



File: Subdivision Ordinance Update

DATE: July 24, 2023

TO: PLANNING COMMISSION

FROM: Bruce Ambo, Principal Planner (530/879-6801; [bruce.ambo@chicoca.gov](mailto:bruce.ambo@chicoca.gov))

RE: Comprehensive Municipal Code Title 18 Subdivision Ordinance Update

## SUMMARY

The City has conducted a comprehensive review of the Title 18 Subdivision Ordinance for conformance with State planning law and the California Subdivision Map Act. The intent of the update is to ensure the Code is consistent with State regulations, streamline the subdivision review process, and reorganize the Code for ease of use and clarity. Over the past several months, a subcommittee consisting of City staff, a consultant, and stakeholders comprised of engineers, surveyors and developers coordinated to identify improvements and updates to the regulations and review process. Key features of the proposed update include assigning the Map Advisory Committee (MAC) as the approval body for parcel maps instead of the Planning Commission and allowing the Community Development Director, instead of the MAC, to approve minor mapping amendments consisting of lot line adjustments (formerly boundary line modifications), lot mergers and minor land divisions.

### Recommendation:

The Community Development Director recommends that the Planning Commission:

- 1) Hold a public hearing regarding the update to Title 18 Subdivision Ordinance; and
- 2) Adopt Resolution No. 23-04 recommending that the City Council determine the project exempt pursuant to CEQA Section 15061(B)3, and adopt an ordinance repealing and replacing Title 18 of the Chico Municipal Code as set forth therein (**Attachment A**).

Planning Commission recommendations and comments will be forwarded to City Council for consideration.

### Proposed Motion:

I move that the Planning Commission adopt Resolution No. 23-04, recommending that the City Council determine the project is categorically exempt from further environmental review pursuant to CEQA Section 15061(B)3, and adopt the update to Title 18 Subdivision Ordinance of the Chico Municipal Code.

## Subdivision Ordinance Background

The State Subdivision Map Act sets forth the base governing regulations for all subdivisions and mapping activities for California cities and counties. The primary purpose of the Subdivision Map Act is to "...regulate and control design and improvement of subdivisions with proper consideration for their relation to adjoining areas; require

subdividers to install streets and other improvements; prevent fraud and exploitation; and protect both the public and purchasers of subdivided lands”. Compliance with numerous other State laws and regulations is also required including the California Environmental Quality Act, Permit Streamlining Act, and a host of other laws and regulations, including those aimed at housing.

The City of Chico’s subdivision regulations are located in two separate titles of the Chico Municipal Code including:

- Title 18, which includes the processes and procedures for subdivision maps and related mapping documents, and
- Title 18R, which includes development standards and design specifications for subdivisions.

Only changes to Title 18 are proposed at this time. The last update to the City’s subdivision regulations was minor and occurred in 2008 relating to condominium maps. Subsequently, staff has been concerned regarding the need for a comprehensive update. Fortunately, State SB2 grant funding was secured from the California Department of Housing and Community Development to help fund an update.

Over the past several months, a staff subcommittee comprised of Mike Sawley, Principal Planner, Tina Wilson, Associate Planner, Nat Kratochvil, Assistant Engineer, and Lane Greene, Senior Engineer has been working with a consultant, Interwest, and a stakeholder group comprised of local engineers, surveyors and developers to identify improvements and updates to the regulations and review process.

### **Subdivision Ordinance Changes**

Please see **Attachment B** to review the conversion table with the old-to-new Subdivision Ordinance changes. The proposed changes to Title 18 reflect several basic goals:

- Bring the Code up-to-date with respect to State law. Changes in the Subdivision Map Act, along with various recent changes in other State law require that the Code be updated to remain consistent with state regulations.
- Authorizing staff to approve more types of maps and related applications. The proposed update gives the Director and the Map Advisory Committee (MAC) the ability to approve applications that would currently require review and approval by the Planning Commission or MAC. Parcel Maps are now proposed to be reviewed and approved by the MAC, instead of the Planning Commission. Lot mergers, minor land divisions and lot line adjustments (formerly boundary line modifications) would go to the Director, instead of the MAC. Wherever possible, consistent with the Map Act, approval authority has been moved to lower levels (while still providing the ability to appeal decisions to a higher authority).

- Reorganizing the Code for ease of use and clarity. The existing Code suffers from the lack of a clear organizational structure. Information is often difficult to find or placed in obscure or unexpected locations. Various provisions are repeated several times, making the Code longer and more complex than needed. The proposed update is structured in a new outline that collects similar topics together in a more logical manner making it easier to find relevant information.
- Added “Finance Maps”. The use of “finance maps” allows for the creation of large parcels for the phased sale of approved tentative maps, which is common in California, but was not specifically provided for in the City’s Subdivision Ordinance.
- Findings for substantial conformance. At the time a Final Map is submitted, it is common to allow minor changes from the approved Tentative Map. The updated Code now provides specific findings which must be made to determine that the Final Map substantially conforms with the Tentative Map, providing clarity for both applicants and City staff. The current Code provides no guidance on how this determination is made.
- Eliminating unused regulations. In a few cases, provisions of the Code which have not been used in living memory have been eliminated, part of the effort to make the Code simpler and less complex.
- Relevant findings for approval and denial of subdivision maps that are more reasonably related to the General Plan and Municipal Code.
- Notices for impending Director approvals of lot line adjustments, lot mergers and minor land divisions would be sent out with a post approval date, and deadlines for questions/comments and appeals (in the same manner as Administrative Use Permits and Wireless Telecommunication Facilities approvals). Protections remain in place through the appeals process for anyone aggrieved by a subdivision approval and mapping decision.

## **GENERAL PLAN CONSISTENCY**

The proposed Title 18 amendments are consistent with the General Plan’s policy framework to establish regulations for the orderly growth, development and subdivision of property within the community, and to simplify and streamline the permitting process for greater regulatory efficiency.

## **ENVIROMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA) the project qualifies for an exemption from CEQA under Section 15061(B)3 because it can be seen with certainty that there is no possibility that the adoption of the subdivision ordinance will have a significant effect on the environment because no development is proposed, or other activity

contemplated that has the potential to negatively impact the environment. Future subdivision proposals or mapping activity will continue to be reviewed individually for compliance with the CEQA.

## **PUBLIC CONTACT**

A stakeholder group of over 20 development industry professionals including engineers, surveyors and developers was informed and input sought in the beginning and at the end when a draft subdivision ordinance was developed. A Subdivision Ordinance Update website page with a draft of the proposed update, summary of changes and conversion table showing old-to-new changes was created on June 11, 2023 to inform the any interested parties about the proposed update at the following link: <https://chico.ca.us/post/subdivision-ordinance-update>. A display ad for the August 3, 2023, Planning Commission meeting to consider the Title 18 Subdivision Ordinance update was published in the July 22, 2023, *Chico Enterprise Record*.

## **DISTRIBUTION**

PC Distribution

## **ATTACHMENTS**

- A. Resolution recommending Council repeal and replace Title 18 Subdivision Ordinance  
Exhibit I – Proposed Title 18 Amendments
- B. Conversion Table Showing Comparison Old-to-New Subdivision Ordinance

**RESOLUTION NO. 23-04**  
**RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION**  
**RECOMMENDING CITY COUNCIL APPROVAL OF THE COMPREHENSIVE**  
**MUNICIPAL CODE TITLE 18 SUBDIVISION ORDINANCE UPDATE**  
**(CITY OF CHICO)**

WHEREAS, it is the intent of the City of Chico to update the subdivision ordinance to ensure the Code is consistent with State regulations, streamline the subdivision review process, and reorganize the Code for ease of use and clarity;

WHEREAS, it is the intent of the City’s subdivision ordinance is to implement the Subdivision Map Act which is to “...regulate and control design and improvement of subdivisions with proper consideration for their relation to adjoining areas; require subdividers to install streets and other improvements; prevent fraud and exploitation; and protect both the public and purchasers of subdivided lands” (Pratt v. Adams (1964) 229 Cal.App.2d 602.); and

WHEREAS, protections remain in place for anyone aggrieved by a subdivision or mapping activity approval to appeal the a higher body for relief on an individual project-specific basis; and

WHEREAS, the Planning Commission considered the various proposed amendments, stakeholder feedback, staff report, and comments at a duly noticed public hearing held in the manner required by law; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) the project qualifies for an exemption from CEQA under Section 15061(B)3 because it can be seen with certainty that there is no possibility that the adoption of the subdivision ordinance will have a significant effect on the environment because no development is proposed, or other activity contemplated that has the potential to negatively impact the environment. Future subdivision proposals or mapping activity will continue to be reviewed individually for compliance with the CEQA.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Chico as follows:

1. The Planning Commission determines the proposed comprehensive Chico Municipal Code subdivision ordinance update is consistent with the General Plan’s policy framework

1 to establish regulations for the orderly growth, development and subdivision of property  
2 within the community, and to simplify and streamline the permitting process and identify  
3 opportunities for greater regulatory efficiency; and

4 2. The Planning Commission recommends that the City Council repeal the existing  
5 subdivision ordinance and replace with the comprehensive Chico Municipal Code Title  
6 18 subdivision ordinance update as set forth in Exhibit I.

7 THE FOREGOING RESOLUTION WAS ADOPTED by the Planning Commission at its  
8 meeting held on August 3, 2023, by the following vote:

9 AYES:

10 NOES:

11 ABSENT:

12 ABSTAINED:

13 DISQUALIFIED:

14 ATTEST:

APPROVED AS TO FORM:

15 \_\_\_\_\_  
16  
17 Bruce Ambo, Planning Commission Secretary

\_\_\_\_\_

Vincent C. Ewing, City Attorney

City of Chico  
Municipal Code  
**Title 18**  
**Subdivisions**



Public Review Draft  
July 18, 2023

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## **Title 18 Subdivisions**

### **Public Review Draft 7-18-23**

#### **18.01 GENERAL PROVISIONS**

18.01.010 Purpose and Intent

18.01.020 Conformance with Other Regulations

18.01.030 Authority for Regulations

#### **18.01 General Provisions**

18.01.010 Purpose and Intent (Moved from Section 18.04.020)

This title shall be known as the “subdivision regulations of the city of Chico” and shall be herein referred to as “these regulations.” The purpose of these regulations, and the intent of the city in their adoption, is as follows:

- A. To provide policies, standards, requirements and procedures to regulate and control the design and improvement of all subdivisions within the city;
- B. To assist in implementing the objectives, policies and programs of the general plan by ensuring that all proposed subdivisions, together with the provisions for their design and improvement, are consistent with the general plan and all applicable specific plans of the city;
- C. To preserve and protect, the natural resources and amenities of the city's environment, including topographic and geologic features, open space lands, stream recreational areas, fish and wildlife habitats, historical and cultural places, and scenic vistas and attractions; and, to maximize the public's access to and enjoyment of such resources and amenities through the dedication or continuance of applicable easements thereto;
- D. To relate land use intensity and population density to existing development, street capacity and traffic access, the slope of the natural terrain, and the availability of public facilities, utilities and open space;
- E. To provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used;

- F. To provide streets of adequate capacity and design and to ensure maximum safety for pedestrians and vehicles;
- G. To ensure adequate access to each building site;
- H. To provide sidewalks, and where needed, pedestrian ways, bike paths, and equestrian and hiking trails for the safety, convenience and enjoyment of the residents of new developments;
- I. 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;
- J. To provide adequate sites for public facilities needed to serve the residents of new developments;
- K. To ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements needed to serve new developments, are the responsibility of the subdivider;
- L. To prevent land which is actually or potentially dangerous by reason of flood hazard, inundation, proximity to excessive noise, inadequate access, inadequate water supply or fire protection, insufficient sewerage facilities, hazardous geological conditions, or critical soil conditions from being subdivided for any use or in any manner tending to create an increased detriment to the public health, safety or welfare;
- M. To ensure that, insofar as possible, land is subdivided in a manner that will promote the public health, safety, convenience, and general welfare in conformance with the general plan;
- N. To reduce the hardships on tenants displaced when multi-residential buildings are converted to condominium projects and to protect the purchasers of dwelling units in such condominium projects.

18.01.020 Conformance with Other Regulations (Moved from Section 18.04.050)

Neither the approval nor conditional approval of a subdivision map shall authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of the Chico Municipal Code or other applicable ordinances or regulations adopted by the city.

18.01.030 Authority for Regulations (Moved from Section 18.04.030)

- A. These regulations are adopted pursuant to the Subdivision Map Act (Title 7, Division 2, Government Code) as a “local ordinance” as said term is used in said act and are supplemental to the provisions thereof. All provisions of the Subdivision Map Act and

future amendments thereto not incorporated in these regulations shall, nevertheless, apply to all subdivisions, subdivision maps and proceedings under these regulations.

- B. Nothing in this section shall be read to limit the right of the city, as a charter city, to enact such further provisions concerning the division of land as are deemed necessary to protect the public health, safety and welfare.

## 18.02 DEFINITIONS

The definitions in this section are supplementary to the definitions contained in the Subdivision Map Act. If the Map Act defines a term, that definition shall be used.

### A. Definitions "A"

**Alley** - A public way, other than a street or highway, providing a secondary means of vehicular access to abutting property.

### B. Definitions "B" Reserved

### C. Definitions "C"

**Certificate of compliance** – A certificate issued by the planning Director and recorded in the office of the Butte County recorder certifying that a parcel or parcels of real property comply with the provisions of this title and the Subdivision Map Act.

**City** – The governmental entity of the city of Chico.

**Commission** – The planning commission of the city of Chico;

**Community park facilities** - Bidwell Park and any other park facilities which are intended to serve the recreational needs of all of the residents and other inhabitants of the city.

**Condominium Project** - A condominium project as defined in Section 1350 of the Civil Code of the state of California, a community apartment project as defined in Section 11004 of the Business and Professions Code of the state of California, or a stock cooperative as defined in Section 11003.2 of the Business and Professions Code of the state of California.

**Conditional Certificate of Compliance** – A certificate of compliance that states that a division of land affecting a parcel or lot does not comply with either the requirements of the Subdivision Map Act or the applicable ordinances of the city, or both, and lists the conditions which must occur in order for the division to comply with such requirements.

**Consumer Price Index** - The Consumer Price Index (U.S. city average) published by the U.S. Department of Labor, Bureau of Labor Statistics.

**Conveyance** - Legal transfer of property from one owner to another.

**D. Definitions “D”**

**Design criteria and improvement standards** - Criteria and standards approved by resolution of the council setting forth the manner in which subdivisions and subdivision improvements are to be designed and constructed.

**Developable Area of a Subdivision** - The total area of all land within the subdivision, save and except for the area of any land within the outer banks of the watercourses known as Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek.

**Director** - When used singly, refers to the director of the community development department when the community development director is also serving as the planning director. When a planning director has been separately appointed, references to “director” shall mean the planning director.

**E. Definitions “E” Reserved**

**F. Definitions “F”**

**Fire protection** - Such fire hydrants, fire roads and protective measures as may be required for protection of property within a subdivision.

**Flood hazard** - A hazard to land or improvements due to seasonal inundation or to overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings or erode the banks of watercourses.

**Freeway** - A limited access and high speed road serving inter-and intra- regional movements with no interference from local street patterns.

**G. Definitions “G”**

**General plan** - The general plan of the city of Chico.

**H. Definitions “H” Reserved**

**I. Definitions “I” Reserved**

**J. Definitions “J” Reserved**

**K. Definitions “K” Reserved**

**L. Definitions “L”**

**Lot** - A parcel of land which is identified on a final map or parcel map recorded in the office of the Butte County recorder with a separate and distinct number or letter.

**Lot Line Adjustment** - An adjustment of boundary lines between four or fewer parcels, in which land is taken from one parcel and added to another parcel without creating a greater number of parcels than originally existed.

**Lot Merger** - The merger of contiguous parcels under common ownership.

**Lower-income tenant** - Any person lawfully residing in a dwelling unit of a multi-residential building whose family income does not exceed 80 percent of the median income for the area determined by the Department of Housing and Urban Development, as provided for by Section 880.102, Title 24, of the Code of Federal Regulations.

**M. Definitions “M”**

**Map Advisory Committee** – A committee consisting of the community development director, or a designee, the public works director, or a designee, and the planning director or a designee, if the community development director is not serving as the planning director.

**Multi-residential building** - A building having two or more dwelling units. “Multi-residential building” also includes two or more buildings, each having one or more dwelling units, which are located on the same lot or parcel.

**N. Definitions “N”**

**Neighborhood park facilities** - Any park facilities which are intended to serve the recreational needs of only a portion of the residents and other inhabitants of the city.

