

Article 7:

FINAL TRACT AND PARCEL MAPS

- Sec. 9-2.0700: General
- Sec. 9-2.0705: Submittal to and Review by the City Engineer
- Sec. 9-2.0707: Complete and Timely Final Map Filing with the City Engineer
- Sec. 9-2.0710: Final Tract Map Approval by the City Council
- Sec. 9-2.0715: Limitation on Map Denial by the City Council
- Sec. 9-2.0720: Filing with the Office of the County Recorder
- Sec. 9-2.0725: Waiver of Final Parcel Maps by the City Engineer
- Sec. 9-2.0730: Information to be Contained on Parcel Maps and Final Maps
- Sec. 9-2.0735: Map Preparation Form and Content
- Sec. 9-2.0737: Documentation to be submitted with Parcel Maps and Final Maps
- Sec. 9-2.0740: Soils and Geologic Reports
- Sec. 9-2.0742: Bearings
- Sec. 9-2.0745: Orientation
- Sec. 9-2.0750: Standard Practices
- Sec. 9-2.0755: Limit of Error
- Sec. 9-2.0760: Parcel Map and Final Map Preparation
- Sec. 9-2.0765: Parcel Map and Final Map Dedications
- Sec. 9-2.0770: Acceptance or Rejection of Offers of Dedication
- Sec. 9-2.0775: Submission for Certification
- Sec. 9-2.0780: Approval by the City Engineer
- Sec. 9-2.0785: Approval by City Council
- Sec. 9-2.0790: Filing with the County Recorder
- Sec. 9-2.0795: Multiple Final Maps

Sec. 9-2.0700:

General

The Form, contents, accompanying data, and filing of the final tract map or final parcel map shall conform to the provisions of the Subdivision Map Act, this Title and applicable standards imposed by the County of San Bernardino for maps filed with the office of the County Recorder. The final tract map or final parcel map and any accompanying data or additional information shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor authorized to practice in the State of California.

Sec. 9-2.0705:

Submittal to and Review by the City Engineer

Final and parcel map submittal and review procedures shall be pursuant to this Chapter and applicable City standards. The City Engineer shall review all final and parcel map submittals for conformance with the provisions of this Title and may deem them incomplete and return all or portions of a submittal for reasons which include, but are not limited to, the following: incomplete submittal or filing; untimely submittal or filing; non-conformance with the tentative map; non-conformance with the conditions of approval applied to the tentative map; non-conformance with this Title; non-conformance with City standards; errors on the final tract map or final parcel map, on any accompanying data, or on any additional information, or omissions on the final tract or final parcel map, on any accompanying data, or on any additional information.

Sec. 9-2.0707:

Complete and Timely Final Map Filing with the City Engineer

- A.** The City Engineer shall determine that a complete and timely final tract map filing has been made if he or she determines that, at a minimum, the following items have been received, prior to the expiration of the tentative map:
1. Improvement plans approved by the City Engineer
 2. Complete and accepted public improvements or acceptable subdivision improvement agreement(s) and securities.
 3. Proof of payment of all applicable fees.
 4. Will serve letters from all applicable utilities and agencies
 5. Non-interference letters from all applicable easement or title interest holders.
 6. Original and copies of all sheets of the final tract map in their required form and content.
 7. Proof of ownership of all affected properties.
 8. Subdivision guarantee from a title company, less than sixty (60) days old.
 9. Letter from all affected property owners requesting approval of the final tract map.
 10. Small-scale map (1" = 1,000 scale) of the proposed subdivision.
 11. Written clearance from all affected city departments
 12. Written clearance from all affected public agencies
 13. All applicable agreements or documents to be approved by the City Council, or filed or recorded concurrently with the map.
 14. Proof that all additional requirements of Article 5 (Tentative Maps) have been satisfied.
 15. The City's parkland dedication requirements (Quimby) have been satisfied.
 16. Complete and accepted public park or acceptable and/or landscape agreement(s) and securities.
 17. Public park plans approved by the Parks Department and Public Facilities Development.
- B.** Upon finding all statements and submittals complete and satisfactory in accordance with this Section, the City Engineer shall sign the appropriate statements and transmit the original map, and any other items requiring City Council approval, to the City Clerk within twenty (20) days of receipt of a complete filing, with a recommendation of map approval.

