

**CITY OF SAUSALITO  
SUBDIVISION ORDINANCE**

**ORDINANCE NO. 430**

**AN ORDINANCE OF THE CITY OF SAUSALITO, STATE OF CALIFORNIA,  
ADOPTING SUBDIVISION REGULATIONS IN ACCORDANCE WITH THE  
PROVISIONS OF LAW, AND REPEALING ALL ORDINANCES OR PARTS OF  
ORDINANCES IN CONFLICT WITH THIS ORDINANCE**

The City Council of the City of Sausalito, County of Marin, State of California, do ordain as follows:

**SECTION I: PURPOSE OF ORDINANCE**

This Ordinance is adopted for the purpose of adopting subdivision regulations in accordance with the Subdivision Map Act and the Planning Act of the State of California. The City Planning Commission, hereinafter referred to as the Planning Commission, of the City of Sausalito, State of California, hereinafter referred to as the City, is hereby designated as the Advisory Agency, with respect to subdivisions, as provided in said Subdivision Map Act, and shall have all the powers and duties with respect to tentative parcel and final maps and the procedures relating thereto which are specified by law and by this Ordinance. (\*)

This Ordinance is also enacted under the provision of Section 11540.1 of the Business and Professions Code by adopting regulations to cover procedures to be followed by owners of any real property, improved or unimproved, or portions thereof, shown on the last preceding tax roll as a unit or as contiguous units, which is divided for the purpose of sale or lease, whether immediate or future, by any subdivider, into five (5) or more parcels or five (5) or more condominiums as defined in Section 783 of the Civil Code or a community apartment project containing five (5) or more parcels or for the conversion of a dwelling to a stock cooperative containing five (5) or more dwelling units, and regulations pertaining thereto. (\*)

The following regulations shall apply to all subdivisions or parts of subdivisions or lands defined in this section of this Ordinance lying wholly or in part within the City of Sausalito and are deemed to be the minimum necessary to promote and protect public health, safety, peace, morals, comfort and general welfare and for the accomplishment thereof.

**SECTION II: SUBDIVISION REGULATIONS**

(a) General Requirements:

The following regulations shall apply to all subdivisions or parts of subdivisions lying wholly or in part within the incorporated territory of the City.

(b) Highways:

1. The street and highway layout of each subdivision shall be based on sections of the Master Plan which shall have been adopted for the portion of the City within which the subdivision lies.

\*Amended by Ord. #984, 4/21/81

2. Major and secondary highways shall conform in width and alignment to adopted sections of the Maser Plan.
3. By-pass streets shall be provided around intersections of major and secondary highways with each other.
4. The center lines of all highways shall be continuations of the center lines of existing highways in adjacent and contiguous territory. In cases in which straight continuations are not reasonably possible, such center lines may be continued by tangent curves.

(c) Streets:

1. Widths of pavements on local streets and rights of way shall be not less than those set forth in Section III hereof, except where the topography unquestionably justifies a narrower pavement width; but no pavement shall be less than twenty-two (22) feet in width.
2. Reserved strips controlling the access to public ways or which will not prove taxable for special improvements will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights or both and in no case except in which the control and disposal of the land comprising such strips is placed definitely within the jurisdiction of the City under conditions approved by the Planning Commission.
3. All streets shall, as far as practicable, be in alignment with existing streets by continuations of the center lines thereof.
4. Streets shall be required to intersect one another at an angle as near to a right angle as in practicable in each specified case, and no intersections of streets at angles less than thirty (30°) degrees shall be approved, unless necessitated by topographic conditions.
5. Where a subdivision adjoins acreage, streets which may be extended in the event of the subdivision of the acreage shall be required to be provided through to the boundary lines of the tract.
6. Whenever the size or location of a parcel of land does not permit a lot layout directly related to a normal street arrangement, there may be used a court, non-connecting street or other public way, as best fits the case, provided that such conditions are as authorized in Section XV of this Ordinance, may be required in such cases.
7. Whenever a dead end street is permitted, it shall not exceed six hundred (600) feet in length and shall have a circular end with a minimum radius equal to the width of the street right of way but not necessarily more than forty (40) feet and with a curb radius of six (6) feet less.

(d) Street Names:

Streets that are obviously in alignment with others already existing and named shall bear the names of such existing streets. In order to avoid duplication, names to be used for new streets shall be subject to the approval of the Planning Commission.

(e) Grades and Curves:

Grades shall not exceed ten (10) percent on major residential streets, or fifteen (15) percent on any street, unless the topography shall necessitate steeper grades. Center line radii shall be not less than one hundred (100) feet. Lesser radii may be used in cases in which sufficient evidence is presented to show that the above requirements are not practicable and after specific approval of the Planning Commission.

(f) Alleys:

1. Alleys twenty (20) feet wide or more may be required in the rear of all prospective business property.
2. Where two alleys intersect, ten (10) foot or more corner radii shall be required.

(g) Blocks:

1. Blocks shall not exceed twelve hundred (1200) feet in length, unless the previous adjacent layout or topographical conditions justify a variation from this requirement. Long blocks should be provided adjacent to main thoroughfares in order to reduce the number of intersections.
2. Pedestrian ways, ten (10) feet in width shall be required through the middle of blocks over one thousand (1000) feet in length; to connect dead-end streets, or to provide access to parks, schools, shopping centers or similar facilities.
3. Easements for storm drainage, sewers or other public utilities may be required along the rear lot lines or elsewhere if necessary.

