

ORDINANCE NO. 9063 (N.S.)

AN ORDINANCE AMENDING THE SAN DIEGO  
COUNTY CODE, RELATING TO NAMING CONSISTENCY OF ROADS

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** Purpose. It is the intent of this ordinance to provide naming consistency in the terminology related to roads and streets. Presently, the County has adopted standards for the design and construction of public and private roads. The Subdivision Ordinance, which includes dedication and improvement requirements for minor and major subdivisions, however, refers primarily to streets. Adding the definition roads and revising specified sections of the Subdivision Ordinance to incorporate this definition will provide consistency between the sections of the Subdivision Ordinance that address the dedication and improvement requirements for minor and major subdivisions and the County's public and private road standards.

**Section 2.** Section 81.102.14 of the San Diego County Code is hereby added to read as follows:

**SEC. 81.102.14. [ROAD.]**

"Road" means a State highway, County road or street, public road, street, alley, or thoroughfare or private road, street, alley thoroughfare or easement for ingress and egress.

**Section 3.** Section 81.401 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.401. DESIGN OF SUBDIVISION.**

All major subdivisions shall conform to the following requirements as to design:

- (a) No lot shall include land in more than a single tax code area.
- (b) Every lot shall contain the minimum lot area specified in The Zoning Ordinance for the zone in which said lot is located at the time the final map is submitted to the Board of Supervisors for its approval; provided, however, if no lot area is established by The Zoning Ordinance, every lot shall contain a net area of no less than 6,000 square feet.
- (c) Every lot shall front on a dedicated road, a road offered for dedication, or a private road easement, as required by Section 81.402 or the conditions of approval of the tentative map.

- (d) Every lot shall be at least 50 feet wide exclusive of side yards required in the zone in which the lot is located measured at the right-of-way line, provided that no lot shall measure less than 60 feet wide measured at the right-of-way line.
- (e) Lots whose side lines are approximately radial to the center of a cul-de-sac or the center of the intersection of two dead end roads shall have at least 33 feet of frontage measured at the right-of-way line.
- (f) Panhandle-shape lots shall have minimum frontage of 24 feet on a dedicated road or private easement road except where the panhandle portion of two panhandle-shaped lots are adjacent to one another, in which case each shall have a minimum frontage of 20 feet on a dedicated road or private easement road. Panhandles may not serve as access to any lot except the lot of which said panhandle is a part nor shall any panhandle have a length of more than two-thirds the distance from the road on which the panhandle fronts to the rear lot line.
- (g) Through lots shall not be allowed unless vehicular access rights are relinquished to one of the abutting roads.
- (h) The side lines of all lots shall be at right angles or radial to the road upon which the lots front with a maximum deviation of up to 10 degrees allowed.
- (i) Lot depth shall be at least 90 feet and shall be no greater than three times the average width.
- (j) Whenever practicable, subdivision of residential property abutting roads shown on the Circulation Element of the San Diego County General Plan, railroads, transmission lines and open flood control channels shall be designed so that the lots do not face on such rights-of-way.
- (k) Whenever practicable side and rear lot lines shall be located along the top of man-made slopes instead of at the toe or at intermediate locations on said slopes.
- (l) Bicycle routes shown on the San Diego County General Plan shall be included in the subdivision provided such routes are reasonably related to the traffic caused by the subdivision. Whenever rights-of-way for roads are required to be dedicated in subdivisions containing 200 or more lots, the subdivider shall include bicycle routes when necessary and feasible for the use and safety of the residents.
- (m) No tentative subdivision or parcel map received on or after October 1, 1979 shall be approved unless each lot within the subdivision can be demonstrated by the subdivider to have unobstructed access to sunlight to an area of not less than 100 square feet, falling in a horizontal plane 10 feet above the grade of the buildable area of the lot. The condition of unobstructed solar access shall be considered to be achieved when a specific area of not less than 100 square feet has been unobstructed skyview of the sun between azimuths of the sun at 45 degrees to the

east and 45 degrees to the west of true south on December 21. The purpose of this requirement is to assure solar access to solar water heating systems as required by San Diego County Code Section 53.119, located on a future structure built on the lot.

