location of any needed detention basins, and other information as requested by Planning Division Staff on a case by case basis.

2. *Tentative Vesting Map.*

- a. A tentative vesting map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth for a Tentative Map and shall have printed conspicuously on its face the words "Tentative Vesting Map."
- b. At the time a tentative vesting map is filed, a subdivider shall also

supply the following information unless an item(s) is determined by the Zoning Administrator not to be necessary:

- 1). Height, size, and location of buildings;
 - 2). Sewer, water, storm drain, and road details;
 - 3). Information on the uses to which the buildings will be put;
 - 4). Detailed grading plans pursuant to [Title 17](#);
 - 5). An engineer's drainage study approved by the City Public Works Department;
 - 6). Building, landscaping, irrigation and sign plans when required for the project by Title 19 of the Riverside Municipal Code or application for development plan or plot plan approval when required by Title 19 of the Riverside Municipal Code;
 - 7). A traffic study approved by the City Public Works Department and Planning Division, unless waived;
 - 8). A geologic study approved by the City Engineer for properties identified as being subject to liquefaction;
 - 9). An acoustical study approved by the Building Official for properties requiring such studies by [Title 16](#) of the Riverside Municipal Code;
 - 10). An application for rezoning the property if the proposed use or density is not permitted in the current zone; and
 - 11). A detailed parking analysis (not required for maps creating single family residential lots only).
3. *Lot Line Adjustments, Lot Consolidation and Lot Merger/Unmergers.*

The application shall be accompanied by a site plan indicating the current ownership, property lines, existing structures, any encumbrances and such other data and information as may be prescribed by the Planning Division. Any application for property in the Residential Conservation (RC) Zone shall be accompanied by a topographical map, a proposed grading plan and a proposed development plan unless waived by the Zoning Administrator.

4. *Parcel Map Waiver.*

Any person wishing to waive the requirement for the preparation and recordation of a parcel map and who has a recorded a Certificate of Compliance for Parcel Map Waiver shall first submit to the City Surveyor

the following:

- a. An approved tentative map meeting the requirements of this Title for a tentative map and conforming to the approved configuration and revisions as stipulated by the Approving or Appeal Authority;
- b. Names and addresses of fee owner and the subdivider if different from the owner;
- c. Riverside County Assessor's parcel number(s);
- d. A preliminary title report or a similar report indicating the encumbrances, if any, on the property;
- e. The application shall be accompanied by a processing fee as established by the City's Fee Resolution;
- f. A legal description and plat signed by a licensed land surveyor or civil engineer authorized to practice land surveying clearly describing the new parcels as shown on the approved tentative map;
- g. An unsigned, acknowledge statement in a format acceptable to the City Surveyor satisfying all of the requirements of Section 66436 of the California Government Code;
- h. An unsigned certificate or statement in a format acceptable to the City Surveyor satisfying the requirements of Section 66492 of the California Government Code; and
- i. An unsigned certificate or statement and security in a format acceptable to the City Surveyor satisfying the requirements of Section 66493 of the California Government Code if any part of the subject property is subject to a lien of taxes or special assessments collected as taxes which are not yet payable and any lot lien created by the subdivision would bisect any existing assessor's parcel.

5. *Determination of Compliance.*

Applications for a determination of compliance can be filed and shall be signed by any person owning real property or a vendee of that person pursuant to a contract of sale of the real property, or at the request of an interested party, see [18.120.020 Determination of the City Surveyor](#).

C. Final Tract, Parcel, Vesting, Reversion to Acreage, Condominium and Environmental Subdivision Maps.

1. *General Requirements.*

The final map shall:

- a. be prepared by or under the direction of a registered civil engineer authorized to practice land surveying or licensed land surveyor and shall conform to all of the following provisions and those set forth in Government Code 66434;
- b. conform substantially with the tentative map approved by the Approving Appeal Authority, including all amendments, conditions, modifications and provisions made or required by the Approving or Appeal Authority, or as modified on appeal, and shall comply with this Title, all other applicable Codes, Specific Plans, General Plan and planned street lines that are in effect as of the filing date;
- c. be based upon a survey, except for a final parcel map;
- d. be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on white tinted mylar, 3 mil or 4 mil thick. Lines, fonts, characters and duplication shall comply with all standards of the County of Riverside Assessor, Clerk and Recorder in effect at the time of recordation;
- e. have the size, content and format of each sheet in compliance with all standards of the Subdivision Map Act and City Ordinance. Each sheet shall show the map number, shall contain a north point, shall contain complete engineer's notes and shall show the scale of the map;
- f. have a title sheet provided which shall indicate the map number and such other descriptive information as may be necessary. For a final parcel map a title containing the words "PARCEL MAP" and such other descriptive information as may be necessary, including the map number. Below the title shall be a subtitle consisting of a general description of the property being subdivided by reference to recorded maps, or by reference to the plat of a United States survey. References to tracts and subdivisions in the description shall be worded identically with original records, and references to book and page of record shall be complete. The words "City of Riverside" if the map is entirely within the City, or the words "Partly in the City of Riverside and partly in unincorporated territory of Riverside County" if the map is partly in unincorporated territory shall be included on the title page. The title page also shall contain all of the required certificates, acknowledgments, endorsements, acceptances, dedications and notarial seals. Where the size of a subdivision permits, in lieu of a title sheet, the information prescribed above may be shown on the same sheet as the final map;
- g. include the north point with basis of bearing, scale and date of map;
- h. include the boundaries of the subdivision, indicated by distinctive

symbols approved by the Public Works Department and clearly so designated. Such border shall not obliterate any figures or other data. All lines shown on the map which do not constitute a part of the subdivision shall be clearly distinguishable from those lines which are a part of the subdivision and any area enclosed by such lines shall be labeled "Not a part of this subdivision." The map shall show the definite location of the subdivision, and particularly its relation to surrounding surveys;

- i. contain survey data, including:
 - 1). monuments, stakes, or other evidences set or found on the ground to determine the boundaries of the tract;
 - 2). corners of all adjoining properties identified by lot and block number, tract name, or place of record, or by section, township and range, or other proper designation;
 - 3). all information and data necessary to locate and retrace any and all exterior boundary lines, lot, or block lines, including basis of bearings;
 - 4). bearings and distances of straight lines;
 - 5). the radius, central angle and length of each curve and such additional information as may be necessary to determine the location of the centers of curves;
 - 6). the centerlines of all streets in and adjoining the subdivision, indicating all permanent monuments found or placed and making reference to a map or field book wherever the Public Works Department has established such centerline. If any points were reset by ties, the source and detail of relocation data used shall be stated;
- j. show all lots or parcels intended for sale or reserved for private purposes, all parcels offered for dedication to the City or any other public agency for any purpose and designated remainders with all dimensions, boundaries and courses clearly shown and defined in each case;
- k. be numbered consecutively without block identification. Parcels offered for dedication as streets, alleys, pedestrian ways and nonaccess barrier strips shall be identified by letters;
- l. show the location and width of all streets, alleys, pedestrian ways and other rights-of-way and the portions thereof offered for dedication; the names of streets; and the widths of existing dedications, if any, in the subdivision;
- m. show the lines of all easements to which the lots are subject.

Each easement shall be clearly identified as to nature and purpose; and if already recorded, its recorded reference shall be given. If any easement is not definitely located and of record, a statement of such easement shall appear on the title sheet. Easements shall be denoted by fine dashed lines. Distances and bearings on the side lines of lots which are cut by easements shall be shown so that the map will clearly indicate the actual lengths of the lot lines. The width of the easements and the lengths and bearings of the lines thereof, and sufficient ties thereto to definitely locate the easements with respect to the subdivision shall be shown;

- n. show the locations and widths of nonaccess barrier strips;
- o. show all limitations on rights of access to and from streets and lots and other parcels of land;
- p. show the lines of any stream, channel or body of water in or adjacent to the subdivision, and the outlines of any area subject to flooding or storm water overflow;
- q. show the location, width and name of any street and the location and width of any alley, railroad right-of-way or other right-of-way adjacent to the subdivision;
- r. show any City boundary crossing or adjoining the subdivision;
- s. note when a soils report has been prepared in accordance with Section [18.090.050](#), together with the date of the report and the name of the engineer making the report; and
- t. show any open space easement areas.

2. *Final Parcel Map.*

For a Final Parcel Map the following shall also be included:

- a. The location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey, but only by reference to the existing record boundaries of such remainder if such remainder has a gross area of five (5) acres or more;
- b. All parcels, excluding remainder parcels, shall be numbered or otherwise designated with all dimensions, boundaries, and courses clearly shown and defined in each case;
- c. The location and width of streets, alleys, pedestrianways and other easements and the portions thereof dedicated or offered for dedication to the City, including their recording references; and the names of streets;

- d. The lines of easements to which the lots are subject, shown in fine, dashed lines, and the lines, bearings, and dimensions of easements deeded to the City; and
- e. Limitations on rights of access to and from streets.

3. *Final Reversion to Acreage Map.*

For a reversion to acreage map each lot or parcel and the number thereof being eliminated shall be shown in fine, dashed lines.

D. Lot Line Adjustments, Consolidations and Merger/Unmergers.

Upon receipt of Conditional Approval the applicant shall submit the required property descriptions and documentation to the City's Surveyor for review and comment. The applicant shall promptly submit to the Surveyor any additional information or corrected documents as deemed necessary upon written request from the Surveyor.

The applicant shall also take all necessary steps to insure that all conditions imposed by the Approving or Appeal Authority are completed to the satisfaction of the affected department. (Ord. 6968 §1, 2007)

18.150.060 Water Discharge, Adequate Water Supply Requirements and Storm Water Run-off.

- A. *Waste Discharge.* The Planning Commission or Zoning Administrator shall also determine whether the discharge of waste from the proposed subdivision or permit into the existing community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board Santa Ana Region pursuant to Division 7 (commencing with Section 13000) of the Water Code. In the event the Planning Commission finds that the proposed waste discharge would result in or add to violation of requirements of such board, it may disapprove the tentative maps of the subdivision.
- B. *Water Supply.* In addition to the required drawings and statements above, proposed residential subdivisions with five-hundred (500) or more dwelling units shall include with the tentative map application written verification from the applicable public water system that is proposed to serve the subdivision that a sufficient water supply is available to serve the development pursuant to State Law.
- C. *Storm Water Run-off.* In addition to the required drawings and statements above, all applications requiring discretionary approval shall have submitted with the application a project-specific Water Quality Management Plan (WQMP) pursuant to the requirements of the Municipal Separate Sewer (MS4) Permit. (Ord. 6968 §1, 2007)

18.150.070 Processing Application.

- A. *Filing of Tentative Maps.*

An application shall be filed with the City Planning Division.

The City Planning Division shall prepare a written report on a tentative map to the Approving Authority and the Approving Authority shall take action within fifty (50) days after the City's acceptance of the filing of a completed application for the map with the City.

Any report or recommendation on a tentative map by the Approving Authority shall be in writing and a copy served on the subdivider and on each tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project or stock cooperative project, at least three (3) days prior to any hearing or action on such map by such Approving Authority.

Pursuant to Section 66451.2, fees may be collected from the subdivider for expenses incurred under this section.

5. Indemnification.

- a. Within 30 days of approval by the City of a tentative map (tract or parcel), approval or authorization and approvals and certifications under CEQA and/or any mitigation monitoring program, the developer/subdivider ("applicant") shall execute an agreement, approved by the City Attorney's Office, to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning:
 1. Any such approval of the City; and/or
 2. An action taken to provide environmental clearance under the California Environmental Quality Act (CEQA) by its advisory agencies, appeal boards, or City Council.
- b. The indemnification agreement shall be in a form acceptable to the City Attorney and shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City, and/or the parties initiating or bringing such proceeding. The agreement shall also include a provision obligating the applicant to indemnify the City for all of the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions of this section.
- c. Also at the time of submitting an application, the applicant shall agree, as part of the application, to defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys

for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the applicant desires to pursue securing such approvals and/or clearances, after initiation of the proceeding, which are conditioned on the approval of these documents.

- d. In the event that a proceeding described in (5)(a)(1) or (5)(a)(2) of the above, or in (6) below, is brought, the City shall promptly notify the applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this section shall prohibit the City from participating in the defense of any proceeding.
 - e. In the event that the applicant is required to defend the City in connection with any proceeding described in this section, the City shall retain the right to approve:
 - 1. The counsel to so defend the City;
 - 2. All significant decisions concerning the manner in which defense is conducted; and
 - 3. Any and all settlements, which approval shall not be unreasonably withheld.
 - f. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.
6. Indemnification Applicable Even if Applicant Fails or Refuses to Enter into Agreement
- a. Even if the applicant for a discretionary approval described in 5 above fails or refuses to enter in the agreement specified in this section, that applicant, or the owner of the subject property if different from the applicant, shall, as a condition to any of the approvals specified below:
 - 1. Defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the City's decision to approve any tentative map (tract or parcel) development, approval or authorization

and approvals and certifications under CEQA and/or any mitigation monitoring program, but excluding any subdivision approval governed by California Government Code §66474.9. This indemnification shall include, but not limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees and other costs liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing such proceeding.

2. Defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as a negative declaration, EIR, specific plan or general plan amendment), if made necessary by said proceeding and if applicant desires to pursue securing such approvals, after initiation of such proceeding, which are conditioned on the approval of such documents.
 3. Indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in the section.
- B. *Filing of Lot Line Adjustments, Consolidations and Merger/Unmergers.* Upon receipt of a complete application, copies thereof shall be referred to other appropriate City departments or other public or private agencies affected, together with a request for a written recommendation and any conditions to conform with existing General Plan, Zoning and Building Codes or to facilitate the relocation of existing utilities, infrastructure or easements which should be imposed on the approval of the application. The referral from the Planning Division shall state that any recommendations, comments or recommended conditions must be returned to the Planning Division within fifteen (15) days and that failure to do so shall be deemed approval by that department or agency of the requested lot line adjustment, consolidation or merger/unmerger without conditions.
- C. *Filing of Parcel Map Waivers.* Upon receipt of the completed application, copies thereof shall be referred to other appropriate City departments or other public or private agencies affected, together with a request for a written recommendation and any conditions. The referral from the Planning Division shall state that any recommendations, comments or suggested conditions must be returned to the Planning Division within fifteen (15) days and that failure to do so shall be deemed approval by that department or agency of the requested waiver of parcel map without conditions.
- D. *Filing of Certificates of Compliance.*
1. Upon receipt of and acceptance of a completed application by the Planning Division, including the required processing fee, the application

shall be referred by the Planning Division to the City's Surveyor for review to make a determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this Title.

2. Such determination shall be made within fifteen (15) days after acceptance of the completed application; provided, however, that date may be extended by the period of time necessary for the applicant to provide such additional information as may be reasonably requested by the Surveyor in writing in order to ascertain the status of the subject property. (Ord. 6968 §1, 2007)

18.150.080 Subdivision Committee.

A. Referrals.

Following the determination of a complete application for a tentative map as required under Section [18.150.040 Initial Application Completeness Review](#), the Planning Division shall transmit copies of the tentative map and, where applicable, of the accompanying drawings and statements to members of the Subdivision Committee, together with a request for written recommendations on the proposed subdivision to be returned to the Planning Division within fifteen (15) days. The transmittal to the Subdivision Committee shall include a notification of the Subdivision Committee meeting date. The Planning Director may transmit additional applicable copies to such other public and private agencies or departments as may be affected by the proposed subdivision, together with requests for written recommendations thereon within fifteen (15) days (California Government Code Section 66453). Failure to submit such written recommendations may be deemed recommended approval of the proposed subdivision and limit further ability to comment on the map or recommend conditions of approval.

B. Subdivision Committee Meeting.

The Planning Division shall, within forty (40) days after the filing of a complete application for a tentative map, hold a conference between the subdivider and the Subdivision Committee. The Committee shall advise the subdivider regarding conformity of the map with the provisions of this Title and other applicable Codes, and conformity of the proposed uses with General Plan and the Zoning Code, and shall advise on possible improvements in the design of the proposed subdivision as well as possible requirements and conditions of map approval. The Committee also shall advise on the requirements, if any, of other City departments and County, special district, State, and other public and private agencies affected by the proposed subdivision.

C. Report of the Subdivision Committee Meeting.

Following the Subdivision Committee meeting, the Planning Division shall furnish to the subdivider a written copy of the report and recommendations on the tentative map to be presented to the Planning Commission. The report shall be given to the subdivider at least three (3) days prior to the consideration of the map by the Planning Commission (California Government Code Section 66452.3). Copies of the report may be transmitted to other public or private

agencies affected by the proposed subdivision. (Ord. 6968 §1, 2007)

18.150.090 Environmental Review.

After acceptance of a complete application, the project shall be reviewed in accordance with the environmental review procedures of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the City's resolution for implementing the California Environmental Quality Act. (Ord. 6968 §1, 2007)

18.150.100 Zoning Administrator Review.

A. Tentative Parcel Map.

1. Tentative parcel maps that meet all of the criteria listed below can be approved by the Zoning Administrator in accordance with the Subdivision Map Act. The City Manager shall have the authority to enter into all agreements related to the approval of the parcel map.
 - a. The existing parcel has an average natural slope no greater than 20 percent (20%).
 - b. All necessary infrastructure and utilities are provided to the proposed parcels in a manner consistent with City standards.
 - c. The map would create no more than four (4) parcels.
 - d. None of the conditions of California Government Code Section 66474, *Grounds for Denial of Tentative or Parcel Map*, exist. These conditions include:
 - 1) That the proposed map is not consistent with the applicable General Plan and Specific Plans as specified in Section 65451.
 - 2) That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
 - 3) That the design is not physically suitable for the type of development.
 - 4) That the site is not physically suitable for the proposed density of development.
 - 5) 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 habitat.
 - 6) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- 7). 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 governing body 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. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

- B. Lot Line Adjustments, Lot Consolidations and Lot Merger/Unmergers.
1. The Zoning Administrator shall conditionally approve an application for a lot line adjustment, lot consolidation or lot merger/unmerger upon a finding that the property involved meets all the following criteria:
 - a. The parcels are physically contiguous and not separated by any public right-of-way.
 - b. No additional parcels will be created.
 - c. The resulting parcels comply with all applicable requirements of Title 19 of this Code, unless in conjunction therewith a variance is granted by the Zoning Administrator pursuant to the provisions of Chapter 19.720 of the Municipal Code.
 - d. The proposed adjustment, consolidation or merger/unmerger and the resulting parcels comply with applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of this Title.
 - e. No new streets or street extensions are created, although dedications for street rights-of-way may be required in accordance with the provisions of [Section 13.16.060](#) of the Riverside Municipal Code.
 - f. In the case of properties proposed to be created by a lot line adjustment, lot consolidation or lot merger/unmerger with an average natural slope of 20% or greater, an Initial Study needs to be prepared and a Negative Declaration adopted in accordance with the City's California Environmental Quality Act – [CEQA Resolution](#).
 2. The Zoning Administrator may only impose such conditions to a conditional approval of the lot line adjustment, lot consolidation or lot merger/unmerger as may be necessary to conform to the City's Zoning

and building regulations including those regulations applicable to the issuance of a building permit set forth in [Section 13.16.060](#) of the Municipal Code, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, lot consolidation or lot merger/unmerger, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map or final map shall be required as a condition of the approval of a lot line adjustment, lot consolidation or lot merger/unmerger.

3. The Zoning Administrator may refer the lot line adjustment, lot consolidation or lot merger/unmerger to the Planning Commission.

C. Parcel Map Waivers

1. *Findings for Waiver.* The Zoning Administrator, upon concurrence with the City Surveyor and City Engineer, shall grant the application for a waiver of the parcel map only upon a finding that the proposed division of land complies with the requirements established by the Subdivision Map Act and this Title as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and such other requirements as therein set forth.
2. *Conditions.* The Zoning Administrator shall condition the waiver of a parcel map upon the filing of a tentative map as set forth in this Title conforming to the configuration of each parcel as approved by said Commission, and upon the filing of such documents as may be necessary to meet the requirements of the Subdivision Map Act or this Title including a signed and acknowledged statement satisfying all of the requirements of Section 66436 of the Subdivision Map Act and a certificate or statement satisfying the requirements of Section 66492 of the Subdivision Map Act.
3. *Effective Date; Appeal.* The decision of the Zoning Administrator to either grant or deny the application for the waiver of a parcel map shall be final and effective ten (10) days following its decision unless the applicant or any other interested person files a notice of appeal to the Planning Commission within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision of the Zoning Administrator until final action by the Planning Commission.

D. Certificate of Compliance

1. *Review by Planning Commission.* If the matter of the issuance of a Conditional Certificate of Compliance is referred to the Planning Commission, the Zoning Administrator shall cause the matter to be placed on the next available agenda of said Commission. At the time set for discussion, the Planning Commission shall receive a written report from the Zoning Administrator setting forth the actions taken on the matter and the facts and circumstances relied upon in arriving at such decision together with any recommended conditions. The applicant or other

interested party shall have an opportunity to present testimony orally and/or in writing. The Planning Commission, acting in the capacity of Zoning Administrator, may direct the issuance of a Conditional Certificate of Compliance, or a Certificate of Compliance if no conditions are imposed, in accordance with the provisions of this Chapter, if it finds that the property was divided in violation of the Subdivision Map Act or this Title and that the proposed real property may be approved as not being contrary to the public health or the public safety. The Planning Commission may impose such conditions as may be authorized in accordance with Subsection C above. The Planning Commission shall have the right to continue the matter from time to time as is reasonable in order to obtain additional information as said Commission determines necessary.

2. *Effective Date; Appeal.* The decision of the Zoning Administrator or the Planning Commission acting in its capacity as Zoning Administrator shall be final and effective ten (10) days following the rendering of a decision, unless the applicant or other interested person files a notice of appeal to the City Council within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision until final action by the City Council.
3. *Notice of Appeal.* Notice of an appeal to the City Council of a decision of the Zoning Administrator or of the Planning Commission regarding the issuance of a Conditional Certificate of Compliance shall be filed by the applicant or any other interested party with the Planning Division within ten (10) days of such decision, together with such appeal fee as may be established in the City's fee resolution. The notice of appeal shall set forth the grounds of the appeal and the action or relief requested.
4. *Setting Matter for Review.* The Planning Division shall promptly forward the notice of appeal to the City Clerk, together with any appropriate staff reports and the decision of the Zoning Administrator or the Planning Commission from which the appeal is made. The City Clerk shall set the matter for discussion on the City Council's next available agenda; provided, however, the matter shall be set for consideration within thirty (30) days of receipt of the notice of appeal and appeal fee.
5. *Review.* At the time set for discussion, the City Council shall receive a written report from the Planning Division setting forth the facts and circumstances of the case and the decision of the Zoning Administrator or Planning Commission. The applicant or any other interested person shall have an opportunity to present testimony orally and/or in writing. The City Council may affirm, reverse, or modify the decision of the Zoning Administrator or Planning Commission. The City Council shall direct the issuance of a Conditional Certificate of Compliance, or a Certificate of Compliance if no conditions are to be imposed, if it finds that the property was divided in violation of the Subdivision Map Act or this Title and that the proposed real property may be approved as not being contrary to the public health or the public safety. The City Council may impose such conditions as may be authorized in accordance with Subsection C above.

The City Council shall have the right to continue the matter from time to time as is reasonable in order to obtain additional information as said City Council determines necessary. The decision of the City Council shall be final and shall be effective immediately upon pronouncement of the decision. (Ord. 6968 §1, 2007)

18.150.110 Planning Commission Review.

- A. Referrals to the Planning Commission from the Zoning Administrator.
1. An application for a parcel map, lot line adjustment, lot consolidation, lot merger/unmerger, parcel map waiver, certificate of compliance or time extension referred to the Planning Commission by the Zoning Administrator shall be reviewed and acted upon by the Planning Commission acting in the capacity of Zoning Administrator within sixty (60) days following the filing of the completed application with the Planning Division in accordance with the following procedure:
 - a. *Notice.* Notice of the date, time, place and purpose of the public meeting before the Planning Commission shall be given by mailing a notice, not less than ten (10) days prior to the date of such hearing, to the owner of the subject property or to said owner's duly authorized agent and to the project applicant, and to each affected agency, and to all owners of real property as shown on the latest equalized assessment roll abutting the real property which is the subject of the hearing. Real property shall be considered abutting the subject property for the purpose of requiring notice if only separated by a public right-of-way and, except for such public right-of-way, the real properties would be abutting.
 - b. *Review.* At the time set for hearing, the Planning Commission shall receive a written report from the Zoning Administrator setting forth the facts and circumstances of the case. The applicant and any other interested party shall have an opportunity to present testimony orally and/or in writing. The Planning Commission may conditionally approve or deny the application. For lot line adjustments or lot consolidations the Planning Commission may conditionally approve the application provided it finds that the parcels are contiguous, no additional parcels will be created, the resulting parcels comply with all applicable requirements of Title 19 of this Code unless in conjunction therewith modifications are approved pursuant to [Chapter 18.230 Modifications](#), and the proposed adjustment or consolidation and the resulting parcels comply with applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this Title unless in conjunction therewith modifications are approved pursuant to [Chapter 18.230 Modifications](#).
 - c. *Conditions.* The Planning Commission may impose conditions on the application. However, the City Planning Commission can

only impose such conditions to its conditional approval of the lot line adjustment or to its conditional approval of the lot consolidation as may be necessary to conform to the City's Zoning and building regulations including those regulations applicable to the issuance of a building permit as set forth in [Section 13.16.060](#), to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map, or final map shall be required as a condition of the approval of a lot line adjustment or a lot consolidation.

- d. *Effective Date; Appeal.* The decision of the Planning Commission to conditionally approve or deny an application shall be final and effective ten (10) days following its decision unless the applicant or any other interested person files a notice of appeal to the City Council within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision of the Planning Commission until final action by the City Council.