**O. Definitions “O”**

**Outer Banks** - The upper elevation of land having a slope not exceeding ten percent, which confines to the channel waters flowing in a watercourse in their normal course of winter flow.

**P. Definitions “P”**

**Park facilities or park facility** - All improvements to such land and the adjoining rights-of-way which are determined necessary for the development and use of land for park and recreational purposes.



**Pedestrian way** - A right-of-way designed for use by pedestrians and not intended for use by motor vehicles. A pedestrian way may be located within or outside of a street right-of-way, and may be at-grade or vertically separated from vehicular traffic.

**Planned development** - A planned development as defined in Section 4175 of the Civil Code of the State of California.

**Planning Director** - The person appointed to act as the planning director for the city. When the director of the community development department is serving as the planning director, references to the “planning director” shall be deemed to be references to the community development director.

**Plat Map** - A diagram or drawing that displays the division and layout of individual parcels or lots. It provides a visual representation of the boundaries, dimensions, and geographic features of the property. A plat map is used in lieu of a Parcel Map or Final Map where a certificate of compliance is recorded for a minor land division, lot line adjustment or lot merger.

**Public way** - Any street, highway, alley, pedestrian way, equestrian or hiking trail, bike path, channel, viaduct, subway, tunnel, bridge, easement, right-of-way, or other way in which the public has a right of use.

**Q. Definitions “Q” Reserved**

**R. Definitions “R”**

**Real estate development** - A real estate development as defined in Section 25015 of the Corporations Code of the State of California.

**Real Property** - A parcel of land and everything constructed on, growing on, or affixed to the land. The owner of real property has all the rights of ownership, including the right to possess, sell, lease, and develop the land.

**Riparian Plant Communities** - A community of plants, including ground cover, shrubs and trees, which are located along a natural watercourse and are an integral part of the ecology of such watercourse.

**Roadway** - That portion of a right-of-way for a street, highway or alley designed or used to accommodate the movement of motor vehicles.

**S. Definitions “S”**

**Specific plan** – As defined in section 65450 of the Government Code of the State of California and Chapter 19.36 of the Chico Municipal Code.

**Stock Cooperative** - As defined in Section 11003.2 of the Business and Professions Code of the state of California

**Street, Arterial** - A street carrying the vehicular traffic of local and collector streets to and from freeways and other arterial streets, with protected intersections.

**Street, Collector** – A street which collects and distributes vehicular traffic moving between arterial streets and local streets and which generally provides direct access to abutting properties.

**Street, Cul-de-sac** - A street which is designed to remain permanently closed at one end with the closed end terminated by a vehicular turnaround.

**Street, Local** - Any street other than a collector street, arterial street or freeway, providing direct access to abutting property and serving local as distinguished from through traffic.

**Subdivision** – Division of land into two or more lots or parcels for sale or development. Includes any division of land to create a lot(s) or parcel(s) to be given as a gift or sold for token consideration.

#### **T. Definitions “T”**

**Tenant with a Disability** - Any person who suffers from an orthopedic disability impairing personal mobility or a physical disability affecting the tenant’s ability to obtain employment who is lawfully residing in a dwelling unit of a multi-residential building owned by another. Also includes a person who suffers from a developmental or cognitive disability including, but not limited to cerebral palsy, epilepsy and autism, or a mental disorder which would render such tenant eligible to participate in programs of rehabilitation or social services conducted by or on behalf of a public agency who is lawfully residing in a dwelling unit of a multi- residential building owned by another.

#### **U. Definitions “U” Reserved**

#### **V. Definitions “V”**

**Vehicular Access Rights** - The right of easement for vehicular access of owners or occupants of abutting lands to a public way.

#### **W. Definitions “W”**

**Water supply** - Such water supply and distribution facilities as are necessary to provide a reliable and adequate water supply for appropriate residential, commercial and industrial use and for public and private fire protection purposes.

**X. Definitions "X" Reserved**

**Y. Definitions "Y" Reserved**

**Z. Definitions "Z" Reserved**

DRAFT

### 18.03 ENFORCEMENT

18.03.010 General Enforcement of This Title

18.03.020 Illegal Subdivisions

18.03.030 Conditional Certificate of Compliance

### 18.03 Enforcement of Violations

18.03.010 General Enforcement of This Title (Moved from Section 18.08.010)

Except as otherwise provided herein, the community development director (director) is authorized and directed to enforce these regulations and the Subdivision Map Act for subdivisions within the city.

18.03.020 Illegal Subdivisions (Moved from Section 18.08.020, and Section 18.08.060)

- A. Any officer or employee of the city who has knowledge that real property has been divided in violation of the Subdivision Map Act or these regulations, shall immediately notify the director.
  1. Notice of Violation. Upon receipt of that information, the director or their designee shall file a notice of violation. The owner of the real property shall be notified of the following:
    - a) The date that the violation was observed;
    - b) The section of this code violated and a description of the violation;
    - c) Actions required to correct the violation;
    - d) A reasonable time period for the correction, and
    - e) Notice that if the violation is not corrected by the date specified in the notice of violation, and administrative citation may be issued, subject to administrative review, and hearings by the map advisory committee and administrative fines may be imposed, as established by resolution of the city council, including any increased fines for repeat violations of the same code provision by the same person within 12 months from the date of a previous administrative citation, and penalties and interest accrued for delinquent administrative fines.
      - i. An administrative fine shall be paid to the city within 21 calendar days from the date of the administrative citation or, if a request for an initial

administrative review is submitted, within 15 calendar days of the notice that the administrative review determined that the citation should not be canceled. Payment of a fine under this title shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

2. Notice of violation – Exceptions. An administrative citation may be issued in lieu of a notice of violation if:
    - a) The person responsible for the violation was issued a notice of violation of the same provision of this code within the immediately preceding 12 months;
    - b) The violation constitutes, in the opinion of the director or their designee, an immediate threat to the health or safety of any person or the public generally;
    - c) One or more other violations exist on the property;
    - d) The person responsible for the violation currently owes the city unpaid administrative fines that are delinquent.
  3. Correction of violation. If the director or their designee determines that all violations listed in the notice of violation have been corrected within the time specified in the notice of violation, an administrative citation shall not be issued. If the director or their designee determines that all violations listed in the notice of violation have not been corrected within the time specified, an administrative citation may be issued for each uncorrected violation, or the director or their designee may invoke any other remedy provided by law, including a determination of whether a final notice of violation shall be recorded in the manner and form as prescribed by the Subdivision Map Act.
  4. Administrative Review, Hearings, and Collections and Liens. If the violation is not corrected or the recipient of an administrative citation requests an administrative hearing, the procedures established in Article IV, Article V, and Article VI of Chapter 1.15 of the Chico Municipal Code shall be followed.
- B. No board, commission, officer, or employee of the city shall issue any certificate or permit or grant any approval necessary to develop any real property within the city which has been divided, or which resulted from a division, in violation of the provisions of the Subdivision Map Act, or of these regulations.

18.03.030 Conditional Certificate of Compliance

- A. Pursuant to Section 66499.35(b), if the city determines that a parcel or parcels were created, but not in compliance with the Subdivision Map Act or local ordinances, the city shall issue a conditional certificate of compliance and may impose any conditions which would be applicable to the division of the property.
- B. In addition to the issuance of a conditional certificate of compliance, the city shall also file a notice of intent to file a notice of violation in accordance with the provisions established in Section 66499.36 of the Subdivision Map Act.

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## **18.04 ADVISORY AGENCIES DESIGNATED**

18.04.010 Designation of Advisory Agencies

18.04.020 Power and Duties of Advisory Agencies

### **18.04 Advisory Agencies Designated**

18.04.010 Designation of Advisory Agencies (Moved from Section 18.12.010)

The advisory agencies, as such term is used in the Subdivision Map Act, shall be the community development director, map advisory committee and the planning commission.

18.04.020 Power and Duties of Advisory Agencies (Moved from Section 18.12.020, and Section 18.17.030 combined with 18.18.040)

The advisory agencies shall have the following powers and duties:

- A. To approve, conditionally approve or disapprove all applications for which they are the designated approval authority;
- B. To recommend approval, conditional approval or disapproval of all applications for which they are the recommending review authority;
- C. To recommend modifications of the requirements of this title;
- D. To review and make recommendations concerning proposed subdivisions in the unincorporated territory of the county in accordance with the provisions of the Subdivision Map Act when it has elected to do so;
- E. Such additional powers and duties as are prescribed by law and by these regulations.

## **18.05 APPROVAL AUTHORITY, HEARINGS, AND APPEALS**

18.05.010 Approval Authorities

18.05.020 Approval Responsibilities

18.05.030 Public Hearings

18.05.040 Appeals

### **18.05 Approval Authority, Hearings, and Appeals**

18.05.010 Approval Authorities

This section establishes the formal approval authorities and responsibilities applied to the various subdivision map types and miscellaneous land organization applications.

- A. Director - The Director refers to the Director of the community development department or their designee.
- B. Map Advisory Committee - Table 18.05 below outlines the specific approval authorities and responsibilities of the map advisory committee.
- C. Planning Commission - The various functions of the planning commission are formally established by Chapter 2.52 of the Chico Municipal Code. For the purposes of this subdivision ordinance, table 18.05 below outlines the specific approval authorities and responsibilities of the planning commission.
- D. City Council - The various functions of the city council are formally established by Chapter 2.08 of the Chico Municipal Code. For the purposes of this subdivision ordinance, table 18.05 outlines the approval authorities and responsibilities of the city council.

18.05.020 Approval Responsibilities

The approval authority shall consider an application, the accompanying drawings, statements and other data, the reports and recommendations received, and shall approve, conditionally approve or disapprove the application in compliance with the Subdivision Map Act and the Permit Streamlining Act and report its action to the applicant.

- A. The approval authority shall consider the application within 50-days of the complete filing thereof.
- B. The approval authority shall base its action on the conformity of the application, the accompanying drawings, statements and other data, and reports with all requirements of this title and on the design of the proposed subdivision or lot line adjustment.



- C. If the application is approved or conditionally approved:
  - 1. Such approval or conditional approval shall not be effective until the expiration of the ten (10) day appeal period, as specified in this title; and
  - 2. The report to the applicant shall contain a complete statement of the conditions of approval.
- D. If the application is disapproved, the report to the applicant shall contain a statement of reasons for such disapproval.
- E. The approval or conditional approval of the application shall not constitute an approval of any exception or deviation from any zoning regulation of the city nor shall it be deemed as an approval to proceed with any development in violation of any applicable provision of law.
- F. Termination of proceedings. Failure to complete a final map, parcel map, lot merger, lot line adjustment, or minor land division within thirty-six (36) months of the date of approval or conditional approval of an application, or within any extended period of time granted by the approval authority, shall terminate all proceedings, and a new application shall be required in accordance with this title.
- G. Approval authorities shall be as shown in Table 18.05, below. However, the director may, at their sole discretion, refer to the map advisory committee or planning commission any item on which the director is entitled to make a decision, and the map advisory committee may refer to the planning commission any item on which the Map Advisory Committee is entitled to make a decision.

Table 18.05 – Approval Authorities

<b>Approval Type</b>	<b>Community Development Director</b>	<b>Map Advisory Committee</b>	<b>Planning Commission</b>	<b>City Council</b>
Lot Line Adjustment	Decision			Appeals
Lot Merger	Decision			Appeals
Minor Land Division	Decision			Appeals
Tentative Parcel Map		Decision		Appeals
Final Parcel Map	Decision			Appeals
Tentative Subdivision Map			Decision	Appeals
Final Map	Decision			Appeals
Finance Map		Decision		Appeals
Vesting Maps			Decision	Appeal
Corrections to Final Map	Decision			Appeals
Changes to an Approved Tentative Subdivision Map		Decision		Appeals

Approval Type	Community Development Director	Map Advisory Committee	Planning Commission	City Council
Modification to Subdivision Standards		Decision (Parcel Maps)	Decision (Subdivision Maps)	All Appeals
Extension of Time		Decision		Appeals
Certificate of Compliance	Decision			Appeal
Reversion to Acreage			Decision	Appeal

18.05.030 Public notice and hearing

A public hearing shall be held for applications acted upon by the map advisory committee, planning commission, or city council, and a pre-decision notice shall be issued for applications acted upon by the director, as set forth below.

- A. Public Hearings. A public hearing shall be held by the appropriate advisory agency as established by Table 18.05. Notice of such hearing shall be given at least ten (10) days prior to the date of hearing by publication in a newspaper of general circulation in the city and by mail to all owners and occupants of real property within five hundred (500) feet of the proposed tentative parcel map, tentative subdivision map, finance map or vesting tentative subdivision map, or within three hundred (300) feet of the site for other approval types, requiring a public hearing. **(Moved from Section 18.18.030)**
- B. Pre-decision Notice. Prior to taking action on an administrative approval, the director shall provide a written notice to all owners and occupants of real property within one hundred (100) feet of the site for all lot line adjustments, lot mergers, and minor land divisions, final parcel maps, final maps, corrections to final maps, and certificates of compliance. Such notice shall be mailed no less than 10 days prior to the director’s action on the application and shall describe the application, state the date that the application will be approved and provide a deadline to submit comments. The Director’s decision can be appealed per section 18.05.040 of this Code.

18.05.040 Appeals (Combined from Sections 18.17.050 – 18.17.080 and 18.18.050 – 18.18.080)

- A. Appeal and referral to city council. Any person, including any member of the planning commission, who is not satisfied with the action of the director, map advisory committee, or planning commission may, within 10 days from the date of the action thereon, file a request for city council review within the time and in the manner provided for by Chapter 2.80 of this code, and the applicable requirements of the Subdivision Map Act. Such appeal shall be filed in the office of the city clerk and shall be in the form and contain the information required by the city clerk.
- B. City Council hearing on appeal and referral. The city council shall hold a public hearing on any action appealed under the provisions of this chapter. Notice of such hearing shall be given at least ten (10) days prior to the date of the hearing by publication in a newspaper of general circulation in the city and by mail to all owners and occupants of real property within five hundred (500) feet of the proposed subdivision or miscellaneous land organization application.
- C. City Council action on appeal or referral. The city council shall consider the application, the accompanying drawings, statements and other documents, the reports and recommendations and the advisory agency action and, at the conclusion of the hearing, shall approve, conditionally approve or deny the application and report its action to the applicant.
  - 1. The city council shall base its action on conformity of the application with all requirements of this title.
  - 2. If the application is disapproved, the report shall contain a statement of reasons for such disapproval. If the application is conditionally approved, the report shall contain a complete statement of the conditions of approval.
  - 3. The approval or conditional approval shall not constitute an approval of any exception or deviation from any zoning regulation of the city nor shall it be deemed as an approval to proceed with any development in violation of any applicable provision of law.

## **18.06 CERTIFICATES OF COMPLIANCE, LOT MERGERS, LOT LINE ADJUSTMENTS, AND MINOR LAND DIVISIONS**

18.06.010 Certificate of Compliance

18.06.020 Lot Mergers

18.06.030 Lot Line Adjustments

18.06.040 Minor Land Divisions

18.06.050 Plat Map Requirements

This section describes the various types of approvals which do not require the preparation of a map to be recorded with the Butte County recorder and procedures for each.

18.06.010 Certificate of Compliance (Moved from Section 18.08.030)

A certificate of compliance shall be issued for existing parcels deemed to have been created legally, and for approved lot line adjustments, lot mergers, and minor land divisions.

A. Issuance of Certificate of Compliance (Moved from Section 18.08.040)

1. Within fifteen (15) days after the filing of the application for a certificate of compliance, the director shall grant such application or issue a conditional certificate of compliance.
2. If, at any time during the processing of the application for a certificate of compliance, the director determines that additional information or data is required, the applicant shall be promptly advised in writing, by mail, of the additional material to be supplied before further action may be taken on the application.
3. The applicant shall be notified, in writing, of the action taken on the application and of the findings of fact supporting the decision. If findings can be made that the real property under a map application is determined to be in compliance with all applicable provisions of the Subdivision Map Act and local ordinances, the community development director shall issue a certificate of compliance. If the compliance findings cannot be made, the director shall issue a conditional certificate of compliance containing all the conditions necessary to bring the property into compliance.

B. Recordation of a Certificate of Compliance (Moved from Section 18.08.050)

1. The director shall cause the certificate of compliance to be filed for record with the Butte County recorder. Such certificate shall identify the real property and shall state that the configuration thereof complies with applicable provisions of these regulations and the Subdivision Map Act. When appropriate, such certificate shall contain a statement setting forth all on-site and off-site improvements which must be constructed prior to the issuance of a permit or other grant of approval for the development of such parcel.
2. A certificate of compliance granted with conditions shall be issued in accordance with SMA Section 66499.35. Compliance with any conditions attached to a certificate of compliance shall not be required until the appropriate building and entitlement applications have been approved for the property.

