D 200 TENTATIVE SUBDIVISION

D 210 AUTHORITY AND PROCEDURES

D 211 BASIC BACKGROUND

D 211.1 HISTORY OF THE MAP ACT

With the enactment of the first map act near the turn of the century, the State of California began regulating the recording of subdivisions and the conveying of subdivided lands.

Until 1929, there was no effective control of filing of subdivision maps in the State of California. The coordination of land development by subdivision with the overall comprehensive community development was nonexistent.

As a result, the Map Filing Act of 1929 was enacted, and was superseded by what is currently known as the State Subdivision Map Act. The Subdivision Map Act is contained in California Government Code Section 66410, et. seq. It enables cities and counties to pass ordinances regulating subdivisions so that an orderly and proper development expressing the needs and goals of the community can be achieved. The Subdivision regulations constitute one of the major administrative tools for developing land in harmony with the general plan.

The laws governing the sale of subdivided lands, known as the California Real Estate Law, enacted in 1933, is still administered by the State Real Estate Commissioner. The basic objective is to protect the purchasers of property in new subdivisions from fraud, misrepresentation and deceit in the marketing of subdivided lots and air space in the State of California. Most subdivisions cannot be offered for sale in California until the Commissioner has issued a subdivision public report.

D 211.2 DIVISION OF LAND REGULATIONS - TRACTS

The Division of Land Regulations for tract maps is contained in Section 17.00 et. seq. of the Los Angeles Municipal Code. It includes the following major features:

a. Designation of the Director of Planning as the Advisory Agency and prescribing its authority and duties (See Section D 240 of this manual).

b. Establishment of procedures and design standards for tentative and final tract maps.

c. Establishment of the composition of the Subdivision Committee, which includes the City Engineer.

d. Establishment of design standards for dedication and improvements of streets, alleys, easements, and other engineering requirements.
e. Coordination of the requirements for subdivisions in concert with the Grading Regulations, also established in 1962.

f. Establishment of special standards for lots created under subdivisions, i.e., H-hillside zoning, lot averaging, minimum lot widths in commercial zones.

g. Establishment of authority and payments for drainage districts and Recreation and Park Fees.

h. Establishment of implementation requirements for special specific plans such as the Mulholland Scenic Parkway and the Valley Circle - Plummer Street Scenic Corridor.

D 211.3 DIVISION OF LAND MAPS (LOT SPLITS)

On July 30, 1962, the City of Los Angeles Lot Split Ordinance became effective. Since tract maps were required for divisions of five or more parcels, this ordinance provided for land divisions of four or less parcels. The City required dedications and improvements and generally monitored and controlled the division of land.

When all of the conditions of approval were met, an official Division of Land Map was certified by the Deputy Advisory Agency. After certification, sale, lease and other conveyances by metes and bounds descriptions were permitted over the parcels.

The certified maps were not recorded, but were stored in the Division of Land files maintained by the Planning Department, City Clerk, City Engineer's Office and the Department of Building and Safety.

The Lot Split Ordinance was superseded on September 20, 1965 by the Parcel Map Regulations.

D 211.4 PARCEL MAP REGULATIONS

In 1965, the State of California passed legislation amending the Subdivision Map Act to enable the division of land, generally for four or less parcels to be permitted under parcel maps. At the same time, the City of Los Angeles passed its Parcel Map Regulations under Section 17.50 et. seq. of the LAMC.

D 211.5 CONDOMINIUMS

In 1963, the California Condominium Law was enacted. Section 1350, et seq., of the California Civil Code established the procedural and operational requirements. Section 11535 of the California Business and Professions Code, the Subdivision Map Act at that time, amended the definition of subdivision to include condominiums (condos) of five or more units. In 1975, the Subdivision Map Act was moved to the Government Code and redefined a subdivision as any division of a
parcel. This means that a two-lot division of land or a two-unit condo constitutes a subdivision. A tract map may be required for five or more condo units. However, if the number of lots or condo units being created is four or less, a parcel map may be utilized.

The City of Los Angeles has chosen to limit its responsibility for condominium subdivision maps to the plat of the surface of the land. The division of air space and the administration therefore is regulated by the State Division of Real Estate.

Condominium is defined in Section 783 of the California Civil Code as an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of such real property.

The condominium concept recognizes air space as real property, thereby enabling rights established within a volume of air space to be equivalent to those rights traditionally established on a plat of the surface of the land, i.e., ownership, equity, taxes, leaseholds, rentals, etc. Condominiums cover not only residential development, but also commercial, agricultural and industrial developments.

Conceptually, residential condominiums should have strong demarcations of units, providing as much individualism (like single family dwellings) as possible. Double walls between units, acoustical treatment, individual utility meters, individual accesses, etc., serve to accomplish this. The land and the public areas of the building are owned as undivided interests by all owners.

Not long after the enactment of the Condominium Law, developers began to develop not only new condo units but converted existing apartments into condominiums. It is conjecture at this point whether conversions of existing apartments were originally visualized by the lawmakers.

The condo conversion ordinance was first enacted in the City of Los Angeles in 1978. It provides, in part, that all requirements under subdivision proceedings 6e met before a condo conversion can be approved. The recording of a subdivision map constitutes approval by the City of the development as a condo conversion project. Thereafter, as in other subdivisions, many more procedural steps are required by the State Real Estate Commissioner before the condo units can be sold.

D 211.6 PRIVATE STREETS

The Private Street Regulations contained in Section 18.00 et. seq. of the LAMC were added by Ordinance effective May 19, 1951.
Originally, many parcels were created with legal frontages on public streets without provisions for vehicular access over the frontages. In the early years, enforcement of the private street regulations was not consistent, and interpretations of the regulations were often confusing.

The City Attorney, on September 6, 1961, declared that whenever vehicular access to a parcel of land was not coincidental with the legal frontage, a private street approval from the City was required precedent to issuance of a building permit.

Private street applications are usually filed to seek approval for access to an existing single parcel of land using a private road easement.

The Private Engineer or Land Surveyor obtains a private street number from the County Engineer in the same manner that tract numbers are obtained (See D 246). The engineer or surveyor then prepares a map and makes an application to the City Planning Department. The map is processed in a manner similar to tentative tract maps (See D 247). A hearing is held before the Advisory Agency who may approve, disapprove or approve the private street with conditions.

D 211.61 FINAL PARCEL MAPS REQUIRED

Under a private street application where a parcel or land is being divided into four or less parcels, a final parcel map shall also be required. Where five or more parcels are being created with private street access, a tentative and final tract map is usually required.

When a private street application is made for a legally created single parcel and no further division of land is proposed, a final parcel map is not required. There is no requirement at Bureau of Engineering present that a private street map be recorded. The submitted private street maps are stored in the Planning Department, Building and Safety Department, and City Engineer's files.

D 211.62 PRIVATE STREETS VS. PUBLIC STREETS

On numerous occasions, approval of private streets in lieu of public streets are sought in subdivisions. This occurs where homes are being developed proposing full privacy by utilizing a private street system for access, with guard gates at the entrances.

The City Engineer's office does not object to private streets provided that three basic criteria are met:

a. The private street does not represent a circulating street needed to serve the community or the region i.e., collector streets, highways.
b. The private street improvements are constructed in accordance with the City Engineer's specifications for public streets, both in dimension and structural section.

c. The private street is to be maintained privately.

D 211.63 PRIVATE ROAD EASEMENTS

Private street approvals involve access over parcels owned by others. An easement for road purposes granting the right of vehicular ingress, egress, maintenance, and utilities is required.

The LAMC describes a private road easement as a parcel of land not dedicated as a public street over which a private easement for road purposes 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.

Private road easements, in themselves, do not entitle the easement owner the right to obtain building permits. (See D 211.66 for Final Private Street Approval. Also, see D 211.67 for Private Street Variations).