- (1) This requirement shall not apply to specific lots whenever a subdivider can demonstrate that it is infeasible to comply due to:
  - i. A finding that the provisions of this section will result in reducing allowable densities under applicable planning and zoning in force at the time the tentative map is filed.
  - ii. A finding that the provisions of this section will result in reducing the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in force at the time the tentative map is filed.
  - iii. A finding that compliance cannot be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
  - iv. A finding that it is infeasible to comply due to topographic conditions on or surrounding the land being subdivided, the configuration or orientation of the property being subdivided or existing road patterns contiguous to the subject property.
  - v. A finding that the nature of the existing or allowed future development contiguous to the subject property precludes adequate solar access to specific lots.
- (2) For purposes of this section, a tentative map or tentative parcel map is "received" on the date when the applicable fees are paid and map is stamped "received" by the Department.
- (n) The design of the subdivision shall reflect non-motorized vehicle trails required pursuant to Section 81.402(u).

**Section 4.** Section 81.402 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.402. DEDICATION AND ACCESS.**

No final map filed pursuant to Chapter 3 of this division shall be approved unless and until the following conditions have been satisfied:

- (a) Urban Development Areas. Where land to be subdivided is located in the Urban Residential #3 through #10 designations as defined by the Land Use Element of the San Diego County General Plan, all major subdivisions shall provide access by:
  - (1) Roads dedicated and improved in accordance with San Diego County Standards with right-of-way width of from 52 to 60 feet on-site and no less than 40 feet off-site; except;
  - (2) Roads offered for dedication which will ultimately serve not more than an estimated 100 average daily trips (ADT). When dedication is not accepted prior to approval of the final map, a private road easement not less than 40 feet in width shall be approved in lieu thereof, centered within the offered right-of-way, and improved in accordance with County Standards for Private Roads.
  
- (b) Non-Urban Development Areas Where land to be subdivided is located in the Urban Residential #1, #2, and all of the Non-Urban Residential, Agricultural and Special Purpose designations, #17 through #25, except #21 Specific Planning Area, as defined by the Land Use Element of the County General Plan, all major subdivisions shall provide access by:
  - (1) Private road easement not less than 40 feet in width improved in accordance with County Standards for Private Roads, except;
  - (2) On-site roads in areas designated for 1 or 2 acre minimum parcels by the County General Plan and which will ultimately serve an estimated 750 to 2500 ADT. Such roads shall be offered for dedication in accordance with County Standards with right-of-way width of 50 or 60 feet. When dedication is not accepted prior to approval of the final map, a private road easement not less than 40' in width shall be approved in lieu thereof, centered within the offered right-of-way, and improved in accordance with County Standards for Private Roads; and,
  - (3) On-site or off-site roads which will ultimately serve more than an estimated 2500 ADT shall be dedicated and improved in accordance with County Standards with right-of-way width not less than 60 feet in width, unless otherwise specified in the conditions of approval of the tentative map.
  
- (c) Private Road Maintenance
  - (1) Private roads will be maintained either through private road maintenance agreements or through a County Service Area (CSA), as determined by the Director of Public Works.

