

ORDINANCE NO. 946

AN ORDINANCE PROVIDING REGULATIONS FOR THE DIVISION OF LAND IN THE CITY OF OCEANSIDE, CALIFORNIA AND FOR THE PREPARATION AND PRESENTATION OF MAPS THEREOF, AND PRESCRIBING PENALTIES FOR ITS VIOLATION.

In order to promote public health, safety and general welfare; orderly growth and development of the City; proper use of land; conservation, stabilization and protection of the use value of property; adequate provisions for necessary utilities and convenience, the City Council of the City of Oceanside ordains as follows:

ARTICLE 1

AUTHORITY

Section 100: AUTHORITY. Pursuant to the "Subdivision Map Act" of the State of California, as it now exists or may hereafter be amended the provisions of this ordinance are supplemental to those of said Act, and shall apply to all subdivisions of land hereafter made when said land is entirely, or partially, within the limits of the City of Oceanside. The Oceanside Planning Commission is hereby designated as the "advisory agency" referred to in said Act, and is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions; and is hereby authorized to approve, conditionally approve or disapprove tentative maps of subdivisions prepared and filed according to this ordinance and the said "Subdivision Map Act", to recommend the kinds, nature and extent of the improvements required to be installed in subdivisions, and to report to the City Council the action taken on tentative maps.

ARTICLE 2

GENERAL, CONTROLS

Section 200: CONFORMANCE TO PLANS. A subdivision plan shall conform at all times to any existing precise plan of streets. In the absence of a precise plan of streets and highways, there shall be substantial conformance to the master plan. In the absence of a master plan, the street system in a proposed subdivision shall relate to the existing streets in the area adjoining the subdivision.

1 Section 201: STREETS AND HIGHWAYS.

2 (a) Freeways, limited-access and unlimited-access State Highways shall
3 conform to the standards of the Division of Highways, Department of Public Works,
4 State of California and where same are involved in any subdivision, they shall be
5 subject to individual determination by the City. Said standards of the Division
6 of Highways shall be deemed to be the minimum standards that will be acceptable.

7 (b) Major thoroughfares shall have a right-of-way width of not less
8 than eighty-four feet and shall be designated as such on the precise plan or
9 master plan of streets and highways.

10 (c) Secondary thoroughfares shall have a right-of-way width of not
11 less than sixty-six feet and shall be designated as such on the precise plan or
12 master plan of streets and highways.

13 (d) Local collector streets shall be not less than sixty-feet wide.

14 (e) Minor and cul-de-sac streets shall have a right-of-way width of
15 not less than fifty-feet, nor more than five-hundred feet in length, except where
16 special topographic conditions might justify a lesser width or greater length. The
17 radius at the terminus of the cul-de-sac shall be not less than fifty-feet. Cul-
18 de-sac and minor streets shall be subject to individual determination by the City.
19 Stub streets or rights-of-way may be required to the edge of the subdivision.

20 (f) Special local streets where railroads, parkways, grade separations,
21 freeways and hills, or other dominant factors are involved shall be subject to in-
22 dividual determination by the City.

23 (g) Along freeways or limited access highways and along major highways,
24 a service roadway separated from the main traffic roadway by an appropriate separ-
25 ation strip may be required, which service roadway will provide for access to
26 abutting lands and to other public streets. Along major highways an alley or
27 alleys may be required in lieu of such service road or roads as a facility for
28 serving lands marginal to such major highways.

29 (h) Curved major highways shall have a center line radius of not less
30 than one-thousand feet.

31 (i) Curved secondary streets shall have a center line radius of not less
32 than five-hundred feet. Lesser radii may be used if topographic evidence indicates
above requirements are not practicable.

1 (j) Curves on other streets shall have a center line radius of not
2 less than two-hundred feet. Lesser radii may be used where topographic or other
3 conditions make compliance not practicable.

4 (k) Where two streets intercept or intersect the corners shall be
5 cut either on a twenty-foot radius to which the lot boundaries are tangent, or
6 on a straight line connecting points on both lines twenty-feet distant from the
7 corner of the lot at the intersection of the street.

8 (l) Street intersections shall be as near right angles as practicable.
9 In no case shall the angle be less than forty-five degrees.

10 (m) Streets which are a continuation of streets in contiguous terri-
11 tory shall be so aligned as to assure that their center lines shall coincide. In
12 cases where straight continuations are not physically possible, such center line
13 shall be continued by curves.

14 (n) In areas where no precise plans exist, the layout of all improve-
15 ments including, but not limited to roadways, curbs, parkways, dividing strips,
16 sidewalks, sewer lines and water mains within the right-of-way of all highways,
17 streets, alleys and utility easements shall be in accordance with standards es-
18 tablished by the City Council and where no such standards have been adopted the
19 arrangements shall be subject to approval by the City.

