

**DIVISION 9: SUBDIVISION REGULATIONS**

**CHAPTER 9-900**

**SUBDIVISION REGULATIONS: INTENT AND ORGANIZATION**

**Sections:**

- 9-900.1 Title and Intent.**
- 9-900.2 Statement of Policy.**
- 9-900.3 Authority.**
- 9-900.4 Organization.**

**9-900.1 TITLE AND INTENT.**

Division 9 constitutes the Subdivision Regulations. The intent of this Division is to govern the subdivision of property in San Joaquin County and to effect the following purposes:

- (a) **Plan Implementation.** To implement the San Joaquin County General Plan and any Specific Plan and Special Purpose Plan of the County; and
- (b) **Orderly Process.** To establish reasonable standards of design and reasonable procedures for subdivision and resubdivision in order to further the orderly layout and use of land and insure proper legal descriptions and monumenting of subdivided land.

(Ord. 3675)

**9-900.2 STATEMENT OF POLICY.**

It is the policy of San Joaquin County regarding subdivisions that:

- (a) **County Control.** The subdivision and subsequent development of land shall conform to the adopted General Plan, any Specific or Special Purpose Plans of San Joaquin County, and the other provisions of this Development Title.
- (b) **Safety of Development.** All subdivided land should be of such character that it can be used safely for building purposes by future holders of title without unreasonable danger to health, or peril from fire, flooding, or other menace; and
- (c) **Facilities and Services.** In accordance with General Plan policies, provision shall be made for drainage, sewerage disposal, water, schools, parks, recreation, streets, roads, highways, and other public facilities and services.

(Ord. 3675)

**9-900.3 AUTHORITY.**

Authority for this Division is found in Title 7, Division 2, of the Government Code, commencing with Section 66410, hereinafter known as the Subdivision Map

Act. In addition to any regulations provided by law, the regulations provided by this Division shall apply to all subdivisions and parts of subdivisions hereafter made entirely or partially within the unincorporated territory of San Joaquin County. This Division of this Title may be known as the Subdivision Regulations or the Subdivision Ordinance.  
(Ord. 3675)

**9-900.4 ORGANIZATION.**

Division 9 consists of the following chapters:

- (a) 9-900 Subdivision Regulations: Intent and Organization;
- (b) 9-905 General Provisions;
- (c) 9-910 Final Maps;
- (d) 9-915 Parcel Maps;
- (e) 9-920 Notice of Violation.

(Ord. 3675)

**CHAPTER 9-905**

**GENERAL PROVISIONS**

**Sections:**

- 9-905.1 Intent.**
- 9-905.2 Required Mapping.**
- 9-905.3 Compliance.**
- 9-905.4 Lot Corners.**
- 9-905.5 Centerline Monuments.**
- 9-905.6 Monument Identification.**
- 9-905.7 Monument Inspection.**
- 9-905.8 Section & Quarter-Section Corner Monuments.**
- 9-905.9 Lot Requirements.**
- 9-905.10 Soils Reports.**
- 9-905.11 Geotechnical Reports.**
- 9-905.12 Surface and Subsurface Contamination Report.**

**9-905.1 INTENT.**

The intent of this Chapter is to set forth general provisions which shall apply throughout Division 9, Subdivision Regulations.  
(Ord. 3675)

**9-905.2 REQUIRED MAPPING.**

All subdivisions in San Joaquin County shall be filed as either a final map or parcel map. All major subdivisions shall be filed for recordation as a final map. All minor subdivisions shall be filed as a parcel map or a final map.  
(Ord. 3675, 3697)

**9-905.3 COMPLIANCE.**

No land shall be used, nor any building be constructed, on any lot or parcel not in conformance with this Division. No permit for the construction of a building or the use of land shall be issued on a parcel of land which does not comply with the provisions of the General Plan, this Division, and the Subdivision Map Act. At the time of issuance of a permit, the applicant shall submit evidence that the parcel of land complies with this Division and the mandatory provisions of the current Subdivision Map Act, and a certification shall be required from Public Health Services as to the adequacy of the parcel to meet sanitary requirements.  
(Ord. 3675)

**9-905.4 LOT CORNERS.**

All lot corners shall be marked with iron pipe not less than three-quarters (3/4) of an inch inside diameter and twenty-four (24) inches long, or marked by other monuments or reference crosses as approved by the County Surveyor.  
(Ord. 3675, 3697)

**9-905.5 CENTERLINE MONUMENTS.**

Centerline monuments shall be located as set forth in this section.