(h) Lots:

1. The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.
2. In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.
3. Lots with less than thirty (30) feet of frontage on a street will not be permitted.
4. The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.
5. Lots other than corner lots having double frontage will not be approved except where necessitated by topographic or other physical conditions.
6. Corner lots shall have extra width, sufficient to permit the maintenance of adequate building lines on both front and sides.
7. Front streets, for the purpose of establishing set-backs as to any lot abutting on two or more streets, shall be at the option of the owner.

8. All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.
9. All land within the proposed subdivision which is marsh land or low land shall be filled to at least a minimum finished elevation of four feet above mean high high water. Such fill shall be suitable filling material and placed in such a manner as to insure that the finished elevation of all lots and roadway area will be at least four feet above the United States Coast and Geodetic Survey datum of mean high high water after settlement and compaction. No building or construction on filled land shall be commenced until satisfactory evidence has been submitted that the required elevation has been obtained and that the fill will provide a stable base for the construction proposed. Such evidence of satisfactory fill shall be submitted to the City Engineer and the approval for construction of improvements upon said fill shall be granted by the City Building Inspector.

(i) **Water Courses:**

In the event that the subdivision is traversed by all water courses, channels streams, or creeks, the subdivider shall dedicate rights of way or easements for storm drainage purposes conforming substantially with the lines of such water courses, channels, streams, or creeks, or shall provide by dedication further and sufficient rights of way or easements as shall be required for structures or channel changes or both, to dispose of such surface and storm waters.

(j) **Railroad and Grade Crossing:**

1. If the question of railroad crossings is involved, the plan of the subdivision will be considered in relation to the probability of grade separation or other treatment, and may be required to conform to certain conditions in anticipation of such treatment.
2. Where the subdivision adjoins a railroad right of way and zoning plans or other conditions indicate that such property will be used for industrial purposes, highways in the same general direction as the railroad shall be as nearly parallel to such railroad right of way as is practicable, and at sufficient distance therefrom to provide for future separation of grades.

(k) **Trees:**

Street trees of an approved type shall be located wherever required by the Commission.

(l) **Deed Restrictions:**

All deed restrictions, if any, shall run with the land and be enforceable by the owner of any of the property lying within the subdivision.

(m) **Master Plan:**

In all respects, the subdivision will be considered in relation to the Zoning Ordinance, street and highway plan, community design plan and other parts of the Master Plan of the City or preliminary plans made in anticipation thereof.

### SECTION III: IMPROVEMENTS REQUIRED

In subdivisions within reasonable distance of a sanitary sewage disposal system, the subdivider shall be required to install a complete sewage system connected thereto.

In districts where no sanitary sewerage disposal system exists and where the subdivision is not within a reasonable distance of same, other provisions for disposal of sewerage shall be made in accordance with City health regulations and recommendations of any existing Sanitary District or City. A statement from the City Health Officer certifying that sewerage disposal plans are satisfactory, together with a set of sewerage disposal plans, showing lines, grades and structures, shall be filed with the Planning Commission with the tentative map.

The subdivider shall provide an adequate water supply in accordance with plans approved by the Planning Commission.

The subdivider shall improve all streets, highways, public ways, alleys and easements which are a part of the subdivision. The required improvements shall be such as may be necessary for the general use of the residents of the subdivision and local neighborhood traffic and drainage needs, and shall include the grading, paving and other improvements of streets, highways and public ways as may be necessary to the use of streets and highways or the drainage thereof and to the public safety.

The subdivider shall provide such structures and/or storm sewers necessary for adequate drainage of the subdivision.

The City Council or their authorized representative shall have the right to enter upon the site of said improvements for the purpose of inspecting the same and shall be furnished with samples of materials as they may require for the making of tests to determine the acceptability of such materials. The subdivider shall pay to the City the actual cost for the inspection of the work at the prevailing wage rates and the cost of checking of the materials for said improvements during the entire period of construction. When the final map is presented to the City Council, the subdivider shall give evidence that he has deposited with the City a sum in the amount estimated by the Council as being sufficient to cover the costs of such inspection and tests, and other engineering costs. If the amount so deposited exceeds the actual cost to the City, the subdivider shall be reimbursed for the balance remaining. If the actual cost exceeds the deposited amount, the City shall stop all construction until the subdivider shall present a receipt for a deposit with the City of an addition sum as estimated by the City Engineer. All monies shall be paid to the City, to be held in escrow for inspections, tests and checking of the materials for improvements, and other engineering costs.

When spreading oil, care shall be taken that no oil is left on any curbs, sidewalks or any other improvements other than the actual roadbed upon which oil is to be spread. No concrete shall be mixed either by hand or machine within the limits of the street lines unless precaution is taken so that none of the concrete will stain or discolor any of the roadway surfacing and other improvements.

All subdivision improvements must be constructed in accordance with plans, profiles, cross sections and specifications as approved by the City Planning Commission.

The minimum requirements for street improvement to be accepted by the City for maintenance will consist of a 5" (five inch) rock base pavement with a 1" (one inch) asphaltic armor coat surface. Grades exceeding 15% (fifteen percent) will require a 5" (five inch) rock base with a 2" (two inch) plant mix surface.

A concrete curb and gutter will be required on at least one side of all roads of capacity sufficient to take care of water shed which lies above it.

Sidewalks, Curbs, and Gutters: Shall be constructed of Class "A" concrete (5 sacks of Portland Cement per cubic yard). Standard Curbs and Gutters shall be used on returns at street intersections.

Roadway curves shall have a minimum center line radius of 60.0 feet.

