

COUNTY OF INYO

SUBDIVISION

ORDINANCE

TITLE 16 - SUBDIVISIONS

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Chapter 16.04

TITLE AND PURPOSE

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16.04.010 Short Title

This title shall be known as the Inyo County Subdivision Ordinance.

16.04.020 Purpose

The purpose of this Title is to provide procedures and standards governing the design, improvements and survey of subdivisions in Inyo County. Its purpose is to promote the orderly development of the land within the unincorporated area of the County; to protect purchasers and land owners; to prevent circumvention of existing subdivision, zoning and building ordinances and regulations; and to insure the reservation of adequate streets for vehicular traffic and adequate access to land so divided; to assure compliance with the sewer and water ordinances of the County; and to avoid danger and expense to the public through adequate control and regulation of surface drainage; and to provide for the local administration of the State subdivision Map Act as embodied in Division 2, Title 7 of the Government Code, commencing with Section 66410.

Chapter 16.08
GENERAL PROVISIONS

Sections:

- 16.08.010 Authority for Local Regulations
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16.08.010 Authority for Local Regulations

Pursuant to the provisions of Division 2, Title 7 of the Government Code referred to in this Title as the Subdivision Map Act and in addition to any other regulations provided by law, the regulations hereinafter contained in this Title shall apply to all subdivisions hereafter made of land within the limits of Inyo County and each subdivision map shall be prepared and presented for approval as hereinafter provided for.

16.08.020 Prohibition of Sale, Lien or Lease

- A. No Person shall sell, lease or finance any parcel or parcels of real property, place a mortgage, deed of trust or other lien upon or to commence construction of any building for sale, lease or financing thereon, except for model homes, or to allow occupancy thereof, for which a final map, parcel map or certificate of compliance is required by this Title, until such map or certificate of compliance thereof in full compliance with the provisions of this Title has been filed for record by the Recorder of the County in which any portion of the subdivision is located.

Nothing shall be deemed to prohibit an offer or contract to sell, lease or finance real property or to construct improvements thereon where such sale, lease or financing or commencement of such construction, is expressly conditioned upon the approval and filing of a final map, parcel map or certificate of compliance, as required by this Title.

- B. Subsection A of this section does not apply to any parcel or parcels of a division of land offered for sale, lien or lease, contracted for sale, lien or lease, or sold, mortgaged, liened, or leased, in compliance with or exempt from any law

(including this title or any other ordinance of this County) regulating the design and improvement of such divisions in effect at the time the division was established; or to any parcel or parcels of a record of survey approved prior to September 17, 1965, that has been duly filed with the Inyo County Recorder. Neither this section nor any other portion of this Title applies to the leasing of apartments, offices, stores or similar space within an apartment building, industrial building or commercial building, or trailer park, or to mineral, oil or gas leases.

16.08.030 Transaction Voidable

- A. Any deed of conveyance, sale or contract to sell real property which has been divided, or which has resulted from a division, in violation of the provisions of this Title is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of discovery of the violation of the provisions of this Title, but the deed of conveyance, sale or contract to sell is binding upon any successor in interest of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee.
- B. Any grantee, or his successor in interest, of real property which has been divided, or which has resulted from a division, in violation of the provisions of this Title, may, within one year of the date of discovery of such violation, bring an action in the superior court to recover any damages he has suffered by reason of such division of property. The action may be brought against the person who divided the property in violation of the provisions of this Title and against any successors in interest who have actual or constructive knowledge of such division of property.

The provisions of this section shall not limit or affect in any way the rights of a grantee or his successor in interest under any other provision of law.

- C. This Title does not bar any legal, equitable, or summary remedy to which any aggrieved local agency or other public agency, or any persons, firm or corporation may otherwise be entitled, and any such local agency or other public agency, or such person, firm or corporation may file a suit in the superior court of the County in which any real property attempted to be subdivided or sold, leased or financed in violation of this Title is located, to restrain or enjoin any attempted or proposed subdivision or sale, lease or financing in violation of this Title.

Chapter 16.12

DEFINITIONS

Sections:

16.12.010	Definitions Generally
16.12.020	Advisory Agency
16.12.030	Appeal Board
16.12.040	Approved Record of Survey Map
16.12.050	Block
16.12.060	Board of Supervisors
16.12.070	Building Site
16.12.080	Certificate of Compliance
16.12.090	Chapter
16.12.100	Community Apartment Project
16.12.110	Condominium
16.12.120	Condominium Conversion
16.12.130	County Engineer
16.12.140	County Surveyor
16.12.150	Final Map
16.12.160	Interested Person
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16.12.230	Shall and May
16.12.240	Stock Cooperative
16.12.250	Streets
16.12.260	Subdivider
16.12.270	Subdivision
16.12.280	Subdivision Committee
16.12.290	Subdivision Map Act
16.12.300	Tentative Map

16.12.010 Definitions Generally

Except as otherwise provided in this chapter, all terms used in this Title which are defined in the Subdivision Map Act are used in this Title as so defined, unless from the context hereof it clearly appears that a different meaning is intended; the singular number

includes the plural and the plural the singular; other terms used are defined as follows in this chapter.

16.12.020 Advisory Agency

The Inyo County Planning Commission is charged by the Board of Supervisors with the duty of making investigations and reports on the design and improvements of proposed divisions of real property, the imposing of requirements of conditions, thereon, and having the authority by local ordinance to approve, conditionally approve or disapprove tentative maps and certificates of compliance.

16.12.030 Appeal Board

The Inyo County Board of Supervisors.

16.12.040 Approved Record of Survey Map

A map prepared as was provided in the Subdivision Map Act prior to September 17, 1965, for approval by the Board of Supervisors, of subdivisions as defined therein, which were excepted from, or not included in, the definition of “subdivision” in the Subdivision Map Act, including all maps that were referred to in subdivisions (b) and (c) of Section 11535 of the Subdivision Map Act as it then existed.

16.12.050 Block

An area of land within a subdivision which area is entirely bounded by streets, highways, or ways, except alleys; or by streets, highways or ways, except alleys, and the exterior boundary or boundaries of the subdivision.

16.12.060 Board of Supervisors

The Board of Supervisors of the County of Inyo, State of California.

16.12.070 Building Site

A parcel or lot of land containing not less than the prescribed minimum area required by the Inyo County Zoning Ordinance or other applicable local ordinances existing at the time of creation of the lot or parcel and occupied or intended to be occupied by buildings or structures.

16.12.080 Certificate of Compliance

A document recorded in the County Recorder’s Office describing real property which the Planning Commission has determined complies with the provisions of this Title and of the Subdivision Map Act.

16.12.090 Chapter

A chapter of this Title.

16.12.100 Community Apartment Project

Joint ownership of the land by the various owners with an exclusive right to occupy a given dwelling unit.

16.12.110 Condominium

Joint ownership of the land by the purchasers with ownership of a defined area of air space where the dwelling unit is located as more fully defined in the California Civil Code.

16.12.120 Condominium Conversions

A process or effect of transferring ownership of a building from residential units to a condominium in accordance with appropriate law. Condominium conversion, as used in this chapter, shall mean the conversion of existing units to condominiums.

16.12.130 County Engineer

The Inyo County Road Commissioner.

16.12.140 County Surveyor

The Inyo County Surveyor.

16.12.150 Final Map

A map which is designed to be filed in the County Recorder's Office showing divisions of land as described in Section 66426 of the Subdivision Map Act.

16.12.160 Interested Persons

Any person adversely affected by reason of a decision of the Advisory Agency.

16.12.170 Lot

A parcel of land.

16.12.180 Lot, Key

A lot with the side line coinciding with the rear lot line of one or more other lots.

16.12.190 Ordinance

An ordinance of the County.

16.12.200 Pad

A building site prepared by artificial means, including grading, excavation or filling or any combination thereof.

16.12.210 Parcel Map

A map showing divisions of land as described in subdivisions (a), (b), and (c) of Section 66426 of the Subdivision Map Act.

16.12.220 Section

A section of this Title

16.12.230 Shall and May

“Shall” is mandatory; “May” is permissive.

16.12.240 Stock Cooperative

Ownership of the land and buildings by a corporation, tenants own shares of stock and thus are entitled to an exclusive right to occupy a dwelling unit, or they lease a dwelling.

16.12.250 Streets

A. Four Lane Arterial:

A major highway or a major divided highway as shown in the Inyo County Road Department Standard Specifications.

B. Two Lane Arterial (Secondary Highway):

Secondary highway as shown in the Inyo County Road Department Standard Specifications.

C. Major Collector:

A collector street as shown in the Inyo County Road Department Standard Specifications.

D. Freeway;

A thoroughfare designed for through traffic with no crossings at grade or access from abutting property and which provides for the movement of traffic in opposite directions on either side of a dividing strip and further defined in Section 23.5 of the Streets and Highway Code of the State.

E. Residential (Local or Minor Collector):

A residential street as shown in the Inyo County Road Department Standard Specifications.

F. Service Road;

A street adjacent to a major or secondary highway, freeway or parkway, separated therefrom by a dividing strip and providing ingress to and egress from abutting property.

16.12.260 Subdivider

A person, firm, corporation, partnership, or association who proposes to divide, divides or causes to be divided, real property into a subdivision for himself or for others except that employees and consultants of such persons or entities, acting in such capacity, are not "subdividers".

16.12.270 Subdivision

The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section 1350 of the Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code, or the conversion of five or more existing dwelling units into a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for purposes of computing the number of parcels. As used in this section, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock.

16.12.280 Subdivision Committee

A committee to act in an advisory capacity to the Planning Commission. It consists of the following members of their duly authorized representatives:

1. The Director of Planning
2. The County Surveyor
3. The County Engineer
4. The County Health Officer
5. The Building Inspector
6. The County Assessor

16.12.290 Subdivision Map Act

Division 2 of Title 7 (commencing with 66410).

16.12.300 Tentative Map

A map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property. “Tentative map” shall also mean a “Vesting Tentative Map” as defined in the California State Map Act and include the provisions of Chapter 4.5 of the California State Map Act. A “Vesting Tentative Map” shall also be identified at the time of submission for approval.

Chapter 16.16

STANDARDS AND DESIGN

Sections:

16.16.010	Standards Generally
16.16.020	Streets and Highways
16.16.030	Major and Secondary Highway-widths and Alignments
16.16.040	Major Collector
16.16.050	Local Streets-widths
16.16.060	Dead-end Streets
16.16.070	Boundary Line Streets
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16.16.250	Lot Area and Frontage Exceptions
16.16.260	Reserve Strips
16.16.270	Drainage Requirements for Design
16.16.280	Soils Report

16.16.010 Standards Generally

Each subdivision and the map thereof shall conform with the following standards set forth in this chapter.

16.16.020 Streets and Highways

The map shall show the side lines of each street, the total width of each street, the width of the portion being dedicated, and the widths of existing dedications. The widths and locations of adjacent streets and other public properties shall be shown. If any street in

the subdivision is a continuation, or approximately a continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing street shall be accurately shown. Whenever the County Surveyor has established the centerline of a street or alley, the data shall be shown on the final or parcel map. All streets, as far as practicable, may be required to be in alignment with adjacent streets or their proper projections and shall be in general conformity with the most advantageous development of the area affected by such subdivision.

16.16.030 Major and Secondary Highways-Widths and Arterials

Each major or secondary highway shall conform in width to the Standard Specifications of the County Road Department and the Inyo County General Plan or any modification thereof approved by the Advisory Agency.

16.16.040 Major Collector

Each street designated as a major collector street shall conform in width to the Standard Specifications of the County Road Department and the Inyo County General Plan or any modifications thereof approved by the Advisory Agency.

16.16.050 Local Streets-widths

Each street extending from one major or secondary highway to another and all other streets in such subdivision, except major or secondary highways, shall have a width of not less than sixty feet (60') and a roadway width of not less than forty feet (40'); provided that where, in the opinion of the Advisory Agency, the type of adjacent development or other economic factors renders it advisable, streets less than two blocks in length or one thousand two hundred feet, whichever is shorter, in residential districts may have a lesser width but not less than fifty-six feet (56') and a roadway width of not less than thirty-six feet (36').

