

ORDINANCE NO. 9701 (N.S.)

AN ORDINANCE AMENDING SECTIONS
81.312, 81.402, 81.403, 81.609, 81.703 AND 81.706
OF THE SAN DIEGO COUNTY CODE
RELATING TO SUBDIVISION IMPROVEMENTS

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

Section 1. The Board of Supervisors finds and determines that there is a significant demand for recreational trails throughout the unincorporated area of the County, but that there are not enough trails to meet this demand. The Board further finds that there is need to provide trails for recreational, non-motorized use and that the provision of these trails will benefit the public. The Board further finds that the Subdivision Ordinance should be amended to provide for the dedication and improvement of trails in conjunction with the approval of major and minor subdivisions and revised maps.

Section 2. Section 81.312 of the San Diego County Code is hereby amended to read as follows:

SEC. 81.312 DUTIES OF DIRECTOR ON APPLICATIONS FOR REVISED OR EXPIRED TENTATIVE MAPS OR TENTATIVE MAP TIME EXTENSIONS OR MODIFICATIONS.

- (a) [No change.]
- (b) [No change.]
- (c) [No change.]
- (d) For a revised tentative map, in addition to the recommendations listed in subsection (c) above regarding proposed improvements, obtain the recommendation of the Director of Parks and Recreation or his/her authorized representative with respect to proposed trail or pathway improvements.
- (e) Preliminarily approve, conditionally approve, or disapprove the application pursuant to the procedure specified in Section 81.313.

Section 3. Section 81.402 of the San Diego County Code is hereby amended to read as follows:

SEC. 81.402 DEDICATION AND ACCESS.

- (a) through (t) [No change.]

- (u) If any part of a trail corridor is located on the property to be subdivided, the subdivider shall prepare a trail route study to determine the specific location of the trail or pathway within the trail corridor and the type of trail or pathway to be constructed. The trail corridor concept is described in section 6.1 of the Community Trails Master Plan (CTMP). Trail corridors are shown in the individual community trail maps in the CTMP or in the Regional Trails Map in the Public Facilities Element. Trail types are discussed in sections 7.1, 7.2 and 7.3 of the CTMP. The trail route study shall be prepared to the satisfaction of the Director of Parks and Recreation or his/her designee. The route study shall apply the trail design and locational criteria and the design and construction guidelines in the CTMP. The subdivider shall offer to dedicate a trail or pathway easement on the alignment specified in the trail route study if (1) the trail route study as approved by the County concludes that all or part of the trail or pathway should be located in the trail corridor or portion thereof that is on the property to be subdivided; and (2) there is the necessary rough proportionality between the required dedication and the impacts of and/or benefits to the proposed subdivision. The trail or pathway shall be for pedestrians, equestrians and bicycles.

Section 4. Section 81.403 of the County Code is hereby amended to read as follows:

SEC. 81.403 REQUIRED IMPROVEMENTS.

- (a) (1) through (7) [No change.]
- (8) Grade and improve all land dedicated or to be dedicated for trails or pathways including land previously dedicated for a road which includes sufficient right-of-way for a pathway. Trail improvements shall be made in accordance with the trail standards specified in section 7, “Design and Construction Guidelines,” of the CTMP for the type of trail to be developed. Pathway improvements shall be made in accordance with the standards for pathways in the San Diego County Public Road Standards.
- (b) (1) through (3) [No change.]
- (4) Grade and improve all land dedicated or to be dedicated for trails or pathways including land previously dedicated for a road which includes sufficient right-of-way for a pathway. Trail improvements shall be made in accordance with the trail standards specified in section 7, “Design and Development Guidelines,” in the Community Trails Master Plan for the type of trail to be developed. Pathway improvements shall be made in accordance with the standards for pathways in the San Diego County Public Road Standards.

Section 5. Section 81.609 of the San Diego County Code is hereby amended to read as follows:

SEC. 81.609 DIRECTOR—DUTIES OF.

- (a) [No change.]
- (b) [No change.]
- (c) Obtain the recommendation of:
 - (1) The Director of Public Works, Director of Environmental Health and Director of Parks and Recreation, or their authorized representatives, with respect to the design of the proposed subdivision and the kind, nature, and extent of the proposed improvements including, but not limited to, sewer, water, trails, pathways, and flood control facilities;
 - (2) The Chief of the local fire district, or if there is no fire district, the County Fire Warden, with respect to fire control measures and improvements; and
 - (3) Special districts for public sewer, public water and school facilities, other County departments, governmental agencies as may be deemed appropriate or necessary by the Director in order to carry out the provisions of this division.
- (d) [No change.]
- (e) [No change.]

Section 6. Section 81.703 of the San Diego County Code is hereby amended to read as follows:

SEC. 81.703 DEDICATION AND ACCESS.

- (a) through (o) [No change.]
- (p) If any part of a trail corridor is located on the property to be subdivided, the subdivider shall prepare a trail route study to determine the specific location of the trail or pathway within the trail corridor and the type of trail or pathway to be constructed. The trail corridor concept is described in section 6.1 of the Community Trails Master Plan (CTMP). Trail corridors are shown in the individual community trail plans in the CTMP or in the Regional Trails Map in the Public Facilities Element. Trail types are discussed in sections 7.1, 7.2 and 7.3 of the CTMP. The trail route study shall be prepared to the satisfaction of the Director of Parks and Recreation. The route study shall apply the trail design and locational criteria and design and construction guidelines in the CTMP. The subdivider shall offer to dedicate a trail or pathway easement on the alignment specified in the trail route study if (1) the trail route study as approved by the County concludes that all or part of the trail or pathway should be located in the trail corridor or portion thereof that is on the property to be subdivided; and (2) there is the necessary rough proportionality between the required dedication and the impacts of and/or benefits to the proposed subdivision. The trail or pathway shall be for pedestrians, equestrians and bicycles.

Section 7. Section 81.706 of the San Diego County Code is hereby amended to read as follows:

SEC. 81.706 REQUIRED IMPROVEMENTS.

(a) through (g) [No change.]

(h) Grade and improve, or agree to grade and improve, all land dedicated or to be dedicated for trails or pathways including land previously dedicated for a road which includes sufficient right-of-way for a pathway. Trail improvements shall be made in accordance with the trail standards specified in the section 7, "Design and Construction Guidelines," in the Community Trails Master Plan for the type of trail to be constructed. Pathway improvements shall be made in accordance with standards for pathways in the San Diego County Public Road Standards.

Section 8. This ordinance shall take effect and be in force 30 days after its passage, and before the expiration of 15 days after its passage, a summary hereof shall published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 2nd day of February 2005.