Corrugated metal pipe shall have paved bottom to prevent scour. A complete drainage plan shall be furnished before the City Council is asked for acceptance of the subdivision.

The State of California, Department of Public Works, Division of Highways Standard Specifications of January 1949 shall be used as specifications for each class of work performed and no specification of less requirements will be acceptable to the City Council.

Nothing in these specifications shall be construed to prohibit the subdivider from constructing, or the City specifying, a higher type of improvement that herein specified where anticipated traffic would require.

All improvements to be constructed in accordance with City Standards.

#### SECTION IV: IMPROVEMENT BOND

If the required improvement work is not completed satisfactorily before the final or parcel map is filed the owner or owners of the subdivision shall concurrently with the approval of such map enter into an agreement with the City Council agreeing to have the work completed within the time specified in said agreement. Said agreement may provide for the improvements to be installed in units, for extensions of time under the specified conditions or for the termination of the agreement upon a reversion of the subdivision or a part thereof to acreage. Such agreement shall be secured by cash or corporate surety bond of sufficient amount to cover all improvements not completed and to be approved by the City Council. (\*)

#### SECTION V: SURVEY AND MONUMENTS

- (a) An accurate and complete survey shall be made of the land to be subdivided.
- (b) A traverse sheet in a form approved by the City Engineer, giving latitudes, departures and coordinates, and showing the mathematical closure, together with complete sets of blue line or black and white check prints of the final map, shall be submitted to the City Engineer for checking and approval. The traverse of the exterior boundaries of the tract and of each block, when computed from field measurements of the ground, must close within a limit of error of one (1) foot to ten thousand (10,000) feet of perimeter before balancing survey.
- (c) Whenever the County Surveyor or a City Engineer has established a system of coordinates, then the survey shall be tied into such a system.
- (d) All monuments, property lines, center lines of streets, alleys and easements, adjoining or within the tract, shall be tied into the survey.

\*Amended by Ord. #984, 4/21/81

- (e) Monuments shall be defined as consisting of either:
1. New galvanized iron pipe not less than (2) inches in diameter and twenty four (24) inches long.
  2. Reinforced concrete posts six (6) inches by six (6) inches in cross-section or six (6) inches in diameter and thirty (30) inches long.
- (f) All monuments shall have a copper plate or disk, securely attached to the top of the monument by a copper dowel or nail not less than two and one-half (2 1/2) inches long, firmly embedded in concrete and marking the exact point. The registered license number of the engineer or surveyor shall be stamped upon the copper plate or disk.
- (g) In making the survey the engineer or surveyor shall set monuments in such a manner that the property lines may be retraced in any area of the subdivision with a minimum of difficulty without the necessity of retracing more than one block. He shall also show all tie-in reference datum to prior existing monuments and surveys of record with traceable record data.
- (h) Where the exterior boundaries of the subdivision are existing street lines and on all interior street lines of the subdivision the engineer or surveyor shall set monuments in the street area, preferably on the street center line, and located so as to determine the street lines bounding each block. Due consideration shall be given to visibility of monuments, one from another, for the purpose intended.
- (i) The monuments in the street areas shall be set so that the tops are at least seven and one-half (7 1/2) inches below top of finished pavement grade and enclosed in cast iron receptacles with cast iron covers of a type acceptable to the City Engineer set flush with the top of finished pavement grade and supported independently of the monuments.
- (j) Monuments may be set after approval of the final map, but not later than the time of completion of subdivision improvements, provided a cash deposit or approved bond in an amount set by the City Engineer is filed with the City, guaranteeing such work.
- (k) All monuments, and their location shall be inspected and approved by the City Engineer.
- (l) Redwood hubs, each two (2) inches square in cross section and not less than twelve (12) inches in length shall be driven flush with the surface of the ground at all lot corners, angle points and curve points where no monuments are set and in each case the exact corner shall be marked by a non-ferrous metal tack.

## SECTION VI: SUGGESTIONS BY THE PLANNING COMMISSION

The City Planning Commission may require provision for suitable areas for the parks, playgrounds and school and other public building sites and for off-street parking sites. The Commission shall work in conjunction with the Parks and Recreation Commission and the Director of Public Works in the development of parks and streets. In all cases, the Commission shall suggest to the subdivider such measures as will preserve and enhance the scenic values of the City and the conditions of making for excellence of residential, commercial, or industrial development, as the case may be. (\*\*)

Prior to the preparation and submission of a Tentative Map, subdividers may present preliminary plans or sketches of the proposed subdivision for discussion

With the consent of the subdivider, the Planning Commission may refer preliminary plans or sketches of the proposed subdivision to a professional planning consultant to be designated by the Planning

Commission for his review and recommendations, provided that the subdivider shall deposit with the City Clerk in advance of such review a sum determined by the Planning Commission to be sufficient to cover all costs of such review. (\*) (\*\*)

## SECTION VII: TENTATIVE MAP

(a) Form of Tentative Map and Accompanying Data: Every tentative map of a subdivision filed with the Planning Commission shall be clearly and legibly drawn on tracing cloth or tracing paper of good quality. The size of the sheet shall be eighteen by twenty-six inches. The scale of the map shall be not less than one inch equals one hundred feet. The map shall contain the following data:

1. The tract name, or other designation, date, north point, scale and legal description to define the location and boundaries of the proposed tract. *title report.*
2. Names and addresses of record owner and subdivider; name, address and registration or license number of engineer or surveyor.
3. Location, names and present width of adjacent roads, streets, highways or ways.
4. Location of official plan lines or projected streets or highways as shown on the Master Plan of the City.
5. The locations, names and width of all roads, streets, highways and ways in the proposed new subdivision.
6. Contour lines for all ground slopes shall show a minimum of five (5) foot intervals.

