

CITY OF IRVINE SUBDIVISION MANUAL



Supplement to the Irvine Subdivision Ordinance

**Adopted April 14, 2009
City Council Resolution 09-30**

EXHIBIT 1

CITY OF IRVINE SUBDIVISION MANUAL

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To report broken links please contact the Development Assistance Center at (949) 724-6308, or check the City of Irvine Subdivision Site at <http://www.cityofirvine.org/depts/cd/subdivision.asp>

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CITY OF IRVINE SUBDIVISION MANUAL

SUBARTICLE 1. INTRODUCTION AND GENERAL PROVISIONS

1.1 Scope and Purpose

The City of Irvine Subdivision Manual ("Manual") is a supplementary document which identifies the procedures for administering and implementing the State Subdivision Map Act and the City of Irvine Subdivision Ordinance. The Manual is adopted by the City Council and revised from time to time by the Director of Community Development. The Manual serves to assist users by providing a comprehensive description of the City's requirements and procedures for processing subdivision-related applications. In the event of any conflict between the provisions of this Manual and the provisions of the Subdivision Ordinance, the provisions of the Subdivision Ordinance shall control. Any questions regarding the material contained in this Manual should be directed to the Community Development Department. [Weblink: State Subdivision Map Act \(Sections 66410-66499.58\)](#)

1.2 Review and Approval Bodies:

[Weblink: Irvine Subdivision Ordinance](#)

Four City bodies exercise review and approval functions over applications permitted by the State Subdivision Map Act and the City's Subdivision Ordinance. Their authority is as follows:

a. City Engineer:

- (1) Authority: The Subdivision Ordinance designates the City Engineer as an advisory agency, as that term is use in the Subdivision Map Act. The City Engineer exercises the following authority:
 - (a) Review and approve, conditionally approve, or disapprove lot line adjustments.
 - (b) Review and approve or disapprove final parcel and tract maps.
 - (c) Review and approve or disapprove certificates of compliance.
 - (d) Review and approve, conditionally approve, or disapprove mergers.
 - (e) Accept dedications and conveyances of real property and interests in real property offered at no cost to the City.
 - (f) Approve improvement agreements.

b. Subdivision Committee

- (1) Membership: The Subdivision Committee membership consists of one representative from each of the following departments:
 - (a) Engineering Services
 - (b) Development Services
 - (c) Transportation Services
 - (d) Building and Safety
 - (e) Community Services (Manager)

- (2) Meetings: The Committee meets twice a month on the second and fourth Wednesday of each month at 9:00 a.m. at Irvine City Hall, 1 Civic Center Plaza, Irvine, California, 92606.
- (3) Authority: The Subdivision Ordinance designates the Committee as an advisory agency, as that term is use in the Subdivision Map Act. The Committee exercises the following authority:
 - (a) Review and approve, conditionally approve, or disapprove tentative parcel maps and conditional certificates of compliance (public hearing).
 - (b) Review and make recommendations to the Planning Commission regarding applications for tentative tract maps (public meeting).
 - (c) Review and make recommendations to the City Council to regarding petitions for reversion to acreage involving parcel maps (public meeting).

c. Planning Commission

- (1) Meetings: The Planning Commission meets twice a month (first and third Thursdays) at 5:30 p.m. in the Council Chambers, 1 Civic Center Plaza, Irvine, California 92606.
- (2) Authority: The Subdivision Ordinance designates the Commission as an advisory agency, as that term is used in the Subdivision Map Act. The Commission exercises the following authority:
 - (a) Review and approve, conditionally approve, or disapprove tentative tract maps (public hearing).
 - (b) Review and make recommendations to City Council regarding reversions to acreage involving a tentative tract maps (public meeting).

d. City Council

- (1) Meetings: The City Council meets twice a month (second and fourth Tuesdays) at 4:00 p.m. in the Irvine Council Chambers, 1 Civic Center Plaza, Irvine, California 92606.
- (2) Authority: The City Council is the legislative body, as that term is used in the Subdivision Map Act, and exercises the following authority:
 - (a) Delegate authority to the various advisory agencies as set forth above;
 - (b) Review and approve, conditionally approve, or disapprove petitions for reversion to acreage (public hearing).
 - (c) Review and uphold or deny appeals from actions of the City Engineer, Subdivision Committee, and Planning Commission (public hearing).