B. Tentative Tract, Vesting and Reversion to Acreage Maps

1. The Planning Commission shall consider tentative tract and tentative vesting maps, the accompanying drawings and statements, and the report and recommendations of the Subdivision Committee on the proposed subdivision within fifty (50) days of the filing of a complete application for the map and shall approve, conditionally approve, or disapprove the map and shall report its action in writing to the subdivider. Failure to act within said fifty (50) days shall be deemed approval of the tentative map insofar as it complies with other applicable requirements of this Title, Title 19, and other applicable provisions of the Municipal Code (California Government Code Section 66452.1 and 66452.4).
2. The Planning Commission action shall be based on conformity of the tentative tract or tentative vesting map with this Title, with other applicable Codes, Title 19, the quality of the design of the subdivision, compatibility with surrounding neighborhoods and the natural environment. The Planning Commission shall not approve a map unless it has found that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan.
3. The Planning Commission shall deny approval of the tentative tract or tentative vesting map if it makes any of the following findings:
 - a. That the proposed map is not consistent with applicable General and Specific Plans as specified in Section 65451;
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
 - c. That the site is not physically suitable for the type of development;

- d. That the site is not physically suitable for the proposed density of development;
- e. 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 habitat;
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. 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 governing body 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. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

If the map is disapproved by the Planning Commission, the subdivider shall be furnished with the statement of the reasons for such disapproval. If the map is conditionally approved, the subdivider shall be furnished with a complete statement of the conditions of approval. (Ord. 6968 §1, 2007)

18.150.120 Acceptance of Dedications or Offers of Dedication.

At its next meeting, or within a period of not more than ten (10) days after execution of the City Engineer's certificates, either the City Manager or the City Council shall accept, accept subject to improvement or reject any and all dedications or offers of dedication. (Ord. 6968 §1, 2007)

18.150.130 Notice of Decision.

- A. A notice of decision shall be required for maps and permits in accordance with the provisions of this section.
- B. Within ten (10) days from the final action on an application, the Zoning Administrator shall send written notice of decision to the project applicant, other affected parties, and anyone who has requested to be notified. The notice of decision shall identify the specific action of the Approving and Appeal Authority, including the date of action, applicable conditions, basis for determination, and appeal period.
- C. The written decision of the Zoning Administrator to conditionally approve or deny the lot line adjustment, lot consolidation or lot merger/unmerger or to refer the application to the Planning Commission shall be issued within thirty (30) days after the filing of a complete application with the Planning Division. If the lot line adjustment, lot consolidation or lot merger/unmerger is to be referred to the

Planning Commission, the Zoning Administrator shall cause the application to be placed on the next available agenda of said Commission and notice of the hearing before the Planning Commission to be given. The Planning Commission shall act in the capacity of the Zoning Administrator if the matter is referred to it by the Zoning Administrator. (Ord. 6968 §1, 2007)

18.150.140 Application Denial - Reapplication.

Whenever an application or portion of an application has been denied or revoked and the denial or revocation becomes final, no new application for the same or similar request may be accepted within one year of the date of the action to deny or revoke, unless the Zoning Administrator determines that a new application is warranted due to a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment. (Ord. 6968 §1, 2007)

18.150.150 Withdrawal of Application.

Any subdivider or applicant wishing to withdraw an application at any time prior to action thereon by the Approving or Appeal Authority shall do so in writing. (Ord. 6968 §1, 2007)

Chapter 18.160**NOTICES AND HEARINGS**

- 18.160.010** Generally.
- 18.160.020** Notice of Hearing for Discretionary Permits Reviewed by Planning Commission.
- 18.160.030** Content of Notice.
- 18.160.040** Notice Requirements for Administrative Discretionary Permits Reviewed by the Zoning Administrator.
- 18.160.050** Requests for Notification.
- 18.160.060** Failure to Receive Notice.
- 18.160.070** Hearing Procedure.

18.160.010 Generally.

- A. The following procedures implement Government Code Sections 65090 through 65096 and govern the notice and public hearing, where required, for consideration of a land use or development permit or action pursuant to this Title.
- B. Public hearings shall be required for tentative tract, vesting, reversion to acreage, condominium and environmental subdivision maps identified in this Title. The hearing(s) shall be held before the designated Approving or Appeal Authority pursuant to Section [18.050.010 Approving and Appeal Authority](#). (Ord. 6968 §1, 2007)

18.160.020 Notice of Hearing for Discretionary Permits Reviewed by Planning Commission.

When a provision of this Title requires notice of a public hearing to be given, notice shall be given per Title 19.670. (Ord. 6968 §1, 2007)

18.160.030 Content of Notice.

Notices shall include at a minimum the date, time and place of the public hearing; the identity of the hearing body; a general explanation of the matter to be considered; and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing. (Ord. 6968 §1, 2007)

18.160.040 Notice Requirements for Administrative Discretionary Permits Reviewed by the Zoning Administrator.

- A. Public notice of the consideration of a proposed lot line adjustment, lot consolidation, lot merger/unmerger, parcel map waiver, and certificate of compliance is not required, except when the property under consideration is in the RC Zone, or has an Average Natural Slope of 20% or greater, or a modification, as described in Chapter 18.230, is requested. When required, public notice shall be provided by the Zoning Administrator by mailing such notice to the owners of property adjacent to the boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor. Such notices shall identify the property under consideration and indicate the nature of the proposed application.”
- B. Public notice of the consideration of a proposed tentative parcel map shall be

provided by the Zoning Administrator by mailing such notice to the owners of property within 300 feet of the boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor. Such notices shall identify the property under consideration and indicate the nature of the proposed application.

- C. The public notice shall:
1. Be sent no later than fourteen (14) days after City acceptance of a complete and accurate application.
 2. Invite interested persons to notify the Planning Division in writing of any concerns or comments and/or to request further notification of actions relating to the proposed application during a fifteen (15) day comment and review period commencing with the date of the notice.
 3. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals, or requests for City Council review.
 4. Specify that at the end of a fifteen (15) day comment and review period, the Zoning Administrator's final report and recommendations will be issued, initiating a ten (10) day appeal period. (Ord. 7094 §1, 2010; Ord. 6968 §1, 2007)

18.160.050 Requests for Notification.

Any person who requests inclusion on a mailing list for notice of hearing for a project or projects pursuant to this Title shall submit such request in writing to the Planning Division. The City may impose a reasonable fee for the purpose of recovering the cost of such notification. (Ord. 6968 §1, 2007)

18.160.060 Failure to Receive Notice.

Pursuant to California Government Code Section 65093, failure of any person or entity to receive notice required by law of any hearing as required by this Title shall not constitute grounds for any court to invalidate the actions of a designated Approving or Appeal Authority for which the notice was given. (Ord. 6968 §1, 2007)

18.160.070 Hearing Procedure.

- A. Hearings and public meetings as provided for in this Chapter shall be held at the date, time, and place for which notice has been given as required in this Chapter. The designated Approving or Appeal Authority shall conduct the public hearing and hear testimony.
- B. The summary minutes shall be prepared and made part of the permanent file of the case.
- C. Any hearing may be continued, and no further public notice shall be required unless the hearing is not continued to a specific date/time, in which instance the hearing shall be re-noticed. (Ord. 6968 §1, 2007)

Chapter 18.170**APPEALS**

- 18.170.010 Purpose.**
18.170.020 Appeal Applicability and Authority.
18.170.030 Filing an Appeal.
18.170.040 Notice and Schedule of Appeal Hearings.
18.170.050 Appeal Hearing and Action.

18.170.010 Purpose.

This section identifies the procedures for filing and processing an appeal of actions of Approving Authorities, consistent with California Government Code Section 65904. Where the appeal provisions of this section conflict with other provisions of other sections of the Riverside Municipal Code, the appeal provisions of this section shall apply with regard to subdivision matters. (Ord. 6968 §1, 2007)

18.170.020 Appeal Applicability and Authority.

- A. Any person dissatisfied with an interpretation or action of an Approving Authority made pursuant to this Title may appeal such action to the designated Appeal Authority and ultimately to the City Council. Appeals must be filed in accordance with the procedures in this Section. [Table 18.140.040](#) identifies the Appeal Authority for each of the City's map and permits and actions. Actions by the City Council are not subject to appeal and are final.
- B. The Approving Authority, instead of taking any action, may refer the matter to the Appeal Authority. For example, the Zoning Administrator may refer action on a tentative parcel map to the Planning Commission for action. (Ord. 6968 §1, 2007)

18.170.030 Filing an Appeal.

- A. All appeals shall be submitted in writing to the Planning Division and shall identify the action being appealed and specifically state the basis or grounds of the appeal.
- B. Appeals shall be filed within ten (10) days following the date the Approving Authority either announces its determination or loses jurisdiction on the matter for which an appeal is made and shall be accompanied by a filing fee as established by City Council resolution.
- C. The filing of an appeal shall stay the action being appealed and the issuance of subsequent permit(s), such as grading or building permits. No fee shall be charged for an appeal or referral by the Mayor or City Council or public official acting in an official capacity.
- D. An appeal must be filed to exhaust all available administrative remedies. (Ord. 6968 §1, 2007)

18.170.040 Notice and Schedule of Appeal Hearings.

Unless otherwise stated herein or agreed upon by the person filing the appeal and the applicant, appeal hearings and public meetings should be set within thirty (30) days from the date of

appeal submittal. Notice of hearing for the appeal or public meeting shall be provided pursuant to noticing requirements of this Article. (Ord. 6968 §1, 2007)

18.170.050 Appeal Hearing and Action.

Each appeal shall be considered *de novo* (new), and the Appeal Authority may reverse, modify or affirm the decision in whole or in part. In taking its action on an appeal, the Appeal Authority shall state the basis for its action. The Appeal Authority may modify, delete or add such conditions as it deems necessary. The Appeal Authority may also refer the matter back to the original Approving Authority for further action. (Ord. 6968 §1, 2007)

Chapter 18.180

EFFECTIVE DATE OF MAP OR PERMIT APPROVAL, TIME LIMITS AND TIME EXTENSIONS

- 18.180.010 Purpose.**
- 18.180.020 Effective Date of Map or Permit Approval.**
- 18.180.030 Permit Time Limits.**
- 18.180.040 Voiding of Maps or Permits.**
- 18.180.050 Map Approval and Permit Time Extension.**
- 18.180.060 Exercising Maps or Permits.**
- 18.180.070 Permit to Run with Land.**
- 18.180.080 Permit(s) to Be Maintained on the Site During Construction.**

18.180.010 Purpose.

This Chapter identifies the effective date of map or permit approvals and provides requirements (including time limits) for map or permit implementation and map or permit extension. (Ord. 6968 §1, 2007)

18.180.020 Effective Date of Map or Permit Approval.

- A. Tentative Tract, Vesting or Reversion to Acreage Map

All decisions of the Planning Commission granting or denying a tentative tract, vesting or reversion to acreage map are final and effective immediately unless appealed within the ten (10) day appeal period.

- B. Tentative Parcel Map

All decisions of the Zoning Administrator or the Planning Commission acting as the Zoning Administrator shall be transmitted by written notice of decision to the City Clerk for transmittal to the City Council. All decisions of the Zoning Administrator shall be final and effective ten (10) days following transmittal of the written notice of decision to the City Clerk, unless a member of the City Council has requested the item be reviewed or a written appeal has been filed by the applicant or an interested person within this time. An appeal or request for review of a Zoning Administrator decision shall stay the effective date of permit or approval until final action by the City Council.

No building permit or authority to proceed shall be granted until the decision is final and all appeal periods have expired.

- C. Lot Line Adjustments, Lot Consolidations, Lot Merger/Unmergers, Parcel Map Waivers and Certificates of Compliance

All decisions of the Zoning Administrator shall be final and effective ten (10) days following the notice of decision unless the applicant or any other interested person files a notice of appeal to the City Council within this time. An appeal shall stay the decision of the Zoning Administrator until final action by the City Council. Notwithstanding anything to the contrary herein, there shall be no right to appeal the decision of the Zoning Administrator to refer the matter to the Planning Commission. (Ord. 6968 §1, 2007)

18.180.030 Permit Time Limits.

Any permit granted pursuant to this Title shall become null and void if not exercised within the time limit specified in the approving document, or within one (1) year if no time has been specified, except that time extensions may be granted pursuant to 18.180.050. (Ord. 6968 §1, 2007)

18.180.040 Voiding of Maps or Permits.

Any map or permit granted pursuant to this Title shall become null and void if the owner or owner's authorized representative of the property for which the map or permit was granted requests, in writing, that the map or permit be voided and the Approving or Appeal Authority having jurisdiction approves the request. (Ord. 6968 §1, 2007)

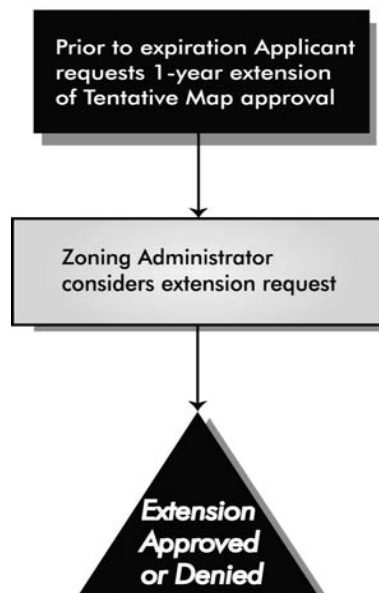
18.180.050 Map Approval and Permit Time Extension.