The surveyor shall indicate the elevations of all the datum on which his contours are based and shall set sufficient bench marks for future use.

\*Amended by Ord. #521, 10/1/57.

\*\*Amended by Ord. #984, 4/21/81.

7. The location of existing and proposed sanitary sewers, including side sewers storm sewers, gas, water, power and telephone lines and other public utilities and the approximate width and location of all easements required for same.
8. Approximate radii of all curves.
9. Approximate dimension of all lots.
10. Approximate location of areas subject to inundation or storm water overflow, of all areas covered by water and the location, width and direction of flow of all water courses and areas subject to overflow by tide waters.
11. Public area proposed.
12. A blank space 8 1/2 inches by 11 inches in size, for certificates, conditions and approvals, etc.

13. Profiles drawn to scale so as to show clearly all details thereof shall accompany the tentative map and shall show center lines, ground and grade elevations, of all streets, highways, ways, alleys, sanitary and storm sewers, gas and water lines, and other improvements in the subdivision. Profiles other than center line shall be shown if requested by the Planning Commission. All elevations shall be referred to mean sea level datum, as established by the United States Coast and Geodetic Survey or to elevations or bench marks as established by the City Engineer.
14. Typical cross sections of all streets, highways, ways and alleys and details of curbs, gutters, sidewalks and other improvements, shall accompany the Tentative Map and shall be of such scales as to show clearly all details thereof.

(b) Statements to accompany Tentative Map:

1. Existing use or uses of property, including the location of all existing structures to remain on the property.
2. <sup>Proposed Uses</sup> Proposed uses of the property, with a statement of the representative portions of the total area of the subdivision represented by each, and an outline of proposed deed restrictions.
3. Source, quality and approximate quantity of water supply, and general outline of proposed system.
4. Provisions for sewage disposal, drainage, and flood control which are proposed. <sup>SPILL WATER POLLUTION PRE</sup>
5. A statement from the City Health Officer as to whether in his opinion the proposed sewage disposal system or method is adequate and will operate without creating a public or private nuisance.
6. Proposed set-back lines for buildings.
7. Statement as to tree planting plan.
8. Statement of the improvements proposed to be made or installed and of the time at which such improvements are proposed to be made or completed. Preliminary plans and 7 specifications showing in general the foregoing proposed improvements.
9. Statement as to whether the subdivider intends to file a final map of the subdivision or a parcel map thereof. (\*\*)

(c) Review by Professional Planning Consultant. The Planning Commission may at its option refer the Tentative Map to a professional planning consultant for a review and report covering such of the following information as the Planning commission may determine. (\*)

1. Compliance with the subdivision ordinance.
2. Street pattern, in relation to traffic volumes, topography, and compatibility with existing development.
3. Population density, in relation to traffic and ability of the City to provide community services.
4. Lot layout in terms of efficiency of land use and compatibility with existing development.

5. Proposed commercial development in relationship to existing and potential buying power for the area.
6. Proposed zoning changes in relationship to adjacent development and conformity with general plan under preparation.

### SECTION VIII: FILING TENTATIVE MAP

The subdivider shall present to the officer designated in the rules of the Planning Commission, at least fifteen (15) days prior to the meeting at which it is to be presented to the Planning Commission for official filing, ten (10) copies of the tentative map, with accompanying data and statements, made in accordance with the requirements of Section VIII of this Ordinance, together with such additional copies as may be required for transmittal to the designated official of any adjoining city or county which has requested the same, as provided in the Subdivision Map Act. The subdivider shall at the time of filing the Tentative Map pay a City filing fee established by Resolution of the City Council. If the subdivider is not the record owner (or owner of record) of the property proposed for subdivision, there shall be filed a written authorization by the record owner (or owner of record) authorizing the subdivider to act in his behalf. (\*\*)

\*Amended by Ord. #521, 10/1/57

\*\*Amended by Ord. #984, 4/21/81

The officer to whom the map is presented shall examine the map and shall not accept such map unless the same conforms to all legal requirements and is accompanied by all information necessary for its proper consideration.

Notices shall be given by mail, postage prepaid, not less than ten (10) days before the date set for the Hearing to owners and occupants of property within a radius of one hundred (100) feet of the external boundaries of the property described in the application or action, using for this purpose addresses from the last equalized assessment roll of the County and the City's latest copy of Pacific Telephone's "Reverse Telephone Directory" for this area. Aside from any other development fees or deposits, the Applicant shall furnish to the City payment for contract services to compile and type the names and addresses of said owners and occupants on envelopes containing the public notice. The failure to send notice by mail to any such property owner or occupant, where the address of such owner is not shown upon the last equalized assessment roll of the County, or the City's latest copy of Pacific Telephone "Reverse Telephone Directory" for this area shall not invalidate any proceedings in connection with any action.

In addition to the notice hereinabove provided for, a notice shall be sent by certified or registered mail not less than ten (10) days before the date set for the hearing to the Applicant.

Upon acceptance, such officer shall give a receipt for the map, accompanying data and fee. Such acceptance, however, shall not preclude the securing of additional information from the subdivider necessary for the proper consideration of the tentative map. Such officer shall present the map for filing to the Planning Commission at a regular meeting thereof. The time of official filing of the tentative subdivision map shall be the time at which the same is accepted by the Planning Commission for that purpose upon finding that the map conforms to all legal requirements and is accompanied by all information necessary for its proper consideration. (\*)

The Planning Commission shall, within three (3) days after the official filing of the tentative map, with accompanying data and statements, transmit copies thereof to the authorized representative of the City Council who shall check the improvements which shall be required under the provisions of Section III of this Ordinance and any easements required in connection with such improvements.