16.16.060 Dead-end Streets

Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall extend to the boundary of the property and the resulting dead-end streets may be approved without turnarounds. In all other cases, turnarounds having minimum radii of fifty feet, with curb radii of thirty-eight feet shall be provided except where extraordinary conditions make a strict enforcement of this rule impracticable.

16.16.070 Boundary Line Streets

Any land intended to be a part of the ultimate width of a future street or highway, or any road easement therefor, lying along and adjacent to any boundary of the subdivision, shall have such a width as will conform to the designated lines.

Subject to all of the provisions of Section 16.16.050, any land intended to be a part of the ultimate width of a highway or street, or any road easement therefore, lying along and adjacent to any such boundary, shall have a width not less than one half of the full width required for any such highway or street by the provisions of said section unless special conditions of alignment require some other width.

16.16.080 Private Streets

- A. With approval of the Advisory Agency, any street or highway which is intended to be kept physically closed to public travel or at all times posted as a private street may be shown as a private street. In any such case, the final map or parcel map shall contain an offer of dedication of such private street. A plan and profile of any such street as required by Section 16.40.020 must accompany the final map or parcel map. The side lines of private streets shall be shown in broken lines and the area of the private streets shall be shown as a part of the lots adjacent to the private streets.
- B. Where the subdivider files a final map or parcel map, all private streets shall meet the requirements prescribed by this Title for public streets.
- C. All private streets within the county shall be posted as private streets.

16.16.090 Intersection Angle and Block Cutoff

Any highway or street intersecting any other highway or street shall intersect at an angle as near a right angle as is practicable. At street intersections which include major or secondary highways, intersecting at an angle of approximately ninety degrees, the block corner shall be rounded at the property line by a radius of not less than twenty feet. At intersections of other streets the radius shall be not less than fifteen feet. An optional method of a diagonal cutoff may be used, provided the dimensions thereof do not reduce the visibility, sidewalk width or curb radius obtained by the above specified radii. The curb radius may be required to conform to the radius of existing corners at the same intersection where such radius is greater than fifteen feet. Streets intersecting at any

angle other than ninety degrees shall have sufficient radius or cutoff to provide the same results as to traffic movements, visibility and design as provided by the foregoing requirements of this section.

16.16.100 Grade Separation

Wherever any highway within a division of land intersects any railroad right-of-way and such highway is designated as a major or secondary highway and provision is made for the location of a separation of grades at such intersection, the street layout of the division of land shall be such as to conform to the plan of such a separation.

Each lot abutting upon a proposed cut or fill necessary for the approach to such grade separation shall be given suitable access elsewhere.

Wherever it is proposed to divide property abutting an approach to an existing or proposed bridge, the street layout shall adequately provide for such approach and the division shall be arranged so that any lot abutting such approach has suitable access elsewhere.

16.16.110 Curve Radius

No street or highway shall be approved with a centerline curve radius of less than one hundred feet unless sufficient evidence is offered to the County Engineer by the subdivider which shows that the one hundred foot radius is not practicable. All centerline curve radii on all streets and highways shall conform to accepted engineering standards of design and shall be subject to approval by the County Engineer.

16.16.120 Grades of Streets and Highways

No street or highway shall have a grade of more than seven percent nor less than half percent unless, because of topographical conditions or other exceptional conditions, the County Engineer determines that a grade in excess of seven percent is necessary.

16.16.130 Alleys

Alleys at least twenty feet in width, or other adequate off-street loading facilities shall be required in the rear of all lots used or intended to be used for business purposes. In other cases the provisions for alleys shall be optional with the subdivider; provided that such alleys shall be not less than twenty feet in width. Where two alleys intersect, a corner cutoff of not less than ten feet measured from the point of intersection along the side line of the alley shall be required.

16.16.140 Street and Alley Arrangement

The street and alley arrangement shall be such as the Advisory Agency may determine will cause no undue hardship to owners of adjoining property when they subdivide their land and adequate and convenient access to adjoining property shall be required.

16.16.150 Street Names

Each street which is to be dedicated, which is a continuation of, or approximately the continuation of, any existing dedicated street shall be shown on the tentative map and shall be given the same name as such existing street. The proposed name of each other street shown on the tentative map shall be submitted to the County Engineer for his approval, and if such name is not a duplication of or so nearly the same as to cause confusion with the name of any existing street located in the county, or in close proximity thereto, and if such name is appropriate for a street name, such name shall be approved by him.

16.16.160 Future Streets

Wherever the Advisory Agency determines that a street is necessary for the future division of property as shown on the tentative map or for adjoining property, but that the construction of such street is not warranted, the advisory agency may require the location, width and extent of such street shall be shown on the final map or parcel map as a future street and offered for dedication. No improvement of such future street shall be required of the subdivider.

16.16.170 Easements

Where the provisions of Section 16.40.010 have been modified and where underground conduit system is not provided by the owner in public streets, easements not less than six feet in width shall be provided within the subdivision for public utilities purposes on each side of rear lot lines and along side lot lines where necessary.

A four foot by forty foot easement for public utilities may be required at all rear line angle points. Easements for water mains shall be provided as required under Section 16.40.010. Easements of lesser width may be permitted when approved by the Advisory Agency and serving utilities.

The side lines of all easements shall be shown by fine dotted lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature

thereof and its recorded reference must appear on the map. Distances and bearings on the side lines of lots which are cut by an easement must be arrowed or so shown that the map will indicate clearly the actual lengths of the lot lines. The widths of all easements and sufficient ties thereto in order to definitely locate the same with respect to the subdivision must be shown. All easements must be clearly labeled and identified. If an easement shown on the map is already of record, its recorded reference must be given. If an easement is being dedicated by the map, it shall be set out in the owner's certificate of dedication. All notes and figures pertaining to easements shall be considerably smaller and lighter than those relating to the subdivision itself.

The County may require the subdivider to remove or trim any trees or brush lying within an easement or right-of-way.

16.16.180 Approved Access

- A. Each parcel created by any division of land shall be provided with a means of vehicular access as provided by this section. For the purposes of this section, "on-site access" refers to a road easement for vehicular access which is located within the boundaries of the land division, and "off-site access" refers to a right-of-way for vehicular access which is located outside the boundaries of the land division, and is not an improved or maintained public street or highway. A parcel has approved access when either of the following conditions apply:
1. The parcel has frontage on an improved or maintained public street or highway or on approved off-site access which connects with a public street or highway;
 2. The parcel has frontage on a road easement for on-site access as shown on an approved map, and such road easement connects directly or by means of approved off-site access with an improved or maintained public street or highway.
- B. Road easements for on-site access shall be located so as to provide for future development of parcels adjacent to them. On-site road easement shall be a minimum sixty feet in width; except that road easements peripheral to the land division shall be minimum thirty feet in width; when in the opinion of the

Advisory Agency, topography permits future widening of the road easement within a contiguous property.

- C. Off-site access shall be an easement, for road purposes recorded in the office of the County Recorder, having a minimum width of thirty feet on one side of a normal section breakdown line or title line or a minimum of forty feet in other locations and an alignment which is defined and is topographically feasible for the passage of vehicles.

16.16.190 Block Length

Blocks shall not exceed one thousand three hundred feet in length between street lines, except where topographical conditions or previous surrounding layout require longer blocks that justify or require a variation from this requirement.

16.16.200 Block Width

The width of each block shall be sufficient for an ultimate layout of two tiers of lots therein of a size required by the provisions of this Title unless the surrounding layout, lines of ownership, or topographical conditions justify or make necessary a variation from this requirement.

16.16.210 Lot Size

For subdivision purposes the minimum lot size shall be the same as shown in Title 18 of this Code (Zoning Ordinance). See Title 18 for minimum lot sizes.

16.16.220 Lot Design

The Advisory Agency, in considering the design of a proposed subdivision, shall take into consideration the character of the land and improvements in the neighborhood, the character of the land to be subdivided and the improvements proposed by the subdivider and the general effect upon the neighborhood of the proposed subdivision.

Lot design shall meet the standards as shown in Title 18 of this Code. Lot frontage on cul-de-sacs shall be a minimum of forty feet (40').

16.16.230 Lot Sideline angle

In all cases where practicable, the side lines of lots shall be at an approximate right angle to the street upon which such lots front.

16.16.240 Lot Frontage

The alignment of streets shall be such as to provide frontage for lots in the division of land except as provided in section 16.16.280.

16.16.250 Lot Area and Frontage Exceptions

No lot shall be divided by a city boundary line or tax area code boundary. Each such boundary line shall be made a lot line.

16.16.260 Reserve Strips

Reserved strips controlling the access to streets or other public rights-of-way from adjoining property will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights, and in no case except in which the control and disposal of the land comprising such strips are placed definitely within the jurisdiction of the County under conditions approved by the Advisory Agency.

16.16.270 Drainage Requirements for Design

- A. Runoff design shall be made for the frequency of occurrence hereinafter stipulated in these standards of modified rational methods using basic data in accordance with the requirements set forth in the standard specifications for public improvements. Runoff design shall accommodate the full and future developments within the drainage area. In cases where such drainage areas are underdeveloped, fully improved conditions shall be determined for future conditions as indicated in the general plan and by the zoning ordinance. Any outlet channel required to carry storm water from the proposed subdivision to a defined drainage channel or conduit shall be in accordance with these standards for the ultimate stage of development in the drainage area resulting from the particular subdivision.
- B. Primary drainage channels and conduits shall have sufficient capacity to contain a one hundred year frequency of occurrence runoff.
- C. Minor drainage channels or conduits shall have sufficient capacity to contain a fifty year frequency of occurrence runoff, including undefined overflow originating within the tract or adjacent thereto.

- D. Storm waters within street areas shall be placed in closed conduits when the maximum depth of in-gutter runoff computed in accordance with the provisions of the specifications exceeds five inches at the gutter.
- E. Proposed subdivision shall not cause inundation or flood hazard conditions of existing inhabited areas.
- F. Drainage shall be accomplished by gravity without surcharge into catch basins or manholes except by design.
- G. Catch basins shall have inlets of varying lengths so designed that the water is diverted into the catch basin without a reversed direction of the flow of the water. The inlets shall be designed in accordance with the standard specifications for public improvements of the County Engineer.
- H. Drainage channels, conduits and appurtenances shall meet the approval of the County Engineer.

16.16.280 Soils Report

A preliminary soils report shall be prepared pursuant to Section 66490 of the Subdivision Map Act by a civil engineer registered in this state for every subdivision for which a final map is required. The preliminary soils report may be waived by the Advisory Agency where that Agency determines due to the knowledge it has as to the qualities of the soils of the subdivision no preliminary analysis is necessary.

Chapter 16.20

TENTATIVE MAPS

Sections:

16.20.010	Tentative Maps
16.20.020	Submission of Tentative Map and Accompanying Data
16.20.030	Tentative Map Preparation
16.20.040	Tentative Map Fees
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16.20.010 Tentative Maps

All tentative maps shall be prepared and processed in accordance with this Chapter.

16.20.020 Submission of Tentative Map and Accompanying Data

The Tentative Map and Accompanying Data shall be submitted to the Planning Department. The information to be submitted is contained on the application form obtained from the Planning Department. The Planning Department shall indicate the date of filing upon all copies of the Tentative Map and accompanying data, and thereafter shall transmit one copy of the map to each of the following: County Subdivision Committee members, the affected school district(s), the public utilities serving the area, the District Engineer of the State Division of Highways (if a State of Federal highway is affected), and any Special Districts or other public agencies affected.

16.20.030 Tentative Map Preparation

A tentative subdivision map shall be prepared by a registered civil engineer or licensed surveyor.

16.20.040 Tentative Map Fees

At the time of submission, the person submitting a Tentative Map shall pay a filing fee. The amount of the filing fee for Tentative Maps shall be set by a resolution of the Board of Supervisors.

16.20.050 Revised Tentative Map Fee

If, subsequent to the approval of a tentative map by the Advisory Agency, the subdivider submits a revised Tentative Map as a substitute for the Tentative Map therefore approved, he shall pay a fee equal to one-fourth (1/4) of the filing fee required for the filing of an original Tentative Map.