Sec. 9-2.0710:

Final Tract Map Approval by the City Council

- A. The date the final tract map or final parcel map shall be deemed filed with the City Council shall be the on which the City Clerk receives the recommendation for map approval from the City Engineer. The City Council shall consider approval of the subdivision improvement agreement and improvement security, and any other required agreements, in conjunction with the approval of the map.
- B. The City Council shall approve or disapprove the subdivision improvement agreement, improvement security and final tract map or final tract map or final parcel map at the meeting at which it receives the map or at the next regular meeting following the meeting at which it received the map. If the City Council does not approve or disapprove the map within this time period or any authorized extension thereof, and the map conforms to all requirements and rulings, it shall be deemed approved. The City Clerk shall certify or state its approval thereon.
- C. The City Council shall not postpone or refuse approval of a final tract map or final parcel map because the subdivider has failed to meet a tentative map condition requiring construction or installation of off-site improvements on land which neither the subdivider nor the City has sufficient title or interest to permit the improvements to be made. However, in such case, prior to final map approval, the subdivider shall be required to enter into an agreement with the City to complete such improvements pursuant to Government Code Section 66462 upon acquisition of said title and interest by the City. Upon entering into such agreement, the City shall acquire the subject property interest in accordance with the provisions of Government Code Section 66462.5. Failure of the subdivider to execute such an agreement shall be cause of the City Council to refuse approval of the final map or final parcel map.

Sec. 9-2.0715:

Limitation on Map Denial by the City Council

The City Council shall not deny approval of a final tract map or final tract map or final parcel map if the City has previously approved a tentative map for the proposed subdivision and if the City Council finds that the final tract map or final parcel map is in compliance with the requirements of the Subdivision Map Act, this Section, and the approved tentative map.

Sec. 9-2.0720:

Filing with the Office of the County Recorder

- A. Upon approval of the final tract map or final parcel map and subdivision improvement agreement by the City Council, the City Clerk shall execute the appropriate statement on the statement sheet, subject to the provisions of Government Code Section 66464, transmit the map, or cause the City Engineer to transmit the map to the County of San Bernardino Recorder's office for filing. The final tract map or final parcel map and any separate documents (if required) shall be filed concurrently.
- B. If, for any cause of the subdivider, the final or parcel map is not recorded by the San Bernardino County Recorder's office the map will be subject to the provisions of Government Code Section 66466(b).

Sec. 9-2.0725:**Waiver of Final Parcel Maps by the City Engineer**

- A. The City Engineer is authorized to waive final parcel maps with the County, without City Council approval, when the City Engineer can make the findings listed in Sec. 9-2.0310(A).
- B. The City Engineer may decline to approve the final parcel map, and instead process it in accordance with Section 9-2.0705.
- C. The limitations on denial of a final tract map by the City Council as set forth in Section 9-2.0712 shall apply to the City Engineer when approving a final parcel map in accordance with this Section.
- D. Any final parcel map approved by the City Engineer in accordance with this Section shall be subject to the procedures and requirements set forth in Section 9-2.0725.

Sec. 9-2.0730:**Information to be Contained on Parcel Maps and Final Maps**

The provisions of this section shall govern the content and form of Final and Parcel Maps.