1.3 Application Forms

General information sheets and application forms for all requests described in this Manual are available from the Community Development Department, 1 Civic Center Plaza, Irvine, California 92606. The applicant is responsible for accompanying the project submittal with the appropriate fee or deposit to cover the costs incurred by the City for processing the application. The amount of the fee or deposit is determined by resolution of the City Council. [Weblink: City of Irvine Subdivision Site](#)

1.4 Processing of Applications

All applications described in this Manual are processed by staff of the Community Development Department. Upon receipt of the project application, a staff member will be assigned to review and analyze the applicant's request. The staff member's responsibilities include the following:

- a. Review the initial application submittal to verify that all required information and forms have been provided. If the application is incomplete, a letter will be sent to the applicant which identifies the missing information. Staff will not initiate the project's review, and no statutorily mandated timelines will begin to run, until the additional materials have been received and staff has determined the application is complete. If the application is complete, a letter will be sent to the applicant to verify its completeness and inform the applicant that case processing has been initiated.
- b. Function as the primary contact person for the project. The staff member will coordinate the application's review with City staff from other sections and departments as well as outside agencies (collectively, "reviewing bodies"). Staff will also report back to the applicant with the comments and concerns of the reviewing bodies. To achieve smooth coordination and communication among the various reviewing bodies, the applicant should forward all correspondence and arrange all meetings through the staff member.
- c. Analyze the applicant's request, develop staff recommendation(s), and, if applicable, prepare staff report on the project to acting body.
- d. Represent Community Development Department at the public meeting/public hearing before the recommending and final acting bodies. The recommending body conducts a public meeting; and the final body conducts a public hearing.

1.5 Public Meeting/Public Hearing Requirements

- a. Public Hearings. The approving body is required to hold a public hearing to consider the following applications and requests:
 - (1) Tentative tract maps
 - (2) Tentative parcel maps
 - (3) Changes in conditions of approval of tentative maps
 - (4) Amendments to an approved tentative map in accordance with Section 5-5-902 of the Subdivision Ordinance
 - (5) Amendments to a final tract or parcel map

- (6) Reversions to acreage
 - (7) Conditional certificate of compliance
 - (8) Appeals from actions of the City Engineer, Subdivision Committee, and Planning Commission
- b. Public Meetings. The recommending body is required to hold a public meeting to consider the following applications and requests:
- (1) Tentative tract maps
 - (2) Tentative parcel maps
 - (3) Changes in conditions of approval of tentative maps
 - (4) Amendments to an approved tentative map in accordance with Section 5-5-902 of the Subdivision Ordinance
 - (5) Amendments to a final tract or parcel map
 - (6) Reversions to acreage
- c. Notice requirements. Notice of a public hearing required by this subarticle shall include the time, date, and place of the public hearing, and a general description of the project's proposal and its location. The notice shall be issued at least ten (10) days prior to the public hearing in the following manner:
- (1) By publication once in a newspaper of general circulation published and circulated in the City of Irvine;
 - (2) By posting of the notice at the project site and at the public places designated by the City Council for posting;
 - (3) By direct mailing to homeowner associations within or adjacent to the project boundaries;
 - (4) By direct mailing to interested and affected agencies; and
 - (5) By direct mailing to the applicant and to all property owners and apartment and commercial tenants, including all persons, businesses, corporations, or other public or private entities, shown on the latest equalized assessment roll as owning real property within five hundred feet (500') of the boundaries of the property which is the subject of the application. For the purposes of this subsection, apartment tenants shall receive notice anytime they reside within 500 feet of the proposed subdivision. Noticing of commercial tenants shall occur in only two instances: (1) a residential development is proposed within 1,000 feet of where businesses use, store, transport, and/or manufacture hazardous chemicals and/or waste; or (2) a heavy manufacturing use where the subject of the application is or relates to, the use, storage, transportation, and/or manufacturing of hazardous chemicals and/or waste.

Notice of the public meeting shall include the time, date, and place of the public meeting, and a general description of the project's proposal and its location, and shall be issued at least ten (10) days prior to the public hearing in the manner described in paragraphs (1) and (2) above.

The applicant is responsible for providing the City with the current property owners' list in conjunction with the application submittal. For any application for which the Subdivision Map Act requires notice be provided to tenants, the applicant shall also provide the City with the address for each rental unit covered

by the tentative map application. The applicant is responsible for reimbursing the City for expenses incurred in implementing these public notice requirements.

1.6 Appeals

The applicant, a member of the City Council, or any interested person adversely affected by any action of an advisory agency (the City Engineer, Subdivision Committee, or Planning Commission) may appeal said action to the City Council. The appeal must be filed, in writing, with the City Clerk within fifteen (15) days of the action of the advisory agency, and explain the reasons for the appeal. The City Council shall hold a public hearing on the appeal within thirty (30) days after the date the appeal was filed in accordance with the provisions of Government Code Section 66452.5 or any successor statute thereto. If there is no regular meeting of the City Council within the thirty (30) days of the date the appeal is filed for which the lawfully required public notice can be given for the hearing, the appeal may be heard at the next regular meeting for which notice can be given, or within sixty (60) days of the date the appeal is filed, whichever occurs first.

