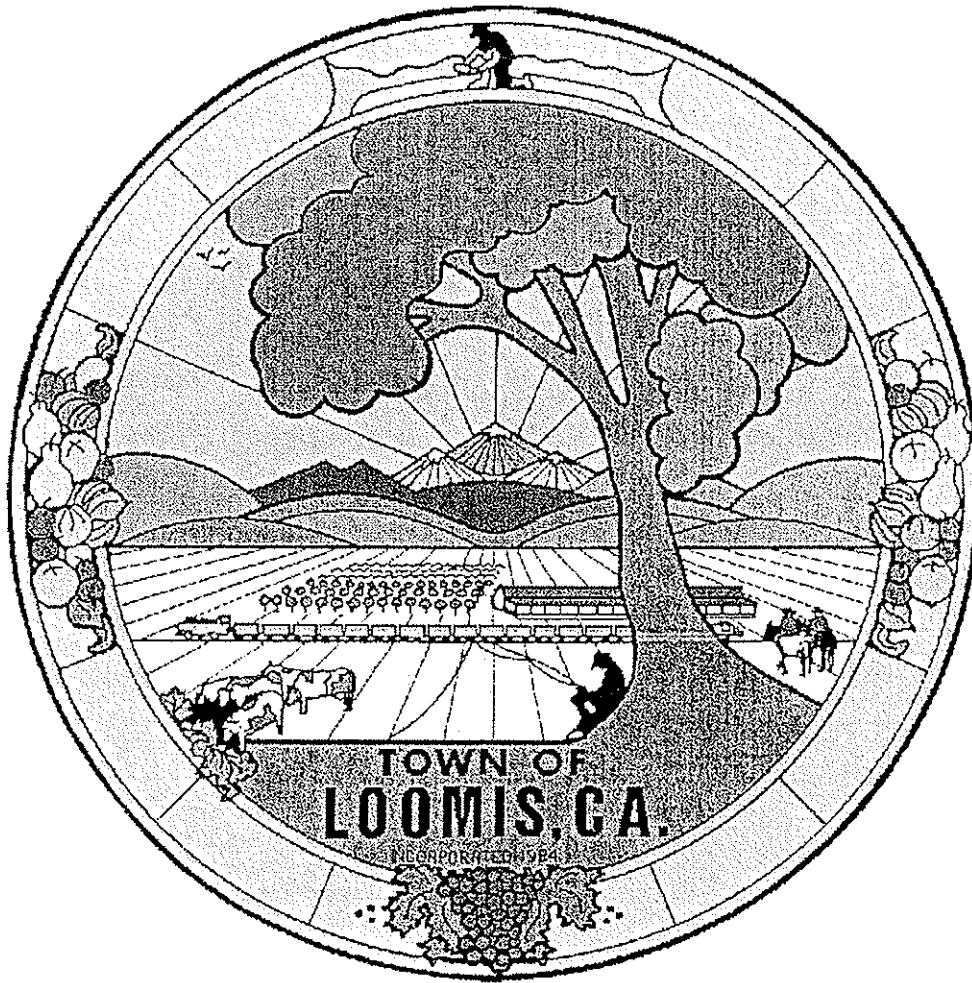


TOWN OF LOOMIS

LAND DEVELOPMENT MANUAL



MARCH 2004
(ADOPTED BY TOWN COUNCIL JUNE 8, 2004)
RESOLUTION NO. 04-15

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SECTION 1

PURPOSE AND DEFINITIONS

- 1-1 **PURPOSE** - The purpose of this land development Manual is to provide minimum standards to be applied to improvements which are to be dedicated to the public and accepted by the Town for maintenance or operation and certain private works, as well as improvements to be installed within existing rights-of-way and easements. This is necessary in order to provide for coordinated development of required facilities to be used by and for the protection of the public. These standards shall apply to, regulate, and guide preparation of traffic impact studies and the design and preparation of plans for construction of streets, highways, alleys, drainage, traffic signals, site access and related public improvements, and shall set guidelines for all private works which involve drainage, grading and related improvements.

- 1-2 **DESIGN PRACTICE** - Because it is virtually impossible to anticipate all situations that may arise or to prescribe standards applicable to every situation, any items or situations not included in this manual shall be designed in accordance with accepted engineering practice, the Loomis Construction Standards, the State of California "Highway Design Manual" and "Traffic Manual", and as specified by the Town Engineer.

All designs and maps submitted shall be based on California State Plane Zone II, NAD 83 horizontal datum and NGVD 29 vertical datum grid coordinates. If a local "ground" coordinate system is used on a project, plans and maps must be submitted in both "grid" and "ground" coordinates.

The Town Engineer may require additional standards and/or regulations not inconsistent herewith when deemed necessary to protect the health, safety, and welfare of the public.

- 1-3 **DEFINITIONS** - Whenever the following terms or titles are used in these standards, or in any document or instrument where these standards govern, the intent and meaning shall be as herein defined:

- A. **Applicant** - shall mean the same as the Developer or his consulting engineer working on his behalf.
- B. **Building Division** - Shall mean the Building Division of the Town of Loomis.
- C. **Town** - Shall mean the Town of Loomis and its applicable Departments.
- D. **Town Engineer** - Shall mean the Town Engineer of the Town of Loomis.
- E. **Conditions of Approval** - Shall refer to the specific requirements developed as part of the entitlement process which must be done as a condition for the approval of the project.
- F. **Consulting Engineer** - Shall mean any person or persons, firm, partnerships or corporation legally licensed and authorized to practice professional engineering in the State of California who prepares or submits improvement plans and specifications to the Town of Loomis for approval.
- G. **Contractor** - Shall mean any person or persons, firm, partnership, corporation, or combination thereof, licensed to perform the type of work involved, who has entered into a contract with any person, corporation or company, or his or their legal representatives, for the construction of any improvement or portions of any improvement within the Town of

Loomis.

- H. **Department of Public Works** - Shall mean the Department of Public Works of the Town of Loomis.
- I. **Developer** - Shall mean any persons, firm, partnership, corporation, or combination thereof, financially responsible for the work involved.
- J. **Development** - Shall mean the act or process of any construction on properties as well as subdivision improvement.
- K. **Development or Subdivision Agreement** – Shall refer to a specific project(s) adopted agreement between a Developer and the Town related to project requirements.
- L. **FEMA** – Federal Emergency Management Agency
- M. **Grid Coordinates** – California State Plane Zone II, NAD 83, NGVD 29 coordinate projection.
- N. **Ground Coordinates** – Local Plane coordinate system used by the engineer on a given project.
- O. **Improvements** - Refers to street work, sidewalk, curb, gutter, driveways, water mains, sanitary sewer, storm drainage, street lighting, traffic signals, public utilities, landscaping, irrigation, parks, fences, backflow devices, pressure reducing stations, pump stations, and other facilities to be constructed or installed within an existing or future public right of way or easement and other improvements which the Department of Public Works is responsible for performing plan check or inspection.
- P. **Laboratory** - Shall mean any testing agency or testing firm which has been approved by the Department of Public Works.
- Q. **Manual of Traffic Controls** - Shall mean the "Manual of Traffic Controls for Construction and Maintenance Work Zones," of the State of California, Department of Transportation, latest edition.
- R. **Public Works** - Shall mean the Public Works of the Town of Loomis.
- S. **Public Works Director** - Shall mean the Public Works Director of the Town of Loomis.
- T. **Construction Standards** - Shall mean the latest edition of the "Construction Standards" adopted by the Loomis Town Council and any amendments thereto governing the construction of roads, streets, storm drainage, concrete structures, traffic signals, street lighting, landscaping and irrigation, and other facilities within the Town of Loomis.
- U. **Soils Report** - Shall mean a report as prepared by any person or persons, firm, partnership, or corporation legally licensed to prepare "Soils Reports" in the State of California.
- V. **Standard Drawings and Construction Specifications** - Shall mean the standard drawings and construction specifications as set forth in the Public Facilities Improvement Standards, approved by the Town Engineer and any amendments.

- W. **State Highway Design Manual** - Shall mean the "Highway Design Manual" of the State of California, Department of Transportation, latest edition.
- X. **State Standard Plans** - Shall mean the Standard Plans of the State of California, Department of Transportation, latest edition.
- Y. **State Standard Specifications** - Shall mean the "Standard Specifications" of the State of California, Department of Transportation, latest edition.
- Z. **State Traffic Manual** - Shall mean the "Traffic Manual" of the State of California, Department of Transportation, latest edition.
- AA. **Storm Water Manual** – Shall mean the "Storm Water Management Manual," latest edition, as published by the Placer County Flood Control and Water Conservation District.
- BB. **SWPPP** – Shall mean "Storm Water Pollution Prevention Plan" as required by National Pollution Discharge Elimination System (NPDES) permit.
- CC. **Subdivision Ordinance** - Shall mean the "Subdivision Ordinance" of the Town Code as adopted by the Town Council of the Town of Loomis.
- DD. **Zoning Ordinance** - Shall mean the "Zoning Ordinance" of the Municipal Code as adopted by the Town Council of the Town of Loomis.

SECTION 2
SUBDIVISION REGULATIONS
MUNICIPAL CODE TITLE 14
ORDINANCE 185

DRAFT

Title 14

SUBDIVISION REGULATIONS

Chapters:

- 14.04 General
- 14.08 Maps Required
- 14.12 Lot Line Adjustments
- 14.16 Mergers of Contiguous Parcels Under Common Ownership Without Reversion
- 14.20 Tentative Maps-Five or More Parcels
- 14.24 Final Subdivision Maps-Five or More Parcels
- 14.28 Parcel Maps-Four or Fewer Parcels
- 14.32 Vesting Tentative Maps-General Provisions
- 14.36 Subdivision Design Standards
- 14.40 Surveys and Monuments
- 14.44 Subdivision Improvements
- 14.48 Subdivision Modifications
- 14.52 Reversions
- 14.56 Bridges or Major Thoroughfares
- 14.60 Regulation for Dedication of Land, Payment of Fees, or Both, for Park and Recreational Purposes
- 14.64 Enforcement and Penalties

Chapter 14.04

GENERAL

Sections:

- 14.04.010 Title and reference.
- 14.04.020 Relationship to general plan and other town land use regulations.
- 14.04.030 Purpose.
- 14.04.040 Definitions.
- 14.04.050 Responsibilities.

14.04.010 Title and reference.

This title is adopted pursuant to Article XI, Section 7 of the California Constitution, and to supplement and implement the Subdivision Map Act, Government Code Sections 66410, et seq., and may be cited as the "Subdivision Ordinance of the Town of Loomis." (Ord. 185 § 1 (part), 1998)

14.04.020 Relationship to general plan and other town land use regulations.

The regulations established by this title are designed to assist in the systematic implementation of the general plan, specific and community plans, the zoning ordinance, and other land use regulations, and to provide for public needs, health and safety, convenience and general welfare. Neither the approval nor conditional approval of the tentative map shall constitute or waive compliance with any other applicable provisions of the Municipal Code or other applicable ordinances or regulations adopted by the town, nor shall any such approval authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of the Municipal Code or other applicable ordinances or regulations adopted by the town. Nothing in these regulations shall be construed to permit the premature or haphazard subdivision of lands in violation of the applicable zoning and land use regulations. (Ord. 185 § 1 (part), 1998)

14.04.030 Purpose.

It is the purpose of this title to regulate and control the division of land within the town and to supplement the provisions of the Subdivision Map Act concerning the design, improvement and survey data of Subdivisions, the form and content of all required maps provided by the Subdivision Map Act, and the procedure to be followed in securing the official approval of the town regarding the maps. To accomplish this purpose, the regulations contained in this chapter are determined to be necessary to preserve the public health, safety and general welfare; to promote orderly growth and development and to promote open space, conservation, protection and proper use of land; and to ensure provision for adequate traffic circulation, utilities, and other services of the town. (Ord. 185 § 1 (part), 1998)

14.04.040 Definitions.

For the purposes of this title the following definitions shall apply:

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

Building Site. See definition of "Lot."

"CEQAA" means the California Environmental Quality Act, Public Resources Code Sections 21000, et seq.

"Certificate of compliance" means a certificate issued by the planning director in compliance with Section 14.64.020 of this title and the Subdivision Map Act.

"Commission" means the planning commission of the town of Loomis.

"Council" means the council of the town of Loomis.

"County" means the county of Placer.

"Design and improvement standards" means standards for the design and construction of development improvements.

"Director of planning ~~and development~~" means the director of the planning ~~and development~~ department of the town of Loomis, or the duly authorized representative of the director.

"Director of public works" means the director of the public works department of the town of Loomis, or the duly authorized representative of the director.

"Drip line" means a line which may be drawn on the ground around a tree directly under its outermost branch tips and which identifies that location where rainwater tends to drip from the tree.

"Dwelling unit" means a group of rooms or a single room with kitchen facilities occupied or intended for occupancy as separate living quarters by a family or other group of persons living together, or by a person living alone, irrespective of the age of the occupant or occupants.

"EIR" means an environmental impact report prepared pursuant to the requirements of CEQA, Public Resources Code Sections 21000, et seq.

"Final map" means showing a subdivision of five or more parcels for which a tentative and final map are required by the Subdivision Map Act and this title, prepared in accordance with the provisions of the Subdivision Map Act and this title, and designed to be filed for recordation in the office of the county recorder.

"Fire protection" means such fire hydrants and other protective measures as may be reasonably required by the fire marshal of the appropriate fire protection district for protection of property to be located within the town.

"Flood hazard" means 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 water courses.

"Freeway" means a highway defined as a "freeway" in Section 23.5 of the Streets and Highways Code of the state of California.

"Frontage road" or "service road" means a street lying adjacent and approximately parallel to and separated from a freeway or other public street and which affords access to abutting property.

"General plan" means the general plan of the town.

"Geological hazard" means a hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property or improvements due to the movement, failure or shifting of earth.

"Inundation" means ponded water or water in motion of sufficient depth to damage property due to the presence of the water or to deposits of alluvium.

“Lot” means a parcel or portion of land which is separated from other parcels or portions by description, as on a recorded subdivision, parcel or record of survey map, or by metes and bounds, for purpose of sale, lease, financing or separate use.

“Lot line adjustment” means the relocation of an interior lot line between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.

“Merger” means the joining of two or more contiguous parcels of land under one ownership into one parcel.

“Mobilehome lot” means any area designated, designed or usable for the occupancy of one mobilehome on a temporary, semi-permanent or permanent basis.

“Multiple-family dwelling unit” means a building or portion thereof designed for occupancy by three or more families living independently of each other, but under one roof.

“Municipal Code” means the Loomis Municipal Code.

“Negative declaration” means a negative declaration prepared pursuant to the requirements of CEQA, Public Resources Code Section 21000 et seq.

Nonvesting Tentative Map. See “Tentative map” as defined in this section.

“Parcel Map” means a map showing a subdivision of four or less residential parcels, or an industrial, or commercial subdivision as required by the Subdivision Map Act and this title, prepared in accordance with the provisions of the Subdivision Map Act and this title designed to be filed for recordation in the office of the county recorder.

“Pedestrianway” means a right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind. A pedestrianway may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.

“Planned development” means a subdivision consisting of one or more planned developments as this term is defined in Business and Professions Code Section 11003.

“Planning director” means the director of the planning and building department of the town, or the duly authorized representative of the director.

“Post-subdivision modification” means a modification to an approved tentative map or conditions for which a request is filed after approval of the tentative map.

“Private road easement” means a private easement for road purposes over a parcel of land which is proposed to be or has been granted to the owners of property contiguous or adjacent thereto which intersects or connects with a public street, or a private street; in each instance the instrument creating such easement shall be or shall have been duly recorded or filed in the office of the county recorder.

“Public way” means any street, highway, alley, pedestrianway, equestrian or hiking trail, biking path, channel, viaduct, subway, tunnel, bridge, easement, right-of-way or other way in which the public has a right of use.

“Revised tentative map” means a tentative map filed for approval under Section 14.20.070 showing revised arrangement of the streets, alleys, easements or lots or a modification of the boundary of property for which a tentative map has been previously approved.

“Roadway” means that portion of a right-of-way for a street, highway or alley designed or used to accommodate the movement of motor vehicles.

“Single-family dwelling unit” means a detached building designed exclusively for occupancy by one family.

Specific Plan. The term “specific plan” means and includes any community plan, a plan for a specific portion of the town or a plan for a specific municipal function of the town which has been approved by the planning commission and adopted by the town council.

Street, Collector. “Collector Street” means a street which collects and distributes vehicular traffic moving between major streets and minor streets and which generally provides direct access to abutting properties.

Street, Cul-de-Sac. “Cul-de-sac street” means a street which is designed to remain permanently closed at one end with the closed end terminated by a vehicular turnaround. For the purposes of these regulations, the length of a cul-de-sac street shall be measured from the center line of the intersecting street along the center line of the cul-de-sac to the center of the radius of the turnaround.

Street, Major. “Major street” means a street carrying the vehicular traffic of minor and collector streets to and from freeways, the central business district and other major streets, with protected intersections at grade; and generally providing direct access to abutting property.

Street, Minor. “Minor street” means any street other than a collector street, major or freeway providing direct access to abutting property and serving local as distinguished from through traffic.

“Subdivision” means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets utility easements or railroad rights-of-way.

“Subdivision” includes a condominium project, as defined in Section 1350 of the State Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code, and the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code.

“Subdivision” includes any division of land by gift or inheritance, but excludes a division for probate homestead. Any conveyance of land to a governmental agency, public entity, public utility or subsidiary of a public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels.

Subdivision Map Act. “Subdivision Map Act” means the Subdivision Map Act of the State of California, Government Code Sections 66410 et seq., inclusive, as that Act currently provides or is subsequently amended.

“Subdivision modification” means a request by a subdivider for modifications to the requirements or standards imposed by these subdivision regulations filed prior to the approval of the tentative map.

“Subdivision review committee” means a committee comprised of the director of public works, the town engineer and the planning director, or their designees.

“Tentative map” means a map made for the purpose of showing the design improvements of the proposed subdivision and the existing conditions in or around it.

“Tentative map” shall include a tentative map prepared in connection with the parcel map pursuant to the provisions of Chapter 14.28.

“Town engineer” means the town engineer of the town, or the duly authorized representative of the town engineer.

“Two-family dwelling unit” means a detached building designed exclusively for occupancy by two families living independently of each other, but under one roof.

“Vehicular access rights” means the right or easement for vehicular access of owners or occupants of abutting lands to a public way.

Vesting Tentative Map. A “vesting tentative map” means a tentative map which shall have printed conspicuously on its face the words “Vesting Tentative Map” at the time it is filed, in accordance with Chapter 14.32, and is thereafter processed in accordance with these provisions.

“Water supply” means 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.

“Zoning ordinance” means the zoning ordinance of the town, Ordinance No. 36, and revisions thereto. (Ord. 185 § 1 (part), 1998)

14.04.050 Responsibilities

A. The town council shall be responsible for:

1. The approval, conditional approval or denial of vesting tentative maps and requests for extensions of time for vesting tentative maps; and
2. The approval of final maps; and
3. The approval of improvement agreements for all subdivisions; and
4. The approval of lot line adjustments when part of a vesting tentative map approval. The town council shall act as the appeal board for hearing appeals of planning commission action as provided in this chapter. The planning commission shall also act as the appeal board for hearing appeals of subdivision review committee action as provided in this chapter.

B. Planning Commission. The planning commission shall be responsible for:

1. The approval, conditional approval or denial of nonvesting tentative maps and subdivision modifications for all subdivisions;
2. The approval, conditional approval or denial of all subdivision modifications;
3. Making recommendations to the town council on approval, conditional approval or denial of vesting tentative maps; and
4. The approval or denial of requests for extensions of time for tentative maps other than vesting tentative maps; and
5. The approval, conditional approval or denial of lot line adjustments and mergers of contiguous parcels under common ownership without reversion where a lot line adjustment or a merger is sought as part of a development project requiring approval of one or more entitlements by the planning commission or town council. The planning commission shall act as the appeal board for hearing appeals of planning director action as provided in this chapter.

C. Subdivision Review Committee. The responsibilities of the subdivision review committee shall include the following:

1. To make investigations and report on the design and improvement of all proposed subdivisions and to make recommendations thereon to the planning commission;

2. To recommend approval, conditional approval or disapproval of the design of proposed subdivisions and the kinds, nature and extent of on-site and off-site improvements required in connection therewith;

3. To recommend approval, conditional approval or disapproval or denial of tentative maps of all proposed subdivisions of land, and requests for extensions of time for tentative maps;

4. To recommend modifications of the requirements of these regulations in accordance with the provisions of Chapter 14.48 (Subdivision Modifications);

5. To recommend disapproval of a tentative map for noncompliance with the requirements of these regulations, the Subdivision Map Act, or the standards, rules or regulations adopted by the commission pursuant to these regulations;

6. To review and make recommendations at its discretion concerning proposed subdivisions adjacent to the town limits, either within the unincorporated territory of the county of Placer or within the city of Rocklin in accordance with Section 66453 of the Subdivision Map Act when it has elected to do so;

7. To review and make recommendations for reasonable modifications or waivers of the requirements of these regulations as they apply to the development of designated infill sites;

8. Such additional powers and duties as prescribed by law and by these regulations;

9. Planning Director. The planning director shall be responsible for the approval, conditional approval or denial of lot line adjustments and mergers of contiguous parcels under common ownership without reversion; provided, that if the lot line adjustment or merger is sought as part of a development project requiring approval of one or more entitlements by the planning commission or town council, the planning commission or town council shall act upon the lot line adjustment or merger.
(Ord 185 § 1 (part), 1998)

Chapter 14.08

MAPS REQUIRED

Sections:

14.08.010 General.

14.08.020 Division of land-Five or more parcels.

14.08.030 Conveyance of land to a public agency.

14.08.010 General.

For the purposes of this title, the specific requirements for tentative, final and parcel maps shall be governed by the provisions of this chapter. (Ord. 185 § 1 (part), 1998)

14.08.020 Division of land-Five or more parcels.

A tentative map and a final map shall be required for all divisions of land where the land will be divided into five or more parcels, five or more condominiums, a community apartment project containing five or more parcels, or for the conversion of a

dwelling to a stock cooperative containing five or more dwelling units, except where anyone of the following occurs:

A. The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway and no dedications or improvements are required by the legislative body; or

B. Each parcel created by the division has a gross area of twenty acres or more and has an approved access to a maintained public street or highway; or

C. The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths; or

D. Each parcel created by the division has a gross area of not less than forty acres or is not less than a quarter (1/4) of a quarter (1/4) section;

E. Until January 1, 2003, the land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 66418.2 of the Subdivision Map Act. A parcel map shall be required for those subdivisions described in subsections A, B, C, D and E of this section, unless waived by the planning commission in accordance with the provisions of Section 14.28.140. (Ord. 185 § 1 (part), 1998)

14.08.030 Conveyance of land to a public agency.

Land conveyed to or from a governmental agency, public entity or public utility, or for land conveyed to a subsidiary of a public utility for conveyance to such public utility for rights-of-way, unless showing is made that public policy necessitates a parcel map. (Ord. 185 § 1 (part), 1998)

Chapter 14.12

LOT LINE ADJUSTMENTS

Sections:

- | | |
|-----------|--|
| 14.12.010 | General. |
| 14.12.020 | Application. |
| 14.12.030 | Process for reviewing lot line adjustment. |
| 14.12.040 | Findings. |
| 14.12.050 | Appeals. |
| 14.12.060 | Recording. |
| 14.12.070 | Approval. |
| 14.12.080 | Expiration. |
| 14.12.090 | Extension. |

14.12.010 General.

A. Applications for lot line adjustment shall be decided by the planning director pursuant to the procedures in this chapter; provided, that if the lot line adjustment is sought as part of a development project requiring approval of one or more entitlements by the planning commission or the town council, the planning commission or town council shall act upon the lot line adjustment request. Lot line adjustments to be decided by the

planning commission or town council shall be noticed and heard in the same manner as the other entitlements upon which the planning commission or town council will make a decision or recommendation. In acting on the lot line adjustment, the planning commission or town council shall apply the same standards that the planning director would apply under Section 14.12.040 if the planning director were acting on the lot line adjustment.

B. The procedure provided by this chapter is an alternative to the procedures provided by Chapters 14.20, 14.24 or 14.28. Nothing stated in this title shall be construed to prevent an applicant from filing a tentative map, a final map or parcel map for any lot line adjustment. (Ord. 185 § 1 (part), 1998)

14.12.020 Application.

A. An application for a lot line adjustment shall be filed with the planning director and shall include the following information, materials and documents:

1. Drawings specifying the location of the existing lots, the proposed lot line adjustment, and the boundaries and dimensions of the proposed new lots;
2. Legal description and boundary closure calculations satisfactory to the town engineer;
3. Such additional information as the planning director may require pursuant to Sections 14.20.040(C) and 14.20.060, considering the magnitude of the adjustment; its relation to existing buildings, structures, and landscaping; the present use and zoning of the property; location and extent of public improvements; its relation to adopted plans for the area; and compliance with the Subdivision Map Act or other ordinances and plans of the town;
4. Title reports on all parcels affected.
5. Deed(s) to convey interest in the affected properties.
6. Any additional information required under the conditions of approval.

B. The application shall be accompanied by a filing fee established by resolution of the town council. (Ord. 185 § 1 (part), 1998)

14.12.030 Process for reviewing lot line adjustment.

A. Application Processing.

1. Within thirty days of receiving an application for a lot line adjustment, the planning director shall inform the applicant whether the application is complete and accepted for filing. If incomplete, the planning director shall advise the application as to the deficiencies in the application.

2. Within ten days after an application has been found to be complete and accepted for filing, the planning director shall transmit copies of the application and, where applicable, copies of drawing(s), statements and other data required to accompany the application or required subsequent to the filing of the application, to members of the subdivision review committee and to such other public or private agencies or departments as the director determines may be affected by the proposed lot line adjustment.

B. Planning Director Hearing and Action.

1. Notice of Public Hearings. Within a reasonable period of time after the application is accepted as complete, the planning director shall set the matter for hearing

before the planning director. Notice of the hearing shall be given in the following manner:

a. Written notice of the hearing shall be mailed at least ten days prior to the hearing to the following property owners, using for notification purposes names and mailing addresses as shown on the latest equalized assessment roll in existence on the date the application is filed:

i. All owners of property located within a radius of one hundred feet from the property involved in the proceedings;

ii. The owners of all property which adjoins the property in the same ownership as that involved in the proceedings or is separated only by a street, alley, right-of-way, or other easement;

iii. Notwithstanding subsections (B)(2)(a)(i) and (B)(2)(a)(ii) of this section, notice need not be given to property owners of property, no portion of which is within five hundred feet from the subjects property.

2. Action by the Planning Director. The planning director may approve or conditionally approve a lot line adjustment by adopting a resolution, or may disapprove the proposed lot line adjustment by minute order. (Ord. 185 § 1 (part), 1998)

14.12.040 Findings.

The planning director shall approve a lot line adjustment sought pursuant to this chapter only if the planning director finds:

A. That the lot line adjustment will not result in the abandonment of any street or utility easement of record, and that, if the lot line adjustment will result in the transfer of property from one owner to another owner, the deed to the subsequent owner expressly reserves any street or utility easement of record;

B. That the lot line adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel, or that the application is accompanied by new easements to provide access which meet all the town requirements regarding access to parcels in the location and of the size as those proposed to be created; and

C. That the resulting parcels conform to the town's building code and the town's zoning ordinance. (Ord. 185 § 1 (part), 1998)

14.12.050 Appeals.

A. The applicant or any interested person adversely affected by any planning director action on a lot line adjustment may, within ten days after the decision, appeal the decision to the planning commission by filing an appeal in writing with the planning director. The appeal shall be considered by the planning commission at a public hearing after notice has been given pursuant to Section 14.20.090(A).

B. The decision of the planning commission on an appeal from any planning director's action on a lot line adjustment shall be final, and may not thereafter be appealed to the town council.

C. A decision of the planning commission on a lot line adjustment made pursuant to Section 14.12.010 because one or more entitlements require planning commission or town council approval shall be appealed to the town council in the same manner as a decision on tentative maps may be appealed pursuant to Section 14.20.110. (Ord 185 § 1 (part), 1998)

14.12.060 Recording.

Pursuant to Government Code Section 66412(d), the lot line adjustment shall be reflected in a deed, which shall be recorded. (Ord. 185 § 1 (part), 1998)

14.12.070 Approval.

Resolution by the planning director shall be evidence of approval and shall be accompanied, legal description (as an exhibit) of resulting parcels approved by town engineer. (Ord. 185 § 1 (part), 1998)

14.12.080 Expiration.

The approval of a lot line adjustment shall expire twelve months from its approval by the planning director unless the expiration date is extended by the planning director in accordance with Section 14.12.090. (Ord. 185 § 1 (part), 1998)

14.12.090 Extension.

A. An owner or owners may request an extension of the expiration date of an approved lot line adjustment by written application to the planning director. The application must be filled before the approval is to expire, shall be signed by all affected property owners, and shall state the reasons for requesting the extension.

B. Within a reasonable period of time following submission of an application for an extension, the planning director shall approve or deny the application for an extension.

C. The time at which the lot line adjustment approval expires may be extended by the planning director for a period not exceeding a total of twelve months. (Ord. 185 § 1 (part), 1998)

Chapter 14.16

MERGERS OF CONTIGUOUS PARCELS UNDER COMMON OWNERSHIP
WITHOUT REVERSION

Sections:

- 14.16.010 Purpose.
- 14.16.020 Merger of parcels authorized.
- 14.16.030 Application.
- 14.16.040 Process for reviewing mergers.
- 14.16.050 Findings.
- 14.16.060 Appeals.

