

ORDINANCE NO. 86-11

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF RIDGECREST, CALIFORNIA, AMENDING  
THE RIDGECREST MUNICIPAL CODE AS IT RELATES  
TO MINOR LOT LINE ADJUSTMENTS.

THE CITY COUNCIL OF THE CITY OF RIDGECREST DOES ORDAIN AS FOLLOWS:

Section 1. Section 19-1-.9 of the Ridgecrest Municipal Code is hereby amended and reenacted to read as follows:

"19-1.9 Construction and Definitions. The definitions of words used in this chapter, and the construction of the words in provisions thereof, shall be as follows:

- a. Construction. The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this chapter:
  1. Tense: Words used in the present tense include the future tense
  2. Number: Words used in the singular include the plural, and words used in the plural include the singular
  3. Shall and May: The word "shall" is mandatory; the word "may" is permissive
  4. Gender: The masculine shall include the feminine and neuter
  5. Headings: In the event that there is any conflict or inconsistency between the heading of a section, subsection or paragraph of this chapter and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context
  6. Oath: The word "oath" shall include affirmation.
- b. General Terminology. The word "City" shall mean the City of Ridgecrest, California. The words "City Council" and "Council" shall mean the City Council of the City of Ridgecrest. The words "Planning Commission" and "Commission" shall mean the Planning Commission duly appointed by the City Council. The words "City Administrator," "City Clerk," "City Engineer," and "City Fire Chief" shall mean the City Administrator, City Clerk, City Engineer, and City Fire Chief of the City of Ridgecrest.
- c. Definitions. As used in this chapter:
  1. "Alley" shall mean a public way permanently dedicated or reserved as a secondary means of access to abutting property.
  2. "Block" shall mean the properties abutting on one side of a street and lying between the two nearest, intersecting or intercepting streets and railroad rights-of-way, unsubdivided land or water-course.
  3. "Condominium" shall mean, in accordance with California Civil Code Section 783, to be 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.
  4. "Conversion" shall mean the offering for sale by a developer or developer's agent of condominium units that previously were rental units.

5. "Covenants, Conditions, and Restrictions" shall mean a declaration relating to the maintenance, operation, duties and responsibilities of the common owners of the project and may include but is not limited to, those restrictions provided for in Section 1355 of the California Civil Code, and as such sections may hereafter be amended.
6. "Division of Land" shall mean any real property or portion thereof shown on the last preceding tax roll as a unit or as contiguous units which is divided for the purpose of sale, lease or financing whether immediate or future, into four lots or less, provided however, that a division of land does not include any of the following: (a) any conveyance made or required by court decree and intestate or testamentary dispositions of land; (b) any conveyance by or to the State of California, any city or county, or any political subdivision of the State of California, (c) any conveyance of easements or mineral, oil or gas rights or leasing of apartments, offices, stores or similar space within a department building, industrial building, commercial building or trailer park; (d) any minor lot line adjustment when all of the following conditions exist:
  - (1) The land is a part of a recorded subdivision map, parcel map, Record of Survey, or shown on the latest adopted tax assessor's map as an individual parcel of land.
  - (2) The number of lots or parcels are not increased.
  - (3) The lots or parcels created have the minimum square footage required by the zoning district in which they are located.
  - (4) That no lot or parcel created has less than 50' of frontage on a dedicated and City maintained street, except those lots which front on a cul-de-sac or loop-out street shall have a minimum of 40' of frontage provided that the width of the lot as measured at the front yard setback line is at least 50 feet.
  - (5) That all other applicable provisions of the zoning chapter shall be complied with.
  - (6) For any lot line adjustment made in accordance with paragraph (d) above, an unnumbered tentative parcel map or clear and concise 8½" x 11" or 14" rendering shall be submitted to the Planning Department for review to insure compliance with the above sections.
  - (7) Upon determination by the Planning Department that the proposed lot line adjustment is in compliance with the above sections, the City shall furnish the applicant a notice that the proposed division is in accordance with the above sections and is exempt from filing a parcel map.
7. "Lot" shall mean a parcel of subdivided land under one or a common ownership used or susceptible of being used in accordance with the regulations of this ordinance and in accordance with the regulations of the zoning ordinance that are applicable to the area in which the parcel is located.
8. "Original Parcel" shall mean a contiguous area of land at the time of division, in one or a common ownership, any portion or all of which is proposed to be divided under this ordinance.
9. "Pedestrianway" shall mean a public way designed for use by pedestrians which is not intended for use by automotive vehicles and which is not located within a street right-of-way.

10. "Person" shall mean and include an individual person, a partnership, corporation or any other organization.
11. "Planting strip" shall mean a strip between the sidewalk and the curb or between the sidewalk and the street right-of-way line, or between the pavement of a frontage street and the major street, limited access highway or freeway it parallels, which is intended to be planted with trees, shrubs or other vegetation.
12. "Project" shall mean the entire parcel of real property divided, or to be divided into condominiums, including all structures thereon.
13. "Reserve Strip" shall mean a strip of property, contiguous to a public way, which is offered to the City for street purposes but which offer is rejected by the City until additional adjacent right-of-way is acquired by the City, and across which the access rights are abandoned until such time as additional adjacent right-of-way is acquired by the City.
14. "Standard Specifications" shall mean specifications of the City established by recommendation of the Planning Commission and adopted by resolution of the City Council pertaining to the design and installation of subdivision improvements.
15. "Street, Major" shall mean a street designated as a major street or a county-city primary street on the General Plan or an element thereof which, because of its design and location with respect to other streets and other sources of traffic, is used or designed to carry relatively heavy volumes of traffic through the urban area or between urban areas, or as an approach to a freeway.
16. "Street, Secondary" shall mean a street designated as a secondary street on the General Plan or an element thereof which, because of its location with respect to other streets and other sources of traffic, is used or designed to carry moderately heavy volumes of traffic between portions of the urban area or between major streets.
17. "Street, Collector" shall mean a street which does or which will, because of its design and location with reference to other streets, be used to carry traffic from minor streets to secondary streets or in certain circumstances to the major street system.
18. "Street, Minor" shall mean a street which, because of its design and location with respect to other streets, is used primarily for access to the abutting properties.
19. "Street, Cul-De-Sac" shall mean a street having only one outlet for vehicular traffic with a turn-around at the opposite end which is not intended to be extended or continued to serve future subdivisions on adjacent lands.
20. "Street, Frontage" shall mean a street having only one outlet for vehicular traffic and which is intended to be extended or continued to serve future subdivisions on adjacent land.
21. "Street, Stubbed" shall mean a street having only one outlet for vehicular traffic and which is intended to be extended or continued to serve future subdivisions on adjacent land.

22. "Subdivision" shall mean any real property, improved or unimproved, or portion thereof, shown on the latest adopted county tax roll as a unit or as contiguous units, which is divided for the purpose of sale, lease or financing, whether immediate or future, by any subdivider into five or more parcels, subject to the same exclusions from meaning as provided under Section 66426 of the Subdivision Map Act."

Section 2. Except as provided herein, the Ridgecrest Municipal Code is reaffirmed and readopted by the following vote:

APPROVED AND ADOPTED this 7th day of May, 1986, by the following vote:

AYES: Mayor Mower, Councilmembers Pearson, Bergens, Corlett, and Wiknich

NOES: None

ABSTAIN: None

ABSENT: None

*Michael R. Mower*

Michael R. Mower, Mayor

ATTEST:

*Joyce M. Taft*

Joyce M. Taft, City Clerk