SUBARTICLE 2. DEFINITIONS



Practice Tip: Additional Definitions can be found in the Irvine Zoning Code ([weblink](#))

2.1 General

The definitions in the Subdivision Map Act and the City's Subdivision Ordinance shall govern the meaning of words used in this Manual unless from the context in which the word is used, a different meaning is clearly intended.

2.2 Terms Defined

1. Access: The entrance to or exit from a property from a public or private street.
2. Advisory Agency: Any official or official body designated by the City Council to discharge the duties set forth in Section 66415 of the Subdivision Map Act. For the purposes of this Manual, the City Engineer, the Committee, and the Commission are advisory agencies.
3. Alley: A service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.
4. A Map or Master Map: The initial map in a multiple tentative map series covering the same parcel(s) of land (*i.e.*, *A Map* and *B Map*) as more fully discussed in section 5-5-406 of the Subdivision Ordinance.
5. Amending Map: A map filed in accordance with section 5-5-905 of the Subdivision Ordinance to correct or amend a recorded final map.
6. Area of Special Flood Hazard: Land area within the City which is susceptible to being inundated by water from any source subject to a one percent or greater chance in any given year. The Federal Insurance Administrator designates areas of special flood hazards within the City through publication of a flood hazard boundary map or a flood insurance rate map (see flood).

7. B Map: A subsequent tentative map as discussed in section 5-5-406 of the Subdivision Ordinance that relates to the same parcel or parcels of land covered by an A map.
8. City Engineer: Manager of Engineering Services.
9. City Surveyor: City Engineer or his/her representative.
10. Clerk of the Advisory Agency: The Director of Community Development or designee.
11. Commission: The City of Irvine Planning Commission.
12. Committee: The City of Irvine Subdivision Committee.
13. Condominium: A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan (as defined in Civil Code section 1351(e), or any successor statute) in sufficient detail to locate all boundaries thereof, as provided in Civil Code section 1351(f) or any successor statute.
14. Culvert: A drain, ditch, or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk, or public way.
15. Driveway: A private designated unnamed passageway designed with a Standard concrete apron at its entrance providing access for vehicles between a street and a garage or carport, dwelling, parking area, or other driveway or street. A driveway shall not be considered a street.
16. Easement: A recorded right or interest in the land of another, which entitles the holder thereof to some use, privilege or benefit on, over, above, or under said land.
17. Final Map: A final tract or parcel map conforming to the requirements of chapter 7 of the Subdivision Ordinance and the applicable provisions of the Subdivision Map Act.
18. Finance or Conveyance Map: A map used to parcelize undivided land, parcel maps, or tract maps for non-build reasons in accordance with the provisions of Subarticle 5 of this Manual.
19. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters;
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source;
 - (3) Mudslides (i.e. mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.
 - (4) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents or water exceeding anticipated cyclical levels or suddenly caused by an unusually high

water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge or by some similarly unusual and unforeseeable event.

20. Improvement: Street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map. "Improvement" also refers to such other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to insure conformity to or implementation of the City's General Plan.
21. Lot Line Adjustment: Any adjustment between two (2) or more existing adjacent parcels where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.
22. Manual: City of Irvine Subdivision Manual.
23. Park Plan: A plan demonstrating how the project will meet park requirements, as defined in Sections 2-22-1 through 2-22-3 of the Zoning Code. [Weblink: Zoning Code](#)
23. Professional Land Surveyors Act: Sections 8700 to 8805, Business and Professions Code, State of California. Abbreviated herein as PLSA.
24. Reviewing Bodies: City staff from various departments and outside agencies designated pursuant to this Manual to review and provide comments on subdivision applications.
25. Right-of-Way: A specifically defined area or strip of land, either public or private, on which an irrevocable right-of-passage or use has been recorded.
26. Soil Engineer: A civil engineer duly registered in the State of California whose field of expertise includes soil mechanics.
27. Street: A public or private vehicular right-of-way, other than an alley or driveway. "Street" refers to both local streets and arterial highways.
28. 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."
29. 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 to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code.