- A. **Map Scale:** The scale of the map shall be large enough to show details clearly, but in no case shall be less than one (1) inch equals one hundred (100) feet. A sufficient number of sheets shall be used to accomplish this end. All letter size shall be a minimum of eight-hundredths (0.08) of an inch. A map scale of between one (1) inch equals forty (40) feet and one (1) inch equals one hundred (100) feet, as dictated by parcel size, may be approved by the City Engineer. A graphical scale not less than three (3) inches in length shall be shown in addition to the numerical scale.
- B. **Boundary Line:** The exterior boundary lines of a subdivision shall be shown on final maps and parcel maps as a black opaque ink line that is at least three (3) times the width of any other line on the maps excluding the one (1) inch border line.
- C. **Title Sheets:** The title sheet of a final map shall consist of a title block as provided by Section of this Chapter and all certificates, statements, acknowledgements, and non-references required by this Chapter and the Subdivision Map Act.
- D. **Key Map:** When the parcel map or final map consists of more than two (2) sheets exclusive of the title sheet, a key map at a scale of one (1) inch equals five hundred (500) feet with lot lines showing the relation of the sheets shall be placed on the first map sheet. Every sheet comprising the map shall bear a sheet number and shall indicate the total number of sheets comprising the map. A north point shall be located on each sheet. A location map at a scale of not less than one (1) inch equals one thousand (1000) feet indicating the geographical location of the proposed subdivision and the tract access roads shall be placed on the first map sheet. With the approval of the City Engineer, the scale of the key map may be modified.
- E. **Title Block:** The title, showing the parcel map number or the tract number, the date of preparation, the map scale, the designation of the latest legal subdivision of which it is a part, together with a reference to the legal record of such subdivision and the words "in the City of Ontario" shall appear on each sheet of the final map or parcel map.
- F. **Engineer's Certificate:** The certificate of the engineer or surveyor responsible for the survey and the parcel map or final map containing the information required by Section 66441 and 66449 subsection (a) of the Government Code of the State, shall appear on the title sheet of the parcel map or final map.

Sec. 9-2.0735:**Map Preparation Form and Content**

- A. Survey Data:** final maps and parcel maps shall show: the bearings and distances of the centerlines of all streets; radius, arc length and central angle of all curves, except that where arc segments of a larger curve are shown, only arc length and central angle need to be indicated on the map for the segments; the bearings of radial lines to each corner lot on a curve; the total width of each street, including the portion offered for dedication, the existing right-of-way, and the width on each side of the centerline; and the width of the right-of-way of railroads, flood control or drainage channels, and any other easements of record. Sufficient data shall be shown to readily determine the bearing and length of each lot line of the final map or parcel map. Each lot or parcel shall be shown entirely on one (1) sheet and to scale. Distances and bearings on the sidelines of any lot which are cut by an easement shall be so shown as to indicate clearly the actual length of the lot or parcel lines. No ditto marks shall be used. No lot in a subdivision shall be divided by the boundary line of a city, county, or special district. The area of all lots or parcels to be the nearest one-hundredth (1/100) of an acre if lots or parcels are over one (1) acre shall be shown.
- B. Street location and names:** Location and names, without abbreviations, of all existing and proposed streets and alleys and adjoining streets shall be identified on maps.
- C. Dimensions:** Dimensions shall be in feet and hundredths of a foot.
- D. Easements:** The location on the parcel map or final map of all existing easements as shown in the Subdivision Guarantee, and all proposed easements which are to remain after recordation and which are not within streets in the subdivision shall be shown by means of broken lines, together with the name of the owner, the use of the easement and the record reference, if any. A statement identifying any easements of record to be abandoned pursuant to Government Code Section 66499.20 ½ shall be placed on the Title Sheet.
- E. Labeling:** On lots or parcels, the widths of easements, the lengths or bearings of the lines thereof, and sufficient ties to locate the easement shall be clearly labeled and identified on the final map or parcel map. Regardless of lot size, a statement as to the easements of record shall appear on the title sheet.
- F. Monuments:** All monuments required by the Subdivision Map Act and pursuant to City of Ontario Standards shall be fully and clearly shown and identified as such on the parcel map or final map together with sufficient information so that an engineer or surveyor could readily locate each monument.
- G. Established lines:** Whenever the City Engineer has established a centerline of a street or alley, the data shall be considered in making the surveys and in preparing the parcel map or the final map. All monuments found shall be indicated and proper references made to field notes or maps of public record relating to the monuments. If the points were reset by ties, that fact shall be stated.
- H. City boundaries:** City boundaries crossing or adjoining the subdivision shall be properly designated upon the parcel map or final map and shall be properly tied to the survey data.
- I. Lot numbers and parcel letters:** The lots on a parcel map or a final map shall be numbered consecutively commencing with the number "one" with no omissions or duplications, provided that, where the subdivision is a continuation of or an addition to an existing subdivision, the lot number shall commence with the number immediately following the last or highest lot number of such existing subdivision and in all other respects shall conform with the preceding requirements. The last lot number shall be circled. Flood control channels to be offered for dedication are to be designated as "Parcel X". All other areas, other than streets and alleys, which are to be offered in whole for dedication on the map or subsequent to recordation of the map and which do not meet zoning requirements as to size and shape, are to be designated as "Parcels" and consecutively lettered. The purpose for each such parcel shall be so stated upon the parcel map or final map.