- A. The period within which the exercise of a map or permit must occur may be extended by the Zoning Administrator. An application for extension shall be filed prior to expiration of the permit along with appropriate fees and necessary submittal materials pursuant to [Chapter 18.150 General Application Processing Procedures](#).
- B. Tentative Maps.
 1. Tentative Tract, Parcel, Vesting, and Reversion Acreage, Condominium, and Environmental Subdivision Maps. The Zoning Administrator may extend the life of a tentative map beyond the initial thirty-six (36) month approval by up to six (6) additional years, or as may be further specified in Section 66452.6 (e) of the Government Code of the State of California.
 - a. Any application for a one (1) year extension shall be made in writing to the City prior to the expiration of the thirty-six (36) months allowed. Thereafter, an application for a one (1) year time extension, not to exceed a total of **six (6)** years beyond the original date of expiration, shall be made in writing to the City prior to the expiration of the previous time extension. The application for a time extension shall be accompanied by a fee as may be prescribed by the City's fee resolution.
 2. Lot Line Adjustments, Lot Consolidations, Lot Merger/Unmergers, Parcel Map Waivers and Certificates of Compliance. Lot Line Adjustments, Lot Consolidations, Lot Merger/Unmergers, Parcel Map Waivers and Certificates of Compliance may receive a maximum of two (2), one (1) year extensions. The approval of an extension extends the expiration date for one (1) year from the original permit date.
 3. The map or permit, as extended, may be conditioned to comply with any development standards that may have been enacted since the map or permit was initially approved.
 4. The extension may be granted only when the designated Approving or Appeal Authority finds that the original map or permit findings can be made and that there are no changing circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.

C. Granting of Stay.

The period of time specified in subdivision (B), including any extension granted by the Zoning Administrator, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Zoning Administrator. After service of the initial petition or complaint in the lawsuit upon the Zoning Administrator, the subdivider may apply for a stay following the same procedures in subdivision (A). Within 40 days after receiving the application, the Zoning Administrator shall either stay the time period for up to five years or deny the requested stay. (Ord. 7094 §2, 3, 2010; Ord. 6968 §1, 2007)

30 Days Prior to Expiration



18.180.060 Exercising Maps or Permits.

The exercise of a map or permit occurs when the property owner has performed substantial work and incurred substantial liabilities in good faith reliance upon such permit(s). Unless otherwise provided by law, such exercise of a permit constitutes the vested right to complete the work authorized by the permit. A permit may be otherwise exercised by a condition of the permit or corresponding legal agreement that specifies that other substantial efforts or expenditures constitutes exercise of the permit. (Ord. 6968 §1, 2007)

18.180.070 Permit to Run with Land.

Maps and permits and approvals granted pursuant to the provisions of this Title shall be transferable upon a change of ownership of the land provided that the use and conditions of the original map or permit or approval are fully complied with, and the project is not modified or enlarged/expanded. (Ord. 6968 §1, 2007)

18.180.080 Permit(s) to Be Maintained on the Site During Construction.

A copy of all land use and development permits (including all corresponding stamped-approved plans) authorizing construction shall be kept on site at all times during construction. (Ord. 6968

§1, 2007)

ARTICLE V: PERMIT PROVISIONS**Chapter 18.200****GRADING AND SOIL EROSION****18.200.010 Grading.****18.200.020 Soil Erosion Control.****18.200.010 Grading.**

Every map approved pursuant to this Title shall be comply with the City's excavation and grading regulations as set forth in Titles [16](#) and [17](#) of this Code. (Ord. 6968 §1, 2007)

18.200.020 Soil Erosion Control.

Upon determination and notification by the City Engineer that the land for which a tentative map has been filed is subject to soil erosion by either wind or water runoff, the subdivider shall submit detailed plans and specifications indicating the actions to be taken to prevent such erosion, including the prevention of sedimentation or damage to off-site property. No tentative map shall be approved unless the Planning Commission determines that the subdivider's proposals will prevent such erosion, and the approval of the map shall be conditional thereon. (Ord. 6968 §1, 2007)

Chapter 18.210**DEVELOPMENT STANDARDS**

- 18.210.010** **Applicability.**
- 18.210.020** **Dedications.**
- 18.210.030** **Streets.**
- 18.210.040** **Alleys.**
- 18.210.050** **Easements.**
- 18.210.060** **Telecommunications.**
- 18.210.070** **Blocks.**
- 18.210.080** **Lots.**
- 18.210.090** **Commercial and Industrial Areas.**
- 18.210.100** **Flood-Prone Lands and Drainage.**
- 18.210.110** **Sanitary Sewers.**

18.210.010 **Applicability.**

This Chapter is applicable to all permits governed by this Title. (Ord. 6968 §1, 2007)

18.210.020 **Dedications.**

- A. As a condition of approval, the applicant may be required to dedicate or make an irrevocable offer of dedication of all parcels of land that are needed for streets, pedestrian ways, alleys, including access rights and abutter's rights, drainage, public utility easements and other public or private easements.
- B. The applicant may also be required to dedicate such additional land as may be necessary and feasible to provide multi-purpose trails for the use of the public. The applicant may be required to waive direct access rights to any street from the subject property.
- C. Every parcel required to be dedicated for public use shall be so dedicated or offered for dedication by separate instrument on a final map or by separate instrument. (Ord. 6968 §1, 2007)

18.210.030 **Streets.**

Parts "A" through "K" of this Section apply to both public and private streets.

- A. **Alignment and Location.** In adjoining subdivisions, streets shall be designed to: (1) conform to the alignment of existing adjoining streets; (2) where the adjoining land is not subdivided, streets shall be designed to conform to the projections of existing streets; (3) where physical conditions are conducive and reflect the City's overall grid pattern; (4) allow, as much as possible, for the subdivision of all adjoining unsubdivided land, and the Planning Commission may require that streets or parts of streets be provided to facilitate the subdivision of adjoining property.
- B. **Rights-of-way and Improvements.** Except where a modification is expressly authorized in accordance with [Chapter 18.230 Modifications](#), where a special cross section is required to conform with a specific plan or planned street line, or where the proposed street is private, street rights-of-way and the locations of improvements therein shall conform with the standards prescribed in Table 1

below.

Table 1
STREET RIGHT-OF-WAY AND IMPROVEMENTS

	Right-of-way¹⁰	Median¹	Pavement Width²	Curbs and Gutters	Parkway³
Street Type	(ft.)	(ft.)	(ft.)		(ft.)
Arterial street	144	12	56 (two) ⁷	Yes	10
Arterial street	120	12	44 (two) ⁸	Yes	10
Arterial street	110	18	34 (two) ⁹	Yes	12
Arterial street	100	21	34 (two) ⁹	Yes	10
Arterial street	88	--	64 ⁷	Yes	12
Collector street	80	--	40	Yes	20
Collection street or local street, multi-family area	66	--	40	Yes	13
Local street, single-family area	66	--	36	Yes	15
Local cul-de-sac street ⁴	60	--	36	Yes	12
Frontage Road	42	--	32 ⁵	Yes	10
Alley	20	--	20	--	--
Half streets	43 ⁶	--	28	Yes	15 ⁶

1. Includes width of curbs on both sides of median strip.
2. Measured from curb face to curb face.
3. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved.
4. When approved because of short length, topography or other reasons.
5. Includes two feet of pavement within adjoining arterial right-of-way.
6. Forty-one feet of right-of-way where ultimate curb separation is forty feet. Remaining parkway width is 13 feet.
7. Provides four travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
8. Provides three travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
9. Provides two travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
10. Additional right-of-way may be required on arterial streets to accommodate reverse frontage configurations, scenic boulevard designations and additional traffic lanes at intersections.

C. **Curves and Tangents.** Street curves and tangents shall be as provided in this subsection, unless otherwise approved by the City Engineer. Curves on major and secondary streets shall have a centerline radius conforming to the specifications of the Public Works Department. Curves on collector streets shall have a centerline radius of not less than three hundred feet. Curves on other streets shall have a centerline radius of not less than two hundred feet. A tangent conforming with the Public Works Department's specifications shall be

required between reverse curves on major, secondary and collector streets.

- D. Grades. Grades of streets shall be as provided in this subsection, unless otherwise approved by the City Engineer. Grades of streets shall be not less than four-tenths percent to ensure adequate drainage, and shall not exceed six percent (6%) on major, secondary and collector streets. Grades on other streets shall not exceed twelve percent (12%). All breaks in grade should be joined by vertical curves of adequate length to provide safe sight distances and driving comfort.
- E. Intersections. The angle of intersection between public streets, between a public street and an alley, or between a public street and a private street shall be as nearly a right angle as topography and other limiting factors permit.
- F. Cul-de-sacs, Dead-end Streets and Adjoining Acreage. A cul-de-sac should not serve more than sixteen lots, nor should it exceed six hundred feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if warranted due to topographic or other specific conditions and if approved by the Public Works and Fire Departments. A turning area with a curblin radius of not less than thirty-six feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.
- G. Where a street is terminated adjoining property capable of future subdivision, a one-foot-wide nonaccess barrier strip the width of the street right-of-way shall be dedicated to the City and accepted for public use to deny access from the adjoining property to the street. Future acceptance of the barrier strip by the City for street purposes shall be contingent upon the improvement of the strip and the extension of the street into the adjoining property. In addition, a barricade constructed in conformance with the specifications of the Public Works Department and/or a temporary turning area or temporary connection to another street shall be required.
- H. Frontage roads are normally discouraged.
- I. Limitations. A frontage road, or reverse frontage lots, side-on lots, or other type of limited access design may be required where land adjoins or fronts on a major or secondary street. To accomplish the purposes of this subsection, waivers of vehicular and pedestrian access rights to the major or secondary street may be required. Intersections of a frontage road with the street on which it borders shall be spaced so that minimum disruption of traffic results. At intersections, the planting strip separating the frontage road from the major or secondary street shall have sufficient depth to provide at least forty (40) feet of stacking space for vehicles entering the intersections between the frontage road and the major or secondary street to the specifications of the Public Works Department.
- J. Railroads, Canals, and Other Grade Crossings. Where a development borders on or contains a railroad right-of-way, canal, or other grade crossing, a street approximately parallel to such right-of-way at a distance suitable for the appropriate use of the intervening land may be required. Such distance shall be

determined with due regard for traffic needs and the requirements of approach grades and future grade separations. Where the design of the development incorporates a street that borders a railroad or canal, the developer shall be required to install full width street improvements.

- K. **Half Streets.** Half streets shall not be approved except where essential to the reasonable development of the subdivision in conformity with the requirements of this Title and where the Planning Commission finds it will be practical to require the dedication of the remaining portion of the street when the adjoining property is subdivided.
- L. **Access Streets.** A subdivision should be accessible by way of two or more improved streets with a minimum of twenty-eight (28) feet of pavement to the specifications of the Public Works Department.
- M. **Street Names.** Streets that are a prolongation or approximate prolongation of existing streets shall be given the same names as the existing streets. No street shall be designated by the same name as any other street even though differentiated by a suffix (Avenue, Boulevard, Way, Place or other term).
- N. **Private Streets.** Private streets are generally used in single family residential developments. In addition to paragraphs A through K above, private streets shall also comply with the following:
 - 1. **General Regulations**
 - a. Private streets may be permitted in new developments where their use is logically consistent with a desire for neighborhood identification and control of access and where special overall design concepts may be involved. The use of private streets shall be subject to review and approval by the Approving or Appeal Authority.
 - b. All private streets and private drives shall be reviewed by the Public Works Department and the Fire Department for recommendations concerning their design and construction. The installation of street lights which will be maintained by the Public Utilities Department shall be inspected by the Public Utilities Department, with a standard inspection fee required.
 - c. The City shall assume no responsibility for enforcement of traffic control on private streets.
 - d. The use of private streets and/or drives is not intended to be a device for permitting inadequate street design.
 - 2. **Private Street Standards**
 - a. For private streets, the street widths shall be as prescribed in Table 2 below and Table 1 Street Right-of-Way and Improvements. Private streets shall be treated as public streets for the purposes

of Zoning standards (e.g., lot width, lots size, setbacks etc.)

