



ARTICLE III -- SPECIFIC PROCEDURES FOR PROCESSING A SUBDIVISION

[Sec. 17-40.](#)

[Sec. 17-41 Tentative Map.](#)

[Sec. 17-42 Improvement Plans.](#)

[Sec. 17-43 Final Map.](#)

Sec. 17-40.

The following procedure shall be used to accomplish and shall apply to any division of land defined as a subdivision, resubdivision, or minor division wherein the proposed minor division of land constitutes a division of any lot or parcel within a subdivision of record.

(A) **In-Lieu Procedure for 160-Acre Lots.** The procedure required by Article V of this Chapter for the processing and approval of "Minor divisions" may be used in lieu of the procedure set forth in Article III for the processing and approval of any subdivision in which each lot or parcel created has a minimum gross area of 160 acres or more or each of which is a quarter section or larger as determined by government survey, such a subdivision to be deemed included within the meaning of the term "minor division" wherever used in Article V.

(B) **In-Lieu Procedure for Cumulative Lots of 640 Acres.** The procedure required by Article V of this chapter for the processing and approval of "minor divisions" may be used in lieu of the procedure set forth in Article III for the processing and approval of any subdivision in which each lot or parcel to be created has a minimum gross area of 640 acres or more, or each of which is a section or larger as determined by government survey, where all remaining lots of such subdivision have previously been approved by the County of Mendocino pursuant to its division of land regulations. Any subdivision referred to by this subsection shall be deemed to be a "minor division" wherever used in Article V and shall further be deemed to be a "division resulting in 160acre parcels" for the purpose of qualifying for the waiver of a parcel map under Section 17-49 (C) of this chapter. (*Ord. No. 1013, adopted 1972; Ord. No. 1078, adopted 1973; Ord. No. 1417, adopted 1975*)

Sec. 17-41 Tentative Map.

The initial action in connection with the making of a subdivision shall be the preparation and submission of a tentative map. The map shall be prepared in conformance with the provisions of this Article and shall comply with the General Subdivision Regulations and Provisions as contained in Article VI of this Chapter.



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(A) **Form.** The tentative map shall be clearly and legibly drawn. The minimum sheet size shall be eighteen (18) inches by twenty-six (26) inches. The minimum scale shall be one (1) inch equals one hundred (100) feet unless otherwise approved by the Director of Planning and Building Services.

(B) **Content.** A tentative map shall contain the following information:

- (1) A site location sketch indicating the location of the proposed division of land in relation to the surrounding area and an ownership sketch showing all land contiguous to the land proposed for division in which the subdivider or his agent or joint venturer has held within the past five (5) years any ownership interest.
- (2) Names of all contiguous subdivisions.
- (3) A distinctive tract name, which shall be subject to the approval of the Planning Commission, and a tentative map number when required by the Director of Planning and Building Services.
- (4) Date map was prepared, north point, and scale.
- (5) Name and address of owner; subdivider; and engineer, surveyor, or person who prepared the map.
- (6) A red border on the prints to indicate the division of land boundaries with sufficient data or a legal description to define the boundaries of the land to be divided.
- (7) Indications as to the probable units of the tentative map.
- (8) Locations, names, existing widths, approximate gradients and approximate curve radii of all existing streets through adjacent or abutting the proposed division of land, together with their status as public or private roads and the type and location of street improvements thereon.
- (9) Locations, names, widths, approximate gradients, and approximate curve radii of all proposed streets within the division of land.
- (10) Approximate elevation of all street intersections.
- (11) The approximate width and location of all proposed or existing easements together with the purpose thereof.
- (12) Sufficient contours to determine the general slope of land, the high and low points thereof, and all significant drainage features. Contour interval shall not exceed five (5) feet.



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(13) The proposed lot lay-out, approximate dimensions, and approximate area of all lots or parcels. All proposed lots and parcels shall be numbered consecutively by units throughout the entire division of land.

(14) The location and approximate dimension of all parcels to be offered for dedication together with the purpose therefore.

(15) The outline of any existing buildings to remain in place and their locations in relation to existing or proposed lot lines.

(16) The approximate locations of areas subject to inundation; the approximate location of existing or proposed lakes, ponds, springs, or reservoirs; and the location, width, and direction of flow of all significant water courses existing and proposed to the same degree of accuracy that roads and other proposed improvements are shown.