Sec. 9-2.0737:**Documentation to be Submitted with Parcel Maps and Final Maps**

When a parcel map for final map is submitted to the City Engineer, it shall be accompanied by each of the documents in this section.

- A. Improvement plans:** Improvement plans and specifications required by this Chapter, together with such calculations and additional information will assist the City Engineer to properly check the improvement plans and specifications, shall be submitted with the parcel map or final map. The form and number of sets of such improvement plans and specifications submitted shall be as specified by the City Engineer.
- B. Improvement agreements:** All agreements and improvement securities required by the Subdivision Map Act or this Chapter shall be submitted prior to the parcel map or final map being approved by the City Council.
- C. Tax collector's letter:** A current letter, signed by the San Bernardino County Tax Collector certifying that there are no liens against the subdivision, or any part thereof, for unpaid state, county municipal, or local taxes, or special assessments collected as taxes, except taxes or special assessments not yet payable, and certifying the amount of taxes and assessments which are a lien, but which are not yet payable, shall be submitted with the parcel map or final map. A letter shall be deemed current if it is dated no more than ninety (90) days prior to submission.
- D. Subdivision Guarantee:** A preliminary Subdivision Guarantee and a Title Report containing the legal description of the lands being subdivided, issued by a title company acceptable to the Ventura County Recorder and authorized by the laws of the State to write the same, shall be submitted with any final tract map or final parcel map to the City Engineer for approval pursuant to this Chapter. A Subdivision Guarantee issued by a title company acceptable to the County Recorder and authorized by the laws of the State of California 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, shall be submitted with the parcel map or final map at the time of the recordation of the map. Said Subdivision Guarantee shall be for the benefit and protection of the City in an amount equal to the assessed value of and shall cover all lands to be dedicated for public use and shall not be less than one thousand (1000) dollars.
- E. Deeds:** Whenever land, easements, or rights-of-way are to be dedicated for public use or whenever access to land, easements, or rights-of-way are to be submitted to public agencies, all such land, easements, or rights-of-way not dedicated or granted by the owner's certificate on the parcel map or final map shall be submitted prior to the City's approval of the parcel map or final map.
- F. Off-site easements:** Written evidence, acceptable to the City Engineer, of rights-of-entry or permanent easements on or across private property not within the proposed subdivision, as may be necessary to allow performance of the work necessary to improve the subdivision, to allow for the maintenance of the subdivision improvements once completed, to allow for permanent public access to the proposed subdivision, and to allow for and to grant necessary slope rights, shall be submitted prior to the City's approval of the parcel map or final map except as otherwise provided in Government Code Section 66462.5 of the State.
- G. Utility statements:** A statement from each operator of proposed subdivision utility systems and cable television companies stating that the easements shown on the parcel map or final map are satisfactory for use by that utility or company for service to the proposed subdivision and that arrangements have been made to convey such easements to the utility or company that is to use them, shall be submitted with the parcel map or final map.
- H. Stormwater acceptance easements:** Written evidence of such deeds, easements, or rights-of-way within the proposed subdivision as may be necessary to provide for the acceptance of stormwaters generated by the proposed subdivision shall be submitted with the parcel map or final map except as otherwise provided in Government Code Section 66462.5 of the State.

