

Article 4: Subdivision Regulations

Division 2: Tentative Map Regulations

(Added 12-9-1997 by O-18451 N.S.)

§144.0201 Purpose of Tentative Map Regulations

The purpose of these regulations is to regulate the preparation and filing of *tentative maps* and related documents within the City of San Diego and to supplement the provisions of the *Subdivision Map Act*.

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

§144.0202 General Requirements for Tentative Maps

The *tentative map* shall comply with all ordinances, policies, and standards in effect on the date the City has determined that the application is complete pursuant to California Government Code Section 65943.

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

§144.0203 Tentative Maps Consistency with Land Use Plans

The proposed *subdivision* shall be consistent with the applicable *land use plan*.

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

§144.0204 Phasing Requirements for Tentative Maps

Tentative maps shall be required to phase *development* in accordance with the build-out period and schedule of the applicable *land use plan* and council policies. Building permits shall be issued annually for residential dwelling units in accordance with the applicable community plan capital improvements, phasing, and public facilities financing programs.

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

§144.0205 Provision of Public Facilities on Tentative Maps

- (a) *Tentative maps* shall be conditioned to assure that all public facilities are constructed before *development* as specified in the Capital Improvement Program portion of the applicable *land use plan* and applicable City Council policies.
- (b) Improvements may be required that qualify for subsequent partial reimbursement of the cost in accordance with the *Subdivision Map Act*, Chapter 4, Article 6.

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

§144.0206 Requirements for Tentative Maps in Planned Urbanizing Area

Tentative maps of property in the *Planned Urbanized Communities* may be approved if they comply with one of the following conditions.

- (a) *Tentative maps* of property in the *Planned Urbanized Communities* may be approved if the following conditions are required to be met before *final map* or *parcel map* approval:
 - (1) An implementation program for financing *public improvements*, or a financing plan for public facilities, and a *development phasing* program have been approved by the City Council;
 - (2) Assessment districts or Facilities Benefit Assessments have been proposed to finance necessary *public improvements*; and
 - (3) Confirmation of 1911-13 Act Assessment Districts or the Resolution of Designation for Facilities Benefit Assessments have been adopted by the City Council.
- (b) *Tentative maps* of property in *Planned Urbanized Communities* may be approved before development of an implementation program for financing *public improvements* in accordance with Section 125.0442 if the *subdivider* enters into a binding Development Agreement with the City by which the *subdivider* consents to future establishment of any necessary assessment districts covering the subject community financing plan area and by which the *subdivider* consents to payment of an estimated facilities benefit assessment fee at the time of building permit issuance. The Development Agreement shall provide for the possibility of an under payment or over payment of the estimated fee and for reimbursement of a portion of, or supplementation of, the fees as may be required. The resolution approving the *tentative map* shall specify all such conditions.

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

(Amended 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

§144.0210 General Design Requirements for Tentative Maps

The proposed *subdivision* shall meet all of the requirements of the *Subdivision Map Act* and the requirements of the Land Development Code unless specific waiver is granted in accordance with the provisions of the Land Development Code. The design of new *subdivisions* shall make adequate provision for the proper *development* of adjacent lands and the provision of public services to the community.

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

§144.0211 Lot Design Requirements for Tentative Maps

The proposed *subdivision* lots shall be designed as follows:

- (a) All *lots* shall have frontage on a *street* that is open to and usable by vehicular traffic or shall have direct vehicular access to the *street* or other access to a dedicated public *street* approved by the City Engineer;
 - (1) Two or fewer *dwelling units* shall have a minimum 15-foot-wide direct vehicular access.
 - (2) More than two *dwelling units* shall have a minimum 20-foot-wide direct vehicular access.
- (b) All *lots* shall meet the area, frontage, width, and depth requirements of the applicable zone or shall comply with the standards as specified in a Planned Development Permit approved with the *tentative map*;
- (c) Where existing improvements in the proposed subdivision are proposed to be retained, the *lots* shall be designed so that the improvements conform to regulations for *lot coverage*, *setbacks*, side *yard* or rear *yard* regulations; and
- (d) *Lots* shall be designed to provide for brush management as required in Section 142.0412.