16.20.060 Map Number

- A. Before submitting a Tentative Map for a division of land, the subdivider shall obtain a map number for such division. Numbers for subdivision maps and parcel maps shall be assigned by the County Planning Department.
- B. When a map number has been assigned for a division of land, the subdivider shall place the number upon each tentative, final or parcel map of the division and the number shall not thereafter be changed or altered in any manner upon any such map of the division unless and until a new number has been assigned.

16.20.070 Size and Scale

Each Tentative Map shall be eighteen inches by twenty-six inches (18" X 26") or any approved multiple thereof and shall be drawn to such a scale as to clearly show the details of the plan thereon; but in no case shall be less than one inch equals one hundred feet unless previously approved by the Planning Department.

16.20.080 Matters Required

The Tentative Map shall show and contain the following matters as an aid to the Advisory Agency in its consideration of the design of the division of land:

- A. The map number as secured from the County Planning Department;
- B. Sufficient legal description of the land as to define the boundaries of the proposed division of land;
- C. Name and address of the subdivider;

- D. Name, business address and registered engineer's number or licensed surveyor's number of the registered civil engineer or licensed surveyor who prepared the Tentative Map;
- E. Name and address of record owner(s);
- F. A vicinity map;
- G. The locations, names and existing widths of all adjoining highways, streets or ways;
- H. The location, name, width and approximate grades of all highways, streets and ways within the proposed division of land;
- I. The widths and approximate locations of all existing or proposed easements (whether public or private) for roads, drainage, sewage and public utility purposes;
- J. Approximate radius of all curves;
- K. The approximate lot layout and the approximate dimensions of each lot;
- L. Size of the smallest lot in the subdivision;
- M. Approximate boundaries of all areas subject to inundation or storm water overflow and the locations, widths and directions of flow of all watercourses;
- N. Source of water supply;
- O. Proposed method of sewage disposal;
- P. Statement of present zoning and proposed use(s) of the property;
- Q. Proposed public areas, if any;
- R. Contours (2' minimum unless previously approved by the Planning Department);
- S. Date, north point and scale;
- T. Number for each lot;
- U. Approximate location of each area covered by trees with a statement of the nature of the cover and the kind and approximate location of all trees standing within the boundaries of proposed public rights-of-way;

- V. Existing use or uses of the property and the approximate outline, to scale, or any existing buildings or structures including wells, septic systems, sewer laterals, etc. and their locations in relation to existing or proposed street and lot lines; Provided, however, that if it is impossible or impracticable to place upon the Tentative Map any matter hereinabove in this section required, such matter or information shall be submitted with such map;
- W. Each existing street shown by its actual street name or by a temporary name or letter for purpose of identification until the proper name of such street is determined;
- X. If the subdivision committee finds that a geological report is necessary to determine whether the property to be divided is subject to an existing or potential geological hazard, a written report stating how the geological conditions will affect the proposed development may be required. The report shall be prepared by geologist experienced in engineering matters;
- Y. In a division of land consisting of a condominium project as defined in Section 1350 of the Civil Code or a community apartment project as defined in Section 11004 of the Business and Professions Code, the Tentative Map shall show the general location of all buildings and other structures to be erected, including means of access thereto (See Chapter 16.24);
- Z. Plan and easements for drainage and for handling storm water;
- AA. Statement of the improvements and public utilities proposed to be made or installed;
- BB. In a subdivision which may reasonably be expected to be resubdivided in whole or in part at some future time, there shall be shown in dotted lines on the Tentative Map a plan of future street extensions with special consideration given to drainage.

16.20.090 Action on Tentative Map

- A. Within a period of not more than fifteen (15) days from the receipt of a copy of any such Tentative Map, each office or department to which such copy has been transmitted shall file with the Advisory Agency their approval of such Tentative Map, or a report showing what changes are necessary to make such Tentative Map conform to the requirements of this Title coming within the jurisdiction of such office of department.
- B. The Advisory Agency shall conduct a public hearing in accordance with Section 65854 of the California Government Code and review the recommendations of the departments. If satisfied with the design of the subdivision, the Advisory Agency shall approve the map within fifty (50) days after the filing of the map unless such time is extended by agreement with the subdivider. If the Advisory Agency is not satisfied with the design of the subdivision, it shall disapprove or conditionally approve the map within said time.
- C. In the event that such tentative map is disapproved or conditionally approved, the Advisory Agency shall return to the subdivider a statement of the reason for its action and a statement of what changes would be necessary to render the map acceptable. A copy of the aforesaid statement shall remain permanently in the files of the Advisory Agency, and one copy of the statement shall be sent to the departments and agencies in Section 16.20.020.
- D. At time of approval, the Advisory Agency shall designate the improvements which will be required under the provisions of Section 16.40.010 before filing of the final map or parcel map.
- E. Nothing herein contained shall be construed to prohibit the filing of different tentative maps for the same property regardless of whether the first one has been approved and optional tentative maps may be filed at the same time. Each additional tentative map shall be charged for as required in Section 16.20.040.

16.20.100 Written Reports to Subdivider

Any reports or recommendations on the map of any subdivision submitted to the Advisory Agency or Board of Supervisors shall be in writing to the subdivider prior to final action on the map or maps by the Advisory Agency or Board of Supervisors. Such required submission in writing is satisfied when such reports or recommendations are placed in the mail directed to the subdivider at his designated address and bearing the proper postage.

16.20.110 Tentative Map – Approval

The approval or conditional approval of a Tentative Map shall be for two years. Upon written application, the Advisory Agency may grant extensions not exceeding three one year periods. The amount of the filing fee for a time extension shall be set by a Resolution of the Board of Supervisors.

Chapter 16.24

CONDOMINIUMS

Sections:

- 16.24.010 Intent and Purpose
- 16.24.020 Construction and Conversion Procedures
- 16.24.30 Design Criteria

16.24.10 Intent and Purpose

These condominium regulations are intended to provide criteria and guidelines for condominium construction and conversions as defined herein. The standards include parking, open space, light and air, and pedestrian and vehicular traffic circulation and are intended to create condominium projects that are well designed, aesthetically pleasing, compatible with the surrounding community, of a pleasing and desirable character and to harmonize with adjacent residential use.

16.24.20 Construction and Conversion Procedures

Construction or conversion to condominiums, stock cooperatives or community apartment projects shall be subject to the following:

- A. The approval of a Conditional Use Permit, pursuant to Title 18 of the Inyo County Code shall be required.
- B. An application for a Tentative Map shall be submitted for approval in accordance with established requirements. A site plan and floor and elevation plans also shall be submitted for review and approval.
- C. The subdivider shall give notice not less than sixty (60) days prior to filing of the Tentative Map to all prospective tenants pursuant to Section 66452.8(a) of the Subdivision Map Act.
- D. Covenants, conditions and restrictions (CC&R's), incorporating the conditional use permit as non-amendable, shall be submitted to the Planning Department for County Counsel review and approval by the Planning Commission prior to filing of the final map.

- E. The developer shall submit a property report describing the age and condition of each of the following elements of each structure situated within the project proposed for conversion: foundations, exterior walls, fire walls, roof, stairways and exits, interior insulation (sound and thermal), exterior insulation (sound and thermal), light and ventilation, plumbing, electrical, heating and air conditioning, fire and earthquake safety provisions, security provisions, interior common or public areas, landscaping and trash control. Such report shall be prepared by a licensed civil engineer or an architect registered in California, and shall provide methods and costs for the correction or improvement of any deficiencies noted. Two copies of the required report shall be submitted, one each to the County of Inyo Planning Department and the Building and Safety Department.

- F. The developer shall submit a structural pest report for each structure situated within the project proposed for conversion. Such report shall be prepared by a licensed structural pest control operator pursuant to Section 8516 of the Business and Professions Code, relating to written reports on the absence or presence of wood-destroying pests or organisms, and shall provide methods and costs for corrective work for both accessible and non-accessible areas.

- G. Approval of a Certificate of Occupancy shall be required for any such conversion. Subsequent to submission and approval of the report required in paragraph 5 and upon receipt of an application for receipt of occupancy, the building official shall cause an inspection to be made of all buildings and structures in the proposed condominium, community apartment project, or stock cooperative. The building official shall prepare an inspection report, identifying all items not in conformance with the current County Building, Electrical, Wiring, Mechanical and Plumbing Codes, and any additional equipment or facilities he determined to be deteriorated or hazardous. The developer shall repair, replace or add equipment or facilities determined to be in violation of current County Codes. In addition to all other fees and changes required, an inspection fee shall be paid to

the County Building and Safety Department for the required inspection. This fee shall be set by a Resolution of the Board of Supervisors.

- H. The developer shall provide a schedule of proposed improvements which shall be made to the project prior to their sale.

- I. All tenants then occupying the proposed conversion site shall be notified of the public hearing before the Planning Commission. A list of tenants shall be supplied by the applicant. If permit for conversion is approved the developer shall provide each tenant a preemptive right in writing (copy to County) to purchase a unit of exclusive occupancy on the same terms as offered for sale to anyone else. Such right shall be irrevocable for a period of ninety (90) days after the commencement of sales of the issuance of the final public report by the Real Estate Commissioner. It is recognized that tenants who purchase may be temporarily displaced during construction.

- J. In addition to the above requirements, no application for a condominium conversion project shall be accepted for any purpose unless the application includes the following:
 - 1. A development plan of the project including:
 - a. The location, height, gross floor area and proposed uses for each existing structure to remain and for each proposed new structure;
 - b. The location and type of surfacing for all driveways, pedestrian ways, vehicle parking areas, curb cuts and open storage areas;
 - c. The location, height, and type of materials for walls, fences and trash enclosures;
 - d. The location of all landscaped areas and the type of landscaping;
 - e. The location and size of the parking facilities to be used in conjunction with each condominium unit;

- f. The location, type and size of all drainage pipes and structures shown or described to the nearest public drain or watercourse;
- g. The location and type of nearest existing fire hydrants and/or new fire protection system where required by the local authority having jurisdiction;
- h. The location, type and size of all on-site adjacent street overhead utility lines;
- i. A lighting plan of the project;
- j. Existing and proposed exterior elevations;
- k. The location of and provisions for any unique natural and/or vegetative site features and
- l. Wood or fuel storage areas when wood stoves or fireplaces are proposed or existing.

2. Copy to Buyers:

The subdivider shall provide each purchaser with a copy of all reports (in their final, acceptable form) along with the Department of Real Estate white report, prior to said purchaser completing an escrow agreement or other contract to purchase a unit in the project, and said developer shall give the purchaser sufficient time to review said reports. Copies of the reports shall be made available at all times at the sales office and shall be posted as approved by the County of Inyo.

16.24.30 Design Criteria

All such condominium construction or conversions shall be subject to the following, unless waived or modified as a part of the Conditional Use Permit, and the burden shall be on the applicant to show the need for such waiver or modification by applying the same standards as for a Variance under Title 18 of the Inyo County Code;

- A. Compliance with the requirements of the Fire Marshal regarding matters such as, but not limited to, fire flow, hydrant location and driveway widths.
- B. Each condominium unit shall be provided with;
 - 1. Current parking requirements of Title 18.

2. Tandem parking is prohibited.
 3. One R.V. parking space for each five (5) dwelling units.
 4. No use shall be made of any parking area or access thereto, other than for the parking of vehicles. Such spaces shall be used for no other purpose at any time. The CC & R's shall contain such restrictions.
- C. All utilities shall be placed underground for all newly constructed condominium units.
- D. A single area having a minimum of 150 cubic feet of private and secure storage space shall be provided for each unit exclusive of closets and cupboards within the dwelling unit. Said storage may be located within the garage, provided it does not interfere with automobile parking.
- E. Adequate trash and garbage collection and pick-up areas shall be provided for use within one hundred fifty feet (150') of each unit in a location or locations accessible to a public street or alley, and enclosed on three (3) sides by a five foot (5') high masonry, brick or concrete wall.
- F. Plumbing (gas and water) shut-off valves:
Separate fullway shut-off valves shall be provided to each dwelling unit.
- G. Utility Meters:
Each utility that is controlled by and consumed within the dwelling unit shall be separately metered in such a way that the unit owner can be separately billed for its use. Each unit shall have access to its own meter(s) and heater(s) which shall not require entry through another unit. Each unit shall have its own panel, or access thereto, for all electrical circuits which serve the unit.
- H. Common wall, floor-ceiling assemblies and attics shall be required to conform to the fire resistance and sound insulation performance criteria as required for new buildings.
- I. All permanent mechanical equipment, which is determined to be a source of potential vibration or noise, shall be corrected and/or isolated to preclude such vibration and noise.
- J. Attic separations shall be installed separating each individual unit with the same sound insulation and security as required for party walls.