20 Section 202: GENERAL REQUIREMENTS. All streets, sidewalks, curbs, gutters,
21 pavements, sanitary sewer lines, sewer pumping stations, water supply systems, cul-
22 verts, street name signs, fire hydrants, street lights and drainage structures
23 shall be installed at the cost of the subdivider, and shall conform to grades and
24 specifications approved by the City of Oceanside.

25 Section 203: SANITARY SEWERS. Where a sewer line is constructed or laid
26 within a street, road, alley or easement the subdivider shall install sewer lines
27 of a type and size approved by the City of Oceanside to the property line of each
28 lot within the subdivided area. All sanitary sewer lines, appurtenances and
29 service connections shall be constructed or laid prior to paving.

30 Section 204: WATER SUPPLY. A water supply system and fire hydrant facil-
31 ities shall be installed and shall conform to standard practices recognized by the
32 American Water Works Association and meeting the minimum requirements of the Board

1 of the Underwriters of the Pacific. The water supply may be obtained later from
2 the City if mains are installed. Plans shall be subject to approval by the City
3 Engineer and Superintendent of Water Department.

4 Section 205: ALLEYS.

5 (a) Alleys twenty-feet wide shall be provided at the rear of all lots
6 classified for and to be used for commercial or multiple family purposes but not
7 including two-family use. Alleys elsewhere shall be optional with the City but,
8 if offered, they shall be not less than twenty-feet wide and shall be subject to
9 approval by the City, both as to width and location. If a precise plan indicates
10 alleys which are not required by the general rule, then the alleys thus shown
11 shall be required.

12 (b) Alleys at the rear of business or industrial property shall be
13 subject to individual determination by the City as to design, location and pos-
14 sible increased width.

15 (c) Alleys shall be required at the rear of all property fronting
16 directly upon any major or secondary highway.

17 (d) Where two alleys intercept or intersect, the corners shall be
18 cut either on a ten-foot radius to which the lot boundaries are tangent, or on a
19 straight line connecting points on both lot lines ten-feet distant from the cor-
20 ner of the lot at the intersection of the alleys.

21 Section 206: UTILITY EASEMENTS.

22 (a) Where alleys are not required, utility easements twelve-feet in
23 width shall be provided generally through the interior of the block and in approx-
24 imately the location that would be occupied by an alley. If an easement parallels
25 and is adjacent to the boundary of a subdivision the utility easement shall be
26 eight-feet in width.

27 (b) Overhead utilities should be located, where possible, through the
28 interior of the block along either alleys or easements, as the case may be.

29 (c) Utility easements shall be located where possible through the in-
30 terior of the block, but may be required along side lot lines where necessary to
31 provide for street lighting.

32 (d) All proposed drainage easements and improvements shall be indicated

1 on the map showing the method of disposal of drainage water from the subdivision.

2 Section 207: LOTS

3 (a) Lot areas shall be such as will conform to the standards of devel-
4 opment as defined by the zoning ordinance or by other precise plans adopted pur-
5 suant to law provided no lot shall contain less than a five-thousand foot area.

6 (b) Lots having no frontage on a public street shall be cause for dis-
7 approval of subdivision.

8 (c) The width of lots shall be such as will conform to standards of
9 development as defined by the zoning ordinance or other precise plans adopted
10 pursuant to law, provided the minimum width of interior lots at the rear line of
11 the required front yard setback shall be sixty-feet; on corner lots a minimum
12 width of seventy-feet; provided further, that odd-shaped lots shall be subject
13 to individual determination by the City. Greater lot widths may be required where
14 deemed necessary by the City.

15 (d) No lot shall be divided by a County, City or School District
16 boundary line.

17 (e) The side lines of lots shall be approximately at right angles to
18 the street line on straight streets or to the tangent on curved streets.

19 (f) Double frontage lots having legal ingress and egress rights on
20 parallel or approximately parallel streets shall be avoided. All lots shall be
21 suitable for the purpose for which they are intended to be sold.

22 Section 208: BLOCK.

23 (a) Blocks less than three-hundred-thirty feet in length, or more
24 than nine-hundred-ninety feet in length, may be cause for disapproval, but in
25 no case shall a block be longer than thirteen-hundred-twenty feet.

26 (b) In long blocks pedestrian ways at least ten feet wide may be re-
27 quired through the block. Such ways shall be well defined and improved with a
28 minimum of pavement not less than five-feet in width.