D 211.64 PRIVATE STREET IMPROVEMENTS

Private Streets are usually required to be improved in accordance with public street standards with asphalt surfacing and concrete curbs, gutters and sidewalks. Generally, street lights and trees are not required within private streets, and sidewalks may be eliminated if an adequate pedestrian system is provided. In certain cases, if four or less dwelling units are served, a 20 foot (6.1m) roadway within a 24-foot (7.32m) easement with either a Vee or crown section is permitted. Public facilities such as water, power and sewer lines may be permitted within dedicated public easements in the private street. All private streets are required to be posted with signs, delineating the name of the private street, if named, and designating that it is not dedicated for public use or maintained by the City.

The reason for the City's insistence for public street standards and improvements in private streets is to protect future buyers, reduce the maintenance cost and to provide for their acceptance as public streets should local community pressure demand it.

D 211.65 PRIVATE STREET MAINTENANCE

Private Streets are required to be maintained by the parcel owners using the private streets. The City has no responsibility for such maintenance. Prior to 1970, the City also had no procedure for the enforcement of the maintenance of private
streets or easements. An ordinance providing for the maintenance and repair of hazardous private streets was approved by the City Council on December 23, 1970. Ordinance No. 141,406 provides for the Director of Street Maintenance to issue citations to the parcel owners using the private street for the correction of hazardous private streets. Failure to comply with this order within 60 days or other prescribed period of time could result in the City performing the work with the cost of such repair being assessed to the parcel owners.

D 211.66 FINAL PRIVATE STREET APPROVAL

The final private street approval occurs when the Director of Planning determines that the access is adequate, a private road easement has been duly recorded and all conditions of the approval of the private street application have been met. The Director of Planning then issues a clearance to the Department of Building and Safety for issuance of building permits.

D 211.67 PRIVATE STREET VARIATIONS

(SEE FIGURES D 211.67A and D 211.67B)

Effective May 1, 2001, the Director of Planning issued variances for Private Street Regulations in the form of General Variations Nos. 2001-1 and 2001-2, Community Driveways. These two standard polices modify the Private Street Regulations. The authority for these modifications is found in Section 18.12 of the Los Angeles Municipal Code. These policies were developed in collaboration with the Department of Building and Safety in an effort to clarify the number of lots which could be served by common driveways.

There are two policies. The first, “Private Street Regulations, General Variation 2001-1”, applies to the use of common driveway facilities for single family residential uses. The revised policy will permit a common driveway to serve no more than two single family residential uses. The second policy, “Private Street Regulations, General Variation 2001-2”, addresses the use of the community driveway for all other land uses.

The parcels must be served with a roadway and easement not less than 15 feet (4.57m) wide and not over 300 feet (91.44m) in length from the nearest public street or approved private street. If the length of the private roadway is over 300 feet (91.44m) in length, an adequate turning area is required. The easement shall not serve more than two single-family dwellings and will be located entirely on the subject lots.

Upon verification of these requirements, the Department of Building and Safety can issue a building permit without further approval by the Director of Planning.
D 211.671 COMMON DRIVEWAYS FOR SINGLE FAMILY USES

General Variation 2001-1 applies to lots zoned RW-1 or more restrictive containing single-family residential uses except that both lots may be vacant. For other than single family properties, see Section D 211.672 of this manual.

Pursuant to the authority vested in the Director of Planning by provisions of Section 18.12, Article 8, Chapter I of the Los Angeles Municipal Code, relating to the issuance of building permits for two existing lot, the Director grants the following variation to permit common driveway facilities without further approval by the Director of Planning, subject to the following conditions:

a. That the lots are separate legal parcels of record prior to July 30, 1962, with required street frontage or are separate parcels or lots shown on a recorded Parcel Map or recorded Tract Map; or have recorded Certificate of Compliance; and

b. The driveway shall not cross more than one lot and shall not serve more than two (2) existing single family residential lots; and

c. The driveway within such easement is improved to a width in conformance with the Fire Department’s fire access standards as stated in Section 57.09.03 of the Los Angeles Municipal Code, but in no event less than 20 feet; and

d. Ingress and egress easements in the common driveway have been recorded in favor of the involved owners in a manner satisfactory to the Department of Building and Safety; and

e. The unobstructed distance – from the ground to the sky – between buildings located on either side of said driveway is no less than 20 feet and otherwise meets all other setback and yard requirements of the LAMC.

This variation supersedes the previous General Variations dated February 1, 1996, March 28, 1974 and June 23, 1967.

D 211.672 COMMON DRIVEWAYS FOR INDUSTRIAL, COMMERCIAL AND MULTI-FAMILY USES

General Variation 2001-2 does not apply to lots zoned RW-1 or more restrictive containing single-family residential uses. except that both lots may be vacant. See Section D 211.671 of this manual.
Pursuant to the authority vested in the Director of Planning by provisions of Section 18.12, Article 8, Chapter I of the Los Angeles Municipal Code, relating to the issuance of building permits for two existing lots, the Director grants the following variation to permit common driveway facilities without further approval by the Director of Planning, subject to the following conditions:

a. That the lots are separate legal parcels of record prior to July 30, 1962, with required street frontage or are separate parcels or lots shown on a recorded Parcel Map or recorded Tract Map; or have recorded Certificate of Compliance; and

b. Notwithstanding Section 12.21-A of the Los Angeles Municipal Code. A driveway within such easement is permitted over one or more lots to serve another lot(s). The driveway shall be located and maintained on property which is in a more restrictive zone than that of the property on which the building(s) served is (are) located; except that where a lot is partly in the P Zone and partly a C or M Zone, any P Zone may be used. A driveway may also be located in a more restrictive zone than the zone of the lot where any of the building(s) is (are) located provided that the uses are permitted in the more restrictive zone; and

c. The driveway within such easement is improved to a width in conformance with the Fire Department’s fire access standards as stated in Section 57.09.03 of the Los Angeles Municipal Code, but in no event less than 20 feet; and

d. Ingress and egress easements in the common driveway have been recorded in favor of the involved owners in a manner satisfactory to the Department of Building and Safety; and

e. The unobstructed distance – from the ground to the sky – between buildings located on either side of said driveway is no less than 20 feet and otherwise meets all other setback and yard requirements of the LAMC.

This variation supersedes the previous General Variations dated February 1, 1996, March 28, 1974 and June 23, 1967.

D 212 DEFINITION OF SUBDIVISION

Section 66424 of the California Government Code defines a subdivision as the division by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes. Subdivision
includes a condominium project, and in certain instances, a community apartment project or the conversion of five or more existing dwelling units to a stock cooperative.

D 213 PHILOSOPHY OR CONCEPT OF SUBDIVISIONS (TRACT MAPS)

The general concept in processing tract maps in the City of Los Angeles is that when the City permits a tract map to record, the ensuing development will experience minimal future obligations for public improvements, fees and encumbrances. To accomplish this, all required public works (streets, sewers, drains, etc.) are provided within public easements at the subdivider's expense and no additional work is anticipated. In some cases, the subdivider can shift the cost of the public improvements to the home buyers by creating a Mello-Roos Assessment District. (See D 156) In addition, as much of future fees, such as those for recreation and parks, sewer and drainage purposes will be paid, leaving as little burden as possible for the future owner to shoulder.

Before a final tract map is permitted to be recorded, all outstanding assessment liens and taxes are paid. All required public improvements are either installed or guaranteed to be installed. All lots meet the area and width requirements of the zoning code. All parties necessary to sign the final map have done so and have consented to the recordation of the tract map. A survey has been made and monumentation of the tract boundaries is completed or guaranteed.