Table 2
PRIVATE STREET STANDARDS

Pavement Width¹ (ft.)	Parking Conditions³	Curbs and Gutters	Parkway² (ft.)	Curb returns (ft.)⁴
20	Off-street	Yes	Yes	20
28	Parallel parking on one side	Yes	Yes	20
36	Parallel parking on both sides	Yes	Yes	20

1. Measured from curb face to curb face. When rolled curb is approved, measurement is from back of curb.
2. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved. Utility easements may be required behind curbs to accommodate placement of water meters, electric conduit, etc. (minimum 4' wide). Street trees are required in parkway areas.
3. "NO PARKING" signs shall be posted on each side of a private street where parking is not permitted. The design and location of said signs shall be approved by the City Traffic Engineer.
4. Minimum curb return radius allowed. Larger radius may be required as deemed appropriate by Public Works.
 - b. Standard structural street design and construction materials shall be utilized in the construction of private streets in compliance with City Public Works Department specifications.
 - c. Standard concrete curbs and gutters shall be installed along both sides of the entire length of any private street to the specifications of the Public Works Department. Rolled curbs may be acceptable.
 - d. No private street or cul-de-sac shall serve more than sixteen (16) lots, nor should it exceed six-hundred (600) feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if required by topographic conditions and if approved by the Public Works and Fire Departments. A turning area with a curbline radius of not less than thirty-six feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.
 - e. Street names shall be established according to current City criteria and shall be approved by the Planning Division.
 - f. The name of each private street shall be posted at intersections using City street name sign standards or other standard approved by the City Traffic Engineer, with the street name to be followed by

the word "PRIVATE" in parentheses.

- g. Sidewalks shall be required and should be located adjacent to the property line.
- h. All private streets shall be equipped with street lights, the type and design of which shall be to the approval of the Public Utilities Department and Planning Division. Street lights shall be installed by the developer.
- i. The Public Utilities Department will bill the Homeowners' Association or individual or group which owns the subject property for the electric street lights as specified in Electric Rate Schedule LS-2 (Energy and Maintenance).
- j. Street lights meeting the specifications of the Public Utilities Department will be maintained by the Public Utilities Department.
- k. The placement of traffic control devices (signs, barricades, markings, etc.) shall be provided to the specifications of the City Traffic Engineer. The design of said markings shall be to the approval of the City Traffic Engineer.

3. Private Driveway Standards

- a. For private driveways, the minimum widths shall be prescribed in Table 3:

**Table 3
PRIVATE DRIVEWAY STANDARDS**

Length of Private Drive	One Way Width of Pavement	Two Way Width of Pavement
Less than 150 feet	12 ft. (No on-drive parking, one or two stories)	24 ft. (No on-drive parking)
	16 ft. (No on-drive parking and when adjacent to or within 50 ft. of either end of three or more story structures)	24 ft. (No on-drive parking)
150 feet or more	16 ft. (No on-drive parking)	24 ft. (No on-drive parking)

Note: 28 feet in width for any portions of driveways used as maneuvering areas for adjacent parking bays.

- b. The connection between the private driveways and any street shall be by an approved connection.
- c. Private driveways shall be provided within 150 feet of any dwelling unit for accessibility of emergency vehicles.
- d. Fences, shrubbery or any other obstruction shall not be permitted

in any area that would interfere with accessibility of emergency vehicles, or effective sight distance.

- e. The maximum length of any dead-end private driveway shall not exceed 250 feet in length unless a hammerhead or cul-de-sac turnaround is provided.
 - f. Private driveways exceeding 150 feet in length may have traffic bumps installed at appropriate intervals. The bumps shall either be painted white in color with a reflective-type paint or the entrance to the driveway shall be posted with the appropriate caution.
 - g. Private driveways shall have no overhead obstruction within fifteen (15) feet vertical clearance of the grade of the driveway.
 - h. Safety lighting may be provided on all private driveways as appropriate.
 - i. A private driveway permit is required for any work within the public right-of-way.
4. Special Conditions for Inclusion in Conditions, Covenants and Restrictions
- a. Each buyer shall sign an acknowledgment that he has read the Constitution and By-Laws of the Homeowners' Association (HOA) and the Conditions, Covenants and Restrictions (CC&Rs) applying to the development, including any clause pertaining to private streets and private drives.
 - b. The CC&Rs shall be irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the HOA for the life of the project. The CC&Rs shall clearly state that the HOA officers are responsible for the enforcement of the on-street parking prohibition and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.
 - c. Mechanical maintenance and "knock-down" repair of fire hydrants and street lights which meet the specifications of the Public Utilities Department along private streets shall be accomplished by either the City Public Utilities Department or applicable serving utility company, at the expense of the HOA.
 - d. The By-Laws or other appropriate document of the Homeowners' Association shall include the obligations of the Association with respect to maintenance of the private streets.
 - e. The CC&R's shall provide the City with authority to repair and/or maintain the private streets and/or appurtenances in the event the

HOA fails to maintain said streets and/or appurtenances in a manner that provides adequate access at all times so that emergency and utility vehicles can service the properties contiguous or adjacent thereto. Provision shall be made in the CC&R's to enable the City to recover costs of work performed by the City in these streets. The CC&R's shall provide that the HOA grants the City the authority to enter and repair and maintain the private street in the event the HOA defaults in its maintenance responsibilities and the preservation of the public health, safety and welfare necessitates City maintenance of the private street. Repair costs incurred by the City shall be shared, pro rata, by all parcels and collected as assessments along with County property taxes. (Ord. 7026 §1, 2009; Ord. 6968 §1, 2007)

18.210.040 Alleys.

- A. Alleys not less than twenty feet in width may be required at the rear of existing or prospective multifamily residential or single family residential planned residential developments, commercial or industrial property.

Where permitted in single-family planned residential developments, alleys shall be not less than twenty (20) feet in width.

- B. Rounded corners or a corner cutoff in accordance with the specifications of the Public Works Department may be required at the intersection of two alleys or at the intersection of an alley with any street. Right angle alley turns and the turnaround of a dead-end alley shall conform to the specifications of the Public Works Department. (Ord. 6968 §1, 2007)

18.210.050 Easements.

- A. Utility Easements. Easements for public utilities shall be provided to the specifications of the Public Utilities Department or of the serving utility company. Easements for sewers and drainage shall be provided to the specifications of the Public Works Department. Easements for street trees, sidewalks, and other public uses shall be provided when required.

- B. Public Access Easements to Public Resources. Easements through a subdivision to provide public access to public waterways, streams, rivers, lakes, reservoirs, and other similar public resources shall be provided to the specifications of the approving agency or City department. Public access through any area designated for habitat preservation shall require consultation with appropriate state and federal agencies. Pedestrian ways, bicycle routes, multi-purpose trails and/or equestrian paths may be considered an acceptable means of public access. If a state or federal agency determines that an access route cannot be established through an identified habitat preservation area, the subdivider shall propose alternate easement design. (Ord. 6968 §1, 2007)

18.210.060 Telecommunications.

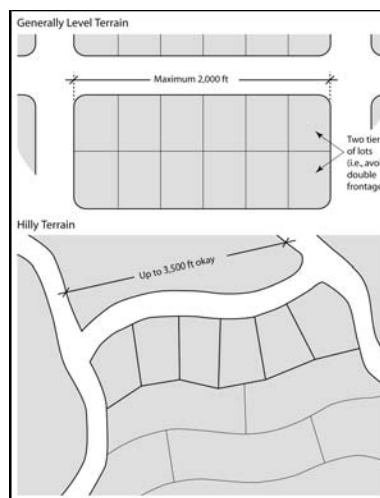
- A. The design of any subdivision, for which a tentative map or a parcel map is required by this Title, is required to provide any and all appropriate cable television and similar or alternative systems an opportunity to construct, install, and maintain, on land identified on the map as dedicated or to be dedicated to

public utility use, any equipment necessary to extend cable television or similar or alternative telecommunications services to each residential parcel in the subdivision. Appropriate cable television or similar or alternative telecommunications systems, as used in this section, means those franchised to serve the geographical area in which the subdivision is located.

- B. In furtherance of subsection A of this section, easements for construction, installation and maintenance of any equipment necessary to extend cable television or similar or alternative telecommunications services to each residence shall be provided in compliance with the specifications of the Public Works Department.
- C. This section shall not apply to the conversion of existing dwelling units to condominiums, community apartments, or stock cooperatives. (Ord. 6968 §1, 2007)

18.210.070 Blocks.

- A. General. Blocks shall be designed to allow for adequate building sites for the type of use proposed to comply with Zoning Code requirements prescribing lot sizes and dimensions, to allow for convenient pedestrian and vehicular circulation, access, traffic control and safety and limitations created by topography. Block depths generally shall be sufficient to allow for two tiers of lots of the prescribed depth for the proposed use. In order to promote connectivity, walkability, and a sense of neighborhood cohesiveness, blocks should not normally exceed 2,000 feet in length and may be up to 3,500 feet in length where topographic conditions dictate longer block lengths. Along arterial and standard streets, blocks should be designed where possible to minimize the number of interconnecting streets.



18.210.070 Blocks

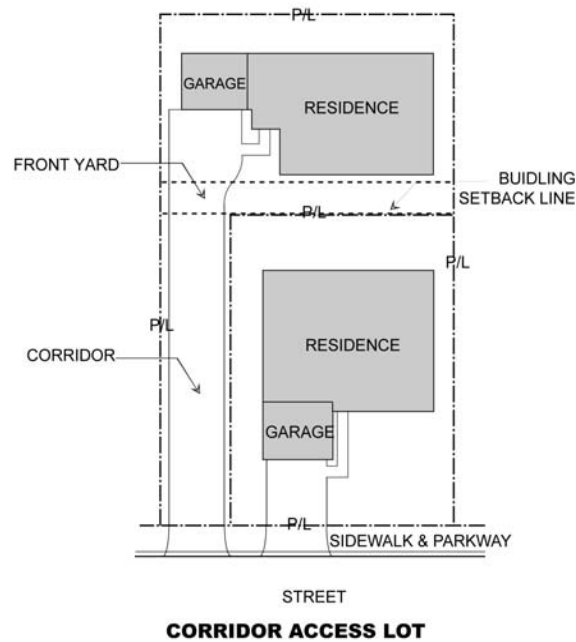
- B. Corners. At street intersections, block corners shall be cut off or rounded at the property line to conform with the specifications of the Public Works Department.
- C. Pedestrian ways. Where needed for traffic safety, for access to schools,

playgrounds, shopping facilities or for other community facilities, pedestrian ways not less than ten (10) feet in width may be required. The entire width shall be paved with concrete in accordance with the standard specifications for sidewalks of the Public Works Department. Pedestrian ways lined with solid walls on either side are generally discouraged due to security concerns. Pedestrian ways shall be illuminated in accordance with the specifications of the Public Utilities Department and the Planning Division. Metal posts or other facilities designed to inhibit the passage of vehicles through the pedestrian ways shall be installed to the specifications of the Public Works Department and the Planning Division. (Ord. 6968 §1, 2007)

18.210.080 Lots.

- A. Suitability for Purpose. The subdivision plan shall result in the creation of lots which can be used or built upon. No subdivision shall create lots for building purposes which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape or other physical conditions.
- B. Lot Size. The minimum area and dimensions of all lots shall conform with the requirements of the Zoning Code, Title 19 of the Municipal Code. No lot shall have a depth of less than one hundred (100) feet nor a width of less than sixty (60) feet, as defined in Title 19, unless a lesser depth and/or width is approved as part of a planned residential development permit processed pursuant to Chapter 19.780.
- C. Lot Lines. Lot lines shall be located so as to facilitate the best utilization of existing and potential building sites. Normally, the side lines of lots shall be straight and approximately at right angles to the street, or approximately radial if the street is curved.
- D. Access to Streets. Every lot for building purposes shall have direct vehicular access to a street meeting the minimum requirements of this Title for right-of-way width and improvements. Lots, other than corner lots, normally shall not have access to more than one (1) street. On any lot intended for residential occupancy, it shall be possible to provide safe vehicular access by way of a private driveway with a grade not in excess of fifteen percent (15%) from the street to a garage, carport or parking site on the lot in a location conforming with the requirements of Titles 17 and 19 of this Code.
- E. Corridor Access Lots. Corridor access lots may be approved only where there is no reasonable alternative available to develop the interior portions of excessively deep parcels or where required by unusual physical constraints, subject to the approval of a variance in accordance with Title 19. For the purposes of this Chapter the development standards for corridor access lots shall be as follows:
 - 1. The corridor width should be a minimum of twenty (20) feet;
 - 2. The building pad should be located behind at least one of the proposed, existing or potential building pads on an adjoining lot to either side;
 - 3. The building line means a line parallel with the street, independent of the corridor or panhandle;

4. The front yard means a yard extending across the full width of the lot as measured from the building line; and
5. The area of the corridor shall not count in computing lot area for purposes of ascertaining compliance with the provisions of Title 19 of the Code.