The Planning Commission shall also, within three (3) days, forward copies of the tentative map to the City, County and State officials requesting the same who may make recommendations with respect to the subdivision at the next Planning Commission meeting.

\*Amended by Ord. #521, 10/1/57

## SECTION IX: ACTION ON TENTATIVE MAP

The Planning Commission shall determine whether the tentative map is in conformity with the provisions of law and of this Ordinance, and, upon that basis, shall, within fifty (50) days after the official filing of the tentative map, unless such time shall have been extended by mutual agreement, by resolution approve, conditionally approve, or disapprove the same and shall report such action to the City Council which Council shall act upon the report within ten (10) days or at its next succeeding regular meeting after receipt of the report, and said City Council shall give final approval, conditional approval, or disapproval of said tentative map.

## SECTION X: CONSTRUCTION DATA

Before beginning construction, a complete set of plans, specifications, profiles, cross sections and other drawings for all improvements shall be submitted to the City Engineer for approval, and if approved, the City Engineer shall be furnished, without cost, one of more complete sets as required.

All plans for road improvement shall be submitted to the City Council for their inspection and approval before any work begins.

Slopes for excavation and method of fills shall be approved by the City Council.

No work shall commence unless authorized by the City Council acting through the City Engineer.

All work shall be performed in accordance with specifications of the City of Sausalito.

## SECTION XI: FINAL MAP

### (a) General Requirements:

Within one (1) year after the return of the approved or conditionally approved tentative map to the subdivider, unless said map shall have been abandoned or the time for action on the same shall have been extended, the subdivider shall cause said subdivision or any part thereof to be surveyed and a final map thereof prepared in conformance with the tentative map as approved or conditionally approved. The final map of the subdivision shall be submitted to the City Engineer for checking and approval. Said map shall be filed, together with traverse sheets, other data, and check prints, with the City Engineer at least twenty (20) days prior to the filing of the final map by the City Engineer with the City Clerk for action by the City Council.

### (b) Form of Final Map:

The final subdivision map shall be clearly and legibly drawn in black India ink upon tracing cloth of good quality. All lines, letters, figures, certificates, acknowledgments and signatures shall be made in black India ink. Typewriting or rubber stamps shall not be used. The map shall be so made and shall be in such condition when filed that good legible blue prints and negatives can be made therefrom. The size of the sheets of tracing cloth shall be eighteen (18) by twenty-six (26) inches, leaving a margin of one (1) inch from the edge of the sheets. The name, tract number, title or other designation, all drawings, affidavits, acknowledgments, endorsements, acceptance of

dedication and notarial seals shall be within said marginal lines. The scale of the final map shall be not less than one (1) inch equals one hundred (100) feet.

(c) Data to Appear on Final Map:

1. The title sheet of the final map shall contain the title and such other descriptive matter as may be necessary; below the title shall appear a sub-title consisting of a general description of all the property being subdivided by reference to recorded deeds or to maps which have been previously recorded or by reference to the plat of a United States Survey. In case the property included within the subdivision lies wholly within incorporated territory, the following words shall appear below the title: "In incorporated territory in the City of Sausalito," or if partly in an unincorporated territory of the County of Marin, the following words shall be used: "Partly in the City of Sausalito and partly in the unincorporated territory of the County of Marin." Reference to tracts and subdivisions in the description must be worded identically with original records and reference to book and page of record must be complete. Every sheet comprising the map shall bear the tract name, scale, north point, legend, sheet number and number of sheets comprising the map. Below the title shall bear the tract name, scale, north point, legend, sheet number and number of sheets comprising the map. Below the title shall be clearly noted the basis of bearing for the survey.
2. The final map shall particularly define and designate all lots or parcels intended for sale or reserved for private purposes; and all parcels offered for dedication for any purpose with all dimensions, boundaries and courses clearly shown and defined in every case.
3. The map shall show clearly what stakes, monuments, or other evidences were found on the ground to determine the boundaries of the tract. The adjoining corners of all adjoining subdivisions shall be identified by lot and block number, tract name and place of record, or other proper designation.
4. The map shall show all information, data and monuments necessary to locate and retrace any and all exterior boundary lines, lot and block lines, and shall also show bearings and distances of straight lines and radii, delta and arc length for all curves and such information as may be necessary to determine the location of the centers of curves; also bearings and tangent distances and radii, delta and arc lengths of all lots. Where streets intersect on curves, center line lengths, radii and deltas, and center line intersection points shall be shown.
5. Wherever the County Surveyor or City Engineer has established the center line of a street or alley, the data shall be shown on the final map, indicating all monuments found and making reference to a field book or map. If the points were reset by ties, the fact shall be stated.
6. The map shall show all town boundaries crossing or adjoining the subdivision clearly designated and tied in.
7. The map shall show the line of extreme high water in case the subdivision is adjacent to tidewater.
8. The boundary of the tract shall be designated by a one sixteenth (1/16) inch border of Prussian blue water color applied on the reverse side of the tracing and inside the boundary line. Such border shall not obliterate figures or other data.