14.16.010 Purpose.

The purpose of this chapter is to provide a simplified procedure to allow for the removal of previously approved parcel lines and the merger of contiguous parcels under common ownership at the request of the property owner, pursuant to Section 66499.20-3/4 of the Government Code. The procedure provided by this chapter is an alternative to the procedures provided by Chapters 14.20, 14.24 and 14.28. Nothing

stated in this title shall be construed to prevent an applicant from filing a tentative map, a final map or a parcel map for any merger. (Ord. 185 § 1 (part), 1998)

14.16.020 Merger of parcels authorized.

Pursuant to Government Code Section 66499.20-3/4, the planning director is authorized to approve the merger requested by the property owner of contiguous parcels under common ownership without reversion to acreage, upon making the findings and utilizing the procedures set forth in this chapter. (Ord. 185 § 1 (part), 1998)

14.16.030 Application.

A. An application for a merger pursuant to this chapter shall be filed with the planning director and shall include the following information, materials and documents:

1. Drawings specifying the location of the existing lots, the proposed merger and the boundaries and dimensions of the proposed new lot;
2. A legal description satisfactory to the town engineer;
3. Such additional information as the planning director may require pursuant to Sections 14.20.040(C) and 14.20.060 considering the magnitude of the adjustment; its relation to existing buildings, structures and landscaping; the present use and zoning of the property; location and extent of public improvements; its relation to adopted plans for the area; and compliance with the Subdivision Map Act or other ordinances and plans of the town.

B. The application shall be accompanied by a filing fee established by resolution of the town council. (Ord. 185 § 1 (part), 1998)

14.16.040 Process for reviewing mergers.

A. The procedures for reviewing lot line adjustments shall apply to applications pursuant to this chapter to merge contiguous parcels under common ownership.

B. Planning Director Hearing and Action. The notice and hearing requirements for lot line adjustments shall apply to merger applications pursuant to this chapter. (Ord. 185 § 1 (part), 1998)

14.16.050 Findings.

The planning director shall not approve any merger of parcels pursuant to this chapter unless it makes all of the following findings:

- A. That all existing streets and/or utility easements of record are reserved;
- B. That the resulting parcel conforms to the requirements of this chapter, the town's general plan, the town's comprehensive zoning ordinance, and the town's building code and all other applicable laws. (Ord. 185 § 1 (page), 1998)

14.16.060 Appeals.

A. The applicant or any interested person affected by any planning director action on a merger of contiguous parcels under common ownership may appeal that decision to the planning commission. The procedures governing appeals of planning director actions on lot line adjustments, Section 14.12.050, shall govern appeals of decisions on mergers made pursuant to this chapter.

B. The decision of the planning commission on an appeal of the planning director's decision on a merger of contiguous parcels under common ownership may be appealed to the town council at any time within ten days after the decision of the planning commission. The procedures governing appeals of planning commission action on tentative map applications, contained in Section 14.20.110, shall govern appeals of planning commission decisions on appeals of planning director's decisions on mergers of contiguous parcels under common ownership. (Ord. 185 § 1 (part), 1998)

Chapter 14.20

TENTATIVE MAPS-FIVE OR MORE PARCELS

Sections:

14.20.010	Purpose.
14.20.020	Tentative map required.
14.20.030	Preliminary design evaluation.
14.20.040	Submission of tentative application.
14.20.050	Preparation and form of tentative map.
14.20.060	Information on tentative map.
14.20.070	Filing of tentative map application.
14.20.080	Tentative map process.
14.20.090	Tentative maps other than vesting tentative maps.
14.20.100	Town council review.
14.20.110	Appeals of planning commission action.
14.20.120	Vesting tentative maps.
14.20.130	Withdrawal of tentative map.
14.20.140	Resubmitted of application.
14.20.150	Tentative map revision.
14.20.160	Conditional approval when critical soil problems exist.
14.20.170	Expiration.
14.20.180	Extension.

14.20.010 Purpose.

The purpose of this chapter is to establish the town's regulations, standards and procedures for consideration of tentative subdivision map applications for subdivision of five or more parcels. (Ord. 185 § 1 (part), 1998)

14.20.020 Tentative map required.

For every subdivision of five or more parcels, the subdivider shall file with the town a tentative map prepared in accordance with the provisions of this chapter. (Ord. 185 § 1 (part), 1998)

14.20.030 Preliminary design evaluation.

A. Preliminary Design Plan. A subdivider may present for consideration by the subdivision review committee a preliminary design plan for informal design evaluation

by the subdivision review committee before filing the tentative map application. The preliminary design plan should include, at a minimum, the following information:

1. Street layouts indicating location and type;
2. Basic lot design and size;
3. Land use;
4. Existing natural and/or manmade features on or adjacent to the site;
5. Existing and proposed topography on or adjacent to the site.

B. Within thirty days of the filing of the preliminary design plan, the subdivision review committee shall evaluate the plan to determine whether the preliminary design plan complies with the following:

1. Town of Loomis general plan;
2. Any applicable specific plans;
3. Zoning ordinance;
4. Adopted public improvement standards;
5. Other applicable standards and regulations.

The determination(s) of the subdivision review committee pursuant to this section are preliminary in nature, and are neither binding nor appealable.

C. A subdivider may not request preliminary design evaluation and seek to process a tentative map application for the same subdivision at the same time. A subdivider may withdraw a request for preliminary design evaluation at any time and thereafter file an application for a tentative map.

D. A fee, prescribed by town council resolution, shall be required for evaluation of all preliminary design plans. (Ord. 185 § 1 (part), 1998)

14.20.040 Submission of tentative application.

A subdivider seeking approval of a tentative map for a subdivision of five or more parcels shall file an application for tentative map approval consistent with the requirements of this chapter. The application shall consist of the following elements:

A. A tentative map, consistent with the requirements of Sections 14.20.050 and 14.20.060;

B. A completed town application packet, including an environmental checklist;

C. Additional Reports, Plans and Data. The following drawings, statements and other data, and as many additional copies thereof as may be reasonably required, shall be filed on or with the tentative map:

1. A vicinity or key 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 area,

2. 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,

3. a. A preliminary soil investigation and geological reconnaissance report by a registered civil engineer specializing and recognized in soil mechanics and foundation engineering or registered geotechnical engineer for every subdivision for which a final

map is required. Submission of this preliminary report may be waived by the director of public works if soil conditions in the proposed subdivision are known to him.

b. 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 director of public works as a condition precedent to consideration of the tentative map by the subdivision review committee. The soils investigation shall be done in the manner provided in Section 66491 of the Subdivision Map Act.

4. A preliminary grading plan. Submission of the preliminary plan may be waived by the town engineer when he or she determines that the submission of such plan is not required for proper grading, flood hazard mitigation and erosion control of the proposed subdivision,

5. Applications for any modification to these requirements that may be proposed, together with supporting drawings and statements and such other data as may be required by the provisions of Chapter 14.48,

6. All other data required as a prerequisite to approval of the tentative map, including plans, reports, fees or other requirement,

7. With respect to tentative maps for residential condominium conversion projects, a special permit for such conversion project approved pursuant to the zoning ordinance of the town. The planning director or designated representative may waive this requirement if at the time of the filing of the tentative map the subdivider, in writing, irrevocably offers to the advisory agency and town council to extend the time limits specified in the Subdivision Map Act for reporting and acting upon the tentative map by such bodies. The extension shall be for such periods of time as are reasonably necessary to permit the processing, review, and final action on the special permit concurrently with the tentative map,

8. A fiscal impact analysis showing probable costs and revenues associated with subdivision development that will result to the town for maintenance of improvements,

9. A market study showing probable acceptance of project in the market place;

D. A fee as prescribed by town council ordinance and appropriate resolutions, shall be required for consideration of all tentative map applications. (Ord. 185 § 1 (part), 1998)

14.20.050 Preparation and form of tentative map.

A. The tentative map shall be clearly and legibly drawn and shall be drawn to scale by or under the direction of a registered civil engineer or licensed land surveyor. The scale of the map shall be at least one inch equals one hundred feet. If necessary to provide the proper scale, more than one sheet may be used, but the relation of the several sheets shall be clearly shown on each. No single sheet shall exceed seventy-two inches in length and fifty-four inches in width.

B. The town engineer or designated representative may, in his or her professional discretion, waive the requirements that the tentative map be prepared by a registered civil engineer or licensed land surveyor if the tentative map submitted is clearly and legibly drawn, drawn to scale, and satisfies the requirements of Sections 14.20.040 and 14.20.060. the decision to waive or not waive the foregoing requirement shall be final and not subject to appeal. (Ord. 185 § 1 (part), 1998)

14.20.060 Information on tentative map.

The tentative map shall contain the following information in addition to such information as is required by the Subdivision Map Act. Topographic and boundary information shall extend a minimum of one hundred feet outside the subdivision or more if necessary to evaluate project impacts:

- A. Proposed subdivision name, if any;
- B. Names, addresses and telephone numbers of the record owner and subdivider of the land;
- C. Name, address and telephone number of the person, firm or organization that prepared the map, and the applicable registration or license number;
- D. Date of preparation, north point and scale of the map. If based on a survey, the date of the survey;
- E. Boundaries of the subdivision with sufficient information to locate the property;
- F. Subdivision name of adjacent subdivisions, if any, and property lines sufficient to show their relationship to the proposed subdivision;
- G. Contour lines at intervals of not more than one foot unless waived prior to submission by the town engineer or designated representative. Topographic information shall be sufficient to fully show the configuration of the land and any and all depressions that present drainage problems, and shall extend beyond the tract boundaries where necessary to show drainage conditions on surrounding property which may affect the subdivision. Topographic survey shall not be waived in areas within the one hundred year flood hazard boundary as shown on the most current FIRM;
- H. The location and general description of any trees and shrubs, and their drip lines, with notations as to their retention or destruction; and any vernal pools or wetlands located on the property to be subdivided. The general description of trees and shrubs should include an indication as to their size (diameter) and type;
- I. The location of all railroad rights-of-way and grade crossings; 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;
- J. The location of all structures on the site or on adjacent properties; 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;
- K. The location and width of proposed building setback lines;
- L. The locations shown by dashed lines of existing utilities in and adjacent to the subdivision; the size and invert elevation of sanitary and storm sewers; the size of water mains; and, if sewers and water mains are not in or adjacent to the subdivision, the direction and distance to the nearest sewer and water main with size and invert elevation of sewer and size of main, and the proposed method of providing sewage disposal;
- M. The location of all potentially dangerous areas, including geologically hazardous areas and areas subject to inundation or flood hazard; the location, width and directions of flow of all water courses and flood control channels within and adjacent to the property involved; and the proposed method of providing storm water, drainage and erosion control. In areas subject to one hundred year flood hazard, base flood elevation and floodway boundary shall be indicated;

N. The locations, widths and names or designations of all existing or proposed streets, alleys, pedestrianways and other rights-of-way, whether public or private, within and adjacent to the subdivision; the radius of each center line curve; and any planned line for street widening or for any other public project in and adjacent to the subdivision;

O. 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;

P. The total area in square footage or acreage to the nearest one-tenth acre of each lot proposed to be utilized for other than single-family or two-family housing;

Q. The boundaries of existing and proposed public areas in and adjacent to the subdivision, indicating the nature and average of each. If land is to be offered for dedication for park or recreation purposes, or to provide public access to navigable waters, it shall be so designated;

R. The nature and purpose of a modification being requested in accordance with the requirements of Chapter 14.48 and shown on the tentative map, shall be clearly indicated;

S. If separate final maps are to be filed on portions of the property shown on the tentative map, the subdivision boundaries which will appear on such final maps and the sequence in which such final maps will be filed. (Ord. 185 § 1 (part), 1998)

14.20.070 Filing of tentative map application.

The subdivider shall file with the planning director the tentative map application and twenty additional copies thereof, or such additional number of copies as reasonably may be requested by the planning director. A tentative map application shall not be considered as having been filed unless and until it complies with all provisions of this chapter, and the drawings, statements and other data required to accompany the tentative map have been submitted in a form acceptable to the planning director. (Ord. 185 § 1 (part), 1998)

14.20.080 Tentative map process.

A. Within thirty days of receiving a tentative map application, the planning director shall inform the applicant whether the application is complete and accepted for filing. If incomplete, the planning director shall advise the applicant as to the deficiencies in the application.

B. Within ten days after an application has been found to be complete and accepted for filing, the planning director shall transmit copies of the tentative map and, where applicable, copies of drawings, statements and other data required to accompany the tentative map or required subsequent to the filing of the tentative map, to members of the review committee and to such other public or private agencies or departments as the director determines may be affected by the proposed subdivision for report and recommendation to the planning commission or town council.

C. Subdivision Review Committee Review. Within a reasonable period of time following the release of a negative declaration for public review or following a determination by the planning director that the project is exempt from the requirements of CEQA, or within a reasonable period of time following the preparation and release of the final EIR for a project for which an EIR has been prepared, the planning director shall schedule the project for a public hearing before the subdivision review committee. The

subdivision review committee shall consider the project and prepare a recommendation to the planning commission or the town council. The recommendation shall include the determination of the subdivision review committee on the conformance of the tentative map to the standards, rules and regulations of this chapter, and to the requirements of all applicable specific plans and ordinances of the town. The subdivision review committee shall also advise the planning commission and the town council on the requirements, if any, of other town departments and the applicable requirements of the county, special districts, gate and other public and private agencies affected by the proposed subdivision.

D. Planning Director Report. At the time of the submission of his or her report to the planning commission or the town council on the project, the planning director shall incorporate within his or her report the recommendations made by the subdivision review committee. (Ord. 185 § 1 (part), 1998)

14.20.090 Tentative maps other than vesting tentative maps.

A. Notice of Public Hearings. Within a reasonable period of time following consideration by the subdivision review committee of an application for a tentative map other than a vesting tentative map, the planning director shall prepare a report with recommendations, and shall set the matter for hearing before the planning commission. A copy of the director's report shall be forwarded to the subdivider at least three days prior to the public hearing. At least ten calendar days before the public hearing, a notice shall be given of the time, date and place of the hearing, including a general explanation of the matter to be considered and a general description of the area affected, and the street address, if any, of the property involved. The notice shall be published at least once in a newspaper of general circulation, published and circulated in the town.

1. In addition to notice by publication, the director shall give notice of the hearing by mail or delivery to the subdivider, the owner of the subject real property, if different from the subdivider, and to all persons, including businesses, corporations or other public or private entities, shown on the last equalized assessment roll as owning real property within three hundred feet of the property which is the subject of the proposed application. The director shall also give notice of the hearing by mail or delivery to each agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the subdivision, whose ability to provide those facilities and services may be significantly affected. A proposed conversion of residential real property to a condominium, community apartment, or stock cooperative project shall be noticed in accordance with Section 66451.3 of the Subdivision Map Act and Section 12 of the zoning ordinance of the town.

2. In the event that the proposed application has been submitted by a person other than the property owner shown on the last equalized assessment roll, the town shall also give notice by mail or delivery to the owner of the property as shown on the last equalized assessment roll. In addition, notice shall be given by mail or personal delivery to any person who has filed a written request with the town. The request may be submitted at any time during the calendar year and shall apply for the balance of the calendar year.

3. The director may give such other notice that the director deems necessary or advisable.

4. Substantial compliance with these provisions for notice shall be sufficient, and a technical failure to comply shall not affect the validity of any action taken according to the procedures in this chapter.

B. Action. The planning commission shall approve, conditionally approve or deny the tentative map within fifty days of the date of certification of the EIR, adoption of a negative declaration, or a determination by the planning commission that the project is exempt from the requirements of CEQA, and the planning director shall thereafter report the decision of the planning commission to the subdivider. In reaching a decision upon the tentative map, the planning commission shall consider the effect of that decision on the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources. Except as provided otherwise by the Subdivision Map Act, failure to act within the above-specified time limits shall not be deemed or considered approval of the tentative map.

C. Approval. The tentative map may be approved or conditionally approved by the planning commission if it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, any applicable specific or community plan, and all applicable provisions of this code. The planning commission may require as a condition of its approval that the payment by the subdivider of all development fees required to be paid at the time of the application for, or issuance of, a building permit or other similar permit shall be made at the rate for such fees in effect at the time of such application or issuance.

1. Tentative Maps for Projects Requiring Town Council Approval of Entitlements- Conformance to General Plan, Community Plan, and Zoning. Each tentative map shall be designed in compliance with the existing general plan, applicable specific or community plan, if any, and zoning designation of the property. Provided, however, that where an amendment to the general plan or the applicable specific or community plan or a change in zoning is also being requested as part of the project the town council may approve such amendment or change, subject to inclusion of a condition on the tentative map that the general plan, specific or community plan amendment, or zone change shall be completed prior to recordation of the final map. The planning commission may modify, add or delete any conditions of approval recommended in the staff report. The planning commission may also add additional requirements as a condition of its approval.

D. Denial. The tentative map may be denied by the planning commission on any of the grounds provided by the Subdivision Map Act or this code. Except as otherwise required by state or federal law, the planning commission shall deny approval of the tentative map if it makes any of the following findings:

1. That the proposed map is inconsistent with the general plan or any applicable specific plan, or other applicable provision of this code;
2. That the site is not physically suitable for the type of development;
3. That the site is not physically suitable for the proposed density of development;
4. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat. Notwithstanding the foregoing, the planning commission may approve such a tentative map if any environmental impact report was prepared with

respect to the project and a finding was made pursuant to Section 21081(c) of CEQA that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;

5. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;

6. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the planning commission may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is granted to the planning commission to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision; or

7. Subject to Section 66474.4 of the Subdivision Map Act, that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (commencing with Section 51200 of the Government Code) and that the resulting parcels following a subdivision of the land would be too small to sustain their agricultural use. (Section 66474.) (Ord. 185 § 1 (part), 1998)

14.20.100 Town council review.

If a tentative map is approved or conditionally approved, the planning director shall forthwith make a written report of such approval to the town council. Any member of the town council shall have the right to call up the tentative map for town council review by filing a written request with the planning director within ten days of the final action by the planning commission. Upon the filing of a request by a councilmember to call up a tentative map for town council review, the council shall notice and set the matter for a public hearing, which shall be held within thirty days after the request for review has been filed or made, unless the subdivider consents to a continuance. Notice of the public hearing shall be given in the same manner as specified in Section 14.20.090(A). The council may add, modify or delete conditions if the council determines that such changes are necessary to ensure that the tentative map conforms to the Subdivision Map Act and this chapter. The town council may deny the tentative map on any of the grounds contained in Section 14.20.090(D). Within seven days following the conclusion of the hearing, the town council shall render its decision. If the town council does not act within the time limits set forth in this section, the tentative map shall be deemed to have been approved or conditionally approved as last approved or conditionally approved by the planning commission insofar as it complies with all other applicable provisions of the Subdivision Map Act, this chapter, this code and the general plan. (Ord. 185 §1 (part), 1998)

14.20.110 Appeals of planning commission action.

The subdivider or any interested person adversely affected by any planning commission action with respect to the tentative map may, within ten days after the decision, file an appeal in writing with the planning director. The appeal shall be considered at a public hearing for which notice has been given according to Section

14.20.090(A). The hearing shall be held within thirty days after the date of the filing of the appeal unless the subdivider consents to a continuance. Within seven days following the conclusion of the hearing, the town council shall render its decision unless the subdivider consents to a continuance. The council may sustain, modify, reject or overrule any recommendations or rulings of the planning commission and may make any findings which are consistent with the provisions of the Subdivision Map Act or this chapter. If the town council does not act within the time limits set forth in this section, the tentative map shall be deemed to have been approved or conditionally approved as last approved or conditionally approved by the planning commission insofar as it complies with all other applicable provisions of the Subdivision Map Act, this chapter, this code and the general plan. (Ord. 185 § 1 (part), 1998)

14.20.120 Vesting tentative maps.

A. Notice of Public Hearings Before Planning Commission. Within a reasonable period of time following consideration by the subdivision review committee of a vesting tentative map, the director shall prepare a report with recommendations, and shall set the matter for hearing before the planning commission. A copy of the report of the planning director shall be forwarded to the subdivider at least three days prior to the public hearing. Notice of the hearing before the planning commission shall be provided in the same manner as specified in Section 14.20.090(A).

B. Recommendation by Planning Commission. The planning commission shall make such recommendations as it deems appropriate on the vesting tentative map application, as well as any other entitlements before it.

C. Notice of Hearing Before Town Council. The town clerk shall set the matter for public hearing before the town council within thirty days following the date on which the planning commission makes a recommendation or takes other action. Notice of the hearing before the town council shall be given in the same manner specified in Section 14.20.090(A) for hearings before the planning commission.

D. Action by the Town Council. The town council shall approve, conditionally approve or deny the vesting tentative map within fifty days of the date of certification of the EIR, adoption of a negative declaration, or a determination by the town council that the project is exempt from the requirements of CEQA, and the planning director shall thereafter report the decision of the town council to the subdivider. Except as otherwise provided by the Subdivision Map Act, failure to act within the above-specified time limits shall not be deemed or considered approval of the vesting tentative map.

E. Approval by Town Council. The vesting tentative map may be approved or conditionally approved by the town council if it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, any applicable specific plan, and all applicable provisions of this code. The town council may require as a condition of its approval that the payment by the subdivider of all development fees required to be paid at the time of the application for, or issuance of, a building permit or other similar permit shall be made at the rate for such fees in effect at the time of such application or issuance.

1. The town council may modify or delete any of the conditions of approval recommended in the staff's report. The town council may also add additional requirements as a condition of its approval.

F. Denial by Town Council. The vesting tentative map may be denied by the town council on any of the grounds provided by the Subdivision Map Act or this code. Except as otherwise required by state or federal law, the town council shall deny approval of the vesting tentative map if it makes any of the following findings:

1. That the proposed map is inconsistent with the general plan or any applicable specific plan, or other applicable provisions of this code;
2. That the site is not physically suitable for the type of development;
3. That the site is not physically suitable for the proposed density of development;
4. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Notwithstanding the foregoing, the town council may approve such a vesting tentative map if any environmental impact report was prepared with respect to the project and a finding was made pursuant to Section 21081(c) of CEQA that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;
5. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
6. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the town council may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the town council to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision; or
7. Subject to Section 66474.4 of the Subdivision Map Act, that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (commencing with Section 51200 of the Government Code) and that the resulting parcels following a subdivision of the land would be too small to sustain their agricultural use. (Ord. 185 § 1 (part), 1998)

14.20.130 Withdrawal of tentative map.

Requests for withdrawal of any tentative map shall be submitted to the planning director in writing by applicant unless made in writing by applicant at a public hearing on the tentative map. (Ord. 185 § 1 (part), 1998)

14.20.140 Resubmittal of application.

No application for a tentative map approval shall be accepted, nor any hearings held thereon, for an application for the same or substantially same tentative map which has been previously denied until a period of one year has elapsed from the date of the final denial of the application by the body having final jurisdiction of the matter, unless said denial was expressly made without prejudice. (Ord. 185 § 1 (part), 1998)

14.20.150 Tentative map revision.

Any revised tentative map shall be deemed a new tentative map and shall be processed in conformance with the requirements of these regulations in effect at the time such revised map is filed, including any changes in street standards which have become effective since the original tentative map was filed. The approval or conditional approval of any revised tentative map shall void the previously approved tentative map(s), which has now been revised. (Ord. 185 § 1 (part), 1998)

14.20.160 Conditional approval when critical soil problems exist.

In every subdivision for which a soils investigation of each lot has been required by the director of public works, the planning commission or town council may approve the subdivision or portion thereof where the critical soils problem exists if it finds the corrective action recommended in the soils investigation is likely to prevent structural damage to each structure to be constructed thereon. As a condition of the approval of the tentative map, the town council may require the planning director to withhold the issuance of any building permit for development of such lots until the approved recommended corrective action is incorporated into the plans for the construction of each such structure. (Ord. 185 § 1 (part), 1998)

14.20.170 Expiration.

The approval or conditional approval of a tentative map shall expire twenty-four months from its approval by the planning commission or town council, whichever occurs last, unless the expiration date is extended in accordance with the provisions of Section 14.20.180. However, if the filing of multiple final maps is authorized pursuant to Section 14.24.120 and the subdivider is required to spend one hundred twenty-five thousand dollars more to construct, improve or finance the construction or improvement of public improvements outside the boundaries of the tentative map (excluding improvements of public rights-of-way which abut the boundaries and are reasonable related to the development of the property), or if the tentative map is on property subject to a development agreement authorized by Sections 65864 et seq., of the Government Code, then each filing of a final map shall extend the expiration date in accordance with Section 66452.6(a) of the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.20.180 Extension.

A. Request by Subdivider. A subdivider or owner may request an extension of the expiration date of the approved or conditionally approved tentative map by written application to the planning director. The application shall be filed not less than thirty days before the map is to expire, and shall state the reasons for requesting the extension.

B. Review by Subdivision Review Committee. Within a reasonable period of time following submission of an application for an extension, the planning director shall schedule the application for an extension for a public hearing before the subdivision review committee. The subdivision review committee shall consider the extension application and make a recommendation to the planning commission.

C. Planning Commission Hearing and Action.

1. Notice. Following consideration of the application by the subdivision review committee, the planning director shall prepare a report with the recommendation on the application for an extension, and shall set the matter for hearing before the planning

commission at its next regularly scheduled meeting. The matter shall be noticed in the same manner as a tentative map application, as specified in Section 14.20.090.

2. Action by the Planning Commission. The planning commission shall approve, conditionally approve, or deny the application for an extension of the expiration date, and shall make findings supporting its decision.

D. Time Limit of Extension. The time at which the tentative map expires may be extended by the planning commission for a period not exceeding a total of three years or such additional time as may be authorized by the Subdivision Map Act.

E. Appeal of Extension. The subdivider or any interested person adversely affected may appeal any action of the planning commission on the extension to the town council in accordance with Section 14.20.110, except that any appeal shall be filed within fifteen days after the action by the planning commission. (Ord. 185 § 1 (part), 1998)

Chapter 14.24

FINAL SUBDIVISION MAPS-FIVE OR MORE PARCELS

Sections:

14.24.010	Timing.
14.24.020	Preparation and form of final map.
14.24.030	Title sheet of final map.
14.24.040	Certificates on final map title sheet.
14.24.050	Information on final map.
14.24.060	Statements, documents and other data to accompany final map.
14.24.070	Filing fee.
14.24.080	Survey of final map.
14.24.090	Filing of final maps.
14.24.100	Action by the town engineer.
14.24.110	Council action.
14.24.120	Multiple final map.

14.24.010 Timing.

Within twenty-four months of the date of approval or conditional approval of the tentative map, or within any further time period for which an extension has been granted, the subdivider may cause the proposed subdivision or any part thereof to be surveyed and a final map to be prepared and filed in accordance with the provisions of this chapter and the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.24.020 Preparation and form of final map.

The final map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor in the manner required by the Subdivision Map Act, and shall conform to all of the following provisions:

A. The general form and layout of the map, including but not limited to the size and type of lettering, and the drafting and location of acknowledgements, shall be as determined by the town engineer;

B. The scale of the map shall be one inch equals one hundred feet, unless otherwise permitted by the town engineer, but in any case the map shall clearly show all details of the subdivision;

C. All dimensions shall be shown in feet and hundredths of a foot. No ditto marks shall be used;

D. If more than three sheets are necessary to show the entire subdivision, an index map shall be included on one of the sheets;

E. The subdivision designation, scale and north point shall be shown on each sheet except the endorsement sheet;

F. A title sheet, designated as page number one of the final 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;

G. The final map shall be so made and shall be in such condition when filed that legible prints and negatives can be made therefrom. (Ord. 185 § 1 (part), 1998)

14.24.030 Title sheet of final map.

The title sheet shall contain the following information:

A. Title followed by the words "Town of Loomis," Placer County, California and month and year of recording.

B. Below the title shall be a subtitle consisting of a description of all property being subdivided on such map or maps of property shown thereon as shall have been last previously recorded or filed in the county recorder's office, or shall have been last previously filed with the county clerk pursuant to a final judgment in any action in partition, or shall have been previously filed in the office of the county recorder under authority of the Subdivision Map Act or by reference to the plat of any United States survey. The description shall also include reference to any vacated area with the number of the ordinance vacating such 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 _____."

D. References to tracts and subdivisions in the description must be worded identically with original records, and references to book and page of record must be complete.

E. Affidavits, certificates, acknowledgments, endorsements, acceptances, dedications and notarial seals required by law and by these regulations.

F. The basis of bearings used in the field survey, making reference to some recorded subdivision map or other record acceptable to the town engineer. (Ord. 185 § 1 (part), 1998)

14.24.040 Certificates on final map title sheet.

The title sheet of the final map shall contain those certificates required by the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.24.050 Information on final map.