C. Special Conditions for Minor Land Divisions (Moved from Section 18.28.120)

Every certificate of compliance for a minor land division which contains one or more underdeveloped lots or parcels shall contain the following notation regarding the street facility improvement fees assessed and levied pursuant to the provisions of Chapter 3.85 of this code: (Moved from Section 18.28.120)

IN ACCORDANCE WITH THE PROVISIONS OF THE CHICO MUNICIPAL CODE, A STREET FACILITY IMPROVEMENT FEE WILL BE ASSESSED AND LEVIED UPON THE OWNER OF ANY LOT OR PARCEL WITHIN THIS SUBDIVISION AT THE TIME A NEW BUILDING OR STRUCTURE IS CONSTRUCTED ON SUCH LOT OR PARCEL, AT THE TIME AN ALTERATION OR ADDITION IS MADE TO AN EXISTING BUILDING OR STRUCTURE ON SUCH LOT OR PARCEL WHICH RESULTS IN AN EXPANSION OF THE FLOOR AREA OF THE BUILDING OR STRUCTURE, OR AT THE TIME A CHANGE OR EXPANSION IS MADE IN THE USE OF SUCH LOT OR PARCEL OR ANY BUILDING OR STRUCTURE LOCATED THEREON WHICH RESULTS IN AN INCREASE IN THE NUMBER OF MOTOR VEHICLE TRIPS GENERATED BY THE USE OF THE LOT OR PARCEL OR ANY BUILDING OR STRUCTURE LOCATED THEREON.

The provisions of this section, however, shall be deemed to be directory only, and a failure of any certificate of compliance to contain a notation regarding the street facility improvement fees provided for by Chapter 3.85 of this code shall not be construed to preclude or prevent the assessment or levying of such fees in the manner set forth therein.

18.06.020 Lot Mergers (Moved from Section 18.50)

Lot Merger is defined in Chapter 18.02.

- A. An application for lot merger may be approved after review by other affected departments/divisions.
- B. Procedures Prior to Approval. Prior to approval, all encumbrances, including bonded indebtedness, shall be modified to apply uniformly to the entire modified parcel, rather than to the portions of the modified parcel corresponding to the separate lots prior to the merger.
- C. An application for lot merger shall be in the same form as an application for a certificate of compliance and shall include a preliminary title report and legal description of the property as a single merged parcel.
- D. All persons owning an interest in the real properties to be merged shall consent to the lot merger by executing an owner's certificate consenting to merger.
- E. Certificate of Compliance. A certificate of compliance shall be recorded in accordance with section 18.06.010 (B) of this title.

18.06.030 Lot Line Adjustments (Moved from Section 18.16.035)

Lot line adjustment is defined in Chapter 18.02.

- A. Lot Line Adjustment Procedures (Moved from Section 18.29)
  1. The application for a lot line adjustment shall be accompanied by a preliminary plat. The preliminary plat shall contain all of the information required under section 18.06.050 (A) of this title.
  2. Certificate of Compliance. A certificate of compliance shall be recorded in accordance with section 18.06.010 (B) of this title.

18.06.040 Minor Land Divisions (Moved from Section 18.16.030)

A minor land division map is permitted, in lieu of a tentative map and parcel map, for all parcel maps where:

- A. The subdivision does not involve the conversion of a building to a condominium project;
- B. No modifications from the requirements of this title are requested to accommodate the design of the proposed subdivision; and

- C. The advisory agency finds that the proposed subdivision complies with requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection imposed by this title or other applicable provisions of this code.
- D. No dedication of public right of way is required.

#### 18.06.050 Plat Map Submittal Requirements

A plat map is a diagram or drawing that displays the division and layout of individual parcels or lots and is required in conjunction with each application for lot line adjustment or minor land division.

- A. A proposed plat map shall contain the following information. (Moved from Section 18.28.020 & 18.28.030)
  - 1. Existing lot lines;
  - 2. Proposed lot lines;
  - 3. Existing structures and their distance to any existing or proposed property line;
  - 4. Existing and proposed off-street parking;
  - 5. The approximate location and general description of any trees with notations as to their retention or destruction;
  - 6. The location of all railroad rights-of-way and grade crossings; approximate locations of all existing wells, abandoned wells and sumps; and an indication of any physical restrictions or conditions in the subdivision which affects the use of the property;
  - 7. The locations, widths and purposes of all existing and proposed easements for utilities, drainage and other public purposes, shown by dashed lines, within and adjacent to the subdivision (including proposed building setback lines, if known);
- B. The following information shall be provided with the proposed plat map:
  - 1. A statement of existing and proposed zoning and existing and proposed uses of the property with the approximate areas of the proposed uses by type and the total area of the subdivision;
  - 2. A statement of proposed improvements, including utilities and landscaping;
  - 3. An environmental assessment pursuant to Chapter 1.40 of this code for which the time for appeal has elapsed;



4. A preliminary title report.
5. The plat map shall be clearly and legibly drawn by or under the direction of a registered civil engineer or licensed land surveyor. The scale of the plat map shall not be less than one-inch equals one hundred feet (1" = 100').

C. Plat Map Process

1. The director shall transmit copies of the plat map and such pertinent accompanying data as necessary to such other public or private agencies or departments as the Director determines may be affected by the proposed application. The transmittal shall include notification of the date on which the application shall be approved, together with a request for written reports and recommendations on the proposed application. (Moved from Section 18.17.020)

The director shall compile all reports and recommendations received concerning the proposed plat map and shall cause a copy to be delivered to the applicant prior to the date action on such map is scheduled. (Moved from Section 18.17.020)

2. Monuments required. The requirements for monumentation of a plat map shall be the same as that for a parcel map as set forth in the Subdivision Map Act. The public works director may waive any or all requirements for the setting of monuments for a plat map when it is demonstrated that sufficient monuments exist or setting monuments will serve no practical purpose. A request for waiver shall be in writing setting forth the circumstances of the particular case and submitted at the time the plat map application is filed.
3. Certificates and documents. If a plat map for a lot line adjustment or minor land division application is approved, or conditionally approved, the following certificates and documents shall be delivered to the director:
  - a) A guarantee of title or letter from a title company certifying that the signatures of all persons whose consent is necessary to pass clear title to the land being subdivided, and all acknowledgments thereto, appear and are correctly shown on the proper certificates consenting to the preparation of the map;
  - b) A dedication, or an irrevocable offer of dedication, of property for public uses and the nature of such dedication. The offer shall be on a form approved by the city attorney, for recordation in the office of the county recorder, and shall be in such terms as to be binding on the owner, the owner's heirs, assigns, or successors in interest and shall continue until the city accepts or rejects such offer.
  - c) The director shall transmit the instrument offering dedication and the accompanying title report to the city manager. In such cases, the map shall not be

final unless and until the city manager notifies the director that the offer of dedication has been approved for recordation;

- d) A certificate executed by an engineer or surveyor indicating that all required monuments have been set and conform with applicable standards related thereto;
  - e) Such other certificates, affidavits or documents as are deemed necessary, including a certificate of compliance in accordance with section 18.06.010 (C) of this title.
  - f) Presentation of certificates and documents. The subdivider shall cause all certificates to be executed and shall present same to the director.
4. Once a Plat Map is approved, a certificate of compliance for the associated lot line adjustment or minor land division shall be recorded with the office of the Butte County recorder.

## 18.07 TYPES OF MAPS AND PROCESSING FOR EACH

18.07.010 General Map Requirements

18.07.020 Parcel Map

18.07.030 Tentative Subdivision Map

18.07.040 Vesting Tentative Subdivision Map

18.07.050 Finance Map

18.07.060 Final Map

### 18.07.010 General Map Requirements.

- A. A map shall be submitted for all proposed subdivisions as provided in this chapter. Nothing contained in this chapter shall be construed to prevent the preparation and filing of a tentative and final map for subdivisions for which a parcel map is required, or to prevent the preparation of a parcel map for subdivisions which would otherwise qualify as a minor land division. (Moved from Section 18.16.010)
- B. Subdividers are encouraged to consult with the director regarding technical advice and procedures prior to filing any required map. Preliminary sketches used in such consultation shall not be treated as a tentative map. (Moved from Section 18.16.040)
- C. Applications for subdivisions shall be filed in the office of the director and shall be accompanied by required fees (Moved from Section 18.18.010)
- D. Subdivisions located within a special flood hazard area. All maps submitted for a subdivision, including maps for manufactured home park subdivisions shall comply with the following:
  1. All subdivision proposals shall identify special flood hazard areas and the elevation of the base flood elevations.
  2. All subdivision plans will provide the elevation of proposed structure(s) and pad(s).
  3. If the site is filled above the base flood elevation, the lowest floor and pad elevations shall be certified by a registered professional engineer or surveyor and provided to the building official.
  4. All subdivision proposals shall be consistent with the need to minimize flood damage.
  5. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

6. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.  
(Moved to Section 18.16.045)

F. If, during the processing of the map, the accompanying drawings, statements or other data are found to be incomplete or incorrect with respect to pertinent required information, the subdivider shall be promptly advised, by mail, of the revisions that must be made before further action may be taken on the map.

G. Failure to provide the omitted or inaccurate information within the time specified in the written notice shall be cause for recommendation of disapproval of the map, unless an extension of time for acting upon said map is mutually agreed upon by the subdivider and the advisory agency.

18.07.020 Parcel Map (Moved from Section 18.16.020)

A. A parcel map is required for subdivisions resulting in less than five parcels not meeting the requirements for a minor land division, or maps in accordance with section 66426 (a – e) of the Subdivision Map Act, resulting in five or more parcels under any one of the following circumstances:

1. The land prior to division contains less than five acres, and each parcel created by the land division is adjacent to an improved public street or highway, and no additional improvements or dedications are required by city council.
2. All parcels resulting from the land division have a minimum area of 20 gross acres and have approved access to an improved public street or highway.
3. The divided land is zoned for commercial or industrial development and all parcels resulting from the land division have approved access to a public street or highway that has approval by the governing body for street widths and alignments.
4. All parcels resulting from the land division have a minimum area of 40 gross acres, or not less than a quarter of a quarter section.
5. The land proposed for division is intended for the creation of an environmental subdivision for biotic or wildlife purposes that meet the requirements of section 66418.2 of the Subdivision Map Act.

B. Parcel Map Process

Parcel maps are processed in the same manner as Final Maps as established in section 18.07.050 of this title.

18.07.030 Tentative Subdivision Map (Moved from Section 18.16.020)

Tentative maps are required for all subdivisions intended to create five or more parcels, five or more condominiums, five or more parcels for a community apartment project, or for the conversion of a dwelling to stock cooperative resulting in five or more dwelling units, except where the proposed subdivision meets the requirements for a parcel map as established by section 66426 (a – e) of the Subdivision Map Act.

A. Tentative Map Submittal Requirements

A proposed tentative map shall include all of the following information, as well as any other information required by article 3, section 66445 of the Subdivision Map Act.

1. All of the information required in accordance with Section 18.07.010 (A) of this Title.
2. Proposed subdivision name.
3. Names and addresses of the record owner and subdivider of the land applicant;
4. Names and addresses of the person, firm or organization that prepared the map, and the applicable registration of license number.
5. Date of preparation, north point and scale of the map on each sheet; if based on a survey, the date of the survey.
6. Boundaries of the subdivision with sufficient information to locate the property.
7. Names of adjacent subdivisions, if any, and property lines sufficient to show their relationship to the proposed subdivision;
8. Note location of any part of the proposed map located within a floodplain.
9. Contour lines having the following intervals:
  - a) One-foot contour interval for ground slope between level and five percent (5%),
  - b) Five-foot contour interval for ground slope between five and fifteen percent (5% - 15%),
  - c) Ten-foot interval for ground slopes exceeding fifteen percent (15%);
10. The location of all structures which are to be retained within the subdivision; the distances between structures to be retained and existing or proposed street and lot lines; and notations concerning all structures which are to be removed;

11. The location, width and directions of flow of all watercourses and flood-control areas within and adjacent to the property involved; and the proposed method of providing storm water, drainage and erosion control;
12. The locations, widths and names or designations of all existing or proposed streets, alleys, pedestrian ways and other rights-of-way, whether public or private, within and adjacent to the subdivision; the radius of each centerline curve; a cross section of each street; and any planned line for street widening or for any other public project in and adjacent to the subdivision;
13. The lines and approximate dimensions of all lots, and the number assigned to each lot; the total number of lots; and the approximate area of the average lot;
14. The total area in square footage or acreage to the nearest 1/10<sup>th</sup> acre of each lot proposed to be utilized for other than single-family or two-family housing;
15. The boundaries and acreage of existing and proposed public areas in and adjacent to the subdivision, with the nature of each indicated thereon. If land is to be offered for dedication for park or recreation purposes or for purpose of providing public access to any public waterway, river or stream, it shall be so designated;
16. Any modification being requested in accordance with the requirements of section 18.09.010 (Subdivision Modifications) which is shown on the tentative map shall be clearly labeled and identified as to nature and purpose;
17. When it is known that separate final maps are to be filed on portions of the property shown on the tentative map, the subdivision boundaries which will appear on said final maps and the sequence in which said final maps will be filed;
18. All proposed street names;
19. Building envelopes for all infill residential flag lots as defined in section 19.76.180.
20. The following drawings, statements, and other data, and as many additional copies thereof as may be required, shall be filed with the tentative map:
  - a) A vicinity map of appropriate scale and covering sufficient adjoining territory so as to clearly indicate nearby street patterns, major access streets, property lines, other adjacent properties in the subdivider's ownership, and other significant features which will have a bearing upon the proposed subdivision and its location and relationship to surrounding areas;
  - b) A preliminary soil investigation and geological reconnaissance report by a registered civil engineer, engineering geologist or geologist, specializing and recognized in soil mechanics and foundation engineering. Submission of this

preliminary report may be waived by the public works director if soil conditions in the proposed subdivision are known to the public works director;

- c) A preliminary grading plan;
  - d) Identification of proposed public areas;
  - e) All other data required as a prerequisite to approval of the tentative map, including plans, reports, fees or other requirements.
21. Maps shall be on a physical sheet eighteen (18) inches by twenty-six (26) inches in size. 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. Maps shall also be provided in digital format as specified by the city.

#### B. Tentative Map Process

1. A tentative map shall not be considered as having been filed unless and until it complies with all provisions of this title and the drawings, statements and other data required to accompany the tentative map have been submitted in a form acceptable to the advisory agency.
2. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems, including seepage, which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the public works director as a condition precedent to consideration of the tentative map. The soils investigation shall be done in the manner provided in the Subdivision Map Act.
3. In every subdivision for which a soil investigation has been required by the public works director, the council may approve the subdivision or portion thereof, notwithstanding evidence of critical soils problems. As a condition of the approval of the tentative map, the council shall order the withholding of the issuance of any building permit for development of those lots until the recommended corrective action, as determined by the director, is incorporated into the plans for the construction of each such structure. **(Moved from Section 18.20.050)**
4. A public hearing shall be held by the planning commission in accordance with section 18.07.010(A)(4) of this title.

#### 18.07.040 Vesting Tentative Subdivision Map

A vesting tentative map is a tentative map that establishes vested rights to proceed with a development that is in substantial conformance with the regulations in effect at the time the vested tentative map is approved or conditionally approved by the city. Each vesting tentative map shall comply with the requirements of section 66452 of the Subdivision Map Act.