- (2) In the case where standards of an existing CSA to which a subdivision is to be annexed are different from those specified, the standards of the existing CSA shall prevail.
- (d) Where land to be subdivided is located in the Specific Planning Area designation as defined by the Land Use Element of the San Diego County General Plan, streets providing on-site and off-site access shall be designed and improved to those standards necessary to implement the development density design and objectives of an adopted Specific Plan as determined by the Director of Public Works.
- (e) Where land to be subdivided is located in any commercial or industrial designation defined by the Land Use Element of the County General Plan, streets providing on-site and off-site access shall be dedicated and improved in accordance with San Diego County Standards.
- (f) All dedicated roads which are proposed on the boundaries of a subdivision shall not be less than 40 feet in width together with a strip of land one-foot wide on its outer edge which shall be offered to the County for road purposes and over which access rights are relinquished.
- (g) All dedicated roads proposed to be terminated at the subdivision boundary shall include a strip of land one foot wide extending across said street at its point of termination at said boundary which shall be portions of the adjacent lots, offered for road purposes and over which access rights are relinquished.
- (h) Dead-end private road easements shall include a cul-de-sac with a minimum easement radius of 34 feet.
- (i) Where it is necessary to extend a road beyond the boundaries of a subdivision to provide adequate circulation and fire protection for residents of the subdivision, the subdivider shall obtain the necessary easements therefor, which easements shall be dedicated or offered for dedication to the County when required by other provisions of this Section and shall improve said easements in accordance with County Standards for County-maintained roads or with County Standards for Private Roads as may be applicable.
- (j) Where land to be subdivided is bounded by any water body such as an inlet, bay, estuary, lagoon, river or by the Pacific Ocean, there shall be a street along such water body or other adequate public access shall be required. Where said land is bounded by the Pacific Ocean, irrevocable offers of dedication to the public of an absolute right of traverse along the beach shall be required. This dedication shall include all of the area within the subdivision lying between the mean high tide (M.H.T.) line and the 10 foot elevation or base of the coastal bluffs, whichever is closer to the ocean, or from the M.H.T. line to the first line of vegetation in the case of an estuary mouth beach.

- (k) Where a drainage or flood control facility is necessary for the use of lot owners or for the protection of lots, adequate rights-of-way for such facilities shall be offered for dedication to the County or such other public entities as the Advisory Agency designates and shall be shown on the map.
- (l) Where it is necessary to extend a drainage or flood control facility beyond the boundaries of the subdivision for adequate drainage or flood control needs, the required public rights-of-way shall be provided. Such rights-of-way shall provide for the ultimate facility construction in accordance with the County Standards.
- (m) Where it is necessary to extend sewer systems beyond the boundaries of the subdivision, the subdivider shall provide all necessary easements and right-of-way to accommodate the facility and structures.
- (n) The subdivider shall offer to dedicate land for park purposes, pay fees in lieu thereof, or do a combination of both, pursuant to Chapter 1 of Division 10 of Title 8 of this Code.
- (o) The subdivider shall offer to dedicate the necessary right-of-way for bicycle routes in accordance with County Standards under the following circumstances:
  - (1) When such routes as shown on the County General Plan pass through or abut the subdivision; and/or
  - (2) When a subdivider is required to dedicate rights-of-way for streets in subdivisions containing 200 or more lots and such route is necessary and feasible for the use and safety of the residents.
- (p) Any tentative map approved subject to the condition that there be dedicated an interest in real property outside the boundaries of the subdivision shall also be subject to the condition that no grading permit shall be issued pursuant to the tentative map unless and until either:
  - (1) Said interests in real property have been acquired by the subdivider or the public agency concerned in a form satisfactory to the Director of Public Works; or
  - (2) The Board of Supervisors has agreed to acquire said interests in real property.
- (q) Where off-site access will not serve as access to on-site roads to be maintained by the County or a County Service Area, no dedication or offer of dedication shall be required for residential roads providing off-site access to the land to be subdivided when the Advisory Agency has determined that a practical difficulty in obtaining rights over intervening land makes dedication or any offer of dedication

impossible or circumstances such as location, traffic volume or use make such dedication or offer of dedication unwarranted.

- (1) When such determination has been made, a private road easement not less than 40 feet in width shall be approved in lieu of such dedication or offer of dedication.
  - (2) Where such private road easement is approved, the subdivider shall obtain documentation from a title company that the owner and his/her successors have the right to use such private road easement for the lots to be created prior to the approval of the final map.
- (r) In Non-Urban Development Areas, offers of dedication may be required when the Director of Public Works determines that a high probability exists that a proposed private road may need to be brought into the County-maintained system at some future date.
  - (s) All utility easements which are acquired after the issuance of the Resolution of Approval (Notice of Approval) shall be subordinated to any Public Dedications which are required as a condition of said approval with the exceptions of major transmission facilities, mains and lines as determined by the Director of Public Works.
  - (t) Easements for Public Utilities may be dedicated to and accepted by a Public Utility by certificate on the map.
  - (u) Easements for non-motorized vehicle trails shall be offered for dedication by the subdivider when such trails, shown on maps adopted as part of the County General Plan, pass through or abut the subdivision.