(17) The approximate location of property line fences, wells, cesspools, sewers, culverts, drainpipes, underground structures, overhead structures, major excavations, mining shafts, or other hazards within the area of the land to be divided or two hundred (200) feet adjacent thereto.

(18) The location of all test wells and soil test excavations, with adequate reference points for use by appropriate public agencies for field checking purposes.

(C) Accompanying Statement. The following statements or information shall either appear on, or shall be submitted with the tentative map:

(1) Existing use of the property.

(2) Statement as to the proposed use of the property. If property is proposed to be used for more than one (1) purpose, the area, lots or lot proposed for each type of use shall be shown on the tentative map.

(3) Existing zoning of the parcel to be divided.

(4) The range of lot sizes to be developed.

(5) Statement as to the source of domestic water to serve the proposed development.

(6) Statement as to the system or method proposed to handle sewage disposal.

(7) Detailed statement of improvements that are proposed to be made or installed and the time at which such improvements will be completed. Statement shall include, but not necessarily be limited to the following: Street improvements, drainage and flood control



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measures, water supply and distribution system, sewage disposal systems, public utilities, and fire prevention and protection measures.

(8) A statement from the Subdivider that the Subdivision improvements, including but not limited to streets, drainage facilities, and utilities to be made or installed can be constructed in accordance with applicable standards without encroaching upon lots or parcels not specifically designated for that purpose.

(9) Statement regarding provisions to be made for park and recreation services, commercial services, schools and other public facilities.

(10) Statement regarding any tree planting or beautification measures to be made.

(11) List of and a statement providing justification and reason for any variances requested to provisions of this Chapter or Chapter 20 of the Mendocino County Code.

(D) Accompanying Documents. The following documents shall be submitted with each tentative map:

(1) A preliminary Title Report issued within thirty (30) days of the map filing.

(2) A copy of any condition or any restrictive reservations or covenants existing or proposed, or a statement that none are proposed.

(3) Where water is to be supplied by connection to an existing State or locally regulated system, the subdivider shall submit a letter from an authorized officer of said system indicating a willingness and ability to provide adequate potable water for domestic purposes and other purposes as proposed in the planned improvements.

(4) When no connection to an existing State or locally regulated water system is to be made, the subdivider shall submit a feasibility report indicating the quantity and quality of water available at the proposed source. Said report shall determine, to the satisfaction of the County Health Officer, the feasibility of the proposed water supply.

(5) When no connection to an existing sewer system is to be made, the subdivider shall submit a report prepared by a qualified person together with the factual data to support the findings of the report. Said report shall determine, to the satisfaction of the County Health Officer, the feasibility of the proposed system of sewage disposal.

(6) Either a statement by a Soil Engineer as to the feasibility of the proposed land development in relation to the geologic hazards and soil characteristics, or a Preliminary, Geologic Hazards and Soil Report based upon adequate test borings or excavations. The County Engineer may, on the basis of such statement or preliminary report, require a more extensive geological hazards report and a soil investigation.



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(7) When electric power or telephone service, either overhead or underground is to be supplied by connection to a public utility company system, the subdivider shall submit a letter from said public utility indicating that such service is available and that it can be provided in accordance with the proposed development.

(E) **Filing.** Fifteen (15) prints and one reproducible copy of a tentative map of a proposed division of land and copies of the subdividers statement, together with all required documents and filing fees, shall be submitted to the Director of Planning and Building Services at least thirty (30) days prior to the date of the Planning Commission meeting at which action thereon is desired. A tentative map shall be officially submitted and so endorsed and dated at such time as the map and all related notation, statements, reports, and fees required by this Chapter have been submitted to and found to be complete and in proper form by the Director of Planning and Building Services.

(F) **Date of Filing.** The Director of Planning and Building Services shall, within ten (10) days of receipt of a tentative map, determine whether or not the submission is complete and in conformance with this Chapter and the Subdivision Map Act. If he determines that the submission is not complete, he shall afford the opportunity to the subdivider to make the necessary changes and resubmit the tentative map together with all required data. Actual filing of the tentative map shall be deemed to be the time at which the Director of Planning and Building Services certifies the tentative map submission is complete.