30. Subdivision Map Act: The Subdivision Map Act of the State of California (Sections 66410 to 66499.58, Government Code, State of California, or any successor statutes thereto). Abbreviated herein as SMA. [Weblink: Subdivision Map Act](#)
31. Subdivision Ordinance: The City of Irvine Subdivision Ordinance (Division 5 of Title 5 of the Irvine Municipal Code) [Weblink: City of Irvine Subdivision Site](#)
32. Tentative Map: Tentative tract maps or tentative parcel maps conforming to the requirements of section 5-5-401 of the Subdivision Ordinance and the applicable provisions of the Subdivision Map Act.
33. Vehicular Access Rights: Refers to the right of persons to gain entry or exit with a vehicle to or from a street or driveway to or from abutting land.
34. Vesting Tentative Map: A tentative map that shall have printed conspicuously on its face the words "Vesting Tentative Tract Map" or "Vesting Tentative Parcel Map" and shall conform to the requirements of section 5-5-601 of the Subdivision Ordinance and the applicable provisions of the Subdivision Map Act.
35. Zoning Code: City of Irvine Zoning Code. [Weblink: City of Irvine Zoning Code](#)

SUBARTICLE 3: TENTATIVE MAPS: HOW TO PROCESS

3.1 Tentative Map Required

(a) Tract Maps. A tentative and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where any one of the following occurs:

- (1) The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the legislative body.
- (2) Each parcel created by the division has a gross area of 20 acres or more and has an approved access to a maintained public street or highway.
- (3) The land consists of a parcel or parcels of land having approved access to a public street or highway, which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths.
- (4) Each parcel created by the division has a gross area of not less than 40 acres or is not less than a quarter of a quarter section.
- (5) The land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 66418.2 of the Government Code or any successor statute thereto.

- (6) A parcel map shall be required for those subdivisions described in subparagraphs (1), (2), (3), (4), and (5), above.
- (b) Parcel Maps. A tentative and a final map shall be required for all subdivisions for which a parcel map is required unless the requirement is waived by the City.

3.2 Where to File the Map

Tentative tract maps and tentative parcel maps, referred to generally as "tentative maps," are filed with the Community Development Department, Planning and Zoning Counter, 1 Civic Center Plaza, Irvine. Application forms may be obtained as follows:

- a. in person at the Planning and Zoning Counter
- b. via mail by contacting the Planning Section at (949) 724-6308
- c. via the internet on the City's website <http://cityofirvine.org>

Accompanying the application form is a general information sheet which explains what information is required with the application submittal.

3.3 [RESERVED]

3.4 [RESERVED]

3.5 Tentative Map

a. Application Submittal

The information sheets included with application forms for tentative tract and tentative parcel maps identify the necessary information which must accompany the application. The application, together with all required information and filing fees, is filed with the Community Development Department.

b. Initial Review.

Once an application is filed, a staff planner will be assigned to review and analyze the subdivider's request. The staff planner will review the initial application submittal to determine whether all required materials and filing fees have been submitted. The staff planner will transmit a letter to the applicant setting forth this determination and confirming whether the application is complete or incomplete. If the application is incomplete, the letter will identify what additional information is required. Processing of the application will not commence until after the additional information is received and accepted and the staff planner confirms that the application is complete.

c. Environmental Processing

As part of the review of the tentative map, the Planning staff of the Community Development Department will analyze the subdivision application for compliance with the California Environmental Quality Act (CEQA). [Weblink to State CEQA Site](#)



Practice Tip: CEQA Statutory Exemptions are found in California Code - Title 14 - Division 6 - Chapter 3- Article 18 - Sections 15260 to 15285 - (weblink)

CEQA Categorical Exemptions are found in California Code - Title 14 - Division 6 - Chapter 3 - Article 19 - Sections 15300 to 15333 (weblink)

If staff determines that the project is exempt from CEQA, either categorically or statutorily, staff will prepare and file a notice of exemption for the tentative map application.

If staff determines that the project is not exempt from CEQA, staff will then prepare an initial study to determine if the project may have a significant effect on the environment. The Manager of Development Services shall make one of the following environmental determinations for the proposed subdivision:

- (1) Negative declaration (no significant effect)
- (2) Mitigated negative declaration (significant effects mitigated)
- (3) Previous Environmental Impact Report (no new impacts)
- (4) Addendum to Previous Environmental Impact Report (minor technical changes/additions necessary)
- (5) Supplemental Environmental Impact Report (new impacts identified)
- (6) Environmental Impact Report (new project/significant effect)

Each of these environmental determinations is bound by specific processing procedures and associated time frames, which are detailed in the City's adopted CEQA procedures and the State CEQA Guidelines. The applicable procedure will be explained to the applicant once staff determines the appropriate environmental review for the project. It is important to note, however, that the environmental review occurs concurrently with the subdivision review; no action can be conducted by the approving body until the requirements for environmental review have been completed.