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

(Amended 3-22-2018 by O-20917 N.S.; effective 4-21-2018.)

(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§144.0220 Soils and Geologic Reports Required

Geotechnical reports are required as follows:

- (a) A preliminary soils report is required for all *subdivisions* and a more detailed soils investigation may be required by the City Engineer under the conditions described in the *Subdivision Map Act*, Chapter 4, Article 7. The requirement for a preliminary soils report may be waived by the City Engineer after a determination that additional information regarding soils of the *subdivision* is not needed;
- (b) In addition to the requirement for a preliminary soils report, a geological reconnaissance report that addresses potential geologic hazards may be required by the City Engineer; and
- (c) Where unstable conditions are indicated, the City Engineer may require that these conditions be addressed in a final engineering geology report. The final engineering geology report, including specific mitigation measures, shall be incorporated in the detailed construction plans as a condition of final map or *parcel map* approval.

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

§144.0230 Dedications and Easements Required for Tentative Maps

The proposed *subdivision* shall be designed and conditioned as follows:

- (a) *Subdivisions* shall connect to a dedicated and improved *street* and shall make provision for *dedication* of necessary *public rights-of-way*, including *streets*, pedestrian ways, separate bicycle ways, utility easements, and transit routes, as provided in the *Subdivision Map Act*, Chapter 4, Article 3, within or adjacent to the *subdivision*. An unimproved *street* or public transit route covered by a bonded agreement or permit assuring its improvement may be treated as an improved *street* or public transit route in assessing compliance with this section;
- (b) Less than full width *streets* or *alleys* lying along the boundary of a *subdivision* may be dedicated if it is practical to require the *dedication* of the remaining width when the adjoining property, which would also use the *public right-of-way*, is subdivided. Such portion of a *street* shall be distinctly designated upon the map or plat as being only a portion of a *street* and not the full width *street*;
- (c) Access shall be provided to adjacent undeveloped areas by *streets*, *alleys*, or other public ways as may be necessary to provide for future use and public safety;

- (d) *Subdivisions* shall provide for the continuation of existing *streets* in adjoining or adjacent *subdivisions* insofar as these may be necessary for public access requirements. *Streets* shall be extended to the boundary of the *subdivision* to provide suitable access to adjoining property;
- (e) *Public rights-of-way* and improvements shall conform to the current standard design requirements as approved by the City Engineer;
- (f) Where it is in the interest of public safety or the general welfare to limit the access to any *street*, highway, or easement, the *subdivider* may be required to waive direct access rights to any such *street*, highway, or easement from any *abutting property* shown on the *parcel map* or final map;
- (g) Whenever any *subdivision* of land is bounded on any side or in any way by the Pacific Ocean, San Diego Bay, or any public body of water in the City of San Diego, there shall be dedicated upon and by such map or plat, a *street* along the ocean front, bay, or body of water. All such *streets*, and those *streets* leading to the ocean front, bay, or body of water shall extend to and be open to the mean high tide line;
- (h) Whenever the *subdivision* contains land that has been identified as a route for local transit facilities in the applicable *land use plan* or in any transit agency adopted plan, the *subdivision* shall be required to provide the necessary reservation, *dedication* or irrevocable offer of *dedication*, for the *public right-of-way*. In residential *subdivisions*, the requirement for *dedication* shall be limited to those *subdivisions* having a *development* potential of 200 or more dwelling units or containing 100 or more acres. This *dedication* shall be limited to transit facilities that primarily serve the *subdivision* and shall include *dedications* for local stations, associated parking, bus turnouts, and appurtenant facilities. This requirement will not be applicable to *condominium conversions* or *structures* that are 5 or more years in age and which do not involve the addition of new units. In residential *subdivisions* having a *development* potential of fewer than 200 dwelling units or containing fewer than 100 acres, a reservation requirement shall be made as appropriate; and
- (i) Whenever a *subdivision* contains land that has been identified as a route for a bicycle path in the applicable *land use plan*, the *subdivision* shall be required to provide the necessary *dedication* or irrevocable offer of *dedication* for the necessary and safe *public right-of-way* if the *subdivision* contains 200 or more parcels. When fewer than 200 parcels are involved, a bicycle path reservation shall be provided as feasible.