(a) **Location of Monuments.** Road, street, alley, and way centerline monuments shall be set to mark the intersections of streets, intersections of streets with alleys or ways, intersections of alleys with alleys or ways, or at the intersection of any street, alley, or way with a tract boundary. Street centerline monuments shall also be set to mark the beginning and end of curves or the points of intersection of tangents thereof. Such centerline monuments shall be not less than a three-quarters (3/4) inch diameter iron pin, at least thirty (30) inches long, and set in the subgrade. A monument box and cover in conformance with San Joaquin County Improvement Standards shall be set above the monument, with the top of the box flush with the finished grade.

(b) **Alternative Locations.** In the event that, due to the construction of subdivision improvements or the location of trees or other physical features, the monuments specified above cannot be located at the points specified, a reference monument or monuments shall be set subject to the approval of the County Surveyor. Notes as to the location of said monument or monuments with reference to the referenced point shall be furnished to the County Surveyor.  
(Ord. 3675, 3697)

**9-905.6 MONUMENT IDENTIFICATION.**

All monuments set as required herein shall be permanently marked or tagged with the registration or license number of the engineer or surveyor under whose supervision the survey was made.  
(Ord. 3675)

**9-905.7 MONUMENT INSPECTION.**

All monuments shall be subject to inspection and approval by the County Surveyor.  
(Ord. 3675)

### 9-905.8 SECTION & QUARTER-SECTION CORNER MONUMENTS.

Whenever a section corner or quarter-section corner is to be used as a controlling element of a field survey, the engineer or surveyor responsible for the survey shall construct, reconstruct, or rehabilitate the monument of such corner, and accessories to such corner, so that the same shall be left by him in such physical condition that it remains as permanent a monument as is reasonably possible and so that the same may be reasonably expected to be located with facility at all times in the future. Such monuments shall be not less than a three-quarter (3/4) inch diameter iron pin, thirty (30) inches long, or other monuments as approved by the County Surveyor. (Ord. 3675, 3697)

### 9-905.9 LOT REQUIREMENTS.

Lots shall comply with the following requirements:

(a) **Areas and Widths of Lots.** The area and width of lots or parcels in a subdivision map shall conform to the particular zoning district in which the property is located;

(b) **Relation of Depth to Width.** The depth to width ratio of a lot in a subdivision shall conform to the particular zoning district in which the lot is situated when new lots are created by subdivision, except where physical conditions make such limitation of depth to width ratio impractical or the width of the lot is three hundred thirty (330) feet or greater;

(c) **Division of Jurisdiction.** No lot or parcel shall be permitted to be divided by a city or county boundary line;

(d) **Angle of Lot Side Line.** Lot or parcel side lines shall be approximately normal to the street right-of-way lines; and

(e) **Exception.** This Section shall not apply to:

(1) Any lot or parcel which the subdivider offers to dedicate to the County or any public agency or district, and

(2) Any subdivision map that redesigns an existing subdivision in which the density of lots is not increased.

(Ord. 3675, 3715; Ord. 3832 § 28, 1995)

### 9-905.10 SOILS REPORTS.

Soils reports shall be provided as required by this Section.

(a) **Major Subdivision.** A preliminary soils report, prepared by a state-registered civil engineer and based upon adequate test borings, shall be submitted to the building official for every major subdivision at the time of tentative map submittal.

(b) **Waiver of Report.** A preliminary soils report may be waived if the building official finds that, due to the knowledge the County possesses relative to the quality of the soils in this subdivision, no preliminary analysis is necessary.

(c) **Soils Investigation.** If the required preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the subdivider shall provide for and submit the findings of a soil investigation of each lot in the subdivision. The soil investigation shall be prepared by a State-registered civil engineer and shall recommend corrective action likely to prevent structural damage to each dwelling to be constructed. Prior to issuance of the building permit, any recommended action approved by the building official shall be incorporated into the construction of each dwelling.

(Ord. 3675)

### 9-905.11 GEOTECHNICAL REPORTS.

Geotechnical reports shall be provided to address geologic hazards as required by this Section.

(a) **Major Subdivision.** A preliminary geotechnical report, prepared by a State-registered geotechnical engineer or State-registered geologist and based upon adequate test borings, shall be submitted to the building official for every major subdivision at the time of tentative map submittal. The preliminary geotechnical report shall include estimates of expected peak ground accelerations during maximum credible earthquake potentially affecting the site.

(b) **Waiver of Report.** A preliminary geotechnical report may be waived if the building official finds that, due to the knowledge the County possesses relative to the quality of the soils in this subdivision, no preliminary analysis is necessary.

(c) **Geotechnical Investigation.** If the required preliminary geotechnical report indicates the presence of geologic hazards (such as slope instability, subsidence, adverse soil conditions, seismic hazards) which, if not corrected, would lead to structural defects, the subdivider shall provide for and submit the findings of a geotechnical investigation for each lot in the subdivision. The geotechnical investigation shall be prepared by a State-registered geotechnical engineer or State-registered geologist and shall recommend corrective action likely to prevent structural damage to each dwelling to be constructed. Prior to issuance of the building permit, any recommended action approved by the building official shall be incorporated into site preparation and construction of each dwelling.