29 (c) Long blocks are desirable adjacent to main thoroughfares in order
30 to reduce the number of intersections.

31 Section 209: EXCEPTIONS.

32 (a) Conditional exceptions to the regulations herein defined may be

1 authorized if exceptional or special circumstances apply to the property. Such
2 special circumstances may include limited size, unusual shape, extreme topography,
3 dominating drainage problems, or the impracticability of employing a comprehen-
4 sive plan or layout by reason of prior existing recorded subdivision of contiguous
5 properties.

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ARTICLE 3
TENTATIVE MAP

10 Section 300: PROCEDURE.

11 (a) Each proposed subdivision shall be submitted in map form. Not less
12 than ten copies of such map shall be filed with the Secretary of the City Plan-
13 ning Commission. The tentative map shall be prepared in accordance with the
14 "Subdivision Map Act" and the provisions of this ordinance. Such filing should
15 be made prior to the completion of final surveys of streets and lots and before
16 grading or construction work within the proposed subdivision that might be af-
17 fected by changes in the tentative map. To assure to the Planning Commission
18 of all necessary information to consider a tentative map, the Commission shall
19 act only upon such tentative maps, together with required statements of other
20 evidence as shall have been filed with the Commission not less than ten days prior
21 to the date of the Planning Commission meeting at which such matter is to be con-
22 sidered.

23 (b) Prior to the filing of a tentative map the subdivider shall, by a
24 form of notice approved by the City, notify all abutting property owners, (unless
25 the abutting properties have been previously subdivided into small urban lots) as
26 shown on the latest available assessment roll, of his intent to subdivide. A
27 notarized statement of the subdivider's compliance therewith shall be filed with
28 the tentative map.

29 (c) It is desirable that the subdivider should confer with the staff
30 of the City Planning Commission and the City Engineer before preparing the ten-
31 tative map and filing it with the City.

32 Section 301: SIZE OF MAP. The size of such tentative map is optional; the

1 scale shall not be less than one-hundred feet to the inch.

2 Section 302: INFORMATION ON MAP. Each such map shall contain the following
3 information:

4 (a) Name and address of the owner whose property is proposed to be sub-
5 divided and the name and address of the subdivider.

6 (b) Name and address of registered civil engineer, licensed surveyor,
7 landscape architect or land planner who prepared the map.

8 (c) North point.

9 (d) Scale.

10 (e) Date of preparation.

11 (f) The location, width and proposed names of all streets within the
12 boundaries of proposed subdivision and approximate grades thereof.

13 (g) Location and width of alleys.

14 (h) Name, location and width of adjacent streets.

15 (i) Lot lines and approximate dimensions and numbers of each lot.

16 (j) Approximate location and width of water courses or areas subject
17 to inundation from floods, or location of structures, irrigation ditches and other
18 permanent physical features.

19 (k) Contours at not greater than five-foot intervals.

20 (l) Approximate location of buildings and permanent structures.

21 (m) Location of trees within proposed rights-of-way to be dedicated.

22 (n) Legal description of the exterior boundaries of the subdivision.

23 (o) Width and location of all existing or proposed public or private
24 easements.

25 (p) Classification of lots as to intended residential, commercial,
26 industrial or other uses.

27 (q) Railroads.

28 (r) Approximate radii of curves.

29 (s) Proposed name of subdivision.

30 Section 303: SUPPLEMENTAL INFORMATION. The tentative map shall show there-
31 on, or be accompanied by ten copies of reports and written statements from the
32 subdivider giving essential information regarding the following matters:

- 1 (a) Source of water supply.
- 2 (b) Type of street improvement and utilities which the subdivider
3 proposes to install.
- 4 (c) Proposed method of sewage disposal.
- 5 (d) Proposed storm water sewer or other means of drainage (grade and
6 size).
- 7 (e) Protective covenants to be recorded.
- 8 (f) Proposed tree planting.
- 9 (g) Proposed grading plan when required.

10 Section 304: FEE - TENTATIVE MAP. A fee shall be paid to the City Clerk in
11 the following amounts to cover costs of checking each tentative map or maps upon
12 the filing of such map or maps.

- 13 (a) Twenty-five (\$25.00) Dollars plus Two (\$2.00) Dollars per lot for
14 each subdivision other than a subdivision consolidating properties into one lot,
15 or for a subdivision for the purpose of reversion to acreage.