##### A. Vesting Tentative Map Process

1. Vesting tentative maps shall be reviewed and approved, conditionally approved or disapproved in the same manner and within the same time required by this title for tentative maps, except for the following:
  - a) Notwithstanding any provision of Section 66498.3 of the California Government Code to the contrary, a vesting tentative map filed for a subdivision whose intended development is inconsistent with zoning regulations adopted by or pursuant to Title 19 of this code shall be disapproved. (Moved from Section 18.22.040)
2. Vesting tentative maps shall be filed in the office of the director in accordance with the provisions established in sections 18.07.010(A), 18.07.020(A), and if applicable, section 18.13.010.
3. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development of the property subject to the map in substantial compliance with the provisions of this code and all policies and standards of the city which, as described in Section 66474.2 of the California Government Code, where in effect on the date it was determined that the application for approval of such map was complete. Provided, that if Section 66474.2 of the California Government Code is repealed, then the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with the development of the property subject to the map in substantial compliance with the provisions of this code and all policies and standards of the city in effect at the time that the map was approved or conditionally approved.
4. The rights conferred upon the approval, or the conditional approval of a vesting tentative map shall expire at the same time provided by this title for the expiration of tentative maps other than vesting tentative maps or, if a final map or parcel Map is timely filed following the approval or conditional approval of a vesting tentative map, one year from the date of recordation of such final map or parcel map, whichever last occurs. Provided that, where multiple final maps are filed following the approval or conditional approval of a vesting tentative map for a phased development, then the rights conferred by the vesting tentative map for each phase of development shall



expire one year following the date of recordation of the final map for such phase of development. (Moved from Section 18.22.060)

5. Amendments may be made to an approved or conditionally approved vesting tentative map providing an application for such amendment is filed in the office of the Director prior to the date such map expires. (Moved from Section 18.22.080)
6. Notwithstanding any provisions of this chapter to the contrary, the owner of property subject to an approved or conditionally approved vesting tentative map may seek approvals, permits, or entitlements for development on such property which are authorized by the current provisions of this code and/or the current policies and standards of the city even though such current codes, policies or standards depart from the vested rights conferred by such approved or conditionally approved vesting tentative map. (Moved from Section 18.22.090)

#### 18.07.050 Finance Map

Finance map is a subdivision map which allow subdividers to organize large developments in manageable sites for financing purposes without authorizing new development of the land or any portion thereof. This process can be used to streamline and minimize the conditions of approval, with the understanding that development rights will not be granted through this subdivision process. In certain instances, proceeding with this option could, in fact, remove development rights for an existing project or existing developable property.

- A. A map prepared pursuant to this chapter may be submitted under any of the following circumstances:
  1. The land to be subdivided is, at the time of submittal, developed in accordance with an approved and valid land use entitlement or permit; or
  2. The land to be subdivided is not developed and will be used for non-residential purposes; or
  3. The land to be subdivided is not developed, is located within a previously approved specific plan or tentative map and will be used for residential purposes. Development of the land shall be consistent with the previously approved specific plan or tentative map or with a future subdivision map, as well as with any other land use entitlement or permit that may be required for the development.

Land subdivided pursuant to divisions 1 or 2 of this section shall be subject to a future subdivision map or land use entitlement or permit prior to any development. A finance map shall not be processed as a vesting map.

B. Finance Map Process

1. Review, processing, and approval of finance maps shall be processed in accordance with the provisions of section 18.07.020 (tentative subdivision maps) including the requirement for submittal of a tentative map and a final or parcel map, as applicable. The director may waive certain submittal requirements and standards not applicable to the review, processing, and approval of finance maps.
2. Each sheet of the finance map shall clearly state the following: "For finance purposes only. A future subdivision map or land use entitlement or permit shall be required prior to development of this property. This map does not remove any conditions of approval for separate land use entitlements or permits or tentative maps approved for this land."
3. The language contained in number 2 of this section shall also be recorded via separate instrument in a manner approved by the city attorney.
4. Any development of the land shall require the approval of a subdivision map or a land use entitlement or permit or any combination thereof in accordance with applicable city ordinances and/or the Map Act.
5. All lots meet the minimum lot size requirements provided in the applicable zone to ensure compliance with all applicable development standards.
6. All lots have acceptable legal access either by lot configuration or by a separate recorded document. A conceptual engineering design shall be submitted to provide assurance that access can be designed and constructed.
7. There are no physical constraints which may affect the feasibility of future development on the land.
8. Conditions of approval related to public safety and zoning compliance may be imposed.

18.07.060 Final Map (Moved from Section 18.16.020)

Final maps are required for all subdivisions for which a tentative subdivision map has been approved.

A. Final Map and Parcel Map Submittal Requirements

A final map shall include all of the following information, as well as any other information required by the Subdivision Map Act. The final map or parcel map shall be legibly drawn and prepared by or under the direction of a registered civil engineer or licensed land surveyor in the manner required by the Subdivision Map Act.

1. All information required pursuant to sections 18.07.010(A).
2. All dimensions shall be shown in feet and hundredths of a foot. No ditto marks shall be used.
3. If more than three (3) sheets are necessary to show the entire subdivision, an index shall be included.
  - a) A title sheet, designated as page number one (1) of the map, shall be provided; except that, where the size of the subdivision permits, in lieu of a separate title sheet, the information required to be shown thereon may be shown on the same sheet as the map of the subdivision.
4. Final Maps and Parcel Maps shall contain the certificates required by the Subdivision Map Act.
5. The title sheet shall contain the following information:
  - a) Title, followed by the words "City of Chico," for final maps, and a parcel map number followed by the words "City of Chico" for parcel maps;
  - b) Below the title shall be a subtitle, consisting of a description of all property being subdivided with reference to such map or maps of the property shown as shall have been previously recorded or filed in the office of the county recorder, or shall have been previously filed with the county clerk pursuant to a final judgment in any action in partition. The description shall also include reference to any vacated area with the number of the ordinance or resolution vacating said area;
  - c) The subtitle of maps filed for the purpose of reverting subdivided land to acreage shall consist of the words "A reversion to acreage of..." (insert description as required);
  - d) References to subdivisions in the description must be worded identically with original records, and references to book and page of record must be complete;
  - e) A dedication, or an irrevocable offer of dedication, of property for public uses and the nature of such dedication. If an offer is made by separate instrument, the offer shall be on a form approved by the city attorney, for recordation in the office of the county recorder, and shall be in such terms as to be binding on the owner, the owner's heirs, assigns or successors in interest, and shall continue until the council accepts or rejects such offer;
  - f) The basis of bearings used in the field survey, making reference to some recorded subdivision map or other source acceptable to the Public Works Director whenever a field survey is required.

- g) The final map or parcel map shall substantially conform to the tentative map as approved or conditionally approved and shall contain the following information:
- i. The boundary line of the subdivision shall be designated by a colored border applied to the tracing. Such border shall not interfere with the legibility of figures or other data;
  - ii. All areas shown on the map which do not constitute a part of the subdivision shall be labeled "Not a part of this subdivision," or "N.A.P.O.T.S." All lines delineating such areas shall be dashed;
  - iii. All survey data and information required by this title;
  - iv. All lots or parcels intended for sale or reserved for private purposes and all parcels offered for dedication to the city or any other public agency, with dimensions, boundaries and courses clearly shown and defined.
  - v. Dimensions of lots shall be as total dimensions, corner-to-corner, in addition to point-to-point dimensions. Lots of more than one (1) acre shall show net acreage to the nearest one hundredth (1/100<sup>th</sup>);
  - vi. All lots shall be numbered consecutively, without omissions or duplications. Parcels offered for dedication other than for streets or easements shall be designated by letters. Each numbered lot or parcel shall be shown entirely on one sheet;
  - vii. The location and total width of all streets, alleys, pedestrian ways, equestrian and hiking trails and biking paths; the names of streets, and the width on each side of the centerline of each street; the width of the portion of the street, alley, pedestrian way, equestrian and hiking trail and biking path being dedicated, and the width of the existing dedication, if any, within the subdivision;
  - viii. All necessary data, including width and side lines of all public easements to which the lots of the subdivision are subject. Each easement shall be clearly labeled and identified as to nature and purpose and, if already of record, its recorded reference given. If any easement is not definitely located on record, a statement concerning the easement shall appear on the title sheet. Easements shall be denoted by fine, dashed lines;
  - ix. All limitations on rights of access to and from streets and lots and other parcels of land;

- x. The lines of any natural watercourse, channel, stream, creek or body of water in or adjacent to the subdivision and officially adopted floodplain lines;
  - xi. Any city boundary crossing or adjoining the subdivision;
  - xii. Total acreage within the subdivision.
- h) Every final map and parcel map approved for a subdivision which contains one or more undeveloped lots or parcels shall contain the following notation regarding the transportation facility fees, park facility fees, building and equipment fees and storm drainage facility fees assessed and levied pursuant to the provisions of Chapter 3.85 of this code:

“IN ACCORDANCE WITH THE PROVISIONS OF THE CHICO MUNICIPAL CODE, TRANSPORTATION FACILITY FEE, PARK FACILITY FEE, AND BUILDING AND EQUIPMENT FEE MAY BE ASSESSED AND LEVIED UPON THE OWNER OF ANY LOT OR PARCEL WITHIN THIS SUBDIVISION AT THE TIME A NEW BUILDING OR STRUCTURE IS CONSTRUCTED ON SUCH LOT OR PARCEL, AT THE TIME AN ALTERATION OR ADDITION IS MADE TO AN EXISTING BUILDING OR STRUCTURE CONSTRUCTED ON SUCH LOT OR PARCEL WHICH RESULTS IN THE EXPANSION OF SUCH BUILDING OR STRUCTURE, OR AT THE TIME OF A CHANGE IN USE OF AN EXISTING BUILDING OR STRUCTURE CONSTRUCTED ON THE LOT OR PARCEL. IN ADDITION, A STORM DRAINAGE FACILITY FEE MAY BE ASSESSED AND LEVIED UPON THE OWNER OF ANY LOT OR PARCEL WITHIN THIS SUBDIVISION AT THE TIME SUCH LOT OR PARCEL IS FIRST USED FOR ANY RESIDENTIAL OR NONRESIDENTIAL PURPOSE, AT THE TIME THE AREA OF THE LOT OR PARCEL DEVOTED TO SUCH RESIDENTIAL OR NONRESIDENTIAL USE IS EXPANDED, OR AT THE TIME OF A CHANGE IN THE USE OF THE LOT OR PARCEL.

SUCH TRANSPORTATION FACILITY FEE, PARK FACILITY FEE, BUILDING AND EQUIPMENT FEE AND STORM DRAINAGE FACILITY FEE WILL BE CALCULATED FROM THE SCHEDULE OF SUCH FEES ADOPTED BY RESOLUTION OF THE CITY COUNCIL AND IN EFFECT ON THE DATE OF APPROVAL OF SUCH FINAL MAP OR PARCEL MAP, TOGETHER WITH ANY ADJUSTMENTS TO SUCH SCHEDULES OF FEES MADE IN ACCORDANCE WITH THE PROVISIONS OF THE CHICO MUNICIPAL CODE SUBSEQUENT TO THE DATE OF APPROVAL OF THE FINAL MAP OR PARCEL MAP TO ACCOUNT FOR ANY CHANGES IN THE TYPE OR EXTENT OF TRANSPORTATION FACILITIES, PARK FACILITIES, BUILDINGS AND EQUIPMENT AND/OR STORM DRAINAGE FACILITIES WHICH WILL BE REQUIRED AS A RESULT OF THE DEVELOPMENT AND/OR USE OF REAL PROPERTY DURING THE PERIOD UPON WHICH SUCH FEES ARE BASED, ANY CHANGE IN THE ESTIMATED COST OF THE TRANSPORTATION FACILITIES, PARK FACILITIES, BUILDINGS AND EQUIPMENT

AND/OR STORM DRAINAGE FACILITIES UPON WHICH SUCH FEES ARE BASED, OR ANY CHANGE IN THAT PORTION OF THE ESTIMATED COST OF SUCH TRANSPORTATION FACILITIES, PARK FACILITIES, BUILDINGS AND EQUIPMENT AND/OR STORM DRAINAGE FACILITIES WHICH CANNOT BE FUNDED FROM REVENUE SOURCES AVAILABLE TO THE CITY OTHER THAN SUCH FEES.”

- i) The provisions of this section shall be deemed to be Directory only and the failure of any final map or parcel map to contain the notations regarding the transportation facility fees, park facility fees, building and equipment fees and storm drainage facility fees provided for by Chapter 3.85 of this code shall not be construed to preclude or prevent the assessment and levying of such fees in the manner set forth herein.
- j) The following statements, documents and other data, and as many additional copies thereof as may be required, shall be filed with the final map or parcel map:
  - i. The names and addresses of the record owners and subdivider and persons preparing the map;
  - ii. A guarantee of title or letter from a title company, certifying that the signatures of all persons whose consent is necessary to pass a clear title to the land being subdivided, and all acknowledgments thereto, appear and are correctly shown on the proper certificates, and are correctly shown on the map, both as to consents for the making thereof and the affidavit of dedication;
  - iii. A traverse sheet in a form approved by the public works director, giving latitudes, departures and coordinates, and showing the mathematical closure;
  - iv. The complete plans, profiles, cross sections, specifications and applicable permits for the construction and installation of improvements as required by this title;
  - v. All protective covenants, conditions, restrictions or affirmative obligations in the form in which the same are to be recorded when approval thereof by an officer of the city has been required as a condition of approval of the tentative map;
  - vi. A nonrefundable filing fee as established by the council;
  - vii. A dedication, or an irrevocable offer of dedication, of property for public uses and the nature of such dedication;

- viii. A soils report, as required by law or as a condition of approval of the tentative map, including plans, reports, agreements, permits, fees, security or other requirements.
- B. Execution of director's and clerk's certificates. After determining conformance of the map with all required conditions and provisions of the Chico Municipal Code, the Director shall execute the director's certificate and deliver said map to the city clerk. The city clerk shall execute the clerk's certificate and deliver said map to the county clerk for transmittal to the Butte County recorder. (Moved from Section 18.24.120)
- C. Processing Deadlines
1. Within thirty-six (36) months of the date of approval or conditional approval of the tentative map, the subdivider may cause the final map or parcel map to be prepared and filed in accordance with the provisions of this chapter and the Subdivision Map Act.
  2. Failure to file a final map or parcel map within thirty-six (36) months of the date of approval or conditional approval of a tentative map, or within any extended period of time granted by the map advisory committee, shall terminate all proceedings and a new tentative map shall be processed in accordance with this title.

## 18.08 FINDINGS

18.08.010 Parcel Map and Tentative Subdivision Map Approval Findings

18.08.020 Final Map Substantial Conformance Findings

### 18.08.010 Tentative Map Approval and Denial Findings

All maps submittals are subject to review by the approval authority as established in section 18.05 of this title.

- A. A map submittal may be approved only if all of the following findings can be made:
1. The proposed subdivision including the provisions for its design and improvement is consistent with the General Plan or any applicable Specific Plan.
  2. The proposed subdivision conforms with all requirements of this title, and the design of the subdivision pursuant to Section 66418 of the Subdivision Map Act is acceptable.
- B. A map submittal shall be denied if any of the following findings are made:
1. The proposed subdivision, including its design or improvements, is not consistent with the applicable General Plan and any applicable Specific Plan.
  2. The design of the subdivision fails to provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.
  3. The site is not physically suitable for the type and proposed density of development.
  4. The design of the subdivision and the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat.
  5. The design of the subdivision and type of improvements is likely to cause serious public health problems.
  6. The design of the subdivision and 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. This finding may be made if the Review Authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public.



18.08.020 Final Map Substantial Conformance Findings

Upon approval of a final map, including plat maps, and parcel maps, the director shall make the following findings of substantial conformance:

- A. The final map is consistent with all applicable general plan and municipal code requirements, including lot sizes and dimensions, roadway sizes and dimensions, and all other applicable requirements.
- B. The final map will not create more lots or parcels than the tentative map.
- C. The final map will not create new or increased environmental impacts that were not analyzed during the processing of the tentative map.
- D. Any features included in the tentative map to preserve important features such as wetlands, heritage trees, etc., are included in the final map.
- E. Any revisions to roadways will not create new connections or impacts to the existing or proposed roadway system outside of the subdivision map which were not considered with the tentative map.
- F. The final map complies with all conditions of approval of the tentative map, including all applicable mitigation measures, if any, from the environmental document prepared for the tentative map.

## **18.09 MODIFICATIONS, AMENDMENTS, ABANDONMENTS, AND TIME EXTENSIONS**

18.09.010 Modifications to Subdivision Standards

18.09.020 Reversions

18.09.030 Corrections and Amendments to a Tentative Map

18.09.040 Amendments to a Final Map

18.09.050 Abandonments

18.09.060 Time Extensions

18.09.010 Modifications to Subdivision Standards (Moved from Section 18.44)

Modifications to subdivision standards are modifications to the requirements or standards imposed by these regulations approved by the advisory agency, including but not limited to the requirements and standards imposed by the design criteria and improvement standards set forth in Title 18R of this code. No modifications may be made to any requirements imposed by the Subdivision Map Act as set forth in Division 2, Title 7 of the California Government Code (commencing with Section 66410).

- A. Modification to requirements and standards imposed by Title 19 of this code, "Land Use Regulation," may be authorized only in accordance with the variance provisions of that title.
- B. Changes to Tentative Maps or Final Maps. A change to an approved subdivision which is not violative of the requirements or standards imposed by these regulations shall not be deemed to be a modification of subdivision standards and shall be processed as provided in sections 18.09.040 of this title.
- C. Procedures
  1. Requests for modifications to subdivision standards shall be filed with the proposed tentative map or parcel map and shall be processed and acted upon concurrently.
  2. Applications for modifications to subdivision standards shall be filed via a form and in the number of copies required by the director.
  3. Each application shall state fully the nature and extent, and the specific reasons for the modification required. The application shall clearly show that the modification is necessary and is consistent with each of the findings required by section 18.09.010(D).