**Section 5.** Section 81.403 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.403. REQUIRED IMPROVEMENTS.**

- (a) The subdivider shall be required to perform or agree to perform the following before approval of any final or parcel map of a major subdivision:
  - (1) Grade and improve all land dedicated or to be dedicated for roads or easements, bicycle routes, and all private roads and private easements laid out on a final map or parcel map, in such manner and with such improvements as are necessary for the use of the lot owners in the subdivision, local neighborhood traffic, and drainage needs in accordance with County Standards.

- (2) Install all on-site and off-site drainage and flood control facilities required by the Director of Public Works in conformance with County Standards. When, it is determined that construction of off-site facilities to the ultimate County Standards is unreasonable, staged construction may be permitted when the Board of Supervisors has determined there is a substantial public benefit, and:
  - (i) Drainage and flood control facilities required pursuant to this ordinance, which are outside the boundaries of the subdivision, may be constructed in stages in conformance with County Standards and shall provide for no increase in existing or potential flood hazards to downstream properties. Staged facilities shall provide for increases in flood flows attributable to a proposed development, and the cumulative effect of future developments in the watershed pursuant to current County policy regarding staged construction.
  - (ii) Design of staged facilities shall include provisions for minimum maintenance requirements including, but not limited to, vehicular access, erosion and sedimentation control, structural low flow channels, and service roads, plus landscaping and irrigation where appropriate.
- (3) Provide proof satisfactory to the Director of Planning and Land Use that the serving water district has certified that adequate potable public water supply is available to each lot or parcel or to the Director of the Department of Environmental Health that there exists an adequate potable well water supply available to each lot or parcel. The subdivider shall install minimum water supply pipe as determined by the Director of Public Works and recommended by the water district serving the proposed subdivision.
- (4) Install fire hydrants and connections as approved by the chief of the local fire district or the County Fire Marshal.
- (5) Install a public system for sewers or sewage disposal serving all proposed lots or parcels as a condition precedent to the approval of any parcel map or final map where it is determined that such system is required to preserve the public health due to the size and shape of the proposed lots, the terrain and soil condition of the land to be subdivided, and the existing development in the vicinity of the proposed subdivision. Such public system shall be approved by the serving district according to their standards and policies.
- (6) Underground all new and existing utility distribution facilities, including cable television lines, within the boundaries of any new subdivision or within any half road abutting a new subdivision. The subdivider is responsible for complying with the requirements of this Subsection and he shall make the necessary arrangements with each of the serving utilities, including licensed cable television operators for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessarily appurtenant to such



underground utilities and street lighting systems may be placed above ground. The provisions of this Subsection shall not apply to the installation and maintenance of overhead electric transmission lines in excess of 34,500 volts and long distance and trunk communication facilities. When the installation of cable television lines is required, the subdivider shall provide the Director of Public Works with either documentation from a licensed cable television operator stating arrangements for the underground installation of cable television lines have been made; or documentation that the Cable Television Review Commission has reported that no licensed cable television operator is willing and able to install cable television lines in the subdivision. Any modification or waiver of the requirements of this Subsection shall be reviewed in accordance with the Board of Supervisors Policy "Undergrounding of Utilities."

- (7) Construct a street lighting system as required by the Director of Public Works in conformance with County Standards.
- (b) Where each parcel on a parcel map for a major subdivision contains a gross area of 20 acres or more, the subdivider shall be required to:
  - (1) Grade and improve private roads to grades and widths required in accordance with County Standards for Private Roads; and
  - (2) Install all drainage structures and facilities required by the Director of Public Works in conformance with County Standards; and
  - (3) Install water supply pipelines, fire hydrants and connections as may be required by the Planning Environmental Review Board, Planning Commission or Board of Supervisors.
- (c) All drainage and flood control improvements shall conform to applicable floodplain overlay zoning and drainage and flood control policies of the County General Plan.