(Ord. 3675, 3715)

**9-905.12 SURFACE AND SUBSURFACE CONTAMINATION REPORT.**

(a) **Report.** A surface and subsurface contamination report shall be required at the time of the tentative map submittal. The surface and subsurface contamination report shall be prepared by a qualified environmental professional and shall identify any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of nonpoint source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas.

(b) **Waiver of Report.** The surface and subsurface contamination report may be waived if the Environmental Health Division finds that, due to the knowledge the County possesses relative to the possible contamination of the soils in this subdivision, no preliminary analysis is necessary.

(c) **Corrective Action.** If the report indicates there are surface and subsurface contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to the issuance of the building permit.

(Ord. 3675)

**CHAPTER 9-910**

**FINAL MAPS**

**Sections:**

- 9-910.1 Intent.**
- 9-910.2 Preliminary Submittal for County Approval.**
- 9-910.3 Review by County Surveyor.**
- 9-910.4 Approval by County Surveyor.**
- 9-910.5 Approval by Board.**
- 9-910.6 Survey Practice and Procedure.**
- 9-910.7 Statement of Consent.**
- 9-910.8 Size and Materials.**
- 9-910.9 Title Sheets.**
- 9-910.10 Index Map.**
- 9-910.11 Boundary Line.**
- 9-910.12 Evidence Determining Boundary.**
- 9-910.13 Boundary Monuments.**
- 9-910.14 Deferment of Monuments.**
- 9-910.15 Bearings and Distances.**
- 9-910.16 Basis of Bearings.**
- 9-910.17 Lot Areas.**
- 9-910.18 Lot Numbers.**
- 9-910.19 Curve Data.**
- 9-910.20 Easement Provisions.**
- 9-910.21 Streets and Highways Being Dedicated.**
- 9-910.22 Limited Access Designation.**
- 9-910.23 City or County Boundary Lines.**
- 9-910.24 Additional Information.**
- 9-910.25 Waiver of Inadvertent Error.**
- 9-910.26 Fees.**
- 9-910.27 Amendment of Final Map.**

**9-910.1 INTENT.**

The intent of this Chapter is to control the practices and procedures regarding the preparation and approval of final maps.

(Ord. 3675)

**9-910.2 PRELIMINARY SUBMITTAL FOR COUNTY APPROVAL.**

Prior to the expiration of the tentative map or the vesting tentative map of an approved major subdivision application, the subdivider shall submit three (3) prints of the final map to the County Surveyor for checking. The preliminary prints shall bear both the signatures of all parties having record title interest in the lands being subdivided and the engineer or surveyor responsible for the survey. The prints shall bear either original signatures

or signatures reproduced from a previously signed original final map. The prints shall be accompanied by the following data, reports, and documents in a form approved by the County Surveyor and, where applicable, the County Counsel:

(a) **Improvement Plans and Specifications.** Three (3) complete sets of Improvement Plans, specifications, and engineer's preliminary estimates;

(b) **Reports.** A complete set of reports as follows:  
 (1) preliminary soils reports, including R-values and structural sections calculations;  
 (2) preliminary geotechnical reports; and  
 (3) surface and subsurface contamination reports;

(c) **Hydrology and Hydraulic Calculations.** Storm drain calculations (e.g., hydrology, sub-area map, pipe line, hydraulic design, ponding basin, pump system, etc., if applicable); and water and sewer design data and supporting calculations, if applicable;

(d) **Guarantee of Title.** A subdivision guarantee of title, in a form acceptable to the County Surveyor and County Counsel, issued by a competent title company to and for the benefit and protection of the County. Said guarantee of title shall be continued complete up to the instant of filing the final map with the County Recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided, and all public easements being offered for dedication, and all acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both as to contents as to the making thereof and affidavits of dedication where necessary;

(e) **Preliminary Title Report.** A preliminary title report showing the legal owners at the time of the submittal of the final map;

(f) **Traverse Closures.** Traverse closures for the boundary, blocks, lots, road centerlines, and rights-of-way, easements, and offset lines;

(g) **References.** Copies of all deeds and unfiled surveys referenced on the final map and/or included in the current preliminary title report;

(h) **Tax Certificates.** A certified copy of the tax letter and a copy of the tax certificate from the County Tax Collector stating that all taxes due have been paid or that a tax bond or other adequate form of security assuring payments of all taxes which are a lien but not yet payable has been filed with the County; and

(i) **Deeds for Easements of Rights-of-Way.** Deeds for off-site easements or rights-of-way required for road or drainage purposes which have not been dedicated on the final map. Written evidence shall be acceptable to the County in the form of rights of entry or permanent ease-

ments across private property outside of the subdivision permitting or granting access to perform necessary construction work and permitting the maintenance for the facility.