9. **Lots and Blocks:** In tracts containing more than one block the blocks shall be numbered in numerical order, commencing with the numeral "1", with no omissions or duplications. Lot numbers shall begin with the number "1" in each block, and shall continue consecutively, with no omission or duplications. As an alternative to the foregoing, block letters or numbers may be omitted, in which case lot numbers shall continue consecutively throughout the subdivision with no omissions or duplications. No prefix or suffix, such as "1A", "B2" or "B3" shall be used. All letters and figures shall be conspicuous and solid. They shall not obliterate dimensions or courses. If more than one sheet is required for subdivision map, each sheet shall show lots and blocks in their entirety and not portions thereof.
10. **Streets and other Rights of Way:** The total width of all streets shall be shown, also the widths of rights of way for flood control or drainage channels, and any other rights of way.
11. **Easements:** The map shall show the center line and width of all easements to which the lots are subject. The easement must be clearly labeled and identified and if already of record, its recorded reference be given. If any easement is not definitely located of record, a statement of such easement must appear on the title sheet. Easements for storm drains, sewers and other purposes shall be denoted by fine dotted lines. Distances and bearings on the side lines of lots which are cut by an easement must be so shown that the map will indicate clearly the actual lengths of the lot lines. The width of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto to definitely locate the easement with respect to the subdivision must be shown.

(d) **Data and Information to Accompany Final Map:**

1. A traverse sheet of the survey as specified in Section V.
2. A complete set of blue line or black and white prints of the final map of the subdivision for checking purposes.
3. A statement that all improvements have been completed in accordance with the plans and specifications as approved by the City Engineer, or agreement and bond as required in Section IV.
4. A statement of the water supply installed or available for the subdivision, including information as to the source and adequacy of the supply.
5. A statement of the sewerage works and sewage disposal installed, proposed or available for the subdivision.
6. All other data and information that are now or may hereafter be required by law.
7. All data to accompany final map shall be paid for by the subdivider.
8. The subdivider shall pay to the City for the purpose of checking, computing, investigating, surveying and other matters required by law and these regulations, the sum of twenty-five (\$25.00) dollars as a fee and in addition shall pay to the City the actual cost of the checking of the map, plans and specifications, and investigations incidental thereto. When the final map is presented to the City Engineer, the subdivider shall give evidence to the City Engineer that he has deposited with the City said sum of twenty-five (\$25.00) dollars and an additional amount computed on the basis of fifty (\$.50) cents for each lot shown on said map. This amount of fifty (\$.50) cents per lot is intended as an estimate of the cost of said

checking and if the amount so deposited exceeds the actual cost to the City, the subdivider shall be reimbursed for the balance remaining. If the actual cost exceed the deposited amount, the City Engineer shall withhold certification of the map until the subdivider shall present a receipt for the deposit of the excess amount. All moneys shall be paid to the City to be held in escrow for such engineering costs. Two complete sets of blue line prints, two complete sets of blue line prints on cloth and one complete set upon tracing cloth of the final map, to be filed with the City shall be submitted and paid for by the subdivider.

(e) Certificates to Appear on Final Map:

1. Owner's Certificate: A certificate, signed and acknowledge by all parties having any record title or interest in the land subdivided, consenting to the preparation and recordation of said map:
2. Dedication Certificate: A certificate signed and acknowledged as above offering for dedication for public use those certain parcels of land which said parties desire to dedicate.
3. Engineer's Certificate: A certificate, as required by the State Subdivision Map Act, by the civil engineer or licensed surveyor responsible for the survey and final map, the signature of which civil engineer or licensed surveyor, unless accompanied by his seal, must be attested.
4. Basis of bearings note.
5. A certificate for execution by the City Engineer.
6. A certificate for execution by the Clerk of each approving governing body.
7. A certificate for execution by the County Recorder.
8. A certificate by City Planning Commission giving final approval.
9. A certificate by City Council giving final approval.

(f) Certificates to Accompany Final Map:

1. The subdivider shall furnish to the City Engineer a guarantee of title or letter from competent title company, approved by the City Council certifying that the signatures of all persons whose consent is necessary to pass a clear title to the land being subdivided and all acknowledgments thereto appear on the proper certificates and are correctly shown on said map, both as to consents as to the making thereof and affidavits of dedication where necessary. Such guarantee shall be issued for the benefits of the town and protection of the City Council and shall be continued complete up to the instant of recordation of the map.
2. A letter from the City Clerk and if applicable from the County Auditor, certifying that according to the records of his office there are no liens against the subdivision or any part thereof for unpaid state, county, municipal or local taxes or special assessments collected as taxes or special assessments not yet payable; and as to the latter the subdivider shall submit a statement by each proper officer giving his estimate of the amount of taxes and assessments which are a lien, but which are not yet payable.

3. A certificate of the Clerk of the City Council as to tax bond must accompany final maps filed between the first Monday in March and the third Monday in October.
4. All other data and material that are now or may hereafter be required by law.

## SECTION XII: DEDICATION REQUIRED: APPROVAL OF FINAL MAP

All parcels of land shown on any final map and intended for any public use shall be offered for dedication for public use extended for the exclusive use of lot owners in the subdivision, their licenses, visitors, tenants and servants.

When all the certificates which appear on the final map (except the approval certificate of the City Council) have been signed, the City Engineer shall file the map with the City Clerk for action by the City Council as required under the provision of Section XI (a). The City Council shall at its next meeting or within a period of not more than ten (10) days after such filing with the City Clerk approve said map, if the same conforms to all the requirements of the Subdivision Map Act, this Ordinance and any ruling made thereunder, said Council shall at that time require the construction or installation of the improvements designated in connection with the action on the tentative map, as hereinbefore provided. In the case of a final map the City Council shall at the time of its action thereon accept or reject any or all offers of dedication.