d. Acceptance of Tentative Maps for Filing

An application for a tentative map shall not be deemed to be complete and accepted for processing until:

- (1) The information required for the application submittal has been received and accepted by the staff planner assigned to analyze the application; and,
- (2) A written letter has been mailed to the applicant confirming that the application is complete.

e. Processing Time Frames for Tentative Maps

Tentative maps which the city determines are eligible for a categorical exemption from CEQA, or which will rely upon a previously certified environmental impact report, shall be reviewed and acted upon by the advisory agency within 50 days of the environmental determination or within 50 days of "filing," as defined in Subsection 3.5 C, whichever is later.

For tentative maps requiring the preparation of a negative declaration, an environmental impact report, or a supplemental environmental report, the advisory agency will act upon the tentative map within 50 days of the adoption or certification of the appropriate environmental document.

f. Map Review

The staff planner will distribute copies of the tentative map to the following reviewing bodies for comment:

- (1) Advance Planning, Community Development Department
- (2) Building & Safety, Community Development Department
- (3) Housing, Community Development Department
- (4) Water Quality Review, Community Development Department
- (5) Engineering Services, Public Works
- (6) Transportation Review, Public Works Department
- (7) Public Services, Public Works Department
- (8) Orange County Fire Authority [Weblink: Irvine Fire Code](#)
- (9) Public Safety Department
- (10) Community Services Department (residential, parks, open space, child care centers, and trails)
- (11) The school district in which the proposed subdivision is located (residential only)
- (12) Any public agency or officer having an interest in the proposed subdivision
- (13) Any other person, firm, or organization that the Director of Community Development determines to have an interest, including staff as listed on the City's current screen-check routing form.

These reviewing bodies will review each tentative map on two levels: (1) technical corrections (e.g., incorrect map information, format changes, missing data); and, (2) project issues (e.g., disagreement over subdivision layout, impact upon services and infrastructure capacity, parks location, maintenance responsibilities). Their comments will be submitted to the staff planner, who will review and consolidate the comments and then discuss any proposed revisions with the applicant and transmit the comments in writing to the applicant.

g. Map Revisions

Once the comments from the reviewing bodies have been forwarded to the applicant, the applicant is responsible for re-submitting a revised map with corrections. The amount of time necessary for revisions is at the applicant's discretion.

To expedite review of the revised map, the applicant should accompany the map with correspondence identifying the following:

- (1) Corrections/revisions that have been made which concur with the City's comments.
- (2) Corrections/revisions that have not been made because of disagreement with the City's comments (accompanied with an explanation of the applicant's position).
- (3) New revisions.

If the initial tentative map had major revisions, the staff planner will re-distribute the corrected map to the reviewing bodies for comment. The staff planner will then proceed with his analysis and proposed recommendations, and schedule

the map for review by the appropriate hearing bodies. (NOTE: The City will attempt to resolve most issues during the staff review process; however, issues of disagreement between the applicant and staff may still exist. These outstanding issues will be discussed in the staff report to the hearing bodies, accompanied with a recommendation.)

After a tentative map has been filed, a subdivider can initiate significant revisions to the map which are not a result of City comments. However, with such revisions, the 50-day time period for action on the map would recommence upon the submittal of the revised map. "Significant revisions" include maps which propose: (1) major re-design of street and lot configuration such that they bear no resemblance to the design and configuration of the previously submitted map; and, (2) addition or subtraction of more than 25 percent of the land area within the original submittal.

3.6 Approval Process

a. Who reviews and approves the map:

The Subdivision Committee is the advisory agency that acts as the final decision maker on tentative parcel maps, and makes recommendation to the Planning Commission on tentative tract maps. The Planning Commission is the advisory agency that acts as the final decision maker on tentative tract maps. Staff will also determine if other City committees and commissions should review and comment on the proposed subdivision, depending upon the map's issues and complexity.

If staff determines that recommendation by any of these committees/commissions is appropriate, staff shall agendaize the tentative map for their review. These meetings shall be conducted prior to Subdivision Committee review. Their recommendations and proposed conditions of approval to be made available to the Subdivision Committee members prior to the Subdivision Committee's action on the tentative map.

The advisory agency will hold a public hearing on each tentative map filed. This public hearing is held for the purpose of: reviewing with the applicant the tentative map, staff report, and recommendations of City committees and commissions; taking public testimony on the map; and rendering action.