16 Section 305: DISTRIBUTION OF MAPS.

17 (a) When such required copies of a tentative map are filed, the Secre-
18 tary of the Planning Commission shall immediately forward one copy to each of the
19 following with the request that, each report its recommendations, if any, to the
20 Planning Commission:

- 21 (1) City Engineer.
- 22 (2) Water Superintendent.
- 23 (3) Division of Highways, State Department of Public Works. (Where
24 affected.
- 25 (4) Health Officer.
- 26 (5) County Planning Commission. (Where affected).
- 27 (6) Adjacent cities. (Where affected).
- 28 (7) Building Inspector.
- 29 (8) Superintendent of Streets.
- 30 (9) Fire Department.

31 (b) ⁽¹⁰⁾ CITY MANAGER Prior to the consideration by the Planning Commission of a tenta-
32 tive map and within the ten days following its filing, those receiving copies of

1 the map shall make a report in writing to the Planning Commission as to any recom=
2 mendations in connection with the tentative map and its bearing on particular
3 functions. Failure of any notified agency listed above to so report shall be
4 deemed approval by such agency or department.

5 (c) The Planning Commission shall consider a tentative map at its
6 first regular meeting held not less than ten days following the filing of said
7 map. Action on such tentative map in approving, conditionally approving or
8 disapproving, shall be taken not later than thirty days following the meeting
9 at which it was first considered. Within not to exceed ten days following the
10 action by the Planning Commission upon any tentative map, the Secretary of the
11 Commission shall transmit a copy of the record pertaining to such action to the
12 subdivider and the City Council. A copy of such official action on a tentative
13 map shall also be permanently affixed to the official file copy of such map in
14 the records of the Planning Commission.

15 Section 306: REPORTS.

16 (a) The City Engineer shall examine the map as to its compliance with
17 the laws and ordinances of the City of Oceanside, the master street plan and
18 other precised plans of the City, the existing street system and good engineering
19 practice.

20 (b) The City Engineer's written recommendation shall set forth the
21 size and type of improvement necessary for public use and safety to be construct=
22 ed by the subdivider before acceptance of the final map and such other recommen=
23 dations as deemed desirable.

24 (c) The Superintendent of the Water Department shall set forth in
25 writing his recommendations concerning the water supply system.

26 (d) The Building Inspector shall set forth in writing his recommenda=
27 tions concerning the sanitary system and lot design.

28 Section 307: COUNCIL ACTION AND REPORT.

29 The City Council shall, by resolution, report its action thereon either
30 approving, conditionally approving or denying the map to the subdivider and the
31 City Planning Commission not later than ten days following the first meeting of the
32 City Council subsequent to the date on which the report of the City Planning
Commission was received.

- 1 (d) Location and names, without abbreviations, of all -
2 (1) Proposed streets and alleys.
3 (2) Proposed public areas and easements.
4 (3) Adjoining streets.
5 (e) Dimensions in feet and decimals of a foot.
6 (f) Dimensions of all lots.
7 (g) Each lot shall be numbered, each block may be lettered
8 or numbered. Each lot shall be shown entirely on one sheet.
9 (h) Center line data on streets, alleys and easements, in-
10 cluding bearings and distances.
11 (i) If any portion of the land within the boundaries shown
12 on any final map is subject to inundation or flood hazard by storm waters, such
13 fact and an identification of the affected portion shall be clearly shown on such
14 final map by a prominent note on each sheet of such map whereon any such portion
15 shall be shown.
16 (2) Additional information to be furnished:
17 (a) The subdivider shall furnish the Planning Commission with
18 certification from a licensed engineer as to whether the property when improved
19 will be subject to flood waters or inundation or if the depth of the ground water
20 is less than ten feet from the ground surface. If either or both of these con-
21 ditions is found to exist the Planning Commission shall so inform the State Real
22 Estate Commissioner.
23 (b) In the event that a dedication of right-of-way for storm
24 drainage purposes is not required, the Planning Commission may require that the
25 location of any water-course, channel, stream or creek be shown on the final map.
26 (c) Any final map of a subdivision presented to the City
27 Council for acceptance of easements and recordation shall be accompanied by an
28 additional copy on which is delineated all existing and proposed structures and
29 utilities within the subdivision, except publicly-owned storm drains, sewers and
30 other sanitary facilities, whether such structures are on recorded easements or not.
31 Section 403: RECORD OF EASEMENTS.
32 (a) The final map shall show the center line data, width and side lines

1 of all easements to which the lots are subject. If the easement is not definitely
2 located of record, a statement as to the easement shall appear on the title sheet.

3 (b) Easements for storm drains, sewers and other purposes shall be de-
4 noted by broken lines.

5 (c) The easement shall be clearly labeled and identified and if already
6 of record proper reference to the records given.

7 (d) Easements being dedicated shall be so indicated in the certificate
8 of dedications.