The final product of a completed tract map should provide assurance to the ultimate purchaser that each lot or parcel being conveyed has undergone a full review by the local agency. The purchaser should feel secure that, to the extent possible, all considerations for health, safety and the welfare of the general public, as well as compliance with the provisions of local and State laws and the City's General Plan, have been satisfied.

D 214 ILLEGALLY CREATED PARCELS

Unless a Division of Land Map has been approved, those lots created by metes and bounds descriptions under deeds recorded after July 30, 1962, the date of enactment of the City's Lot Split Ordinance, are deemed illegally created, even if they meet the zoning regulations. Those lots similarly created between 1946 and July 29, 1962 are deemed legal lots provided that they have met the zoning regulations in effect at the time of creation of the lots and otherwise met the definition of Lot under Section 12.03 of the LAMC.

Sales of parcels created in violation of the Subdivision Map Act are voidable by the purchaser within one year from the date of discovery of the violation.
D 215 LEGALIZATION OF PARCELS

Legalization of questionable or illegally created parcels can take place in numerous ways under City and State regulations. The methods are:

a. Record a tract map or parcel map.

b. Record a Certificate of Compliance administered by the Advisory Agency.

c. Obtain a letter of verification by the Advisory Agency that the lot was legally created by deed prior to July 30, 1962, or prior to 1946 if the lot does not comply with the zoning.
D 220 REASONS FOR SUBDIVISION MAPS

D 221 DIVISION OF LAND

A tract or parcel map shall be required to divide any parcel of land.

D 222 DIVISION OF LAND - FIVE OR MORE PARCELS

Tract maps are required when five or more parcels are being created, with some exceptions (See Section 66426 of the State Government Code).

D 223 FACILITATE STREET VACATION

A tract or parcel map may be required in connection with the City Council's approval of a request to vacate street, alley or walk easements if it is determined that a map would:

a. Facilitate dedications and improvement of streets, alleys and other public rights of way.

b. Provide a simple legal description to consolidate the vacated area with adjoining properties and to eliminate an existing difficult or complicated metes and bounds legal description.

c. Assure legal access to applicants or owners of adjoining parcels, where vacation of a street would cause land locking, resulting in a need for a private street or subdivision approval.

D 224 REVERSION TO ACREAGE AND MERGER

Sections 66499.11 to 66499.20, inclusive, of the California Government Code, outline the procedures and requirements relating to reversion to acreage of subdivided lots and the abandonment of public easements not shown on the final map. Section 66499.20 1/2 of the California Government Code permits merging of subdivided lands and resubdivision to be accomplished by a single map. The process is termed "merger".

Although the merger procedure does not specifically require it, findings by the legislative body should be made in the same manner as prescribed in the Reversion to Acreage Sections 66499.15 and 66499.16 and proper notification
must be given by the Advisory Agency on the tentative map hearing. The Council's findings are necessary for the final map because public rights to easements are being relinquished. For a subdivision project in which the subdivision or the proposed street merger is an issue of controversy, the Bureau of Engineering should recommend the Advisory Agency not approve the merger and accept the street vacation be processed for the City Council's approval.

Reversion to acreage or merger shall be effective upon filing of the final map for record and shall also constitute abandonment of all streets and easements not shown on the map. The final map checker and district design office should exercise extreme care in reviewing final maps undergoing reversion to acreage or merger, to ensure that all needed public easements are shown on the map.

**D 225 ZONE CHANGE, CONDITIONAL USE**

In many instances when a zone change or conditional use is approved by the City, the requirement to file and record a Subdivision map is included in the conditions of approval. In some instances the development of the property would have normally required a subdivision map, such as a zone change to a single family zone to permit one larger parcel to be further subdivided. However, if a number of other situations exist which would make it desirable to have a subdivision over a particular parcel of land, a tract or parcel map will be required. Instances where a tract or parcel map would be required are:

a. No sewers are available. **Section 64.11.2 of the LAMC** provides for offsite sewers under tract map applications.

b. Extensive and complicated dedications and improvements of public streets are required.

c. Extensive drainage facilities are needed.

d. Restriction or control of vehicular access is required.

e. The parcel is described by complicated metes and bounds descriptions and a simple description afforded by a new recorded map is deemed necessary.

f. A survey is necessary to properly define the parcel.

g. A proper tract layout study is needed to provide access to adjoining unsubdivided property.
D 230 POLICIES

D 231 STREET DESIGN STANDARDS COMMITTEE

This committee is composed of the Director of Planning as Chairman, the City Engineer and the General Manager of the Department of Transportation. The Committee shall recommend to the Planning Commission the minimum widths of rights of way and roadway improvement standards for all classes of public and private streets and alleys. The present Standard Street Dimensions (Standard Plan S-470-0, Figure D 231) was created by the Street Design Standards Committee and was adopted by the Planning Commission in May 13, 1999.

D 232 CONFORM TO GENERAL AND SPECIFIC PLANS

Each subdivision approved must contain a finding that it conforms to both the general and specific plans. It must conform to land use, zoning, circulation, drainage, housing and every other element of the general plan. In addition, any special specific plan such as the Warner Ranch, Mulholland Scenic Parkway, etc., must be considered and the terms or conditions of subdivision approval must reflect the spirit and intent of the specific plans.

D 232.1 SLOPE DENSITY

In various hillside areas of the City with Minimum, Very Low and Low Density land use designations in the General Plan and wherever the average natural slope of a lot is 15% or more, Minimum Density Housing shall apply. Although the slope density regulations often involve the determination and calculation of natural slopes, the process is entirely within the jurisdiction of the City Planning Department. Bureau of Engineering employees should refer all questions on this issue from developers and private engineers to the City Planning Department.

D 233 CITY ENGINEER'S STANDARDS

All streets and highways must conform in alignment and grade to the City Engineer's design specifications. The street widths should conform to Standard Plan S-470-0. The maximum grade for streets should be based on the criteria under the Street Design Manual, Sections E 321.1 and E 531.111. The horizontal alignments for all streets should be designed in accordance with the Street Design Manual, Part E.

D 234 SCOPE OF STREET IMPROVEMENTS

Where a proposed subdivision adjoins one side of an existing street, full dedication and improvement for at least one half the ultimate street width shall be required of the subdivision.
D 235 WIDENING OF EXISTING SUBSTANDARD ROADWAYS

D 235.1 MAJOR AND SECONDARY HIGHWAYS

Widening of the existing roadway with pavement, curb and gutter for a highway in good condition is usually limited to a minimum of 5 feet (1.52m) for each one-half of a roadway, unless a needed additional lane can be gained by a lesser amount of widening. However, dedication of rights of way for the full standard width should be required for highways, unless unusual circumstances such as steep topography, existing large permanent structures, etc., preclude full standard dedications.

D 235.2 LOCAL AND COLLECTOR STREETS

The following table should be applied for consideration of widening substandard roadways for local or collector street in the flatland areas:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Standard Roadway</th>
<th>Existing Roadway</th>
<th>Widening Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Width ft(m)</td>
<td>Width ft (m)</td>
<td>Local Yes</td>
</tr>
<tr>
<td>Multiple</td>
<td></td>
<td></td>
<td>Collector Yes</td>
</tr>
<tr>
<td>Residential</td>
<td>40 (12.2)</td>
<td>30 (9.1)</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>34 (10.4)</td>
<td></td>
<td>No*</td>
</tr>
<tr>
<td></td>
<td>36 (11)</td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>Commercial</td>
<td>40 (12.2)</td>
<td>30 (9.1)</td>
<td>Yes</td>
</tr>
<tr>
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<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>36 (11)</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Industrial</td>
<td>48 (14.6)</td>
<td>30 (9.1)</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>34 (10.4)</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>36 (11)</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>40 (12.2)</td>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>

* Unless existing improvements are in poor condition.