The final map shall substantially conform to the tentative map approved or conditionally approved by the planning commission or council (including all approved modifications) and shall contain the following information:

A. The boundary line of the subdivision shall be designated by a bold border line;

B. 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;

C. All survey data and information required by Section 14.40.120;

D. All lots or parcels intended for sale or reserved for private purposes and all parcels offered for dedication to the town or any other public agency for any purpose with all dimensions, boundaries and courses clearly shown and defined in every case. Dimensions of lots shall be as total dimensions, corner to corner in addition to point to point dimensions;

E. All lots shall be numbered consecutively, without omissions or duplications, throughout the subdivision starting with the number "1," except units of a total development, which may be numbered consecutively throughout the development. Only parcels offered for dedication other than for streets or easements shall be designated by letters; provided, however, in single-family subdivisions the parcels intended for other than single-family use may be designated by letters. Each numbered lot shall be shown entirely on one sheet;

F. The location and total width of all streets, alleys, pedestrianways, equestrian and hiking trails and biking paths; the names of streets, and the width on each side of center line of each street, the width of the portion of the street, alley, pedestrianway, equestrian and hiking trail, and biking path being dedicated, and the width of the existing dedication, if any, within the subdivision;

G. The location and widths of any other rights-of-way within the subdivision;

H. Building setback lines, if they differ from the standard requirements established by the town's zoning ordinance;

I. 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;

J. All limitations on rights of access to and from streets and lots and other parcels of land;

K. The lines of any natural water course, channel, stream, creek or body of water in or adjacent to the subdivision;

L. The location, width and name of any street and the location and width of any alley, pedestrianway, equestrian or hiking trail, biking path, railroad right-of-way or other right-of-way adjacent to the subdivision;

M. Any town boundary crossing or adjoining the subdivision clearly designated and tied in;

N. In areas subject to one hundred year flood hazard, base flood elevation or depth of flow and floodway boundary shall be indicated or a separate document shall be

recorded with the final map indicating floodway boundary and base flood elevation or depth of flow. (Ord. 185 § 1 (part), 1998)

14.24.060 Statements, documents and other data to accompany final map.

The following statements, documents and other data, and as many additional copies thereof as may be required, shall be filed with the final map:

A. The names, addresses and telephone numbers of the record owners and subdivider and persons preparing the final map;

B. 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 final map, both as to consents for the making thereof and the affidavit of dedication;

C. A traverse sheet in a form approved by the town engineer giving lot areas, latitudes, departures and coordinates and showing the mathematical closures;

D. The engineer or surveyor under whose supervision the survey has been made shall furnish the town engineer field notes as required by Chapter 14.40 (Surveys and Monuments);

E. The complete plans, profiles, cross sections, specifications and applicable permits for the construction and installation of improvements as required by Chapter 14.44;

F. A ~~final~~ finished grading plan. Submission of a ~~final~~ finished grading plan may be waived by the town engineer when he determines that the submission of said plan is not required for proper grading, flood hazard mitigation and erosion control of the subdivision;

G. The agreement to make improvements and the security for such improvements as required by Chapter 14.44;

H. All protective covenants, conditions, restrictions or affirmative obligations in the form in which the same are to be recorded when approval thereof by an attorney of the town has been required as a condition of approval of the tentative map;

I. 1. Any offer of dedication by separate instrument and accompanying title report as may be provided or required as a condition of approval of the tentative map. The dedication instrument and title report shall conform to the requirements of Section 14.24.060 and shall be processed in accordance with the provisions of Section 14.28.110 that relate to instruments of dedication and accompanying title reports;

2. Whenever an offer of dedication by separate instrument accompanies a final map, the final map shall not be accepted for filing by the town engineer unless such offer of dedication has been approved for recordation as provided in Section 14.28.110;

J. All other data required by law or as a condition of approval of the tentative map, including plans, reports, agreements, permits, fees, security or other requirements;

K. A petition signed by a minimum of seventy percent of owners of the proposed project requesting formation of a benefit assessment district to maintain repair and replace in perpetuity the public improvements intended for town acceptance for maintenance. (Ord. 185 § 1 (part), 1998)

14.24.070 Filing fee.

The final map shall be accompanied by a filing fee as established by ordinance and/or resolution of the town council. (Ord. 185 § 1 (part), 1998)

14.24.080 Survey of final map.

A complete and accurate survey of the land to be subdivided shall be made by a registered civil engineer or licensed land surveyor in accordance with the provisions of Chapter 14.40 (Survey and Monuments). (Ord. 185 § 1 (part), 1998)

14.24.090 Filing of final maps.

The subdivider shall cause all certificates to be executed except those to be executed by the town engineer, the town clerk and the county recorder, and shall file with the town engineer the original tracing of the final map and as many prints thereof as may be required. (Ord. 185 § 1 (part), 1998)

14.24.100 Action by the town engineer.

A. Upon acceptance of the final map and accompanying documents, fees and materials for filing, the town engineer or his designee shall cause the same to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications and provisions made or required by the town council or planning commission, and if found to be complete, technically correct, in conformity with improvement plans and specifications, and in compliance with the requirements of these regulations, planned street lines and other applicable specific plans and ordinance, shall execute the town engineers' certificate on the map and shall file the map and accompanying materials with the town clerk. No final map shall be certified until the required improvements have been installed or agreed to be installed in accordance with Chapter 14.44.

B. Should the map or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised in writing, by mail, of the changes or additions that must be made before the map may be certified. If the defect is the result of a technical and inadvertent error which, in the opinion of the town engineer or his designee does not materially affect the validity of the map, the town engineer or his designee may waive the defect and execute his certificate of approval.

C. The town engineer or his designee may refuse to approve the recording of a final map governing only a portion of a tentative map when, in the process of checking the final map he determines that such portion does not by itself provide adequate or satisfactory access, design or improvements and therefore does not conform to the design and improvement of the subdivision as indicated by the approved tentative map.

D. The town engineer or his designee must act on the final map within the time period prescribed by the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.24.110 Council action.

The council shall act upon the final map in the manner authorized and prescribed by the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.24.120 Multiple final map.

A. Multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map if:

1. The subdivider, at the time the tentative map application is filed, provides notice of the subdivision boundaries which will appear on the final maps and the sequence in which the final maps will be filed, in accordance with Section 14.20.060(S). In providing such notice, the subdivider shall not be required to define the number or configuration of the proposed multiple final maps; or

2. After filing of the tentative map application, the subdivider, the planning director and the town engineer concur in the filing of multiple final maps.

B. The filing of a final map on a portion of an approved or conditionally approved tentative map shall not invalidate any part of such tentative map. Each final map which constitutes a part, or unit, of the approved or conditionally approved tentative map shall have a separate subdivision number. The subdivision improvement agreement executed by the subdivider shall provide for the construction of improvements as required to constitute a logical and orderly development of the whole subdivision. (Ord. 185 § 1 (part), 1998)

Chapter 14.28

PARCEL MAPS-FOUR OR FEWER PARCELS

Sections:

14.28.010	Applicability.
14.28.020	Tentative map required-Improvements.
14.28.030	Filing of parcel map.
14.28.040	Termination of proceeding.
14.28.050	Time extension.
14.28.060	Preparation and form of parcel map.
14.28.070	Title sheet of parcel map.
14.28.080	Information on parcel map.
14.28.090	Statements, fees, documents and other data to accompany parcel map.
14.28.100	Survey of parcel map.
14.28.110	Processing of parcel map-Filing.
14.28.120	Separate dedications.
14.28.130	Action by the town engineer.
14.28.140	Waiver of parcel map.

14.28.010 Applicability.

The regulations contained in this chapter shall apply to the subdivisions described in subdivisions (a), (b), (c) (d) and (e) of Section 66426 of the Subdivision Map Act and all other subdivisions as to which a final map or parcel map is not otherwise required by the Subdivision Map Act; provided, however, that no parcel map need be filed for a subdivision of four or fewer parcels resulting from a conveyance of land to a government

agency, public entity or public utility when said subdivision has been approved by that agency entity or utility. (Ord. 185 § 1 (part), 1998)

14.28.020 Tentative map required-Improvements.

Before land may be divided by a parcel map, a tentative map shall be submitted. Except as otherwise provided in this chapter, the tentative map shall be processed and acted upon by the subdivision review committee, planning commission and town council accordance with the provisions of Chapter 14.20 of these regulations. (Ord. 185 § 1 (part), 1998)

14.28.030 Filing of parcel map.

Within twenty-four months of the date of approval or conditional approval of a tentative map, the subdivider may cause a parcel map to be prepared and recorded in accordance with the tentative map as approved and in accordance with the provisions of this chapter and the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.28.040 Termination of proceeding.

In accordance with Section 66463.5 the Subdivision Map Act, failure to file a parcel map within twenty-four months of the date of approval or conditional approval or conditional approval of a tentative map, or within any extended period of time granted by the planning commission in accordance with Section 14.28.050, shall terminate all proceedings. Before a parcel map may be thereafter filed, a new tentative map shall be approved in accordance with this chapter. (Ord. 185 § 1 (part), 1998)

14.28.050 Time extension.

A. Request by Subdivider. The subdivider or owner may request an extension of the expiration date of the approved or conditionally approved tentative map by written application to the planning department. The application shall be filed not less than thirty days before the map is to expire, and shall state the reasons for requesting the extension.

B. Review by Subdivision Review Committee. Within a reasonable period of time following submission of an application for an extension, the planning director shall schedule the application for an extension for a public hearing before the subdivision review committee. The subdivision review committee shall consider the extension application and make a recommendation to the planning commission.

C. Planning Commission Hearing and Action.

1. Notice Following consideration of the application by the Subdivision Review committee, the planning director shall prepare a report with the recommendation on the application for an extension, and shall set the matter for hearing before the planning commission at its next regularly scheduled meeting. The matter shall be noticed in the same manner as a tentative map application, as specified in Section 14.20.090.

2. Action by the planning Commission. The planning commission shall approve, conditionally approve, or deny the application for an extension of the expiration date, and shall make findings supporting its decision.

D. Time Limit of Extension. The time at which the tentative map expires by extended by the planning commission for a period not exceeding twelve months or such additional time as may be authorized by the Subdivision Map Act.

E. Appeal of Extension. The subdivider or any interested person adversely affected may appeal any action of the planning commission on the extension to the town council in accordance with Section 14.20.110, except that any appeal shall be filed within fifteen days after the action by the planning commission. (Ord. 185 § 1 (part), 1998)

14.28.060 Preparation and form of parcel map.

The parcel map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor and shall conform to the requirements of the Subdivision Map Act and to all of the following provisions:

A. The general form and layout of the map, including but not limited to the size and type of lettering, drafting and location of acknowledgements, shall be determined by the town engineer;

B. The scale of the map shall be one inch equals forty feet or as otherwise permitted by the town engineer, but in any case the map shall show clearly all details of the subdivision;

C. All dimensions shall be shown in feet and hundredths of a foot. No ditto marks shall be used;

D. If more than three sheets are necessary to show the entire subdivision, an index map shall be included on one of the sheets;

E. The parcel map number, scale and north point shall be shown on each appropriate sheet;

F. A title sheet, designated as page number one of the parcel 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;

G. The parcel map shall be so made and shall be in such condition when filed that legible prints and negatives can be made therefrom. (Ord. 185 § 1 (part), 1998)

12.28.070 Title sheet of parcel map.

The title sheet shall contain the following information:

A. Title, consisting of the words "Parcel Map" and followed by the parcel map name, if any, conspicuously placed at the top of the sheet;

B. Below the title shall be a subtitle consisting of a description of all property being subdivided by reference to such map or maps of the property shown thereon as shall have been last previously recorded or filed in the county recorder's office, or shall have been last previously filed with the county clerk pursuant to a final judgment in any action in partition, or shall have been previously filed in the office of the county recorder under authority of the Subdivision Map Act or by reference to the plat of any United States survey. The description shall also include reference to any vacated area with the number of the ordinance vacating such area, followed by the words "Town of Loomis, Placer County, California," followed by the month and year of recording. References to tracts and subdivisions in the description must be worded identically with original records and references to book and page of record must be complete;

C. Following the description shall be the name of the engineer or surveyor preparing the map and the sheet numbering;

D. Affidavits, certificates, acknowledgments, endorsements, acceptances, and notarial seals required or authorized by the Subdivision Map Act and by these regulations. The surveyor's statement, town engineer's statement and recorder's statement shall be shown on Sheet 1;

E. Where a field survey is required, the basis of bearings used in the survey, making reference to some recorded subdivision map or other record acceptable to the town engineer. (Ord. 185 § 1 (part), 1998)

14.28.080 Information on parcel map.

The parcel map shall substantially conform to the tentative map approved or conditionally approved by the planning commission (including all approved modifications) and shall contain the following information and such additional information as stated in Section 14.24.050 as may be required by the town engineer:

A. The boundary line of the subdivision shall be designated by a bold border inside the boundary line. Such border shall be of such density to appear on a blue line print of the map without obliterating any figures, lines or other data;

B. Where a field survey is required, all survey data and information required by Section 14.40.120;

C. All lots or parcels intended for sale or reserved for private purposes with all dimensions, boundaries and courses clearly shown and defined in each case;

D. Each parcel shall be identified by a number;

E. The location and width of streets, alleys, pedestrianways and other easements and the portions thereof dedicated or offered for dedication to the town, including their recording references the names of streets;

F. The lines of public easements to which the lots are subject shown in fine, dashed lines; the lines, bearings and dimensions of easements deeded to the town;

G. All limitations on rights of access to and from streets and lots and other parcels of land. (Ord. 185 § 1 (part), 1998)

14.28.090 Statements, fees, documents and other data to accompany parcel map.

The following statements, filing fees, documents and other data, and as many additional copies thereof as may be required, shall be filed with the parcel map:

A. The names, addresses and telephone numbers of the record owners, subdivider and persons preparing the parcel map;

B. A filing fee as established by ordinance and/or resolution of the town council;

C. A separate irrevocable offer of dedication of property for streets, alleys, pedestrianways, equestrian or hiking trails, biking paths, drainage channels, sewers, other easements or for any public purpose or future public purpose when the dedication is not made by certificate on the parcel map. The offer shall be on a form approved by the town attorney and the town engineer for recordation in the office of the county recorder, and shall be in such terms as to be binding on the owner, his heirs, assigns or successors in interest, and shall continue until the town council accepts or rejects such offer;

D. A guarantee of title or letter from a title company doing business in the town, approved by the town engineer certifying that the signatures of all persons signing offers of dedication and the certificate required by subdivision (t) of Section 66445 of the

Subdivision Map Act and signing all acknowledgments thereto appear and are correctly shown;

E. Where a field survey has been made, the engineer or surveyor under whose supervision the survey was made shall furnish the town engineer with a traverse sheet in a form approved by the town engineer giving latitudes, departures and coordinates and showing the mathematical closure;

F. The plans, profiles, cross sections, specifications and applicable permits for the construction and installation of improvements as required by Chapter 14.44;

G. A final grading plan. Submission of a final grading plan may be waived by the town engineer when he determines that the submission of such plan is not required for proper grading, flood hazard mitigation and erosion control of the subdivision;

H. The agreement to make improvements and the security for such improvements as required by Chapter 14.44;

I. All protective covenants, conditions, restrictions or affirmative obligations in the form in which the same are to be recorded when the approval thereof by an officer of the town has been made a condition of approval of the tentative map;

J. All other data required by law or as a condition of approval of the tentative map, including plans, reports, agreements, permits, fees, security or other requirement. (Ord. 185 § 1 (part), 1998)

14.28.100 Survey of parcel map.

A. Where the subdivision creates four parcels or less, the parcel map may be compiled from available record data when the town engineer determines that sufficient survey information exists on filed maps and when the location of any boundary of the parcel map, either by monuments or possessory lines, is certain.

B. All other parcel maps shall be based upon a field survey made in accordance with the provisions of Chapter 14.40 of these regulations. (Ord. 185 § 1 (part), 1998)

14.28.110 Processing of parcel map-Filing.

A. The subdivider shall cause the surveyor's statement to be executed and shall file with the town engineer as many prints of the original tracing of the parcel map as may reasonably be required. A parcel map shall not be considered as having been filed unless and until it complies with all provisions of this article and the statements, filing fees, documents and other data required to accompany the parcel map have been submitted in a form acceptable to the town engineer.

B. Where offers of dedications of land are to be made in conjunction with the parcel map and are not made by statement on the parcel map, the subdivider shall transmit the instrument of dedication and the accompanying title report to the town engineer. The instrument shall include a plat showing the area being dedicated. In such cases, the parcel map shall not be considered as having been filed unless and until the offer of dedication has been approved for recordation as provided in Section 14.28.120. (Ord. 185 § (part), 1998)

14.28.120 Separate dedications.

A. Dedications may be required to be made by separate instrument. After receiving the instrument of dedication and accompanying title report, the town engineer

shall approve or disapprove the instrument of dedication as to its suitability for recordation. After approving an offer to dedicate, the town engineer shall record the offer in the office of the county recorder.

B. If the offer of dedication is subsequently rejected by the council, the town engineer shall issue a release from such offer, which shall be recorded in the office of the county recorder.(Ord. 185 § 1 (part), 1998)

14.28.130 Action by the town engineer.

A. Upon acceptance of the parcel map and accompanying documents, fees and materials for filing, the town engineer shall cause the same to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments conditions, modifications and provisions made or required by the advisory agency and council, and if found to be complete, technically correct, in conformity with the improvement plans and specifications, and in compliance with the requirements of these regulations, planned street lines, other applicable specific plans and ordinance, shall execute the town engineers' certificate on the map. The town engineer may accept, conditionally accept, or reject on behalf of the own dedications and offers of dedication which are made by certificate on the parcel map. No final map shall be certified until the required improvements have been installed or agreed to be installed in accordance with Chapter 14.44.

B. Should the map or other accompanying documents, fees or materials be found to be incomplete or incorrect in any respect, the subdivider shall be advised in writing, by mail, of the changes or additions that must be made before the map may be certified. (Ord. 185 § 1 (part), 1998)

14.28.140 Waiver of parcel map.

A. The requirement for filing a parcel map may be waived by the planning commission for projects not requiring a town council approval and by the town council for those projects requiring town council approval. An application for waiver of the parcel map shall be filed at the time of filing of the tentative map.

B. The parcel map may be waived only if the planning commission or town council determines that all of the following conditions are satisfied:

1. Findings. The parcel map may be waived only if the planning commission or town council makes the following findings:

a. The subdivision conforms to all requirements of this chapter, other provisions of the Municipal Code, provisions of the Subdivision Map Act, and other applicable laws, regulations and standards, including, but not limited to, those with respect to area, improved public roads, sanitary disposal facilities, water supply availability and environmental protection;

b. The subdivision conforms to the general plan and any applicable specific or community plan;

c. The parcel map is not necessary to ensure the accuracy of the description of property, location of property lines and monumenting of property lines.

2. Conditions. In addition to the foregoing requirements of this section, the following conditions must be satisfied before a certificate of compliance for the property may be recorded:

- a. The subdivider must comply with Section 14.28.100 and the requirements of the Subdivision Map Act.
- b. Property descriptions and drawings showing information required by Section 14.28.080, and closure calculations must be submitted.
- c. A preliminary title report or letter from a title company showing that the subdivider is the owner of the subject property must be submitted.
- d. Certificates, statements and acknowledgments required by Section 66445 of the Subdivision Map Act.
- e. A filing fee established by resolution of the town council must be paid.
- f. Town engineer review and approval.
- g. Recording of certificate of compliance. (Ord. 185 § 1 (part), 1998)

Chapter 14.32

VESTING TENTATIVE MAPS-GENERAL PROVISIONS

Sections:

- 14.32.010 Citation and authority.
- 14.32.020 Purpose and intent.
- 14.32.030 Consistency.
- 14.32.040 Application.
- 14.32.050 Filing and processing.
- 14.32.060 Development rights upon approval.
- 14.32.070 Administration of vested rights.
- 14.32.080 Termination of vested rights.

14.32.010 Citation and authority.

These provisions are enacted under the authority granted by Chapter 4.5 (commencing with subsection 66498.1) of Division 2 of Title 7 of the Government Code of the state of California (hereinafter referred to as the "vesting tentative map statute"), and may be cited as the "vesting tentative map provisions." (Ord. 185 § 1 (part), 1998)

14.32.020 Purpose and intent.

A. It is the purpose of this chapter to establish procedures necessary for implementation of the vesting tentative map statute, and to supplement the provisions of the Subdivision Map Act (Government Code Subsections 66410-66499.58) and the subdivision ordinance. Except otherwise set forth in the provisions of this title, the provisions of title, the provisions of the subdivision ordinance shall apply to the vesting tentative map section.

B. To accomplish this purpose, the regulations outlined in this title are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development. (Ord. 185 § 1 (part), 1998)

14.32.030 Consistency.

No land shall be subdivided and developed under a vesting tentative map for any purpose which is inconsistent with the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.32.040 Application.

A. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by the subdivision ordinance, requires the filing of a tentative map, a vesting tentative map may instead be filed, in accordance with the provisions hereof.

B. If a subdivider does not seek the rights conferred by the vesting tentative map statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction or work preparatory to construction. (Ord. 185 § 1 (part), 1998)

14.32.050 Filing and processing.

A vesting tentative map shall be filed in the same form and have the same contents as set forth in the subdivision ordinance for a tentative map, except that the vesting tentative map shall be subject to the additional minimum requirements set forth below. The subdivider shall be provided written notice at the time the proposed vesting tentative map is determined to be complete by the planning director. The vesting tentative map, accompanying data and reports shall be processed in the same manner as set forth in the subdivision ordinance for a tentative map, except as hereinafter provided:

A. At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words: "Vesting Tentative Map."

B. At the time a vesting tentative map is filed, the subdivider shall also supply the following information:

1. Plans for all public works improvements required to be constructed as part of the subdivision, prepared by a registered civil engineer in accordance with town standards and approved by the town engineer;

2. Plans for all site development, including, but not limited to, grading, drainage facilities and miscellaneous structures prepared by a registered civil engineer in accordance with town standards and approved by the town engineer;

3. Geological studies in such form as acceptable to the town engineer, which shall include detailed soils reports, seismic analysis, bank stabilization, and other factors pertinent to the particular site location;

4. For all nonresidential subdivisions:

a. Specific information on the uses to which the proposed buildings will be put,

b. The height, size and location of all buildings, building setbacks, number of stories, and driveway locations and parking layout,

c. Architectural plans satisfactory for review by the planning director, including site plans, floor plans, exterior elevations and necessary structural calculations, energy calculations, and information necessary for building permit plan checks,

d. Landscape plans, including planting and irrigation details and drawings and specifications as prepared by a licensed landscape architect or contractor satisfactory for review by the planning director;

5. Traffic reports and analysis, in a form approved by town engineer;

6. Acoustical report, prepared by a licensed engineer in a form acceptable to the planning director following the guidelines of the noise element of the general plan;

7. Sewer, water, storm drainage, road and other studies required to complete the plans. Approval of South Placer municipal utility district for sewer and Placer County water agency for water plans by serving agencies;

8. Flood control information and statements showing compliance with flood hazard regulations;

9. Existing and proposed overhead and underground utility improvement details;

10. If there are no trees on the site a tree preservation plan is not required, a statement that there are no trees on site should appear on the vesting tentative map. The tree preservation plan shall accurately identify all existing trees, species, trunk size and dripline. Trees that are proposed for removal shall be marked "TO BE REMOVED." Any provisions for tree preservation, transplanting, or mitigation shall be identified;

11. In those circumstances where a development plan review is required by ordinance, development agreement, special permit or by a condition of previous approval, the application for development plan review and all exhibits necessary for the review shall be submitted concurrently with the application for a vesting tentative map;

12. In those circumstances where the project requires concurrent discretionary approval as set forth in the zoning ordinance, all exhibits necessary for such application shall be submitted concurrently with the application for a vesting tentative map;

13. Such other exhibits that fully depict features of the development which the developer desires review of for the purpose of approval concurrently with the vesting tentative map.

The planning director may request, and the applicant shall promptly furnish, information as may reasonably be required to enable the director to evaluate the vesting effect which would follow from approval of the map.

C. In the case of a vesting tentative map, the application shall be filed concurrently with any general plan or specific plan amendments, rezoning, PUD designations, special permits or other entitlements necessary to make the vesting tentative map comply with applicable plans and ordinances. Vesting tentative maps may not be approved with the condition that necessary entitlement(s) be subsequently approved. (Ord. 185 § 1 (part), 1998)

14.32.060 Development rights upon approval.

The approval of a vesting tentative map by the town council shall confer a vested right to apply for permits needed to proceed with development and have the town exercise its discretion to approve, disapprove/or conditionally approve such permits, on the basis of ordinances, policies/and standards in effect at the time the application was determined to be complete pursuant to Subsection 65943 of the Government Code.

A. This chapter does not enlarge, diminish or alter the power of the town council to deny approval of the requested project or any part thereof, or to impose conditions on the approval of a project.

B. Nothing in this chapter removes, diminishes or affects the obligation of any subdivider or local agency to comply with the conditions and requirements of any state or federal laws, regulations or policies.

C. In the event that Subsection 66474.2 of the Government Code is repealed, any subsequent approvals of vested maps shall confer a vested right to proceed with development in substantial compliance with ordinances, policies and standards in effect at the time the vesting map is approved or conditionally approved, rather than at the time the application was determined to be complete.

D. Notwithstanding this chapter, the town council or agencies thereof may condition or deny a permit, extension or entitlement, including, but not limited to, final maps and building permits, if it determines any of the following:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety;
2. The condition or denial is required in order to comply with state or federal law. (Ord. 185 § 1 (part), 1998)

14.32.070 Administration of vested rights.

In administering an approved vesting tentative map, the following shall be applicable:

A. Approval of a vesting tentative map applies only to actions considered and approved by the town council. If the vesting tentative map was approved with conditions, the approval is subject to those conditions. If related applications for discretionary permits were approved in conjunction with the vesting tentative map, the approvals are subject to applicable ordinances, policies, and standards granting those entitlements, including any conditions thereof.

B. The rights conferred by approval of a vesting tentative map shall last one year from recordation of the final map.

C. When several final maps are recorded on various phases of a project covered by a single vesting tentative map, the initial "vesting period" shall begin for each phase on the date the final map for that phase is recorded.

D. Extension Processing Time. Vesting rights shall automatically be extended by time used by a town department for processing a complete application for a grading permit or for design or architectural review, should the time required exceed thirty days from the date a complete application is filed. (Ord. 185 § 1 (part), 1998)

14.32.080 Termination of vested rights.

Vested rights that have been conferred shall end on the occurrence of the following, whichever comes first:

A. A final map is not filed within twenty-four months of approval or approved extension of the vesting tentative map;

B. If a final map is recorded, the vesting rights shall end one year after the date of final map recordation; or

C. The expiration of a building permit, including extension, issued pursuant to a vesting tentative map, and issued during the time vesting rights are valid. (Ord. 185 § 1 (part), 1998)

Chapter 14.36

SUBDIVISION DESIGN STANDARDS

Sections:

14.36.010	General design standards.
14.36.020	General access requirements.
14.36.030	Existing streets and unsubdivided land.
14.36.040	Provisions for resubdivision.
14.36.050	Waiver of access rights.
14.36.060	Intersections.
14.36.070	Local streets.
14.36.080	Cul-de-sac streets.
14.36.090	Right-of-way widths and improvement design.
14.36.100	Grades.
14.36.110	Curve radii.
14.36.120	Street names.
14.36.130	Alleys.
14.36.140	Pedestrianways.
14.36.150	Equestrian, hiking and biking trails and paths.
14.36.160	Utility easements other than inside front property line.
14.36.170	Utility easements inside front property line.
14.36.180	Other easements.
14.36.190	Easements for centralized mail service.
14.36.200	Block size.
14.36.210	Block corners.
14.36.220	Lots-Width and area for single and two-family uses.
14.36.230	Lot size compatible with nearby lots.
14.36.240	Flag lots.
14.36.250	Lots-Access to two parallel streets prohibited.
14.36.260	Lots adjoining town limits.
14.36.270	Property remnants.
14.36.280	Lot drainage.
14.36.290	Open space ownership and maintenance.
14.36.300	Storm drains.
14.36.310	Private streets in planned developments, condominiums or community apartment projects.
14.36.320	Protection of natural resources.
14.36.330	Floodplain management.

14.36.010 General design standards.

A. The size, design, character, grade, location, 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, an applicable specific plan, the zoning ordinance, the Loomis land development manual and construction standards and other land use regulations.

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, environmental habitat or wildlife preservation or protection, or other provisions of this chapter.

C. All subdivisions shall result in lots which can be used or built upon. No subdivision shall create lots which are impractical for improvement or use due to steepness of terrain, location of water courses, size, shape, inadequate frontage or access or building area or other physical condition. (Ord. 185 § 1 (part), 1998)

14.36.020 General access requirements.

A. Each local street providing access to lots within a subdivision shall connect directly or through one or more minor streets to a collector street or major street.

B. Each route of access to collector streets or major streets and its point of connection therewith shall be adequate to safely accommodate the composition and volume of vehicular traffic generated by the land uses which it serves.

C. In determining the adequacy of a route of access, the deployment of fire equipment or other services under emergency conditions shall be considered.

D. A tentative map which makes use of a local street which passes through a predominately residential neighborhood as a route of access to industrial, commercial or other subdivisions generating traffic which would conflict with the residential character of the neighborhood may be denied.

E. The terms "local street," "collector street" and "major street" shall have the meanings specified in the general plan of the town.

F. Direct driveway access shall not be permitted to arterial or collector streets for single-family lots. (Ord. 185 § 1 (part), 1998)

14.36.030 Existing streets and unsubdivided land.

A. Streets shall be laid out to conform to the alignment of existing streets in adjoining subdivisions and to the logical continuation of existing streets where the adjoining land is not subdivided.

B. The realignment of streets in contemplation of the development or use of adjoining property and the provision of streets or dead-end street extensions to facilitate the subdivision of adjoining property may be required.

C. Permanently dead-ended streets (except cul-de-sacs as defined in these regulations) are prohibited. When a street is temporarily dead-ended, a barricade or temporary turning area or temporary connection to another street may be required. Permanent turnarounds may be required at the end of dead-end streets where the future extension of the street is remote. (Ord. 185 § 1 (part), 1998)

14.36.040 Provisions for resubdivision.

Where property is subdivided into lots substantially larger than the minimum size required by these regulations or by the zoning districts in which the subdivision is located, whichever is most restrictive, streets and lots shall be required to be laid out so as to permit future resubdivision in accordance with the provisions of these regulations. (Ord. 185 § 1 (part), 1998)

14.36.050 Waiver of access rights.

A. A frontage road, or through or side-on lots, or other types of limited access layout may be required where a subdivision adjoins or contains an existing or proposed freeway or major street. To accomplish the purpose of this section, waivers of vehicular and pedestrian access rights to the freeway or major street may be required.

B. Waivers of vehicular and pedestrian access rights may also be required to prevent a local or collector street which passes through a predominantly residential neighborhood from being used as a route of access to industrial, commercial or other subdivision generating traffic which would conflict with the residential character of the neighborhood. (Ord. 185 § 1 (part), 1998)

14.36.060 Intersections.

A. All streets shall intersect or intercept each other so that for a distance of at least one hundred feet the street is approximately at right angles to the street it intersects or intercepts.