9 (e) At the time the subdivider presents the final map to the Planning
10 Commission there shall be presented certificates executed respectively by the var-
11 ious public utility companies authorized to serve in the area of the subdivision
12 certifying that satisfactory provisions have been made with each of said public
13 utility companies as to location of their facilities; and that easements, where
14 required by such companies, have been provided for in the final map. Easements
15 for public utility companies shall be designated on the final map as "Easements
16 for Public Utilities".

17 Section 404: SURVEY DATA.

18 (a) The final map shall show the center lines of all streets; length,
19 tangents, radii and central angles or radial bearings of all curves, the total
20 width of each street, the width of the portion being dedicated and the width of
21 rights-of-way of railroads, flood control or drainage channels and any other
22 easements existing or being dedicated by the map.

23 (b) Surveys in connection with the preparation of subdivision maps as
24 in this ordinance provided shall be made in accordance with standard practices and
25 principles for land surveying. A traverse of the boundaries of the subdivisions
26 and all lots and blocks shall close.

27 (c) Traverse sheets and work sheets showing the closure of the exterior
28 boundaries and of each irregular block and lot shall be provided.

29 Section 405: REQUIRED SURVEYING DATA. Each final map shall have indi-
30 cated thereon the following:

31 (a) Radius, tangent, arc length and central angle of curves.

32 (b) Suitable primary survey control points.

- 1 (1) Section corners.
- 2 (2) Monuments (existing outside of subdivision).
- 3 (c) Location of all permanent monuments within subdivision.
- 4 (d) Ties to and identification of adjacent subdivisions.
- 5 (e) Ties to and City or County boundary lines involved.
- 6 (f) Required certificates.

7 Section 406: SURVEYING DATA FOR LOTS.

- 8 (a) Sufficient data shall be shown to determine readily the bearing
9 and length of each line.
- 10 (b) Dimensions of lots shall be the net dimensions.
- 11 (c) No ditto marks shall be used.
- 12 (d) Lots containing one acre or more shall show net acreage to nearest
13 hundredth.

14 Section 407: LOT NUMBERS.

- 15 (a) The lots shall be numbered consecutively, commencing with the
16 number 1, with no omissions or duplications.
- 17 (b) Each lot shall be shown entirely on one sheet.
- 18 (c) Blocks may be used, but not preferred. They shall be consecutively
19 numbered in the same manner as required for numbering lots, or they may be letter-
20 ed in alphabetical sequence beginning with the letter "A".
- 21 (d) Lots within each block shall be numbered as herein provided for
22 subdivision, where blocks are not employed.

23 Section 408: ESTABLISHED LINES.

- 24 (a) Whenever the City Engineer has established the center line of a
25 street or alley such data shall be considered in making the surveys and in pre-
26 paring the final map, and all monuments found shall be indicated and proper ref-
27 erences made to field books or maps of public record, relating to the monuments.
28 If the points were reset by ties, the fact shall be stated.
- 29 (b) The final map shall show city boundaries crossing or adjoining
30 the subdivision clearly designated and tied in.

31 Section 409: EXISTING MONUMENTS.

- 32 (a) The final map shall show clearly what stakes, monuments or other

1 evidence was found on the ground which were used as ties to determine the bound-
2 daries of the tract.

3 (b) The corners of adjoining subdivisions or portions thereof shall
4 be identified and ties shown.

5 Section 410: NEW MONUMENTS.

6 (a) In making the survey for the subdivision, the Surveyor shall set
7 sufficient permanent monuments so that the survey or any part thereof may be
8 readily retraced. Such monuments shall be not less than an iron pipe with a two
9 inch outside diameter, not less than two feet in length centered with a copper
10 disk in a lead plug or Portland cement flush with the surface of the ground. Such
11 monuments shall generally be placed at angle points on the exterior boundary lines
12 of the tract at intervals of not more than one-thousand feet. Monuments shall be
13 placed at intersections of center lines of streets and at beginning of curves and
14 end of curves on center lines. Such monuments may be placed on offset lines,
15 and shall consist of concrete cylinders or blocks six inches in diameter, not less
16 than two feet in length set one foot below the finished pavement surface with a c
17 center point marked by a copper disk marked with State of California Registration
18 number set firmly in the top of the monument. The character, type and positions
19 of all monuments shall be noted on the map.

20 (b) For each center line intersection monument set, the engineer or
21 surveyor under whose supervision the survey has been made, shall furnish to the
22 City Engineer a set of notes showing clearly the ties between such monument and
23 a sufficient number (normally four) of durable distinctive reference points or
24 monuments. Such reference points or monuments may be lead and tacks in sidewalks,
25 or two inch iron pipe set back of the curb line and below the surface of the ground,
26 or such substitute therefor as appears to be not more likely to be disturbed.