** Subject to detailed review including projected traffic count, condition of existing roadway improvements, likelihood of further widening within the block, etc.
Dedication should be required in accordance with the current standards in effect.

Sixty-four foot (195m) Collector Street dedications are required:

a. On Local Collector Streets shown on an adopted community plan, unless the existing roadway is 40 feet (12.2m) within a 60 foot (18.3m) dedication, and is in satisfactory condition.

b. On continuous quarter-mile streets with the exception as noted under Item a.

c. On local streets serving industrial and school areas.

d. On local streets serving high density, heavy traffic areas such as large hospital complexes and high-rise multiple residential and commercial areas where more than local street dimensions are determined to be necessary.

In hillside terrain, deviations from the standard required right of way widths may occur. The primary concern is whether the required roadway and right of way widths are determined to be sufficient to perform the minimum functions for the classification of the street being considered.

When an incremental roadway widening is determined to be necessary, judgement should be used on whether a physical widening of the roadway can be feasibly accomplished. If not, the possibility of an option for cash payment in lieu of construction should be explored and the following considerations should be made for this determination:

a. Probability of further land development in the block within 10 years.

b. Capital Improvement Projects or Assessment Projects covering the adjacent frontages within 5 years.

c. Drainage.

d. Existing buildings which would reduce the parkway to less than 5 feet (1.52m).

e. Condition of existing improvements.

f. Street frontage to be widened is 30 feet (9.1m) or less.

e. Specimen trees.

f. Traffic hazards created by incremental widening.
D 240 ADVISORY AGENCY

D 241 AUTHORITY AND ACTIONS

D 241.1 AUTHORITY

The Los Angeles City Charter (rewritten in 2000) Section 553 provides that the Director of Planning shall make investigations and reports on all proposed subdivisions of land. Administration of the provisions of the State Map Act and the LAMC on land development in the City of Los Angeles is vested with the Director of Planning who is designated as the Advisory Agency. The Director appoints a Deputy Advisory Agency who is empowered to conduct public hearings on Subdivisions, make determinations and render decisions in behalf of the Director.

D 241.2 ACTIONS BY THE ADVISORY AGENCY

The Advisory Agency conducts public hearings with the Subdivision Committee which makes recommendations on all tentative tract and private street maps and other matters before the Advisory Agency. The Advisory Agency conducts regular meetings and all such meetings are open to the public.

The Advisory Agency is required to approve, conditionally approve or disapprove a tentative tract map application. The Advisory Agency must make a finding that the proposed subdivision is consistent with applicable general or specific plans. This means that provisions in the district plans and all other elements of the General Plan must be satisfied. He or she must also find that the tentative map satisfies the 7 findings in Section 66474.61 of the California Government Code. In addition, the provisions in the specific plan, i.e., zoning codes and ordinances, and other, special specific plans adopted by ordinance such as Warner Ranch, Mulholland Scenic Parkway, etc., must also be satisfied.

In making any such action, the Advisory Agency is authorized to include or omit in whole or in part the reports or recommendations of the City Engineer, except the Advisory Agency may not omit any mandatory requirements relating to public health or safety recommended by the City Engineer in the exercise of his/her duties prescribed by law. Before approving the omission of ant report or recommendation made by the City Engineer, the Advisory Agency shall submit the matter to the members of the Subdivision Committee for consideration at a regular meeting.

The Advisory Agency must certify the environmental assessment before acting on a tentative tract map. The environmental assessment can range from a general exemption to a full Environmental Impact Report.

The Advisory Agency must also make other findings including conformance with the Flood Hazard Management Specific Plan, California Water Code, etc.
Actions by the Advisory Agency are in writing so that proper documentation is available in the files. Initial tract approval letters by the Advisory Agency include, in part, the Standard Forms S-1, S-2 and S-3 containing standard City Engineer's conditions (Figure D 241.2).

D241.21 APPEAL OF ADVISORY AGENCY FINDINGS

The applicant can appeal a decision from the Advisory Agency to the City or Area Planning Commission and then to the City Council. This appeals process is totally administered by the City Planning Department. During the appeals process the Bureau of Engineering may be requested by the City Planning Department to provide additional information on the case in question. Both the Area Planning Commission and/or the City Council can supersede the decision of the Advisory Agency. The Bureau of Engineering will honor any decision made after an appeal is resolved in regard to the public improvements and conditions required.

D241.22 CERTIFICATE OF OCCUPANCY

Per Ordinance No. 165,081, the Department of Building and Safety would not issue the Certificate of Occupancy until the Bureau of Engineering has reported that all required public improvements have been completed.

D 241.3 OTHER ACTIONS BY THE ADVISORY AGENCY

D 241.31 EXTENSIONS OF TIME

The initial approval of a tentative subdivision map is for duration of 36 months. Additional extensions of time up to 6 years may be granted by the Advisory Agency. The final map must be submitted to the City Engineer for certification before the expiration of the time limit. The date of initial action on the tentative tract map can be other than the Advisory Agency's action date if there was an appeal to the City or Area Planning Commission, and further, to the City Council. The last action date will be the initiation of the first 36-month period.

Time extensions are granted by the Advisory Agency if such time extensions are requested in writing before the previous period expires. In the event of any confusion over the time limit, the applicant should be referred to the Advisory Agency for the official determination.

D 241.32 MODIFICATIONS

In general, no material changes to the conditions of approval shall be authorized without a prior Planning Department authorization approval. If changes are originated from Bureau of Engineering, the Bureau will coordinate with Planning for the revision of project conditions. If changes are initiated from the applicant and agreeable by Bureau of Engineering, and
(a) If the project requirements are specifically identified and listed in the Planning Department approval document, the applicant shall be advised to initiate official revision to the project conditions with Planning. The Bureau of Engineering will submit formal response back to Planning when the revision is referred to Bureau of Engineering for comment. The Bureau of Engineering shall not on its own modify any part of the project conditions during plan check or construction if those conditions are specifically listed and identified in the approval document.

(b) If the requirements are not specifically identified and a general condition such as "Dedicate and improve the street satisfactory to the City Engineer" is shown on the Planning approval document, the Bureau of Engineering will prepare a revised report to Planning to document the revision.

D 241.321 TENTATIVE TRACT MAPS

After an initial action on a tentative map, any of the conditions may be modified, if approved by the Advisory Agency. The reasons for the modification can vary from hardship to a change in circumstances. The modification request and fee is submitted to the Planning Department and the request is referred to all involved departments for report:

The district office may not be requested to comment to the Land Development Group on modification requests.

D 241.322 RECORDED TRACT MAPS

Section 66472.1 of the California Government Code (Subdivision Map Act) provides for amendments of recorded tract and parcel map conditions. Section 17.14 of the LAMC enables the Advisory Agency to process requests to amend conditions of recorded tract and parcel maps. These requests will be handled by the Advisory Agency substantially in the same manner as modification requests, except that notification for the public hearing is mandatory.

Merger of an existing public easement in general is not permissible under this amending of the final map process unless it is approved by Planning under special circumstances.

D 242 SUBDIVISION COMMITTEE

The Subdivision Committee is composed of the following:

a. City Engineer.

b. General Manager, Department of Building and Safety
c. General Manager, Department of Transportation.
d. Chief Engineer of the Department of Fire.
e. General Manager, Department of General Services.
f. Chief Engineer and General Manager of the Department of Water and Power.
g. General Manager, Department of Recreation and Parks.
h. Director of the Bureau of Street Lighting.

It is the duty of each Subdivision Committee Member to report on each Tentative Subdivision map application and to provide qualified representatives to the weekly public hearings. These representatives should be fully empowered to act in behalf of their departments.

D 243 CITY ENGINEER

The City Engineer has the responsibility of performing the required civil engineering necessary in the prosecution of public works.