- K. Landscaping and lighting plans must be submitted to the Planning Director for review and approval with the tentative map.
- L. Such other requirements as are determined as a result of public hearings to be necessary to accomplish the intent and purpose thereof.

Chapter 16.28

SURVEY REQUIREMENTS

Sections:

16.28.010	Survey Procedure and Practice
16.28.020	Street or Alley Centerlines
16.28.030	Subdivision Corners
16.28.040	Lot Corners
16.28.050	Reference Points
16.28.060	Street Centerline
16.28.070	Notes to be furnished
16.28.080	Identification Marks
16.28.090	Deferment
16.28.100	Inspection and Approval
16.28.110	Resetting of Stakes and Monuments.

16.28.010 Survey Procedure and Practice

The procedure and practice of all survey work done on any division of land, whether for preparation of a final map or parcel map, shall conform to the standards and details set forth in Chapter 15, Division 3 of the Business and Professions Code, the Land Surveyor's Act. The allowable error of closure on any portion of a final map or parcel map shall be 1/10,000.

16.28.020 Street or Alley Centerlines

In the event that the County Surveyor, County Road Commissioner, the State Highway Engineer, or any City Engineer has established the centerline of any street or alley in or adjoining a division of land, the final map or parcel map shall show such centerline, together with reference to a field book or map showing such centerline, together with reference to a field book or map showing such centerline and the monuments which determine its position. If determined by ties, that fact shall be stated upon the final map or parcel map.

16.28.030 Subdivision Corners

The engineer or surveyor making the survey for any subdivision in the county shall set durable monuments at all angle and curve points in the exterior boundary of subdivisions. Such durable monuments shall consist of two inch (2") cement-filled iron pipes, not less than two feet (2') in length, set not less than six inches (6") and not more than ten inches (10") below finished grade, with the point marked with nail and metal tag with the certificate number of the surveyor or civil

engineer setting it, each number to be preceded by the letters "L.S." or "R.E." respectively, as the case may be; provided that whenever a point marking any of the locations above described occurs in improved areas such as a concrete sidewalk, curb, wall or paved roadway, such points shall be marked with a lead plug, tack, and the metal tag, or with a spike and metal tag securely set in the concrete or paving respectively. If, however, the point is too close to the edge of concrete work to permit the placing of the lead plug, then sufficient concrete must be removed to permit the placing of the iron pipe as described above.

16.28.040 Lot Corners

The engineer or surveyor making the survey for any subdivision in the county shall set a durable monument at each angle and curve point in the boundary of each lot, which angle and curve point is not covered in Section 16.28.030. Such monument, except a front lot corner monument, may consist of a two inch by two inch by twelve inch (2" X 2" X 12") redwood stake with nail and the metal tag previously described; provided that whenever a point marking any of the locations above described occurs in improved areas such as concrete sidewalk, curb, wall or pavement, such points shall be marked with a lead plug, tack, and the metal tag, or with a spike and the metal tag securely set in the concrete or pavement respectively. Each front lot corner monument shall consist of a lead plug, tack and metal tag set securely in the sidewalk or curb on a definite and predetermined offset where the production of the side lot lines meet the sidewalk or curb.

16.28.050 Reference Points

If, in the opinion of the County Surveyor, any of those points which are mentioned in Section 16.28.030 are inaccessible, then reference points shall be set in a manner which will comply with Section 16.28.030; also if, in the opinion of the County Surveyor, any of those points which are mentioned in Section 16.28.040 are inaccessible, then reference points shall be set in a manner which complies with Section 16.28.040; providing, however, that all such reference points and their offsets must be shown on the final map or parcel map.

16.28.60 Street Centerline

- A. Whenever necessary, in the opinion of the County Surveyor, centerline monuments shall be set to mark the intersections of streets, intersections of streets with the tract boundary, or to mark either the beginning and end or curves or the points of intersection of tangents thereof, or other intermediate points.

- B. Each monument shall not be less durable and substantial than:
1. In Portland Cement concrete pavements, a lead and tack;
 2. In road mix asphalt surfacing or asphaltic concrete pavement, a spike not less than six inches (6") long recessed in pavement for protection.
 3. Two inch (2") iron pipe on unimproved street or as a subsurface monument in conjunction with Subdivision 2 of this subsection.

16.28.070 Notes to be Furnished

For each centerline intersection monument set, the engineer or surveyor under whose supervision the survey has been made shall furnish to the County Surveyor a set of notes showing clearly the ties between such monument and a sufficient number (normally four) of durable distinctive reference points or monuments. Such reference points or monuments may be leads and tacks in sidewalks or curb, or two inch (2") iron pipes set back of the curbline and below the surface of the ground, or such substitute therefor as appears to be not more likely to be disturbed.

Such set of notes shall be of such quality, form and completeness and shall be on paper of such quality and size as may be necessary to conform to the standardized office records of the County Surveyor as a part of the permanent public records of his office.

16.28.080 Identification Marks

All monuments set as required in this chapter shall be permanently and visibly marked or tagged with the registration or license number of the engineer or surveyor under whose supervision the survey was made.

16.28.090 Deferment

All exterior boundary monuments required in Section 16.28.030 shall be set prior to recordation of the final map or parcel map unless extensive grading operations or improvement work makes it impractical to set monuments. In the event any or all of the boundary monuments required are to be set subsequent to recordation of the final map or parcel map the engineer or surveyor making the survey shall furnish evidence acceptable to the County Surveyor prior to submitting the final map or parcel map to substantiate his reasons for deferring the setting of permanent monuments until after recordation of the final map or parcel map. If the setting of boundary monuments is deferred, field notes showing the boundary survey shall be presented to the County Surveyor at the time the final map or parcel map is submitted for checking. Interior street centerline monuments may be set subsequent to recordation of the final map or parcel map.

The final map or parcel map shall show which monuments are in place and which are to be set. Prior to approval of the final map or parcel map the subdivider shall submit a written agreement in which he agrees that the monuments so deferred will be set within a specified time, and that the notes required in Section 16.28.070 will be furnished within a specified time.

16.28.100 Inspection and Approval

- A. Monuments required in Section 16.28.030 shall be subject to inspection and approval of The County Surveyor in conjunction with his checking of the map.
- B. After all surface improvements which are called for in the contract between the County and the subdivider have been completed, the engineer or surveyor shall arrange with the County Surveyor for an inspection of the work as provided for in this chapter. The engineer or surveyor, or representatives of the engineer or surveyor doing the work, shall be present during the time set for the inspection. All monuments, stakes, buttons and creases as required by this section shall be exposed and plainly visible at the time of inspection. Should the monuments, stakes, buttons or creases not meet the requirements of this section, the engineer or surveyor shall deposit with the County Surveyor, in advance of making successive inspections, fifty dollars (\$50.00) to cover the cost of each successive inspection.

16.28.110 Resetting of Stakes and Monuments

Any monuments or stakes disturbed by the improvements shall be reset. Where no streets are to be improved the subdivider shall post a faithful performance bond to guarantee the setting of all the above stakes and monuments, the amount of the performance bond to be set and approved by the County Surveyor.

Chapter 16.32

FINAL MAPS AND PARCEL MAPS

Sections:

- 16.32.010 Filing Time Limit - Generally
- 16.32.020 Filing Copies
- 16.32.030 Final Map or Parcel Map Additional Requirements
- 16.32.040 Submission to County Surveyor
- 16.32.050 Size, Material and Scale
- 16.32.060 Title Sheet
- 16.32.070 Reversion to Acreage
- 16.32.080 Evidence Determining Boundary
- 16.32.090 Evidence of Title
- 16.32.100 Lot Numbers
- 16.32.110 Division of Land Boundary
- 16.32.120 Required Monuments
- 16.32.130 Orientation
- 16.32.140 Title, Scale, North Point, Number and Cross Reference
- 16.32.150 Bearings and Lengths of Lines
- 16.32.160 Area Designation
- 16.32.170 Curve Data
- 16.32.180 Street Names
- 16.32.190 Highway Widths and Centerlines
- 16.32.200 Easement - Lines and Ties
- 16.32.210 Easement – Designation
- 16.32.220 Easement – Bearings on Lot Lines
- 16.32.230 Easement – Widths and Ties
- 16.32.240 Easement – Identification
- 16.32.250 Easement – Dedication
- 16.32.260 Easement – Notes and Figures
- 16.32.270 City Boundary Lines
- 16.32.280 Land Subject to Flood Hazard, Inundation or Geological Hazard
- 16.32.290 land Subject to Overflow, Ponding or High Ground Water
- 16.32.300 Natural Watercourse Designation
- 16.32.310 Planning Director Action
- 16.32.320 County Surveyor Action
- 16.32.330 Taxes or Special Assessments
- 16.32.340 Final Map – Board of Supervisors Action
- 16.32.350 Final Map and Parcel Map-checking Fee

16.32.10 Filing Time Limit- Generally

Within eighteen months after the date of the approval or conditional approval of the tentative map or maps by the Advisory Agency, the subdivider may cause the proposed

subdivision to be accurately surveyed and a final map or parcel map thereof to be prepared in accordance with the tentative map and with any and all alternations and changes required thereto (except that where the map is for the purpose of effecting a reversion to acreage, a survey shall not be required) and within said period, unless extended by the Advisory Agency, they may file with the County Recorder a parcel map or final map of the subdivision conforming in all particulars to the provisions of the Map Act and of this Title.

16.32.020 Filing Copies

The subdivider shall file the original and two white copies of the final map or parcel map with the County Surveyor. The County Surveyor shall indicate the date of filing on all copies of the final map or parcel map and accompanying data, and thereafter shall transmit one copy to the County Planning Department.

16.32.030 Final Map or Parcel Map – Additional Requirements

In addition to the requirements specified in Section 16.32.020, the subdivider shall be required to file either at the time of filing the final map or parcel map at a later date as provided in Section 16.40.020, detailed plans, profiles and specifications of the improvements to be installed as required by the provisions of Chapter 16.40 and of all other improvements proposed to be installed by the subdivider in, on, over or under any street or right-of-way, easement or parcel of land dedicated by the map, including the estimated cost thereof.

16.32.040 Submission to County Surveyor

In addition to filing the original and two white copies of the final map or parcel map with the County Surveyor for checking the mathematical accuracy of the map, ties to maps of record and for conformity with the Map Act. Upon the submission of a final map or parcel map to the County Surveyor for checking, the subdivider shall deposit with the County Surveyor a plan checking fee pursuant to Section 16.32.380.

16.32.050 Size, Material and Scale

The final map or parcel map shall be clearly and legibly drawn in black water-proof India ink upon good tracing cloth or polyester basefilm, but affidavits, certificates and acknowledgements may be legibly stamped or printed upon the map with opaque ink. Signatures shall be in opaque black ink. The size of each sheet of the map shall be

eighteen inches by twenty-six inches (18" X 26") A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch (1"). The scale of the map shall be large enough (not smaller than one inch equals one hundred feet) to show all details clearly, and enough sheets shall be used to accomplish this end. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets and the relation to each adjoining sheet shall be clearly shown. The map shall be so made and shall be in such condition when filed that good legible prints and negatives can be made therefrom.