27 Such set of notes shall be of such quality, form and completeness
28 and shall be on paper of such quality and size as may be necessary to conform to
29 the standardized office records of the City Engineer. All such notes shall be in-
30 dexed and filed by the City Engineer as a part of the permanent records of the
31 City Engineer's office.

32 (c) Lot corners shall be marked with 3/4 inch galvanized iron pipe not

1 be at least sixteen inches long and centered with a copper tack and disk indicating
2 the surveyor's registration number, and shall be driven not less than twelve inches
3 into the ground.

4 Section 411: TITLE SHEET.

5 (a) Below the title shall be a sub-title consisting of a general des-
6 cription of all the property being subdivided, by reference to subdivisions or
7 to sectional surveys.

8 (b) Reference to tracts and subdivisions shall be spelled out and
9 worded identically with original records, with complete reference to proper book
10 and page of the record.

11 (c) Title sheet shall show, in addition, the basis of bearings.

12 (d) Maps filed for purpose of reverting subdivided land to acreage
13 shall be conspicuously marked under the title "The Purpose of this Map is a Re-
14 version to Acreage".

15 Section 412: CERTIFICATES. Forms for certificates required by the "Sub-
16 division Map Act" and the City may be secured from the City Engineer.

17 Section 413: FILING FINAL MAP.

18 (a) For purposes of filing a final map, the subdivider shall submit
19 to the City Engineer an original final map tracing and three dark line prints
20 thereof.

21 Section 414: CERTIFICATE OF TITLE. Each subdivision map shall be accom-
22 panied by a guarantee of title showing the names of all persons, firms or cor-
23 porations whose consent is necessary to pass title to road, street and other
24 easements shown upon said map, and also by a proper deed granting to the City of
25 Oceanside all easements as shown.

26 Section 415: FEES - FINAL MAP. Fees shall be paid in the following
27 amounts to the City Clerk upon the filing of a final map:

28 (a) Five (\$5.00 Dollars payable to the City for a subdivision consol-
29 idating properties into one lot subdivision, or for a subdivision for the purpose
30 of reversion to acreage.

31 (b) Fifteen (\$15.00) Dollars payable to the City for a final map.

32 (c) In addition a fee of Fifty (\$50.00) Dollars plus Two (\$2.00) Dollars

1 per lot shall be paid to the City upon submitting of improvement plans for each
2 subdivision other than a subdivision consolidating properties into one lot or for
3 a subdivision for the purpose of reversion to acreage.

4 The City Clerk shall issue a receipt for fees received in behalf
5 of the City, identifying same as related to the number of the subdivision for
6 which such fee was tendered.

7 Section 416: DEDICATION AND IMPROVEMENTS.

8 (a) All streets, highways and parcels of land shown on the final map
9 and intended for any public use shall be offered for dedication for public use.

10 (b) Streets or portions of streets may be offered for future dedica-
11 tion where the immediate opening and improvements are not required, but where it
12 is necessary to insure that the City can later accept dedication when said streets
13 are needed for the further development of the area or adjacent areas.

14 (c) The subdivider shall improve, or agree to improve, all land ded-
15 icated for streets, highways, public ways and easements as a condition precedent
16 to acceptance and approval of the final map when the areas of abutting lots are
17 an acre or less and such improvements may be required if the areas of abutting
18 lots exceed one acre each. Such improvements shall include such grading, sur-
19 facing, sidewalks, curbs, gutters, culverts, bridges, storm drains, water mains
20 and service connections to the property line with cut-off valves, sanitary
21 sewers and such other structures or improvements as may be required by ordinance
22 or deemed by the City Council to be necessary for the general use of the lot
23 owners in the subdivision and local neighborhood traffic and drainage needs.

24 (d) All construction of improvements shall be subject to inspection
25 by the City Engineer and the subdivider shall arrange for such inspection prior
26 to the starting of construction of the improvements. The actual cost of such in-
27 spections shall be paid by the subdivider. Before commencing any improvements
28 the subdivider shall deposit with the City Clerk a sum equal to two percent of
29 the estimated cost of said improvement. If the actual cost of inspection is less
30 than the amount deposited, the City Clerk shall refund to the subdivider any re-
31 maining funds. If any deposit is insufficient to pay all the actual costs of the
32 inspections, the subdivider, upon demand of the City Clerk, shall pay to the City

1 City an amount equal to the deficiency. If the subdivider fails or refuses to
2 pay such deficiency upon demand, the City may recover the same by action in any
3 Court of competent jurisdiction. Until such deficiency is paid in full, the im-
4 provement shall be considered incomplete.