The City Engineer is responsible for making an investigation, research, analysis and a formal engineering report on all tentative tract maps filed in the City of Los Angeles. The City Engineer appoints a list of representatives who are authorized to represent him at public hearings on subdivision matters. During these hearings, these representatives are expected to explain or amplify the City Engineer's formal report for each subdivision and answer questions that may come up during the public hearing. They are also authorized to negotiate and on occasions revise the formal recommendations if information not previously considered is deemed to be important.

D 244 TENTATIVE TRACT REPORTS

The Land Development Group has, among other duties, the responsibility of preparing comprehensive engineering reports on every new tentative tract map filed in the City of Los Angeles. These reports are submitted to the City Engineer for review and signature, and become a public record of the recommendations of the City Engineer.

The objectives of this chapter of the manual are:

a. To assist the engineer in the preparation of the report with a maximum of rapidity, efficiency and economy.
b. To standardize report writing within the Division.
c. To assist in the training and familiarization of new employees in the Division.
d. To provide a standard for measuring the adequacy and accuracy of reports written.

Section 66452 et. seq. of the California Government Code, requires that the Advisory Agency act on the tentative map within 50 days after the map has been filed, and that he shall approve, conditionally approve, or disapprove the map. The Subdivision Map Act further provides that the time limit for acting and reporting on the tentative map may be extended by mutual consent of the subdivider and the governing body or advisory agency. If no action is taken within these time limits, the tentative map as filed shall be deemed to be approved, and it shall be the duty of the clerk of the governing body to certify the approval.

The Los Angeles City Subdivision Ordinance requires the City Engineer to report within 39 days of the filing date of the tentative map. Prompt action is an important factor in the preparation of the City Engineer's report. Delay by the City Engineer in reporting on the map can result in automatic approvals of subdivisions which could be unsatisfactory in many respects.

D 245 FUNCTION OF LAND DEVELOPMENT GROUP

The function of the Land Development Group is primarily one of coordination and control. Specific engineering and technical recommendations originate in the design offices. The Land Development Group is to mold these recommendations with the General Plan considerations into an integrated comprehensive report. If apparent mistakes or discrepancies are discovered during the preparation of the report, or if the engineer feels that certain changes are necessary after studying all available information, the matter should be discussed with the office submitting the recommendation, and a satisfactory solution should be developed. In the great majority of cases, a satisfactory accord can be reached. In the few exceptional cases of disagreement, the engineer should refer the matter to the supervisor for discussion at a higher level. Proper coordination and control requires a high degree of consistency within the City Engineer's office.

Under no circumstances should the engineer arbitrarily change the recommendations of other divisions or bureaus. The opportunity to "second guess" without discussion or investigation is often present. This practice is damaging to the morale of those submitting recommendations, and may result in incorrect reports. In addition, such a practice erroneously changes the role of the Land Development Group engineer from that of coordinator to one of supervisor,

D 246 THE TENTATIVE SUBDIVISION MAP

A Registered Civil Engineer or Licensed Land Surveyor may prepare a tentative subdivision map. A tract number is first obtained from the County Engineer. The private engineer is allowed to utilize the tract number until either a final map is
recorded or the number is forfeited due to passage of time with a lack of activity toward recordation.

D 247 DISTRICT OFFICE EARLY SUBMITTAL TRACT/PARCEL MAPS EXPEDITED PROCESSING

This procedure describes the method for payment of fees to the Bureau of Engineering for the early submittal of tentative Tract/private street maps and preliminary parcel maps as performed at the Department of Public Works, Bureau of Engineering, District Office Public Counters. Applicants may submit preliminary parcel map or tentative tract/private street packages directly to the Bureau of Engineering Public Counter to enable Engineering to have an early start in the review of the applications. This procedure is MANDATORY for all “Expedited Processing Cases.” Applicants who elect to hand carry the submittal package to Engineering must also pay the Bureau’s investigation and report fee which will be determined at the time of submittal. Applicants will be given a “Proof of Payment” form as evidence that the fee was paid and the required materials were submitted. PARTIAL SUBMITTALS WILL NOT BE ACCEPTED.

D 247.1 DISTRICT OFFICE SUPPLIES AND EQUIPMENT NEEDED

1. Early Submittal Parcel/Tract Maps Expedited Processing Folder containing:
   a. Land Development and Mapping Fee Receipt, form 78-3.671 (r. 8/92)
   b. Proof of Payment for Bureau of Engineering Fee
   c. Early submittal letter and check list for Tentative Tracts/Private Street Maps.
   d. Early submittal letter and check list for Preliminary Parcel Maps.
   e. Sample Fee Receipt
   f. Distribution list
2. Cash register
3. Xerox machine
4. Preliminary Parcel Map or Tentative Tract Map Packages submitted by applicant containing materials listed in appropriate Early Submittal letter.

D 247.2 DISTRICT OFFICE PUBLIC COUNTER PROCEDURE

1. Engineering staff will check the applicant’s submitted package for completeness prior to acceptance, because partial submittals cannot be accepted.

2. Preliminary Parcel Map submittals should consist of:
   a. PRELIMINARY PARCEL INVESTIGATION FEE (to be determined at the Public Counter).
b. (2) Copies of the MASTER LAND USE PERMIT APPLICATION and SUPPLEMENTAL APPLICATION with case number.

c. (2) Copies of the GRANT DEED.

d. Completed copy of INFORMATION SHEET FOR PRIVATE DEVELOPMENT IN HILLSIDE AND FLOOD HAZARD AREAS, ORDINANCE 154,405.

e. Copy of 500’ radius OWNERS LABEL LIST (copy only, no labels).

f. PHOTOS of project site with the reference map.

g. (2) Copies of 500’ RADIUS MAP.

h. (5) Copies of PRELIMINARY PARCEL MAP (one copy stamped by Grading Division of Building & Safety).

3. Tentative Tract/Private Street Map submittals should consist of:

a. TENTATIVE TRACT INVESTIGATION FEE (to be determined at the Public Counter).

b. Completed copy of DEPARTMENT OF CITY PLANNING SUBDIVIDER’S STATEMENT or PRIVATE STREET MAP OWNER’S STATEMENT.

c. Completed copy of INFORMATION SHEET FOR PRIVATE DEVELOPMENT IN HILLSIDE AND FLOOD HAZARD AREAS, ORDINANCE 154.405.

d. Copy of 500’ radius OWNERS LABEL LIST (copy only, no labels).

e. PHOTOS of the project site with the reference map.

f. (2) Copies of the 500’ RADIUS MAP.

g. (7) Copies of TENTATIVE TRACT MAP (2 copies stamped by the Grading Division of Building & Safety).

4. If the package has been verified to be complete, engineering staff will retrieve the Early Submittal Parcel/Tract Map folder from the Public Counter.

5. A FEE RECEIPT FORM and a PROOF OF PAYMENT FORM will be needed from the folder.

6. Fill in the Proof of Payment Form with:
   a. DATE
   b. TRACT OR PARCEL NUMBER
   c. ACCEPTED BY:

7. Cash register quick codes for Tentative condo Tract Map, Tentative Tract Map less than 21 lots, Tentative Tract Map greater than 20 lots, and Tentative Parcel Map are pre-printed on the Proof of Payment Form. All are located in Window 55 as noted on Proof of Payment Form.
8. Select the appropriate quick code for cash register processing for the type of tract or parcel map being handled.