B. Street alignment shall provide for streets entering opposite each other to have their center lines directly opposite. Where this is not possible, street jogs shall have a minimum center line offset of one hundred fifty feet. ~~No jogs shall interrupt the continuity of a major or collector street. (Ord. 185 § 1 (part), 1998)~~ Minor streets intersecting collector streets from opposite sides shall have their centerlines offset between the intersections a minimum of 200 feet. Minor streets and collector streets intersecting arterial streets from opposite sides shall have their centerlines offset between the intersections a minimum of 400 feet for left hand offset and 600 feet for right hand offset. This condition shall not apply where a raised center median is provided on the major street separating conflicting turning movements.

C. Where two streets intersect, the centerline grade of the major street shall have a maximum centerline (longitudinal) grade of 3.0 percent for a minimum distance of forty feet measured from the curb line of the intersecting street, except as determined by the town engineer. The centerline of the minor street shall meet the crown slope at the projected lip of gutter. Crown slope may be reduced to 1.0 percent within the intersection if necessary. Drainage to the gutter shall be maintained at all points in the intersection.

D. The design of all public streets, private streets, and driveways other than for single family residential or duplex shall provide minimum site distance in accordance with Caltrans Corner Sight Distance criteria as outlined in Section 405 of the Highway Design Manual (HDM). For convenience, the applicable portion of Section 405 is shown below.

<u>Design Speed (mph)</u>	<u>Corner Sight Distance (ft)</u>
<u>25</u>	<u>250</u>
<u>30</u>	<u>330</u>
<u>40</u>	<u>440</u>
<u>50</u>	<u>550</u>
<u>60</u>	<u>660</u>

The above values assume the set back for the driver on the cross street or driveway is 15 feet from edge of the traveled way. Set back assumes six feet to stop bar, one foot for the width of the stop bar, and eight feet from front bumper to driver. If stop bar is more than six feet from the traveled way, additional allowance should be considered.

For right turns out, the above values are measured from the egressing motorist to the vehicle approaching from the left traveling in the outside (curb) lane. For left turns out, the above values are measured from the egress motorist to the vehicle approaching from the right traveling in the inside (fast) lane.

Where special circumstances preclude meeting corner sight distance as described above, a lesser value for corner site distance may be used with the approval of the town engineer, but the minimum value shall be the stopping site distance given in Table 201.1 of the HDM measured from a 3.5-foot eye height on the minor road to a 4.25-foot object height on the major road.

14.36.070 Local streets.

Local streets shall be laid out so that their use by through traffic shall be discouraged. Maps of proposed subdivisions containing excessively long, straight residential streets, conducive to high-speed traffic, shall be denied. Curvilinear streets shall be encouraged. (Ord. 185 § 1 (part), 1998)

14.36.080 Cul-de-sac streets.

A cul-de-sac street created by the proposed subdivision shall not exceed six hundred feet in length as measured from right-of-way of intersection at street to center of cul-de-sac bulb. A proposed cul-de-sac may be reduced in length or may be eliminated in order to provide for the efficient circulation of traffic, the future development of the neighborhood street system or the deployment of emergency services. The planning commission may approve a cul-de-sac up to one thousand five hundred feet long if an acceptable secondary emergency vehicle access is provided. (Ord. 185 § 1 (part), 1998)

14.36.090 Street Right-of-way widths and improvement design.

All street and alley rights-of-way and the location of improvements therein shall be designed to conform to adopted street standards, except where a modification is expressly permitted by Chapter 14.48 (Subdivision Modifications), or where a special cross-section is required to conform to an adopted planned street line or an applicable specific plan. For any street for which the Loomis bikeway's master plan indicates that an on-street bikeway shall be provided, and the width of such street was established prior to the adoption of the bikeway's master plan, such width shall be increased by ten feet in order to provide the bikeways in accordance with the bikeway master plan and to retain the design applicable to the previously adopted width of the street. (Ord. 185 § 1 (part), 1998)

At the discretion of the Town Engineer, partial streets may be permitted along the boundary of a subdivision or other private development where the full right of way width cannot be dedicated. For collector and arterial streets, the developer shall, as a minimum, dedicate sufficient right of way and construct 32 feet width of pavement with

full frontage improvements along the developing property and a two foot wide gravel shoulder on the opposite side. Street centerline shall be placed at the ultimate location if possible. Partial streets will not be permitted for residential streets.

A minimum 12.5-foot public utility easement (P.U.E.) shall be dedicated adjacent to all public and private streets. Additional easements for sewer, water, storm drainage, signage, sidewalks, landscaping, fencing and all other public utilities shall be provided as required by the utility companies, this manual, and as specified by the Town Engineer.

14.36.100 Grades.

Grades of all streets shall be consistent with adequate surface drainage requirements and the approved grading plan of the proposed subdivision. Street grades shall be a minimum of 0.4 percent and a maximum of fifteen percent. (Ord. 185 § 1 (part), 1998)

The minimum centerline (longitudinal) grades on new streets and gutter flow lines shall be 0.35 percent. The maximum street slope shall be 8.33 percent except where a steeper street is determined necessary by the town engineer due to existing topographical features. The minimum grade of gutter sections constructed along existing streets shall be 0.20 percent.

Standard cross slopes shall be 2.5 percent on minor and primary residential streets and 2.0 percent on collector and arterial streets. Certain roadways may require super elevations as directed by the town engineer. Cross slopes on widened existing streets shall be a minimum of 1.5 percent and maximum of 3.0 percent. Where a street constructed with a super elevation is to be widened, the cross slope shall be as specified by the town engineer.

The minimum allowable vertical curve length at the intersection of two grades shall be 50 feet; however, vertical curves may be omitted where the algebraic difference in grades does not exceed 2.0 percent. When vertical curves are required, they shall provide for adequate sight distance based on the minimum design speeds specified below. The vertical curve data shall be computed and shown on the plans and shall call out the tangent gradients, length of curve, the elevations and stationing points of the beginning of vertical curve (BVC), end of vertical curve (EVC), PI, high and low points, and along 25 foot intervals.

<u>STREET CLASSIFICATION</u>	<u>DESIGN SPEED(MIN.)</u>
<u>Minor Residential</u> <u>Local Residential</u>	<u>25 mph</u>
<u>Primary Residential</u> <u>Residential Collector</u>	<u>30 mph</u>

<u>Industrial/Collector</u>	<u>40 mph</u>
<u>Minor Arterial</u>	<u>50 mph</u>
<u>Major Arterial</u>	<u>60 mph</u>

14.36.110 Curve radii.

All curves shall have sufficient length to avoid the appearance of an angle point. Reverse curves shall be connected by tangents of length approved by the town engineer. The center line radii of curves shall be as large as possible, but not less than the following:

DESIGNATIONS	RADIUS, FT.	DESIGNATIONS	RADIUS, FT.
1. Minor Residential	100	5. Arterial	1,000
2. Residential	200	6. Divided Arterial 4-lane	1,000
3. Industrial/Commercial	300	7. Divided Arterial 6-lane	1,500
4. Collector	500		

(Ord. 185 § 1 (part), 1998)

14.36.120 Street names.

Proposed street names shall be reviewed and approved by the town engineer.

(Ord. 185 § 1 (part), 1998)

Street names shall be proposed by the developer and shall be shown on the tentative map when submitted. These names shall be subject to approval by the Town Council. No duplication of names already in use or previously proposed or sound alike names will be permitted. Street name signs shall be furnished and installed by the developer. The requirements for location of signs does not apply to signalized intersections since signals will have their own street name signs. Street name signs shall conform to Town of Loomis specifications and shall consist of white die-cut letters on a blue reflective background. Type "C" letter shall be used until the number of characters and spacing exceeds the capacity of a 30" blank sign. Should more letters be required, all letters shall be type "B".

A. Location and Number Required - The required number of street name signs installed and location depends upon the width of street right of way and shall conform to the following:

Case 1 - Two street name sign installations (with four sign plates on each 2" steel post) are required at each intersection where one or both of the intersecting streets is a collector or arterial street. At a four way intersection, the installations shall be located on both far right hand

corners of the intersection relative to the direction of travel on the street having the greater right of way width or on the major street if right of way widths are equal.

At a "T" intersection, one sign shall be installed on the far right hand corner of the intersection relative to the direction of travel on the through street and the other shall be installed along the left side of the through street relative to the direction of travel at a point directly opposite the centerline of the "T" intersecting street. One sign plate should be omitted from the standard four plate installation at the "T" intersection sign locations where an approach street does not exist.

Street name signs shall be located adjacent to the major street at the end of the curb return.

Case 2 - One street name sign installation (with four sign plates on each 2" steel post) is required at each intersection where both intersecting streets are residential streets. At a four way intersection, the installation shall be located at one of the far right hand corners of the intersection relative to the direction of travel on the street having the greater right of way width or on the major street if the right of way widths are equal.

At a "T" intersection, the installation shall be located on the far right hand corner relative to the direction of travel on the through street.

Street name sign shall be located at the midpoint of the curb return.

Case 3 - For arterials with frontage roads, the street name sign installations shall be located in the divider strip between the frontage road and the main traveled way of the highway at the near side of the intersection. All other requirements shall be as outlined above, except that only one sign will be required (in the divider strip in line with the centerline of the minor street) when there is no opening in the divider strip for access to a main highway.

14.36.130 Alleys.

Alleys shall not be permitted in a single-family development except where a subdivision modification is approved. (Ord. 185 § 1 (part), 1998)

14.36.140 Pedestrianways.

Improved pedestrianways not less than ten feet in width may be required where needed for traffic safety or for access to schools, playgrounds, shopping facilities, other community facilities or scenic easements. (Ord. 185 § 1 (part), 1998)

14.36.150 Equestrian, hiking and biking trails and paths.

Equestrian, hiking trails and biking paths shall be provided in locations established by the general or specific plans. Adequate access points for the public, maintenance and emergency vehicles and parking facilities shall be provided as necessary. (Ord. 185 § 1 (part), 1998)

All Class 1 recreational bike path design shall be in accordance with the State of California Department of Transportation, Loomis Bike Master Plan and these following requirements, whichever is more restrictive. Bicycle /pedestrian pathways must also meet ADA and Title 24 requirements.

A. Section - Bike path structural section shall be a minimum of 2 inches of asphalt concrete on 4 inches aggregate base or 4 inches of concrete. Bike paths shall have a minimum width of ten feet and two foot clearance to vertical objects each side. Minimum cross slope shall be 2 percent.

B. Design Speed - Bike paths shall be designed for a minimum design speed of 15 miles per hour. A design speed of thirty miles per hour and minimum twelve feet wide paths are required for grades over 4 percent

<u>DESIGN SPEED</u>	<u>RADIUS</u>
<u>10 mph</u>	<u>15 feet</u>
<u>15 mph</u>	<u>35 feet</u>
<u>20 mph</u>	<u>70 feet</u>

C. Grades - Grades along bike paths shall be as follows:

1. Maximum sustained grade (longer than 500 feet) shall be no more than 2 percent.

2. Maximum sustained grade (no more than 500 feet) shall be no more than 5 percent.

3. Maximum grade (no more than 200feet) shall be 8 percent.

D. Striping - Striping of bike path shall be in accordance with the California Department of Transportation Highway Design Manual, latest edition.

Also, where applicable, two barrier posts/bollards shall be placed on bike path where it intersects with a roadway. Bollards shall be of a folding/collapsible design. Striping around bollards shall be in accordance with the Highway Design Manual.

E. Bridge Undercrossings - Where a bike path is to be placed beneath a bridge structure a minimum vertical clearance of ten feet shall be

provided. The minimum elevation of the path shall coincide with the 2-year water surface elevation.

14.36.160 Utility easements other than inside front property line.

Utility easements shall be five feet in width across the rear of all lots in double tiers where required to locate utilities. In the case of single tier lots, the easement shall be ten feet in width. Where easements are required on side lot lines, they shall be three feet

in width all on one lot. When water mains are required to reach fire hydrants, the easements shall be three feet in width. Anchor easements shall be five feet in width and twenty feet in length. A utility easement of seven and one-half feet in width adjacent to and along the exterior boundaries of a subdivision may be required in place of or in addition to those easements of the type and width hereinabove described in this section. Easements may be wider to accommodate large or deep facilities as determined necessary by town engineer. (Ord. 185 § 1 (part), 1998)

14.36.170 Utility easements inside front property line.

Easements inside the front property line shall be provided and shall be a minimum of twelve and one-half feet in width for utilities, electroliners, street trees, signs and similar such uses. (Ord. 185 § 1 (part), 1998)

14.36.180 Other easements.

A. Easements for storm drains or flood control channels, slope rights and other public uses shall be provided at such locations and to such widths as determined necessary by the town engineer.

B. Open space, public access, recreational and scenic easements shall be provided at such locations and to such widths as are necessary to accomplish the objectives, policies and programs of the general plan and in accordance with the purposes and policies of these regulations, any other applicable specific plan of the town, and the requirements of the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.36.190 Easements for centralized mail service.

Where determined by the planning commission to be necessary to promote the public health, safety or welfare, easements for centralized postal service facilities shall be provided in residential subdivisions. (Ord. 185 § 1 (part), 1998)

14.36.200 Block size.

A. Blocks shall be designed to allow for adequate building sites for the type of use proposed; to allow for convenient pedestrian and vehicular circulation, access, traffic control and safety; and with regard to limitations created by topography.

B. The width of the blocks shall ordinarily be sufficient to allow for two tiers of lots. Block lengths shall not exceed one thousand five hundred feet, except in planned developments and similar projects where longer blocks have been approved by the commission in connection with overall design approval of the project or in other

subdivisions where unusual topographic or other conditions exist. (Ord. 185 § 1 (part), 1998)

14.36.210 Block corners.

At intersections, all block corners shall have minimum twenty-foot radius curves at property lines. Greater radii or cut-offs may be required where necessary for traffic safety. At intersections of major arterials, block corners shall be a minimum of thirty-five foot radius. (Ord. 185 § 1 (part), 1998)

14.36.220 Lots-Width and area for single and two-family uses.

The minimum width and area of all lots proposed for single-family and two-family residential uses (other than those within a planned development) shall conform to the town zoning ordinance. (Ord. 185 § 1 (part), 1998)

14.36.230 Lot size compatible with nearby lots.

When determined necessary to promote the general welfare, and assure the orderly development of a community, residential lots within a proposed subdivision may be required to be increased in size so as to more closely conform to the size of existing nearby lots fronting on the same street in that neighborhood. (Ord. 185 § 1 (part), 1998)

14.36.240 Flag lots.

Flag lots for single family usage may be approved if the following findings are made (no flag lots for other uses):

- A. Either the flag lot is required by topographic conditions, or there is no alternative design for the development of the interior portions of excessively deep parcels; and
- B. The flag lot will not be detrimental to public health, safety or welfare;
- C. The narrow extension of a flag lot shall be a minimum twenty feet width, and maximum length two hundred feet building setback lines, minimum width, length, and area shall be measured without the narrow portion. (Ord. 185 § 1 (part), 1998)

14.36.250 Lots-Access to two parallel streets prohibited.

Lots proposed for single-family and two-family uses shall not have access to two parallel streets. (Ord. 185 § 1 (part), 1998)

14.36.260 Lots adjoining town limits.

No lot shall be divided by a town or county boundary line. (Ord. 185 § 1 (part), 1998)

14.36.270 Property remnants.

Remnants of property which do not conform to lot requirements or are not required for a public or private utility or other public use or approved access purpose shall not be created by or left in a subdivision. (Ord. 185 § 1 (part), 1998)

14.36.280 Lot drainage.

All lots proposed to be graded shall be graded to provide adequate, positive drainage to the fronting sheet. Provision shall be made for proper erosion control, including the prevention of sedimentation or damage to off-site property. No more than one lot shall drain onto another before being intercepted by a drainage system within an easement. Nongraded lots shall be designed so that no more than one lot may drain onto another before being intercepted by a natural or graded drainage swale in an easement. (Ord. 185 § 1 (part), 1998)

14.36.290 Open space ownership and maintenance.

All areas within a subdivision designated or planned as open space or for use for park or recreation purposes shall be either:

A. Designated as a separate parcel or parcels and dedicated to the town for park and recreation purposes;

B. Designated as a separate parcel or parcels and maintained as common open space within an approved planned development, condominium or community apartment project;

C. Contained within the various lots of the subdivision and maintained by the owners of such lots with open space easements. (Ord. 185 § 1 (part), 1998)

14.36.300 Storm drains.

Storm drains shall be designed in conformance with Placer County storm water management manual, latest revision date adopted by Placer County water conservation and flood control district and the drainage section within the Loomis land development manual. (~~Ord. 185 § 1 (part), 1998~~)

14.36.310 Private streets in planned developments, condominiums or community apartment projects.

Where access to lots or structures within a planned development, condominium or community apartment project is to be provided by a system of private streets, the improvement, width, design and configuration of such street system shall be the same as public streets. (Ord. 185 § 1 (part), 1998)

14.36.320 Protection of natural resources.

The configuration of lots and the design of improvements required by this chapter shall to the extent reasonable under the circumstance preserve indigenous natural resources such as, but not limited to, native trees, shrubs, wildlife and their habitat. (Ord. 185 § 1 (part), 1998)

14.36.330 Floodplain management.

A. The design of all subdivisions shall provide adequate drainage to reduce exposure to flood damage and shall in all respects conform to the requirements of Chapter 9, Article XXVI, Floodplain Management Regulations and the National Flood Insurance Program Regulations set forth in Subchapter B of Title 44 of the Code of Federal Regulations Parts 59 and 60.

B. All final subdivision improvement plans will provide the elevation of the proposed building site. If the site is filled above the base flood, the final pad elevation shall be certified by a qualified registered professional engineer or surveyor and provided to the town floodplain management administrator.

C. All subdivision proposals shall be consistent with the need to minimize flood damage to existing and proposed properties.

D. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage. (Ord. 185 § 1 (part), 1998)

Chapter 14.40

SURVEYS AND MONUMENTS

Sections:

14.40.010	Survey and procedure and practice.
14.40.020	Traverse.
14.40.030	Survey data.
14.40.040	Grid monuments.
14.40.050	Monuments.
14.40.060	Boundary monuments.
14.40.070	Interior monuments.
14.40.080	Deferred monuments.
14.40.090	Monument type and positioning.
14.40.100	Monument identification marks.
14.40.110	Replacement of destroyed monuments.
14.40.120	Survey data and information to be shown on final map or parcel map.
<u>14.40.130</u>	<u>Benchmarks.</u>

14.40.010 Survey and procedure and practice.

The procedure and practice of all survey work done on any subdivision, whether for preparation of a final map or parcel map, 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. (Ord. 185 § 1 (part), 1998)

14.40.020 Traverse.

The traverse of the exterior boundaries of the tract computed from field measurements of the ground must close within a limit of error of one foot to twenty thousand feet of perimeter before balancing survey. (Ord. 185 § 1 (part), 1998)

14.40.030 Survey data.

A. When required by the town engineer, the engineer or surveyor making the survey shall show references, ties, locations, elevations and other necessary data relating to monuments set in accordance with the requirements of these regulations.

B. If exterior boundary monuments are to be set after recordation of the final map or parcel map, as provided by Section 14.40.060, the town engineer shall require, prior to accepting such map for filing, the reference of such monuments to a sufficient number of adjacent reference points to accurately set each boundary monument after recordation of such map, the setting of only a portion of the boundary monuments, or the submission of complete field notes as evidence of a thorough survey. (Ord. 185 § 1 (part), 1998)

14.40.040 Grid monuments.

Wherever the town engineer has established a system of coordinates which is within a reasonable distance of the subdivision boundary, as determined by the town engineer, the field survey shall be tied into such system. (Ord. 185 § 1 (part), 1998)

14.40.050 Monuments.

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

B. At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform with the standards described in Section 8771 of the Business and Professions Code so that another engineer or surveyor may readily retrace the survey. At least one exterior boundary line shall be monumented prior to recording the final map. Other monuments shall be set as required by the town engineer. (Ord. 185 § 1 (part), 1998)

14.40.060 Boundary monuments.

A. Monuments shall be set on the exterior boundary of the subdivision at all corners, and joints, beginnings and ends of curves and at intermediate points approximately one thousand feet apart. The locations of inaccessible points may be established by ties and shall be so 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 unless extensive grading operations or improvement work makes it impractical to set such monuments. In the event any or all of the boundary monuments are to be set after recordation of the final map or parcel map, prior to the submission of such map to the town engineer for filing, the engineer or surveyor making the survey shall, in addition to furnishing field notes showing the boundary survey as required by Section 14.40.030, furnish evidence acceptable to the town engineer to substantiate his reasons for deferring the setting of such monuments until after recordation of such map. (Ord. 185 § 1 (part), 1998)

14.40.070 Interior monuments.

Interior monuments shall be set along street and alley center lines at the beginnings and ends of curves, at points of intersection with lines of other existing and proposed streets and alleys, and at the points of intersection with the exterior boundary lines. Interior monuments may be set after the final map or parcel map is recorded.

Interior monuments shall consist of Parker-Kalon nails as described in Section 14.40.090, except where concrete survey monuments are required by the town engineer. (Ord. 185 § 1 (part), 1998)

14.40.080 Deferred monuments.

In the event any or all of the required monuments are to be set after recordation of the final map or parcel map, the engineer's or surveyor's certificate shall specify the date, established by the town engineer, by which the monuments will be set, and the field notes thereon furnished, and the subdivider shall, prior to the submission of such map to the town engineer for filing, furnish to the town engineer a cash deposit in an amount established by resolution of the town council for each boundary and interior monument to be deferred. After deferred monuments have been set, written notice shall be given to the town engineer as per Section 66497 of the Subdivision Map Act, and the cash deposit, if any, shall be returned to the subdivider. In the event the deferred monuments are not set within the period of time specified on the engineer's or surveyor's certificate, or within any approved extended period of time, and provided that all improvement work has been completed, the town engineer shall, by written notice, forthwith direct the engineer or surveyor of record to, within sixty days of the date of such directive, set such monuments and furnish such field notes as were agreed to be set and furnished on such certificate. If the engineer or surveyor fails to comply with such directive within the specified time, and if no request for an extension of time has been submitted in writing and granted within such time, the town engineer shall, without further notice, submit a written complaint and request for disciplinary action against such engineer or surveyor to the State Board of Registration for Civil and Professional Engineers. (Ord. 185 § 1 (part), 1998)

14.40.090 Monument type and positioning.

Boundary monuments other than sector or quarter section corners shall consist of one inch diameter iron pipes or three-fourths inch diameter rebar, eighteen inches long. Temporary interior monuments for construction purposes shall consist of two inches by two inches by eight inches long wood hubs with cup tacks. Permanent interior monument set in new street pavements shall consist of one-fourth inch diameter Parker-Kalon nails, two inches long. Section and quarter section corners shall be not less than two inches inside diameter galvanized iron pipe thirty inches long. The pipe is to be capped and marked in accordance with the instructions in Chapter IV of the 1973 Manual of Instructions prepared by the Bureau of Land Management. Section or quarter corners that are being set in asphalt surfaced maintained roads shall be placed in a monument box. (Ref.: Plate 64 and 65 LDM). All monuments shall be set securely. Concrete survey monuments shall be in accordance with the most recent design procedure manual of the town. (Ord. 185 § 1 (part), 1998)

14.40.100 Monument identification marks.

All boundary monuments 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 was made. (Ord. 185 § 1 (part), 1998)

14.40.110 Replacement of destroyed monuments.

Any boundary monument set as required herein which is disturbed or destroyed before acceptance of all improvements by the town, and any interior monument which is disturbed or destroyed before being located and referenced by the town at the time of construction, shall be replaced by the subdivider's engineer or surveyor. (Ord. 185 § 1 (part), 1998)

14.40.120 Survey data and information to be shown on final map or parcel map.

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. The basis of bearing used in the field survey, making reference to a recorded subdivision map or other record acceptable to the town engineer;

B. Stakes, monuments (together with their precise position and description) or other evidence found on the ground to determine the boundaries of the subdivision;

C. Corners of all adjoining properties identified by lot and block numbers, subdivision names, numbers and page of record or by section, township and range or other proper designation;

D. All information and data necessary to locate and retrace any point or line without unreasonable difficulty including easement lines;

E. 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";

F. Bearing and length of each lot line, block line and boundary line and each required bearing and distance;

G. Length, radius and bearings of terminal radii of each curve and the bearing of each radial line to each lot corner on each curve. Chord bearing and distance of each curve segment;

H. The center lines of any street or alley in or adjoining the subdivisions, record length, etc., where different from field survey.

The form, layout, scale and other particulars of the maps, and number of copies to be provided, shall be in accordance with the requirements of the town engineer. (Ord. 185 § 1 (part), 1998)

14.40.130 Benchmarks.

In locations where a new benchmark will be required, as determined by the Town Engineer, the developer's engineer will set in concrete a 3 1/4 inch brass cap, provided by the Public Works Department, shall then run a second order, class two survey from an approved Town of Lincoln benchmark to establish the elevation of the cap. The level notes will be submitted to the Public Works Department for approval. After approval of the notes, the developer's engineer will mark on the brass cap the Town of Loomis benchmark number, the date, and the R.C.E. or L.S. number of the person certifying the level notes.

Benchmarks shall be provided at all culvert or bridge crossings conveying a 100 year flow of 100 cfs or greater and elsewhere as specified by the Town Engineer.

Chapter 14.44

SUBDIVISION IMPROVEMENTS

Sections:

14.44.010	Improvements required.
14.44.020	Improvement plans and permits required.
14.44.030	Preparation and form of improvement plans.
14.44.040	Commencement of improvement work.
14.44.050	Construction and installation standards.
14.44.060	Utility line installation standards.
14.44.070	Temporary improvements.
14.44.080	Inspection of improvement work.
14.44.090	Coordination of improvement work.
14.44.100	Improvements waived-Clarifying records or reversion to acreage.
14.44.110	Improvement requirements.
14.44.120	Oversizing improvements-Reimbursement.
14.44.130	Improvement agreement.
14.44.140	Form, and term of improvement agreement.
14.44.150	Minimum agreement provisions.
14.44.160	Additional agreement provisions.
14.44.170	Improvement security required.
14.44.180	Form, filing and term of improvement security.
14.44.190	Liability for alterations or changes.
14.44.200	Release of improvement security-Assessment district proceedings.
14.44.210	Release of improvement security.

14.44.010 Improvements required.

The subdivider shall construct or install all improvements in streets, alleys, pedestrianways, biking paths, channels, easements and other rights-of-way as are necessary for the general use of residents of the subdivision and to meet local traffic and drainage needs in accordance with the provisions of this chapter and the Loomis land development manual and construction standards. (~~Ord. 185 § 1 (part), 1998~~).

14.44.020 Improvement plans and permits required.

A. Improvement plans shall be completed by the subdivider, and accepted by the town engineer, prior to the acceptance of the final map or parcel map for filing by the town engineer.

B. Plans shall conform to improvement standards adopted by the town council pursuant to subdivision (f) of Section 66462 of the Subdivision Map Act. The final map shall not be deemed to be filed for approval until the preparation of such plans is completed and such plans have been approved by the town engineer. (Ord. 185 § 1 (part), 1998)

14.44.030 Preparation and form of improvement plans.

A. Improvement plans shall be prepared by or under the direction of a registered civil engineer and shall show full details of all improvements required to be installed by the provisions of these regulations, and conditions of approval and of all other improvements proposed to be installed by the subdivider within any street, alley, pedestrianway, easement or other public area or right-of-way. Full details shall include cross sections, profiles, estimated costs and specifications.

B. The form, layout, scale and other particulars of the plans, and number of copies to be provided, shall be in accordance with the requirements of the town engineer. (Ord. 185 § 1 (part), 1998)

14.44.040 Commencement of improvement work.

Prior to the commencement of grading, construction, or installation of any improvements within any street, alley, pedestrianway, easement or other public area or right-of-way, improvement plans shall have been approved by the town engineer and other affected, agencies, departments or divisions. (Ord. 185 § 1 (part), 1998)

14.44.050 Construction and installation standards.

A. Improvements shall be constructed and installed in accordance with the accepted plans and in accordance with the applicable standards, specifications and permit procedures established by these regulations, the Municipal Code, and applicable resolutions of the town council.

B. Improvements shall be constructed and installed to permanent line and grade satisfactory to the town engineer. (Ord. 185 § 1 (part), 1998)

14.44.055 Frontage Improvements.

The developer is required to provide frontage improvements along existing and proposed roadways at the developer's expense. Frontage improvements include, but are not limited to, sidewalk, curb and gutter, 18-feet of pavement width, additional pavement width beyond 18-feet for intersection widening (including acceleration and deceleration lanes, bus turnouts, widening for dual left turns, etc), drainage system, landscaping, soundwalls, street lighting, roadway signing and striping, and all utilities (including traffic signal interconnect if applicable). For minor residential, primary residential, collector and industrial streets, the developer shall provide the full pavement width (lip of gutter to lip of gutter) at the developer's expense.

The Developer shall be responsible for upgrading streets within and adjacent to the developer's project where the pavement section of an existing street does not meet the structural section and/or the centerline grade and alignment requirements specified in this manual for those streets.

Where the design centerline grade is to be higher than the existing, the Developer shall extend an overlay beyond the centerline of the street and shall neatly conform to the existing surface grade on the other side. The Developer shall also be responsible for

overlaying any low areas where the new pavement is proposed to meet the existing pavement to maintain a uniform cross slope.

When making a connection to an existing stub street, the Developer shall be responsible for removing and reconstructing up to a maximum of 20 feet of the existing roadway to make a satisfactory connection as required by the Town Engineer.

When widening to complete an existing partial street along a development project, the Developer shall be responsible for saw cutting and removing a narrow strip along the outside portion of the pavement to provide a clean and stable pavement section for constructing against. The width to be removed shall be determined by the Town Engineer.

All temporary approaches to existing roadways required as a result of the development shall be at the Developer's expense. The temporary approaches shall be paved with the structural section to be determined individually for each situation.