**Section 6.** Section 81.407 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.407. AGRICULTURAL SUBDIVISIONS.**

When the land to be subdivided is located within the boundaries of an Agricultural Preserve established by the Board of Supervisors and the owner thereof has entered into a Land Conservation Contract with the County, a tentative map may be filed proposing lots no smaller than specified in said contract. Other provisions of this division to the contrary notwithstanding, the dedication and improvement requirements for an agricultural subdivision shall be as follows:

- (a) Dedication
  - (1) The road or roads providing access to an agricultural subdivision shall meet the same standards of easement width and improvements as required for access to a minor subdivision pursuant to Section 81.703(b).
  - (2) Except as required by paragraph (a)(1) above, agricultural subdivisions shall not be subject to the dedication requirements set forth in Sections 81.402(a), (b), (f), (g), (h) and (m) of this division.
- (b) Required Improvements
  - (1) The subdivider shall be required to:
    - (i) Grade and improve roads in accordance with County Standards for Private Roads.
    - (ii) Install all drainage and erosion control structures, surfacing and facilities required by the Director of Public Works and in accordance with County Standards.
    - (iii) Install water supply pipelines, fire hydrants and connections as may be required by the Planning Environmental Review Board, Planning Commission or Board of Supervisors.
  - (2) Where a major subdivision is an agricultural subdivision as defined in Section 81.102.1.5 and each parcel shown on such parcel map contains a gross area of 20 acres or more, the subdivider shall meet all improvement requirements as specified in Section 81.407(b)(1) above.
  - (3) Except as required by Section 81.407(b) and (1) and (2) above, agricultural subdivisions shall not be subject to the improvement requirements set forth in Section 81.403(a)(6), (a)(7), and (b) of this division.

**Section 7.** Section 81.703 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.703. DEDICATION AND ACCESS.**

No parcel map filed pursuant to Chapter 6 of this division shall be approved unless and until the following conditions have been satisfied:

- (a) Urban Development Areas Where the land to be subdivided is located in the Urban Residential #3 through #10 designations as defined by the Land Use

Element of the San Diego County General Plan, all minor subdivisions shall provide access by:

- (1) Roads dedicated and improved in accordance with San Diego County Standards with right-of-way width of from 52 to 60 feet on-site and no less than 40 feet off-site, except;
  - (2) Roads offered for dedication which will ultimately serve not more than an estimated 100 average daily trips (ADT). When dedication is not accepted prior to approval of the parcel map, a private road easement not less than 40 feet in width shall be approved in lieu thereof, centered within the offered right-of-way, and improved in accordance with County Standards for Private Roads.
- (b) Non-Urban Development Areas Where land to be subdivided is located in the Urban Residential #1, #2, and all of the Non-Urban Residential, Agricultural and Special Purpose designations, #17 through #25, except #21 Specific Planning Area, as defined by the Land Use Element of the County General Plan, all minor subdivisions shall provide access by:
- (1) Private road easement not less than 40 feet in width improved in accordance with County Standards for Private Roads, except;
  - (2) On-site roads in areas designated for 1 or 2 acre minimum parcels by the County General Plan and which will ultimately serve an estimated 750 to 2500 ADT. Such streets shall be offered for dedication with right-of-way width of 56 or 60 feet. When dedication is not accepted prior to approval of the parcel map, a private road easement not less than 40 feet in width shall be approved in lieu thereof, centered within the offered right-of-way, and improved in accordance with County Standards for Private Roads; and,
  - (3) On-site or off-site roads which will ultimately serve more than an estimated 2500 ADT shall be dedicated and improved in accordance with County Standards with right-of-way not less than 60 feet in width, unless otherwise specified in the conditions of approval of the tentative parcel map.
- (c) Private Road Maintenance
- (1) Private roads will be maintained either through private road maintenance agreements or through a County Service Area (CSA), as determined by the Director Public Works.