Action by the advisory agency shall be conducted within the timeframes specified in Section 3.5d of this manual, unless extended by mutual consent of the subdivider and the advisory agency. As required by the Subdivision Map Act, if no action is taken within these timeframes, the tentative map, as filed, shall be determined to be approved.

b. General dedication requirements for public use or benefit

As a condition of approval of a subdivision map, the advisory agency may require the subdivider to dedicate or make an irrevocable offer of dedication to the public, through the appropriate public agency, of all real property both on and off-site as required for public use or benefit. Any condition requiring dedication shall

specify whether the real property shall be dedicated by easement or in fee title, and shall also be so identified upon the tentative map and final tract or parcel map.

c. Required findings for approval:

A tentative map shall be approved or conditionally approved only if the advisory agency can make the following findings:

- (1) That the proposed map is consistent with applicable general and specific plans and the zoning ordinance.
- (2) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
- (3) That the site is physically suitable for the type of development.
- (4) That the site is physically suitable for the proposed density of development.
- (5) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.
- (6) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
- (7) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- (8) That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. [Weblink: Santa Ana Regional Water Quality Control Board](#)
[Weblink: City of Irvine Water Quality Site](#)
- (9) That the requirements of the California Environmental Quality Act have been satisfied.
- (10) For subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.
- (11) For any subdivision for which a modification is granted pursuant to Section 5-5-107 of the Subdivision Ordinance, all of the following additional findings:
 - a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a

hardship on the subdivider and deprive him/her of the rights enjoyed by others in the vicinity.

- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents;
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.
- d. Additional findings of approval for vesting tentative maps:

In addition to the findings set forth in subsection (c) of this Section 3.6, a vesting tentative map shall be approved or conditionally approved only if the advisory agency can make the following additional findings:

- (1) That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

3.7 Concurrent Processing of Tentative Maps Inconsistent with Existing Zoning

When a tentative map that is inconsistent with the applicable zoning regulations is filed, the map will be processed in accordance with the following procedure:

- a. An inconsistent tentative map will be accepted only if: (1) it is filed concurrently with or after the filing or initiation of a change of zone petition; and, (2) the tentative map is in compliance with the zoning regulations that would become effective if the proposed zone change is adopted.
- b. The tentative map will be processed in accordance with the requirements and procedures provided for tentative tract or tentative parcel maps, except that an inconsistent tentative map shall be processed as if the zoning regulations of the proposed zone change are in effect. However, the City of Irvine makes no commitment as to the final adoption of the proposed zone change by the acceptance and processing of a tentative map.
- c. The applicant will be required to sign a waiver acknowledging and accepting all risks associated with such concurrent processing. This waiver shall acknowledge that if changes are required to approve the zoning ordinance, and these changes require corresponding revisions to the submitted tentative map being processed concurrently, the subdivider is responsible for any additional charges and costs incurred to make such revisions. In addition, the waiver shall acknowledge that the charges accrued for the review of the original tentative map prior to such revisions to the zone change will not be refunded. Finally, the waiver shall acknowledge that the subdivider may be required to file a revised tentative map in order to conform to the zone change as adopted.

3.8 Vesting Tentative Maps

Whenever a provision of the subdivision map act or this division requires the filing of a tentative map or tentative parcel map for a subdivision, a vesting tentative map may instead be filed, in accordance with the provisions set forth in this Manual and Chapters 5 and 6 of the Subdivision Ordinance. Except as otherwise provided in this Manual and said Chapters 5 and 6 of the Subdivision Ordinance, vesting tentative maps shall be processed in the same manner and shall be subject to the same requirements as specified for tentative maps.

3.9 Special Requirements for Multiple Tentative Maps

Multiple tentative maps relating to the same parcel or parcels of land may be approved or conditionally approved where such tentative maps consist of a master tentative map ('A map') and subsequent development or tract level tentative maps ('B maps'). No subsequent tentative map ('B map') shall be approved unless a tentative map for the underlying master tentative map ('A map') has been approved for the property covered by the B map. Further, no final map for the subsequent tentative map ('B map') shall be recorded unless a final map for the underlying master tentative map ('A map') has been recorded for the property covered by the B map.



3.10 Special Requirements for Condominium Maps

Practice Tip:
Check your deeds for any SLURs (Special Land Use Restrictions), prior to submittal

The Covenants, Conditions & Restrictions (CC&R's) for a tentative map for condominium purposes shall include a statement that the project may be subject to limitations on Trips/Special Land Use Restrictions/Land Use regulations/Parking.