Upon approval of any final map and after the required signatures and seal have been affixed, the Clerk of the City Council shall transmit the map to the Clerk of the Board of Supervisors of the County of Marin. When all bonds, money or negotiable bonds required under the provisions of law to secure the payment of taxes and assessments which are a lien on some part of the subdivision but which are not yet payable, have been deposited with an approval by the board of Supervisors, the Clerk of the Board shall transmit the final map to the County Recorder, who shall, if he finds the map in proper order, record the same after payment of the required recording fee, at the expense of the subdivider.

There shall be filed with the City for recording, certified reproduced tracings on cloth and one complete set of blue line prints on cloth, showing all certificates, affidavits and signatures.

## SECTION XIII: REVERSION TO ACREAGE MAPS

Maps filed for the purpose of showing as acreage land previously subdivided into numbered or lettered parcels shall be conspicuously designated with the title "THE PURPOSE OF THIS MAP IS A REVERSION TO ACREAGE". No tentative map need be filed prior to the filing of such Reversion to Acreage Maps, and if sufficient recorded data exists from which an accurate map can be compiled, no survey nor certificate of any surveyor or engineer shall be required except the certificate of the City Engineer certifying to the correctness of the map.

Complete sets of blue line or black and white prints shall be furnished to the City Engineer for checking purposes. The actual engineering costs of checking such maps shall be paid by the owner to the City Engineer to be held in escrow for such engineering costs.

Two complete sets of blue line prints and one complete set of negatives to be procured by the City for its use shall be paid for by the owner.

## (\* )SECTION XIV: DIVISIONS OF LAND - MINOR SUBDIVISIONS

### (a) Restrictions and Purpose:

1. No existing lot, parcel of land or building site shall be partitioned or divided into two, three or four lots, parcels of land or building sites, nor shall any condominium

projects as defined in Civil Code Section 1350 and containing less than five condominiums or community apartment projects containing less than five apartments or a stock cooperative project containing less than five dwelling units be created without the prior written approval of the City's Planning Commission, and the recordation of a map as hereinafter set forth. (\*\*\*) (\*\*\*\*)

2. The purpose of this section is to prevent the violation or circumvention of the purposes or provisions of any ordinance of the City, or state statute regulating the use of land, to insure proper lot design, to insure effective and efficient access to and from properties by police and fire protection vehicles and equipment, to provide for such improvements in connection with such division of land as the public health, safety and welfare may require, and to assure that divisions of land comply with the provisions of the Sausalito General Plan and any applicable specific plans. No tentative or final parcel map shall be approved except upon a finding that the proposed division of land, together with the provisions for its design and improvement, is consistent with the Sausalito General Plan and any applicable specific plans. (\*\*\*\*)

*per SMC* →  
(b) Filing Application: *Design in accordance w/ GP & GUC*

1. An application for approval of the partitioning land or creation of a condominium or creation of a community apartment or creation of a stock cooperative shall be fully executed and accompanied by a tentative map and shall be filed with the Planning Commission (\*\*\*) (\*\*\*\*)
2. A filing fee established by Resolution of the City Council shall be paid at the time of filing the Tentative Map. (\*\*)
3. The form of Tentative Map and accompanying data shall be the same as required for subdivisions under Section VII of this ordinance.
4. The application and the tentative map shall be deemed filed at the time it is accepted in the manner provided for subdivisions under the second and third paragraphs of Section VIII of this ordinance.

\*Amended XIV, Section (a)(1) thru (d)(2) by Ord, 616, 7/17/62

\*\*Amended by Ord. #684, 8/1/67

\*\*\*Amended by Ord. #813, 5/13/73

\*\*\*\*Amended by Ord. #832, 5/15/74

\*\*\*\*\*Amended by Ord. #984, 4/21/81

5. Notices shall be given by mail, postage prepaid, not less than ten (10) days before the date set for the hearing to owners and occupants of property within a radius of one hundred (100) feet of the external boundaries of the property described in the application or action, using for this purpose addresses from the last equalized assessment roll of the County and the City's latest copy of Pacific Telephone's "Reverse Telephone Director" for this area. Aside from any other development fees or deposits, the Applicant shall furnish to the City payment for contract services to compile and type the names and addresses of said owners and occupants on envelopes containing the public owners and occupants on envelopes containing the public notice. The failure to send notice by mail to any such property owner or occupant, where the address of such owner is not shown upon the last equalized assessment roll of the County, or the City's latest copy of Pacific Telephone's

"Reverse Telephone Directory" for this area shall not invalidate any proceedings in connection with any action.

In addition to the notice hereinabove provided for, a notice shall be sent by certified or registered mail not less than (10) days before the date set for the hearing to the Applicant.