(Ord. 3675, 3697)

#### **9-910.3 REVIEW BY COUNTY SURVEYOR.**

The County Surveyor shall review the final map and any other required information, and the subdivider shall make corrections and/or additions until acceptable to the County Surveyor.

(Ord. 3675)

#### **9-910.4 APPROVAL BY COUNTY SURVEYOR.**

The subdivider shall submit to the County Surveyor the original tracing of the map and any duplicates per County requirements, corrected to its final form and signed by all parties required to execute the statements on the map. Original signatures shall appear on the original map. Upon receipt of all required certificates and submittals, the County Surveyor shall sign the appropriate statement and transmit the original map to the Clerk of the Board.

(Ord. 3675, 3697)

#### **9-910.5 APPROVAL BY BOARD.**

At the meeting at which it receives the map, or at its next regular meeting following receipt, the Board shall approve the final map if it determines that both of the following are true:

(a) **Compliance with Tentative Map.** The final map is in substantial compliance with the tentative map or vesting tentative map of the approved Major Subdivision Application; and

(b) **Conformance to Map Act.** The final map conforms to all requirements of the Subdivision Map Act.

(Ord. 3675)

#### **9-910.6 SURVEY PRACTICE AND PROCEDURE.**

All survey work done on any final map of a subdivision shall conform to the accepted standards of the surveying profession.

(a) **Allowable Error.** The allowable error of closure on any portion of a final map shall be less than two one-hundredths ( $2/100$ ) of a foot or a ratio of one to twenty thousand (1:20,000), whichever is greater.

(b) **Centerlines of Adjoining Error.** In the event the centerline of any street or road right-of-way in any adjoining subdivision has been established, the final map shall show said centerline, together with reference to a

County field book or map of record showing such centerline and the monuments which determine its position. If the position of the centerline is determined by ties, that fact shall be stated on the final map. Only centerlines of streets pertinent to the subdivision need be shown. (Ord. 3675, 3697)

#### **9-910.7 STATEMENT OF CONSENT.**

Subdividers shall submit with or on the final map a statement, signed and acknowledged by all parties having any record title interest in the real property to be subdivided, consenting to the preparation and filing of the final map. Evidence of signatories' record title interests shall be provided as set forth in Section 9-910.2(d). (Ord. 3675, 3697)

#### **9-910.8 SIZE AND MATERIALS.**

The final map shall be prepared by or under the direction of a registered civil engineer, duly licensed to practice land surveying, or a licensed land surveyor; shall be based upon a field survey; and shall conform to the following provisions:

(a) **Legibility.** It shall be legibly drawn, printed, or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film. Certificates, statements, affidavits, and acknowledgements may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

(b) **Format.** The size of each sheet shall be eighteen (18) inches by twenty-six (26) inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale of the map shall be large enough to show all details clearly and, wherever practicable, shall be at an engineer's scale where one (1) inch equals eighty (80) feet or less. One (1) sheet or as many sheets as are necessary to accommodate the map may be used. Each sheet shall be numbered, the relation of one sheet to another shall be clearly shown, and the number of sheets used shall be set forth on each sheet. The tract number, scale, north point, and sheet number shall be shown on each sheet of the final map. Each sheet and the lettering thereon shall be so oriented that, with the north point directed away from the reader, the map may be read most conveniently from the bottom or lower right corner of such sheet on the twenty-six (26) inch side. (Ord. 3675)

#### **9-910.9 TITLE SHEETS.**

The title sheet of each final map shall contain a title consisting of the number and name of the subdivision and a subtitle consisting of a geographic description of all property being subdivided by reference to such map or maps of the property shown thereon, as shall have been previously recorded or shall have been previously filed in the office of the County Recorder under authority of Chapter 3 (commencing at Section 11650) of Part 2, of Division 4 of the Business and Professions Code, or by reference to the plat of any United States survey. The title sheet shall also show, in a form acceptable to the County Surveyor, such appropriate certificates, statements, and acknowledgements as required in Title 7, Division 2 (commencing at Section 66410), of the Government Code. (Ord. 3675, 3697)

#### **9-910.10 INDEX MAP.**

If more than one (1) map sheet is used in preparing the final map, there shall be included, either on the title sheet or the first map sheet, an index map showing the general plan of the subdivision, street names, lot numbers, and the portions of the subdivision included on each map sheet. (Ord. 3675, 3697)

