

ORDINANCE NO. 9719 (N.S.)

AN ORDINANCE AMENDING SECTIONS  
81.102.15, 81.402, 81.403, 81.703 and 81.709  
OF THE SAN DIEGO COUNTY CODE  
RELATING TO SAN DIEGO COUNTY STANDARDS

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

Section 1. The Board of Supervisors finds and determines that several minor changes to the definition of "San Diego County Standards" are necessary to clarify the term "San Diego County Standards," delete obsolete information, add prior Board action dates and make subsequent references to "San Diego County Standards" consistent.

Section 2. Ordinance No. 9703 amending County Code section 81.102.15 adopted on February 2, 2005 (13), is hereby repealed.

Section 3. Section 81.102.15 of the San Diego County Code is hereby amended to read as follows:

**SEC. 81.102.15. [SAN DIEGO COUNTY STANDARDS.]**

"SAN DIEGO COUNTY STANDARDS" refers to those standards and specifications on file in the Office of the Clerk of the Board of Supervisors as Attachment C with Resolution No. 99-186 (6-30-99 (8)) (San Diego County Standards for Private Roads) and Document Number 767412 (5-18-05 (14 )) (Public Road Standards); provided, however, that with respect to development within the "Country Town" area of the Borrego Springs Planning Area, the standards and specifications contained in the "Community Right-of-Way Development Standards - Country Town Area of the Borrego Springs Planning Area" on file with the Office of the Clerk of the Board of Supervisors as Document Number 740149 (4-10-91 (6)), and with respect to development within the San Dieguito Planning Area, the standards and specifications contained in the "Community Right-of-Way Development Standards - Country Town Sphere of the San Dieguito Planning Area" on file with the Office of the Clerk of the Board of Supervisors as Document Number 750029(a) (6-6-92 (9)), and with respect to development within the Fallbrook Community Development Area, the standards and specifications contained in the "Fallbrook Community Right-of-Way Development Standards for Public Roads" on file with the Office of the Clerk of the Board of Supervisors as Document Number 761748 (12-14-94 (1)), and with respect to development within the Julian Community Planning Area, the standards and specifications contained in the "Community Right-of-Way Development Standards: Julian Historic District and Julian Community Planning Area" on file with the Office of the Clerk of the Board of Supervisors as Document

Number 0768777 (3-6-02 (17)), shall also apply and shall supersede the aforementioned documents to the extent of any conflict between them.

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

**SEC. 81.402 DEDICATION AND ACCESS.**

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

(i) Where 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 therefore, 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 San Diego County Standards or with County Standards for Private Road as may be applicable.

(j) through (u) [No change.]

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 San Diego County Standards.

Section 6. 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) [No change.]

(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) [No change.]
  - (2) [No change.]
  - (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 San Diego County Standards with right-of-way not less than 60 feet in width, unless otherwise specified in the conditions of approval of the tentative map.
- (c) through (d) [No change.]
- (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 San Diego County Standards.
- (f) through (o) [No change.]

Section 7. 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 San Diego County Standards to such a degree that public action, such as assessment district proceedings, would be required in the future in order to improve such roads to San Diego County 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 be 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 in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of May 2005.