(c) Action on Application:

1. The Planning Commission shall submit the application and all accompanying data to their technical advisors at once for recommendation and distribution for processing.
  - a. Applications involving simple realignment of lot lines may be sent directly to a lot split committee of the Planning Commission.
  - b. In case a new building site is created, the recommendations of the Supervisor of Public Works, the Building Inspector and the City Engineer shall first be obtained for the guidance of the Planning Commission. Such recommendations shall be submitted within ten (10) days after referral to those departments.
2. The Planning Commission shall consider the application at the first regular meeting which occurs fifteen (15) days or more after time of filing.
  - a. If the complexity of the problem requires more time for study the consideration may be continued for such time as may be required.
  - b. In any case the Planning Commission shall, within fifty (50) days after filing, approve, conditionally approve, or disapprove the application and report such action to the City Council, unless the time is extended by mutual agreement. (\*)

\*Amended by Ord. #984, 4/21/81

3. Within fifteen (15) days following the date of decision by the Planning Commission with respect to the application, the applicant or any other interested party may file a written petition with the City Clerk for a review of such decision by the City Council. In addition, the City Council may, on its own motion, elect to review such decision. If no such action is taken the decision of the Planning Commission shall become effective the day following the next regular City Council meeting or the 16th day following the date of decision by the Planning Commission, whichever is later. (\*\*)
4. Upon receipt of an appeal, or in determining to review a decision by the Planning Commission, the City Council shall thereupon hear said appeal and may affirm, modify or reverse such decision. Except in the case where otherwise provided by law, a tie vote of the City Council which is not followed by a continuance of the matter for further consideration, shall be deemed to affirm the recommendation of the Planning Commission. (\*\*)

(\*)(d) Recordation:

1. Upon approval of the application and tentative map by resolution of the City Council or Planning Commission, the applicant shall have prepared and submit a parcel map (as described in the California Subdivision Map Act( or a condominium map (as described in Civil Code Section 1351). In addition to the certificates required by the State Subdivision Map Act for a parcel map, there shall be a certificate by the City Planning Commission giving final approval. The map shall be tied to the existing monument system of the City of Sausalito. All Sections of the condominium map shall be bound together and shall be recorded as one document.(\*\*)
  - a. The subdivider shall pay the sum of \$25.00 plus any additional amounts necessary to cover the cost of checking the map and investigations incidental thereto.
  - b. The map shall be transmitted to the City Engineer for such checking.
2. Upon approval of the map, the subdivider shall furnish to the City one set of negatives or reproducible paper prints of the map for the City records, and shall immediately file the map with the County recorder for recording.

**SECTION XV: EXCEPTIONS**

- (a) The City Planning Commission may recommend that the City Council authorize conditional exceptions to any of the requirements and regulations set forth in this Ordinance. Application for any such exception shall be made by a verified petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with the tentative map of the subdivision. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary that the Planning Commission shall find the following facts with respect thereto:

\*Amended by Ord. #813 5/13/73

\*\*Amended by Ord. #984 4/21/81

1. That there are special circumstances or conditions affecting said property;
  2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
  3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated;
- (b) In recommending such exceptions, the Planning Commission shall secure substantially the objectives of the regulations to which the exceptions are granted, as to light, air, and the public health, safety, convenience and general welfare.
  - (c) In recommending the authorization of any exception under the provisions of this section, the Planning Commission shall report to the City Council its findings with respect thereto and all facts in connection therewith, and shall specifically and fully set forth the exception recommended and the conditions designated.

- (d) Upon receipt of such report the City Council may, by resolution approve the tentative map with the exceptions and conditions recommended.
- (e) In all cases in which such exceptions are authorized, the Planning Commission shall require such evidence as it deems necessary that the conditions required in connection with such exceptions are being complied with.

#### **SECTION XVI: VALIDITY**

If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Sausalito, State of California, hereby declares that it would have passed this Ordinance with each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, clauses or phrases be declared invalid or unconstitutional.

#### **SECTION XVII: SHORT TITLE**

This Ordinance may be referred to as the "City of Sausalito Subdivision Ordinance".

#### **SECTION XVIII: PENALTIES FOR VIOLATION**

Any offer to sell, contract to sell or sale contrary to the provisions of this Ordinance shall be a misdemeanor, and any person, firm, corporation, partnership or co-partnership, upon conviction thereof, shall be punishable by a fine of not less than twenty-five (\$25.00) dollars and not more than five hundred (\$500.00) dollars, or by imprisonment in the City or County jail for a period of not more than six months, or by both such fine and imprisonment, except that nothing herein contained shall be deemed to bar any legal, equitable, or summary remedy to which the City or other political subdivision, or any person, firm, corporation, partnership or co-partnership, may file a suit in the superior court of the City to restrain or enjoin any attempted or proposed subdivision or sale in violation of this Ordinance.

Any deed of conveyance, sale or contract to sell made contrary to the provisions of this Ordinance is voidable at the sole option of the buyer or person contracting to purchase, his heir, personal representative, or trustee in insolvency or bankruptcy within one year after the date of execution of the sale or contract to sell, but the sale or contract to sell is binding upon any assignee or transferee of the buyer or person contracting to purchase other than those above enumerated, and upon the vendor, or person contracting to sell, or his assignee, heir or devisee.

#### **SECTION XIX: REPEAL**

All ordinances or parts of ordinances of said City in conflict with this Ordinance to the extent of such conflict and no further, are hereby repealed.

#### **SECTION XX: PUBLICATION OF ORDINANCE**

This Ordinance shall be published once in full in the "Sausalito News", a weekly newspaper of general circulation, printed, published and circulated in said City and shall be in full force and effect thirty (30) days from and after its final passage.

**SECTION XXI: ENACTMENT**

This Ordinance was duly and regularly introduced at an adjourned regular meeting of said City Council held on October 17, 1950, and was thereafter, at a regular meeting of said Council held on November 8, 1950, duly and regularly adopted and passed by the following vote:

AYES: COUNCILMEN: Basford, Keeney, McAtee, Rixford and Mayor Gunn

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

S/ Robert M. Gunn  
Mayor of the City of Sausalito

ATTEST:

S/ AMELIE L. SMITH  
City Clerk of the city of Sausalito

Published November 23, 1950