5 (e) Four prints each of plans, profiles and specifications or proposed
6 improvements shall be furnished to the City Engineer prior to the time of sub-
7 mitting the final map to him, and be approved by the City Engineer prior to the
8 commencing of any construction or improvements, or before the map shall be filed
9 with the City Council. Such plans and profiles shall show full details of the
10 proposed improvements which shall be according to the standards of the City of
11 Oceanside.

12 (f) If such improvement work be not completed satisfactorily before
13 the final map is approved, the owner or owners of the subdivision shall, immedi-
14 ately upon approval and before the certification of the final map by the City
15 enter as contractor into an agreement with the City Council whereby, in consid-
16 eration of the acceptance by the City Council of the street and easements offer-
17 ed for dedication, the contractor agrees to complete the work within the time
18 specified in the agreement.

19 (g) To assure the City that this work will be completed and lien
20 holders paid, a bond equal to not less than fifty percent of the cost of the
21 improvements shall be furnished guaranteeing faithful performance, and guaran-
22 teeing payment for labor and materials. The amount of such bond shall be de-
23 termined by the City Engineer, and approved by the City Attorney as to amount
24 and adequacy of the bond, except in cases where a cash deposit is made.

25 Section 417: IMPROVEMENTS REQUIRED. The minimum improvements which the
26 subdivider will be required to make or enter into an agreement to make in the
27 subdivision prior to the acceptance and approval of the final map by the City
28 Council shall be:

29 (a) Adequate distribution lines for domestic water supply to each lot.

30 (b) Sewage collecting system where main lines of an adequate disposal
31 system are available.

32 (c) Adequate drainage of the subdivision streets, highways, ways and
 alleys.

- 1 (d) Adequate grading and surfacing of streets, highways, ways and alleys.
2 (e) Curbs, gutters and cross gutters.
3 (f) Sidewalks along majors, secondaries and other streets where deemed
4 essential by the City due to special conditions such as schools, topography or
5 existence of sidewalks in adjacent areas.
6 (g) Monuments.
7 (h) Fire hydrants at locations designated by the Fire Chief.
8 (i) Street name signs, two to each intersection.
9 (j) Necessary barricades and safety devices.
10 (k) Street trees subject to approval of Park Superintendent or in lieu
11 thereof a sufficient deposit with the City for future tree planting.

12 All such improvements shall conform to the standards and speci-
13 fications established by resolution of the City Council.

14 Section 418: PROCESSING BY CITY.

15 (a) One copy of a dark line print shall be filed permanently with the
16 City Engineer. One copy shall be transmitted to the City Engineer for checking
17 and report to the City Planning Commission.

18 (b) After receiving copies of the final map, the City Engineer shall
19 examine or have examined the map as to sufficiency of affidavits and acknowleg-
20 ments, correctness of surveying data, mathematical data and computations and
21 such other matters as require checking to insure compliance with the provisions
22 of the "Subdivision Map Act" of this ordinance.

23 (c) One copy shall be returned to the subdivider after showing thereon
24 corrections, if any, or a statement by the City Engineer that the map is correct.
25 When the map is found to be correct the final map tracing shall be certified by
26 the City Engineer and transmitted to the City Council and Planning Commission for
27 its certification.

28 (d) Upon approval of the map by the City Council, the City Clerk shall
29 certify the map on behalf of the City Council.

30 If the final map as submitted conforms substantially in every
31 respect to the recommendations of the Planning Commission pertaining to the ten-
32 tative map, and no new features have been added which have not been approved by

SECTION 419. As a condition precedent to the approval of a final map, each subdivider shall first deposit with the City at least the sum of \$25.00 for each lot delineated on such final map, such sum to be deposited in a fund to be known as the Capital Outlay Recreational Fund, which is hereby established, and the monies in said fund shall only be used for the acquisition of recreational equipment and lands for capital outlays for recreational purposes. The City may waive the payment of said sum of \$25.00 per lot in the event the subdivider irrevocably dedicates land in the subdivision for recreational purposes, and which land and the location and extent thereof are suitable, satisfactory and acceptable to the City Council. The City Council shall be the sole judge thereof as to whether said land so dedicated is deemed satisfactory. Where more than one dwelling unit per lot is erected or planned in any subdivision, then for each such additional dwelling unit an additional fee of \$25.00 shall be paid up to a maximum of \$100.00 per lot. A dwelling unit shall be defined to include each unit of an apartment house or a duplex or triplex. Said additional sum shall be paid upon the approval of a subdivision map showing such planned construction, or upon the issuance of a building permit therefor, whichever date is earliest. It is the intention of the City Council herein that the said sum of \$25.00 shall be paid for each dwelling unit in any subdivision, but that no more than \$100.00 for a multiple family dwelling on one lot shall be paid.