9. Fill out the FEE RECEIPT form per the sample attached to the Early Submittal folder:
   a. Check MAP CHECKING FEE BOX
   b. Enter IN THE AMOUNT OF $: (Determined from the Proof of Payment Form: Tentative Condo Tract Map, Tentative Tract Map less than 20 lots and Tentative Parcel Map are all: Base Fee: $5800 + 2% ($116.00) + 7% ($406.00) = TOTAL $6322.00. Tentative Tract Map 20 or more lots: Base Fee: $10,000 + 2% ($200.00) + 7% ($700.00) = TOTAL $10,900.00. Fill in the applicable amount (Fees shown effective September 1, 2008).
   c. Check the applicable box under TENTATIVE FILINGS.
   d. Write in PROJECT LOCATION.
   e. Write in RECEIVED FROM: contact information.
   f. Write in issuer’s name in BY: and fill in DATE.

10. If payment is submitted by check, write the Tract or Parcel number on the check.

11. Process the payment in the cash register per usual cash register procedure.

12. Validate the Proof of Payment Form in the cash register printer.

13. Xerox (3) copies of the Proof of Payment Form.

14. Attach cash register receipt to original Proof of Payment Form for applicant.

15. (1) Xerox copy of Proof of Payment Form is placed in Accounting Tray.

16. (1) Xerox copy of Proof of Payment Form is placed with the LDM package.

17. Copy distribution for the Fee Receipt Form is:
   a. WHITE-Customer
   b. BLUE-Accounting
   c. PINK-LDM package
   d. YELLOW-LDM PACKAGE.

18. Applicant must also submit $3000 payment for the Expedited Tract and Parcel Map Fee.
D 247.3 FILING THE TENTATIVE MAP (SEE FIGURE D 247.3)

Before a tentative map is accepted by the Division of Land Section of the City Planning Department, the following submittals, in part and where applicable, are required.

a. Environmental clearance or EIR in progress.

b. Flood Hazard Management statement by Private Engineer.

c. In Hillside Designated Areas, satisfactory Soils Engineering and Geology Reports.

d. Sufficient prints of the tentative tract map.

e. Sufficient prints of the radius map showing ownerships within 300 (91.4m) feet of the property involved in the submittal.

f. Photographs of the property and its adjoining streets.

For a complete list of requirements for filing tentative tract maps, see Figures D 247.3A through D 247.3A (7).

D 247.4 HILLSIDE AREAS

In the hillside grading areas, the tentative map and Geology and Soils Engineering Reports are reviewed by the Department of Building and Safety Grading Division. If the application is satisfactory, they will approve the filing of the tentative map and distribute one set of the Soils Engineering and Geology Reports to the Geotechnical Engineering Group (Geotech). Upon review by Geotech, additional information may be requested if sufficient documentation of facts is missing or the reports are incomplete. Geotech shall notify the subdivision engineer and outline the deficiencies, and inform him that a time extension will be needed. Geotech shall also contact the Land Development Group to discuss the particular subdivision and the likelihood of the required information being obtained from the subdivision engineer in a timely manner. If there is a possibility the missing information could delay the City Engineer's report to Planning beyond the time limit detailed in D 244, the Land development Group will send a report to Planning recommending that the subdivision not be approved.

D 247.5 EXISTING SURFACE CULTURE, IMPROVEMENTS

The City Engineer's Office requires that street dimensions, and surface culture such as fire hydrants, street lights, trees, sewer manholes, storm drain manholes and basin locations, driveways, poles, curbs, gutters, and sidewalks be indicated on the tentative map. In addition, photographs in two directions for each street showing sidewalk, curbs, gutters and other existing public works improvements and one of the project site, are required.
These requirements will supplement the analysis and investigation for the site and will lessen City time spent on research and field trips. When necessary, field trips will be made, but in the urbanized areas, the frequency of field trips by the Land Development Group will be minimal.

D 248 PROCESSING THE TENTATIVE TRACT MAPS

D 248.1 DISTRIBUTION OF COPIES OF THE TENTATIVE MAP BY THE LAND DEVELOPMENT GROUP:

a. District Office (3 copies). One additional copy is sent to the district office when the tract area is 50 acres or more (See D 257.1).

b. Geotechnical Engineering Group (1 copy)

c. Caltrans (2 copies)

d. Land Development Group, Tentative Subdivision Section (1 copy)

e. Official ("Yellow Back File") File (1 copy)

f. Survey Division (1 copy)

Copies of the tentative map must be stamp dated by the City Planning Department to verify authenticity of formal submittals.

D 248.2 FEES

The Bureau of Engineering charges fees for processing, reviewing, investigating and reporting on all land use applications, such as subdivision maps, zone changes, zone variances and conditional use permits. The current fee schedule can be found by going to the Bureau’s list of STANDARD FEES, CHARGES AND DEPOSITS. A fee letter should be sent to the applicant requesting fee payment as soon as the application is referred to the Land Development Group for review.

The application should be reviewed and processed while awaiting fee payment. Non-payment of the fee should not delay the reviews, investigation and report writing concerning the application. The Bureau of Engineering is committed to prepare a report to the Planning Department for all applications regardless of the timeliness of the payment. However, no final clearance on the application should be issued to the City Planning Department until the required payment is paid.

No one individual within the Bureau of Engineering has the authority to waive the fee on any land use application. A fee should also be for all land use applications involving other City and public agencies. The Bureau of Engineering fee can only
waived by the City Council. Employees of the Land Development Group should advise any applicant seeking a fee waiver that the request must go through the City Council.

When more than one land use application is filed for a parcel of land at the same time, it is not necessary to charge the applicant for all of the fees. The fee with the highest amount should be charged for the processing of all the applications.

D 248.22 LOG IN AND ESTABLISH PRIORITY LIST

All tentative subdivision maps are logged in on the computer system into Subdivision Map Status by the Land Development Group drafting section and the following pertinent information is entered:

a. Date of filing of tentative map in the Planning Department.

b. Date of receipt of the tentative map by the Land Development Group.

c. Check-off distribution list for tentative maps.

d. Establish priority listing by date of submittal. The City Engineer's Reports on tentative maps are worked on in the order in which the maps were filed with the City. Such a practice is necessary in order to avoid criticism and charges of favoritism, and is also necessary to keep the waiting period at a minimum for all tracts.

A master list of tentative subdivisions is maintained in the computer system, showing the status of recommendations received from other offices, and the readiness of each tract for reporting. Accurate maintenance of this list reduces the time which must be spent by the engineer in determining which tract to report on. In addition, the "Constituent Services Report" module shows the estimated public hearing date and total BOE processing days from date of fee payment. Engineers take subdivisions for reporting directly from this report without waiting for specific instructions from higher authority.

D 248.3 PREPARING THE LOCATION SKETCH, COMPUTERIZED SUBDIVISION STATUS PAGE, THE OFFICIAL FILE AND THE LAND DEVELOPMENT GROUP FILE

D 248.31 LOCATION SKETCH, OFFICIAL AND LAND DEVELOPMENT GROUP FILES

The tentative subdivision group prepares the Location Sketch, made from prints of the district map on a 1" - 200' (1:2400) scale. The property under consideration is outlined in red lines. One print of the sketch and tentative map is put in the official file, and the other set is placed in the Land Development Group file.
The official file is ultimately transmitted to the City Council with the final subdivision map, at which time the file is assigned a council file number and stored in the City Clerk's archives.

D 248.32 COMPUTERIZED SUBDIVISION STATUS PAGE (SEE FIG. D 248.32)
This is probably the most important item and will be used as a complete control tool throughout the tentative and final map processing stages. One should be able to look up the record on the computer and determine the status of the subdivision proceedings without going to the file. It contains up-to-date entries on final map achievements, such as clearance of subdivision conditions and status of final map check, so that a rapid assessment can be made as to overall tract status.

D 248.4 GEOCODE MAP NOTES ON NAVIGATE LA
Upon receipt of the tentative map, the drafting group shall geocode using “Map Notes” the boundaries of each tentative subdivision and private street map in Navigate LA. The tract or private street number and date of filing shall be indicated on the "Map Notes".