#### **9-910.11 BOUNDARY LINE.**

The gross boundary line of a subdivision shall be indicated by a heavy line. (Ord. 3675, 3697)

#### **9-910.12 EVIDENCE DETERMINING BOUNDARY.**

On each final map there shall be fully and clearly shown and identified such stakes, monuments, or other evidence, including the record reference, determining the boundaries of the subdivision as were found on the ground, together with sufficient corners of adjoining subdivisions, whether by lot and tract number and place of record, by section, township, and range, or by proper legal description, as may be necessary to locate precisely the limits of the subdivision. Where a found monument has no record reference, "No Record" shall be indicated adjacent to the found monument on the final map. (Ord. 3675, 3697)

#### **9-910.13 BOUNDARY MONUMENTS.**

Each final map shall show durable monuments of not less than three-quarter (3/4) of an inch diameter iron pin, at least thirty (30) inches long, set at each boundary corner and at intermediate points, approximately one

thousand (1,000) feet apart, or at such lesser distance as may be made necessary by topography or culture to insure accuracy in reestablishment of any point or line without unreasonable difficulty. The precise position and character of each monument, including the R.C.E./P.L.S. tag number, shall be shown on the final map.

(Ord. 3675, 3697)

**9-910.14 DEFERMENT OF MONUMENTS.**

In the event that some of the required interior monuments are to be set subsequent to the filing of the final map, the map shall show which monuments, or the furnishing of notes thereon, as required by Section 9-910.12, shall be agreed to be set and/or furnished by the subdivider. Such agreement shall be accompanied by a security per the Subdivision Map Act, Section 66496. The security shall be released per terms of Section 66497 of the Subdivision Map Act.

(Ord. 3675, 3697)

**9-910.15 BEARINGS AND DISTANCES.**

The bearing and length of each lot line, block line, and boundary line shall be shown on the final map. Each required bearing and distance shall be shown in full, and no ditto mark or other designation of repetition shall be used.

(Ord. 3675)

**9-910.16 BASIS OF BEARINGS.**

The basis of bearings shall appear on the first sheet after the title sheet. Reference shall be made to some filed final map, parcel map, record of survey map, County Surveyor's map, or other record acceptable to the County Surveyor. Such basis of bearings shall be derived from at least two (2) found monuments of record on the same line.

(Ord. 3675)

**9-910.17 LOT AREAS.**

For lots containing one acre or more, final maps shall show net acreage to at least the nearest one-hundredth (1/100) of an acre.

(Ord. 3675)

**9-910.18 LOT NUMBERS.**

All lots, including utility lots, shall be numbered consecutively, commencing with the number "1," except as otherwise approved by the County Surveyor, with no omissions or duplications. Each numbered lot shall be shown to scale entirely on one sheet.

(Ord. 3675, 3697)

**9-910.19 CURVE DATA.**

The following curve data shall be shown on the final map:

(a) **Radial Bearing.** The arc length, chord length and bearing, radius, total central angle, and the radial bearing of each curve, including overall curves;

(b) **Bearing.** The bearing of each radial line to each lot corner on each curve;

(c) **Central Angle.** The central angle of each segment within each lot.

(Ord. 3675, 3697)

**9-910.20 EASEMENT PROVISIONS.**

Easements shall be incorporated into final maps as set forth in this Section.

(a) **Easement Lines.** The final map shall show the width of all easements, including the lengths and bearings of the lines thereof, to which the lots in the subdivision are subject. If the easement is not definitely locatable from record, a statement acknowledging the easement shall appear on the title sheet.

(b) **Designation and Identification.** All existing and dedicated easements shall be clearly labeled and identified. Easements on existing lots of record shall be denoted by broken lines. Mapping of recorded easements shall include reference to the recording data. Easements being dedicated shall be so designated in a statement of dedication.

(c) **Bearings on Lot Lines.** Distances and bearings on the side lines of lots cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines.

(d) **Necessary Rights-of-Way.** Final maps shall include the location and width of rights-of-way necessary for railroads, flood control, drainage, and the like, whether previously of record or currently offered for dedication.

(Ord. 3675)

**9-910.21 STREETS AND HIGHWAYS BEING DEDICATED.**

On each final map, the centerline of each highway, street, or road right-of-way to be dedicated, the total width thereof, the width on each side of the centerline, and the width of the portion to be dedicated shall be shown. Curve data as set forth in Section 9-910.19 shall also be included as appropriate. The boundary of the map shall be shown along the centerline of any street or highway where such centerline of said street or highway defines a limit of the parcel being subdivided.