16.32.060 Title Sheet

- A. The title sheet of each map shall contain a title consisting of the number of the subdivision, as secured from the County Planning Department on a final map and the words "parcel map" on the parcel map, followed by the words "consisting ofsheets" (showing the number thereof), followed by the words "partly in the city of..... and partly in unincorporated territory of the County of Inyo" or "in the unincorporated territory of the County of Inyo"; also except as provided in Section 16.32.100, a subtitle consisting of a description of all of the property being divided, by reference to such map or maps of the property shown thereon, as has been previously filed or recorded in the Office of the County Recorder or has been previously filed with the County Clerk pursuant to a final judgment in any action in partition, or has been previously filed in the Office of the County Recorder under authority of Chapter 3, Part 2 of Division 4 of the Business and Professions Code, or by reference to the plat of any United States survey. When necessary for greater clarity or definiteness, supplemental reference may be made to any other map on file in the Office of the County Recorder.
- B. Each reference in such description to any division of land shall be spelled out and worded identically with the original record thereof and must show a complete reference to the book and page of records of county. The description shall also include reference to any vacated area with the number of the ordinance or resolution of vacation thereof.
- C. Upon such title sheet the certificate of the surveyor or engineer referred to in Sections 66441 and 66449 of the Subdivision Map Act shall appear. Also upon

such title sheet, or upon at least one map sheet, shall appear the basis of bearings, making reference to some recorded subdivision map, County Surveyor's map or other record acceptable to the County surveyor, or to a solar or polaris observation.

D. Certificates and Acknowledgements on Final Maps – the following certificates and acknowledgements shall appear on the title sheet of a final map:

1. Owner's certificate and acknowledgement and offer of dedication, if any;
2. Certificate of the County Clerk of approval by the Board of Supervisors and acceptance or rejection of offer of dedication;
3. Certificate of approval of the County Surveyor and, if in an incorporated city, also the city engineer;
4. Certificate of engineer with his registered engineer's number or of surveyor with his licensed land surveyor's number.

E. Certificates and Acknowledgements on Parcel Maps - the following certificates and acknowledgements shall appear on the title sheet of a parcel map:

1. Owner's certificate and acknowledgement and offer of dedication, if any, or subdivider's certificate;
2. Parcel maps with offers of dedication shall have a certificate of the County Clerk of approval by the Board of Supervisors and acceptance or rejection of offer of dedication;
3. Certificate of approval of the County Surveyor;
4. Certificate of engineer with his registered engineer's number or of surveyor with his licensed land surveyor's number.

F. Other Forms Required – the title sheet shall also contain such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law and by this Title. A blank space eight and one-half inches by eleven inches (8 ½ X 11) shall be provided for other forms of approval by other County officials.

16.32.070 Reversion to Acreage

Upon the title sheet of each map filed for the purpose of reverting subdivided land to acreage, the subtitle shall consist of the words “A Reversion to Acreage of (insert a legal description of the land being reverted)”.

16.32.080 Evidence determining Boundary

On each final map or parcel map as required shall be fully and clearly shown and identified such stakes, monuments or other evidence determining the boundaries of the subdivision as were found on the ground, together with sufficient corners of adjoining divisions of land, by lot and block number, subdivision name or number and place of filing, or by section, township and range, or other proper designation as may be necessary to locate precisely the limits of the subdivision.

The County Surveyor may require that a field survey be performed for any parcel map and shall examine such survey for compliance with the Subdivision Map Act and the Land Surveyor’s Act.

16.32.090 Evidence of Title

The evidence of title required by the provisions of Section 66465 of the subdivision Map Act shall be a certificate of title or a policy title insurance issued by a title company authorized by the laws of the state to write the same, showing the names of all persons having any record title interest in the land to be subdivided together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on any such final map or parcel map of land in the County, the certificate of title or policy of title insurance shall be issued for the benefit and protection of the County. Such certificate or policy shall be dated and delivered upon request of the County Surveyor when such final map or parcel map is ready for recordation.

16.32.100 Lot Numbers

Lots shall be numbered beginning with the numeral “1” and continuing without omission or duplication throughout the entire division of land. No prefix or suffix combination of letter and number shall be used. Each lot shall be shown entirely on one sheet.

16.32.110 Division of Land Boundary

The boundary line of a division of land shall be indicated by a border of light blue ink approximately one-eighth (1/8) of an inch in width applied on the reverse side of the tracing and inside such boundary line. Such ink shall be of such density as to be transferred to a blue line print of such map and not to obliterate any line, figure or other data appearing on such map.

16.32.120 Required Monuments

The location, size and depth of all monuments placed in making the survey shall be shown and if any points were reset by ties, that fact shall be stated.

16.32.130 Orientation

The map on 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, the binding edge to be at the left and lengthwise of the sheet, keeping in mind that the sheets are always on the right page of the map book – the left page being always blank.

16.32.140 Title, Scale, North Point, Number and Cross Reference

Each sheet of a final map or parcel map, excepting the title sheet or sheets thereof, shall bear the main title of the map, the scale of the map, north point and sheet number, together with a designation of the relation, if any, between each sheet and each other sheet thereof.

16.32.150 Bearings and Lengths of Lines

The basis of bearings where control monuments are available shall be that of zone, California plane coordinate system, or other basis specifically approved for each final map or parcel map by the County Surveyor. The bearing and length of each lot line, block line and boundary line shall be shown on the final map or parcel map; provided that, when bearings or lengths of lot lines in any series of lots are the same, such bearings or lengths may be omitted from each interior parallel lot line of such series. Each required bearing and length shall be shown in full and no ditto mark or other designation of repetition shall be used.

16.32.160 Area Designation

Upon each lot shall be designated the acreage of such lot not less accurately than to the nearest one-hundredth of an acre.

16.32.170 Curved Data

The length, radius and total central angle or bearings of terminal radii of each curve and the bearing of each radial line to each lot corner on each curve, or the central angle of each segment within each lot, shall be shown thereon.

16.32.180 Street Names

Street names within the boundaries of a division of land shall be shown on a final map of parcel map in accordance with Section 16.16.160.

The words “Avenue”, “Boulevard”, “Place” or other designation of any such street shall be spelled out in full on the map and such terms shall be approved by the County Engineer.

16.32.190 Highway Widths and Centerlines

There shall be shown upon each final map or parcel map the centerline of each highway or street, the total width thereof, the width of that portion, if any, to be dedicated, and in the case of any existing highways or streets, the width thereof, and the width of each highway or street on each side of the centerline thereof. On each such centerline shall be shown the bearing and length of each tangent and radius, central angle, and length of each curve.

The final map or parcel map shall show the width of each railroad right-of-way, flood control or drainage easement and each other easement appearing on such map, whether previously of record or offered for dedication on such map.

16.32.200 Easement – Lines and Ties

Upon a final map or parcel map shall be shown the centerline or side lines of each easement to which the lots in the division of land are subject. In the event that such easement is not definitely located of record, a statement showing the existence of such easement shall be placed on the map.

16.32.210 Easement – Designation

Each easement shown for any public utilities, storm drain, sewer or fire access shall be designated on the final map or parcel map by fine dashed lines.

16.32.220 Easement – Bearings on Lot Lines

Distances and bearings on the side lines of lots which are cut by easements shall be arrowed or so shown as to indicate clearly the actual length of each lot line.

16.32.230 Easement – Width and Ties

The width of easements of the lengths and bearings of the lines thereof and sufficient ties thereto to definitely locate such easements with respect to a division of land shall be shown on the final map or parcel map.

16.32.240 Easement – Identification

Each easement shall be clearly labeled and identified and, if of record, the record reference shall be shown thereon.

16.32.250 Easement – Dedication

If an easement is being dedicated by a final map or parcel map, it shall be properly set out in the owner's certificate of dedication on the map.

16.32.260 Easement – Notes and Figures

All notes or figures pertaining to each easement shall be subordinated in form and appearance to those relating to the division of land itself.

16.32.270 City Boundary Lines

Upon final map or parcel map shall be shown each city boundary line adjoining the division of land and such line shall be clearly designated and tied in.

16.32.280 Land Subject to Flood Hazard, Inundation or Geological Hazard

If any portion of the land within the boundaries shown on a tentative map is subject to flood hazard, inundation or geological hazard and the probable use of the property will require structures thereon, the Advisory Agency may disapprove the map or that portion of the map so affected, and require protective improvements to be constructed as a condition precedent to approval of the map.

If any portion of a lot or parcel of a division of land is subject to flood hazard, inundation or geological hazard, such fact and portion shall be clearly shown on the final map or parcel map by a prominent note on each sheet of such map whereon any such portion is shown.

16.32.290 Land Subject to Overflow, Ponding or High Ground Water.

If any portion of such land is subject to sheet overflow or ponding of local storm water or should the depth to ground water be less than ten feet from the ground surface, the Advisory Agency may so inform the State Real Estate Commissioner.

16.32.300 Natural Watercourse Designation

In the event that a dedication of right-of-way for storm drainage purposes is not required, the Advisory Agency may require that the location of any watercourse, channel, stream or creek be shown on the final map or parcel map.

16.32.310 Planning Director Action

Upon receipt of the final map or parcel map, the Planning Director shall examine the map for substantial conformity, with the approved tentative map and if it complies with the approved tentative map and any requirements imposed as a condition to the acceptance of the map, he shall transmit his approval to the County Surveyor.

16.32.320 County Surveyor Action

Upon receipt of the final map or parcel map, the County Surveyor shall check it as to correctness of surveying data, plans, profiles and specifications of improvements, certificates of dedication, acceptances of dedication and acknowledgements of payment of lateral connection charges and such other matters as require checking to insure compliance with the provisions of law and of this Title. If the final map or parcel map is in the correct form prescribed by the Map Act and this Title, and the matters shown thereon are sufficient, their correctness shall be certified on the map by the County Surveyor in the form prescribed by the Map Act. He shall thereupon transmit the map together with said other materials to the Board of Supervisors. If a parcel map does not involve an offer of dedication the County Surveyor shall submit the parcel map to the County Recorder for filing.

16.32.330 Taxes or Special Assessments

The County official computing redemptions shall issue to the subdivider a certificate that according to the records of his office there are no liens for unpaid county taxes or special assessments collected as taxes, except taxes or special assessments not yet payable against the subdivision or any part thereof, and as to the latter an estimate of taxes and assessments which are a lien but not yet payable.

16.32.340 Board of Supervisors Action

At its next meeting or within a period of not more than ten days after the filing of the final map or parcel map with the Board of Supervisors, the Board of Supervisors shall approve the map if the same conforms to all the requirements of the Map Act and of this Title applicable at the time of approval of the tentative map and any rulings made thereunder. At the time of approval, the Board shall also accept or reject any or all offers of dedication and as a condition precedent to the acceptance of any streets or easements may require that the subdivider, at his option, either improve or agree to improve the streets or easements in accordance with Section 16.40.010. Upon the execution by the subdivider of the agreement and the posting of the bond or the deposit of money or negotiable bonds required by Chapter 16.44, the map of the subdivision shall be approved and accepted for recordation. Title to property so accepted shall not pass until the final map is duly recorded under the provisions of the Map Act and of this Title. If, at the time of the final map or parcel map is approved any streets which are rejected, the offer of dedication shall be deemed to remain open and shall not be subject to revocation, and the Board of Supervisors may by resolution at any later date and without further action by the subdivider, rescind its action and accept and open the streets for public use, which acceptance shall be recorded in the Office of the County Recorder. If a resubdivision or map showing reversion to acreage of the tract is subsequently filed for approval, any offer of dedication previously rejected shall be deemed to be terminated upon the approval of the map by the Board of Supervisors.

16.32.350 Final Map and Parcel Map Checking Fees

Where the County Surveyor checks a final map or parcel map under the provisions of the Subdivision Map Act, the subdivider shall pay a map checking fee to the County Surveyor in addition to all the other fees and charges required by law. This fee shall be set by a resolution of the Board of supervisors.

The provisions of this Section shall apply to all final maps and parcel maps checked by the County Surveyor, whether the property is within the limits of an incorporated city or not.

Chapter 16.36

DEDICATIONS

Sections:

16.36.010	Natural Watercourses
16.36.020	Drainage Facilities
16.36.030	Sewers and Storm Drains
16.36.040	Private Streets
16.36.050	Map Showing Structures Required
16.36.060	Easement Certificate
16.36.070	Waiver of Signatures
16.36.080	Rights-of-Way Under Condemnation
16.36.090	Dedications for Certificate of Compliance and Parcel Maps
16.36.100	Method of Dedicating
16.36.110	Record Title Interests on Parcel Maps
16.36.120	Evidence of Title for Parcel Maps

16.36.010 Natural Watercourses

In the event that a division of land or any part thereof is traversed by any major watercourse, channel, stream or creek, the subdivider shall dedicate an adequate right-of-way for storm drainage purposes if, in the opinion of the Advisory Agency, such dedication is necessary. In the event that the natural watercourse does not lie entirely within such dedication, the subdivider may either construct an adequate channel within such dedication or delineate the course of the watercourse upon the final map, or parcel map as may be approved by the County Engineer. These waterways shall be maintained in a natural condition.