1 the Commission, the Chairman and Secretary of the Planning Commission may certify
2 the said map in behalf of the Commission. If the final map does not so conform,
3 the Chairman and Secretary of the Planning Commission may not certify such map on
4 behalf of the Commission until the Commission specifically so authorizes.

5 (e) After final map has been recorded in the County Recorder's Office,
6 one duplicate tracing, one cloth print and one paper print of such map shall be
7 furnished to the City Engineer.

8 *Sec. 419 here*

10 ARTICLE V
11 SPLIT LOTS

12 Section 500: PERMISSION TO SPLIT LOTS.

13 (a) When an owner or subdivider desires to split one or more lots so
14 as to create not more than four new lots and does not wish to record a subdivision
15 map as provided by State Law and by other sections of this ordinance, and when
16 no dedication of streets, alleys or other public ways or easements are involved,
17 it shall be done in the following manner.

18 An original and three prints of an acceptable map showing the pro-
19 posed split shall be prepared by a registered Civil Engineer, licensed Surveyor,
20 or Title Company and such map shall be filed with the City Engineer.

21 (b) The map shall show the exact dimensions and bearings of each line,
22 the monuments set and any other data as may be required by the City.

23 (c) If the map complies with all of the items required in (b) above,
24 the City Engineer may approve the division provided all lot sizes conform to the
25 provisions of the Zoning Ordinance of the City of Oceanside, and further provided
26 that such division conforms to such policies as are or may be established by the
27 Planning Commission or the City Council. In addition to the above provisions in
28 areas specifically designated by Resolution of the Planning Commission, curbs,
29 paving and other improvements shall be installed along all public street frontage
30 of the property.

31 (d) If in the opinion of the City Engineer all conditions set out in
32 subsections (a), (b) and (c) Section 500 are not existing, the City Engineer shall

1 refer said map to the Planning Commission and City Council for final approval.

2 (e) If any of the standards desired by the Applicant are less than
3 those required by the Zoning Ordinance the lot split shall be processed as a
4 variance as established by the Zoning Ordinance.

5 (f) The Building Department shall not issue any building permits for
6 the erection of any structures on any lots not complying with this ordinance.

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ARTICLE VI

PENALTIES - REPEAL - ADOPTION

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11 Section 600: PENALTY FOR VIOLATION. Any person, firm or corporation vio-
12 lating any of the provisions of this ordinance shall be deemed guilty of a mis-
13 demeanor, and upon conviction thereof shall be punishable by a fine of not more
14 than Five Hundred (\$500.00) Dollars or by imprisonment in the County Jail for a
15 period of not more than ninety days, or both such fine and imprisonment. Each
16 such person, firm or corporation shall be deemed guilty of a separate offense
17 for every day during any portion of which any violation of any provisions of
18 this ordinance, including any physical condition created in violation of this
19 ordinance, is permitted, continued or committed by such person, firm or corpor-
20 ation and shall be punishable therefor as provided for in this ordinance, and
21 any lot, street, alley or other feature made the subject of this ordinance main-
22 tained contrary to the provisions hereof shall constitute a public nuisance.

23 Section 601: REPEAL. Ordinances Nos. 725 are hereby repealed pro-
24 vided that all subdivision records and proceedings made or filed under said
25 Ordinance Nos. 725 shall remain in full force and effect.

26 Section 602: CONSTITUTIONALITY. If any section, subsection, clause
27 or phrase of this ordinance is, for any reason, held to be unconstitutional,
28 such decision shall not affect the validity of the remaining portions of this
29 ordinance. The Council hereby declares that it would have passed this ordinance,
30 and each section, subsection, sentence, clause and phrase thereof, irrespective
31 of the fact that any one or more of the sections, sub-sections, sentences, clauses
32 or phrases might be declared unconstitutional.

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The City Clerk shall certify to the adoption of this ordinance, and prior to the expiration of fifteen days from the passage thereof, shall cause the same to be published once in the Daily Blade Tribune, a newspaper printed and published in Oceanside, California together with the names of the members voting for and against the same.

Vince Lewis
Mayor of the City of Oceanside

I hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Oceanside on the 10 day of OCT 1956 by the affirmative vote of at least three Councilmen, to-wit:

Councilmen: AYES: Lewis, Robertson, ...
NOES: McComas
ABSENT: Long

Tom Rappan
City Clerk of the City of Oceanside

ATTEST: Tom Rappan

DATE: 10/10/1956

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