The Developer shall be responsible for relocating existing traffic signals and street lights, and installing new traffic signals and street lights as necessary for new street and driveway locations. The Developer shall also be responsible for relocating existing traffic signals and street lights as necessary for the installation of new curbs or new curbs and sidewalks at locations where there are no existing curbs or curbs and sidewalks.

The Developer shall be responsible for constructing or modifying median island curbs where required by these standards, or when required for traffic control as a result of the development, as determined by the Town Engineer.

The Developer shall be responsible for frontage improvements as described in Section 7-22.

The Developer shall be responsible for all drainage facilities (bridges, pipes, culverts, and appurtenances) crossing new streets within or adjacent to the project.

The Developer shall be responsible for all necessary modifications within the public right of way and the project site to comply with state and federal standards for access for the disabled, including but not limited to sidewalk ramps.

14.44.060 Utility line installation standards.

In all portions of a subdivision, utility lines, including but not limited to electrical, natural gas, telephone, cable television and street lighting service lines, shall be placed underground; provided, however, that incidental, appurtenant equipment such as transformers, terminal boxes and meter cabinets may be placed above ground when, in the opinion of the town engineer, it is impractical under the circumstance of a given case to place same underground. (Ord. 185 § 1 (part), 1998)

14.44.65 Existing Facilities.

Any facility of any type which requires modification or relocation to accommodate improvements associated with a development project shall be modified or relocated by the developer at the developer's expense. Any existing public facilities damaged during construction of a development project shall be repaired by the developer to the satisfaction of the Town and/or other agencies, at the developer's expense.

All trenching in existing roadways shall conform to the construction standard drawings. The developer may be required to coordinate trenching work schedules to avoid cutting pavement where repaving is planned by the Town. No trenching shall be permitted on any street that has been constructed or overlayed within the last 5 years. If this can not be avoid, the developer shall warranty the trench work within the pavement for a minimum of two years with a bond or security covering 100 percent of the improvement cost.

14.44.070 Temporary improvements.

In addition to permanent improvements, temporary improvements may be required to be made prior to or concurrent with permanent improvements. (Ord. 185 § 1 (part), 1998)

14.44.080 Inspection of improvement work.

All improvements shall be constructed under the inspection of the town engineer, and the subdivider shall cause all such improvement work to be inspected at such times as are established and required by the town engineer. Subdivider shall pay the town a fee to defray the town's costs in making such inspection, the rate of which shall be determined by resolution of the council. (Ord. 185 § 1 (part), 1998)

14.44.090 Coordination of improvement work.

All work and improvements contemplated by and performed pursuant to these regulations shall be accomplished so as to minimize interference of, and coordinate with, other construction activities or developments of or on behalf of the town and of nearby private development. (Ord. 185 § (part), 1998)

14.44.100 Improvements waived-Clarifying records or reversion to acreage.

If it is determined by the town engineer that the subdivision has been submitted only for the purpose of clarifying records by consolidating existing lots and metes and bounds parcels, or for the purpose of absorbing vacated streets or alleys by reversion to acreage, or both, the town council may, upon recommendation of the town engineer, waive all or a portion of the improvements which otherwise would be required. (Ord. 185 § 1 (part), 1998)

14.44.110 Improvement requirements.

The following improvements may be required as conditions of approval of the tentative map or parcel map to the extent otherwise allowed by law:

A. Grade and fill to a grade acceptable to the town engineer and construct all necessary grade crossings, culverts, bridges and other related works;

B. Construct and install all drains, drainage facilities, channel improvements and other drainage works required to provide adequate drainage for the subdivision and to protect all lots and adjacent land from flood or overflow by storm or flood waters in accordance with the accepted plans for drains and drainage works;

C. Construct and install concrete curbs, gutters and sidewalks on both sides of every street and on the proximate side of each existing or dedicated street bordering the subdivision. If a street is an extension of a turnaround or temporary turnaround, the bulbed portion shall be removed and required improvements be installed;

D. Install or provide for the installation of water mains, sanitary sewer, storm drains, necessary appurtenances and all laterals required to serve each lot. Subdivisions with any resulting parcel less than 1.9 acre in size, net of public or private street easements, or rights-of-way, shall require public water and sewer service to each lots;

E. Relocate or provide for the relocation of any underground or overhead utility, including irrigation lines and traffic signal lines, the relocation of which is necessitated by development of the subdivision;

F. All underground utilities, sanitary sewers, storm drains and other facilities installed in streets or alleys shall be constructed prior to the paving of such street or alley. Service connections for all underground utilities and sanitary sewers shall be laid at such lengths to avoid disturbing the street or alley improvements when service connections thereto are made;

G. Install asphalt concrete pavement, base material in all existing or dedicated streets or portions thereof;

H. Install concrete sidewalks; concrete pavement in all existing or dedicated alleys, pedestrianways and bikeways; provided, however, pedestrianways and bikeways may be improved with asphaltic concrete pavement with the consent of the town engineer;

I. The planting of residential street trees of the number, species, condition, and size approved by the planning director. Trees shall be planted in the front yard and be in good health prior to final inspection of the buildings;

J. Install or provide for the installation of street lighting facilities of approved design and illumination in the locations and manner approved by the town engineer;

K. Construct or install required traffic signs and markings and traffic signal equipment where required by the town engineer;

L. Construct and install street barricades in accordance with standard specifications, guardrails, retaining walls and safety devices where required by town engineer;

M. Construct such acceleration and deceleration lanes and traffic channelization devices in streets as are deemed necessary by the town engineer and are required as a condition of the approval of the tentative map;

N. Construct a six-foot woven wire fence, masonry wall or other type approved by the planning commission along subdivision boundary line, where such boundary line is adjacent to or across a public street, alley or pedestrianway from an open and unfenced canal, storm channel, railroad, quarry, airport or other facility deemed possibly hazardous in the sole discretion of the town engineer;

O. Construct a sound reduction barrier where required by the general plan, applicable specific plans, or mitigation measures incorporated into the project during the CEQA process. The barrier shall be designed in accordance with standard specifications;

P. Improve biking paths with adequate fencing designed in accordance with standard specifications;

Q. Construct improvements required and included as mitigation measures pursuant to CEQA. (Ord. 185 § 1 (part), 1998)

14.44.120 Oversizing improvements-Reimbursement.

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 such improvement be dedicated to the public. If such a condition is imposed, provision for reimbursement to the subdivider in the manner provided by Section 66486 of the Subdivision Map Act may be contained in the subdivision improvement agreement. (Ord. 185 § 1 (part), 1998)

14.44.130 Improvement agreement.

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

B. The purpose of the improvement agreement includes, among other considerations, eliminating and avoiding the harmful effects of premature subdivision which leaves property undeveloped and unproductive. Therefore, commencement of construction of the improvements under the agreement shall not be a condition precedent to the enforcement and requirement of specific performance under such agreement.

C. The benefit of the subdivision improvement agreement inures solely to the town and shall not be construed to benefit any third parties not signatory to such agreement, including, but not limited to the following: lot purchasers, subcontractors, laborers and suppliers. (Ord. 185 § 1 (part), 1998)

14.44.140 Form, and term of improvement agreement.

A. The improvement agreement shall be in writing, shall be approved as to form by the town attorney, and shall be secured and conditioned as provided in this chapter. An acknowledged abstract of such agreement shall be recorded simultaneously with the final map or the parcel map.

B. The improvement agreement, and acknowledged abstract thereof, shall be complete, subject to council approval, and on file with the town engineer 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 contained therein to the satisfaction of the town engineer. (Ord. 185 § 1 (part), 1998)

14.44.150 Minimum agreement provisions.

Such agreement shall include the following provisions as minimum terms and conditions of the agreement:

A. Mutually agreeable terms to complete all required improvements at the subdivider's expense;

B. A provision that the subdivider shall comply with all requirements of these regulations, of the Municipal Code, and of other applicable laws, and with all terms and conditions of required improvement permits;

C. A statement indicating that all improvements shall be completed within one year, unless otherwise approved by the town council;

D. 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 town may, at its option, complete the required improvement work and the subdivider and his surety shall be firmly bound under a continuing obligation for payment of the full cost and expense incurred or expended by the town in completing such work;

E. Provision for the repair and replacement of defective material and workmanship of such improvements by the subdivider for a period of twelve months after the improvements have been accepted by the town engineer;

F. Provision for the inspection of all improvements of the subdivision by the town engineer for a period of twelve months after the improvement acceptance date;

G. A provision guaranteeing payment to the town for all engineering and inspection costs and fees and all other incidental expenses incurred by the town;

H. A description of all lands within the exterior boundaries of the subdivision.
(Ord. 185 § 1 (part), 1998)

14.44.160 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 town engineer to carry out the intent and purposes of these regulations:

A. 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;

B. Mutually agreeable terms to acquire public easements which are outside the boundaries of the subdivision at the subdivider's expense;

C. 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 cash bond in the manner prescribed by Sections 14.44.170 and 14.44.180; and further providing that only the requirements of this provision shall not delay the release of any other improvement security provided pursuant to the aforementioned sections;

D. Provision for reimbursement to be paid the subdivider under the provisions of Section 66486 of the Subdivision Map Act;

E. Provision for the setting of required monuments after the recordation of the final map or parcel map;

- F. Provision for the method of payment of any fees imposed by this chapter ;
- G. Provision for guarantee and warranty of the work, for a period of one year following completion and acceptance thereof, against any defective work or labor done or defective materials furnished, in the performance of the agreement with the town or the performance of the act. (Ord. 185 § 1 (part), 1998)

14.44.170 Improvement security required.

A. General. Except as provided otherwise in subsection B of this section, a subdivider shall secure the improvement agreement entered into pursuant to Section 14.44.160 in the following amounts:

1. Performance Security. An amount determined by the town engineer to be one hundred percent of the total estimated cost of the construction or installation of the improvements or of the acts to be performed, securing the faithful performance and completion of the improvements or acts to be performed; and

2. Payment Security. An amount determined by the town to be not less than fifty percent not more than one hundred percent of the total estimated cost of improvement or required act, securing payment to the contractor, to the subcontractors, and to persons furnishing labor, materials or equipment for the construction or installation of the improvements or the performance of the required acts; and

3. Warrant Security. An amount determined by the town engineer to be necessary for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, defective materials or equipment furnished. Not less than fifteen percent of total cost of improvements.

B. Nonprofit California Corporations. Pursuant to Section 66499.3 of the Subdivision Map Act, entities that are California nonprofit corporations, funded by the United States of America or one of its agencies, or funded by the state of California or one of its agencies, are exempt from the requirements of subsections (A)(1) and (A)(2) of this section; provided, they meet and fulfill the alternative security requirements specified in Section 66499.3(c) of the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.44.180 Form, filing and term of improvement security.

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 Section 66499 of the Subdivision Map Act.

B. A surety bond to secure the faithful performance of the agreement shall substantially conform to the form set forth in Section 66499.1 of the Subdivision Map Act. A surety bond to secure payment to the contractor, subcontractor and persons furnishing labor, materials or equipment shall substantially conform to the form set forth in Section 66499.2 of the Act.

C. Improvement security shall be filed with the town engineer, together with the improvement agreement, before the town engineer accepts the final map or parcel map for filing. The form of the improvement security shall be subject to the approval of the town attorney. The bonding company shall be licensed and authorized to issue security bonds in California and subject to approval by the town attorney and town council. (Ord. 185 § 1 (part), 1998)

14.44.190 Liability for alterations or changes.

The liability upon the security given for the faithful performance of the agreement shall include the performance of any changes or alterations in the work; provided that all such changes or alterations do not exceed ten percent of the original estimated cost of the improvement. (Ord. 185 § 1 (part), 1998)

14.44.200 Release of improvement security-Assessment district proceedings.

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 town engineer by the amount corresponding to the amount of such bonds furnished by the contractor. (Ord. 185 § 1 (part), 1998)

14.44.210 Release of improvement security.

A. Performance Security. The performance security shall be released only upon completion or fulfillment of all terms and conditions of the improvement agreement and acceptance by the town engineer. Such acceptance shall occur when the certificate of completion is signed by the town engineer. If a warranty security is not submitted, performance security shall be released twelve months after acceptance of improvements and correction of all warranty deficiencies.

B. Payment Security. Security given to secure payment to the contractor, subcontractors and to persons furnishing labor, materials or equipment may, six months after the completion and acceptance of the improvements by the town engineer, be reduced to an amount equal to the amount of all claims therefor filed and of which notice has been given to the town. The balance of the security shall be released upon the settlement of all claims and obligations for which the security was given.

C. Warranty Security. The warranty security shall be released upon satisfactory completion of the warranty period; provided, that all warranty deficiencies have been corrected.

Pursuant to Government Code Sections 66499.7 and 66499.9, the release of improvement security as set forth in this chapter shall not apply to any costs, reasonable expenses or fees, including reasonable attorneys' fees. (Ord. 185 § 1 (part), 1998)

Chapter 14.48

SUBDIVISION MODIFICATIONS

Sections:

- 14.48.010 Modification authority.
- 14.48.020 Required findings and conditions.
- 14.48.030 Modification filing time.
- 14.48.040 Filing applications-Form and content.
- 14.48.050 Referrals.
- 14.48.060 Consideration and approval of Modifications.

- 14.48.070 Planning commission or town council action.
- 14.48.080 Appeal.

14.48.010 Modification authority.

A. The planning commission or town council may, in accordance with the provisions of this chapter, grant, conditionally approve or deny requests by a subdivider for modifications to the requirements or standards imposed by these regulations; provided, however, that no modifications may be made to any requirement imposed by the Subdivision Map Act; and further provided, that nothing herein shall be construed as altering or conflicting with the powers and duties of the planning director or planning commission to authorize variances from the regulations and requirements of the zoning ordinance. Modifications may be recommended to the planning commission or town council by the subdivision review committee. A minor change in the design of a subdivision which is not violative of the requirements or standards imposed by these regulations shall not be deemed to be a "modification" as the term is used in this title.

B. Where a modification is sought from the requirements or standards imposed by these regulations, and the same requirement is imposed by the town's zoning ordinance, a separate variance under the zoning ordinance shall not be required. (Ord. 185 § 1 (part), 1998)

14.48.020 Required findings and conditions.

Before granting any modification, the planning commission or town council shall make all the following findings:

A. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable in the particular case to conform to the strict application of these regulations;

B. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;

C. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;

D. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the general plan and with all other applicable specific plans of the town.

In granting a modification, the planning commission or town council may impose such conditions as are necessary to protect the public health, safety or welfare, and assure compliance with the general plan, with all applicable specific plans, and with the intent and purposes of these regulations. (Ord. 185 § 1 (part), 1998)

14.48.030 Modification filing time.

A. Modification requests shall either be filed with the tentative map or shall be filed during the period of time between approval of the tentative map and recordation of the final map or parcel map.

B. For the purposes of this chapter, modifications filed prior to the approval of the tentative map shall be referred to as "subdivision modifications," and modifications

filed after approval of the tentative map shall be referred to as “post-subdivision modifications.”

C. Action by the planning commission or town council on any post-subdivision modification shall not extend the time for filing the final map or parcel map with the town engineer. (Ord. 185 § 1 (part), 1998)

14.48.040 Filing applications-Form and content.

A. Applications for any modifications shall be filed, in writing, by the subdivider in the town planning department upon a form and in the number of copies required for that purpose.

B. Each application shall state fully the nature and extent of the modification required, the specific reasons therefore, and the facts relied upon. The application shall clearly show that the modification is necessary and is consistent with each of the findings required by Section 14.48.020. A fee shall be established by resolution of the town council and shall accompany each application for a modification. (Ord. 185 § 1 (part), 1998)

14.48.050 Referrals.

The planning director shall transmit copies of the modification application for review and comment to members of the subdivision review committee and to such other public or private agencies or departments affected by the proposed modification as the director deems appropriate. (Ord. 185 § 1 (part), 1998)

14.48.060 Consideration and approval of modifications.

A. Subdivision Review Committee Consideration.

1. Any modification shall be considered by the subdivision review committee, which shall make a recommendation on the requested modification. A subdivision modification shall be noticed in the same manner as the tentative map application, and shall be considered by the subdivision review committee at the same meeting as it considers the tentative map application. A post subdivision modification shall be noticed in the same manner as a tentative map over which the planning commission has final authority.

2. Upon conclusion of the meeting, the subdivision review committee shall within thirty days, or at the time it takes action on the tentative map, make a recommendation to the planning commission or town council based upon the evidence and testimony produced before it, together with the results of its investigations. If the modification is recommended, a statement of any conditions attached thereto shall be forwarded to the subdivider and to the planning commission or town council. If disapproval is recommended, the subdivider and the planning commission or town council shall be furnished with the statement of reasons for such denial.

B. Planning Commission or Town Council Approval.

1. Subdivision Modifications. A subdivision modification shall be considered by the planning commission, unless it is sought as part of a tentative map requiring town council approval, in which case it shall be considered by the town council. The planning commission shall make a recommendation on those subdivision modifications requiring town council approval.

a. A request for a subdivision modification shall be considered by the planning commission or the town council at the scheduled hearing on the tentative map. Notice of the hearing before the planning commission or the town council shall be given in the manner prescribed in Section 14.20.090(A) for tentative maps. Notice of the time, place and purpose of the meeting shall also be given to the subdivider and any other interested person or party who has requested in writing to be so notified.

2. Post Subdivision Modifications. A post subdivision modification shall be considered by the planning commission. Notice of the hearing before the planning commission shall be given in the manner prescribed in Section 14.20.090(A) for tentative maps. Notice of the time, place and purpose of the meeting shall also be given to the subdivider and any other interested person or party who has requested in writing to be so notified. (Ord. 185 § 1 (part), 1998)

14.48.070 Planning commission or town council action.

A. Upon conclusion of the hearing, the planning commission or the town council shall make a determination based upon the evidence and testimony offered, together with the results of its investigations, if any.

B. A copy of the written findings and a complete statement of any conditions of approval shall be placed on file with the secretary of the planning commission or in the office of the town clerk and copies thereof furnished to the subdivider. (Ord. 185 § 1 (part), 1998)

14.48.080 Appeal.

A subdivider or interested person may appeal any action of the planning commission on a subdivision modification pursuant to the procedure set forth in Section 14.20.110 (Ord. 185 § 1 (part), 1998)

Chapter 14.52

REVERSIONS

Sections:

- 14.52.010 General.
- 14.52.020 Initiation of reversion proceedings.
- 14.52.030 Review of petition.
- 14.52.040 Findings for reversion.
- 14.52.050 Conditions for reversion.
- 14.52.060 Filing with county recorder.
- 14.52.070 Merging and resubdividing without reversion.
- 14.52.080 Requirements for parcel mergers and unmergers.

14.52.010 General.

Subdivided property may be reverted to acreage, and merged and unmerged, pursuant to the provisions of the Subdivision Map Act and this chapter. (Ord. 185 § 1 (part), 1998)

14.52.020 Initiation of reversion proceedings.

Proceedings to revert subdivided property to acreage may be initiated by petition of all owners of record of the property or by the town council.

A. By Owner. In the case of initiation by the owners, the petition shall be submitted to the planning director and shall contain the following information:

1. Evidence of title to the real property;
2. Sufficient data to allow the town council to make the findings required in Section 14.20.090;
3. A final or parcel map consistent with the requirements of Chapter 14.24 or Chapter 14.28 and which delineates dedications which will not be vacated and dedications required as a condition to reversion. Final or parcel maps shall be conspicuously designated with the title, "The Purpose of this Map is a Reversion to Acreage";
4. Such other additional data as required by the planning director or the town engineer;

5. Each petition for reversion to acreage shall be accompanied by a nonrefundable filing fee as established by resolution of the town council.

B. By Town Council. The town council may, by resolution, initiate proceedings to revert property to acreage. The town council shall direct the planning director to obtain the, necessary information to initiate and conduct the proceedings. (Ord. 185 § 1 (part), 1998)

14.52.030 Review of petition.

The notice, hearing and procedural requirements for review of a tentative map requiring town council approval shall be followed in connection with the review of a proposed reversion to acreage; provided that, upon the conclusion of the hearing before the town council, the town council may approve the reversion to acreage and take final action on the proposed final or parcel map. (Ord. 185 § 1 (part), 1998)

14.52.040 Findings for reversion.

Subdivided property may be reverted to acreage only if the town council finds that:

A. Dedications or offers of dedication to be vacated or abandoned by the reversions to acreage are unnecessary for present or prospective public purposes; and

B. Either:

1. All owners of an interest in the real property within the subdivision have consented to reversion; or
2. None of the improvements required to be made have been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or
3. No lots shown on the final map or parcel map have been sold within five years from the date such map was filed for record. (Ord. 185 § 1 (part), 1998)

14.52.050 Conditions for reversion.

The town council may require as conditions of the reversion:

A. The owners dedicate or offer to dedicate streets, public rights-of-way or easements;

B. The retention of all or a portion of previously paid subdivision fees, deposits or improvement securities if the same are necessary to accomplish any of the purposes or provisions of the Subdivision Map Act or this chapter;

C. Such other conditions of reversion as are necessary to accomplish the purposes or provisions of the Subdivision Map Act or this chapter or necessary to protect the public health, safety or welfare. (Ord. 185 § 1 (part), 1998)

14.52.060 Filing with county recorder.

Upon approval of the reversion to acreage the town clerk shall transmit the final or parcel map, together with the town council resolution approving the reversion, to the county recorder for recordation. Reversion shall be effective upon the final map being filed for record by the county recorder. (Ord. 185 § 1 (part), 1998)

14.52.070 Merging and resubdividing without reversion.

Except as provided in Chapter 14.16 for merger of contiguous parcels under common ownership, subdivided lands may be merged and resubdivided without reverting to acreage by complying with the applicable requirements for the subdivision of land as provided by this chapter and the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.52.080 Requirements for parcel mergers and unmergers.

Except as provided otherwise in this chapter, the requirements for the merger and unmerger of parcels shall be as set forth in the Subdivision Map Act (Government Code Sections 66499.11 et seq.). (Ord. 185 § 1 (part), 1998)

Chapter 14.56

BRIDGES OR MAJOR THOROUGHFARES

Sections:

14.56.010	Fees-Bridges or major thoroughfares.
14.56.020	General conditions.
14.56.030	Resolution of intention to form district.
14.56.040	Notice of hearing.
14.56.050	Public hearing.
14.56.060	Majority protests.
14.56.070	Resolution of district formation.
14.56.080	Fees collected.
14.56.090	Advance or contribution of town funds.
14.56.100	Reimbursement to subdivider or developer.

14.56.010 Fees-Bridges or major thoroughfares.

There may be required the payment of fees for the purpose of defraying the cost of constructing bridges or major thoroughfares in accordance with the conditions set forth in Chapter 4, Article 5 of the Subdivision Map Act. (Ord. 185 § 1 (part), 1998)

14.56.020 General conditions.

A. Facilities to be constructed shall conform to the general plan and for bridges to the transportation, circulation or flood control provisions thereof which identify railways, freeways or streams for which bridge crossings are required, and in the case of major thoroughfares, to the provisions of the circulation element which identifies those major thoroughfares whose primary purpose is to carry through traffic and provide a network connecting to the state highway system.

B. Major thoroughfares to be constructed shall be those that are in addition to, or a reconstruction of, any existing major thoroughfares serving the area at the time the boundaries of the area of benefit are established.

C. Bridges to be constructed shall be an original bridge serving the area or an addition to any existing bridge facility serving the area at the time the boundaries of the area of benefit are established. No fees shall be collected or expended to reimburse the cost of constructing existing bridge facilities.

D. In establishing the property liable for payment of fees under this section, there may be included in the area of benefit land in addition to that which may be the subject of any subdivision map or building permit application being considered concurrently with the proceedings to create a benefiting district.

E. In determining the method of fee apportionment for major thoroughfares, land which abuts the proposed improvement shall not be allocated higher fees than land not abutting the improvement unless the abutting property is provided direct usable access to the major thoroughfare. (Ord. 185 § 1 (part), 1998)

14.56.030 Resolution of intention to form district.

Whenever the council deems it necessary to form a district representing an area of benefit under the provisions of this chapter, the council shall by resolution declare its intention to form such a district to establish fees for the construction of bridges or major thoroughfares. The resolution of intention shall state the following:

- A. The time and place of the public hearing;
- B. The boundaries of the area of benefit;
- C. The description of the proposed improvements;
- D. The estimated cost of the construction of the proposed improvements, including right-of-way design and contract administration;
- E. The estimated advance or contribution of funds by the town;
- F. The method of fee apportionment;
- G. The estimated fee which will be established as a condition of approval of final subdivision maps or for issuance of building permits; and
- H. The method and time for filing of protests. (Ord. 185 § 1 (part), 1998)

14.56.040 Notice of hearing.

Notice of hearing shall be provided as required by state law. Such notice shall also be given by mailing a copy of the resolution of intention at least fifteen days before the time fixed for the hearing to each owner of land within the proposed improvement district as shown on the last equalized county assessment roll. (Ord. 185 § 1 (part), 1998)

14.56.050 Public hearing.

At the time and place fixed in the resolution of intention, the council shall hear any owner liable for the payment of fees who may appear and present testimony material to the matters set forth in the resolution of intention. Also, the council shall hear and pass upon all written protests filed by the owners of land within the proposed improvement district. Written protests must be filed with the town clerk prior to the time of the hearing and must contain a description of the property in which each signer thereof is interested. Each description must be in sufficient detail to clearly identify the same. If the signers of the protests are not shown on the last equalized assessment roll as the owners of such property, the protest must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the council. (Ord. 185 § 1 (part), 1998)

14.56.060 Majority protests.

A. If within the time when a protest may be filed under the provisions of this section there is a written protest filed with the town clerk by the owners of more than one-half of the area of the property to be benefited by the improvements, and sufficient protests are not withdrawn so as to reduce the area represented to less than one-half of that to be benefited, then the proposed proceedings shall be abandoned and the council shall not, for one year from the filing of that written protest, commence or carry on any proceedings for the same improvements or acquisition under the provision of this section. Protests may be withdrawn by the owner making the same, in writing, at any time prior to the conclusion of the public hearing.

B. If any majority protest is directed against only a portion of the improvements, then all further proceedings under the provisions of this section to construct that portion of the improvements so protested against shall be barred for a period of one year, but the town council shall not be barred from commencing new proceedings not including any part of the improvements or acquisition so protested against. Nothing in this section shall prohibit the town council, within such one-year period, from commencing and carrying on new proceedings for the construction of a portion of the improvement so protested against if it finds by the affirmative vote of four-fifths of its members that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such portion of the improvements or acquisition. (Ord. 185 § 1 (part), 1998)

14.56.070 Resolution of district formation.

A. If a majority protest is not filed, or if filed and protests are withdrawn such that less than a majority protest exists at the conclusion of the hearing, the council shall be resolution determine to form the district representing an area of benefit, establish the fees therefore, and authorize an election pursuant to Article XIII of the California Constitution.

B. Following the election, to be held at such time and place provided by the council in accordance with prevailing laws, a resolution shall be adopted confirming results.

C. The parcels to be assessed and the amount of such assessment shall be recorded with Placer County and filed with the Placer County auditor/controller for inclusion on the next appropriate tax roll. (Ord. 185 § 1 (part), 1998)

14.56.080 Fees collected.

A. Fees paid pursuant to this chapter shall be deposited in a planned bridge facility or major thoroughfare fund. A separate fund shall be established for each planned bridge facility project or major thoroughfare project. If the benefit area is one in which more than one bridge is required to be constructed, a fund may be so established covering all of the bridge or thoroughfare projects in the benefit area.

B. Moneys in such funds shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the town for the cost of constructing the improvement. Construction cost shall include acquisition, design, inspection and construction contract costs.

C. A resolution adopted pursuant to this chapter may provide for the dedication of land or construction of improvements in lieu of the payment of fees. (Ord. 185 § 1 (part), 1998)

14.56.090 Advance or contribution of town funds.

A. The town may advance money from its general or such other revenue sources that are available to pay the cost of constructing all or a portion of the improvement. The general or other fund may be reimbursed for such advance from planned bridge facility or major thoroughfare funds established to finance the construction of such improvements.

B. Where the area of benefit includes lands not subject to the payment of fees pursuant to this section, the council shall make provision for payment of the share of the improvement cost apportioned to such land from sources other than the planned bridge facility or major thoroughfare fund. (Ord. 185 § 1 (part), 1998)

14.56.100 Reimbursement to subdivider or developer.

Whenever a subdivider or land developer is required to pay a fee for the construction of a bridge or improvement of a major thoroughfare as a condition precedent to the acceptance of a final subdivision map or as a condition of issuing a building permit and the facility is, or is to be, dedicated to the public, the council may contract with the subdivider or land developer for the construction of the bridge or improvement of a major thoroughfare, and reimburse the subdivider or land developer for the cost of constructing the facility from the fees collected from the benefiting district. (Ord. 185 § 1 (part), 1998)

Chapter 14.60

REGULATION FOR DEDICATION OF LAND, PAYMENT OF FEES, OR BOTH, FOR PARK AND RECREATIONAL PURPOSES

Sections:

- 14.60.010 General requirement.
- 14.60.020 General standards.

14.60.030	Standards and formulas for dedication of land.
14.60.040	Formula for fees in lieu of land dedication.
14.60.050	Calculation of in lieu fees-Appraisal.
14.60.060	Use of fees.
14.60.070	Subdivisions not within the general plan.
14.60.080	Determination of land or fee.
14.60.090	Time schedule for use of land/fees.
14.60.100	Credits.
14.60.110	Computation of credit.
14.60.120	Procedure.
14.60.130	Exemptions.
14.60.140	Access requirements.
14.60.150	Sale of dedicated land.
14.60.160	Phased maps.