16.32.020 Drainage Facilities

If an artificial drainage facility is necessary for the general use of lot owners in the division of land and for adequate drainage needs, the subdivider shall dedicate an adequate right-of-way for such drainage channel.

16.36.030 Sewers and Storm Drains

If, in the opinion of the Advisory Agency, either sewers or storm drains or both are necessary for the general use of lot owners in the division of land, and such sewers or storm drains or both are not to be installed in the streets of such division, then the

subdivider shall show upon the maps and dedicate necessary easements for such sewers or storm drains or both.

16.36.040 Streets

Except as set out hereinafter, all streets or highways intended for public use in a division of land shown on the final map or parcel map thereof shall be offered for dedication for public use. With the approval of the Advisory Agency, any street or highway which is intended to be kept physically closed to public travel or posted as a private street at all times may be shown as a private street, but in any such case the final map or parcel map shall contain an offer of dedication pursuant to Section 16.16.080 of this Title which may be accepted by the Board of Supervisors. Any such private street shall be shown on such map by heavy dash lines. Sufficient data shall be shown on each private street to define its boundaries, as is required for a public street, and also sufficient mathematical data to show clearly the portion of each lot within such street. The design and improvement of any such private street shall be subject to all of the requirements prescribed by this Title for Public Streets.

16.36.050 Map showing Structures Required

Any final map or parcel map submitted to the County for acceptance of easements for streets, highways or public ways and filing with the County Recorder, or parcel map, requiring a separate instrument of such easement dedication, submitted to the County Surveyor for checking and filing with the County Recorder shall be accomplished by an additional copy of such map on which is delineated all structures existing within the easements, except publicly owned storm drains, water lines, sewers and other sanitary facilities, whether such structures are on recorded easements or not.

16.36.060 Easement Certificate

Any final map or parcel map presented to the County for acceptance of easements and recordation shall have written thereon, in addition to or as a part of any other certificate required, a certificate signed by the owner and the subdivider, and by all persons claiming any interest other than a right-of-way, easement, or other interest, none of which can ripen into a fee, in the lands included within the subdivision shown on the map, in substantially the following form:

“We hereby certify that except as shown on a copy of this map on file in the office of the County Surveyor, we know of no easement or structure existing within the easements hereby offered for dedication to the public, other than publicly owned water lines, sewers or storm drains; that we will grant no right or interest within the boundaries of said easements offered to the public, except where such right or interest is expressly made subject to the said easements”.

16.36.070 Waiver of Signatures

If the owner of an easement or right-of-way of any kind or nature in any right-of-way offered for dedication, who has no other interest whatever in any part of the lands included within the subdivision, refuses to make his easement subject to any right-of-way offered to the public, but the final map or parcel map in all other respects complies with this Title; with the Subdivision Map Act, and with every other applicable statute and ordinance, and the Board of Supervisors finds that the subdivider has in good faith attempted to obtain the necessary signature from such owner and has been unable to do so, and that a refusal to accept the final map or parcel map for recordation would work an undue hardship on the subdivider, then by a majority vote of all its members the Board of Supervisors may accept such map.

16.36.080 Rights-of-Way Under Condemnation

In the event that an easement for any right-of-way required under the provisions of this Title in connection with any proposed division of land is in the process of condemnation by the County at the time of the submission of any final map or parcel map, the subdivider, in lieu of offering such right-of-way for dedication, may show such right-of-way upon the final map or parcel map thereof as a private right-of-way, and prior to the approval of such final map or certification of such parcel map shall submit to the County Engineer a deed granting such easement to the County on condition that such condemnation proceedings are abandoned, together with a contract and bond as provided by Section 16.40.080 hereof.

16.36.090 Dedications for Certificate of Compliance and Parcel Maps

Dedications or offers of dedication of real property for streets, highways and other public ways; access rights and abutter's rights; drainage and public utility easements may be required for a Certificate of Compliance or parcel map.

16.36.100 Method of Dedicating

If dedications or offers of dedications are required for a certificate of compliance or parcel map, they may be either by certificate on the parcel map or by separate instrument.

16.36.110 Record Title Interests on Parcel Maps

The signatures of all parties having any record title interest in the real property being subdivided shall not be required on any parcel map unless offers of dedication are required.

16.36.120 Evidence of Title for Parcel Maps

Evidence of title shall be submitted with all parcel maps. This shall show all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds together with the name of the trustee, and all easement holders.

Chapter 16.40

IMPROVEMENTS AND GENERAL REQUIREMENTS

Sections:

16.40.010	Street Improvements and Utility Installation
16.40.020	Improvement Plans and Profiles
16.40.030	Grading and Stripping Restrictions
16.40.040	Completion of Improvements
16.40.050	Street Planting
16.40.060	Planting Strips
16.40.070	Improvements Other than Highways and Street Lights
16.40.080	Agreement with County.
16.40.090	Reserved Areas – Public Sites
16.40.100	Policy on Parks and Recreation Facilities
16.40.120	Amount of In-Lieu Fees
16.40.130	Use of In-Lieu Fees
16.40.140	Adoption of Park and Recreation In-Lieu Fee Utilization Map
16.40.150	Park and Recreation Dedication and/or Creation of Private Parks
16.40.160	Procedures
16.40.170	Credit for Private Park and Recreation Facilities
16.40.180	Exemptions
16.40.190	Development Fees

16.40.010 Street Improvements and Utility Installation

The subdivider shall improve, or agree to improve, all streets or highways in the subdivision. Improvements shall be installed to permanent line and grade to the satisfaction of the County Engineer in accordance with standard specifications of the County on file in the office of the County Engineer. The minimum improvements which the subdivider makes, or agrees to make, prior to acceptance and approval of the final map or parcel map shall be:

- A. Pavement Requirements: The minimum requirements for street improvements shall be three inches (3") of road mixed asphalt surfacing or three inches (3") of asphaltic concrete as specified in Sections 38 and 39 of the Standard Specifications of Inyo County. The aforesaid pavements shall be placed on an aggregate base as specified in Section 26 of the Standard Specifications;

- B. Grading, curbs, sidewalks, gutters and cross gutters, drainage and drainage structures necessary to the proper use and drainage of streets and highways and to the public safety shall be provided. Curbs, gutters and cross gutters shall be required on districts zoned R-1, R-2, R-3, RMH, C-1, C-2 and C-3. The Advisory Agency may waive the requirements of curbs, gutters and sidewalks if topography or any other conditions make such improvements unreasonable or impractical;
- C. A water system shall be required for all final maps – said water system shall meet the requirements of the County and shall be installed with mains of sufficient size and having a sufficient number of outlets to furnish adequate domestic water supply as required by the Uniform Building Code for each lot of a final map and to provide adequate fire protection as required by the County Fire Marshal to meet local neighborhood needs, including fire hydrants and laterals therefor.
“For four or less lots, adequate fire protection as required by the County Fire Marshal including fire hydrants and laterals therefor shall be required when a fire protection system is reasonably available near the subdivision”
- D. A central sewage collection system will be provided for each subdivision containing five or more lots. For four or less lots, sanitary sewer facilities will be provided where an out-fall sewer is reasonably available.
However, the Advisory Agency may waive the requirements of this section upon a showing of good cause that said waiver would not pose any long term sewage disposal problems on any of the lots in question.
- E. Services from public utilities where provided and from sanitary sewers shall be made available for each lot in such manner as will obviate the necessity for disturbing the street pavement, gutter, culvert and curb, when service connections are made. Final street and sidewalk surfacing shall not be completed until all utility facilities have been installed.
- F. Utility Installations: Utility lines, including but not limited to electric, communications, street lighting and cable television shall be required to be placed underground for all final maps. The subdivider is responsible for complying with the requirements of this section, and he shall make the necessary arrangements with the utility companies for the installation of such facilities. For the purposes

of this section, appurtenances and associated equipment in an underground system may be placed aboveground but not in the public right-of-way. The Advisory Agency may waive the requirements of this section if topographical, soil or any other conditions make such underground installation unreasonable or impractical.

This section shall not apply to utility lines which do not provide service to the area being subdivided.

16.40.020 Improvement Plans and Profiles

The plans and profiles of all improvements required by the provisions of this section, as well as of other improvements proposed to be installed by the subdivider in, over or under any street or right-of-way, easement or parcel of land where improvements are required or proposed, shall be filed with the County Engineer. If all detailed plans and profiles of improvements are not filed with the County Engineer at the time of filing of the final map or parcel map, the faithful performance bond (Section 16.44.010) shall include a guarantee that the remaining plans and profiles will be prepared in accordance with the requirements of the County Engineer. In all cases where topography controls the design, all detailed plans and profiles of improvements required by the County Engineer must be submitted at the time of filing of final map or parcel map.

16.40.030 Grading and Stripping Restrictions

Where grading or filling or stripping of vegetation is not done concurrently with the final map or parcel map improvements and bonds required therefore, no grading or filling or stripping of vegetation within the boundaries of the subdivision shall be permitted until the Advisory Agency has given approval and has provided for any necessary interim erosion control and planting to protect adjoining private and public property and the general welfare, a grading permit has been issued in accordance with such conditions and the required grading bond has been filed.

16.40.040 Completion of Improvements

Prior to the filing of the final map or parcel map, the subdivider shall enter into an agreement with the County whereby the subdivider agrees to furnish all necessary equipment and materials and to complete all required uncompleted improvements within the time specified by the agreement. Improvements shall be completed to the satisfaction of the Public Works Department. Upon submission of improvement plans and profiles

for subdivision improvements under the jurisdiction of the County Engineer, the subdivider shall deposit the fees for plan checking and inspection with the Department of Public Works. The fees for plan checking and inspection shall be set by resolution by the Board of Supervisors of Inyo County.

16.40.050 Street Planting

In any subdivision where the subdivider proposes to plant trees or shrubs in the streets, the subdivider shall first secure from the Public Works Director in coordination with the Director of Parks and Recreation approval of the type or species, location and maintenance of such trees and shrubs.

16.40.060 Planting Strips

The Public Works Director in cooperation with the Director of Parks and Recreation shall advise subdividers and their successors in interest in the selection and care of trees or shrubs to be planted in any required planting strip reservation on private property.

16.40.070 Improvements Other than Highways and Street Lights

In the event that fences, walls, underground power or telephone facilities, sanitary sewers, other means of sewage disposal, or storm drains (other than structures incidental to road improvement) are installed or are to be installed as a part of the improvement of a division of land, plans, profiles, specifications and all necessary details of the proposed construction shall be submitted to the County Engineer not later than the time of submitting the final map or parcel map for checking and shall be subject to final approval by the County Engineer before such final map or parcel map shall be approved. Provided, however, that a subdivider may deposit the final map or parcel map with the County Surveyor for preliminary review prior to formally submitting it for checking.

Such plans, profiles and specifications shall show full details of the proposed improvement which shall conform to the standards of the County.

16.40.080 Agreement with County

Prior to the approval by the Board of Supervisors of a final map or parcel map with dedication or the filing of a parcel map with the County Recorder, the subdivider shall enter into an agreement with the County whereby, in consideration of the acceptance of dedications offered on the final map and the approval of the final map, or the dedications offered by separate instrument for the parcel map, the subdivider agrees to furnish all

necessary equipment and material and to complete such work within the time specified in such agreement.

16.40.090 Reserved Areas – Public Sites

Areas reserved for school sites, fire stations or other public uses shall be reserved by separate agreement as such for a period of one year after completion of development of a subdivision, or five years after recording the final map, whichever is less, during which time the public agency involved shall have the option of acquiring the same. Each such area shall be designated as a single lot on the final map. When the Advisory Agency finds this reserved area would create an undue hardship on the subdivision or subdivider, upon the written request of the subdivider and after a public hearing, the Advisory Agency may waive this section.