- (2) In the case where standards of an existing CSA to which a subdivision is to be annexed are different from those specified, the standards of existing CSA shall prevail.
- (d) Where land to be subdivided is located in the Specific Planning Area designation as defined by the Land Use Element of the County General Plan, roads providing on-site and off-site access shall be designed and improved to those standards necessary to implement the development density design and objectives of an adopted Specific Plan as determined by the Director of Public Works.
- (e) Where land to be subdivided is located in any commercial or industrial designation defined by the Land Use Element of the County General Plan, roads providing on-site and off-site access shall be dedicated and improved in accordance with County Standards.
- (f) Roads which are proposed on the boundaries of a subdivision shall be not less than 30 feet in width. In the event that the offer of dedication for said roads is to be accepted prior to approval of the parcel map, a strip of land one foot wide extending along the outer edge of said land offered for dedication may be required to be offered to the County for road purposes and over which access rights are relinquished.
- (g) Offers of dedication for roads which will be accepted before approval of the parcel map and which roads are proposed to be terminated at the boundary of the subdivision may be required to include a strip of land one foot wide extending across said road at its point of termination at said boundary which shall be portions of the adjacent lots, offered for road purposes and over which access rights are relinquished.
- (h) Dead-end private road easements shall include a cul-de-sac with a minimum easement radius of 34 feet.
- (i) Where land to be subdivided is bounded by any water body such as an inlet, bay, estuary, lagoon, river or by the Pacific Ocean, there shall be a road along such water body or other adequate public access shall be required. Where said land is bounded by the Pacific Ocean, irrevocable offers of dedication to the public of an absolute right of traverse along the beach shall be required. This dedication shall include all of the area within the subdivision lying between the mean high tide (M.H.T) line and the 10 foot elevation or base of coastal bluffs, whichever is closer to the ocean, or from the M.H.T line to the first line of vegetation in the case of an estuary mouth beach.
- (j) All easements required for public utilities and drainageways, including flood control and drainage easements required in Section 81.402(j) and 81.402(k) of this division shall be offered for dedication in the manner prescribed by Section 81.705 of this division when such offers of dedication are necessary to serve the

subdivision and/or are a reasonable and logical extension of such facilities as exist in the vicinity.

- (k) No dedication or offer of dedication shall be required for roads providing on-site access to land to be subdivided where such road will serve only those lots created by that subdivision. A private road easement not less than 20 feet wide may be approved in lieu thereof, provided, that the easement will ultimately serve no more than 4 lots or parcels and the Director of Planning has determined that no adjacent properties shall require public access from such easement.
- (l) Where off-site access will not serve as access to on-site roads to be maintained by the County or a County Service Area, no dedication or offer of dedication shall be required for residential roads providing off-site access to the land to be subdivided when the Director of Planning has determined that a practical difficulty in obtaining rights over intervening land makes an offer of dedication or an irrevocable offer to dedicate impossible or circumstances such as location, traffic volume or use make such dedication or offer of dedication unwarranted.
  - (1) When such determination has been made, a private road easement not less than 40 feet in width or an existing private road easement established prior to February 1, 1972, not less than 20 feet in width shall be approved in lieu of such dedication or offer of dedication.
  - (2) Where such private road easement is approved, the subdivider shall obtain documentation from a title company that the owner and his/her successors have the right to use such private road easement for the lots to be created prior to the approval of the parcel map.
- (m) In Non-Urban Development Areas, offers of dedication may be required when the Director of Public Works determines that a high probability exists that a proposed private road may need to be brought into the County-maintained system at some future date.
- (n) All utility easements which are acquired after the issuance of the Resolution of Approval (Notice of Approval) shall be subordinated to any Public Dedications which are required as a condition of said approval with the exceptions of major transmission facilities, mains and lines as determined by the Director of Public Works.
- (o) Easements for Public Utilities may be dedicated to and accepted by a Public Utility by certificate on the map.