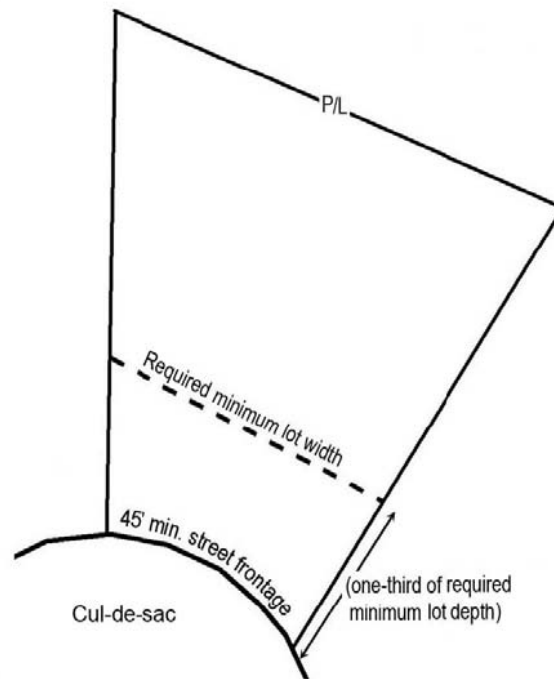


The Approving Authority may interpret the standards of the corridor lot.

- F. **Property Remnants.** Remnants of property which do not conform to lot requirements or which are not required for a public or private utility or other public use or approved access purpose should not be created by or included in a subdivision. Remnants may be approved where exceptional circumstances exist.
- G. **Reverse Frontage Lots.** Reverse frontage residential lots shall typically be required where those lots are adjacent to arterial street as shown on the [Master Plan of Roadways](#) in the General Plan, or to overcome specific disadvantages of topography and orientation. Where reverse frontage lots are approved, the right to vehicular and pedestrian ingress and egress over rear or side lot lines may be required to be relinquished.
- H. **Drainage.** All lots shall be adequately drained to the specifications of [Title 17](#) and the City Engineer.
- I. **Cluster developments.** Subdivisions may be arranged in a cluster fashion, in compliance with the planned residential development regulations indicated in

Title 19, Section 19.780, Riverside Municipal Code.

- J. Cul-de-sac Lots, and Knuckle Lots. For purposes of this Chapter, cul-de-sac lots and street knuckle lots, lot width means the horizontal distance between the side lot lines measured by a straight line drawn at one-third (i.e., 33.3%) the minimum required lot depth on each side lot line. At the front property line along a cul-de-sac bulb and street knuckle, there shall be a minimum distance of at least forty-five-feet. The Approving Authority may interpret the standards of cul-de-sac lots and street knuckle lots. For more on cul-de-sac streets see 18.210.030. (Ord. 7026 §2 and §3, 2009; Ord. 6968 §1, 2007)



18.210.090 Commercial and Industrial Areas.

- A. When property is designated on the General Plan or by Title 19 of this Code for commercial or industrial use, the plan of the subdivision shall be appropriate for such use and shall conform with all requirements of this Title, except that frontage on a public or City approved private street may not be required to allow parcel division of a shopping center.
- B. Streets shall have adequate capacity to handle the anticipated traffic that will utilize them. The City Engineer may require a traffic study.
- C. Insofar as possible, streets shall be laid out so that there will be direct access to the commercial or industrial area from major streets without utilizing local streets or traversing residential areas.
- D. Lot areas and dimensions shall conform with the requirements of Title 19 of this Code and shall be adequate to accommodate the yard spaces, off-street parking spaces and off-street loading spaces required by Title 19 and such additional spaces and other service facilities as are needed for the type of use and

development contemplated. (Ord. 6968 §1, 2007)

18.210.100 Flood-Prone Lands and Drainage.

- A. The subdivision of flood-prone lands, as identified by the City Engineer, shall be prohibited except where:
1. The subdivision is designed in a manner to minimize flood damage to both on-site and off-site structures;
 2. All public utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage;
 3. Adequate drainage is provided so as to reduce the property's exposure to flood hazards and to prevent the aggravation of flood hazards with respect to adjacent and downstream properties;
 4. All new or replacement water supply systems and sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters, and on-site waste disposal systems are located so as to avoid impairment of them or contamination from them during flooding;
 5. No use, including landfill, is permitted unless the subdivider has demonstrated that the proposed use, when in combination with all other existing and anticipated uses, will not increase the water surface elevation of the one-hundred-year flood more than one foot at any point. Plans for drains and drainage structures shall be adequate for local drainage needs and to protect lots and streets within the subdivision from flood hazard, taking into consideration the drainage pattern of adjacent property and treating upstream areas as though fully improved.
- B. The design for drainage structures and facilities shall be based on a ten-year flood frequency, except (1) those major channels designated by the Riverside County Flood Control and Water Conservation District for a one-hundred-year flood, and (2) those facilities draining areas containing sump conditions which shall be based on a fifty-year flood frequency. All designs shall provide for surface overflow to accommodate a 100-year flood.
- C. Plans for drainage and drainage works shall be subject to the approval of the City Engineer. Where necessary, means shall be provided for disposing of surface and storm waters beyond the limits of the subdivision. In the event that the subdivision is traversed by any watercourse, channel, stream or creek, the City, in order to maintain such watercourse, channel, stream or creek open and unobstructed, may require the dedication of rights-of-way or easements for storm drainage purposes conforming with the lines of such watercourses, or may require the dedication of such further and sufficient rights-of-way or easements as may be required for structures or channel changes or both to dispose of surface and storm waters, or may require that such rights-of-way be classified in an appropriate Zoning district. Such rights-of-way or easements shall be designed to carry the waters of a one-hundred-year flood, without increasing the

water surface elevation of that flood more than one foot at any point. (Ord. 6968 §1, 2007)

18.210.110 Sanitary Sewers.

Sanitary sewers shall be required to the specifications of the serving agency for all land divisions. An exemption may be considered by the City Engineer provided all of the following conditions prevail:

- A. The subdivision is designated for single-family residential purposes only;
- B. All developable lots within the subdivision are at least one (1) acre in size;
- C. A viable point of connection to the sewer system does not exist;
- D. The Santa Ana Regional Water Quality Control Board (SARWQCB) has approved septic systems for the site; and
- E. The Riverside County Department of Environmental Health has reviewed and accepted the Onsite Wastewater Treatment System Report for Land Divisions pursuant to the applicable policies of the regulating agencies. (Ord. 7094 §4, 2010; Ord. 6968 §1, 2007)

Chapter 18.220**IMPROVEMENTS**

- 18.220.010 Improvement Agreement.**
- 18.220.020 Improvement Security.**
- 18.220.030 Improvement Plans.**
- 18.220.040 Improvement Standards.**
- 18.220.050 Supplemental Improvements.**
- 18.220.060 Work Required.**
- 18.220.070 Arterial Street Improvements.**
- 18.220.080 Frontage Road Requirements.**
- 18.220.090 Reverse Frontage and Side Frontage Lots.**
- 18.220.100 Inspection of Work.**
- 18.220.110 Access for Cable Television and Similar or Alternative Telecommunications Systems.**
- 18.220.120 Preinstalled Improvements.**
- 18.220.130 Forfeiture of Security.**
- 18.220.140 Release of Security.**
- 18.220.010 Improvement Agreement.**
- A. Before a final tract, vesting, reversion to acreage or parcel map is approved or complete all required improvements shall be accepted by the City.
- B. The City will not accept the dedication of any streets, alleys, pedestrian ways, easements or public places shown on the map unless all the required improvements have been completed and accepted.
- C. If improvements are required to protect certain lots from drainage hazards, an agreement may require that those improvements shall be installed prior to those certain lots being sold. The developer shall be required to obtain written approval from the City's Public Works Department prior to the sale of those lots. (Ord. 6968 §1, 2007)
- 18.220.020 Improvement Security.**
- A. In the event a contract is entered into for completion of improvements, the contract shall be secured by a good and sufficient improvement security in a form satisfactory to the City Attorney. "Improvement Security," as used in this Chapter, means one or more of the following:
- (1) a deposit or deposits made with the City of money or negotiable bonds of the kind approved for securing deposits of public moneys;
 - (2) a bond(s) by one or more duly-authorized corporate sureties;
 - (3) an instrument(s) of credit from one or more financial institutions subject to regulation by the State or Federal government pledging that the funds necessary to meet the performance are on deposit and guaranteed for payment and agreeing that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument or a letter of credit issued by such a financial institution; or

- (4) an assessment district proceeding whose purpose is to install public improvements provided that the City Council has confirmed the assessments and ordered the proposed improvements to be made.
 - a. In the event an assessment district proceeding is utilized, the confirmed assessments shall total an amount equal to fifty percent (50%) of the total estimated cost of the improvements to ensure the completion of said improvements and a like amount to act as security payment of the contractor, his subcontractors and to persons furnishing labor, materials or equipment to them for the improvements; provided, however, when the contract is awarded to construct such improvements or portions thereof, the contractor shall be required to furnish a faithful performance bond in an amount equal to one hundred percent of the contract price and a labor and material bond in accordance with the provisions of Chapter 7 (commencing with Section 3247) of Title 15 of the Civil Code of the State of California.
- B. Said improvement security shall be in the amounts and for the following purposes:
 - (1) faithful performance surety in the amount of one hundred percent (100%) of the total estimated cost of the improvements;
 - (2) fifty percent (50%) of the total estimated cost of the improvements, securing payment to the contractor, his subcontractors and to persons furnishing labor, materials or equipment to them for the improvements; and
 - (3) at least ten percent (10%) of the total estimated cost of the improvements for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished. (Ord. 6968 §1, 2007)

18.220.030 Improvement Plans.

Prior to the commencement of construction or installation of any improvements within any street, alley, pedestrian way, easement, or other public area or right-of-way, the subdivider shall submit a complete set of construction plans to the Public Works Department. After all necessary changes, modifications, and additions ordered by the City Engineer or other applicable departments or agencies have been made on the improvement plans and before the map is given final approval, the subdivider shall file with the Public Works Department and other affected departments or agencies a complete set of reproducible permanent transparencies of the approved plans which shall become the property of the City and other applicable agencies. (Ord. 6968 §1, 2007)

18.220.040 Improvement Standards.

All improvements shall be constructed and installed in accordance with the approved plans. (Ord. 6968 §1, 2007)

18.220.050 Supplemental Improvements.

The subdivider may be required to install additional improvements for the benefit of property not within the subdivision. The subdivider may be reimbursed for the costs of the additional improvements, pursuant to the Subdivision Map Act 66486. (Ord. 6968 §1, 2007)

18.220.060 Work Required.

The improvements required by this Chapter shall consist of all of the following work and such other work as may be required as a condition of acceptance of any street, alley, pedestrian way, easement, or other right-of-way:

- A. Grading and filling to approved grade, and construction of all necessary grade crossings, culverts, bridges and other related works;
- B. Construction and installation of all drains, drainage facilities, channel improvements and other drainage works required to provide adequate drainage for every lot and to protect all lots from flood or overflow by storm waters or floodwaters, in accordance with the approved plans for drains and drainage works;
- C. Construction and installation of concrete curbs and gutters on both sides of every street and on the proximate side of each existing or dedicated street bordering the subdivision. If a street is an extension of a turnaround or temporary turnaround, the bulbed portion shall be removed and the required improvements installed;
- D. Installation or provision for the installation of all sewer mains, including dry sewers when required by the Public Works Department, and all laterals required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line and a cleanout placed to serve each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- E. Installation of all utilities, utility lines and appurtenances, including water mains, fire hydrants, gas mains, telephone and electric lines, and all laterals and appurtenant equipment required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line of each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- F. Required utility lines, including but not limited to electrical, telephone, cable television, and street light service lines, providing service to all new property developments shall be placed underground. The subdivider is responsible for complying with the requirements of this section, and he shall make the necessary arrangements with the serving utility companies for the installation of such facilities. For the purpose of this subsection, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, ducts, street lighting or signal control cabinets, and other associated equipment in an underground system may be placed above ground. The Public Utilities Director may waive the requirements of this subsection if topographic conditions, soil or any other conditions make such underground installation unreasonable or impractical. A written justification for any such waiver shall be prepared and kept on file.