D. Findings. In order to approve modifications to subdivision standards, the advisory agency must make at least one of the following findings:

1. That the modification of design criteria and improvement standards is necessary for the subdivision and its design and improvements to be found consistent with the general plan; or
2. That the subdivision is subject to a specific plan which requires or authorizes the construction and installation of streets, sanitary sewers, storm drain management systems and/or other improvements alternative to those design criteria set forth in Title 18R of this code, and that modification is necessary in order that improvements to be constructed and installed or as a condition of approval will conform to the alternative design criteria and improvement standards as set forth in such specific plan; or
3. That the subdivision will result in one or more significant environmental effects identified in an initial study or an environmental impact report prepared in accordance with the California Environmental Quality Act, and the city's Environmental Review Guidelines, established in Chapter 1.40 of this code, and that modification of the design criteria and improvement standards, contained in Title 18R of this code, is necessary to mitigate such significant environmental effect or effects; or
4. That any part of the subdivision is located in an area which contains existing streets, sanitary sewers, stormwater management systems or other improvements which do not conform to the design criteria and improvement standards established in Title 18R of this code, and that modification of such design criteria and improvement standards is necessary in order to make the streets, sanitary sewers, storm water management systems and other improvements to be constructed and installed or as a condition of approval of such subdivision compatible with such existing and nonconforming improvements; or
5. That the subdivision is of such a size or shape, or is affected by such topographic or soil conditions that render it impossible, impractical or undesirable, to conform to the design criteria and improvement standards, established in Title 18R of this code, and that modification is necessary by reason of such subdivision characteristics or conditions; or
6. The subdivision will include low-income housing, lower income housing or senior citizen housing meeting the requirements of Chapter 4.3, Division 1, Title 7 of the California Government Code (commencing with Section 65915) and that modification of the design criteria and improvement standards in the case of proposed subdivision is demonstrably necessary in order to make such housing economically feasible.

18.09.020 Reversions (Moved from Section 18.48)

Reversions to acreage or mergers of subdivisions back to the original form and organization held prior the subdivision of said parcels.

- A. A petition for reversion to acreage shall be filed with the Director and shall be in the form of a tentative map accompanied by that information and data specified in Chapter 6 of the Subdivision Map Act and such other pertinent information as the Director deems reasonably necessary to permit adequate review and consideration of the requested action.
- B. A public hearing on the petition shall be held by the advisory agency as specified in Chapter 6 of the Subdivision Map Act.
- C. With the exception of the public hearing as specified by this chapter, the petition shall be processed according to the provisions for the processing of a tentative map as specified by this title; provided, that the necessary findings and requirements of the Subdivision Map Act shall be complied with.

18.09.030 Corrections and Amendments to a Tentative Map

- A. Corrections and Amendments. Corrections and amendments to tentative maps are used to reflect changes to a subdivision when the findings for substantial conformance in section 18.08.020, Final Map Substantial Conformance Findings, cannot be made.
- B. Approval of Corrected or Amended Tentative Map. The director shall be empowered to approve corrected or amended tentative maps. To approve an amended map, the following findings shall be made:
  - 1. The amended map is consistent with all applicable general plan and municipal code requirements, including lot sizes and dimensions, roadway sizes and dimensions, and all other applicable requirements.
  - 2. The amended map will not create more lots or parcels than the original tentative map.
  - 3. The amended map will not create new or increased environmental impacts that were not analyzed during the processing of the tentative map.
  - 4. Any features included in the original tentative map to preserve important features such as wetlands, heritage trees, etc., are included in the amended map.
  - 5. Any revisions to roadways will not create new connections or impacts to the existing or proposed roadway system outside of the subdivision map which were not considered with the original tentative map.

6. The amended map complies with all conditions of approval of the original tentative map, including all applicable mitigation measures, if any, from the environmental document prepared for the original tentative map.

C. Effect on Life of Tentative Map. Amending a tentative map does not change the original expiration date. Extensions of time can be approved per section 18.09.060.

#### 18.09.040 Amendments to a Final Map

Final Maps may be amended after filing with the County Recorder as provided in Government Code 66469.

#### 18.09.050 Abandonments

Abandonments and vacations shall conform to the standards set forth in Government Code 65402 and the Street and Highways Code Part 3 § 8300-8363

#### 18.09.060 Time Extensions

##### A. Allowed Extensions

1. The expiration of a plat map (for a minor land division or lot line adjustment) may be extended for a period or periods not to exceed thirty-six (36) months beyond the date on which the plat map would have expired. (Moved from Section 18.28.140)
2. The expiration of a lot merger may be extended for a period or periods not to exceed a total of thirty-six (36) months beyond the original expiration date.
3. The expiration of a parcel map, tentative map or vesting tentative map may be extended for a period or periods not to exceed a total of sixty (60) months beyond the original expiration date of the map, or as otherwise provided by state law. (Moved from Section 18.24.030)

##### B. Procedures

1. Vesting Tentative Map. The rights conferred by an approved or conditionally approved vesting tentative map shall be automatically extended beyond the date such rights normally expire under the following circumstances: (Moved from Section 18.22.070)
  - a) If prior to the date an approved or conditionally approved vesting tentative map would normally expire, a complete application is filed for a grading permit or the architectural review of development on the subject property and the time for processing such application exceeds thirty (30) days, then the rights conferred by

such vesting tentative map shall also be extended for a period of time equal to that required for the processing of such grading permit or architectural review.

- b) If prior to the date an approved or conditionally approved vesting tentative map would normally expire, a complete application is filed for a permit to construct a building or structure on the subject property, then the rights conferred by such vesting tentative map shall be extended until such building permit or any extension thereof expires.
  - c) The rights conferred by an approved or conditionally approved vesting tentative map may, at the discretion of the city council, be extended for a period of one (1) year if, prior to the date such map would normally expire, an application for such extension is filed in the office of the director.
  - d) An approved or conditionally approved vesting tentative map and the rights conferred shall not be subject to any extensions other than those expressly provided for in this section.
2. Tentative Map and Parcel Maps. Applications for time extensions shall be submitted to the director prior to the time the tentative map or parcel map would expire. Time extensions may be granted, subject to the condition that the map shall be prepared, and improvements shall be constructed and installed in compliance with requirements in effect at the time such extension is considered by the map advisory committee. (Moved from Section 18.24.030)

## 18.10 SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

18.10.010 General Conditions

18.10.020 Design and Improvement of Subdivisions

18.10.030 Dedications

18.10.040 School Sites

18.10.050 Public Facilities

### 18.10.010 General Conditions (Moved from Section 18.35.010)

- A. The size, design, character, grade, location and orientation and configuration of lots within a proposed subdivision and improvements required in connection therewith shall be consistent with the density and uses authorized for the area by the general plan or the applicable specific plan, whichever is more restrictive.
- B. The density, timing or sequence of development may be restricted by considerations of safety, traffic access or circulation, the slope of the natural terrain, the physical suitability of the site (including soil conditions), the nature or extent of existing development, the availability of public utilities, the availability of public facilities and public services, or other provisions of these regulations.
- C. No subdivision shall create lots which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape, inadequate frontage or access or building area or other physical condition, or which do not meet minimum size requirements of the zone in which the property to be subdivided is located.

### 18.10.020 Design and Improvement of Subdivisions (Moved from Section 18.35.020)

The design criteria for subdivisions and the required physical improvements thereto shall be set forth in the "Design Criteria and Improvement Standards" and promulgated by the public works director and the planning director and approved by resolution of the city council. The criteria and standards shall include, but not be limited to, the following:

- A. Design Criteria
  - 1. Layout and configuration of all public ways, whether for vehicular, pedestrian, equestrian or other purposes;
  - 2. Relationship of arterial streets and freeways to local streets, collector streets and cul-de-sacs;

3. Standards for grades, drainage, intersections, and curve radii of streets and other public ways;
4. Standards for limiting or prohibiting vehicular access to arterial or local streets when required by considerations of traffic safety;
5. Future street extensions and tie-ins with existing streets;
6. Layout of lots, including their size, shape and relationship to one another. Lot size must conform to the areas prescribed for the zone in which it is located;
7. Protection of streams and other natural areas, archeological features, historical sites and related areas of community value;
8. Block sizes.

B. Improvement Standards

1. Requirements for the physical installation of all roads, sidewalks, drains, and street lighting;
2. Installation and undergrounding of water, sewer, electric, cable television, gas, telephone supply and service lines.

18.10.030 Dedications (Moved from Section 18.35.030)

A subdivider shall dedicate, or make an irrevocable offer to dedicate, without cost to the city, real property for the following purposes:

- A. Streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements;
- B. Bicycle paths in any subdivision as specified in the Subdivision Map Act;
- C. Parks and recreation, in accordance with the recreation element of the general plan, as specified by the provisions of the Subdivision Map Act, except where the subdivider pays an in-lieu fee in accordance with standards approved by the city council;
- D. Such other public purposes as the advisory agency may deem necessary, provided the amount of real property required to be dedicated bears a reasonable relationship to the increased need for public facilities created by the subdivision.



18.10.040 School Sites (Moved from Section 18.35.040)

A subdivider may be required to provide such land for school sites as may be necessary in accordance with the provisions of the Subdivision Map Act.

18.10.050 Public Facilities (Moved from Section 18.35.050)

A subdivider may be required to reserve sites for public uses as provided by the Subdivision Map Act. This section shall not be deemed to conflict with subsection D of section 18.10.030.

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## 18.11 SUBDIVISION IMPROVEMENT REQUIREMENTS

- 18.11.010 General Conditions
- 18.11.020 Improvement Plans
- 18.11.030 Commencement of Improvement Work
- 18.11.040 Coordination of Improvement Work
- 18.11.050 Waiver of Improvements
- 18.11.060 Oversizing of Improvements – Reimbursement
- 18.11.070 Subdivision Improvement Agreement
- 18.11.080 Form, Filing, and Terms of Improvement Agreement
- 18.11.090 Improvement Security

### 18.11.010 General Conditions

The design of subdivision improvements, including the lots themselves and all infrastructure, shall comply with the following:

- A. The size, design, character, grade, location and orientation and configuration of lots within a proposed subdivision and improvements required in connection therewith shall be consistent with the density and uses authorized for the area by the general plan or the applicable specific plan, whichever is more restrictive.
- B. The density, timing or sequence of development may be restricted by considerations of safety, traffic access or circulation, the slope of the natural terrain, the physical suitability of the site (including soil conditions), the nature or extent of existing development, the availability of public utilities, the availability of public facilities and public services, or other provisions of these regulations.
- C. No subdivision shall create lots which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape, inadequate frontage, or access or building area or other physical condition, or which do not meet minimum size requirements of the zone in which the property to be subdivided is located.

### 18.11.020 Improvement Plans (Moved from Sections 18.36.010, 18.36.020, & 18.36.030)

- A. The subdivider shall construct or install all improvements required by the “Design Criteria and Improvement Standards” as adopted pursuant to section 18.10.020(A) and (B).
- B. Improvement plans shall be completed by the subdivider prior to the acceptance of the final map or parcel map for filing by the director.

- C. Improvement plans shall be prepared by a registered civil engineer and shall show full details of all improvements required to be installed by the provisions of these regulations, and of all other improvements proposed to be installed by the subdivider within any street, alley, pedestrian way, easement or other public area or right-of-way. Full details shall include cross sections, profiles, estimated costs and specifications.
- D. The form, layout, scale and other particulars of the plans, and the number of copies to be provided, shall be in accordance with the requirements of the public works director.
- E. The subdivider shall pay a review fee in an amount established by resolution of the city council, or through establishment of a real-time billing account.

18.11.030 Commencement of Improvement Work (Moved from Section 18.36.040)

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, improvement plans shall have been approved by the public works director.

18.11.040 Coordination of Improvement Work (Moved from Section 18.36.050 & 18.36.060)

- A. All improvements shall be constructed under the inspection of the public works director, and the subdivider shall cause all such improvement work to be inspected at all times as the public works director may establish. The subdivider shall pay an inspection fee in an amount specified by resolution of the council.
- B. All work and improvements contemplated by and performed under the provisions of these regulations shall be accomplished so as to coordinate and minimize interference with other private or public development.

18.11.050 Waiver of Improvements (Moved from Section 18.36.070)

Upon recommendation of the public works director, the city council may waive all or a portion of the improvements which would otherwise be required if the subdivision map is for the purpose of consolidating existing lots and unsubdivided parcels, eliminating abandoned streets or alleys, or adjusting boundaries, when there is no public need for such improvements.

18.11.060 Oversizing Improvements – Reimbursement. (Moved from Section 18.36.080)

As a condition of approval of a tentative map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity or number for the benefit of property not within the subdivision, and that said improvement be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall

be provided in accordance with the city council adopted development impact fee program and other sections of this code.

18.11.070 Subdivision Improvement Agreement (Moved from Section 18.36.090)

If the required improvements are not satisfactorily completed before a final map or parcel map is filed with the director, the subdivider shall enter into an agreement with the city to make all improvements as may be required upon approval of such map.

18.11.080 Form, Filing, and Terms of Improvement Agreement (Moved from Section 18.36.100 & 18.36.110)

- A. The improvement agreement shall be in writing, shall be approved as to form by the city attorney, and shall be secured and conditioned as provided in this chapter.
- B. The improvement agreement, and acknowledged abstract thereof, shall be complete, and on file with the public works director before the final map or parcel map is accepted for filing. The term of each improvement agreement, filed pursuant to the provisions of this section, shall begin on the date of filing and end upon the date of completion or fulfillment of all terms and conditions therein, to the satisfaction of the public works director.
- C. The agreement shall include the following provisions as minimum terms and conditions of the agreement:
  1. Mutually agreeable terms to complete all required improvements at the subdivider's expense;
  2. A provision that the subdivider shall comply with all requirements of these regulations, of the city code, and of other applicable laws, and with all terms and conditions of required improvement permits;
  3. A statement indicating a period of time, satisfactory to the Public Works Director, within which the subdivider shall complete all improvement work;
  4. A provision that, if the subdivider fails to complete the work within the specified period of time, or any extended period of time that may have lawfully been granted to the subdivider, the city may, at its option, complete the required improvement work and the subdivider and the subdivider's surety shall be firmly bound, under a continuing obligation, for payment of the full cost and expense incurred or expended by the city in completing such work;
  5. Provision for the repair and replacement of defective material and workmanship of the improvements by the subdivider for a period of twelve (12) months after the improvements have been accepted by the public works director;

6. Provision for the inspection of all improvements of the subdivision by the public works director for a period of twelve (12) months after said improvement acceptance date;
  7. A provision guaranteeing payment to the city for all engineering and inspection costs and fees not previously paid and all other incidental costs incurred by the city in enforcing the agreement;
  8. A description of all lands within the exterior boundaries of the subdivision.
- D. Additional agreement provisions. The improvement agreement may also include the following provisions and such other additional terms and conditions as may be required upon approval of the tentative map, or as are determined necessary by the director to carry out the intent and purposes of these regulations. **(Moved from Section 18.36.120)**
1. Provision for the repair, at the subdivider's expense, of any damage to public streets which may reasonably be expected to result from hauling operations necessary for subdivision improvements required by these regulations, including the importing or exporting of earth for grading purposes;
  2. Mutually agreeable terms to acquire public easements which are outside the boundaries of the subdivision, at the subdivider's expense;
  3. Mutually agreeable terms to improve, at some undetermined future date, easements offered and reserved for future public use at the subdivider's expense; and providing that such improvements shall be secured by separate security in the manner prescribed by this title, and further providing that the requirements of this provision shall not delay the release of any other improvement security provided pursuant to this title;
  4. Provision for reimbursement to be paid the subdivider under the provisions of the Subdivision Map Act;
  5. A provision that the subdivider shall provide to the city, prior to the filing of the final map, letters from each utility company guaranteeing to install the public utilities necessary to serve the subdivision.

18.11.090 Improvement Security **(Moved from Section 18.36.130 – Section 18.36.190)**

The subdivider shall secure the foregoing improvement agreement in an amount determined by the public works director to be one hundred percent (100%) of the total estimated cost of the improvements and any additional act to be performed by the subdivider under the agreement, and such additional amount as the city council may determine necessary to cover the costs, reasonable expenses and fees including reasonable attorney's fees which may be incurred by the

city in successfully enforcing said agreement. The requirement of said improvement security shall not be waived under any circumstances.