D 249 COLLECTION OF REPORTS
D 249.1 DISTRICT OFFICE REPORT
The district office should report on the tentative tract map within 25 days from the filing date. The basic engineering recommendations regarding street dedications and improvements, including realignments, storm drains, sewers, and street trees should be included in the report. Other pertinent data are also considered, including the following:

a. Location of sewers

b. Sewer revenue report - Sewerage Facilities Charge, Bonded Sewer Fees, or Outlet Sewer Charges previously paid.

c. Location of drainage outlet

d. Drainage districts

e. Grading, mudflow

f. Flood Hazard Management Specific Plan Findings Sheet (See Figure D 249.2)

D 249.2 DISTRICT OFFICE REPORT FORMS
The attached Standard District Office Report form (Figure D 249.2) should be used. Any revision of this form must be coordinated with the Land Development Group so that uniformity can be maintained.
Figure D 249.2 also contains a Flood Hazard Information Sheet. This sheet should be filled out and certified by a Registered Civil Engineer and submitted with each tract map application lying within a designated flood hazard area. The Findings Sheet must be filled out and certified by the district engineer for every tract map application whether or not the subdivision lies within a designated flood hazard area.

D 249.3 GEOTECHNICAL ENGINEERING GROUP (GEOTECH)

Whenever a Geology and Soils Engineering report is required under a subdivision application, a copy of the private consultant's report is submitted to Geotech for review and comments. Geotech will analyze the consultant’s evaluation and recommendations dealing with geology and stability of the grading proposed on the tentative map and complete its report within 14 days of receipt of the tentative map.

Mudflow must be addressed in the consultant's geology and soils engineering report for all hillside subdivisions. Geotech will make copies of the mudflow statement in the report and transmit it to the appropriate district office, with a statement addressing the adequacy of mitigation measures.

D 249.4 ENVIRONMENTAL IMPACT REPORT (EIR)

The Environmental Review Committee of the Planning Department will review each application with respect to compliance with the California Environmental Quality Act and render one of the following determinations:

a. General Exemption

b. Categorical Exemption

c. Negative Declaration

d. Mitigated Negative Declaration

e. Focus EIR

f. Full EIR

When a full EIR is required, the City Engineer has numerous opportunities during the course of the EIR procedure to report on environmental impacts and mitigation measures affecting public works. These reports should be studied and coordinated with the comments in the tentative tract reports. It would be prudent to await the publication of the Final EIR before the City Engineer finalizes the tentative tract report to the Advisory Agency in order to include all proposed mitigation measures in the project conditions.
D 249.5 MISCELLANEOUS

D 249.51 HAUL ROUTE APPROVAL

Whenever import or export of earth over 1000 cubic yards (765 c.m.) is required in connection with a subdivision development, the developer may request approval of a haul route from the Advisory Agency. The City Engineer is to determine the effect of the hauling proposal upon the public streets relative to street alignment, width, grade, and structural adequacy. The City Engineer is to assess the capability of the public streets to accommodate the hauling operations and furnish an estimate for a surety bond to guarantee repair of any damaged pavement. Consultation with the Bureau of Street Services and Department of Transportation will be necessary.

D 249.52 DRAINAGE DISTRICTS

In the 1960's, 15 drainage districts were formally established by ordinance, of which a few are still active today. An acreage fee, based on the estimated cost of major drainage facilities to serve a given district, was established for each drainage district. If a subdivision lies within a drainage district, a subdivider can either pay the acreage fee or, in lieu, construct major drains at least equivalent in cash value to the drainage district fees.

If an area of land lies outside of a drainage district's boundaries but is graded to drain into the district, a fee shall be charged there over. Conversely, if an area is situated within the district boundaries but is graded to drain out of the district, a fee shall not be collected. Such diversions of runoff must first be approved by the design office.

Drainage Districts are applicable to all subdivision and private street applications.
D 250 RESEARCH AND ANALYSIS

Before the actual writing of the report is begun, the Land Development Group engineer must carefully analyze all available data relating to the tract. This includes a review of information received from the engineering offices, field notes, field meetings, conference notes, plans and profiles, topographic maps and photographs. However, keeping in mind the role of maintaining coordination and control, the engineer must also take a broad, overall look at the map and how it affects, or is affected by, other uses of land in the City of Los Angeles. In other words, each office sending in a memorandum has certain specific requirements, and it is the role of the engineer to coordinate these requirements into an accurate and consistent report.

A thorough research and analysis will result in minimal time spent on the actual preparation of the report.

The following items should be investigated in reporting on most subdivisions:

D 251 LAND DEVELOPMENT INFORMATION

D 251.1 FORMER TENTATIVE MAPS COVERING THE AREA

Check on NAVIGATE LA to see if tentative tracts had been previously submitted over the area. If so, examine the files of former tracts for pertinent information, and combine old files with new files wherever possible. Also, examine the files of other tentative tracts in the vicinity for consistency in the City Engineer's recommendations.

D 251.2 LAND USE

A review of the Community Plan and the proposed zoning for the development will reveal what the land use possibility is. In the case of a multiple-residential development, the number of units must conform to the density allowed by the ultimate zoning, the same as if a building permit were being applied for. The net lot area (after street and alley dedications) shall be used to determine the number of units, except in some cases where the zoning code permits inclusion of the alley area(s) adjoining the development. Any upward deviation from the allowable unit count will require a zone variance.

The type of land use permitted for the project and the street classification will dictate the street dimensions needed to serve the project. See Standard Plan S-470-0 (Figure D 231) for the assignment of street widths associated with land use.
D 251.3 ZONING (SEE FIGURE D 251.3 FOR ZONING REGULATIONS)

The existing or proposed zone for the property must conform to the land use indicated on the Community Plan. Determine the present zone in which the tract lies, and find out from the Department of City Planning or examine NAVIGATE LA to see if a change of zone over the tract area has been requested, and if so, the status. If the zone change has been approved by the City Council, either obtain a copy of the Council action or review the City Plan Case file and study it carefully. Zone changes are often approved subject to certain restrictive conditions which may have an important bearing on the engineering report on the tract. Such conditions may include:

a. Sequence of tract or unit recordation.
b. What areas must be included in the tentative map.
c. Special public works improvements or other departmental requirements.
d. Restriction of vehicular access.
e. Payment of certain fees.

All basic zoning is established by ordinance. There are many types of zoning procedures:

a. Straight zone change by publishing a rezoning ordinance. This occurs when there are no conditions for dedications, improvements or other departmental requirements. A straight zone change also occurs when a City-initiated down zoning is placed over property which is not in harmony with the Community Plan.

b. (T) Zone - this is a rezoning category subject to either:
   1. Recording of a tract map,
   2. Recording of a parcel map,
   3. Providing dedications and improvements without recording a map.

The Council's instructions on the zone change approval will indicate which of the three ways the (T) zone change is to be implemented.

The (T) tentative designation will be removed after either Item 1, 2, or 3 is accomplished or the rezoning is effective immediately upon removal of the (T).
c. (Q) Zone - this rezoning is subject to conditions usually limiting a development from the full utilization of the new zone; such conditions to be met prior to issuance of a building permit. The types of (Q) conditions can require special aesthetic or functional requirements such as reduced density, extra parking spaces, landscaping, etc. A (Q) zone may be combined with a (T) zone.

(T) Zone ordinances published prior to March 26, 1973 have no time limits, except that the City Council may restore original zoning if recommended by the City Planning Commission after 2 1/2 years have elapsed since publication of the ordinance. (Q) and (T) Zone ordinances published on or after March 26, 1973 have a total possible duration of 6 years. The zone change applicant must request time extensions in a timely manner in order to sustain the duration of the actions.

d. Zone Change Incidental To Subdivision

This procedure may be utilized by the Advisory Agency when he determines that the specific plan (zoning) is not in harmony with the general plan (land use indicated on community plan). Zone changes incidental to subdivisions now permit rezoning to either a more or less restrictive zone.

e. [T] and [Q] Zones

The brackets denote that the T and/or Q zones indicated will not have time limits in which to effectuate the zone change; the zoning will not revert back to the underlying zone. [T] and [Q] zones will usually occur when rezoning is proposed to a more restrictive zone, such as a zoning roll back.