14.60.010 General requirement.

As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the town, for park or recreational purposes at the time and according to the standards and formula contained in this chapter. (Ord. 185 § 1 (part), 1998)

14.60.020 General standards.

It is found and determined that the public interest, convenience, health, welfare and safety require that five acres of improved parkland and five acres of passive recreation area or open space for each one thousand persons residing within the town be devoted to local recreation and park purposes. (Ord. 185 § 1 (part), 1998)

14.60.030 Standards and formulas for dedication of land.

A. Where a recreational or park facility has been designated in the general plan or a specific plan, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for local recreation or park facilities sufficient in size and topography to serve the residents of the subdivision. The amount of land to be provided shall be determined pursuant to the following standards and formula:

Where the town requires the dedication of land, the subdivider or owner shall dedicate land for local recreational or park or open space facilities according to the formula $D \times F = A$ in which:

- D = the number of dwelling units
- F = a "factor" herein described
- A = the buildable acres or open space acres to be dedicated.

B. A buildable acre is a typical acre of the subdivision and located in other than an area on which a building is excluded because of flooding, public rights-of-way, easements or other restrictions.

C. Open space areas may contain floodways, riparian and stream corridors, wildlife corridors, greenways, open water, woodlands or other sensitive habitat. Buffer areas shall not be considered open space areas for purposes of this chapter if the areas are required setbacks on private property.

D. The factor constants which, when multiplied by the number of dwelling units permitted in the subject area, will produce five acres per thousand population. Unless the subdivider enters into an agreement with the town for a lower density, the number of dwelling units shall be calculated as follows:

1. When a rezoning application accompanies the tentative map, density shall be calculated according to the highest density of the zoning designation applied for; provided, that when rezoning to the R-1A zone is requested for individual lots in a predominately single-family subdivision in order to develop halfplex units on the lots and the development of the halfplex units will not cause the density of the subdivision to exceed the maximum density allowed in the R-1 zone, the number of dwelling units shall be based on single-family density;

2. When the tentative map is not accompanied by a rezoning application, density shall be calculated according to the highest density of the existing zoning designation or existing specific plan density designation, whichever allows the highest density; provided, however, that upon completion of build-out, if the actual number of dwelling units built is less than the highest density permitted in the applicable zone, then the subdivider may, within five years after payment of the fee, apply for a refund, without interest, of the difference between the fee actually paid and a fee calculated on the basis of the actual density.

3. The factors referred to above are as follows:

FS	=	.0298 relating to single-family dwelling units
FT	=	.0224 relating to two-family dwelling units
FM	=	.0176 relating to multiple-family dwelling units
Fmh	=	.0176 relating to mobile-home dwelling units

E. The subdivider shall: (1) provide full street improvements, including but not limited to curbs, gutters, street paving, traffic control devices, street lights and sidewalks, to land which is dedicated pursuant to this section; (2) provide for chain link fencing meeting town standards along the property line of that portion of the subdivision contiguous to the dedicated land; (3) provide improved surface drainage through the site; and (4) provide other improvements which the town council determines to be essential to the acceptance of the land for recreational or open space purposes. (Ord 185 § 1 (part), 1998)

14.60.040 Formula for fees in lieu of land dedication.

A. If there is no park or recreational facility designated in the town's recreation and park plan to be located in whole or in part within the proposed subdivision to serve the needs of the residents of the subdivision, and/or where the town council requires the payment of in lieu fees, the subdivider shall, in lieu of dedication of land, pay a fee equal to the value of the land prescribed for dedication in Section 14.60.020 and in an amount determined in accordance with the provisions of Section 14.60.050, such fee to be used

for recreational and park and open space facilities which will serve the residents of the area being subdivided.

B. If the proposed subdivision contains fifty parcels or less, the subdivider shall pay a fee equal to the land value of the portion of the local park required to serve the needs of the residents of the proposed subdivision as prescribed in Section 14.60.020, and in an amount determined in accordance with the provisions of Section 14.60.050. (Ord. 185 § 1 (part), 1998)

14.60.050 Calculation of in lieu fees-Appraisal.

When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value as described below, plus twenty percent or off-site improvements such as utility line extensions, curb, gutter and street lights.

A. The amount to be paid shall be a sum calculated pursuant to the following formula:

$$A \times V = M$$

where

- A = the amount of land required for dedication as determined in Section 14.60.020.
V = fair market value (per acre) of the property to be subdivided, as established by an appraisal;
M = the number of dollars to be paid in lieu of dedication of land, to which shall be added 20% for off-site improvements.

B. For purposes of calculating the in-lieu fee under this section, the subdivider shall cause an appraisal of the property to be subdivided to be made. The appraisal shall be made at the subdivider's expense by an active MM, SREA or SRPA member in good standing of the Appraisal Institute, or an active ASA (Urban Real Property) member in good standing of the American Society of Appraisers, and shall meet the standards observed by a competent member of the professional organization. The appraiser shall appraise the land at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. The fair market value shall be for the gross tentative map area. Factors to be considered during the evaluation shall include the following:

1. Approval of and conditions of the tentative subdivision map;
2. The general plan;
3. Zoning and density;
4. Property location;
5. Off-site improvements facilitating use of the property;
6. Site characteristics of the property;
7. Existing encumbrances (e.g., existing streets, canals) which have the effect of reducing usable gross tentative map area.

C. The appraisal shall value the property as of a date no earlier than ninety days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value (V) of the property in dollars per

gross acre. Three copies of the appraisal shall be delivered to the town manager for processing. (Ord. 185 § 1 (part), 1998)

14.60.060 Use of fees.

Fees collected pursuant to this chapter shall be used and expended solely for the acquisition, improvement and expansion of the public parks, playgrounds and recreational facilities and open space lands reasonably related to serve the needs of the residents of the proposed subdivision. Such fees may also be used for the development of recreational areas and facilities on public school grounds which provide a desirable recreational site and immediate access to a public street. (Ord. 185 § 1 (part), 1998)

14.60.070 Subdivisions not within the general plan.

Where the proposed subdivision lies within an area not then but to be included within the town's general plan, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, in accordance with the adopted park and recreational principles and standards of the town's general plan and in accordance with the provisions of this chapter. (Ord. 185 § 1 (part), 1998)

14.60.080 Determination of land or fee.

Whether the town accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

- A. Parks and recreation plan, and element of the town's general plan;
- B. Topography, geology, access and location of land in the subdivision available for dedication;
- C. Size and shape of the subdivision and land available for dedication;
- D. Feasibility of dedication;
- E. Compatibility of dedication with the parks and recreation element of the Loomis general plan; and
- F. Availability of previously acquired park property. The determination of the town council as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. (Ord. 185 § 1 (part), 1998)

14.60.090 Time schedule for use of land/fees.

Any fee collected under the ordinance shall be committed within five years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If such fees are not committed, they shall be distributed and paid to the then-record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots within the subdivision. (Ord. 185 § 1 (part), 1998)

14.60.100 Credits.

A. The town may grant credits for privately owned and maintained open space or local recreation facilities, or both, in planned developments as defined in Section 11003 of the Business and Professions Code, condominiums as defined in Section 783 of the Civil Code, and other common interest developments. Such credit, if granted in acres, or

comparable in lieu fees, shall not exceed twenty-five percent of the dedication or fees, or both, otherwise required under this chapter, and shall be subtracted from the dedication or fees, or both, otherwise required under this chapter, provided:

1. Yards, court areas, setbacks and other open space areas required to be maintained by this title and other regulations shall not be included in private open space and local recreation credit;

2. Provision is made by written agreement, recorded covenants running with the land, or other contractual instrument that the areas shall be adequately maintained;

3. The use of private open space or recreation facilities is limited to park and local recreation purposes and shall not be changed to another use without the express written consent of the town council.

B. Land or facilities, or both, which may qualify for credit towards the land dedication or in lieu fee, or both, will generally include the following types of open space or location recreational facilities; provided, however, that credit for each of the following categories shall not exceed five percent of the dedication or fees, or both, otherwise required under this chapter:

1. Open spaces, which are generally defined as passive park lands and can include parks, low land along streams or areas of rough terrain when such areas are extensive and have natural features worthy of scenic preservation;

2. Court areas, which are generally defined as tennis courts, badminton courts, shuffleboard courts or similar hard-surfaced areas especially designed and exclusively used for court games;

3. Recreational swimming areas, which are defined generally as fenced areas devoted primarily to swimming, diving, or both, including decks, lawned area, bathhouse or other facilities developed and used exclusively for swimming and diving;

4. Recreation buildings, designed and primarily used for the recreational needs of the residents of the development;

5. Special areas, which are generally defined as areas of scenic or natural beauty, historic sites, hiking, riding or motorcycle/bicycle trails, including pedestrian walkways separated from public roads, planting strips, lake site or river beaches, improved access or right-of-way in excess of requirements, and similar type open space or recreational facilities which, in the sole judgment of the town, qualifies for a credit.

C. The town council shall grant credit for land dedicated and/or fees paid pursuant to this chapter under a previously approved final subdivision map or parcel map in the event a new map is submitted for approval. Such credit shall be subtracted from the dedication and/or fees required under this chapter for the new map; provided, that in no event shall the town be required to return any fees paid or any land dedicated as a condition of a previously approved final map pursuant to this title. (Ord. 185 § 1 (part), 1998)

14.60.110 Computation of credit.

The categories for credit for private open space and facilities described in Section 14.60.100 shall be given equal weight, each category not to exceed twenty percent of the total which may be granted by the town. The town council may, however, upon petition of the subdivider, grant additional credit for each of the above categories if there is substantial evidence that:

A. The open space or recreational facilities is above average in aesthetic quality, arrangement or design; or

B. The open space or recreational facility is clearly proportionately greater in amount or size than required by this chapter or usually provided in other similar types of development; or

C. The open space or recreational facility is situated so as to compliment open space or local recreational facilities in other private or public developments. (Ord. 185 § 1 (part), 1998)

14.60.120 Procedure.

A. At the time of the hearing on the tentative subdivision map, the planning commission shall recommend to the town council, after reviewing the report and recommendation from the planning director that land be dedicated or fees be paid, or both, by the subdivider for park or recreational purposes as a condition of approval of the subdivision map. The recommendation by the planning director or his designee shall include the following where applicable:

1. The amount of land to be dedicated;
2. That a fee be charged in lieu of dedication;
3. That both dedication and a fee be required;
4. That a credit be given for private recreation facilities, unique natural and special features, or for any other reason provided in Section 14.60.100;
5. The location of the park land to be dedicated;
6. The approximate time when development of the park or recreation facility shall commence.

B. At the time of its hearing on the tentative subdivision map, the planning commission or town council shall determine the amount of land required to be dedicated under this chapter and Section 14.60.030, whether or not a fee is to be charged in lieu of any or all of the required dedication, whether a credit is to be given for private recreation facilities, unique natural and special features, or for any other reason provided in Section 14.60.100, and the location of the park land to be dedicated, if any. In making its determination, the town council shall be guided by the standards contained in this chapter where applicable.

C. At the time of the filing of a final subdivision or parcel map including the same amount of land as included in the applicable tentative map, the subdivider shall dedicate the land and/or pay the fees, as previously determined by the planning commission or the town council. Open space covenants for private park or recreational facilities shall be submitted to the town council prior to approval of the final subdivision map or parcel map and shall be recorded contemporaneously with the final subdivision map or parcel map. (Ord. 185 § 1 (part), 1998)

14.60.130 Exemptions.

The provisions of this chapter shall not apply to subdivisions:

A. Not used for residential purposes. Provided, however, that a condition shall be placed on the approval of such subdivision that if a building permit is requested for construction of a residential structure or structure on one or more of the parcels within four years of the filing of the map, the owner of each such parcel shall be required to pay

an in-lieu fee pursuant to this chapter, calculated as of the date the building permit is issued, as a condition to the issuance of a building permit; a note to this effect shall be placed on the final map;

B. To permit separate ownership of two or more existing residential dwelling units when all such units are more than five years old and no new units are added. (Ord. 185 § 1 (part), 1998)

14.60.140 Access requirements.

All land offered for dedication to local park or recreational or open space purposes shall have access to at least one existing or proposed public street. This requirement may be waived by the planning commission or the town council if the planning commission or the town council determines that public street access is unnecessary for the maintenance of the park area or use thereof by the residents. (Ord. 185 § 1 (part), 1998)

14.60.150 Sale of dedicated land.

If, during the ensuing times between dedication of land for park purposes and the commencement of first-stage development, circumstances arise which indicate that another site would be more suitable for local park or recreational purposes serving the subdivision and the neighborhood (such as gift of park land or change in school location) by mutual agreement of the subdivider or owner and the town council, the land may be sold upon the approval of the town council with the resultant funds being used for the purchase of a more suitable site. (Ord. 185 § 1 (part), 1998)

14.60.160 Phased maps.

A. At the time of the filing of a final subdivision or parcel map including less land than was included in the tentative map, the planning director or his designee shall recalculate the amount of land required to be dedicated in accordance with this chapter, based on the land included in the proposed final subdivision or parcel map.

B. If the town council or planning commission determined at the hearing on the tentative map that the requirements of this chapter would be satisfied by the payment of a fee and/or that land located within the proposed final subdivision or parcel map be dedicated and the amount of such land is equal to or smaller than the amount of land required to be pursuant to subsection A of this section, the subdivider shall dedicate the land and/or pay the fees at the time of filing the final subdivision or parcel map.

C. If the town council or planning commission is determined at the hearing on the tentative map that the requirements of this chapter would be satisfied by the dedication of land located outside the proposed final subdivision or parcel map or the amount of land required to be dedicated at the time of approving the tentative map exceeds the amount required to be dedicate pursuant to of subsection A of this section, the planning director or his designee shall recommend that the subdivider:

1. Dedicate full title to part of the parksite; or
2. Dedicate an undivided partial ownership interest in entire parksite; or
3. Dedicate as specified in subsection (C)(1) or (C)(2) of this section and enter into an agreement with the Town to reserve the undedicated portion; or
4. Solely pay in-lieu fees; and/or
5. Be granted credit(s) in accordance with Section 14.60.100 and 14.60.110.

If the subdivider concurs with the recommendation of the planning director, the subdivider shall dedicate the land and/or pay the fees in accordance with the recommendation prior to filing the final subdivision or parcel map. Open space covenants for private park or recreational facilities shall be submitted to the town council prior to the approval of the final subdivision map or parcel map and shall be recorded at the same time as the final map.

If the subdivider objects to the recommendation of the planning director, the town council shall determine at a public hearing the land to be dedicated, whether a fee is to be charged, and whether any credits shall be granted. Prior to filing the final subdivision or parcel map, the subdivider shall dedicate the land and/or pay the fees, as determined by the town council. Open space covenants for private park or recreational facilities shall be submitted to the town council prior to the approval of the final subdivision map or parcel map and shall be recorded at the same time as the final map.

D. Nothing in subsection C of this section shall be construed to:

1. Require the dedication of land located outside the proposed final subdivision or parcel map; or

2. Prohibit a subdivider from dedicating land in excess of the amount required to be dedicated pursuant to subsection A of this section.(Ord. 185 § 1 (part), 1998)

Chapter 14.64

ENFORCEMENT AND PENALTIES

Sections:

- | | |
|-----------|----------------------------|
| 14.64.010 | Denial of permits. |
| 14.64.020 | Certificate of compliance. |
| 14.64.030 | Notice of violation. |
| 14.64.040 | Prohibition. |
| 14.64.050 | Cumulative remedies. |
| 14.64.060 | Town to be held harmless. |

14.64.010 Denial of permits.

No building permit, grading permit or any other permit or approval necessary to real property shall be granted or issued for any parcel of real property which has been divided, or which has resulted from a division, in violation of the provisions of the Subdivision Map Act or this title that were applicable at the time such division occurred, unless the planning director, as hereinafter provided, finds that development of such real property is not contrary to the public health, welfare or safety. A permit or approval shall be denied whether the applicant was the owner of the real property at the time of the violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of acquisition of the real property. Whenever a permit or approval is sought to develop such real property, the department from which the permit is sought shall notify the applicant that the permit cannot be granted because of the illegal division of land, and shall advise the person that they may file an application with the planning director for a determination as to whether

the development of the property would not be contrary to public health, welfare or safety and for the possible issuance of a certificate of compliance. (Ord. 185 § 1 (part), 1998)

14.64.020 Certificate of compliance.

A. Classification of Certificates of Compliance.

1. **Certificates of Compliance.** A certificate of compliance is used when the real property is in compliance with the Subdivision Map Act and this title.

2. **Conditional Certificate of Compliance.** A conditional certificate of compliance is used when the planning director determines that the property was divided in violation of the Subdivision Map Act or this title.

3. **Certificate of Compliance and a Waiver of a Parcel Map.** A certificate of compliance is required on all subdivisions for which the requirement to file a parcel map has been waived. Since there is no map to record, a certificate is necessary to record a legal description of the property which has been divided.

B. Application. The following procedures shall apply to applications for approval of a certificate of compliance. Any owner of real property, including owners denied a permit, may file an application for a certificate of compliance. A separate application shall be made to the planning director, accompanied by the fees for each parcel to be certified. No certificate of compliance application proposing the certification of multiple lots will be accepted unless submitted in conjunction with a waiver of a parcel map. Each completed application shall be accompanied by the following:

1. A map shall be submitted, drawn on a form provided by the planning department. The map shall be legibly drawn, in ink, to an engineer's scale, with the scale shown on the map. It shall show the subject property with dimensions and the gross and net area, and it shall show the location, width and names of all streets and roads adjacent to and providing access to the property.

2. The map shall show the location and use of all structures on the property, with the distances from the structures to the parcel boundaries and distances between structures, and all existing utilities and easements.

3. A small scale vicinity map shall be shown with distances (in feet or tenths of a mile) to the nearest street intersection.

4. The map shall show the name, address, telephone number and signature of the current owner of the property, and the name, address and telephone number of the person preparing the map, if different from owner.

5. The map shall show the current zoning on the property and the current assessor's parcel number.

6. The application shall also include:

a. A legible copy of the current owner's grant deed or contract of sale;

b. A map and copies of deeds of all other property owned by the applicant that is contiguous to the subject real property;

c. Documentation of recorded access to the subject property unless abutting a public street;

d. A legal description for the subject property to be typed on plain white paper, eight and one-half inches by eleven inches in size, with one inch margins at the top, sides and bottom. This legal description shall be reproducible so as to yield a legible copy that can be used as a part of a recorded certificate of compliance.

e. A lot book report that shows transactions of the subject property for the previous four years.

C. Processing and Issuance.

1. Certificate of Compliance.

a. Upon receipt of a completed application, the planning director shall review the matter and within fifty days after receipt of the completed application make a final determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this title, or whether the proposed development of the real property can be approved as not contrary to the public health, welfare and safety.

b. If the planning director determines that the real property was divided in compliance with the provisions of the Subdivision Map Act and this title that were applicable at the time the property was divided the planning director shall cause certificate of compliance to be filed for record with the county recorder.

2. Conditional Certificate of Compliance.

a. If upon receipt of a completed application the planning director determines that the property was divided in violation of the Subdivision Map Act or this title, but that a proposed development may be approved as being not contrary to the public health, welfare or safety, the planning director may issue a certificate of compliance contingent upon the completion of specified conditions.

b. the planning director shall submit the applications to the subdivision review committee at one of its regular meetings for its report, recommendations and to establish appropriate conditions.

c. The planning director may impose such conditions as would have been applicable to the division of the property at the time that the current owner of record acquired the property, except that where the applicant was the owner of record at the time of the initial violation who by a grant of the real property created a parcel or parcels in violation, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the planning director may impose such conditions as would be applicable to a current division of the property or the requirement of filing on a tentative parcel or tract map.

i. When the planning director imposes conditions, the director all file for record with the county recorder a conditional certificate of compliance.

ii. The conditions may be fulfilled and implemented by the owner who has applied for the certificate of compliance or any subsequent owner.

iii. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the town or any other subsequent jurisdiction, unless the property is thereafter included as a part of a legal division of such real property pursuant to the provisions of this title.

3. Upon completion of conditions, the owner shall notify the planning director. If the conditions are satisfactorily completed, the planning director shall then issue and record a final certificate of compliance.

D. Certificate of Compliance and Waiver of Parcel Map.

1. A certificate of compliance is required on all subdivisions for which the requirement to file a parcel map has been waived.

2. The planning director shall distribute the final copy of the certificate of compliance and waiver of parcel map to the building official and county recorder's office.

E. Appeal to Planning Commission. The decision of the planning director regarding a certificate of compliance may be appealed to the planning commission within ten calendar days after the date of the decision by the planning recorder. Upon receipt of a completed appeal, the planning director shall set the matter for before the planning commission, not less than ten days nor more than sixty days thereafter, and shall give written notice of the hearing, by mail, to the applicant. The planning commission shall render its decision within thirty days following the close of the hearing on the appeal and a copy thereof shall be mailed to the appellant. (Ord. 185 § 1 (part), 1998)

14.64.030 Notice of violation.

Whenever the planning director has knowledge that real property has been divided in violation of the provisions of the Subdivision Map Act or of this title, the director shall cause to be filed for record with the county recorder a notice of intention to record a notice of violation, describing the real property in detail, naming the owners thereof, describing the violation and stating that an opportunity will be given to the owner to present evidence. Upon recording a notice of intention to record a notice of violation, the planning director shall mail a copy of such notice by certified mail to the owner of such property. The notice shall specify a time, date and the place at which the owner may present evidence to the planning commission why such notice should not be recorded. If, after the owner has presented evidence, the planning commission finds that there has been no violation, the planning director shall file a release of the notice of intention to record a notice of violation with the county recorder. If, after the owner has presented evidence, the planning commission determines that the property has, in fact, been illegally divided, or within sixty days of receipt by the owner of the involved real property of a copy of the notice of intention to record a notice of violation, the owner of such real property fails to inform the planning commission as to why the involved real property has not been illegally divided, the planning director shall record the notice of violation with the county recorder. The notice of intention to record a notice of violation and the notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property. The county recorder shall index the names of the fee owners in the general index. (Ord. 185 § 1 (part), 1998)

14.64.040 Prohibition.

A. No person shall sell, lease finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereof, or allow occupancy thereof, for which a final subdivision map is required by this title except model homes, until such map thereof, in full compliance with the provisions of this title, has been filed for record by the county recorder.

B. No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, or allow occupancy thereof, for which a final parcel map is required by this title, except model homes, until such map thereof in full compliance with the provisions of this title has been filed for record by the recorder.

C. Conveyances of any part of a division of real property for which a final subdivision or parcel map is required by this title, shall not be made by parcel or block number, initial or other designation until such map has been filed for record by the recorder.

D. This section does not apply to any parcel or parcel of a division offered for sale, lease or finance, contracted for sale, lease finance, or sold, leased or financed in compliance with or exempt from this title at the time the land division was established. (Ord. 185 § 1 (part), 1998)

14.64.050 Cumulative remedies.

All remedies provided for in this title shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting a prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof. (Ord. 185 § 1 (part), 1998)

14.64.060 Town to be held harmless.

Any person who obtains or files an application to obtain an approval of any kind under the provisions of this title shall hold the town, its officers and agents, harmless from any liability or claim of liability, including costs, attorney fees and any claims of the applicant, arising out of the issuance of an approval, or the denial thereof, or arising out of any condition thereof held void or invalid by a court of law. (Ord. 185 § 1 (part), 1998)

SECTION 3

GENERAL REQUIREMENTS

3-1 ELECTRONIC SUBMITTAL STANDARDS AND REQUIREMENTS- All exhibits shall conform to the following standards:

- A. **Maps and Exhibits** - All maps and exhibits must be accompanied by electronic files in AutoDesk DWG format.
- B. **Grid Datum** - All maps and exhibits shall be submitted in California State Plane, Zone II, North American Horizontal Datum of 1983 (NAD 83), National Geodetic Vertical Datum of 1929 (NGVD 29) grid projection.
- C. **Local Ground Control** - If a local ground coordinate system is used on a project, then maps and exhibits must be submitted in both grid and ground coordinates.
- D. **Ground to Grid** - Coordinate "tie-ins" and conversions from ground to grid and grid to ground, shall use the coordinate values and conversion factor as specified by the Town Engineer.
- E. **Digital Submittal** - Acceptable electronic media include Compact Disk (CD) or Digital Video Disk (DVD).
- F. **Linear Features** - Linear features that compose a utility network (example; sewer pipes, water pipes and roadway centerlines) shall be represented by continuous polylines that are co-terminus with node features (example; sewer manholes, water valves and roadway intersections).

3-2 GRADING PERMITS, ENCROACHMENT PERMITS, AND SUBDIVISION AGREEMENTS - No work of any type shall be performed within the Town rights-of-way and easements without approved plans and an encroachment permit, grading permit or subdivision agreement. All necessary bonds and insurances shall be approved prior to approval of the plans and the issuance of any permits. This section contains the Town's requirements for each of these permits. Unless prohibited by a condition of approval, a developer may obtain a grading permit to rough grade the project site prior to obtaining approval of the project's civil improvement plans. In the event the plans show work on private property not owned by the developer, the developer shall submit to the Public Works Department a notarized right-of-entry from the owner of said property prior to plan approval.

- A. **Grading Permits** - The Uniform Building Code (UBC) requires that a grading permit be obtained from the Town prior to beginning any grading work unless the work meets certain exemptions specified in the UBC. See Section 2-8 for plan submittal requirements.
 - 1. **Fees** - Plan review, inspection and permit fee for grading shall be Chapter 70 of the UBC (latest edition as adopted by the Town). The entire fee will be required at the time of plan submittal.
 - 2. **Bond** - Unless work is included within the scope of a Development Agreement with appropriate bonding in place, a grading permit bond shall be submitted for all activities requiring a grading permit. The amount of the bond shall be equivalent to ten percent of the valuation of the grading, and erosion and sediment control measures. Minimum bond amount shall be \$500.00. A cost estimate shall be

provided to the Public Works Department for review and approval as a part of plan submittal.

3. **Insurance** - Insurance certificate is not required where the proposed grading is not within existing Town rights-of-way and easements. Where grading is proposed within Town rights-of-way and easements, an insurance certificate naming the Town additionally insured is required and an encroachment permit shall be issued concurrently with the grading permit. See "B" below for information regarding encroachment permit requirements.
4. **Release of Bond** - The bond shall be released within 30 days following completion of all conditions of the grading permit to the satisfaction of the Town.

B. Encroachment Permit - An encroachment permit is required for any work performed within the Town's rights-of-way and easements.

1. **Fees** - Plan review and inspection fee for encroachment permits are based on the value of the public improvements to be constructed within existing and proposed Town rights-of-way and easements. A cost estimate for the improvements, including any required construction staking, shall be provided to the Public Works Department for review and approval. All cost estimates shall include a ten percent contingency. The fee schedule shall be as adopted by Town Council resolution. Contact the Public Works Department for the current schedule in effect. Where grading is proposed in conjunction with the improvements a grading permit shall be issued concurrently with the encroachment permit. See "A" above for information regarding grading permits.
2. **Bond** - An encroachment permit faithful performance bond shall be submitted prior to the issuance of an encroachment permit. The bond shall be equal to 100 percent of the value of the improvements in existing Town rights-of-way and easements. Those improvements to be constructed within future Town rights-of-way and easements are not required to be bonded for under an encroachment permit. A cost estimate for the improvements, including any required construction staking, shall be provided to the Public Works Department for review and approval. All costs shall include a 10 percent contingency. The bond shall be approved by the Town Attorney prior to issuance of the Encroachment permit.
3. **Insurance** - Insurance is required for all work within Town rights-of-way and easements. Contact the Public Works Department for information regarding minimum insurance requirements.
4. **Release of Bond** - The encroachment permit faithful performance bond shall be released 180 days (six months) after all conditions of the encroachment permit have been completed to the satisfaction of the Town. In the case of subdivision improvements being constructed under an encroachment permit, the encroachment permit faithful performance bond shall be released as specified above unless, prior to the completion of the improvements, a subdivision agreement is executed for the improvements. In such case, the encroachment permit faithful performance bond shall be released immediately following execution of the subdivision agreement.
5. **Completion of Subdivision Improvements Prior to Map Approval** - Where all improvements required of a subdivision are completed and field accepted by the Town under an encroachment permit prior to final map approval, a one year subdivision maintenance bond equal to 20 percent of the valuation of the public improvements shall

be posted prior to recordation of the final map and acceptance of the improvements for maintenance. In such cases, the developer shall, as a condition of map approval, submit a current title report showing any non-payment liens. In addition, the developer shall submit written proof that his/her contractors and suppliers have been paid.

3-3 PLANS BY AN APPROPRIATE ENGINEER - All plans and specifications for improvements, private and public, which are to be accepted for maintenance by the Town, and plans and specifications for private on-site sewer, water, drainage, grading, roads, traffic controls, etc. shall be prepared by a California licensed engineer of the appropriate branch of engineering covering the work submitted. Plans shall be also submitted in Electronic Format in accordance with Section 3-1.

3-4 APPROVED PLANS - Complete plans and specifications for all proposed streets, bikeways, grading, drainage facilities, sewerage, traffic signals, water distribution systems, storage, wells, PRV station, industrial developments, commercial developments, and subdivisions, including any necessary dedications, easements, and rights of entry, shall be submitted to the Department of Public Works and involved outside agencies for approval. This approval shall be substantiated by the signature of the Town Engineer, affected agency, the responsible charge Consulting Engineer and the Geotechnical Engineer (if required by the Town Engineer) prior to the beginning of construction of any such improvements. The Director shall order any Contractor to cease work on any project if said Contractor does not have properly approved plans in possession at the construction site.

3-5 REFERENCE TO TOWN SPECIFICATIONS AND STANDARDS - The following note shall be included on all improvement plans:

"All construction and materials shall be in accordance with the latest edition of the Town of Loomis Construction Improvement Standards."

3-6 SUBMISSION OF SUBDIVISION IMPROVEMENT PLANS - The following are the procedures and requirements when submitting improvement plans for subdivisions to the Town of Loomis for review. Incomplete submittals will not be accepted. Rough grading plans and improvement plans, and parcel maps or subdivision maps may be submitted only after approval of the tentative map by the approving body and after the Conditions of Approval are available.