(G) **Processing.** Upon the submission of a tentative map, the Director of Planning and Building Services shall transmit signed and dated prints of the map and related documents to the County officials listed in Sections 17-07 through 17-13 of this Chapter and to all such governmental, public utility, and other agencies as he determines do or may have interest therein. Each department, official, or agency receiving a print of a tentative map and related documents shall examine the same and, within fourteen (14) days of receipt of said tentative map, submit a written report to the Planning Commission, through the Director of Planning and Building Services. Failure to submit said report shall be deemed as approval of the proposed division of land as submitted. A copy of each report shall be mailed to the subdivider no later than five (5) days prior to the hearing at which the subdivider is to be heard.

(H) Notice of Hearings.

(1) The Planning Commission shall hold at least one public hearing on any proposed major subdivision, resubdivision, or parcel subdivision and shall give notice thereof at least ten (10) calendar days prior to the hearing.

(2) Such notice shall be published at least once in a newspaper of general circulation in the County of Mendocino.



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(3) The notice shall be given by the Secretary of the Planning Commission and shall state the time and place of hearing and give a general explanation of the matter to be considered and a general description of the area affected.

(4) The Director of Planning and Building Services shall notify the subdivider, all adjacent owners, and owners within five hundred (500) feet of any proposed major subdivision, resubdivision, or parcel subdivision of the date and time the tentative map will be presented to the Planning Commission for hearing.

(5) The Secretary of the Planning Commission shall also cause additional notice to be given as may be directed by the Board of Supervisors, Planning Commission, or Director of Planning and Building Services.

(I) Consideration by Planning Commission. The Planning Commission shall consider each tentative map and accompanying statements and documents together with the Department and agency reports to determine whether the map is in conformity with the provisions of law and this Chapter, with the General Plan, and with good planning and engineering practices.

(1) Ecological Conditions. Ecological, natural, historical and geographical matters may be taken into consideration in considering a tentative map and, when in the opinion of the Planning Commission, such matters are of significant importance to ensure their preservation, such conditions may be adopted as a prerequisite to approval of any tentative map.

(2) Conditions of Approval.

(a) The Planning commission may require as a condition of approval:

(i) The dedication of land for park or recreation purposes when the division of land creates more than twenty-five (25) lots. The proportion of land area to be dedicated shall not exceed five percent (5%) of the total area of the subdivision. The development of the park or recreational facilities shall begin when seventy-five percent (75%) of the lots of the subdivision have had a dwelling unit built upon them.

(ii) Public Elementary School sites as provided by provisions of the Map Act.

(iii) Public sites for fire stations, libraries, and other public uses and services.

(iv) A waiver of direct access to any existing or proposed street.

(b) The Planning Commission shall require that parcels, easements, or rights of way be provided for streets, water supply and distribution systems, sewage disposal systems, storm drainage facilities, solid waste disposal, and public utilities providing electric, gas,



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and communication services, as may be required to properly serve the land division and to conform with area plans. Easements for public utilities shall be limited to what is needed to provide service to present and future development.

(J) Reasons for Disapproval. The Planning Commission may refuse to approve a tentative map when it finds that any one of the following conditions exist:

(1) The tentative map or the land division plan is not in conformity with provisions of law or this Chapter or the Land Division Plan is not in conformity with accepted Planning or Engineering standards or the County General Plan.

(2) The Department of Public Health Report indicates that the property is, or will become, unhealthful or unfit for human habitation or occupancy if developed as proposed.

(3) The Preliminary Soils Report or Geologic Hazard Report indicated adverse soil or geological conditions and the subdivider fails to provide sufficient information to the satisfaction of the County engineer or Planning Commission that said conditions can be corrected or provided for in the Development Plan.

(4) The property is subject to periodic inundation.

(5) Cost to County Taxpayers, outweighs the advantages created by the proposed division of land.

(6) The proposed development is not compatible with the character of the neighborhood.

(7) The proposed development is in an area not desirable for the intensive use proposed.

(K) Mandatory Disapproval. The Planning Commission shall determine the applicability of each of the following findings and shall recommend disapproval of the tentative map if it makes any of the following findings.

(1) That the tentative map is not consistent with applicable general and specific plans of Mendocino County.

(2) That the design or improvement of the proposed land division is not consistent with applicable general and specific plans of Mendocino County.