This subdivision shall not apply to telephone transmission lines or electric transmission lines or other lines which do not provide service to the area being subdivided;

- G. Relocation or provision for the relocation of any underground or overhead utility, including irrigation lines, the relocation of which is necessitated by development of the subdivision;
- H. Installation of asphalt concrete pavement, base material, and seal coat in all existing or dedicated streets and alleys or portions thereof;
- I. Installation of concrete sidewalks adjacent to the curblines, except where this requirement is specifically waived; installation of concrete driveway approaches; and installation of concrete pavement for pedestrian ways;
- J. Planting or providing for the planting of trees of the variety, size and condition prescribed by the Park, Recreation and Community Services Department in accordance with the approved plans and specifications; removing and, where required by the Park, Recreation and Community Services Department, transplanting designated trees that are located in the line of construction of improvements; providing maintenance for all trees and landscaped areas until the same are accepted by the City;
- K. Installation or provision for the installation of street lights of approved design and illumination intensity in the locations and manner approved by the Public Utilities Director;
- L. Installation of all required street signs, including street name signs, warning signs, and regulatory signs where required;
- M. Construction and installation of street barricades where required;
- N. Where any boundary line of a subdivision is adjacent to or across a public street, alley or pedestrian way from an open and unfenced canal, storm channel, railroad, quarry, airport, or other hazardous facility, or adjacent to unimproved land capable of division or development, or productive agricultural land, construct a six-foot chain link fence or masonry wall or barrier, separation or the like to the specifications of the Planning and Public Works Departments along such subdivision boundary line, or construct the equivalent length of fence or wall along the nearest right-of-way line of such canal, channel, railroad, airport, or other hazardous facility;
- O. Construction of such acceleration and deceleration lanes and traffic channelization devices in streets as are deemed necessary by the Public Works Department to control traffic;
- P. All work and improvements contemplated by and performed under the provisions of this Title shall be accomplished so as to minimize interference with and coordinate with other construction activities or developments of or on behalf of the City and nearby private development. (Ord. 6968 §1, 2007)

18.220.070 Arterial Street Improvements.

Where the General Plan or any applicable specific plans shows an arterial street located within the boundaries of a subdivision or located immediately adjacent to a boundary or boundaries of a subdivision, the following dedications and improvements shall be required:

- A. Where the arterial street is designated to be within the boundaries of the subdivision, the subdivider shall dedicate and grade the entire right-of-way and improvement shall be required as designated by this Title, including a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors.
- B. Where the designated arterial street adjoins or is adjacent to a boundary or boundaries of the subdivision, the subdivider shall dedicate and grade one half of said right-of-way from the centerline, and improvements shall be required as designated in this Title for one-half of the street, including one-half of a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors. However, upon approval by the Public Works Department a fee in lieu thereof may be paid by the subdivider to the City, which fee shall be in the amount estimated by the Public Works and Park, Recreation and Community Services Directors to be the cost of one-half of the raised median with landscaping and irrigation system. (Ord. 6968 §1, 2007)

18.220.080 Frontage Road Requirements.

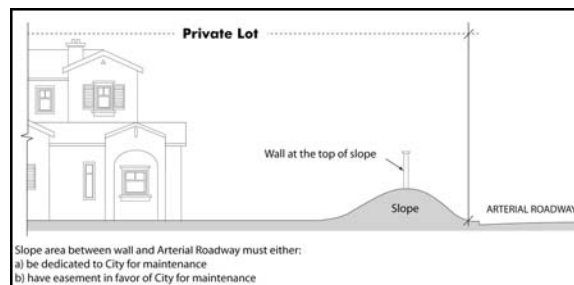
Where a limited access design is required for a highway and to accomplish this purpose a frontage road is provided, the frontage road and the adjacent highway shall be improved in accordance with the provisions of this Title, with the following additions and modifications:

- A. Street lights shall be required on both the highway and the frontage road.
- B. Where the highway is already improved and the pavement is not to the required grade and elevation, the subdivider shall remove and install the pavement to the required grade and elevation.
- C. Full improvement of the sections connecting the highway and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the highway deemed necessary by the City Engineer in order to provide for adequate entrances to and exits from the subdivision.
- D. A planting strip shall be provided between the frontage road and its adjacent highway which shall contain trees, shrubs, ground cover and an automatic irrigation system as approved by the Park, Recreation and Community Services Director. (Ord. 6968 §1, 2007)

18.220.090 Reverse Frontage and Side Frontage Lots.

Where a limited access design is required for an arterial, and to accomplish this purpose reverse or side frontage lots bordering the arterial are provided, said arterial shall be improved in accordance with the provisions of this Title with the following additions and modifications:

- A. Full improvement of the sections connecting the arterial and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the arterial deemed necessary by the City Engineer to provide for adequate entrances to and exits from the subdivision.
- B. A masonry wall shall be constructed of a design, material, and color approved by the Zoning Administrator adjacent to the rear or side property line of the lots backing up to or siding on an arterial street or other location as may be required by the City Engineer. Such wall shall not be less than six (6) feet in height, unless the regulations in Title 19 of this Code prescribe a different height, and shall be uniform in design, material, and color. Where it is more feasible because of topography to construct the wall at the top of a slope adjacent to the arterial, the area between the street and the wall shall be dedicated or granted by easement to the City for restricted street purposes including landscaping; and the Planning Commission may grant modifications required for the development of any adjacent lot or parcel due to such dedication or grant of easement in accordance with the provisions of this Title.



18.220.090 B Reverse Frontage Walls

- C. Landscaping shall be required in the area between the property line and the curb and in any dedicated area or required landscape easement area between a required masonry wall and fence and the planned street line, and the landscaping shall consist of trees, shrubs, ground cover, and a fully automated irrigation system as approved by the Park, Recreation and Community Services Director; provided, however, a fee in lieu thereof may be paid by the subdivider to the City, which fee shall be in an amount estimated by the Park, Recreation and Community Services Director to be the cost for such improvements.
- D. Long term maintenance of landscaping and the reverse frontage wall shall be the responsibility of a Homeowners' Association (HOA) where one exists in the case of a planned residential development. Where no HOA exists, the developer shall be responsible for providing for the long term maintenance of the landscaping and wall by means acceptable to the City, including payment of an endowment in an amount approved by the City. (Ord. 6968 §1, 2007)

18.220.100 Inspection of Work.

The subdivider shall cause all work under construction to be inspected at such times as are established and required by the City. (Ord. 6968 §1, 2007)

18.220.110 Access for Cable Television and Similar or Alternative Telecommunications Systems.

- A. Any and all appropriate cable television and similar or alternative telecommunications systems shall be provided access to any subdivision for which a tentative map was required by this Title for the purpose of constructing, installing or maintaining equipment consistent with the requirements of the City of Riverside, within public streets, highways, alleys, public utility easements, telecommunications easements and other public easements designated by the City of Riverside as acceptable for cable television and similar or alternative telecommunications systems use, which equipment is necessary to extend the appropriate telecommunications systems to the parcels within the subdivision.

"Appropriate cable television and similar or alternative telecommunications systems", as used in this section, means those franchised to serve the geographical area in which the subdivision is located.

- B. When the subdivision is being developed, the subdivider or the owner shall provide notice to all appropriate cable television and similar or alternative telecommunications systems regarding the optimum time or times for the access required by subsection A of this section to take place so that all trenching for utilities, sewers, telecommunications systems and the like can be coordinated and shared when feasible. While the subdivision is under construction, the access required by subsection A of this section shall be provided upon terms mutually acceptable to the subdivider or owner and an appropriate telecommunications system. If no mutually acceptable terms can be agreed upon, such appropriate telecommunications system shall have the right to construct, at its sole expense, separate trenches and to place therein all equipment necessary to extend such appropriate telecommunications system to the parcels within the subdivision. When any appropriate telecommunications system installs associated equipment in a separate trench, the trenching activity shall be performed as close in time and physical proximity to the trenching for utility lines, sewers, and any other appropriate telecommunications system equipment as practicable. (Ord. 6968 §1, 2007)

18.220.120 Preinstalled Improvements.

If the subdivider completes all improvements required by this Title prior to approval by the City of the final map or parcel map the subdivider shall be required, in addition to any other requirements of this Title, to provide the City with an improvement security in form acceptable to the City Attorney to guarantee the maintenance of the work required by this Title, for a period of one (1) year following the acceptance thereof by the City, against any defective work or labor done or defective materials furnished. The penal sum of this security shall be in the amount of ten percent (10%) of the estimated cost of all improvements required by this Title, which cost shall be ascertained by the City Engineer; but in no event shall said penal sum be less than three hundred dollars (\$300). (Ord. 6968 §1, 2007)

18.220.130 Forfeiture of Security.

If the subdivider or the surety fails to complete all the required improvements within a time prescribed by the improvement contract with the City or any authorized extension thereof by the City, in addition to any other legal or equitable remedies available, the City Council may order that the remaining improvements be made by or on behalf of the City at the expense of the subdivider and the surety. (Ord. 6968 §1, 2007)

18.220.140 Release of Security.

The improvement security may be released in the following manner:

- A. Upon completion of all the work, improvements and obligations called for under the subdivider's contract for completion of the improvements, and upon acceptance of all said work and improvements by the Public Works Director or his/her designee, the Public Works Director or his/her designee shall authorize the release of the improvement security given for faithful performance of the contract. The release shall not apply to any required guarantee and warranty period required by [18.220.020](#) B 3. However, the liability of the improvement security given for faithful performance of the contract shall continue for a period of one year following the acceptance of the work and improvements to guarantee the City against any defective work or labor done, or defective materials furnished in the performance of the contract.
- B. The improvement security securing the payment to the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials may, six (6) months after the completion and acceptance of the work and improvements, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the City; and if there are no actions filed, the Public Works Director or his/her designee will authorize the release in full of the improvement security. (Ord. 6968 §1, 2007)

Chapter 18.230**MODIFICATIONS****18.230.010 Modifications Authorized.****18.230.020 Applications.****18.230.030 Approving/ Appeal Authority.****18.230.010 Modifications Authorized.**

Modifications from the improvement requirements of this Title may be granted pursuant to the procedures set forth in this Chapter. (Ord. 7026 §4, 2009; Ord. 6968 §1, 2007)

18.230.020 Applications.

An application for a modification shall be made by a petition of the subdivider on forms as may be prescribed by the Planning Division. The petition shall set forth the nature and extent of the requested modification, the grounds of the application and the facts relied upon by the petitioner for the request for a modification. The petition shall be filed together with the administrative discretionary or discretionary map or permit. (Ord. 6968 §1, 2007)

18.230.030 Approving/Appeal Authority.

The Approving or Appeal Authority shall consider the application for a modification and the drawings and documents filed with an application at the same time as the map or permit is considered. The modification may be granted or may be granted subject to prescribed conditions, provided that the Approving or Appeal Authority shall make the following findings:

- A. That the property is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable for the petitioner to fully conform with the regulations prescribed by this Title, and required conformance would result in undue hardship;
- B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- C. That the modification will not be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity;
- D. That granting the modification is in accordance with the purposes set forth in this Title;
- E. That granting the modification is not contrary to the objectives of the Zoning Code set forth in Title 19 of this Code and the General Plan. (Ord. 6968 §1, 2007)

Chapter 18.240**FEES****18.240.010 Fees Required.****18.240.020 Drainage Fees.****18.240.030 Other Fees.****18.240.010 Fees Required.**

Filing fees for filing a tentative tract, vesting or reversion to acreage map, parcel map, final tract, vesting, reversion to acreage or parcel map, appeal, modification, waiver application and certificate of compliance application, and fees for map checking shall be in an amount established by resolution of the City Council and shall be paid at the time the application, petition or map is filed. (Ord. 6968 §1, 2007)

18.240.020 Drainage Fees.

- A. This section is adopted pursuant to Section 66483, et seq. of the California Government Code which provides for the payment of fees for construction of drainage facilities as a condition to the division of land.
- B. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, adopted by resolution of the City Council, a drainage fee in the amount set forth in the adopted plan shall be paid as a condition of approval of the filing of a final map or parcel map, or as a condition of the waiver of the filing of a parcel map.
- C. Each area drainage plan shall be adopted pursuant to the provisions of California Government Code Section 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan; and shall include a map of the area that shows the boundaries of the drainage area and the location of the required facilities.
- D. The area drainage plan shall be determined by resolution of the Riverside County Board of Supervisors and/or the Riverside County Flood Control and Water Conservation District to be in conformity with any applicable County-wide or district general drainage plans.
- E. As a condition to adoption of a plan, the City Council shall find and determine that the subdivision and development of property within the planned local drainage area will require construction of the facilities described in the drainage plan and that the drainage fees are fairly apportioned within such area either on the basis of benefits conferred on property proposed for subdivision or on the need for such facilities created by the proposed subdivision and development of other property within such area.
- F. The City Council may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within such area which would be assessable on such property if such costs were apportioned uniformly on a per-acre basis.

- G. The planned drainage facilities shall be in addition to existing facilities serving the area at the time of the adoption of the area drainage plan.
- H. Drainage fees required by this section shall be paid to the City and thereafter transferred into a planned local drainage facilities fund which shall be maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the district for each adopted local drainage area. Moneys in such funds shall be expended solely for the construction, reimbursement for construction, or right-of-way acquisition for drainage facilities within the drainage area for which the fees were collected, or to reimburse the district for the cost of engineering and administrative services to design and construct the facilities and acquire any necessary right-of-way for the facilities.
- I. In the discretion of the City Council, dedication of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
- J. Money may be advanced by the Riverside County Flood Control and Water Conservation District to pay the cost of drainage facilities within an adopted drainage area; thereafter, such moneys may be reimbursed from the planned local drainage facilities fund for the local drainage area in which the facilities were constructed.
- K. When required for the implementation of an adopted area drainage plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance funds for the construction of facilities within a local drainage area, provided that the sole security for payment of funds or other consideration advanced shall be moneys subsequently accruing to the planned local drainage facilities fund for the drainage area in which the facilities are constructed. Reimbursement shall be for the amount advanced only and shall not include interest or other charges. The agreement shall expire ten years after the date it was entered into, and any subsequent moneys paid into the fund shall accrue to it without obligation to creditors for which the agreements have expired.
- L. Drainage fees listed in an adopted plan may be amended by the City Council at any time upon a determination that it is necessary to change the fees in order to correctly reflect the estimated cost of the required facilities. (Ord. 6968 §1, 2007)

18.240.030 Other Fees.

Other fees may be required pursuant to the City's Fee resolution. Pursuant to California Government Code 66477 and [Chapter 16.60](#) of the Riverside Municipal Code, the City may, in-lieu of an offer of parkland dedication, impose a fee as a condition of development. The amount of this fee shall be determined by resolution of the City Council. (Ord. 6968 §1, 2007)

ARTICLE VI: DEFINITIONS

Chapter 18.260

DEFINITIONS

- 18.260.010 Purpose and Applicability.
- 18.260.020 "A" Definitions.
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- 18.260.080 "G" Definitions.
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- 18.260.250 "X" Definitions.
- 18.260.260 "Y" Definitions.
- 18.260.270 "Z" Definitions.