- I. Railroad crossings:** The certification of any affected railroad company that satisfactory arrangements providing for all required railroad crossings have been made shall be submitted with the parcel map or final map.
- J. Dedication of easement for public use:** All titles, rights and easements specified in this Chapter shall be offered for dedication to the City or other appropriate public agency not later than the time the parcel map or final map is filed for approval. The City Clerk shall certify on the map the action taken by the City Council. ‘
- K. Rights-of-way:** All rights-of-way for public streets and alleys, pedestrian ways, equestrian trails, and bicycle paths shown on the parcel map or final map and all rights-of-access to and from residential lots of the proposed subdivision abutting on controlled access roads shall be offered free and clear of any prior easements or rights-of-way for dedication to the City unless when otherwise determined to be infeasible by the City Engineer. The rights-of-access to and from lots or parcels abutting on controlled access roads and streets or public rights-of-way shall be such that owners of such lots shall have no rights whatsoever in such roads, except in the general right of travel which belongs to the whole public.
- L. Private street easements:** Easements allowing applicable governmental agencies which provide for the public safety, health, and welfare, access on all private streets, or lanes serving as access for more than two (2) lots, shall be offered for dedication to the City not later than the time the parcel map or final map is filed for approval.
- M. Other easements:** All other easements for public use required as a condition for approval of the tentative map for the proposed subdivision shall be offered for dedication to the City or other appropriate agency not later than the time the parcel map or final map is filed for approval.
- N. Consent certificate:** A certificate signed and acknowledged by all parties having record title interest in the real property subdivided, consenting to the preparation and recordation of the final map, subject to the exceptions provided in Government Code Section 66436 of the State, is required unless other record title interests made by separate instrument are recorded concurrently with the final map or parcel map. When land is divided into four (4) or fewer parcels, where dedication or offers of dedication are not required, the certificate shall be signed and acknowledged by the subdivider only. However, where a subdivider does not have a record title, ownership interest in the property to be divided, the subdivider shall provide the City Engineer with satisfactory evidence that the persons with record title ownership have consented to the proposed subdivision, pursuant to subsections (e) and (f) of Section 66445 of the Government Code of the State.

Sec. 9-2.0740:

Soils and Geologic Reports

A certificate signed by the engineer making the soils report and by the engineering geologist making the geologic report shall be required. The certificate shall indicate the date or dates of all geologic reports known by the geologist prepared specifically for the subdivision and indicate that the report, or reports, are on file for public inspection in the Engineering Department of the City.

Sec. 9-2.0742:

Bearings

The basis of bearings referred to on the parcel map or final map shall be a line defined by two (2) found monuments shown on the same record shall be clearly delineated or identified on the map. At least one (1) exterior boundary line shall be monumented prior to recording the final map. Other monuments shall be set as required by the City Engineer.

Sec. 9-2.0745:**Orientation**

Each sheet of the parcel map or final map and lettering thereon shall be so oriented that the north point shall be directed toward the top of the sheet or toward the left of the sheet. The direction of the top of the sheet shall be determined by the orientation of the title block information required pursuant to Section 9-2.0865.

Sec. 9-2.0750:**Standard Practices**

All surveys and all drafting in connection with the preparation of tentative parcel maps, parcel maps, tentative tract maps, vesting tentative tract maps, final maps and improvement plans to be submitted pursuant to this Chapter shall be done in accordance with the standard practices and principles of drafting and land surveying as acceptable to the City Engineer.

Sec. 9-2.0755:**Limit of Error**

A survey and traverse of the boundaries of the subdivision and all lots and blocks shall close within a limit of error of one (1) foot in ten thousand (10,000) feet of perimeter for field closures and one (1) foot in twenty thousand (20,000) feet for calculated closures.

Sec. 9-2.0760:**Parcel Map and Final Map Preparation**

A parcel map may be compiled from data shown on recorded maps, record of surveys, and parcel maps only if such recorded maps were based upon field surveys and were recorded within the last fifteen (15) years. Data from a field survey made within the last fifteen (15) years and filed with the City Engineer may also be used. The fifteen (15) year time limit and unresolved discrepancy may be waived by the City Engineer if it is shown that record monumentation exists and that existing angles and distances on the ground measure within the required limits of record angles and distances. Parcel maps compiled from filed or recorded data shall conform to the requirements of the Subdivision Map Act and this Chapter. All other parcel maps and final maps shall be based on a field survey made in conformity with the Land Surveyor's Act and shall conform to the requirements of the Subdivision Map Act and this Chapter.