(3) That the site is not physically suitable for the type of development.

(4) That the site is not physically suitable for the proposed density of development.



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(5) That the design of the land division or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(6) That the design of the land division or the type of improvements is likely to cause serious public health problems.

(7) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. In this connection, the Planning Commission may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the Planning Commission to determine that the public at large has acquired easements of access through or use of property within the proposed land division.

(L) Decision by Planning Commission. After the Planning Commission considers the tentative map, the following procedure shall apply:

(1) Within fifty (50) days of the date on which a tentative map is actually filed with the Director of Planning and Building Services, and unless said time limit has been extended by mutual consent of the subdivider and the Planning Commission to comply with provisions of the California Environmental Quality Act of 1970 and the guidelines adopted pursuant thereto. The Planning Commission shall, upon the basis of considerations and findings as set forth herein, approve, conditionally approve, or disapprove such tentative map.

(2) When a tentative map proposes the resubdivision or further division of any lot or parcel of a subdivision of record and such resubdivision or further division (a) pertains to four (4) or less lots or parcel and (b) has no dedications offered or required, the Planning Commission may, upon the recommendation of the Director of Planning and Building Services, waive the requirements of a final map and thereupon authorize the filing of a parcel map in lieu thereof. Such action of the Planning Commission shall be reported to the subdivider and County Surveyor.

(M) Withdrawing Approved Tentative Map. A subdivider may, by filing a written petition with the Director of Planning and Building Services, request that a tentative map be withdrawn after it has been approved by the Planning Commission. The filing of such petition shall terminate all proceedings under the provisions of this Chapter. Before a final map may thereafter be recorded a new tentative map shall be submitted and approved. Upon the withdrawal of a tentative map the Director of Planning and Building Services shall notify all appropriate departments and agencies of the subdivider's actions.



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(N) Refiling Disapproved Map. If the Planning Commission disapproves a tentative map, no tentative map which presents a proposal determined by the Director of Planning and Building Services to be substantially similar to that presented by the disapproved map may be processed by the Director of Planning and Building Services or considered by the Planning Commission until one (1) year has elapsed from the date of disapproval. However, if there has occurred subsequent to said date of disapproval a substantial change of circumstances affecting the use of the land proposed for division, a subdivider shall be permitted to have processed and considered a new tentative map presenting a substantially similar proposal upon filing with the Director of Planning and Building Services a petition which is determined by the Director of Planning and Building Services to state true facts of land use constituting a substantial change of circumstances. Within ten (10) days of notification by the Director of Planning and Building Services that the new map will not be processed, the subdivider may filing with the Director of Planning and Building Services an appeal to be acted upon within sixty (60) days by the Planning Commission. The Planning Commission shall limit its review to whether or not the Director of Planning and Building Services was correct in his determination that the new tentative map presented a substantially similar proposal and that facts have not occurred constituting a substantial change of circumstances affecting the use of the land.

(O) Modifying Conditions of Approval. Whenever a requirement is imposed as a condition of approval of a tentative map for a major subdivision, non-compliance with such condition shall be deemed a violation of this Chapter. Any such condition shall be deemed an integral part of the approval of the subdivision involved. Any such condition may be modified but only pursuant to the following procedure:

(1) A subdivider or other person having an ownership interest in the property involved shall file an application with the Director of Planning and Building Services. The application shall include the following documents and information.

(a) A copy of all the minutes of all meetings of the Planning Commission and Board of Supervisors and other county committee which previously considered the subdivision involved.

(b) A copy of the tentative map conditionally approved.

(c) All written recommendations and staff reports of county and state departments previously submitted.

(d) A statement indicating the particular condition or conditions sought to be modified and how such is or are to be modified.

(e) A statement indicating the facts which justify the modification of each such condition.



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(f) Any additional information deemed appropriate by the Director of Planning and Building Services.

(2) Each application for modification of a condition of approval shall be processed through the Planning and Building Services Director, and the Planning Commission in the same manner and to the same extent as was the tentative map to which the particular condition was imposed. No condition shall be deemed modified until the modification is expressly approved by the Planning Commission. The Commission shall have the authority to impose any substitute condition as it sees fit.

(3) No condition shall be modified unless facts are shown justifying the modification. A modification is justified if, and only if, its application is unjust and one of the following situations applies:

(a) The imposition of a condition was based upon a material mistake of fact.