3.11 Expiration of Tentative Map Approval; Time Limits for Filing Final Map

- a. Expiration. The approval or conditional approval of a tentative map shall expire thirty-six (36) months after the date the map was approved or conditionally approved or such other period as may be set by section 66452.6 of the Government Code of the state or any successor statute thereto. Prior to the expiration of said 36-month period, or any extension granted pursuant to paragraph (b) of this section, the subdivider shall cause the subdivision, or any part thereof, to be surveyed, and a final map to be prepared in accordance with the tentative map as approved, and filed in accordance with Government Code section 66452.6(d) or any successor statute.
- b. Extension. When a tentative map approval is due to expire, extension(s) not exceeding an aggregate total of three additional years may be approved, conditionally approved or disapproved at the sole discretion of the appropriate advisory agency or on appeal by the City Council. The subdivider must request an extension in writing prior to the expiration date of the current approval, must provide a deposit or fee as set forth by ordinance or resolution of the City Council, and must provide a letter of justification explaining how the findings required by Section 5-5-109.1 of the Subdivision Ordinance can be made. Upon the filing of the extension application, the tentative map approval shall be extended for sixty (60) days, or until the application for extension is approved, conditionally approved or denied, whichever occurs first. As a condition to granting an extension of time, the advisory agency may require compliance with

any additional requirements deemed necessary to carry out the spirit and intent of this division.

- c. Effect of map modifications on extensions. The modification of a tentative map after approval or conditional approval, as provided in chapter 9 of the Subdivision Ordinance, does not extend the time limit for recording the final map set forth in subsection (a) of this section.
- d. Failure to file final map. Failure to file the final map within the time periods set forth in this section shall automatically terminate and void the tentative map.

SUBARTICLE 4. TENTATIVE MAP APPLICATIONS: FORM, CONTENT, AND SUPPLEMENTARY INFORMATION

4.1 General

Subarticle 3 of this Manual described how tentative map applications are processed. This subarticle describes the filing requirements for tentative maps: what type of information is displayed on the map; the format by which this information is displayed; and, additional information which must accompany the map submittal. Except where expressly noted to the contrary, the provisions in this subarticle apply to both tentative tract maps and tentative parcel maps.

4.2 Tentative Map Format

Each tentative tract map shall be prepared in accordance with the following criteria:

- a. Map size
 - (1) The minimum map size shall be 18 inches by 26 inches.
 - (2) The maximum map size shall be 30 inches by 42 inches, unless a larger size is approved by the Director of Community Development, in accordance with the scale requirements, to include all of the map area on one sheet.
 - (3) All maps shall be submitted to the City folded to a size that approximates a dimension of 8½ inches by 14 inches.
- b. Map scale

Each map shall be drawn to an engineer's scale large enough to clearly show the details of the plan. The scale shall be no smaller than one inch equals 100 feet unless otherwise approved by the Director of Community Development.
- c. Graphic and linear representation
 - (1) All maps shall be prepared in ink.

- (2) Map boundary - heavy double-width solid line. **NOTE:** The tentative map boundary lines along any street shall be carried to the limits of ownership along or within the street.
- (3) Proposed streets and lot lines - heavy single-width solid line.
- (4) Existing lot lines - light solid line.
- (5) Easements - light dashed line and labeled as to intended uses, whether existing or proposed, public or private, and whether to remain or to be quit-claimed.
- (6) Utility lines - water lines, sewers, storm drains, etc. -- heavy dashed line and labeled as to intended use, whether existing or proposed, and whether to remain or to be removed .

4.3 Tentative Map Information

- a. The following information shall appear on the face of each tentative map where applicable:
 - (1) The tentative tract number, which is assigned by the County of Orange, (e.g., TENTATIVE TRACT MAP 17000 or TENTATIVE PARCEL MAP 17000, centered at top of map.
 - (2) If the map is a condominium subdivision, the statement "FOR CONDOMINIUM PURPOSES" shall be centered underneath the tentative tract number. Include a note with the number of residential units and/or the maximum number of square feet by land use for non-residential projects.
 - (3) If the map is a non-residential condominium subdivision, the following information shall be included on the face of the map:
 - a. Trips for the entire project site;
 - b. Total square footage by land use;
 - c. Maximum number of condominium units.
 - (4) If the map is for FINANCE AND CONVEYANCE PURPOSES, the statement "FINANCE AND CONVEYANCE PURPOSES" shall be centered underneath the tentative tract number.
 - (5) If the map is for FINANCE AND CONVEYANCE PURPOSES and a future map for development purposes must be processed in order for any development to occur, General Note No. 1 must contain a statement substantially similar to the following: "THIS MAP IS FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THIS MAP DOES **NOT** CREATE LEGAL BUILDING SITES. FURTHER DISCRETIONARY APPROVALS ARE NECESSARY TO DEVELOP THIS PROPERTY."
 - (6) If the map is a vesting map, the word "VESTING" shall be placed before the words "TENTATIVE PARCEL MAP" or "TENTATIVE TRACT MAP".