Sec. 9-2.0765:**Parcel Map and Final Map Dedications**

All dedications, or offers of dedication, to the City or to a governmental agency made pursuant to this Chapter for parcel maps or final maps, shall be made by certificate on the parcel map or final map unless made by separate instrument recorded prior to or simultaneously with the recording of the parcel map or final map. Such dedications or offers of dedication, whether by certificate or separate instrument, shall be signed by the same parties and in the same manner as set forth in Government Code Section 66439 of the State for dedication by a final map.

Sec. 9-2.0770:**Acceptance or Rejection of Offers of Dedication**

At the time the City Council approves a final map, it shall also accept, accept subject to improvement, or reject any offer of dedication. The City Clerk or designee shall certify on the map the action by the City Council. Offers of dedication shall be rejected and terminated as provided by Government Code Section 66477.1 and 66477.2 of the State.

Sec. 9-2.0775:**Submission for Certification**

Parcel maps and final maps being submitted for approval shall be first submitted to the City Engineer who shall examine the parcel map or final map and determine whether it is technically correct and is in full compliance with the Subdivision Map Act and this Chapter and is in substantial compliance with the approved tentative map. If the City Engineer is satisfied as to these matters, he or she shall sign a certificate so stating. If the City Engineer is not satisfied as to these matters, he or she shall return the parcel map or final map to the subdivider and inform the subdivider of the deficiencies, which have been noted. The number of copies of a final map or parcel map to be submitted shall be as specified by the City Engineer. Prior to the execution of the City Engineer's Certificate pursuant to this section, the subdivider shall pay all required checking fees as established by City Council resolution.

Sec. 9-2.0780:**Approval by the City Engineer**

Upon receipt of an approved print, the subdivider shall submit the original tracing of the parcel map or final map, prepared in accordance with the Subdivision Map Act and this Chapter and corrected as to its final form, signed by all parties required by the Subdivision Map Act and this Chapter for approval by the City Engineer. The City Engineer shall sign the appropriate certificates and transmit the original to the City Clerk.

Sec. 9-2.0785:**Approval by City Council**

Following submittal to, and certification by the City Engineer, final maps shall be filed with the City Council for approval or disapproval. The City Council shall consider the final map and improvement agreement at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map. The City Council shall have approved the subdivision improvement agreement before approving the final map.

If the subdivision improvement agreement and final map are approved by the City Council, it shall instruct the Mayor to execute the agreement on behalf of the City. If the subdivision improvement agreement or final map is not in substantial compliance with the terms and conditions of the approved tentative map, the City Council shall recommend corrections and instruct the City Engineer to draft a new agreement or revise the final map and defer approval until an acceptable agreement and final map has been resubmitted.

Sec. 9-2.0790:**Filing with the County Recorder**

- A. Upon approval of the final map or by the City Council and receipt of the improvement security by the City Engineer, the City Clerk shall execute the appropriate certificate sheet and forward the final map, or have an authorized agent forward the map, to the San Bernardino Clerk for transmittal to the San Bernardino County Recorder.
- B. Upon approval of the residential parcel map of four (4) or fewer lots by the City Engineer and receipt of the improvement security (if applicable) by the City Engineer, the City Clerk shall execute the appropriate certificate on the certificate sheet and forward the parcel map, or have an authorized agent forward the map, directly to the San Bernardino County Recorder.

Sec. 9-2.0795:

Multiple Final Maps

Filing multiple final maps shall be in accordance with Government Code Section 66456.1 of the State. Each final map which constitutes a part of the approved tentative tract map or vesting tentative tract map shall have a separate subdivision phase number. The subdivision improvement agreement to be executed by the subdivider shall include provisions for the construction of such improvements as may be required by the City Engineer to constitute a logical and orderly development of the whole subdivision by phases and each phase shall be functionally self-sufficient.