(Ord. 3675)

**9-910.22 LIMITED ACCESS DESIGNATION.**

When the vehicular access rights from any lot to appropriately designated roads are or will be restricted by a subdivision, such rights, if not already a matter of record, shall be offered for dedication to the County of San Joaquin by an appropriate statement on the title sheet of the final map. Each lot shall be clearly marked with a distinctive symbol that is shown in a legend that clearly defines its extent and nature of the restriction.  
(Ord. 3675, 3697)

**9-910.23 CITY OR COUNTY BOUNDARY LINES.**

Any city or County boundary line adjoining the subdivision shall be clearly designated and tied in upon the final map.  
(Ord. 3675)

**9-910.24 ADDITIONAL INFORMATION.**

No additional survey and map requirements shall be included on a final map which do not affect record title interests. However, the County Surveyor may require additional information, in the form of a separate document or an additional map sheet, to be filed or recorded simultaneously with the final map in accordance with Section 66434.2 of the Government Code.  
(Ord. 3675)

**9-910.25 WAIVER OF INADVERTENT ERROR.**

When, in the opinion of the Review Authority, a defect or error of a technical or inadvertent nature has caused a final map to fail to meet or perform any of the conditions of this Chapter, the Review Authority may waive such defect or error and process the final map as though none had occurred.  
(Ord. 3675)

**9-910.26 FEES.**

Subdividers shall pay an Improvement Plan checking fee and a final map checking fee, as provided by resolution of the Board of Supervisors.  
(Ord. 3675)

**9-910.27 AMENDMENT OF FINAL MAP.**

A final map may be amended pursuant to the provisions of Chapter 9-878.  
(Ord. 3675)

**CHAPTER 9-915**

**PARCEL MAPS**

**Sections:**

- 9-915.1 Intent.**
- 9-915.2 Parcel Map Required.**
- 9-915.3 Preparation.**
- 9-915.4 Evidence Determining Boundary.**
- 9-915.5 Deferment of Monuments.**
- 9-915.6 Bearings and Distances.**
- 9-915.7 Parcel Areas.**
- 9-915.8 Dedications or Offers.**
- 9-915.9 Field Survey.**
- 9-915.10 Necessary Statements.**
- 9-915.11 Preliminary Submittal.**
- 9-915.12 Review and Approval.**
- 9-915.13 Fees.**
- 9-915.14 Amendment of Parcel Map.**

**9-915.1 INTENT.**

The intent of this Chapter is to prescribe the requirements for, and waiver of, parcel maps.  
(Ord. 3675)

**9-915.2 PARCEL MAP REQUIRED.**

The filing of a parcel map, in conformance with the tentative map or vesting tentative map of an approved Minor Subdivision Application, shall be a condition of approval of any Minor Subdivision Application except as provided in Section 9-9-915.9.  
(Ord. 3675, 3697)

**9-915.3 PREPARATION.**

The parcel map shall be prepared by, or under the direction of, a registered civil engineer, duly licensed to practice land surveying, or a licensed land surveyor; shall show the location of streets and property lines bounding the property; and shall conform to all of the following provisions:

(a) **Legibility.** It shall be legibly drawn, printed, or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film. Certificates, statements, affidavits, and acknowledgements may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

(b) **Size and Scale.** The size of each sheet shall be eighteen (18) by twenty-six (26) inches. A marginal line shall be drawn completely around each sheet, leaving an



entirely blank margin of one inch. The scale of the map shall be large enough to show all details clearly, and enough sheets shall be used to accomplish this end. The particular number of each sheet and the total number of sheets composing the map shall be stated on each of the sheets, and the relation of each adjoining sheet shall be clearly shown. Each sheet and the lettering thereon shall be so oriented that, with the north arrow directed away from the reader, the map may be read most conveniently from the bottom or lower right corner of each sheet on the twenty-six (26) inch side.

(c) **Feature Identification.** Each parcel shall be numbered, and each block may be numbered or lettered. Each road shall be named or otherwise designated.

(d) **Identification of Parcels.** Parcels shall be identified as follows:

(1) The exterior gross boundary of the land included within the subdivision shall be indicated by an extra heavy line and clearly designated.

(2) The map shall show the location of each parcel and its relation to surrounding surveys. If the map includes a "designated remainder" parcel or similar parcel, and the gross area of the "designated remainder" parcel or similar parcel is five (5) acres or more, that remainder parcel need not be shown on the map, and its location need not be indicated as a matter of survey but only by deed reference to the existing boundaries of the remainder parcel.

(3) A parcel designated as "not a part" shall be deemed to be a "designated remainder" for purposes of this Section.

(e) **Statement of Consent.** Subject to the provisions of Section 66436 of the Subdivision Map Act, a statement, signed and acknowledged by all parties having any record title interest in the real property subdivided, consenting to the preparation and filing of the parcel map is required.