18.260.010 Purpose and Applicability.

For the purposes of the Subdivision Code, certain words, phrases and terms used herein shall have the meaning assigned to them by this Article, except that definitions derived from State and Federal regulations that are referenced herein shall have the meaning contained in the referenced regulations.

For general terminology used throughout the Subdivision Code, refer to [Section 18.060.030 Rules and Interpretations](#). For terminology used in the Subdivision Code but not defined in this Title, the definitions used elsewhere in the Riverside Municipal Code, the Building Code or accepted dictionaries of the English language shall govern. (Ord. 6968 §1, 2007)

18.260.020 “A” Definitions

Advisory Agency	means the Approving and Appeal Authority charged with the duty of making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, or having the authority to approve, conditionally approve or disapprove maps or permits pursuant to this Title.
Alley	means a public way permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.
Arterial street	means a street which, because of its design and location with respect to other streets and other sources of traffic, is used to carry relatively heavy volumes of traffic through the City and between districts of the City, or as an approach to a freeway. See the Master Plan of Roadways for the location of arterial streets in the City. (Ord. 6968 §1, 2007)

18.260.030 “B” Definitions

Block	means an area of land within a subdivision entirely bounded by streets, or bounded in part by streets and in part by the exterior boundary of the subdivision. See <i>definition in Title 19</i> . (Ord. 6968 §1, 2007)
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18.260.040 “C” Definitions

City Engineer	Is the Public Works Director who is the duly appointed and acting head of the Public Works Department or the authorized designee of the Public Works Director.
City Surveyor	is the duly appointed Surveyor for the City of Riverside or his or her acting designee.
Collector Street	means a street for traffic moving between arterial and local streets, generally providing direct access to properties. See <i>definition in the General Plan</i> . See the Master Plan of Roadways for the location of collector streets in the City.
Community Apartment Project	means a development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon (California Civil Code § 1351 (d)). See <i>definition in Title 19</i> .
Condominium Map	See Tentative Condominium Map .

Condominium Project means a development consisting of condominium units established in conformance with State law. See definition in *Title 19 and the General Plan*.

Cul-de-sac means a street having only one outlet for vehicular traffic and ending in a turnaround. (Ord. 6968 §1, 2007)

18.260.050 “D” Definitions

Design means:

- A. Street alignments, grades and widths;
- B. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
- C. Location and size of all required easements and rights-of-way;
- D. Fire roads and firebreaks;
- E. Lot size and configuration;
- F. Traffic access;
- G. Grading;
- H. Land to be dedicated for park or recreational purposes; and
- I. Such other specific requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

Designated Remainder means a portion of any unit or units of improved or unimproved land which is not divided for the purpose of sale, lease or financing. (Ord. 6968 §1, 2007)

18.260.060 “E” Definitions

Environmental Subdivision [See Tentative Environmental Subdivision Map.](#) (Ord. 6968 §1, 2007)

18.260.070 “F” Definitions

Flag Lot See [lot, corridor access.](#)

Freeway means a divided highway for through traffic with full control of access, with grade separations at all intersections and in respect to which the owners of abutting lands have no direct right or easement of access to or from their abutting land. A freeway is not a street for the purposes of this Title. *See definition in Title 19.*

Frontage Road means a street which, for its entire length, borders on another street with which it has a common side line, and to which it is accessory, and which provides access to abutting properties and separation from through traffic. The term also includes service road and border road. (Ord. 6968 §1,

2007)

18.260.080 “G” Definitions

General Plan

means the General Plan of the City of Riverside, adopted pursuant to the California Government Code Section 65301 et seq. and adopted by the Riverside City Council. See *definition in the General Plan*. (Ord. 6968 §1, 2007)

18.260.090 “H” Definitions

Highway

means a major or arterial street. (Ord. 6968 §1, 2007)

18.260.100 “I” Definitions

Improvement

refers to such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of a final or parcel map. "Improvement" also refers to such other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan or any specific plan. (Ord. 6968 §1, 2007)

18.260.110 “J” Definitions (Ord. 6968 §1, 2007)

18.260.120 “K” Definitions (Ord. 6968 §1, 2007)

18.260.130 “L” Definitions (Ord. 6968 §1, 2007)

Linkages

means open space connection for purposes of habitat connectivity, trail connection or a combination of the two. A linkage that provides habitat connectivity will be a connection between habitat area with adequate size, configuration and vegetation characteristics to generally provide habitat for subject wildlife and plant species. A linkage may include sufficient area to buffer the linkage use from surrounding land uses; linkage buffers may serve as flood overflow areas or other uses compatible with the site specific purpose of the linkage. Dimensions of a linkage will depend on site-specific linkage purposes and available open space. See definition in the General Plan.

Local Street

means a street providing direct access to properties and designed to discourage through traffic.

Lot	means a legally recognized parcel of land abutting on one or more streets.
Lot Consolidation	means the merger of existing lots or parcels into fewer lots or parcels.
Lot, Corridor Access	means a lot with access to a street by means of a corridor having less than the required lot width. The term also includes flag lot and panhandle lot. For information on the development standards for a corridor access lot see 18.210.080 E.
Lot, Cul-de-sac	means a legally recognized parcel of land substantially abutting the bulb portion of a cul-de-sac street. The amount of frontage needed at the bulb will be determined by the Approving Authority.
Lot Line Adjustment	means the modification of a boundary line or lines between two or more existing adjacent lots or parcels where no additional lots or parcels are created.
Lot, Reverse Frontage	means a lot bordering on streets along both its front and rear property lines, also referred to as through lot, backup lot, and double frontage lot.
Lot, Side-on	means a lot which sides on a highway and fronts on a minor street, cul-de-sac, or other highway. (Ord. 7026 §5, 2009; Ord. 6968 §1, 2007)

18.260.140 “M” Definitions

Median	means a strip of land within a street right-of-way designed to separate opposing lanes of traffic, which may be designed to be planted with trees or otherwise landscaped, and which may provide stacking space and protection for vehicles about to make left turns. (Ord. 6968 §1, 2007)
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18.260.150 “N” Definitions

Nonaccess Barrier Strips	means a strip of land generally one (1) foot in width at the terminus of a public street where said street abuts an adjacent undeveloped parcel. Said strip is offered but not accepted for dedication as a public street and therefore prohibits access to the undeveloped parcel until such time as the parcel is developed in accordance with City standards. At that time the City accepts the barrier strip as a public right-of-way thereby granting access to the adjacent parcel.
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Not A Part (NAP)	see Designated Remainder . (Ord. 6968 §1, 2007)
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18.260.160 “O” Definitions (Ord. 6968 §1, 2007)

18.260.170 “P” Definitions

Panhandle Lot	See lot, corridor access.
Parcel Map	see Tentative Parcel Map .
Parkway	means the landscaped area lying between the curb of an improved street and the sidewalk when the sidewalk is located at the property line. The area along a curb is generally reserved for parallel parking hence the term parkway.
Pedestrian Way or Walkway	means a public way designed for use by pedestrians which is not intended for use by automotive vehicles of any kind, is not located within a street right-of-way, and whose width is typically between 4 feet and 20 feet.
Planned Street Line	means the boundary line of a street, determined on the basis of the general plan or a specific plan, and adopted by the City Council to establish the planned maximum width of an existing street or to establish the ultimate right-of-way of a proposed street.
Planning Director	means the duly appointed and acting head of the Planning Division.
Planting Strip	means a strip of land within a street right-of-way which separates the roadway from a sidewalk and/or a property line, or a strip of land within a street right-of-way which is designed to separate a frontage road from a highway, and which in either case is to be planted with trees or otherwise landscaped.
Private Drive	means a secondary source of vehicular access and limited internal circulation contained within a residential project with the intention of providing access to off-street parking areas and various other project facilities and solely under private ownership.
Private Street	means a primary source of vehicular access and internal circulation contained entirely within in a residential development and solely under private ownership.
Public Right of Way	means any place which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, median, highway, alley, lane, mall court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park square, and other similar public way. (Ord. 6968 §1, 2007)

18.260.180 “Q” Definitions (Ord. 6968 §1, 2007)

18.260.190 “R” Definitions

Reversion to Acreage Map see [Tentative Reversion to Acreage Map](#). (Ord. 6968 §1, 2007)

18.260.200 “S” Definitions

Safety Lighting means the level of light necessary for nighttime safety of outdoor areas.

Sidewalk means a paved way designed for use by pedestrians which is typically located within a street’s right-of-way between a landscaped planting strip and an individual property line.

Slope, Average Natural means the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the formula indicated in Section 19.100 of the Zoning Code.

Specific Plan means a tool authorized by Government Code §65450, et. seq. For systematic implementation of the General Plan for a defined portion of a community's planning area. A specific plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development and use of natural resources and a program of implementation measures., including financial measures pursuant to Government Code 65451. *See definition in Title 19.*

Stacking Space means a space within the traveled roadway of a street designed to provide a protected rest space for vehicles awaiting a through or turning movement at a street intersection.

Street means a public way or City approved private way designed primarily for vehicular traffic, whether designated as a street, arterial, highway, thoroughfare, road, avenue, boulevard, lane, place, or other designation, but not including an alley.

Street, Curve means a street where the deflection in the street direction causes the need for a centerline radius of 20 to 60 degrees for topographical or design needs of the subdivision. Curvilinear streets are not street curves for purposes of this definition.

Street, Knuckle means the area where two streets meet in termination and the angle of deflection between the two centerlines of the streets range from 60 to 100 degrees. For reference see City Standard Drawing Number 104.

Stock Cooperative means a development in which a corporation hold Title to, either in fee simple or for a term of years, improved real property, a majority of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of subdivision (f) of Section 25100 of the Corporations Code.

A "stock cooperative" includes a limited equity housing cooperative which is a stock cooperative that meets the criteria of Section 33007.5 of the Health and Safety Code. *See definition in Title 18.*

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

Subdivision means the division of any improved or unimproved land, 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. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section 1350 of the California Civil Code, or a community apartment project, as defined in Section 11004 of the California Business and Professions Code. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for purposes of computing the number of parcels. "Subdivision" shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings, mobile home parks or trailer parks; mineral, oil or gas leases; or land dedicated for cemetery purposes under the Health and Safety Code of the State. (Ord. 6968 §1, 2007)

18.260.210 "T" Definitions

Tentative Condominium Map means a map of a [condominium project](#), [community apartment project](#) or the conversion of five or more existing dwelling units to a [stock cooperative](#).

Tentative Environmental Subdivision Map means a subdivision of land pursuant to this division for biotic and wildlife purposes that meets all of the conditions specified in subdivision [18.080.080 Tentative Environmental](#)

Subdivision Maps.

Tentative Map	means tentative tract, parcel, vesting, reversion to acreage, condominium and environmental subdivision maps.
Tentative Parcel Map	means a map made for the purpose of showing the design and improvement of a proposed subdivision pursuant to A -(1-5) of 18.080.030 Tentative Tract Maps Required of this Title and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property.
Tentative Reversion to Acreage Map	means a map of subdivided real property to be reverted to acreage.
Tentative Tract Map	means a map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property (California Government Code § 66424.5).
Tentative Vesting Map	means a map which meets the requirements of a Tentative Tract Map and §§ 66452 of the California Government Code (California Government Code § 66424.5).
Trails	means hiking, biking or equestrian trails, as indicated in the General Plan or a Specific Plan, and as further defined by the City during the development review process. (Ord. 6968 §1, 2007)
18.260.220 “U” Definitions	(Ord. 6968 §1, 2007)
18.260.230 “V” Definitions	
Vertical Subdivision	means a subdivision in which the air space above the property is divided for the purpose of sale or for the conveyance of an undivided interest coupled with the right of exclusive occupancy. The term also includes condominium projects as defined in California Civil Code Section 1350, and community apartment projects as defined in California Business and Professions Code Section 11004.
Vesting Map	see Tentative Vesting Map . (Ord. 6968 §1, 2007)
18.260.240 “W” Definitions	(Ord. 6968 §1, 2007)
18.260.250 “X” Definitions	(Ord. 6968 §1, 2007)
18.260.260 “Y” Definitions	(Ord. 6968 §1, 2007)

18.260.270 “Z” Definitions

Zoning Administrator

The Planning Director or his or her designee who is authorized to act as the Zoning Administrator according to the procedures set forth in the California Government Code and this Title. *See definition in Title 19.* (Ord. 6968 §1, 2007)