The initial submittal package shall be routed to the following agencies:

1. Public Works Department/Engineering
2. Planning Department
3. Fire District
4. Water Agency
5. Sewer District

The Developer or his Engineer shall respond directly to each department or agency to address each comment. The Town Engineer will not approve the plans until all other departments and agencies have approved the plans, and not until this occurs will construction be permitted to begin.

A. Submittal Requirements - The following are the Town submittal requirements for subdivisions, contact the individual agencies for their submittal requirements:

1. Three (3) sets of improvement plans per this manual unless otherwise requested by the Town staff. Details should be provided for tree preservation measures (aeration systems, special paving, fencing locations, etc) and notes called out for special tree preservation procedures (hand trenching, boring, no grading, etc).
2. Three (3) sets of landscaping and irrigation plans per this manual.

3. One (1) sets of improvement plans in Electronic Format in accordance with Section 2-1.
4. Two (2) copies of the 10 and 100 year storm drain calculations based on this manual and Placer County's Stormwater Management Manual. Two (2) copies of any "Master Drainage Plans" approved for the project area.
5. Two (2) copies of the drainage shed map.
6. Two (2) copies of any necessary hydraulic studies and any necessary HEC analysis. These analyses, when required, shall include the following:
 - a. Program printouts for both the before and after conditions.
 - b. A plan showing contours, stream centerlines, limits of proposed construction, cross section locations numbered to correspond to X1 card numbering, floodplain and floodway boundaries as calculated by the analysis, and boundaries as established by the best available information, if applicable.
 - c. Cross section plots of before and after conditions for all sections affected by the development.
7. Two (2) copies of the soils report for the site (See Section 2-13).
8. Cross sections of existing street widening with existing and proposed elevations.
9. Two (2) copies of the Resolution of Approval and conditions of approval for the project.
10. Two (2) copies of the approved tentative map. One (1) copy in Electronic Format in accordance with Section 3-1.
11. An itemized engineer's opinion of construction cost based upon reasonable and current unit costs. All cost estimates shall include a ten (10) percent contingency. The estimate shall separate out the Town and outside Agency Construction Costs. The cost estimate shall also include all public landscaping improvements, grading proposed within public rights of way and easements (if not paid for previously under 3-2 (A) above), and construction staking. The Engineer may be requested to substantiate unit costs used through recent bids, contractor prices, etc.
14. Payment (100%) of the estimated plan check and inspection fee for Public Improvements. Fees shall be as adopted by Town Council resolution. The Town reserves the right to collect additional plan check and inspection fees based on actual cost incurred.

3-7 **SUBMISSION OF DEVELOPMENT (NON SUBDIVISION) PLANS** - The following are the Public Works Department's requirements for the submittal of development plans for commercial, industrial, and multi-family projects. These plans shall be submitted to the Building Division at the time an application is made for a building permit. Projects which have been approved by the appropriate Town Commission and are not proceeding under appeal or normal process to the Town Council may be submitted only after the meeting of the Commission which approved the project and after the

Conditions of Approval are available from the Planning Department. See Table 1 for improvement plan approval process for non-subdivisions.

A. Submittal Requirements - The following are the submittal requirements for non-subdivisions:

1. Three (3) sets of improvement plans prepared per this manual.
2. One (1) set of improvements plans in Electronic Format in accordance with Section 3-1.
3. Two (2) copies of the Soils Report for the project (See Grading Ordinance, Section 12).
4. Two (2) copies of the 10 and 100 year storm drain calculations based on this manual and Placer County's Storm Water Management Manual.
5. Three (3) copies of the water shed map. One (1) copy in Electronic Format in accordance with Section 3-1.
6. Two (2) copies of the Commission's Resolution of Approval for the Use Permit or Site Review and list of the Conditions of Approval.
7. One (1) copy of a recent title report, issued within the last six months.
8. Fire flow analysis with location of backflow devices.
9. An itemized engineer's opinion of construction cost based upon reasonable and current unit costs. All cost estimates shall include a ten (10) percent contingency. The cost estimate shall also include all public landscaping improvements, grading proposed within public rights of way and easements, and construction staking. The Engineer may be requested to substantiate unit costs used through recent bids, contractor prices, etc.
10. Payment of the estimated plan check and inspection fee is required at the time of submittal. The Town reserves the right to collect additional plan check and inspection fees based on actual cost incurred.

3-8 SUBMISSION OF ROUGH GRADING PLANS - Rough grading plans may be submitted only after approval of the tentative map, use permit, or site review by the approving body of the Town and after the Conditions of Approval are available from the Planning Department.

A. Submittal Requirements - The following are the Public Works Department's submittal requirements for rough grading plans:

1. Three (3) sets of the proposed rough grading plan conforming to the requirements of this manual (See Grading Ordinance, Section 12).
2. One (1) set of proposed rough grading plans in Electronic Format in accordance with Section 3-1.
3. Two (2) sets of approved conditions of approval for the project.
4. Two (2) copies of an erosion and sedimentation control plan in accordance with

Section 11 of this manual. In lieu of providing a separate plan, this information may be shown on the rough grading plan.

5. Two (2) copies of a Soils Report for the project unless the design engineer requests a deviation from the grading standards, where permitted, within this manual.
6. Payment of the estimated Grading Plan Review and inspection fee. Grading Plan Review fees will be as stated in Section 3-2 (A) above.

- 3-9 **SUBMISSION OF LANDSCAPING AND IRRIGATION PLANS** - Three (3) sets of landscaping and irrigation plans, as specified in this manual, shall be submitted and approved concurrently with the improvement plans. One (1) set of landscaping and irrigation plans in Electronic Format in accordance with Section 3-1. The Public Works Department will distribute the plans to all reviewing departments. All irrigation landscape plans shall be accompanied by water use calculations including and not limited to peak hour, peak day and peak month, along with the number of and location of backflow devices. The Town Department of Public Works will approximately size the water meter based on these calculations. **If water use calculations are not included with the submittal (1st), the application will be deemed incomplete.**

If it is determined by the Public Works Department that substantial changes may be required on the landscaping plans due to limited information on future utility fixtures, then the submittal of the landscaping plans may be deferred until such time that all necessary information is available to complete their design. The approved landscaping and irrigation plans shall be considered as part of the approved improvement plans and it is the responsibility of the engineer or design professional to ensure that the design of the improvements shown on both plans are consistent and compatible.

- 3-10 **IMPROVEMENT PLAN REVISIONS DURING CONSTRUCTION** - Should changes to public improvement plans become necessary during construction, such changes shall be subject to approval of the Public Works Department.

The procedure for obtaining approval shall be as follows:

- A. The Consulting Engineer shall submit two (2) copies of the proposed changes shown in red. The Public Works Department shall route the proposed revision to all applicable Town Departments for review.
- B. Following review and approval by the Public Works Department and all other Town Departments of the proposed change, the Consulting Engineer shall submit the current approved plan in reproducible form showing the proposed change.
- C. If determined acceptable, the Public Works Department will indicate approval for the change by initialing the plans in the revision box.
- D. Following return of the reproducible plan to the consulting Engineer, the consulting Engineer shall provide three copies for each plan sheet affected by the change.

After receiving approval, actual revisions shall be made in accordance with the following:

- A. Unless approved by the Town Engineer, the original design shall not be eradicated from the plans but shall be lined out.
- B. In the event that eradicating the original design is necessary to maintain clarity of the plans, approval must first be obtained from the Public Works Department.

- C. The changes shall be clearly shown on the plans with the changes and approval noted on a revision signature block.
- D. The changes shall be identified by the revision number in a triangle delineated on the plans adjacent to the change and on the revision signature block.

Minor changes during construction which do not affect the basic design of the improvements may be made upon authorization of the Public Works Department without formally revising the plans. **These changes shall appear in the record drawings.**

The Town Engineer may order changes in the plans in order to complete the necessary facilities or to conform to this manual, the Loomis Construction Improvement Standards, and the Standard Drawings or accepted engineering standards. The procedure for making changes in the plans ordered by the Town Engineer shall conform to the above outlined procedure and standards.

3-11 RECORD (AS-BUILT) PLANS - The contractor/developer shall keep an accurate record of all approved deviations from the plans before and during construction. For subdivisions, one complete set of mylars of the record civil plans shall be submitted to the Public Works Department prior to final acceptance of the completed improvements. For non-subdivision work, one complete set of mylar prints of the record civil plans shall be submitted to the Public Works Department prior to final acceptance of the completed improvements. Each sheet of the plans shall be marked "AS-BUILT" or "RECORD DRAWING." "Record Drawings" of signal plans, water, sewer, and storm drain composite in plan view only shall also be submitted in Electronic Format in accordance with Section 3-1. The entire set of Record Drawings shall be submitted in Electronic Format in accordance with Section 3-1. All "record drawings" shall contain the design engineer's RCE stamp and signature. The Town Engineer requires profile revisions to the plans when grades are changed more than one (1) foot from the original approved plans.

3-12 CONFLICTS, ERRORS, AND OMISSIONS - Excepted from Town approval are any features of the plans that are contrary to, in conflict with, or do not conform to this manual, the Loomis Construction Standards, any California State Law, Town Ordinance or Resolution, conditions of approval, or generally accepted good engineering practice, in keeping with the standards of the profession, even though such errors, omissions or conflicts may have been overlooked in the Town's review of the plans. The responsibility of accurate plans, which provide for a safe and proper design, rests with the consulting engineer, not the Town.

3-13 CHANGE IN CONSULTING ENGINEER - If the Developer elects to have a Registered Civil Engineer or Licensed Surveyor other than the engineer who prepared the plans provide the construction staking, the Developer shall provide the Director in writing the name of the individual or firm one week prior to the staking of the project for construction. The Developer shall then be responsible for proving all construction, the preparation of revised plans for construction changes, and the preparation of "record" plans upon completion of the construction.

In the Developer's notification of a change in the firm providing construction staking, the Developer shall acknowledge that he/she accepts responsibility for design changes and "record" information as noted above.

3-14 OTHER AGENCY NOTIFICATION - The Owner/Developer is responsible for obtaining required approvals and permits from all other agencies, as required, prior to issuance of any Town permits.

3-15 INSPECTION REQUIREMENTS - Any improvement constructed in conformance with this manual and the Loomis Construction Standards for which the Town is intended to assume maintenance responsibility, shall be inspected during construction by the Town Engineer. Each phase of construction shall be inspected and approved prior to proceeding to subsequent phases. Private on-

site grading, erosion control, drainage, and dust control shall also be inspected during construction by the Town Engineer. Requests for inspections shall be given 1 working day (24 hours) in advance, without exception.

Any improvement constructed without inspection as provided above or constructed contrary to the order or instructions of the Town Engineer will be deemed as not complying with the Public Facilities Improvement Standards and will not be accepted by the Town for maintenance purposes. The Contractor shall notify the Town Engineer 1 working day (24 hours) prior to construction staking.

- 3-16 **FINAL INSPECTION** - Upon completion of any improvements which are constructed in conformance with this manual and the Loomis Construction Standards and prior to requesting final inspection, the area shall be thoroughly cleaned of all rubbish, excess material and equipment, and all portions of the work shall be left in a neat and orderly condition satisfactory to the Town Engineer.

Within 10 working days after receiving the request for final inspection, the Town Engineer shall inspect the work. The Contractor will be notified in writing as to any particular defects or deficiencies to be remedied. The Contractor shall proceed to correct any such defects or deficiencies at the earliest possible date. At such time as the work has been completed, a second inspection shall be made by the Town Engineer to determine if the previously mentioned defects have been repaired, altered, and completed in accordance with the Loomis Construction Standards.

The Building Division will not allow occupancy of the project's buildings until the Building Division receives notification from the Public Works Department that all improvements to be constructed in accordance with the approved grading and improvement plans have been accepted as complete by the Town.

On assessment districts and projects where the Town of Loomis participates in the costs thereof, quantities will be measured in the presence of the Town Engineer, Consulting Engineer, and Contractor and witnessed accordingly.

- 3-17 **OVERTIME INSPECTION SERVICES** - Any inspection services performed beyond normal working hours, or on weekends or holidays, either at the request of the contractor/developer or at the discretion of the Town Engineer, shall constitute overtime inspection work. Payment of fees in addition to the normal plan checking and inspection fees shall be made for these services. The amount of the additional fees shall conform to the fee schedule for plan checking and inspection fees as adopted by Town Council. **If the overtime services are provided at the request of the contractor/developer, requests and payment shall be made at least 48 hours in advance unless an initial deposit for plan checking and inspection fees has been paid.** Granting of the request to provide overtime inspection shall be at the sole discretion of the Town Engineer and may be subject to the availability of inspection personnel.

- 3-18 **ACCEPTANCE OF IMPROVEMENTS** - No improvements will be accepted by the Town until all improvements required of the subdivision or development project have been completed and approved by the Town Engineer and "record" plans have been submitted to the Public Works Department per Section 3-11. Acceptance of improvements associated with a subdivision will be signified by the Town Council approving the Notice of Completion.

Prior to acceptance of improvements required of subdivisions and the approval of occupancy of buildings associated with site development for commercial, industrial, or multi-family dwellings, the consulting engineer shall certify, in writing, that all on-site grading was performed in accordance with the approved grading plan, including minimum pad elevations. **Also required prior to acceptance of subdivision improvements are letters from each utility company indicating that all required utility work has been completed to the satisfaction of the company.**

3-19 **SPECIAL NOTICES AND PERMITS** - The Consulting Engineer shall be responsible for advising the Contractor to give the following notices and have in his possession the following permits and plans:

- A. Contractor shall be in receipt of official Town approved plans prior to construction.
- B. Contractor shall notify the Department of Public Works and all utility companies involved in the development at least 48 hours prior to beginning of work.
- C. Contractor shall notify "Underground Service Alert" and have construction area marked at least two working days prior to any digging.
- D. Contractor shall be responsible for the protection of all existing monuments and/or other survey monuments.
- E. Contractor shall be responsible for conducting his operation entirely outside of any prohibited area. These areas shall be clearly delineated in the field prior to construction.

3-20 **BRIDGES AND OTHER STRUCTURAL ROADWAY ITEMS** - The following is the Town's procedure for plan checking and construction inspecting of structural roadway items such as bridges, roadway retaining walls, non-standard culverts, etc.

- A. **Private Improvements** - Where structural roadway items are to be constructed on private property which is intended to remain privately owned, the design engineer shall submit a letter along with the plan submittal which certifies that the item has been designed in accordance with accepted engineering practice. Said letter shall be wet stamped with the design engineer's RCE stamp and wet signed by the design engineer. The Town will not plan check the design of the item as related to structural integrity. The responsibility for ensuring said integrity rests with the design engineer.

For inspection of private structural roadway items, the design engineer shall submit a letter to the Public Works Department certifying that the item has been constructed in accordance with accepted test methods. Said letter shall be wet stamped with the design engineer's RCE stamp and wet signed by the design engineer. It shall be the developer's responsibility to make arrangements, as necessary, with the design engineer to enable said engineer to provide said letter as described above. The Town will not inspect the construction of the item as related to structural integrity. The responsibility for ensuring said integrity rests with the design engineer.

NOTE: The above is not to be confused with private on-site retaining walls, buildings, etc., as these items require a building permit and therefore are plan checked and inspected by the Building Division. The structural items addressed in this section primarily pertain to improvements associated with private roadways.

- B. **Public Improvements** - Where structural roadway items are to be constructed on public property, public right-of-way, or on private property which is intended to become public property or right-of-way, improvement plans shall be submitted to the Public Works Department for plan check along with the roadway improvement plans. The Town will forward plans of the structural roadway item to the Town's consultant for plan checking. The consultant's comments will be forwarded to the Town for incorporation with Town comments to the design engineer.

For inspection of public structural roadway items, the Public Works Department will provide inspection services similar to typical public roadway inspection.

3-21 DEVIATION FROM STANDARDS - All requests for approval of exceptions from the design requirements contained within this manual shall be submitted in writing to the Public Works Department. Approval for exceptions shall be sought as early as possible in the project development process, particularly where the project concept and/or cost estimate depend on the proposed design exceptions.

Requests for design exceptions shall include the following:

1. A statement of the specific standard for which a design exception is requested.
2. A thorough but brief description of the reason for the request for the design exception.
3. A description of any non-standard safety enhancements to be provided such as median barriers, guardrail upgrades, etc.
4. An estimate of the additional cost required to conform with this manual.

The approval of all deviations from these standards shall be at the discretion of the Town Engineer.

SECTION 4

PLAN SHEET REQUIREMENTS

- 4-1 **GENERAL** – Public improvement plans shall be prepared for public improvements required of subdivisions and all other work performed within Town rights-of-way or easements that is in excess of minor work. For the purposes of this section, minor work shall consist generally of the construction, or the removal and replacement of curbs, gutters, sidewalks or driveways; minor street widening; connections to existing water, sewer or storm drainage facilities adjacent to site development; and utility related work. Public improvement plans shall be prepared using version 2000 compatible AutoCAD.

The following requirements apply to the form of public improvement plans:

- 4-2 **PLAN AND PROFILE SHEETS** – All improvement plans shall be clearly and legibly drawn in ink on engineering mylar, or approved equal, 24 inches by 36 inches in dimension ("D" size) or 22 inches by 34 inches if half size reductions are anticipated. Sheets shall have a 1-1/2 inch wide clear margin at the left edge and a 1-inch wide margin on all other edges, or as otherwise approved by the Town Engineer.
- A. **Drafting Standards** – All line work shall be neat, clearly legible, and opaque to light. Letters and numerals shall have a minimum length of 1/8 inch and be well formed and sharp. Numerals showing profile elevations shall not be bisected by station grid lines. Dimension lines shall be terminated by sharp, solid arrowheads.
 - B. **Scale** – Horizontal scale shall be 1-inch = 20, 40 or 50 feet. Vertical scale shall be 1-inch = 2, 4, or 5 feet.
 - C. **Title Block** – A title block must be shown on each sheet within the set of drawings and shall show the subdivision or project name, sheet title, sheet number, date, scale (plus bar scale), and the Consulting Engineer's name, signature, license number, and expiration date. The title block shall be placed along the lower edge or right side of the sheet.
- 4-3 **TITLE OR GENERAL INFORMATION SHEET** – Each set of improvement plans shall have a Title or General Information Sheet. This sheet shall be sheet one of the plans and shall include the following:
- A.* A vicinity map drawn to a convenient scale, preferably not less than 1-inch = 2000 feet. The north arrow must point to the top of the sheet.
 - B.* A north arrow and scale.
 - C.* Sewer, water, storm drainage and streetlight network. (This information may be shown on a separate sheet for clarity.)
 - D.* Index of sheets.
 - E.* Signature blocks for the Town Engineer.
 - F.* Utility information block.
 - G.* Date improvements plans completed.

- H. The entire subdivision or parcel drawn to scale not less than 1-inch = 200 feet, or as approved by the Town Engineer.
- I. Streets and street names of all streets within or contiguous to the project.
- J. Adjacent subdivisions or parcels properly identified including names, lot lines and lot numbers (or Assessor's Parcel Numbers).
- K. All property lines and easements.
- L. Legend of symbols.
- M. All of the Town of Loomis General Notes, shown verbatim.
- N. Typical Street sections including TI and R values. Reference to Geotechnical report substantiating R values and structural sections proposed. If alternative trucking routes can not be implemented (per plan) then the TI's shall be increased to account for construction traffic.
- O. Temporary and permanent benchmarks with description. The Consulting Engineer shall contact the Public Works Department for the location and elevation of the nearest official benchmarks.

Improvement plans consisting of fewer than four sheets, except traffic signal plans, shall not include a title sheet, but instead shall show all of the above information on the plans. If a title sheet is not required, those items marked with an (*) shall be shown on the first sheet.

4-4 STREET PLAN AND PROFILE SHEETS – The following requirements are for all plans submitted to the Town of Loomis for review and approval:

- A. **Plan View** – The plan view of each street to be improved shall be shown on separate sheets and shall include existing improvements and contours/elevations within 100 feet of the project boundary, proposed improvements and future improvements, if known. Proposed improvements shall include sidewalk, curbs, gutters, driveways, sewer mains, water mains, sewer lateral locations, storm drains, manholes, valves, fire hydrants, fencing, barricades, and survey monuments. Plan information shall include centerline stationing, curve data for all curves along centerline and curb returns and distinct elevations along the face of curb at all beginning and ends of curves and at all curb returns. Call-outs on the plans to Town standard shall reference the Standard Drawing where these are shown. Other data may be required as specified by the Town Engineer. The stationing shall normally read from left to right with the north arrow pointing either to the top or right edge of the sheet. All stationing shall be a continuation of that used for the design of existing improvements where possible. In addition, right-of-way lines, easement lines, and Town limit lines (if applicable) shall be shown.
- B. **Profile View** – The profile view of each street shall be shown immediately below its plan view. The profile shall include centerline stationing, existing and proposed street centerline profiles, profiles of sewer mains, storm drains, water mains, public utility mains, all utility crossings, and gutter flow lines. Distinct elevations shall be shown for the street centerline and gutter flowline at 50-foot stations and grade break points, manhole and catch basin inverts and elevations, and water main crossings with other utilities. Rates of grade shall be shown on all profile lines. Elevations of the hydraulic grade line for the 10-year frequency storm shall be shown at all storm drain manholes, catch basins, and drain inlets where located above the top of the pipe. Elevations of the hydraulic grade line for 100-year frequency storms shall be shown at all crossings of arterials, culverts, and where determined necessary by the Town Engineer.

- C. **Signing and Striping Plan** – Traffic signing, striping, markings, and raised medians and islands shall be provided as required by the Town at the developer's expense. Unless otherwise required by the Town Engineer, the Caltrans striping details containing raised buttons and reflectors shall be used for roadways. All existing and proposed traffic signing and striping shall be shown on a plan view and on separate sheets from all other improvements. The scale shall be 1 inch equals 40 feet or as otherwise approved by the Town Engineer. Signing and striping to be shown shall include all existing and proposed traffic striping, pavement markings, pavement markers, regulatory signs and warning signs. All existing signing and striping within at least 200 feet of the project limits shall be shown.
- D. **Rough Grading and Finished Grading Plans** – Rough grading and finished grading plans shall conform to the requirements of Section 11, GRADING, of this manual.
- E. **Other Plans** – Other plans that shall be incorporated in the public improvement plans include, but are not limited to, landscaping and irrigation; retaining and decorative soundwalls; and traffic signals. The layout of meandering sidewalks, soundwalls, pedestrian pass-throughs, etc., shall be shown on the improvement plans along with any grading associated with these improvements in addition to being shown on the landscaping plans. Public improvements built under the landscaping plans shall be included in the cost estimate submitted with the improvement plans in order that they may be properly bonded for and inspection costs covered. All plans must be submitted also in Electronic Format in accordance with Section 3-1.

4-5 **DETAIL SHEETS** – Detail sheets, if necessary, shall delineate special details, structural designs, etc., for which no Public Works Department standard drawing exists, and when space is not available on the plan and profile sheets.

Plan views of the structure for which details of design are to be provided shall be shown on the detail sheet depicting the location of said structure in relation to street centerlines, stations, bearings, skews, grades, etc. Structural details shall be delineated at a scale that will clearly define all facets of the design.

Public Works Department standard drawings shall not be delineated on detail sheets or any other sheet unless reproduced in full.

SECTION 5

TRAFFIC IMPACT STUDIES

- 5-1 **RESPONSIBILITY FOR TRAFFIC STUDIES** - Traffic studies, when required by the Town, shall adequately assess the impacts of a development proposal on the existing and/or planned street system. The primary responsibility for assessing the traffic impacts associated with a proposed development shall rest with the applicant, not the Town. All traffic studies shall be subject to review and approval of the Town Engineer.

The flow chart shown in **Figure 5-1** shall be used to determine when a traffic study is required for a proposed project. There are two types of traffic studies: short term and long term. The only difference between the two is the short term study does not need to analyze the future scenarios as outlined in section 5-2 E. Short term traffic studies shall include an explanation as to why the future scenario need not be analyzed (e.g., the proposed land use is consistent with the General Plan, therefore the project's long term traffic impact is already accounted for via the Town's Capital Improvement Program). The primary purpose of a short term traffic study is to identify the project's impact to the roadway network with existing traffic volumes, and to evaluate proposed site access. Where access points are not defined at the time the traffic study is prepared, additional traffic work may be required when the access points are defined.

Transportation consultants shall discuss proposed projects with the Planning and Public Works Departments prior to starting the study to identify which intersections to include in the study in addition to any other particular concerns or site specific issues.

- A. Preparation and Submittal Requirements** - Traffic studies shall be the responsibility of the applicant and shall be prepared by a Registered Traffic Engineer or a Registered Civil Engineer with demonstrated competence and adequate experience in Transportation Engineering.

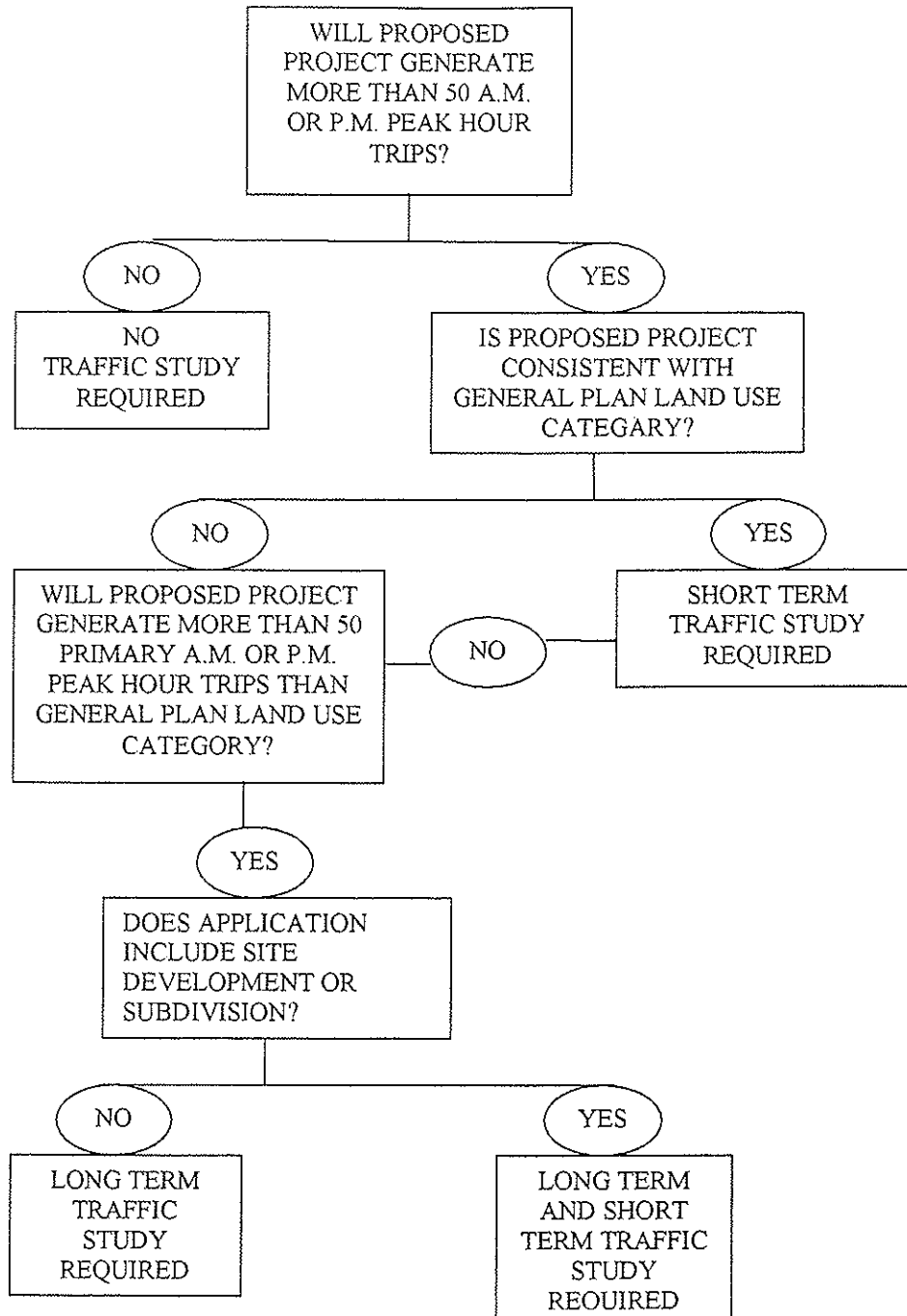
Initially, three copies of the traffic study shall be submitted to the Planning Department. For development projects seeking discretionary approval, three copies of the traffic study shall be included with the application submittal. Traffic studies that are not in compliance with the requirements set forth in this manual will be considered incomplete, and may result in the application being deemed incomplete.

The Planning Department will forward two copies of the traffic study to the Public Works Department. The Planning and Public Works Departments will then review the study data sources, methods and findings. Written comments from the Public Works Department will be provided to the Planning Department which will forward the comments to the applicant. The applicant and the transportation consultant will then have an opportunity to incorporate necessary revisions or responses as part of the final report.

Ten copies of the final report shall be completed and submitted to the Planning Department for Project Review and Planning Commission Meetings. Six copies are required for Town Council Meetings. All copies of the traffic study submitted to the Town shall become the property of the Town.

FIGURE 5-1

TO DETERMINE WHEN A TRAFFIC STUDY IS REQUIRED



- B. **Previous Traffic Studies** - All previous traffic studies relating to a development that are more than two years old shall be updated unless the Planning and Public Works Departments determine that conditions have not changed significantly.

5-2 **TRAFFIC STUDY FORMAT** - In order to provide consistency and to facilitate staff review of the studies, the following format shall be followed in the preparation of such studies by transportation consultants:

A. **Introduction** - The introduction of the report shall contain the following:

1. Land use designation, site and study area boundaries - A brief description of the size of the land parcel, general terrain features, and the location within the Town and the region shall be included in this section. In addition, roadways that afford access to the site and those that are included in the study area shall be identified.