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

§144.0231 Right-of-Way Improvements and Land Development for Tentative Maps

The *subdivider* shall improve *public rights-of-way* and perform land *development* work as required in this article and in accordance with the conditions of the resolution approving the *tentative map* as follows:

- (a) *Streets* in and adjacent to all *lots* within the *subdivision* shall be improved in accordance with adopted *land use plan* policies and the Land Development Manual;
- (b) Pedestrian access shall be provided along all *streets* and to all *lots* within the *subdivision* in accordance with adopted land use plan policies and the Land Development Manual;
- (c) The *subdivider* shall provide street trees as required by Chapter 14, Article 2, Division 4 (Landscape Regulations);
- (d) Storm drains and drainage channels shall be constructed in accordance with policies established by the City Council to adequately control storm waters originating on or upstream from the *subdivision* and to convey these storm waters to a suitable discharge satisfactory to the City Engineer;
- (e) Public transportation improvements shall be constructed and financed in accordance with adopted *land use plan* policies to adequately support the *development* of public transportation programs and to fulfill any traffic mitigation requirements of the project's environmental review;
- (f) Masonry walls or *fences* shall be required adjacent to *public rights-of-way* or *flood control channels*, railroads, *freeways*, expressways, major *streets* and other *streets* where necessary or desirable for the protection of public health, safety, and welfare; and
- (g) Any private improvements existing or to be installed in public right-of-way shall require Encroachment Maintenance and Removal Agreements in accordance with Section 129.0715.

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

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 1-23-2013 by O-20235 N.S.; effective 2-22-2013.)

§144.0232 Fees for Bridges or Major Thoroughfares

The payment of fees may be required for defraying the cost of constructing bridges or major thoroughfares, including public transit facilities, in accordance with the conditions stipulated in the *Subdivision Map Act*, Chapter 4, Article 5 and Chapter 14, Article 3, Division 5 (Parking Regulations). These facilities shall be consistent with the applicable *land use plan*.

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

§144.0233 Acceptance of Dedication

No reservation for *public rights-of-way* shall be offered for dedication unless such offer includes any necessary slope easements required for the ultimate *development* of the *public right-of-way*, and no such reservation shall be accepted for dedication by the City until improvements therein are constructed pursuant to the requirements of the San Diego Municipal Code.

The City Engineer, or other designee of the City Manager, may accept on behalf of the City Council *streets* and roads, or portions thereof, into the City *street* system and record conveyances to the City of real property interests for *street* and road uses and purposes. No *street* shall be accepted into the City *street* system and open to public use until improvements are constructed pursuant to the requirements of the San Diego Municipal Code.

(Added 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)

§144.0240 Utilities Requirements for Tentative Maps

Where utilities already exist, new *subdivisions* shall be designed so that the utilities are in proper locations or else provide for their reconstruction in locations approved by the utility agencies concerned.

- (a) Sewer and water service shall be provided to each *lot* connecting to the City or City-approved sewer and water systems. Water systems shall provide for fire flow required to service the entire *subdivision*. Individual sewer or water systems may be recommended by the City Engineer in *subdivisions* of *lots* or less where the installation or extension mains to connect to the existing City systems would be impractical. In such cases, contracts shall be executed for installation of future permanent facilities.
- (b) Privately owned utilities shall be provided as follows.
 - (1) Unless otherwise specified herein, all privately owned utility systems and service facilities needed to serve the *subdivision* shall be installed underground.