16.40.100 Policy on Parks and Recreation Facilities

The Board of Supervisors finds that the public interest, convenience, health, safety and welfare require the establishment of adequate park and recreation facilities to serve the residents of the County. It is the purpose and intent of this requirement that new residential developments consisting of fifty-one lots or more shall assist the County in meeting the County’s obligation and responsibility to provide adequate park and recreation facilities through the dedication of land for park and recreation purposes. The County Board of Supervisors establishes requirements, policies and standards for park and recreation development, collection of fees, dedication of land, and the use of fees and land for park and recreation purposes.

16.40.120 Amount of In-Lieu Fees

The Board of Supervisors has determined that in-lieu fees shall be assessed by using the following schedule based on the fair market value of each vacant residential parcel or lot.

Value of Parcel	\$7,500	\$7,501	\$14,501	\$21,501	\$28,501
Or Lot	or under	\$14,500	\$21,500	\$28,500	and up
In-lieu Fee:	\$50.00	\$75.00	\$100.00	\$125.00	\$150.00

16.40.130 Use of In-Lieu Fees

- A. At the time the final map is approved, the Advisory Agency shall designate the time of commencement of the expenditure of funds for development of the park and recreational facilities serving the subdivision.

- B. All park and recreation fees collected pursuant to this chapter shall be placed in a special fund independent of the general fund and expended only for park and recreation acquisition and development.
- C. Fees collected pursuant to this chapter shall be utilized for providing mini-parks, community parks, regional parks and special recreational facilities as are identified in the general plan, recreation element, or other plans as approved and authorized by the Board of Supervisors.
- D. The County shall be separated into five sub-areas for park and planning purposes as depicted in Exhibit A, incorporated into this chapter by reference. Fees collected pursuant to this chapter shall only be expended for park and recreation purposes at parks described by a resolution to be adopted by the Board of Supervisors which are located within the planning area within which they are collected.
- E. The Parks and Recreation Department shall endeavor to seek state and federal funds to supplement the park and recreation fees and/or land collected or acquired pursuant to this chapter.
- F. The Director of Parks and Recreation shall report to the Board of Supervisors if deemed necessary by the Board of Supervisors on the operation and administration of this chapter including the amount of fees collected, land acquired, park and recreation facilities developed and recommended changes to this chapter as are appropriate to its intent and purpose.

16.40.140 Adoption of Park and Recreation In-Lieu Fee Utilization Map

The Board of Supervisors does adopt a map entitled “Park and Recreational In-Lieu Fee Utilization Map”, showing areas within which in-lieu fees have been or will be collected, and where funds shall be allocated (See Exhibit A on file with the Parks and Recreation Department). Legal descriptions of districts are as follow:

- A. District I The area shall be shown on Exhibit A with the following clarification: Southeast boundary shall consist of that area of the County from the intersection of State Highways 395 and 168 easterly on 168 to Cedar Flat; thence northerly along Forest Service Road 4S01 through the Ancient Bristlecone Pine area to the northeast corner of the Inyo-Mono County Line. Southwest boundary

shall begin in the town of Big Pine at the intersection of State Highways 395 and 168 southerly along 395 to Crocker Street to Inyo National Forest and along Forest Service Road 9S02 to its end at First Falls Campground; thence along the trail past Big Pine Lakes and continuing westerly to Bishop Pass on west boundary of Inyo County.

- B. District II Boundaries shall be as indicated on Exhibit a with the following clarification: The east boundary shall begin at Westgard Pass thence southerly and easterly along the westerly southerly crest of the Deep Springs Valley Drainage Basin to the crest of the Inyo Mountains; to the unnamed road providing access to the White Swan Mine; thence continuing southerly along the unnamed road to State Highway 190 to its intersection with the northerly boundary of T.19S of the Mt. Diablo Base & Meridian (MDB&M); thence westerly along the northerly boundary of T.19S to the easterly boundary of R.39E; thence southerly along the northerly boundary of T.19S to the easterly boundary of R.39E; thence southerly along the easterly boundary of R.39E to the northerly boundary of the Naval Reservation Boundary – United States Naval Weapons Center.
- C. District II Subareas:
 - 1. Area 2A shall be all of District II excepting that part lying southerly of the northerly boundary of T.21S, MDB&M.
 - 2. Area 2B shall be all of District II excepting that part lying northerly of the northerly boundary of T.21S, MDB&M.
- D. District III All that area within Inyo County lying within the boundary of and being part of the Naval Reservation known as the United States Naval Weapons Center.
- E. District IV All that area within Inyo County excluding the areas shown on Exhibit A and described herein as Districts I, II, III and V.
- F. District V All that area within Inyo County lying within the easterly boundary of the Death Valley National Park.

16.40.150 Park and Recreation Dedication and/or Creation of Private Parks

The provisions of this and the following sections shall apply to all residential subdivisions consisting of fifty-one (51) parcels or more as a condition to the approval of final subdivision maps in Inyo County. Every subdivider who subdivides land which under applicable zoning may be used for residential purposes shall dedicate a portion of land, pay an in-lieu fee, or receive credit for private reservation of land for the purpose of providing park and recreational facilities to serve future residents of such subdivisions. In-lieu fees shall be based upon the fee schedule found in Section 16.40.120.

16.40.160 Procedures

- A. Subdivider: At the time of filing a Tentative Map for approval, the owner of the property shall, as a part of such filing, indicate whether they desire to dedicate property for park and recreational purposes, pay in-lieu fee or whether they desire to receive credit for private park and recreation facilities. If they desire to dedicate land for this purpose, they shall designate the area thereof on the map as submitted. If the subdivider wishes to receive credit for private open space, open space covenants, or other instruments as provided in this chapter, for private park and recreational facilities, shall be submitted to the Advisory Agency for its review.
- B. Park and Recreational Use Land-Amount of Land Dedication: In subdivisions containing fifty one (51) lots or more, the Board of Supervisors shall require either a dedication of land equal to four hundred thirty-five square feet per parcel, unless credit for private parks is granted, an in-lieu park fee is paid or a combination of both is approved, as provided in this chapter.
- C. Prerequisites for Approval of Final Map Where dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act. If land is accepted for dedication by the Board of Supervisors, it shall be conveyed to Inyo County at the time the map is recorded with the County Recorder. Where fees are required by this chapter, the same shall be deposited with the County prior to the approval of the final map. Open space covenants, or other instruments as provided in this chapter, for private park or recreational

facilities must be approved by the Advisory Agency and shall be recorded contemporaneously with the final map.

16.40.170 Credit for Private Park and Recreation Facilities

The Board of Supervisors finds that it is in the public interest to encourage and promote the provision of private park and recreation facilities in subdivisions and other residential developments in the county. In order to encourage the provision of private park and recreation facilities, one hundred percent (100%) credit may be obtained for private park and recreation dedication requirements if the Advisory Agency makes findings that the following standards and criteria have been met prior to approval of the final subdivision map:

- A. The park and/or recreation facility is to be owned and maintained by the future owner(s) of the development;
- B. That the Advisory Agency has determined that it is in the public interest to grant such credit and has approved the necessary easements, covenants and/or instruments;
- C. That evidence has been provided that the private ownership and maintenance of the area will be adequately provided for by recorded written agreement, covenants or restrictions; and
- D. That the use of the private area is restricted for park and recreational purposes by an open space easement or other instrument which cannot be defeated or eliminated without the permission of the Board of Supervisors. Such easements or instruments shall have been approved by the County Counsel's Office and the Advisory Agency, and
- E. That yards, court areas, setbacks and other open areas required to be maintained by the zoning and building ordinances and other regulations, shall not be, and have not been included in the computation of the amount of space in such private areas; and
- F. That the facilities proposed;

1. Are in substantial compliance with the provisions of the general plan, or adopted community or specific plans,
2. Are appropriate to the recreation needs of the future residents of the development, and
3. Will substitute for the park lands otherwise required to be dedicated in meeting the recreational needs of the residents.

16.40.180 Exemptions

The provisions of this chapter do not apply to industrial subdivisions, nor do they apply to condominium projects which consist of the subdivision of air space in an existing apartment building which is more than five (5) years old when no new dwelling units are added, nor do they apply to parcel maps for a subdivision containing less than five parcels for a shopping center containing more than three hundred thousand square feet (300,000 sq.ft.) of gross leasable area and no residential development or use.

16.40.190 Exemptions

If the County of Inyo establishes, increases or imposes a fee or fees as a condition of approval of a development project on or after January 1, 1989, the County shall do all of the following;

- A. Identify the purpose of the fee,
- B. Identify the use to which the fee is to be put. If the use is for financing public facilities, the facilities shall be identified,
- C. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed,
- D. Determine how there is a reasonable relationship between the need for a public facility and the type of development project on which the fee is imposed, and
- E. For those development projects on which a fee is imposed for a public facility the County shall determine the relationship between the fee and the cost of the public facility attributable to the development on which the fee is imposed.

Upon receipt of a fee subject to this section, the County shall deposit, invest, account for, and expend the fees pursuant to Section 53077 of the Government Code.

The County shall make findings once each fiscal year with respect to any portion of the fee remaining unexpended or uncommitted in its account five or more years after deposit

of the fee to identify the purpose of which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged.

The County shall refund to the then current record owner(s) of the development project or projects on a prorated basis the unexpended or uncommitted portion of the fee, and any interest accrued thereon, for which need cannot be demonstrated pursuant to this subdivision.

Chapter 16.44

BONDS AND DEPOSITS

Sections:

16.44.010	Improvement Security
16.44.020	Amount of Improvement Security
16.44.030	Refunds
16.44.040	Insufficient Deposits
16.44.050	Faithful Performance Bond - Monuments
16.44.060	Reduction in Bonds or Deposits
16.44.070	Guarantee and Warranty
16.44.080	Forfeiture on Failure to Complete

16.44.010 Improvement Security

If the subdivider enters into an agreement with the County for completion of improvements, the subdivider shall furnish security to guarantee the successful completion of the improvements specified in the agreement. The improvement security shall be governed by Section 66499 of the Subdivision Map Act, and these local ordinances.

Improvement Security shall be one of the following at the option of and subject to the approval of the County of Inyo.

- A. Bond or Bonds by one or more duly authorized corporate sureties.
- B. A deposit, either with the County of Inyo, or responsible escrow agent or trust company, at the option of the County, of money or negotiable bonds of the kind approved for securing deposits of public monies.
- C. An instrument of credit from one or more financial institutions subject to regulation by the State or Federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

16.44.020 Amount of Improvement Security

Upon entering into an agreement with the County for completion of improvements referred to in Chapter 16.40, the subdivider shall furnish security to guarantee the completion of all improvements in the agreement in the following amounts:

- A. Faithful Performance: 100% of the total estimated cost of the improvements to insure faithful performance of all improvements to be completed.
- B. Labor and Materials: 100% of the total estimated cost of the improvements to secure payment for the contractor, his subcontractors and to persons furnishing labor and materials for all improvements to be completed.
- C. Enforcement of Agreements: 5% of the total estimated cost of the improvements, or \$1,000.00, whichever is greater, to cover the cost and reasonable expenses and fees, including reasonable attorney's fees, which may be incurred by the County in successfully enforcing the obligation secured.

16.44.030 Refunds

In any case where the actual cost of plan preparation, plan checking, inspection or other services performed by an officer of department of the County (except in the case where the deposit is set as a fixed charge by County ordinance) is less than the amount deposited, the County shall refund to the depositor any amount still remaining in the same manner as provided by law for repayment of trust monies.

16.40.040 Insufficient Deposits

If any deposit made pursuant to Section 16.44.010 is less than sufficient to pay all of the costs of plan checking, inspection, etc., the subdivider, upon demand of the County Engineer or County Auditor, shall pay the County an amount equal to the deficiency. If the subdivider fails or refuses to pay such deficiency upon demand, the County may recover the same by action in any court of competent jurisdiction. Until such deficiency is paid in full, the improvement shall be considered uncompleted.

16.44.050 Faithful Performance Bond - Monuments

The agreement referred to in Section 16.28.090 shall be accompanied by a faithful performance bond in a penal sum which, in the opinion of the County Surveyor, equals

the cost of setting such monuments, guaranteeing the faithful performance of all such work of setting monuments and furnishing notes, and in every respect complying with such agreement.