- A. The improvement security shall be conditioned upon the faithful performance of the improvement agreement and shall be in one of the forms provided in the Subdivision Map Act.
- B. Improvement security shall be filed with the public works director, together with the improvement agreement, before the planning director accepts the final map or parcel map for filing. The form of the improvement security shall be subject to the approval of the city attorney.
- C. The term of the improvement security, filed pursuant to the provisions of this section to secure the faithful performance of the agreement, shall begin on the date of filing and end upon the date of completion or fulfillment of all terms and conditions of the improvement agreement, to the satisfaction of the public works director.
- D. When the improvement security provided pursuant to section 18.11.090 (A – C) is a surety bond, it shall be accompanied by a bond for the security of laborers and materialmen in an amount not less than fifty percent of the estimated cost of the improvements. When the improvement is a cash deposit or letter of credit, such security shall include the amount necessary for the protection of laborers and materialmen.
- E. The liability upon the security given for the faithful performance of the agreement shall include the performance of the agreement shall include the performance of any changes or alterations in the work; provided, however, that all such changes or alterations do not exceed ten percent of the original estimated cost of the improvement.
- F. If the required subdivision improvements are financed and installed pursuant to special assessment proceedings, upon the furnishing by the contractor of the faithful performance and payment bond required by the special assessment act being used, the improvement security of the subdivider may be reduced by the city council by an amount corresponding to the amount of such bonds furnished by the contractor.
- G. Improvement security may be released upon the final completion and acceptance of the work; provided, however, such release shall not apply to the amount of security deemed necessary by the public works director for the guaranty and warranty period, nor to costs and reasonable expense fees, including reasonable attorney's fees, incurred by the city in enforcing the improvement agreement.
- H. The public works director shall accept and certify to the satisfactory completion of improvement work prior to any release of improvement security covering such work.

## 18.12 SURVEYS, MONUMENTS, AND DEDICATIONS

- 18.12.010 Survey procedure and practice
- 18.12.020 Traverse
- 18.12.030 Field notes
- 18.12.040 Geodetic monuments
- 18.12.050 Monuments
- 18.12.060 Boundary monuments
- 18.12.070 Interior monuments
- 18.12.080 Monument type and positioning
- 18.12.090 Monument identification marks
- 18.12.100 Replacement of destroyed monuments
- 18.12.110 Survey data and information to be shown on final map or parcel map
- 18.12.120 Plat Maps and Lot Line Adjustments - Monuments required
- 18.12.130 Record of Survey
- 18.12.140 Park Facilities
- 18.12.150 Reservation for Public Uses
- 18.12.160 Dedication of Land for Riparian Habitat

18.12.010 Survey procedure and practice (Moved from Section 18.40.010)

The procedure and practice of all survey work done on any subdivision, shall conform to the standard practices and principles of land surveying, the Land Surveyor's Act of the state of California, and the provisions of this chapter.

18.12.020 Traverse (Moved from Section 18.40.020)

The traverse of the exterior boundaries of the subdivision computed from field measurements of the ground must close within a limit of error of one foot to ten thousand feet (1' to 10,000') of perimeter before balancing survey.

18.12.030 Field notes (Moved from Section 18.40.030)

When required by the public works director, the engineer or surveyor shall prepare complete field notes, in a form satisfactory to the public works director showing references, ties, locations, elevations and other necessary data relating to monuments, and shall submit such notes to the public works director to be indexed and retained as a part of the permanent public record of the public works' department.

18.12.040 Geodetic monuments (Moved from Section 18.40.040)

Whenever the public works director has established a system of coordinates which is within a reasonable distance of the subdivision boundary, the field survey shall be tied into such system.

18.12.050 Monuments (Moved from Section 18.40.050)

In making the survey of the subdivision, the engineer or surveyor shall set sufficient permanent monuments so that the survey may be readily retraced.

18.12.060 Boundary monuments (Moved from Section 18.40.060)

- A. Whenever boundary monuments are required, such monuments shall be set on the exterior boundary of the subdivision at all corners, angle points, beginnings and ends of curves and at intermediate points approximately one thousand (1,000) feet apart. The locations of inaccessible points may be established by ties and shall be noted on the final map or parcel map.
- B. All exterior boundary monuments shall be set prior to recordation of the final map or parcel map or as certified to on the final map.

18.12.070 Interior monuments (Moved from Section 18.40.070)

Whenever interior monuments are required, such monuments shall be set at all block and lot corners and angle points and at the beginnings and ends of curves, at points of intersection with centerlines of other existing and proposed streets and alleys and at the points of intersection with the exterior boundary lines. Interior property line and centerline monuments and ties may be set after the final map or parcel map is recorded.



18.12.080 Monument type and positioning (Moved from Section 18.40.080)

All monuments set in the course of the survey, as required by these regulations, shall be of the type specified in the improvement standards and shall be set to the depth and in the manner prescribed by the director.

18.12.090 Monument identification marks (Moved from Section 18.40.090)

All monuments set as required herein shall be permanently and visibly marked or tagged with the registration or license number of the engineer or surveyor who signs the engineer's or surveyor's certificate and under whose supervision the survey is made.

18.12.100 Replacement of destroyed monuments (Moved from Section 18.40.100)

Any monument set which is disturbed or destroyed before acceptance of all improvements by the city shall be replaced by the subdivider.

18.12.110 Survey data and information to be shown on Final Map or Parcel Map (Moved from Section 18.40.110)

The following survey data and information shall be shown on each final map or parcel map for which a field survey was made pursuant to the provisions of these regulations:

- A. Stakes, monuments (together with their precise position) or other evidence found on the ground, to determine the boundaries of the subdivision;
- B. Corners of all adjoining properties identified by lot and block numbers, subdivision names, numbers and pages of record, or by section, township and range, or other proper designation;
- C. All information and data necessary to locate and retrace any point or line without unreasonable difficulty;
- D. The location and description of any required monuments to be set after recordation of the Final Map, and the statement that they are "to be set";
- E. Bearing and length of each lot line, block line and boundary line and each required bearing and distance;
- F. Length, radius and angle of each curve and the bearing of each radial line to each lot corner on each curve;
- G. The centerlines of any street or alley in or adjoining the subdivision which have been established by the public works director, together with reference to a field book or map

showing such centerline and the monuments which determine its position. If determined by ties, that fact shall be so stated;

- H. Such other survey data or information as may be required to be shown by the public works director or by the provisions of this chapter.

18.12.120 Plat Maps and Lot Line Adjustments - Monuments required (Moved from Section 18.40.120)

Unless waived by the public works director, monuments, complying with the requirements for a parcel map as set forth in the Subdivision Map Act, shall be established prior to recording a certificate of compliance for a plat map or lot line adjustment.

18.12.130 Record of Survey

Records of Survey shall be processed per the State of California Business and Professions Code, Chapter 15, Division 3, Section 8700 et. Seq.

18.12.140 Park Facilities

The requirement for dedication of land for park facilities incident to and as a condition of the approval of a tentative subdivision map or tentative parcel map for certain subdivisions.

- A. Dedication of Land for Park Facilities. This chapter is adopted to implement the provisions of the Quimby Act (Government Code Section 66477) which authorize a city to require the dedication of land for park facilities for certain subdivisions.
- B. Park Land Dedication Required. The dedication of land for park facilities shall be required by the advisory agency if:
  - 1. The subdivision includes property which is designated as a park site on the city general plan, adopted Development Impact Fee Program, an applicable specific plan or a master plan adopted by the Chico area recreation and park district and approved by the city council; and
  - 2. Where dedication of land meeting the requirements of a parkland facility per the adopted Development Impact Fee Program is subject to receiving reimbursement at the identified values in such program. (Moved from Section 18.31)
  - 3. The amount of land required to be dedicated to the city for park facilities incident to and as a condition of the approval of a tentative subdivision map or tentative parcel map for a subdivision shall be consistent with the standards and policies for park facilities adopted in the city general plan, an applicable specific plan, or a master plan adopted by the Chico area recreation and park district and approved by the city council; and established on a net acreage basis.

4. Except as otherwise provided by this chapter, the maximum number of acres or fraction of an acre of land required to be dedicated to the city for park facilities shall not exceed the product of the following:
    - a) The maximum number of dwelling units permitted within the subdivision as determined from the zoning regulations applicable to the subdivision; multiplied by,
    - b) The average number of residents per dwelling unit within the incorporated territory of the city, as determined by the most recent federal census or a census taken pursuant to the provisions of Title 4, Division 3, Part 2, of the California Government Code (commencing with Section 40200); multiplied by,
    - c) Five thousandths of an acre (.005 acre) per person.
  5. Where a tentative subdivision map or a tentative parcel map is approved for a condominium project, a planned development, or a real estate development which includes private open space set aside either for active or passive recreational purposes, then the maximum number of acres or fraction of an acre required to be dedicated to the city for park facilities shall be reduced by an amount equal to twenty-five percent of the number of acres or fraction of an acre of such private open space set aside for active or passive recreational purposes.
- C. Private Open Space Defined. For purposes of this section, private open space set aside for active recreational purposes shall include any private open space within the subdivision other than yards, court areas, setbacks, and other open areas required by zoning regulations, building regulations, and other regulations of the city which meets all of the following requirements:
1. The private open space is open to and accessible by all residents of the subdivision;
  2. The private open space includes one or more of the following active recreational elements:
    - a) Open spaces dedicated to active recreational pursuits such as soccer, golf, baseball, softball and football;
    - b) Tennis courts, badminton courts, shuffleboard courts or similar hard-surfaced areas especially designed and exclusively used for court games;
    - c) Recreational swimming pools or other swimming areas; and
    - d) Buildings and other facilities designed and primarily used for the specific recreational needs of the residents of the subdivision.

3. Use of the private open space is restricted for active recreational purposes by a recorded covenant which runs with the land and which can be terminated only with the prior consent of the city council.
4. For purposes of this section, private open space set aside for passive recreational purposes shall include any private open space within the subdivision other than yards, court areas, setbacks, and other open areas required by zoning regulations, building regulations and other regulations of the city which meets all of the following requirements:
  - a) The private open space is open to and accessible by all residents of the subdivision.
  - b) The private open space includes one or more of the following passive recreational elements:
    - i. Landscaped areas, picnic areas, and gardens;
    - ii. Areas set aside as natural habitats for the preservation of rare, endangered or otherwise significant natural vegetation;
    - iii. Lakes, ponds, creeks, streams and other similar water impoundments and water courses; and
    - iv. Bike and pedestrian paths other than bike and pedestrian paths which would normally be constructed and installed as part of the main traffic and circulation system of the subdivision;
  - a) Use of the private open space is restricted for passive recreational purposes by a recorded covenant which runs with the land, and which can be terminated only with the prior consent of the city council.
5. Where an application is filed for approval of a tentative subdivision map or a tentative parcel map for a subdivision which contains less than fifty-one lots or parcels, such subdivision, shall be deemed to contain fifty-one or more lots or parcels for purposes of land dedication requirements provided for by this chapter where the advisory agency, based on all available evidence including but not limited to the kind of development that would be permitted within the subdivision pursuant to the general plan or any applicable specific plan, determines that one or more lots within the subdivision are likely to be further subdivided in a manner which will create a total of fifty-one or more lots or parcels within the entire subdivision. Moreover, where a subdivision contains lots and parcels likely to be further subdivided, the advisory agency shall determine the maximum number of acres and/or fraction of an acre to be dedicated to the city for park facilities in the manner provided by this chapter based on the maximum number of dwelling units which would be permitted within

- the subdivision pursuant to the provisions of the general plan or any relevant specific plan rather than on the zoning regulations applicable to the subdivisions.
6. When the advisory agency has required the dedication of land for park facilities the advisory agency, as a further condition of such approval, may require the construction and installation of the following public improvements within the dedicated parkland and adjoining public rights-of-way:
    - a) Storm drainage facilities necessary for the conveyance and disposal of stormwaters generated within or flowing through the dedicated parkland;
    - b) Fencing necessary in order to provide an appropriate barrier between the dedicated parkland and adjoining properties;
    - c) Street improvements within the adjoining public rights-of-way including, but not limited to, street paving, sidewalks, curbs, gutters, street trees and traffic control devices; and
    - d) Any other public improvements which the advisory agency determines are necessary in order to make the dedicated parkland suitable for development as a park facility.
  7. Where parkland has been dedicated to and accepted by the city in accordance with the conditions of approval of a tentative subdivision map or tentative parcel map for a subdivision, such parkland shall be used only for the purpose of developing neighborhood or community park and recreational facilities, except in cases where the circumstances in subsection 9, below, applies.
  8. Where parkland has been dedicated to and accepted by the city in accordance with the conditions of approval of a tentative subdivision map or tentative parcel map for a subdivision, the council, following the adoption of a parkland development schedule or memorandum of understanding with the Chico area recreation district, may lease or transfer such parkland to the Chico area recreation and park district if the council has determined that leasing or transferring the parkland to the Chico area recreation and park district will serve the best interest of the city and the inhabitants of the subdivision for which the parkland dedication was made, and if the Chico area recreation and park district, in such lease or by a separate agreement executed on or before the date such conveyance is made, has undertaken to develop, operate and maintain the parkland in accordance with such parkland development schedule or memorandum of understanding with the city.
  9. If, following the city's acceptance of parkland dedicated to it in accordance with the conditions of approval of any tentative subdivision map or tentative parcel map for a subdivision, the city council determines that there is another site available that would

more suitably serve the park and recreational needs of future inhabitants of such subdivision, or that there is another site available that could be developed, operated, and maintained in a manner which meets the needs of the future inhabitants of the subdivision for park facilities for a significantly lesser cost , then the city council may either sell the dedicated land and use the proceeds from such sale to acquire and develop such other site for park and recreational purposes, or may exchange the dedicated land for such other site.

10. Where parkland has been dedicated to and accepted by the city, and/or improved with park facilities, in accordance with the conditions of approval of any tentative subdivision map or tentative parcel map for a subdivision, the owner of any residential lot or parcel within such subdivision shall, at the time of applying for a permit authorizing the construction or installation of a building or structure on such lot or parcel, be entitled to a credit against any park facility fee now or hereafter assessed and levied by or pursuant to the provisions of Title 3 of this code at the time of the issuance of such permit in the amount provided for.
11. Notwithstanding any provisions of this chapter to the contrary, the advisory agency, may require the dedication of park and recreation facilities at any location and in any amount which the advisory agency determines is necessary in order to substantially mitigate an adverse environmental effect identified in an environmental impact report provided in connection with the approval of such tentative subdivision map or tentative parcel map.

#### 18.12.150 Reservation of Land for Public Uses

The requirement for reservation of land within a subdivision for parks, recreational facilities, fire stations, libraries, and/or other public facilities incident to or as a condition of approval of a tentative subdivision map, or tentative parcel map for the subdivision, and the requirement for reservation of land within a subdivision for an elementary school incident to or as a condition of approval of a tentative subdivision map or tentative parcel map where the subdivider has owned the land being subdivided for more than 10 years prior to the filing of the tentative subdivision map or tentative parcel map.

- A. Purpose. This chapter is adopted to implement the provisions of the Subdivision Map Act, as set forth in Article 4, Chapter 4, Division 2, Title 7 of the California Government Code (commencing with Section 66479), which authorize a city to require the reservation of land within a subdivision for parks, recreational facilities, fire stations, libraries, and/or other public facilities as well as those special provisions of the Subdivision Map Act, as set forth in Section 66478, Article 3, Chapter 4, Division 2, Title 7 of the California Government Code, which addresses the reservation of land within a subdivision for an elementary school where the subdivider has owned the land being subdivided for more than 10 years prior to the filing of the tentative subdivision map or tentative parcel map.