**Section 8.** Section 81.704 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.704. DEDICATION REQUIREMENTS FOR HIGHWAYS SHOWN ON CIRCULATION ELEMENT OF THE SAN DIEGO COUNTY GENERAL PLAN.**

Offers of Dedication for rights-of-way for highways shown as prime arterial, major roads, recreational parking, rural mountain collector road, rural collector, town collector and light collector on the Circulation Element of the San Diego County General Plan shall be required only as follows:

- (a) Sufficient right-of-way shall be dedicated to provide 30 feet of right-of-way from the centerline of the highway to the boundary line of each lot or parcel of land included within the parcel map which abuts upon the highway. The right-of-way so dedicated shall be shown on the parcel map.
- (b) The definite location of the centerline of every such highway, as such location is established by the Director of Public Works shall be shown on every parcel map.
- (c) The full width of every such highway shown on every such parcel map shall be identified by a line drawn at the appropriate location and labeled "limit of proposed street widening." The full width in feet on each side of the centerline of such highway is as follows:

Prime Arterial Road . . . . 63

Major Road . . . . 51

Recreational Parkway . . . . 50

Rural Mountain Road . . . . 50

Collector Road . . . . 42

Rural Collector Road . . . . 42

Town Collector Road . . . . 37

Light Collector Road . . . . 30

- (d) A building line is hereby established on each side of and parallel to the centerline of every highway shown on the Circulation Element of the San Diego County General Plan, except in multiple residence, commercial and manufacturing zones. The distance in feet from the centerline of the highway to the building line shall be as follows:

Prime Arterial Road . . . . 83

Major Road . . . . 71

Recreational Parkway . . . . 70

Rural Mountain Road . . . . 70

Collector Road . . . . 62

Rural Collector Road . . . . 62

Town Collector Road . . . . 57

Light Collector Road . . . . 50

Whenever any such highway is shown on a parcel map, the building line shall be shown at the appropriate location and labeled "building line." No building or structure of any kind may be constructed or altered on any lot abutting a road which is shown on the Circulation Element of the San Diego County General Plan and no change may be made in the use or occupancy of any such building or structure if any portion of the said building or structure protrudes into the area between the building line and the centerline of the highway.

- (e) No building or structure shall be constructed or altered and no change may be made in the use or occupancy of a building within those triangles formed at the intersection of roads which are general plan highways or of a road which is a general plan highway with any other road by the building lines parallel to such intersecting roads for a distance of seventeen (17) feet from such intersections on each of such lines and a line connecting the points on such lines which are seventeen (17) feet from said intersection. If there is no building line on one such road, the front yard setback line established by The Zoning Ordinance for the zone in which the lot is located shall be used in lieu thereof.

**Section 9.** Section 81.705.1 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.705.1. ACCEPTANCE PROCEDURE.**

- (a) The parcel map shall contain a certificate for execution by the Director of Public Works acting on behalf of the Board of Supervisors stating that the Director of Public Works acting on behalf of said Board of Supervisors has accepted subject to improvement, or rejected, on behalf of the public, any real property offered for dedication as right-of-way for road purposes for public use in conformity with the terms of the offer of dedication.

The certificate may also include the acceptance or rejection by the Director of Public Works of any offer of dedication of real property for any other public purposes which the Board of Supervisors, by resolution, has authorized the Director of Public Works to accept or reject.

- (b) Whenever drainage or flowage easements or access to drainage facilities are dedicated to the San Diego County Flood Control District or to the County of San Diego, the parcel map shall contain a certificate for execution by the Director of Public Works stating that the Director of Public Works acting on behalf of said Board of Directors of the San Diego County Flood Control District or on behalf of the Board of Supervisors has accepted on behalf of the Board of Directors of the San Diego County Flood Control District or on behalf of the Board of Supervisors respectively, any real property offered for dedication.
- (c) If at the time the parcel map is recorded, any roads, paths, alleys, drainage easements or any other offers of dedications are rejected, the offer of dedication shall remain open and the Board of Supervisors may by resolution at any later date, and without further action by the subdivider, rescind the action and accept and open the roads, paths, alleys, drainage easements or other offers of dedication for public use, which acceptance shall be recorded in the office of the County Recorder, as set forth in Section 66463, 66477.1, 66477.2, 66477.3 of the Government Code.