D 251.4 OTHER LAND USE APPLICATIONS

a. Zone Variances
b. Yard Variances
c. Conditional Use
d. Coastal Development Permit

The zoning maps maintained by the Planning Department will indicate the case number of the land use activity. Zone variances and conditional use grants should be checked out as to how they affect the subdivision.
D 252 FREEWAYS

Review the memorandum from Caltrans. If a freeway lies within or adjacent to the tract, give particular attention to how the freeway alignment affects the tract layout.

D 253 SUBDIVISION LAYOUT

D 253.1 SUBDIVISION LAYOUT – GENERAL

This is a broad item which may cover a number of different problems. Two most important steps are:

   a. Carefully review the memorandum from the district engineering office in which the tract lies.
   b. Study the location sketch (See D 247.31) prepared by the Subdivision Section drafting group.

D 253.2 SUBDIVISION LAYOUT EVALUATION

Determine what changes, if any, should be made in the tract design to achieve the most satisfactory layout. Typical questions which the engineer should mentally ask while studying the layout are:

   a. Does the layout provide for the best use of the property?
   b. Does the layout create any landlocked parcels?
   c. Does the layout leave property out of the tract which is the same ownership, and over which alley future street or alley widenings are needed?
   d. Does the layout adequate provision for the future development of adjoining unsubdivided property?
   e. Is the layout consistent with the zoning in which the subdivision lies or with the proposed zoning in the event a zone change has been requested or approved?
   f. Does the subdivision lie adjacent to any major or secondary provision highway? If so, has provision been made for the necessary street widenings and for a restriction of access to such streets in the event the property is in a residential zone?
g. Are the streets adequate width? Are provisions being for handicap access?

h. Are the street alignments satisfactory and do they include minimum centerline radii and tangent sections between reverse curves?

i. Are turning circles provided at the termini of permanent dead-end streets?

j. Does the tract layout propose or necessitate the vacation of any streets or alleys or quitclaiming of easements?

k. Is the subdivision situated in an area where bikeways or equestrian ways are required? If so, are adequate provisions being made for rights of way and construction for those purposes?

l. Does the subdivision require a restriction of access by imposing a 1-foot future street easement at the interim terminus of the street? Since this is no longer a standard practice under the final map checking process, if a special circumstance warrants the 1-foot future street, it should be included as a special numbered condition.

D 253.3 PRIOR RECORDATION OF OTHER TRACTS

Is the prior recordation of another subdivision necessary in order to provide satisfactory public street access, sewers or drainage outlets? If so, what is the status of the other subdivision? Has the final map been submitted? Is the time limit for recording nearing expiration?

D 254 FIRE PROTECTION

Does the tract propose long dead-end streets or alleys, or physical access to building sites by means of easements across private property? Does the subdivision propose relocation or removal of any existing fire road? If either of these questions is answered in the affirmative, approval by the Fire Department of the final map should be required.

D 255 TRAFFIC

Review the memorandum from the Department of Transportation and incorporate its recommendations in the report wherever practical and consistent with the recommendation of the district office.
D 256 GEOLOGY AND SOILS

Review the report from the Geotechnical Engineering Group on all tracts in hillside areas. Incorporate their recommendations into the report as they affect public streets, easements or watercourses.

In general, do not recommend approval of any hillside tract which does not have at least a qualified clearance regarding geological and soils engineering problems.

D 257 DRAINAGE AND SEWERS

D 257.1 DRAINAGE

The writer should rely primarily on information furnished by the district office. Each district tract report should contain a Flood Hazard Management findings sheet signed by the district engineer. Investigation should be made of the following items:

a. Does the tract lie adjacent to major channel under jurisdiction of the Los Angeles County Department of Public Works Department by the Los Angeles Control Flood Control District (LACFCD). If so, review the LACFCD report and compare generally with statements of the district engineering office. The LACFCD still exists as an entity, but their operations are administered by the County Public Works Department.

b. Does all or a portion of tract lie in the Flood Hazard Management Specific Plan area? What are the remedial measures being provided?

c. Are drainage facilities needed, including storm drains, catch basins, channel improvements or retention and debris basins? If so, discuss this in the report for the benefit of the subdivider and private engineer.

d. Does the tract lie in a drainage district established by ordinance by the City Council and requiring payment of a drainage charge? If so, this should also be explained for subdivider's benefit.

e. Does the tract contain an area in excess of 50 acres? If so, notify the district office when transmittals are made and include one extra print for submittal to the LACFCD.

The LACFCD should report to the district office within 10 days after receipt of the tentative map. The district office report should include any pertinent information contained in the LACFCD report.
257.2 SEWERS

Review the district report to obtain information regarding location and availability of sewers, and review the report from the County Health Department for comments regarding the use of private sewage disposal systems. Also, check to see that the tract complies with the applicable provisions of Section 64.11.2 of the Los Angeles Municipal Code governing the construction of offsite sewers and the payment of the Sewerage Facilities Charge by new subdivisions. Discuss in detail the location of any portion of the tract which is exempt from payment of the Sewerage Facilities Charge and the reason for such exemption.

D 258 ADDITIONAL INVESTIGATIONS

The items listed above encompass the major problems which will occur on most subdivisions.- Additional investigations are occasionally necessary on problems which occur less frequently, such as railroad grade crossings, restriction of access to streets, acceptance of adjoining future streets or future alleys, removal of existing trees, planting of parkway trees, street lighting facilities and portions of the tract lying in another city or unincorporated county territory. A majority of the generally used conditions are included as standard conditions with each tentative subdivision map approval by the Advisory Agency (See Figure D 241.2).

D 259 PREPARING THE REPORT

After making a thorough analysis and investigation of all available reports and data regarding the subdivision, the Engineer is then in a position to prepare a satisfactory report. The writing of the report should be reduced to a simple task when it is preceded by thorough research and analysis, including the collection of data via reports from other offices, perusal of plans, photographs, notes, and the application of general awareness and common sense.

The report must conform to accepted standards of grammar and spelling, and must be prepared in a neat and readable form. In writing the report, the Engineer should keep one primary consideration in mind, and that is the fact that the report is subject to review by a wide spectrum of the general public, and the report will reflect directly on the reputation of the City Engineer. Every effort should therefore be made to keep the report as factual, complete and clear as possible. The report must be kept free of flowery phases, surmised opinions and vague generalities.

Another important reason why the City Engineer must provide an accurate and complete report is that the City Engineer is the prime responsible agency for the monitoring and processing of the final map. The courts have determined that the
City Engineer is responsible for determining that a final map is technically correct and all of the conditions of approval have been satisfied prior to certification of the final map. Therefore, it can be seen that a thorough tentative map investigation and report is essential for the efficient processing of the final map.

The attached standard report writing forms (Figure D 259A) should be used. The form contains two main categories:

a. Discussion

b. Conditions of approval.

Most of the suggested wording covering the majority of the cases handled is presented in the form. Use of the forms will help eliminate the necessity to develop format, content and coverage each time if it is done from scratch. When special wording is necessary, adequate blank are spaces provided on the form.

Additional forms used for parcel maps and private streets are also used by the Subdivision Section. These forms are included as Figures D 259B and D259C.

Compliance with these instructions should assist the Engineer in preparing reports which will be of credit to the City Engineer, and which will result in a high level of communication and understanding between the City Engineer and other City departments, private engineers, developers and the general public.