B. Requirement for Reservation of Land for Public Uses (Moved from Section 18.34.010 – Section 18.34.070)

1. Except as otherwise provided by this section, the reservation of land within a proposed subdivision for parks, recreational facilities, fire stations, libraries, and/or other public facilities which are in addition to or in excess of the need for public facilities created by such subdivision, shall be required by the advisory agency whenever such facilities are specifically required within the subdivision by the general plan or specific plan applicable to the subdivision, or whenever such facilities are otherwise required to implement the policies and provisions of the general plan or such specific plan.
2. The reservation of land within a proposed subdivision for an elementary school shall be required by the advisory agency for those subdivisions in which the subdivided land has been owned by the subdivider for more than 10 years prior to the filing of such map whenever such school facilities are specifically required by a master school plan adopted by the Chico Unified School District or whenever the Board of Education of the Chico Unified School District requests a reservation of land for such purpose.
3. Except as otherwise provided by this section, whenever the advisory agency requires the reservation of land within a proposed subdivision pursuant to the provisions of this chapter, the location, size and shape of such reserved land shall be consistent with and conform to the policies and standards of the general plan or applicable specific plan and shall permit the remaining land within the subdivision to be developed in an orderly, efficient, and economically feasible manner. Moreover, such reserved land shall be in such multiples of streets and parcels which will permit the further subdivision of the reserved land in the event it is not acquired by the city or another public agency in the manner required by this chapter.
4. Where the advisory agency requires the reservation of land for an elementary school in for a subdivision in which the subdivided land has been owned by the subdivider for more than 10 years prior to the filing of the tentative subdivision map or tentative parcel map, the size of such reserved land shall not exceed the amount allowed under the procedures of the State Allocation Board and shall not make development of the remaining land within the subdivision economically infeasible. Moreover, such reserved land shall be in such multiples of streets and parcels which will permit the further development of the reserved land in the event it is not acquired by the Chico Unified School District in the manner required by this chapter.
5. Except as otherwise provided by this section, whenever the advisory agency requires a reservation of land within a proposed subdivision pursuant to the provisions of this chapter, the Director, promptly following approval of the subdivision, shall provide a report to the city council and the governing board of any other public agency having

- responsibility for providing the public facility or facilities for which such land was required, advising the council and such other public agency of the availability of the reserved land as well as the manner and time within which the same may be acquired.
6. The advisory agency requires a reservation of land for an elementary school for a subdivision in which the subdivided land has been owned by the subdivider for more than 10 years prior to the filing of a tentative subdivision map or tentative parcel map, the Director, immediately following approval of the tentative subdivision map or tentative parcel map for such subdivision, shall advise the Board of Education of the Chico Unified School District of the availability of the reserved land as well as the manner and time within which the same may be acquired by the Chico Unified School District.
  7. If, following the reservation of land pursuant to the provisions of this chapter, the city or other public agency having responsibility for providing the public facility or facilities elects to acquire such reserved land, the city or such other public agency, at the time of approval of a certificate of compliance, final map, or final parcel map for the subdivision, shall enter into a written agreement with the owner of the subdivision to acquire such reserved land within two years following completion and acceptance of all public improvements required to be constructed and installed within the subdivision unless such period of time is extended by mutual agreement. Such agreement shall provide, , for the acquisition of such reserved land for a purchase price equal to the sum of the following:
    - a) The fair market value of the reserved land at the time of approval of the subdivision, as established by the agreement or as determined in the manner provided for by the agreement;
    - b) Any property taxes assessed against the reserved land between the time of approval of the subdivision map and the date the acquisition occurs;
    - c) Any costs reasonably incurred by the owner of the reserved land in the maintenance of same; and
    - d) Any interest costs incurred by the owner of the reserved land on a prorated portion of a loan secured by same.
  8. If, following the reservation of land for an elementary school for a subdivision in which the subdivided land has been owned by the subdivider for more than 10 years prior to the filing of the tentative subdivision map or tentative parcel map, the Chico Unified School District, within 30 days of the approval of the tentative subdivision map or tentative parcel map, elects to acquire such reserved land, the Chico Unified School District shall offer to enter into a binding commitment with the subdivider to acquire such reserved land no later than 60 days following the filing a final map or parcel for



- all or any portion of the subdivision. Such binding commitment shall provide, among other things, for the acquisition of such reserved land for a purchase price equal to the sum of the following:
- a) The original cost to the subdivider of the reserved land;
  - b) Any property taxes assessed against the reserved land subsequent to the date of the offer of the Chico Unified School District to enter into a binding commitment to acquire such land;
  - c) Any costs reasonably incurred by the subdivider of the reserved land in the maintenance of same; and
  - d) Any interest costs incurred by the subdivider of the reserved land on a prorated portion of a loan secured by same.
9. If, following the reservation of land pursuant to the provisions of this chapter, the city or other public agency having responsibility for providing the public facility or facilities, does not enter into an agreement or make the commitment to acquire such reserved land in the manner required by this chapter, the reservation of such land shall automatically terminate.
10. The provisions of this chapter shall not be a limitation on or restrict the right of the advisory agency to require the reservation of land or a dedication of land for a subdivision where such reservation or dedication requirements are otherwise authorized by this code, authorized by the Subdivision Map Act, required by an agreement between the city and the subdivider or owner of the subdivided property, or are necessary to mitigate an adverse environmental effect identified in the environmental impact report prepared in connection with the approval of such subdivision.

#### 18.12.160 Dedication of Land for Riparian Habitat

The requirement for the dedication of land along the banks of certain designated watercourses within the city incident to the approval of a tentative subdivision map or tentative parcel map for subdivisions which adjoin or include such watercourses, in order to provide for the preservation and/or propagation of riparian habitats within and along the banks of the watercourses.

- A. Purpose. This chapter is enacted pursuant to the municipal affairs provisions of the City Charter for the purpose of requiring the dedication of land along the banks of certain designated watercourses within the city for subdivisions which adjoin or include such watercourses, in order to provide for the preservation or propagation of riparian habitats within and along the banks of the watercourses.

In enacting this chapter, the city council makes the following findings in regard to the value of riparian habitats and the need for the dedication of land for such habitats for subdivisions adjoining certain designated watercourses:

1. The council finds that within the city there exist five watercourses, generally known as Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek, each of which supports or is capable of supporting valuable riparian plant communities both within and along the banks of such watercourses. Such riparian plant communities offer refuge to urban wildlife and migrating birds, reduce the possibility of flood damage to public and private property, protect stream banks from erosion, and contribute significantly to the quality of the waters flowing through such watercourses. By reason thereof, the preservation and enhancement of such riparian plant communities is important to the well-being, safety and health of the residents and occupants of new development occurring within the Chico community adjacent to such watercourses.
2. The council further finds that in order to preserve and enhance the riparian plant communities within and along Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek, it is necessary to preclude new development occurring adjacent to such watercourses from destroying existing riparian plant communities occurring within or along the banks of the watercourses, or from encroaching on or near the watercourses in a manner which would interfere with the initiation and propagation of new riparian plant communities. Toward this end, the council has determined that the only practicable way to preclude such new development from destroying or interfering with the initiation and propagation of such riparian plant communities is to require the owners of the new development to dedicate land within and along the banks of such watercourses to the city for a subdivision bordering the watercourses so that such riparian plant communities can be placed under public stewardship and control.
3. Moreover, the council finds that since destruction of existing riparian plant communities and/or interference with the initiation and propagation of new riparian plant communities within or along the banks of Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek, is a significant adverse environmental effect which is likely to result from new development occurring adjacent to such watercourses, the California Environmental Quality Act, as set forth in Section 21000, et seq. of the California Public Resources Code, precludes approval of any subdivision bordering the watercourses unless and until provisions have been made to substantially mitigate such adverse environmental effect. In this regard, the council has determined that the most logical and feasible way to mitigate such adverse environmental effect is to require the owners of each new subdivision bordering such watercourses to dedicate lands within and along the banks of the watercourses to the city so that the city can preserve, propagate and maintain existing

or new riparian plant communities within and along the banks of the watercourses as part of a comprehensive and coordinated program all for the benefit of the Chico community, including in particular the residents and occupants of new development occurring within subdivisions adjacent to the watercourses.

4. By reason of the foregoing, the council finds that there is a reasonable relationship between the dedication of lands for riparian plant communities required by this chapter incident to or as a condition of the approval of a minor land division, tentative subdivision map or tentative parcel map for a subdivision bordering Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel or Sycamore Creek, and the public needs created by such subdivisions. In particular, the council finds that the dedication of such lands is necessary to ensure the preservation and enhancement of the riparian plant communities and associated riparian habitats within and along the banks of such watercourses, which are of benefit to the residents and occupants of such subdivisions, and that the dedication of such lands is the most logical way to mitigate the adverse environmental effects which would occur in the event development occurring within such subdivisions was allowed to encroach on the banks of such watercourses so as to destroy or prevent the development of such riparian plant communities.

B. Requirement for Dedication of Land for Riparian Habitat **(Moved from Section 18.32)**

1. The dedication of land along a stream or watercourse, in fee simple, shall be required by the advisory agency for land which includes or adjoins any of the following watercourses within the city:
  - a) Big Chico Creek;
  - b) Little Chico Creek;
  - c) Comanche Creek;
  - d) Lindo Channel; and
  - e) Sycamore Creek.
2. Except as provided by this section, the following land shall be dedicated to the city for riparian habitat in subdivisions requiring such a dedication pursuant to the provisions of this chapter:
  - a) All land in the subdivision which underlies and is situated within the outer banks of Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek, including the Sycamore Diversion Channel; and

- b) All land within the subdivision which is upland of and within twenty-five feet of the outer banks of such watercourses.
3. Where a subdivision contains an existing riparian plant community bordering a watercourse which extends more than twenty-five feet upland of the outer banks of such watercourse, the advisory agency, in lieu of requiring the dedication of the twenty-five foot strip of land required by subsection 2b of this section, may require the dedication of land upland of the outer banks of such watercourse which is of varying widths and includes all or a portion of such existing riparian plant community, provided that the area of land required to be dedicated to the city for riparian plant communities upland of the outer banks of the watercourse pursuant to this subsection does not exceed the total area of land which otherwise would have been required to be dedicated to the city pursuant to subsection 2b of this section.
4. Where a subdivision is of such size or configuration that the dedication of the twenty-five foot strip of land upland of the outer banks of an adjoining watercourse would result in the loss of more than twenty-five percent of the remaining developable area of the subdivision, the advisory agency, in lieu of requiring the dedication of the twenty-five foot strip of land required by subsection 2b of this section, shall require a dedication of land upland of the outer banks of such watercourse which is of a width or widths which does not cause the foregoing limitations to be exceeded.
5. Where land has been dedicated to and accepted by the city for a riparian habitat for a subdivision, such land shall be used as a riparian habitat serving the residents of the subdivision, as well as other members of the Chico community, unless and until the city council at some future time requires such land for a more necessary public use. provided, however, that in the event the city council should approve the use of such lands for a more necessary public use, the council shall endeavor to provide additional riparian habitats of equivalent value either by the acquisition of additional riparian habitats or enhancing existing riparian habitats owned or controlled by the city, which additional or enhanced riparian habitats shall be as close to such subdivision as is feasible.
6. Where lands have been dedicated to and accepted by the city for a riparian habitat for a subdivision, the council may lease the land containing such habitats to the Chico Area Recreation and Park District if the council has determined that leasing such lands to the Chico Area Recreation and Park District will serve the best interests of the inhabitants of the subdivision and other members of the Chico community, and if the Chico Area Recreation and Park District, in such lease or by a separate agreement executed on or before the date such lease is made, has undertaken to operate and maintain such riparian lands for the purposes for which they were dedicated.

7. Notwithstanding any provision of this chapter to the contrary, the advisory agency, for land which includes and/or adjoins Big Chico Creek, Little Chico Creek, Comanche Creek, Lindo Channel and Sycamore Creek, may require the dedication of additional riparian habitats at any location and in any amount which the advisory agency determines is necessary in order to substantially mitigate an adverse environmental effect identified in an environmental impact report prepared in connection with the approval of such subdivision.
- D. The terms “developable area of a subdivision”, “outer banks”, and “riparian plant community” are defined in section 18.02 – Definitions.

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### **18.13 CONDOMINIUM CONVERSION REQUIREMENTS**

18.13.010 Condominium Conversion Submittal Requirements

18.13.020 Rent increases Subsequent to Service of the Notice of Intention To Convert

18.13.030 Relocation Assistance

18.13.040 Long-Term Leases

18.13.050 Structural pest control report.

18.13.060 Building standards and equipment.

### **18.13 Condominium Conversion Requirements**

18.13.010 Condominium Conversion Submittal Requirements

The following shall be submitted with an application for a Condominium Conversion:

- A. An application, in a form prescribed by the city building official, for inspection of the multi-residential building being converted to a condominium project to determine whether the building complies with the building standards and contains the equipment required by section 18.13.060 of this title; and
- B. All of the information required for accordance with section 18.07.010(A), and 18.07.020(A) of this title;
- C. When a tentative subdivision map is filed for the conversion of an existing multi-residential building to a condominium project, the tentative map shall be accompanied by the following documents and information in addition to any other drawings, documents, or information required by this chapter:
  1. A copy of the condominium conversion permit required by Title 19 of this code to convert a multi-residential building to a condominium project;
  2. A certificate, signed by the subdivider under penalty of perjury, declaring that at least sixty days prior to the filing of a tentative map, each tenant or prospective tenant was served with a written notice of intention to convert as required by the Subdivision Map Act;
  3. A certificate, signed by the subdivider under penalty of perjury, declaring that each tenant served with a notice of intention to convert was, at the time such notice was served, also served with a written notice of the following tenant rights:

- a) The right of such tenant to not suffer the termination of tenancy in the building being converted for a period of 180 days following the date the notice of intention to convert was served as required by the Subdivision Map Act;
  - b) The right of such tenant to purchase tenant's dwelling unit in the building being converted on the same or more favorable terms as those offered to the general public for a period of 90 days from the date of issuance of the subdivision public report as required by the Subdivision Map Act;
  - c) The right of such tenant to not suffer an increase in rent in excess of 75% of the percentage increase in the consumer price index as provided by section 18.13.020 of this title;
  - d) The right of each such tenant who is 62 years of age or older or a disabled tenant to a long term lease as provided by section 18.13.040 of this title; and
  - e) The right of such tenant to relocation assistance as provided by section 18.13.030 of this title, together with the name, address, and telephone number of the person or persons who will be responsible for providing such assistance;
- D. When a final map or parcel map is filed for the conversion of an existing multi- residential building to a condominium project, the final map or parcel map shall be accompanied by the following documents and information in addition to any other drawings, documents, or other information required by this chapter.
- E. The same certificates and notices required for submittal of the tentative map to convert an existing multi-family dwelling to a condominium project.
- F. Within 10 days of the date an application for a public report was filed with the department of real estate per Business and Professions Code 11010 and 11018 each tenant occupying a dwelling unit in the multi-residential building being converted to a condominium project was served with a written notice that such application was or would be filed and that such report would be available from the subdivider on request as required by the Subdivision Map Act;
- G. The certificate of the building official attesting to the fact that the multi-residential building being converted to a condominium project meets the building standards and contains the equipment required by section 18.13.060 of this title;
- H. The name, apartment number, and mailing address of all tenants in the multi-residential building being converted to a condominium project on the date the final map or parcel map is filed.

- I. The subdivider shall cause all certificates to be executed except those to be executed by the director, the city clerk and the county recorder, and shall file with the director the original tracing of the map and as many prints thereof as the director may deem necessary.
- J. Approval Authority - Action by planning department on final maps or parcel maps for conversion of existing multi-residential buildings to condominium projects.
  - 1. Where a final map or parcel map filed for the conversion of an existing multi-residential building to a condominium project has been approved by the city clerk, the director shall, promptly following the approval of the map:
    - a) Serve each tenant occupying a dwelling unit in the multi-residential building being converted to a condominium project written notice of the approval of the final map or parcel map prior to the execution of the rental agreement in accordance with Section 66459 of the Subdivision Map Act; and
    - b) Forward to the California Department of Real Estate a copy of the final map or parcel map together with the structural pest control report and certificate of the city building official filed by the subdivider as required by this chapter for inclusion in the public report for the condominium project required by Article 20, Chapter 1, Part 2, Division 4 of the California Business and Professions Code. (Moved from Section 18.24.115)

18.13.020 Rent increases Subsequent to Service of the Notice of Intention To Convert (Moved from Section 18.38.010)

Commencing on the date a notice of intention is filed to convert an existing multi-residential building to a condominium project, is served on a tenant occupying a dwelling unit in the building being converted as required by the Subdivision Map Act, and continuing until the termination of such tenant's tenancy or such tenant's purchase of tenant's dwelling unit in the building being converted, or until a tentative map for the conversion, is withdrawn or, following approval of a tentative map for the conversion, the time for filing a final map or parcel map has expired.

The amount of rent charged such tenant shall not be increased by an amount greater than 75% of the percentage increase in the Consumer Price Index for the period between the date of the last previous rent increase, or if there has been none, the date the tenant rented the tenant's dwelling unit, and the date the proposed rent increase is to be put into effect, as measured by the consumer price indices last published prior to the date the proposed rent increase is put into effect.