**Section 10.** Section 81.706 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.706. REQUIRED IMPROVEMENTS.**

As a condition precedent to the approval of a parcel map for a minor subdivision filed pursuant to the Subdivision Map Act and this division it shall be required that the subdivider:

- (a) Improve or agree to improve in accordance with San Diego County Standards all right-of-way offered for dedication for road purposes which is accepted by the County prior to the approval of the parcel map.
- (b) Install or agree to install other improvements and facilities including but not limited to sewer, water, fire protection, schools and flood control services, in accordance with the requirements set forth in Section 81.403 of this division except that:
  - (1) fire hydrants shall be installed as provided in subsection (c) of this section;
  - (2) street lighting shall be required as provided in subsection (f) of this section; and
  - (3) conversion of existing overhead utilities to underground utilities shall not be required where no public road improvements are required; however, new service to on-site buildings shall be installed underground.
- (c) Install or agree to install fire hydrants with an adequate water supply at intervals not to exceed the following distances for the size of parcel created in the designated zone, which distance shall be measured along a road which is traversable by mechanized fire fighting apparatus, provided these requirements may be waived or modified by the Director pursuant to Section 81.614 of this division, upon recommendation by the chief of the local fire district, or if there is no local fire district, by the Director of Planning and Land Use.
  - (1) In zones other than industrial, commercial and multi-family, fire hydrants shall be installed at the following intervals:
    - (i) Parcels 2-1/2 acres and larger--every 1,000 feet.
    - (ii) Parcels 1/2 to 2-1/2 acres--every 500 feet.
    - (iii) Parcels less than 1/2 acre--every 350 feet.

- (2) In multi-family zones, and in commercial and industrial zones fire hydrants shall be installed every 300 feet regardless of parcel size.

In commercial and industrial zones, fire hydrants shall have two 2-1/2 inch ports and one 4-inch port with a six inch barrel, and in all other zones fire hydrants shall have one 2-1/2 inch port and one 4-inch port.

- (d) Provide proof that the serving public water district will serve each lot or parcel with potable public water or the Director of the Department of Environmental Health certifies that there exists an adequate potable well water supply available to each lot or parcel.
- (e) Provide proof satisfactory to the Director of Public Works that there exists an adequate water supply available to each required fire hydrant.
- (f) Install or agree to install street lighting pursuant to San Diego County Standards, provided that such street lighting shall only be required for traffic safety as determined by the Director of Public Works.
- (g) Provide proof that the serving public sewer district will serve each lot or parcel with public sewer.

**Section 11.** Section 81.709 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.709. COVENANT NOT TO OPPOSE A ROAD IMPROVEMENT DISTRICT.**

In lieu of constructing or agreeing under Section 81.707 to construct the improvements required by Section 81.706 which are to be located in public easements or rights-of-way the Director upon recommendation by the Director of Public Works may require that the subdivider execute a covenant not to oppose the formation of a road improvement district. The covenant executed under authority herein may be used to secure future improvements in easements, rights-of-way or irrevocable offers of dedication and may be used when roads serving adjacent properties and/or the area in general are below County Standards to decree that public action, such as assessment district proceedings, would be required in the future in order to improve such roads to County Standards.

**Section 12.** Section 81.804 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.804. CENTER LINES, RIGHT-OF-WAY LINES, PROPOSED ROAD WIDENING LINES AND BUILDING LINES.**

If a highway which is identified as a collector highway, a major highway or a prime arterial highway on the Circulation Element of the San Diego County General Plan is shown on a parcel map and a centerline, right-of-way line, proposed road widening line or building line has been established with respect to such highway pursuant to Chapter 5 of Division 1 of Title 5 of the Code (commencing with Section 51.501) or pursuant to Division 5 of Title 7 of this Code (commencing with Section 75.101) or pursuant to any provision of this division, then every such line shall be shown at the appropriate location on the parcel map and clearly labeled so as to identify its function. A deposit shall be determined at this time. The amount of said deposit shall be determined by resolution no less than annually by the Board of Supervisors.

**Section 13.** This ordinance shall take effect and be in force from and after 30 days after its passage, and before the expiration of fifteen days after its passage, a summary thereof shall be published in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of July, 1999.