(b) The purpose for imposing the condition can no longer be achieved because of change of circumstances.

(c) The condition imposed will cause a serious and unforeseen hardship. (*Ord. No. 946, adopted 1972; Ord. No. 969, adopted 1972; Ord. No. 1013, adopted 1972; Ord. No. 1433, adopted 1975; Ord. No. 1511, adopted 1975; Ord. No. 4001 (part), adopted 1998*)

Sec. 17-42 Improvement Plans.

Following approval of a tentative map, the subdivider shall proceed to fulfill the conditions of such approval, and shall cause to be prepared and submitted to the appropriate County Department the plans, specifications, and other information related to the Subdivision Improvements.

(A) Improvement Plans related to street and drainage improvements together with drainage calculations and other information requested by the County Engineer shall be submitted to the Department of Public Works. The Department of Public Works shall be responsible for review and approval of street and drainage improvement plans.

(B) Improvement Plans related to water supply and distribution system and sewage disposal systems, together with a design report, calculations, and other information requested by the County Health Officer shall be submitted to the Department of Public Health and the Department of Public Works. The Department of Public Health shall be responsible for review and approval of the systems. The Department of Public Works shall be responsible for review and approval of the system designs insofar as the improvements affect the road and drainage facilities. The two departments shall coordinate their reviews in such a manner as to not work a hardship on the subdivider because of the divided responsibility.



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(C) Improvement Plans shall be prepared in conformance with the Department of Public Works.

(D) A detailed cost estimate of all contemplated improvements shall be submitted to the Department of Public Works at the time improvement plans are approved.

(E) Improvement work shall not begin until the tentative map of any subdivision has been approved and until the improvement plans for such work have been submitted to approved and signed by the County Engineer or his authorized agent, the County Health Officer and by whatever local water district, corporation, company or firm, and sanitation, sanitary, sewer or maintenance district that may provide the subdivision with water, sanitation, sewer or maintenance service.

Sec. 17-43 Final Map.

Within twenty-four (24) months after approval or conditional approval of the tentative map or maps, the subdivider may cause the subdivision or any part thereof to be surveyed and a final map to be prepared for filing with the County Recorder in accordance with the tentative map as approved, or conditionally approved. All required streets and easements necessary to serve any such part shall be provided for, on or with the final map.

(A) Upon application of the subdivider prior to the expiration of the twenty-four (24) month period, an extension or extensions of time to file with the Recorder the final map may be granted by the Planning Commission. The period of any such single extension shall not exceed eighteen (18) months and the sum total of all extensions shall not exceed thirty-six (36) months. Application for such an extension shall be submitted to the Planning and Building Services Department at least forty-five (45) days prior to the expiration date and shall be accompanied by the required fee.

(B) **Failure to File.** Any failure to file with the County Recorder a final map within twenty-four (24) months from the approval or conditional approval of the tentative map, or within any extension of time granted by the Planning Commission, shall terminate all proceedings. Before a final map may thereafter be recorded, a new tentative map shall be submitted.

(C) **Form.** The Final Subdivision Map shall conform with the provisions of the Map Act and the following:

(1) The particular number of the sheet and the total number of sheets comprising the map, the tract number, title or other designation shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown. The tract designation, all drawings, affidavits, acknowledgments, endorsements, offers and acceptances of dedication, and notarial seals, shall be within marginal lines. The first sheet of the map shall contain all affidavits, acknowledgments, endorsements, offers and acceptances of



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dedication and notarial certificates, and no signed certificates shall appear on any other sheet of the map, nor shall any portion of the map appear on the sheet containing the certificates.

(2) The Final Map shall be prepared at a scale large enough to show all details clearly. Minimum scale shall be one (1) inch equals one hundred (100) feet unless approved otherwise by the County Surveyor.

(3) The title sheet of the final map shall contain the tract number and designation and such other descriptive matter as may be necessary. Below the tract designation shall appear a subtitle consisting of a general description of all the property being subdivided by reference to recorded deeds or to maps which have been previously filed or by reference to the plat of a United States Survey. Reference to tracts and subdivision in the description must be worded identically with original records and references to book and page of record must be complete. The basis of bearing for the survey shall be clearly noted.