The exact limits of the study area should be based on engineering judgement and an understanding of existing traffic conditions surrounding the site. In all instances, however, the study area limits shall be subject to approval of the Planning and Public Works Department. A vicinity map that shows the site and the study area boundaries in relation to the surrounding transportation system shall be included.

2. Existing and proposed site uses - The existing and proposed uses of the site shall be identified in terms of the various zoning categories of the Town. In addition, the specific use for which the request is being made shall be identified, if known, since a number of uses may be permitted under existing ordinances. Parcels in the vicinity of the site shall also identify the zoning, land use and specific uses. All driveways in the vicinity of the project that could affect operations of any proposed driveway shall be shown. This information shall include square footage of the various uses or the number and size of the units proposed.

It shall be the intent of the traffic study to evaluate the worst case impacts for the proposed development allowed by zoning. If several different uses are permitted by the zoning, the land use with the greatest overall traffic impact shall be assumed for the study.

3. Existing and Proposed Roadways and Intersections - Within the study area, the applicant shall describe and provide volumes for existing roadways and intersections including geometric and traffic signal control as well as improvements that have been proposed by government agencies and other development projects.

The study shall identify roadway improvements within the study area planned to be constructed by the Town as part of the Town's Capital Improvement Program.

- B. **Project Trip Generation** - A summary table listing each specific use, the size involved, the trip generation rates used (total daily traffic and A.M./P.M. peak hours), and the resultant total trips generated shall be provided for the project site. The peak hour analyzed shall be that of the roadway system, not the proposed project. This section shall also include a discussion on how the project's trip generation rate compares with typical trip generation rates for the site's existing General Plan land use category. If the proposed project represents only a portion of a larger overall site, such as a phased project, then the traffic study shall discuss the degree to which both the initial phase and the ultimate development impact the roadway network.

Trip generation shall be calculated based on data contained within the latest edition of the Institute of Transportation Engineer's (ITE) Trip Generation Manual approved for use by the Town or more appropriate local data as approved by the Public Works Department. Any internal trip reductions or modal split assumptions will require analytical support to demonstrate how the figures were derived.

Pass-by trip factors may be used to reduce the estimated additional total daily traffic to streets serving a proposed development. Diverted and internal trips shall not be used to reduce trip generation of a proposed project. Pass-by rates are not to be applied to reduce turning movement volumes at driveways serving the proposed development. The percentage of pass-by trips used shall be in accordance with data available in the ITE Trip Generation Manual.

- C. **Trip Distribution** - The estimates of percentage distribution of trips generated by the proposed development onto the roadway network shall be shown on a map. The methodology of distribution shall be discussed in the study.
- D. **Traffic Assignment** - The volume of site-generated traffic on the area's street system shall be shown on a map. The technical analysis steps, basic methods, and assumptions used in this work shall be clearly stated. The assumed trip distribution and assignment shall represent the most logically traveled route for drivers accessing the proposed development. These routes can be determined by observation of travel patterns to existing land uses in the study area.
- E. **Short Term -vs- Long Term Traffic Studies** - A short term traffic study shall include items 1, 2, and 3 below.

Graphics shall be provided which show the following traffic volumes for private access points, intersections, and streets:

1. Existing A.M./P.M. peak hour directional roadway traffic volumes including turning movements at intersections.
2. The data in item 1 above plus projected site traffic volumes for the development scenario being analyzed. Include projected turning movements at driveways. It is acceptable to combine items 1 and 2 into one graphic.
3. Other peak hours which are determined by the Town to be critical to site traffic and the street system in the study area shall be included and shall show the same information as is provided for above. Examples of other peak hours are A.M. peak, noon peak, and project peak.

A long term traffic study is typically prompted by a request for a development of property. A long-term traffic study shall address the long term impact to the Town's Capital Improvement Program (C.I.P.) caused by the rezone. This requires changing the land use in the Town's latest version of the Town-wide traffic model and rerunning the model to identify any impact to the C.I.P. The term "impact" in this case refers to any additional improvements needed to maintain the Town's level of service policy, or any change as to when a previously identified improvement is needed.

It shall be the consultant's responsibility to provide up-to-date existing roadway volumes and intersection turning movements. The consultant may obtain recent (1 year or less) traffic count data on file with the Public Works Department, if available. If no such data exists, the consultant shall collect new traffic count data in the field. "Future", as used above, refers to the horizon year of the Capital Improvement Program.

The Town may request any traffic study to include 2020 traffic data to project traffic volumes.

The percentage of pass-by trips used shall be in accordance with data available in the ITE Trip Generation Manual, the May, 1991 ITE Journal Article or other similar sources as approved by the Town.

- F. **Traffic Index** – Long term traffic studies shall contain an estimate of the Traffic Index (TI) for the study streets. The estimated TI shall be for a 20 year period and follow procedures in Caltrans Highway Design Manual. Both short term and long term traffic studies shall include an evaluation of construction traffic routes and recommend adjustment of TI's to account for construction traffic. Traffic Indexes shall be approved by the Town prior to publication of the final traffic study.
- G. **Level of Service (LOS)** - This section shall include tables showing the level of service and volume/capacity ratio for each roadway intersection for each scenario. These parameters shall be calculated using the Transportation Research Board (TRB) Circular 212 Planning Method. If the intersection is unsignalized, then the methodology in Chapter 10 of the TRB 1994 Highway Capacity Manual shall be used. The report shall include a discussion of assumptions made in the above calculations, such as saturation flow rates, peak hour factors, and lane configurations for each intersection.

Intersection level of service "C" shall be the peak hour design objective. A LOS worse than "C" shall not be acceptable unless the intersection is operating worse than LOS "C" prior to project construction or the Town's General Plan identifies a LOS worse than "C" as being acceptable. If either case applies then the report shall discuss whatever plans the Town has for intersection improvements and shall include a LOS analysis for the "improved" scenario. The consultant shall inquire with the Public Works Department as to planned roadway and intersection improvements.

If the proposed project is shown to cause degradation of intersection LOS to worse than "C" (or whichever minimum LOS is identified in the General Plan for the particular intersection) after considering any improvements already planned by the Town, then the traffic study shall recommend mitigation measures to bring the intersection level of service within acceptable standards (in accordance with the General Plan).

- H. **Site Access** - A short term traffic study shall discuss how the proposed site access compares with the Town's access standards as described in this section and in Section 5 of this manual entitled "Site Access." Some of the topics that may be included in the traffic study are: Number of driveways serving a parcel or site, right turn deceleration lane or right turn curb flares for driveways, left turn deceleration lane for driveways, storage requirements for turn lanes, minimum offset for opposing driveways, restricted turning movements for driveways, traffic volume, signalization, consideration, signage requirements and sight distance. Each site access point shall be discussed separately. If the proposed site access does not meet the Town's standards, then the traffic study shall identify what modifications to the proposed site access would be necessary to meet Town standards and explain why

these modifications are not proposed.

The traffic study shall evaluate the minimum required throat depth (MRTD) needed on-site for each access point for the proposed development. The MRTD, as illustrated in Figure 5-2 entitled "MINIMUM REQUIRED THROAT DEPTH," is measured from the back of sidewalk to the first drive aisle. The purpose of the MRTD is to allow enough stacking distance for egressing vehicles so that the first drive aisle is not blocked. This minimizes the possibility of incoming vehicles queuing out into the traveled way of the main street thereby creating a safety concern as shown in Figure 5-2. The MRTD shall be measured in car length increments of 25 feet. In no case will the Town allow a MRTD of less than 25 feet for any project. Throat depths greater than the calculated MRTD are encouraged. On-site parking shall not be permitted within the MRTD area. The MRTD requirement does not apply to single family residential or duplex land uses.

Figure 5-2 illustrates that the MRTD is a function of the length of the queue of vehicles waiting to exit the driveway. The length of this queue is a function of two variables: the number of vehicles desiring to egress during a given time period versus the number of vehicles that can enter the traffic stream of the main road during that same time period. The first variable, the number of vehicles desiring to egress, is called the EGRESSING DEMAND VOLUME. The second variable, the number of vehicles that can enter the traffic stream of the main road, is called the MOVEMENT CAPACITY. The egressing demand volume will have already been calculated as an earlier part of the traffic study under projected driveway turning movement volumes. The movement capacity can be calculated using methods discussed in the 1994 Highway Capacity Manual (HCM), and concepts discussed by the Institute of Transportation Engineers (I.T.E.).

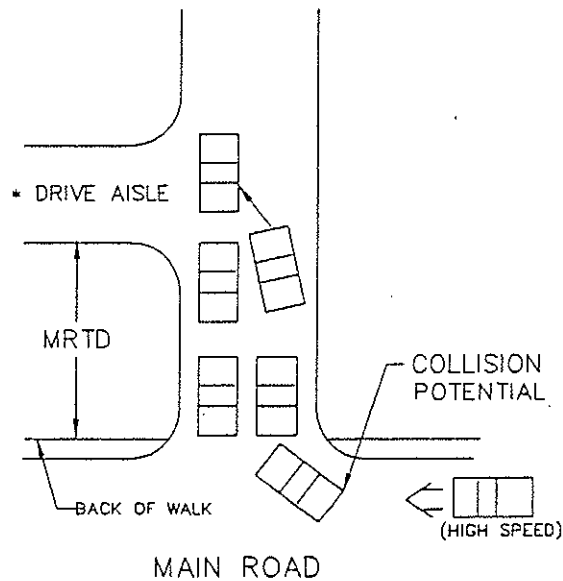
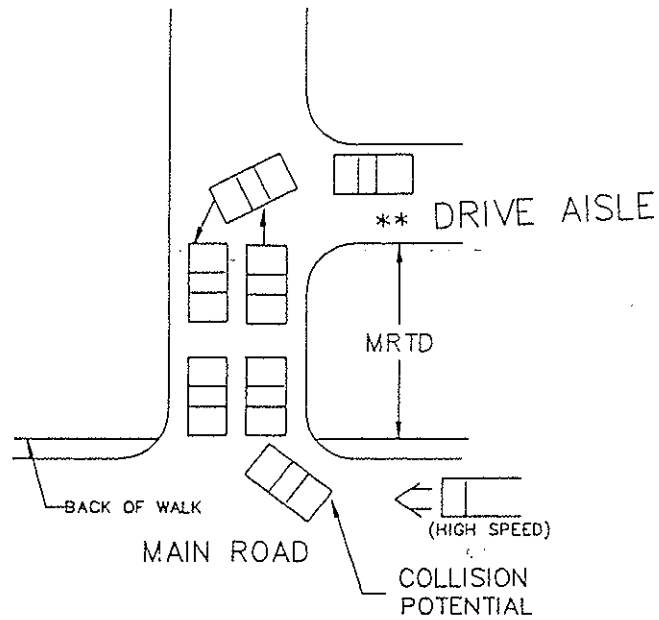
If the proposed project represents only a portion of a larger overall site, or if it is expected that vehicles generated by other than the project will use the access under study, then the total expected turning movement volumes at the subject access location shall be used in determining the MRTD.

As shown in Figure 5-2, there are cases when an MRTD of 25 feet is acceptable. This is when the first drive isle is "one way only" to the right in the figure. Another scenario where a MRTD of 25 feet is acceptable is when a raised center median is constructed in the driveway throat from the back of sidewalk to the calculated MRTD distance. In this case, the nearest drive aisle can be two-way, but turning movements into and out of the drive aisle are restricted by the raised median, thereby mitigating the concern as shown in Figure 5-2.

If the calculated MRTD is physically or unreasonably too long for the proposed development, then the traffic study shall suggest ways to reduce the MRTD by either reducing the egressing demand volume, or by increasing the movement capacity. Examples of reducing the egressing demand volume at an access location would be to suggest additional egress locations, cause a different distribution of vehicles egressing the site by modifying the on-site design, or somehow reduce the site's trip generation. Examples of increasing the movement capacity at an access location would be to suggest additional egress lanes or, in the case of an unsignalized access location, suggest fewer allowed turning movements onto the roadway. In any case, the traffic study shall fully evaluate the impacts of any such modifications.

There are two types of access locations: unsignalized and signalized. Both are discussed below in reference to calculating the MRTD.

MINIMUM REQUIRED THROAT DEPTH (MRTD)



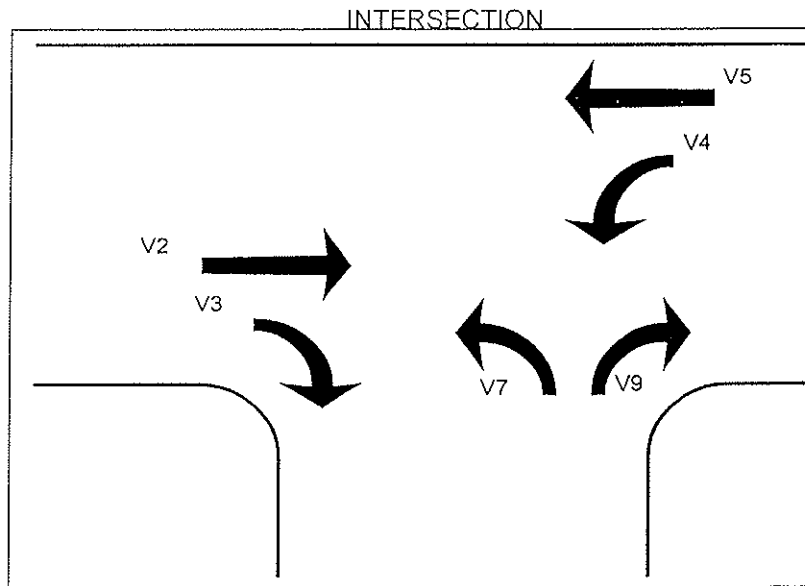
* NOTE: IF THIS DRIVE AISLE IS "ONE-WAY ONLY" TOWARDS THE DRIVEWAY THROAT, THEN A MRTD OF 25' IS ACCEPTABLE.

** NOTE: IF THIS DRIVE AISLE IS "ONE-WAY ONLY" AWAY FROM THE DRIVEWAY THROAT, THEN A MRTD OF 25' IS ACCEPTABLE.

FIGURE 5-2

1. **MRTD for Unsignalized Access Locations** - At unsignalized access locations, the movement capacity is calculated using Chapter 10 of the HCM. It is based on the availability of critical gaps on the main street to allow vehicles to safely egress from the driveway (i.e., the minor street as it is called in the HCM), which is a function of conflicting traffic streams. Below is an example of how to use this method to calculate the MRTD at an unsignalized access location. Table numbers, Figure numbers, and terminology used below refer to those in the HCM unless otherwise indicated.

EXAMPLE - A driveway has 60 right turning vehicles in, 150 right out, 30 lefts in and 700 vehicles going through. The average speed on the major road is 55 mph. The driveway has a yield sign.



A. Volume Adjustments

MOVEMENT NUMBER	2	3	4	5	7	9
VOLUME (VPH)	700	60	30			150
VOL (PCPH) TABLE 10-1	N/A	N/A	33	N/A		165

Through and right-turning volumes on the major streets are not converted to passenger cars per hour (pcph) because they are only used in the computation of conflicting traffic volumes which is done in terms of vph.

- B. Conflicting Flow - (Figure 10-2) Conflicting flow for right turn from major streets = $700 + 60/2 = 730$.
- C. Critical Gap - (Table 10-2) $T_c = 5.5$

- D. Potential Capacity - (Figure 10-3) $C_{pi} = 470$
- E. Compute movement capacity by reducing the potential capacity using impedance factors. In the example the reduction is zero because there are no movements which impede the minor street right-turn. Therefore the movement capacity is 470.
- F. Calculate shared lane capacity. In the example all vehicles in the egressing lane are turning right so this is not applicable.

TABLE 10-1
PASSENGER-CAR EQUIVALENTS - UNSIGNALIZED INTERSECTIONS

TYPE OF VEHICLE	GRADE (%)				
	-4	-2	0%	+2	+4
Motorcycles	0.3	0.4	0.5	0.6	0.7
Passenger Cars	0.8	0.9	1.0	1.2	1.4
SU/RV's ^a	1.0	1.2	1.5	2.0	3.0
Combination Vehicle	1.2	1.5	2.0	3.0	6.0
All Vehicles ^b	0.9	1.0	1.1	1.4	1.7

- ^a Single unit trucks and recreational vehicles
^b If vehicle composition is unknown, these values may be used as an approximation

There are now two key pieces of data that are needed in the example: the egressing demand volume of 165 and the movement capacity of 425. With this data, we can calculate the MRTD with the use of probability. The goal is to have no more than a 5% probability that the exiting queue would block the first drive aisle. In I.T.E.'s book entitled *Transportation and Traffic Engineering Handbook, Second Edition, 1982*, queuing models are discussed on pages 460 and 461. Using formula numbers 15.111 and 15.112 on page 461 and shown below, calculate the probability of n units, i.e., exiting vehicles, in the system.

$$\begin{aligned}
 P(0) &= 1 - (\rho) && \text{(formula 15.11)} \\
 P(n) &= (\rho)^n P(0) && \text{(formula 15.12)} \\
 \mu &= \text{service rate or movement capacity} \\
 \lambda &= \text{arrival rate} \\
 \rho &= \lambda / \mu
 \end{aligned}$$

Use these two formulas, and the assumption a vehicles is 25 feet long to calculate the MRTD. Continuing the example the following steps are taken:

$$\begin{aligned}
 \lambda &= 165 \text{ vehicles/hour} \\
 \mu &= 425 \text{ vehicles/hour} \\
 \rho &= 165/425 = 0.388
 \end{aligned}$$

1. The probability of no cars in the queue are $1 - 0.388 = 0.612$.

2. The probability of n vehicles will be in the queue is as follows:

	P(x=n)	P(x n)
P(0)	0.612	0.612
P(1)	0.237	0.849
P(2)	0.0921	0.9411
P(3)	0.0357	0.9768

3. There is a 0.98 probability that there will be 3 vehicles or less. The MRTD should be 3 car lengths or 75 feet.

Please note that the example access location did not allow throughs or lefts out. In the event that throughs and/or lefts are permitted at the proposed access location, the traffic study shall evaluate this according to the HCM. If there is more than one lane available for egress, then the lane with the longer queue shall determine the MRTD.

The traffic study shall include all assumptions and computations used to calculate the MRTD.

2. **MRTD for Signalized Access Locations** - At signalized access locations, the movement capacity for egressing vehicles is controlled by signal timing. On page 467 of the above referenced I.T.E. book, there is a formula for calculating what the maximum length of the egressing queue will be. It is formula number 15.144 which says that the maximum queue is equal to the average arrival rate of traffic (i.e., the egressing demand volume) multiplied by the effective red time in seconds.

Obviously, signal timing parameters such as cycle length and split will directly affect the length of the egressing queue. This is where Chapter 9 of the HCM comes into play. The consultant can use the Operational Analysis methodology to determine reasonable signal timing parameters. The goal of the calculations will be to maintain LOS "C" for all movements on the main road. For main road traffic volumes, the consultant shall use projected future traffic volumes. For existing traffic signals, the consultant is recommended to discuss likely signal timing parameters with Town staff. There may be some restrictions to signal timing parameters for existing signals due to progression, etc. Once an effective red time is calculated for the egressing traffic, the maximum length of the egressing queue can be calculated. The MRTD shall be this length rounded up to the nearest division of 25 feet.

Typically, signalized access locations will have more than one approach lane for egressing vehicles. As in the case with unsignalized access locations, the lane with the longer queue will determine the MRTD. In addition, the traffic study shall include all assumptions and computations used to calculate the MRTD.

In addition to MRTD requirements, the traffic study shall evaluate vehicle storage requirements for "drive-thru" type services. The goal here is to provide enough vehicle stacking distance to ensure vehicles will not queue out into the public right-

TABLE 10-2 CRITICAL GAP CRITERIA FOR UNSIGNALIZED INTERSECTIONS

BASIC CRITICAL GAP FOR PASSENGER CARS, SECONDS

VEHICLE MANEUVER AND TYPE OF CONTROL	AVERAGE RUNNING SPEED, MAJOR ROAD 55 MPH			
	30 MPH			
	NUMBER OF LANES ON MAJOR ROAD			
	2	4	2	4
RIGHT FROM MINOR ROAD STOP YIELD	5.5	5.5	6.5	6.5
	5.0	5.0	5.5	5.5
LEFT FROM MAJOR ROAD	5.5	5.5	5.5	6.0
CROSS MAJOR ROAD STOP YIELD	6.0	6.5	7.5	8.0
	5.5	6.0	6.5	7.0
LEFT FROM MINOR ROAD STOP YIELD	6.5	7.0	8.0	8.5
	6.0	6.5	7.0	7.5

ADJUSTMENTS AND MODIFICATIONS TO CRITICAL GAP, SECONDS

CONDITION	ADJUSTMENT
RIGHT TURN FROM MINOR STREET: CURB RADIUS > 50 FT OR TURN ANGLE < 60°	-0.5
RIGHT TURN FROM MINOR STREET: ACCELERATION LANE PROVIDED	-1.0
ALL MOVEMENTS: POPULATION ≥ 250,000	-0.5
RESTRICTED SIGHT DISTANCE *	UP TO +1.0

NOTES:

Maximum total decrease in critical gap = 1.0 seconds

Maximum critical gap = 8.5 seconds

Interpolate for values of average running speed between 30 and 55 mph

This adjustment is made for the specific movement impacted by the restricted sight distance

TABLE 10-2
DEFINITION AND COMPUTATION OF CONFLICTING TRAFFIC VOLUMES

SUBJECT MOVEMENT	CONFLICTING TRAFFIC, V_{ci}	ILLUSTRATION
1. RIGHT TURN from minor street	$1/2(V_{tr}) + V_t$ see note 1,2	
2. LEFT TURN from major street	$V_t + V_l$ see note 3	
3. THROUGH MOVEMENT from minor street	$1/2(V_{tr}) + V_{la} + V_{lb}$ $+ V_{rb} + V_{tb} + V_{lb}$ see note 2,3	
4. LEFT TURN from minor street	$1/2(V_{tr}) + V_{la} + V_{lb}$ $+ V_{rb} + V_{tb} + V_{lb}$ $+ V_o + V_{or}$ see note 2,3	

- NOTE 1: V_t includes only the volume in the right lane.
 NOTE 2: Where a right turn lane is provided on the major street, eliminate V_{tr} or V_{rb} .
 NOTE 3: Where the right turn radius into the minor street is large and/or where these movements are STOP/YIELD control, eliminate V_{tr} (Case 2), and V_{tr} and/or V_{rb} (Case 4). V_{rb} may also be eliminated on multilane major streets.

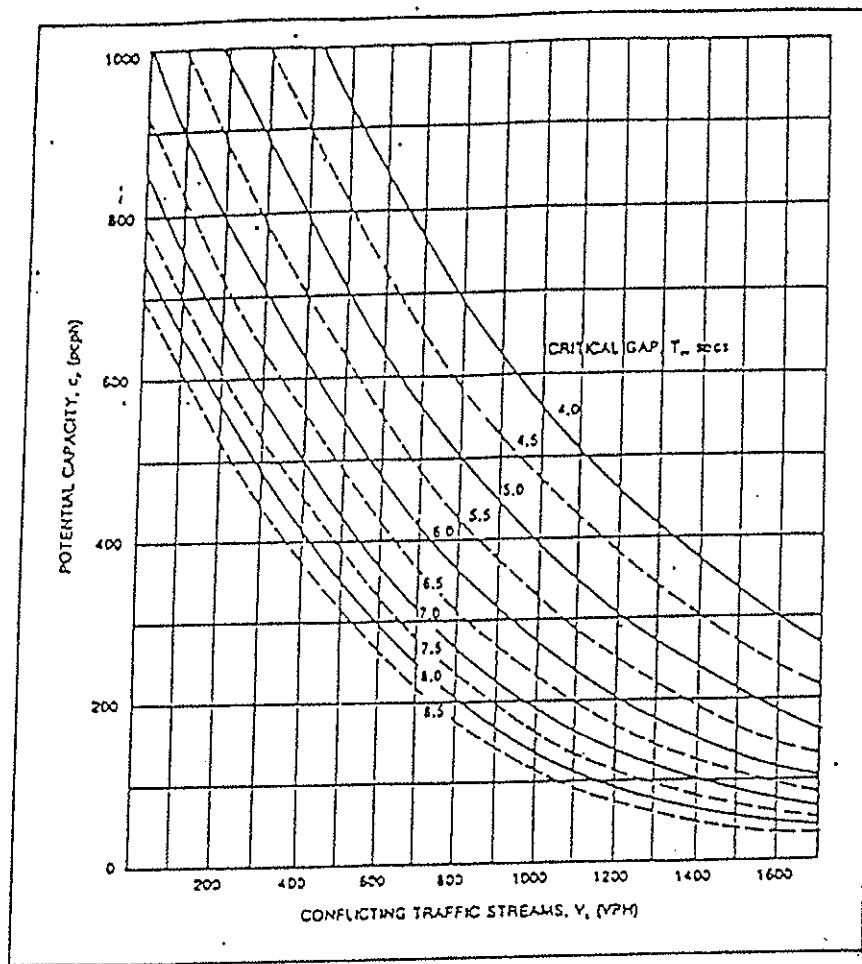


FIGURE 10-3

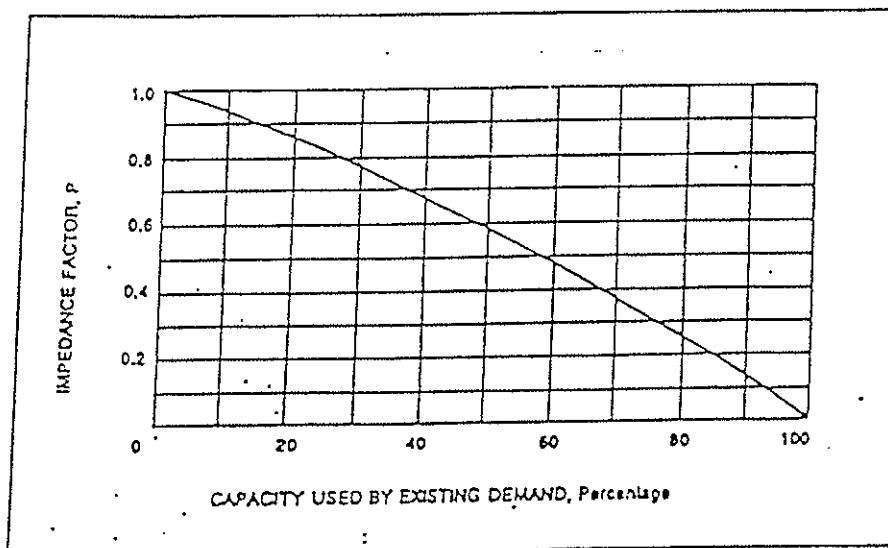


FIGURE 10-5

of-way. Listed in Table 5-1 are various types of drive-thru facilities and their respective stacking requirements. The distance is measured from the back of sidewalk at the street driveway to the service point. One space equals 25 feet.

TABLE 5-1

TYPE OF FACILITY	VEHICLE STORAGE
Drive-thru bank window ¹	10 spaces
Drive-thru restaurant ²	10 spaces
Drive-thru pharmacy ²	3 spaces
Automatic car wash	10 spaces
Self-service car wash	3 spaces
Drive-in theater	15% of parking capacity
Hospital ³	1% of parking capacity
Service station	4 spaces
Drive-thru liquor store ²	3 spaces
Drive-thru dry cleaners ²	3 spaces
Self-storage mini warehouse ⁴	2 spaces

¹ Reduce to 3 spaces for savings and loan institutions and credit unions.

² Measured to pick-up window.

³ At the main entrance to the hospital.

⁴ Measured to gate.

- I. **Traffic Signals/Stop Signs** - The need for new traffic signals and stop signs shall be based on warrants contained in the latest edition of the State Traffic Manual.

If a new traffic signal is being proposed which is not already a part of the Town's Capital Improvement Program, and the signal installation would result in less than 1320 feet between signals, then the study shall include a signal progression analysis. The section of roadway to be analyzed for signal progression shall be determined by the Public Works Department and will include all existing and possible future signalized intersections.

The progression pattern calculations shall use a cycle consistent with current signal timing policies of the Town. A desirable bandwidth of 50 percent of the signal cycle shall be used where existing conditions allow. Where intersections have no signals presently, but are expected to have signals, typically a 60 percent mainline, 40 percent cross street cycle split should be assumed. Cycle split assumptions shall relate to volume assumptions in the capacity analysis of individual intersections, and, where computerized progression analysis techniques are used, they shall be of the type which utilize turning movement volume data and pedestrian clearance times in the development of time/space diagrams.

The green time allocated to the cross street will be considered no less than the time which is required for a pedestrian to clear the main street using the Federal Highway Administration (FHWA) Manual on Uniform Traffic Control Devices standards.

Those intersections which would reduce the optimum bandwidth if a traffic signal were

installed may be required to remain unsignalized and have turning movements limited by access design or median islands.

All site access driveways not controlled by traffic signals shall have a stop sign installed on the driveway.

- J. **Traffic Accidents** - Traffic accident data for affected street corridors may be required in the study as required by the Town. The study period will normally be three years. The locations shall be specified by the Public Works Department. Accident data is on file in the Public Works Department. It shall be the consultant's responsibility to make copies of this data.

Estimates of increased or decreased accident potential shall be evaluated for the development, particularly if the proposed development might impact existing traffic safety problems in the study area. Safety improvements shall be recommended where necessary.

- K. **Executive Summary** - The Executive Summary of the report shall be a clear, concise description of the study findings. It shall include a general description of all data, project scope and purpose, findings, conclusions, and mitigation measures and recommendations. Technical publications and calculations, documentation, data reporting and detail design shall not be included in the executive summary. The executive summary should be short, complete in itself and not dependent on supplementary data included by reference. The applicant shall satisfy any mitigation measures and/or design elements identified in the traffic study as being needed or recommended for the project.