- (2) The *subdivider* shall make arrangements with each of the utility companies for the installation of all new underground facilities and relocation to an underground position of existing facilities within the boundary of the *subdivision* or within the abutting *public rights-of-way*. All work shall be in conformance with the operating company's rules and regulations on file with, and approved by, the California Public Utilities Commission. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts and other facilities necessarily appurtenant to the underground utilities may be placed above ground.
 - (3) All *subdivisions* in agricultural zones and *single dwelling unit* residential zones that consist of four *lots* or less are exempt from the requirement to convert existing overhead utility facilities to an underground location if the conversion would not constitute an extension of an existing underground system. For *subdivisions* that include a Planned Development Permit, this exemption may be considered on a project by project basis.
 - (4) The provisions of this section shall not require undergrounding of power transmission lines of 60,000 volts or more.
 - (5) The *subdivider* or *public utility* company may apply for waiver of the requirements of this section as part of an application for the *tentative map*. The decision maker may waive the requirements of this section in accordance with section 144.0242.
- (c) Street lights shall be provided in accordance with the standards established in the Street Design Manual of the Land Development Manual. Residential *subdivisions* containing four *dwelling units* or less are exempt from the *subdivision* requirement to install a new street light.

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

(Amended 1-23-2013 by O-20235 N.S.; effective 2-22-2013.)

(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§144.0241 Fees for Sewer or Drainage Facilities

The payment of fees may be required to defray the cost of planned drainage facilities or planned sewer facilities in accordance with the *Subdivision Map Act*, Chapter 4, Article 5. The plan for the facilities within the local drainage or sewer service area in which the *subdivision* is located must be adopted by the City Council at least 30 calendar days before the imposition of the requirement for payment of fees.
(Renumbered from Sec. 114.0421 on 6-19-2000 by O-18814 N.S.)

§144.0242 Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities

- (a) Purpose. The installation of utilities underground benefits the public through the minimization of the visual and functional impact of utility systems and equipment on streets, sidewalks, and the public realm, and the enhancement of quality of life. However, there are circumstances where a waiver of the undergrounding requirement in section 144.0240(b) would be appropriate, in accordance with section 144.0242(c).
- (b) Process. Requests to waive the undergrounding requirement in Section 144.0240(b) shall be considered concurrently with the approval of a *tentative map* or amendment thereto. Supporting facts for a decision to grant a waiver shall be documented in the *findings* for *tentative map* approval.
- (c) Waiver. A request for waiver of the requirements in section 144.0240(b) will be considered based on documentation provided by the *applicant* demonstrating that one or more of the following factors are applicable to the *development*:
 - (1) Adverse timing or planning considerations:
 - (A) The conversion involves undergrounding of utilities that are already scheduled to occur in the near term as a utility company financed undergrounding project or as part of the City's utility underground program; or
 - (B) The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.
 - (2) Inordinate cost to the *development* taking into consideration:

- (A) Whether the conversion would involve substantial investment in temporary facilities such as cable poles or temporary recruiting;
 - (B) Whether the conversion would require a significant amount of work to occur offsite of the *development* as a result;
 - (C) Whether the cost of conversion would increase the cost per unit for proposed *residential development* by more than one percent; or
 - (D) Whether regardless of the conversion, a large transmission line (60,000 volts or larger) would still remain overhead.
- (3) The requested waiver will not create a long term visual or functional impact to any streets, sidewalks or the public realm in conflict with adopted *land use plan* policies.
- (d) Appeals. A decision to approve or deny a waiver, excepting a decision of the City Council, may be appealed to a higher decision maker by filing an appeal of the *tentative map* action in accordance with section 112.0506 or 112.0508 as applicable.
- (“Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities” added 1-23-2013 by O-20235 N.S.; effective 2-22-2013.)
(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)*

§144.0251 Reservations for Public Facilities Sites

Sites needed for public facilities within a proposed new *subdivision*, including *school* sites, shall be reserved to the City or other responsible public agency in accordance with the *Subdivision Map Act*, Chapter 4, Article 4.

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