16.44.060 Reduction in Bonds or Deposits

When any improvement has been completed to the satisfaction of the Department of Public Works, and upon written request from the subdivider, the County will release that portion of the security for the faithful performance of the completed improvement, excepting that portion retained for the guarantee and warranty.

The labor and material security securing the payment to the contractor, his subcontractors, and to persons furnishing labor, materials and equipment for any improvement shall be retained for six (6) months after the acceptance of the improvement by the Department of Public Works. This security, upon written request by the subdivider, shall then be reduced to an amount not less than the total of all claims on which an action has been filed and written notice given to the Board of Supervisors. If no such actions have been filed the security shall be released in full upon written request by the subdivider.

This portion of the security for the enforcing of the obligation secured shall be released at the time the security for the guarantee and warranty is released.

16.44.070 Guarantee and Warranty

Upon completion by the subdivider of all required acts and improvements specified in the agreement between the subdivider and the County and upon acceptance of these improvements by the Public Works Department, there will be a 20% retention of the faithful performance security for one (1) year to guarantee workmanship and materials.

The subdivider shall furnish security in the form specified under improvement security to guarantee workmanship and materials for streets, curbs, sidewalks and accessories which have been completed before filing of the final or parcel map. The amount of the security shall be 20% of the total cost of these improvements and shall be retained for one (1) year after the filing with the County Recorder of the final or parcel map.

16.44.080 Forfeiture on Failure to Complete

Upon the failure of a subdivider to complete any improvement within the time specified in an agreement, the Board of Supervisors may, upon notice in writing of not less than ten days served upon the person, firm or corporation signing such contract, or upon notice in writing of not less than twenty days served by certified mail addressed to the last known address of the person, firm or corporation signing such contract, determine that the improvement work or any part thereof is uncompleted and may cause to be forfeited to the County such portion of the sum of money or bonds given for the faithful performance of the work, or may cash any savings and loan certificates or shares deposited and assigned to assure the faithful performance of the work in such amount as may be necessary to complete such improvement work.

Chapter 16.48

CERTIFICATE OF COMPLIANCE

Sections:

16.48.010	Purpose
16.48.020	Certificate of Compliance - Permitted
16.48.030	Submission of Certificate of Compliance
16.48.040	Certificate of Compliance - Fees
16.48.050	Certificate of Compliance - Number
16.48.060	Exhibit Map
16.48.070	Matters Required
16.48.080	Action on Certificate of Compliance
16.48.090	Written Reports to Applicant
16.48.100	Certificate of Compliance – Approval

16.48.010 Purpose

this chapter is intended to regulate subdivisions of forty (40) acre lots or larger, boundary line adjustments and certification of the legality of existing parcels.

16.48.020 Certificate of Compliance - Permitted

A subdivider may request the filing of a Certificate of Compliance in lieu of filing a parcel map or a final map for the following land divisions:

- A. Four or less parcels in which each resulting parcel contains a minimum of forty acres gross area;
- B. Four or less parcels in which each resulting parcel contains a minimum of thirty-eight (38) acres gross area caused by the original section being under six hundred forty (640) acres;
- C. Those in which the resulting number of lots remains the same (boundary line adjustment); or
- D. Those in which the resulting number of lots is decreased.

A Certificate of Compliance may also be requested by an applicant certifying that an existing parcel of land was created in compliance with the provisions of the Subdivision Map Act and local ordinances enacted pursuant thereto.

16.48.030 Submission of Certificate of Compliance

The Certificate of Compliance application and accompanying data shall be submitted to the Planning Department. The information to be submitted is contained on the application form obtained from the Planning Department. The Planning Department shall indicate the date of the filing upon all copies of the Certificate of Compliance application and accompanying data, and thereafter shall submit one copy of the Exhibit Map to the County Subdivision Committee members and other agencies which have an interest in the proposal.

16.48.040 Certificate of Compliance - Fees

At the time of submission, the persons submitting the Certificate of Compliance application shall pay a filing fee. The amount of the filing fee for Certificate of Compliances shall be set by a Resolution of the Board of Supervisors.

16.48.050 Certificate of Compliance - Number

- A. Before submitting a Certificate of Compliance the applicant shall obtain a Certificate of Compliance Number. Numbers for Certificate of Compliances shall be assigned by the County Planning Department.
- B. When a Certificate of Compliance number has been assigned, the applicant shall place the number upon each application and Exhibit Map and the number shall not thereafter be changed or altered in any manner unless and until a new number has been assigned.

16.48.060 Exhibit Map

A Certificate of Compliance which involves a land division or a boundary line adjustment shall require an Exhibit Map. The Exhibit Map shall be drawn to such a scale as to clearly show the details of the request.

16.48.070 Matters Required

The Exhibit Map, if required, shall show and contain the following matters as an aid to the Advisory Agency and its consideration of the application:

- A. The Certificate of Compliance Number as secured from the County Planning Department.
- B. Sufficient legal description of the land as to define the boundaries.
- C. A Vicinity Map.

- D. Locations, names and existing widths of all adjoining highways, streets and ways.
- E. Widths and approximate locations of all existing and proposed easements, whether public or private for roads, drainage, sewage and public utility purposes.
- F. The approximate lot layout and the approximate dimensions of each lot.
- G. Approximate boundary of all areas subject to inundation or storm water overflow and the locations, widths and directions of the flow of all watercourses.
- H. Source of water supply.
- I. Proposed method of sewage disposal.
- J. Date, north point and scale.
- K. Number for each lot.
- L. Existing use(s) of the property and the approximate outline, to scale, of any existing buildings or structures and their locations in relation to existing or proposed street and lot lines.

16.48.080 Action on Certificate of Compliance

- A. Within a period of not more than fifteen (15) days from the receipt of a copy of the Exhibit Map on a Certificate of Compliance, each office or department to which such copy has been transmitted shall file with the Advisory Agency his or its approval of the Certificate of Compliance, or a report showing what changes are necessary to make it conform to the requirements of this title coming within the jurisdiction of such office or department.
- B. The Advisory Agency shall review the recommendations of the departments and if satisfied with the Certificate of Compliance shall approve it within fifty (50) days after the filing of the Certificate of Compliance unless such time is extended by agreement with the applicant. If the Advisory Agency is not satisfied with the Certificate of Compliance, it shall disapprove or conditionally approve it within said time.

- C. In the event such Certificate of Compliance is disapproved or conditionally approved, the Advisory Agency shall return to the applicant a statement of the reason(s) for its action and a statement of what changes would be necessary to render it acceptable. A copy of the aforesaid statement shall remain permanently in the files of the Advisory Agency, and one copy of the statement shall be sent to the Subdivision Committee members.
- D. At the same time, the Advisory Agency shall designate the improvements, if any, which will be required under the provisions of Section 16.36.010 before filing of the Certificate of Compliance with the County Recorder.
- E. If the Certificate of Compliance is requested for the certification of the legality of an existing parcel(s) such determination shall be made by the Director of the Planning Department. If it is determined that an existing parcel of land was created in compliance with the provisions of the Subdivision Map Act and local ordinance enacted pursuant thereto the Director of Planning shall file with the County Recorder the Certificate of Compliance.

16.48.090 Written Reports to Applicant

Any reports or recommendations on the map of any Certificate of Compliance for a land division or boundary line adjustment submitted to the Advisory Agency or Board of Supervisors shall be submitted in writing to the subdivider prior to final action on the Certificate of Compliance by the Advisory Agency or Board of Supervisors. Such required submission in writing is satisfied when such reports or recommendations are placed in the mail directed to the subdivider at his designated address and bearing the proper postage.

16.48.100 Certificate of Compliance - Approval

The approval or conditional approval of a Certificate of Compliance for a land division or boundary line adjustment shall be for eighteen (18) months. Upon written application the Advisory Agency may grant extensions not exceeding two (2) one year periods. The amount of the filing fee for a time extension shall be set by a Resolution of the Board of Supervisors.

Chapter 16.52
PARCEL MERGER

Sections:

- 16.52.010 Merging Parcels
- 16.52.020 Waiving of Notification

16.52.010 Merging Parcels

Parcels of land that are contiguous and are held by the same owner(s) may be merged. Said merger shall be approved by the Inyo County Board of Supervisors in accordance with the provisions of Chapter 3, Article 1.5 of the State Subdivision Map Act.

The amount of the filing fee for a parcel merger shall be set by Resolution of the Board of Supervisors.

16.52.020 Waiving of Notification

Notwithstanding Chapter 3, Article 1.5 of the State Subdivision Map Act any owner(s) of the contiguous property may request a parcel merger and waive the thirty (30) day notification requirement.

Chapter 16.56

MODIFICATIONS – APPEAL

Sections:

- 16.56.010 Modifications
- 16.56.020 Appeal

16.56.010 Modifications

Whenever, in the opinion of the Advisory Agency, the land involved in any subdivision is of such size or shape, or is subject to such title limitations or record or is affected by such topographical location or conditions or is to be devoted to such use that it is impossible or impracticable in the particular case for the subdivider to conform fully to the regulations contained in this Title, the Advisory Agency may make such modification thereof as in its opinion is reasonably necessary or expedient and in conformity with the spirit and purpose of the Map Act of this Title. Each such proposed modification shall be referred to the officer or department under whose particular jurisdiction the regulation involved comes, and such officer or department shall transmit to the Advisory Agency his or its written recommendation on each such proposed modification and the facts supporting such recommendation prior to approval of the tentative map or Certificate of Compliance thereof.

16.56.015 Modification of Recorded Maps

A. In addition to the amendments to final maps and parcel maps authorized by Section 66469 of the Government Code, final maps and parcel maps filed with the county recorder may be modified by a certificate of correction or an amending map if, after a public hearing as provided for in Section 66451.3 of the Government Code, the advisory agency or the Board of Supervisors finds that, with respect to the map, all of the following exist:

1. There are changed circumstances that make any or all of the conditions of the map no longer appropriate or necessary;
2. The proposed modification will not impose any additional burden on the fee owners of the real property;

3. The proposed modification will not alter any right, title, or interest in the real property reflected on the recorded map; and
 4. The map as modified will conform to Section 66474 of the Government Code.
- B. The modifications provided for in subsection A. shall be considered by the body, whether the Board of Supervisors or the advisory agency, that initially imposed or approved the condition sought to be modified.

16.56.020 Appeal

If the subdivider is dissatisfied with any action of the Advisory Agency with respect to a tentative map or Certificate of Compliance, he may appeal said action to the Board of Supervisors.

Any interested person or public agency may appeal any decision of the Advisory Agency relative to its assigned duties under the provisions of Sections 66473.5, 66474 and 66474.5 of the Government Code to the Board of Supervisors. Said appeal shall state the reason(s) why the appellant disagrees with the decision of the Advisory Agency.

All appeals shall be submitted and acted upon in the manner prescribed by Section 66452.5 of the Government Code. The amount of the fee for an appeal shall be set by a resolution of the Board of Supervisors.

The Board of Supervisors may overrule or modify any ruling or determination of the Advisory Agency in regard to any tentative map or certificate of compliance within the purview of this Title and may make such findings as are not inconsistent with the provisions of the aforesaid Government Code Sections 66473.5, 66474 and 66474.5.

Chapter 16.60
VIOLATIONS

Sections:

- 16.60.010 Violation - Penalty
- 16.60.020 Notice of Violation

16.60.010 Violation - Penalty

Any person, firm or corporation violating any of the provisions of this Title is guilty of a misdemeanor, and upon conviction thereof is punishable as provided in Section 1.20.010 of the Inyo County Code. Each such person, firm or corporation is guilty of a separate offense for every day any portion of which any violation of any provision of this Title is committed, continued or permitted by such person, firm or corporation and is punishable therefore as provided by this Title.

16.60.020 Notice of Violation

Whenever the County has knowledge that real property has been divided in violation of the provisions of the Subdivision Map Act or this Title, the Advisory Agency shall cause to be filed for record with the County Recorder, a Notice of Intention to Record a Notice of Violation and a Notice of Violation pursuant to Section 66499.36 of the Subdivision Map Act, describing the real property in detail, naming the owners thereof and describing the violation. Such notices, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property.