(f) **Consent of Subdivider.** Where dedications or offers of dedications are not required, the statement shall be signed and acknowledged by the subdivider only. If the subdivider does not have a record title ownership interest in the property to be divided, the subdivider shall provide the County with satisfactory evidence that the persons with record title ownership have consented to the proposed division. For purposes of this Subsection, "record title ownership" shall mean fee title of record unless a leasehold interest is to be divided, in which case "record title ownership" shall mean ownership of record of the leasehold interest. "Record title ownership" does not include ownership of mineral rights or other subsurface interests which have been severed from ownership of the surface. Statements and acknowledgements required by

this Subsection shall be recorded concurrently with the parcel map being filed for record.

(g) **Notation or Reference.** No additional survey and map requirements shall be included on a parcel map which do not affect record title interests. However, the County Surveyor may require the map to contain a notation or reference to survey and map information pursuant to Section 66434.2 of the Government Code.

(h) **Reference to Separate Instrument.** Whenever a certificate, statement, or acknowledgement is made by separate instrument, there shall appear on the parcel map a reference to the separately recorded document. This reference shall be completed by the County Recorder pursuant to Section 66468.1 of the Subdivision Map Act. (Ord. 3675, 3697)

#### **9-915.4 EVIDENCE DETERMINING BOUNDARY.**

On each parcel map there shall be fully and clearly shown and identified such stakes, monuments, or other evidence, including the record reference, determining the boundaries of the subdivision as were found on the ground, together with sufficient corners of adjoining subdivisions, whether by lot and tract number and place of record, by section, township, and range, or by proper legal description, as may be necessary to locate precisely the limits of the subdivision. Where a found monument has no record reference, "No Record" shall be indicated adjacent to the found monument on the parcel map. (Ord. 3675, 3697)

#### **9-915.5 DEFERMENT OF MONUMENTS.**

In the event that some of the required interior monuments are to be set subsequent to the filing of the parcel map, the map shall show which monuments, or the furnishing of notes thereon, as required by Section 9-9-915.4, shall be agreed to be set and/or furnished by the subdivider. Such agreement shall be accompanied by a security per Section 66496 of the Subdivision Map Act. The security shall be released per terms of Section 66497 of the Subdivision Map Act. (Ord. 3675, 3697)

#### **9-915.6 BEARINGS AND DISTANCES.**

The bearing and length of each parcel line, block line, and boundary line shall be shown on the parcel map. Each required bearing and distance shall be shown in full, and no ditto mark or other designation of repetition shall be used. (Ord. 3675, 3697)

**9-915.7 PARCEL AREAS.**

For parcels containing one acre or more, parcel maps shall show the acreage to at least the nearest one-hundredth (1/100) of an acre.  
(Ord. 3675, 3697)

**9-915.8 DEDICATIONS OR OFFERS.**

Dedications or offers of dedication shall conform to the provisions of this Section.

(a) **Required Dedications or Offers.** If dedications or offers of dedication are required, they may be made either by a statement on the parcel map or by separate instrument, as determined by the County Surveyor. If dedications or offers of dedication are made by separate instrument, the dedications or offers of dedication shall be executed prior to the parcel map being filed for record.

(b) **Dedications or Offers Signed.** The dedications or offers of dedication, whether by statement or separate instrument, shall be signed by the same parties and in the same manner as set forth in Section 66436 or 66439 of the Government Code for dedications by a parcel map.  
(Ord. 3675, 3697, 3715)

**9-915.9 FIELD SURVEY.**

In all cases where a parcel map is required, such map shall be based upon a field survey made in conformity with the Land Surveyors' Act.  
(Ord. 3675, 3697)

**9-915.10 NECESSARY STATEMENTS.**

The following statements shall appear on a parcel map unless otherwise approved by the County Surveyor:

(a) **Engineer's (Surveyor's) Statement.** An engineer's statement as follows:

"This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of (name of person authorizing map) in (month, year). I hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any. All monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(Engineer) (Surveyor) (License No.)  
(Registration) (License) Expiration Date: \_\_\_\_\_"

(b) **County Surveyor's statement.** A County Surveyor's statement as follows:

"I, (Public Works Director), hereby state that I have examined this Parcel Map and that the subdivision shown hereon is substantially the same as it appeared on the tentative map, if required, and any approved alterations thereof. I further state that this Parcel Map complies with all the provisions of Chapter 2 of the California Subdivision Map Act, as amended, and all applicable ordinances of San Joaquin County, applicable at the time of approval of the tentative map, if required, and that this Parcel Map is technically correct. \* I hereby accept on behalf of the public for public use the offer of dedication of [all Public Utility Easements] the (width)-foot widening of right-of-way along [ Road Name ] [the (size) road return] as shown on this Parcel Map.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(Public Works Director), R.C.E. (number),  
County Surveyor of  
San Joaquin County, California  
Registration expiration date: \_\_\_\_\_"

\* The part following this asterisk is used only when offers of dedication are made for public utility easements or widenings of existing rights-of-way.