18.13.030 Relocation Assistance (Moved to Section 18.38.020)

Commencing on the date a notice of intention to convert an existing multi-residential building to a condominium project is served on a tenant occupying a dwelling unit in the building being converted as required by the Subdivision Map Act, and at any time thereafter until a tentative map for the conversion, after having been filed is withdrawn, or, following the approval of a tentative map for the conversion, the time for filing a final map or parcel map has expired, the owner of the building being converted shall provide the following relocation assistance to each such tenant electing not to purchase tenant's dwelling unit in the building being converted:

- A. Current and continuing information on the location and rent of other rental housing within the Chico urban area comparable to the dwelling unit occupied by the tenant in the multi-residential building being converted to a condominium project;
- B. If the tenant is 62 years of age or older, a disabled tenant, or a lower income tenant, transportation, or the reasonable cost of transportation not to exceed 25% of the monthly rent being charged the tenant on the date the notice of intention to convert required by the Subdivision Map Act is served on such tenant, which is necessary to locate comparable replacement housing within the Chico urban area;
- C. A sum equal to 100% of the monthly rent being charged the tenant on the date the notice of intention to convert required by the Subdivision Map Act was served on the tenant, payable at the time the tenant vacates tenant's dwelling unit in the multi-residential building being converted to a condominium project, for the cost of transporting such tenant's personal property to replacement housing; or, if the tenant is 62 years of age or older, a, or a lower income tenant, 100% of the reasonable expense, including packing, crating, and unpacking expenses, which will be incurred in transporting such tenant's personal property to replacement housing rented or purchased within the Chico urban area, based on the lowest of three bids obtained by the owner of the building being converted, if such expense is greater than 100% of the monthly rent being charged such tenant.

18.13.040 Long-Term Leases (Moved from Section 18.28.030)

- A. Upon approval of a final map or a final parcel map for the conversion of an existing multi-residential building to a condominium project, the owner of the building being converted shall offer to lease a dwelling unit in the building being converted for the term and at the rent hereinafter provided for by this section to those tenants occupying a dwelling unit in the building being converted who also occupied such dwelling unit on the date a notice of intention to convert was served as required by the Subdivision Map Act and who are either 62 years of age or older or disabled tenants; provided, however, that the owner of the building being converted shall not be obligated to lease more than twenty percent (20%) of the dwelling units in the building being converted to such tenants; provided further, that where more than twenty percent (20%) of the dwelling units in the building

being converted are occupied by such tenants, an offer to lease a dwelling unit in the building being converted shall be made to such tenants in the order of the length of time such tenants have occupied a dwelling unit in the building being converted, those tenants having occupied a dwelling unit the longest being offered a lease first; and provided further where twenty percent (20%) of the dwelling units in the building being converted is a fraction or a whole number plus a fraction, the fraction shall be rounded off to the next lowest whole number if less than 5/10, and to the next highest whole number if 5/10 or more;

- B. A tenant accepting an offer to lease a dwelling unit in a multi-residential building being converted to a condominium project made by the owner of the building being converted as hereinbefore provided by this section shall have the right to lease his or her dwelling unit for a term up to five (5) years or, where such tenant is 62 years of age or older, for the life of such tenant; provided that the owner of the building being converted shall not be obligated to lease more than ten percent (10%) of the dwelling units in the building being converted to such tenants who are 62 years of age or older for a life term; provided further, that where more than ten percent (10%) of the dwelling units in the building being converted are occupied by such tenants who are 62 years of age or older, the right to lease a dwelling unit in the building being converted for a life term shall be accorded to such tenants who are 62 years of age or older in the order of the length of time such tenants who are 62 years of age or older have occupied a dwelling unit in the building being converted, those tenants who are 62 years of age or older having occupied a dwelling unit the longest being accorded the right first; and provided further where ten percent (10%) of the dwelling units in the building being converted are occupied by such tenants who are 62 years of age or older is a fraction or a whole number plus a fraction, the fraction shall be rounded off to the next lowest whole number if less than 5/10 and to the next highest whole number if 5/10 or more;
- C. A tenant accepting an offer to lease a dwelling unit in a multi-residential building being converted to a condominium project made by the owner of the building being converted as hereinbefore provided by this section shall have the right to lease tenant's dwelling unit for rent in an amount not greater than that charged the tenant on the date that the final map or parcel map was approved. Provided that the rent charged the tenant may be increased annually during the term of the lease in an amount not greater than 75% of the percentage increase in the consumer price index for the period between the date of the last previous rent increase, or if there has been none, the date the tenant leased tenant's dwelling unit and the date the proposed rent increase is to be put into effect, as measured by the consumer price indices last published prior to the date the proposed rent increase is put into effect;
- D. Upon termination of a lease for a dwelling unit in a multi-residential building being converted to a condominium project made between the owner of a building being converted and a tenant as hereinbefore provided by this section, the owner of the

dwelling unit leased to such tenant shall provide such tenant with all of the relocation assistance hereinbefore required by this chapter.

18.13.050 Structural pest control report. (Moved from Section 18.38.060)

No dwelling unit in a multi-residential building being converted to a condominium project shall be offered for sale unless the building has been inspected by a licensed pest control operator and a structural pest report prepared. The pest report must contain the information required by Section 8516 of the California Business and Professions Code. The report shall be available for inspection by any person offering to purchase a dwelling unit in the converted building.

18.13.060 Building standards and equipment. (Moved from Section 18.38.070)

No dwelling unit in a multi-residential building converted to a condominium project shall be offered for sale unless the building has been certified by the Building Official as complying with the Uniform Housing Code adopted by Title 16 of this code and is equipped as follows:

- A. Each dwelling unit shall be equipped with smoke detectors conforming to the requirements of Section 1310 of the Uniform Building Code adopted by Title 16 of the Chico Municipal Code;
- B. Each dwelling unit shall be separately metered for gas and electricity;
- C. All permanent mechanical equipment such as motors, compressors, pumps and compactors determined by the city building official to be a source of structural vibration or structure-borne noise shall be shock mounted with inertial blocks or bases and slant or vibration isolators in a manner approved by the city building official.

<b>Comparison: Existing Subdivision Code to Draft Updated Code</b>	
<b>Existing Chico Subdivision Code</b>	<b>Draft Chico Subdivision Code</b>
<b>18.04 General Provisions</b>	<b>18.01 General Provisions</b>
18.04.010 Title and Reference 18.04.020 Purpose and Intent	18.01.010 Purpose and Intent
18.04.030 Authority	18.01.030 Authority for Regulations
18.04.040 Conformance with Other Regulations Required	18.01.020 Conformance with Other Regulations
18.04.050 Definitions	18.02 Definitions
<b>18.08 Enforcement</b>	<b>18.03 Enforcement</b>
18.08.010 Generally	18.03.010 General Enforcement of This Title
18.08.020 Illegal Subdivisions- Notices	18.03.020 Illegal Subdivisions
18.08.030 Certificate of Compliance	18.06.010 Certificate of Compliance
18.08.040 Issuance of Certificate of Compliance	
18.08.050 Recordation of a Certificate of Compliance	
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<b>18.12 Advisory Agency</b>	<b>18.04 Advisory Agencies Designated</b>
18.12.010 Designation of Advisory Agency	18.04.010 Designation of Advisory Agency
18.12.020 Powers and Duties of the Advisory Agency	18.04.020 Powers and Duties of Advisory Agencies
<b>18.16 Maps Generally</b>	<b>18.07 Types of Maps and Processing for Each</b>
18.16.010 Map Required	18.07.010 General Map Requirements
18.16.020 Subdivisions for Which a Tentative and Final Map or Parcel Map are Required	18.07.020 Parcel Map 18.07.030 Tentative Subdivision Map 18.07.060 Final Map
18.16.030 Subdivisions for Which a Minor Land Division Map is Required	18.06.040 Minor Land Divisions
18.16.040 Preliminary Sketches	18.07.010-B General Map Requirements
18.16.045 Subdivisions Located within a Special Flood Hazard Area	18.07.010-D General Map Requirements
<b>18.17 Procedures Generally - Minor Land Divisions, Boundary Line Modifications and Mergers</b>	<b>18.06 Certificates of Compliance, Lot Mergers, Lot Line Adjustments, and Minor Land Divisions</b>
18.17.010 Filing Fee and Application	Removed from Subdivision Code
18.17.020 Processing of Minor Land Divisions, Boundary Line Modifications and Mergers	18.06.020 Lot Mergers 18.06.030 Lot Line Adjustments 18.06.040 Minor Land Divisions
18.17.030 Advisory Agency Action	18.05.020 Approval Responsibilities
18.17.040 Notice of Intent for Minor Land Division or Boundary Line Modification or Merger	Removed from Subdivision Code
18.17.050 Appeal and Referral to Planning Commission	18.05.040 Appeals
18.17.060 Planning Commission Hearing on Appeal and Referral	
18.17.070 Planning Commission Action on Appeal or Referral.	
18.17.080 Appeals to the City Council	
<b>18.18 Procedures Generally – Subdivisions Other than Minor Land Divisions</b>	<b>18.05 Approval Authority, Hearings, and Appeals</b> <b>18.04 Advisory Agencies Designated</b>

18.18.010 Filing Fee and Application	Removed from Subdivision Code
18.18.020 Staff Report	Removed from Subdivision Code
18.18.030 Public Notice and Hearing	18.05.030 Public Hearings
18.18.040 Advisory Agency Action	18.04.020 Powers and Duties of Advisory Agencies
18.18.050 Appeal and Referral to Planning Commission	18.05.040 Appeals
18.18.060 Planning Commission Hearing on Appeal and Referral	18.05.040 Appeals
18.18.070 Planning Commission Action on Appeal or Referral.	
18.18.080 Appeals to the City Council	
<b>18.20 Tentative Map</b>	<b>18.07.030 Tentative Subdivision Map</b>
18.20.010 Preparation and Form of Tentative Map	18.07.030 Tentative Subdivision Map
18.20.020 Information on Tentative Map	
18.20.030 Drawings, Statements, and Other Data to Accompany Tentative Map	
18.20.035 Drawings, documents and information to accompany tentative map - Conversion of existing multi-residential buildings to condominium projects.	18.13.010 Condominium Conversion Requirements
18.20.040 Filing of Tentative Map	18.07.010 General Map Requirements
18.20.050 Conditional Approval When Critical Soil Problems Exist	18.07.030 Tentative Subdivision Map
<b>18.22 Vesting Tentative Maps</b>	<b>18.07.040 Vesting Tentative Subdivision Map</b>
18.22.010 Purpose	18.07.040 Vesting Tentative Subdivision Map
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18.22.040 Review and Approval or Disapproval of a Vesting Tentative Map	
18.22.050 Rights Conferred Upon Approval of a Vesting Tentative Map	
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18.22.070 Extension of Rights Conferred by Approved Vesting Tentative Map	
18.22.080 Amendments to an Approved Vesting Tentative Map	
18.22.090 Application for Permits, Approval and Entitlements Under Current Laws and Regulations	
<b>18.24 Final Map and Parcel Map</b>	
18.24.010 Filing of Final Map or Parcel Map	18.07.060 Final Map
18.24.020 Termination of Proceedings	18.05.020-F Approval Responsibilities
18.24.030 Time Extension	18.09.060 Time Extensions
18.24.040 Preparation and Form of Final Map and Parcel Map	18.07.060-A Final Map
18.24.050 Title Sheet of Map	
18.24.060 Certificates	18.07.060-B Final Map
18.24.070 Information on Final Map and Parcel Map	18.07.060 Final Map
18.24.075 Notations	18.07.060-A Final Map
18.24.080 Statements, Documents and Other Data to Accompany Final Map or Parcel Map	

18.24.085 Drawings, Documents, and Information to Accompany Final Map or Parcel Map - Conversion of Existing Multi-Residential Buildings to Condominium Projects	
18.24.090 Presentation to City of Final Map or Parcel Map	
18.24.100 Director Action	18.07.060-B Final Map
18.24.115 Action by Planning Department on Final Maps or Parcel Maps - Conversion of Existing Multi-Residential Buildings to Condominium Projects	18.13.010-J Condominium Conversion Requirements
18.24.120 Execution of Director's and Clerk's Certificates	18.07.060-B Final Map
<b>Chapter 18.28 Minor Land Divisions</b>	<b>18.06 Certificates of Compliance, Lot Mergers, Lot Line Adjustments, and Minor Land Divisions</b>
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18.28.030 Drawings, Statements and Other Data to Accompany Preliminary Plat	18.06.050 Plat Map Submittal Requirements
18.28.095 Monuments Required	18.06.030 Preliminary Plat
18.28.100 Certificates and Documents	
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18.28.120 Director Action	18.06.030-C Preliminary Plat
18.28.125 Notation on Certificate of Compliance	18.06.040 Minor Land Divisions
18.28.130 Termination of Proceedings	18.05.020 Approval Responsibilities
18.28.140 Time Extension	18.09.060 Time Extensions
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18.29.030 Drawings, Statements, and Other Data to Accompany Preliminary Plat	18.06.030 Preliminary Plat
18.29.055 Monuments Required	18.12.060 Boundary Monuments
18.29.060 Certificate of Compliance	18.06.010 Certificate of Compliance
<b>Chapter 18.30 Parcel Map Waiver- Chico Municipal Airport Properties</b>	<b>Removed</b>
18.30.010 No Parcel Map Required	Removed from Subdivision Code
18.30.020 Procedures	
<b>Chapter 18.31 Dedication of Land for Park Facilities</b>	<b>18.12.140 Park Facilities</b>
18.31.010 Purpose	18.12.140-A Park Facilities
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<p>18.31.030 Standards for Determining the Amount of Dedicated Parkland.</p> <p>18.31.040 Maximum Amount of Dedicated Parkland Which May be Required</p> <p>18.31.050 Adjustments to maximum amount of dedicated parkland which may be required to account for private open space.</p> <p>18.31.060 Application of parkland dedication requirements to subdivisions containing lots and parcels likely to be further subdivided</p> <p>18.31.070 Improvements to dedicated parkland and adjoining public rights-of-way</p> <p>18.31.080 Use of dedicated parkland</p> <p>18.31.090 Lease of dedicated parkland to the Chico area recreation and park district</p> <p>18.31.100 Sale or exchange of dedicated parkland</p> <p>18.31.110 Credit against park facility fees</p> <p>18.31.120 Dedication of additional parkland to mitigate significant environmental effects</p>	18.12.140-B Park Facilities
<b>Chapter 18.32 Dedication Of Land For Riparian Habitat</b>	<b>18.12.160 Dedication of Land for Riparian Habitat</b>
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18.32.080 Dedication of Additional Riparian Habitat to Mitigate Significant Environmental Effects	
<b>Chapter 18.34 Reservation of Land for Public Uses</b>	<b>18.12.150 Reservation of Land for Public Uses</b>
18.34.010 Purpose	18.12.150 Reservation of Land for Public Uses
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18.34.040 Director's Report of Required Land Reservation	18.05.020 Approval Responsibilities
18.34.050 Agreement to acquire reserved land	18.12.150.B.10 Reservation of Land for Public Uses
18.34.060 Termination of Reservation in Absence of Agreement	
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<b>Chapter 18.35 Subdivision Design And Improvement Standards</b>	<b>18.10 Subdivision Design and Improvement Standards</b>
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18.35.020 Design and Improvements of Subdivisions	18.10.020 Design and Improvements of Subdivisions
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18.35.040 School Sites	18.10.040 School Sites
18.35.050 Sites for Public Facilities	18.10.050 Public Facilities
<b>Chapter 18.36 Subdivision Improvement Requirements</b>	<b>18.11 Subdivision Improvement Requirements</b>
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18.36.020 Improvement plans - When required	18.11.020 Improvement Plans
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18.36.040 Commencement of Improvement Work	18.11.030 Commencement of Improvement Work
18.36.050 Inspection of Improvement Work	18.11.040 Coordination of Improvement Work
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18.36.080 Oversizing Improvements - Reimbursement	18.11.060 Oversizing of Improvements-Reimbursements
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18.40.080 Monument Type and Positioning	18.12.080 Monument type and positioning
18.40.090 Monument Identification Marks	18.12.090 Monument identification marks
18.40.100 Replacement of Destroyed Monuments	18.12.100 Replacement of destroyed monuments
18.40.110 Survey data and information to be shown on final map or parcel map	18.12.110 Survey data and information to be shown on final map or parcel map
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18.50.010 Merger - Generally	18.02 Definitions
18.50.020 Merger - Application	18.06.020-A Lot Mergers
18.50.030 Merger - Approval	18.06.020-C Lot Mergers
18.50.040 Merger - Owner's consent	18.06.020-D Lot Mergers
18.50.050 Merger - Certificate of compliance	18.06.020-E Lot Mergers
<b>New Code Sections</b>	
18.07.050 Finance Map	
18.08 Findings – 18.08.010 Tentative Map Approval and Denial Findings, and 18.08.020 Final Map Substantial Conformance Findings	