(4) Every sheet comprising the map shall contain the scale north point, and legend.

(5) If more than two sheets are necessary for the final map, a key or index map shall appear on the title sheet or the second sheet.

(6) A location map, at a scale not to exceed one (1) inch equals two thousand (2,000) feet shall appear on the final map. Said map shall indicate the location of the divisions of land in relation to major topographical features in the area and government surveys.

(7) Maps filed for the purpose of reverting subdivided land to acreage shall be conspicuously so designated with the title "The Purpose of This Map Is A Reversion To Acreage."

(8) Each lot shall be shown in its entirety on at least one sheet of the final map.

(D) **Data Required.** The final map shall show the following:

(1) The final map shall particularly define and designate all lots or parcels, including those reserved for private purposes, all parcels offered for dedication for any purpose, with all dimensions, boundaries, and courses clearly shown and defined in every case. No ditto marks shall be used. Parcels offered for dedication but not accepted shall be designated by letter streets offered but not accepted for dedication shall be identified as "Not a County Maintained Street."

(2) 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 divisions of land shall be identified by lot and block number, tract designation



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and place of record; or by section township, and range; or other proper designation. The map shall show the definite location of the division of land, and its relation to surrounding surveys. The lines of adjacent streets, their widths and names shall be shown.

(3) Wherever the County Surveyor has established the center of a street, 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.

(4) The map shall show all information, data, and monuments necessary to locate and retrace any and all exterior boundaries, block and lot lines. It shall show bearings and distances of straight lines and radii, central angle, and arc length of all curve lines. Where streets intersect on curves, center line lengths, radii, and central angles to center line intersection points shall be shown.

(5) Block designations shall not be used, and lots shall be numbered consecutively by unit throughout the division of land, with no omissions or duplications.

(6) The map shall show all lands within the division of land subject to periodic inundation by water.

(7) When a soil report or geological hazard report has been prepared, this fact shall be noted on the Final Map, together with the date of the report and the name of the Engineer making the report.

(8) The total width of all street, flood control or drainage channels, or any other rights of way or easements shall be shown.

(9) The map shall show all easements of record and easements to be recorded. If any easement is not definitely located by record, a statement of such easement must appear on the title sheet. Easements for storm drains, sewers, public utilities and other purposes shall be clearly defined. 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 length 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. If the easement is to be offered for dedication by the map, it shall be properly set out in the owner's certificate.

(10) Names of all streets as approved by the Planning Commission shall be shown. If any streets are designated by numbers, they shall be spelled out completely, using hyphens in such forms as "Twenty-third Street." The word "Avenue," "Boulevard," "Place," etc. shall be spelled out in full.

(11) Net acreage of each lot or parcel shall be shown to the nearest one hundredth.



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(12) The map shall show all City, County, or Special District Boundary lines crossing or abutting the subdivision. No lot or parcel shall be divided by a City or County boundary line.

(13) The map shall show ownership and deed reference of all adjoining properties used in the preparation of the Final Map.

(14) All other data required by law shall be shown.

(E) Certificates and Acknowledgments Required. All certificates and acknowledgments required by law shall appear on the final map in addition to the following:

(1) A certificate for execution by the Director of Planning verifying that the final map conforms to the approved tentative map and the conditions of approval thereof.

(2) A certificate executed by the person responsible for the preparation of the final map, reflecting the accuracy of the survey and that all survey work was performed to a minimum accuracy of one (1) in five thousand (5,000).

(F) Other Data Required. The following data shall accompany the final map when submitted to the County Surveyor for checking:

(1) A traverse sheet or sheets in a form approved by the County Surveyor prepared by a registered Civil Engineer or licensed Surveyor, showing a mathematical closure of the boundary of the subdivision, lots or parcels, and center lines of the streets therein.

(2) A guaranty of title or letter from a title company, certifying that the names 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 guaranty shall be issued for the benefit of the County of Mendocino and protection of the Board of Supervisors and shall be continued complete up to the instant of recording.

(3) A preliminary title report issued within thirty (30) days of submission to the County Surveyor.

(4) A certificate from the Mendocino County Tax Collector, as required by Article 8, Chapter 4, of the Map Act.

(5) A certificate from the Mendocino County Assessor, as required by Article 8, Chapter 4, of the Map Act.