(c) **Recorder's Statement.** A Recorder's statement as follows:

"Filed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_,  
at \_\_\_\_\_ m. in Book \_\_\_\_\_ of Parcel Maps, at  
Page \_\_\_\_\_, at the request of \_\_\_\_\_.

Fee: \$ \_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_  
County Recorder of San Joaquin County,  
Assistant Recorder"  
(Ord. 3675, 3697)

**9-915.11 PRELIMINARY SUBMITTAL.**

The subdivider shall submit prints of the parcel map to the County Surveyor for checking. Where applicable, the preliminary prints shall be accompanied by copies of the data, plans, reports, and documents as required for final maps by Section 9-910.2.  
(Ord. 3675)

**9-915.12 REVIEW AND APPROVAL.**

Parcel maps shall be reviewed and approved as provided in this Section.

(a) **Review.** The County Surveyor shall review the preliminary parcel map and cause any changes to be made which are legally required for approval.

(b) **Original Map.** The subdivider shall submit to the County Surveyor the original tracing of the map and any duplicates per County requirements, corrected to its final form, and signed by all parties required to execute the statements or certificates on the map.

(c) **Approval.** The County Surveyor shall approve the map if it is acceptable.

(d) **Filing for Record.** After approval, the County Surveyor or authorized agent shall transmit the approved parcel map directly to the County Recorder for filing.

(e) **Reports.** The County Surveyor shall prepare a monthly report of all parcel maps approved and submit it to the Director and Planning Commission.  
(Ord. 3675)

**9-915.13 FEES.**

Subdividers shall pay an Improvement Plan checking fee and a parcel map checking fee, as provided by resolution of the Board of Supervisors.  
(Ord. 3675)

**9-915.14 AMENDMENT OF PARCEL MAP.**

A parcel map may be amended pursuant to the provisions of Chapter 9-878.  
(Ord. 3675)

**CHAPTER 9-920**

**NOTICE OF VIOLATION**

<b>Sections:</b>	
<b>9-920.1</b>	<b>Intent.</b>
<b>9-920.2</b>	<b>Tentative Notice of Violation.</b>
<b>9-920.3</b>	<b>Response By Owner.</b>
<b>9-920.4</b>	<b>Opportunity to Present Evidence.</b>
<b>9-920.5</b>	<b>Action by Director.</b>

**9-920.1 INTENT.**  
The intent of this Chapter is to provide for notice of violations of provisions of this Division.  
(Ord. 3675)

**9-920.2 TENTATIVE NOTICE OF VIOLATION.**  
Whenever the Director finds that any real property has been divided, or any boundary line of any parcel relocated, in violation of this Division, he or she shall cause to be mailed, by certified mail to the then current owner of record of the property, a notice of intent to record a Notice of Violation. Said tentative Notice of Violation shall contain the following:

- (a) **Property Description.** A description of the real property;
- (b) **Record Owner.** The name(s) and address(es) of the owner(s) of record;
- (c) **Violations.** A description of the violation(s) alleged;
- (d) **Explanation.** An explanation as to why the subject parcel is not lawful under the relevant provisions of this Division and the Subdivision Map Act; and
- (e) **Notice of Meeting.** A time, date, and place where the Director will conduct a meeting to consider said violation(s) of this Division.  
(Ord. 3675)

**9-920.3 RESPONSE BY OWNER.**  
Within fifteen (15) mailing days of receipt of the tentative Notice of Violation described in Section 9-920, the property owner of record shall inform the Director in writing of his or her objection to the recordation of a Notice of Violation. Failure to so inform the Director shall result in a Notice of Violation being recorded with the County Recorder pursuant to Section 9-920.5.  
(Ord. 3675)

9-920.4

**9-920.4 OPPORTUNITY TO PRESENT EVIDENCE.**

The meeting described in Section 9-920.2 shall be conducted no less than thirty (30) days after the mailing of the tentative Notice of Violation. At the meeting the owners of the property shall be given the opportunity to present any evidence relevant to show why a Notice of Violation should not be recorded.

(Ord. 3675)

**9-920.5 ACTION BY DIRECTOR.**

After the owner has had the opportunity to present evidence at the meeting, the Director shall take either of the following actions:

(a) **Clearance Letter.** Determine that there has been no violation and mail a clearance letter to the then current owner of record; or

(b) **Notice of Violation.** Determine that the property has in fact been illegally divided and record a Notice of Violation with the San Joaquin County Recorder.

(Ord. 3675)