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- (6) A tax bond as required by Article 8, Chapter 4, of the Map Act. If a cash deposit has been made in lieu of a bond, the original receipt or a certified copy thereof, issued by the County Treasurer, shall be submitted.
- (7) When required, Subdivision Improvement Plans approved by all appropriate agencies and County Officials.
- (8) When required, three copies of an executed Subdivision Improvement Agreement in a form acceptable to the County Counsel and in conformity with the provisions of this Chapter and the Map Act.
- (9) When required, three (3) copies of the required bonds or other surety provided to secure the Subdivision Improvement Agreement.
- (10) Final Map Filing Fee and, when required, Improvement Plan-Specification Checking and Construction Inspection Fee as prescribed by this Chapter.
- (11) If required, two (2) copies of a final soils report or geological hazards report.
- (12) When utility easements have been required as a condition of approval of the tentative map, or when the land to be divided is subject to existing public utility easements, a letter from each of the affected utility companies indicating their satisfaction with the easements as shown on the final map.
- (13) When the approval of the tentative map was conditioned upon the approval of a government agency or official a letter from a responsible official of such agency stating that those conditions for which he is responsible to review have been complied with to his satisfaction.

(G) Submission Processing, and Filing of a Final Map.

- (1) The Final Subdivision Map together with all required data shall be submitted to the County Surveyor twenty (20) days prior to the regular meeting of the Board of Supervisors at which action thereon is desired. A final map shall be considered complete for submission to the County Surveyor when it complies with all the provisions of this section.
- (2) Within fifteen (15) days of receipt of the final map and accompanying data, the County Surveyor shall determine whether or not all provisions of this Chapter and applicable State Law have been complied with and that said map is technically correct. If the County Surveyor shall determine that said map is technically correct and that it substantially conforms to the tentative map and any approved alteration thereof, and to the provisions of this Chapter and the State Law, he shall so certify on said map and transmit the same to the Board of Supervisors. If the County Surveyor determines that the



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final map does not conform as required above he shall afford the opportunity to the Subdivider to make the necessary changes and re-submit the final map together with all required data.

(3) The Board of Supervisors at its next meeting, or within ten (10) days after the presentation of the above material by the County Surveyor, shall consider said map, the plan of subdivision and the offers of dedication; shall determine the applicability of each of the findings set forth in Section 17-41(K); supra; and shall deny approval of a final map if it makes any of said findings.

The Board of Supervisors shall accept; accept subject to improvement; or reject with or without prejudice, any or all offers of dedication. If improvements required under the terms of this Chapter or by law have not been completed, the Board of Supervisors shall provide for such improvements by approving an agreement with the subdivider for posting a bond, instrument of credit, or cash deposit as provided herein. When the agreement and bond, instrument of credit, or cash deposit have been approved by County Counsel as to form, and by the County Engineer and Board of Supervisors as to sufficiency, the Board may consider the final map. After the Board of Supervisors shall determine that said map is in conformity to the requirements of this Chapter, it shall approve said map by resolution. In case the Board of Supervisors shall determine that said map is not in conformity with the requirements of this Chapter or State Law, it shall disapprove said map, specifying reasons therefor and advising the subdivider of such disapproval. Within ninety (90) days thereafter the subdivider may file with the County Surveyor a map altered to meet with the approval of the Board of Supervisors and shall conform with the procedures specified herein. The time limit, as prescribed by law, for the approval of the final map may be extended by mutual consent of the subdivider and the Board of Supervisors.

(4) The Clerk of the Board of Supervisors, after approval by the Board of Supervisors and after signatures and seals have been affixed shall transmit immediately the final map to the office of the County Recorder for filing. No map shall have any force or effect until it has been approved by the Board of Supervisors and no title to any property described in any offer of dedication shall pass until recordation of the final map. No building permit shall be issued until recordation of the final map.

(5) A copy of the final map as approved and recorded shall be provided by the subdivider in advance without charge to every person or other entity which purchases, or otherwise obtains an interest in, all or any portion of the property shown thereon. (*Ord. No. 1220, adopted 1974; Ord. No. 1433, adopted 1975; Ord. No. 1835, adopted 1977; Ord. No. 3526, adopted 1984; Ord. No. 4001 (part), adopted 1998*)