- (7) If the map is a *B Map*, the map number assigned to the underlying *A Map* and the lot or lot numbers from the *A Map* covered by the *B Map* shall be clearly referenced.
- (8) Legal description. Information used to describe the location of the proposed subdivision, which may consist of lot and block numbers or parcel numbers from previously approved and official subdivision maps recorded in the County Recorder's office, or reference to a previously approved lot-line adjustment.
- (9) Vicinity map to sufficiently portray location of subdivision in relation to major streets (need not be to scale).
- (10) Scale, north arrow, date of map preparation.
- (11) Legend identifying all line types and symbols utilized on the map.
- (12) Name, address, telephone number, and signature of the subdivider.
- (13) Name, address, telephone number, and signature of the property owner (if different than subdivider) consenting to the map filing.
- (14) Name, address, and telephone number of firm preparing map.
- (15) Name and registration number, if applicable, of map preparer.
- (16) General plan designation of property.
- (17) Zoning designation of property. [Weblink: Irvine Map Inquiry \(Zoning/General Plan\)](#)
- (18) Existing land use(s) on property.
- (19) The lot layout, including the approximate dimensions of each lot.
- (20) A lot number for each buildable lot.
- (21) An alphabetical identification of each lot not proposed as a building site and an explanation as to its intended use (*i.e.* Lot A, Lot B, etc.). If there are more than 26 lettered lots, subsequent lettered lots shall include dual or triple letter designations (*i.e.* Lot AA, Lot BBB, etc.).
- (22) Net and gross areas of all subdivisions.
- (23) Net area for each individual lot created by the subdivision.
- (24) The width, approximate locations, and designations of all existing and proposed easements or rights of way, whether public or private, for water, drainage, sewers, flood control, maintenance or recreation purposes, etc.

- (25) The locations, widths, and total area of all existing and proposed internal streets and highways. The locations, widths and approximate grades of existing and proposed improvements including street intersections, medians, driveways, alleys, curbs and gutters, sidewalks and pavement widths within the proposed tract and within two hundred (200) feet of the boundaries of the proposed subdivision.
- (26) The names of all existing streets and highways within the proposed subdivision and within two hundred (200) feet of the boundaries of the proposed subdivision.
- (27) Approximate radius of all centerline curves on highways, streets, alleys, and vehicular access ways.
- (28) The location and size of any and all existing or proposed driveways located on opposite sides of any street adjacent to the subdivision.
- (29) The location of the nearest bus stop. If within 200 feet of any boundary of the subdivision, it should be shown on the map. If located beyond 200 feet, it should be noted on the map with an indication of the approximate distance to the bus stop from the nearest boundary of the subdivision.
- (30) Total approximate length in feet along the centerline of all existing and proposed streets within the boundaries of the subdivision, measured from intersection to intersection.
- (31) Location of future vehicular access ways within the tract boundary, both public and private, indicated with a dotted line.
- (32) Dimensions and locations of sidewalks, and bicycle, equestrian and hiking trails.
- (33) Typical cross-sections of all existing and proposed streets within and adjacent to the subdivision. Said cross-sections shall include the following information:
 - a) Name of street
 - b) Centerline (existing and proposed)
 - c) Right-of-Way lines or property lines
 - d) Total ultimate right-of-way improvements, and whether existing or proposed:
 - curb and gutter
 - sidewalks
 - bike trails
 - medians
 - parking (on-street)
 - e) Dimensions of improvements from centerline.
 - f) Easements adjacent to right-of-way (designate type and width).
- (34) Location and sizes of all areas offered for public use.

- (35) Location and sizes of all common areas to be designated for private use.
- (36) Designation of uses, zoning, lot layout, and tract or parcel map numbers of adjoining subdivisions.
- (37) The location and outline to scale of any existing building, or structure above ground within the subdivision, noting whether or not the building or structure is to be removed from or remain in the development of the subdivision.
- (38) The location of any excavations within the subdivision or within 200 feet of any portion of the subdivision; the location of any existing wells, irrigation lines, cesspools, septic tanks, sewage leach fields, sewers, culverts, storm drains, and underground structures within the subdivision; and a statement noting whether or not such uses are to be abandoned, to be removed, or to remain.
- (39) The location and limits of any previously filled areas within the subdivision, including any liquid or solid waste disposal sites.
- (40) Use or uses proposed in the subdivision as specified by applicable or pending zoning district regulations. If for multiple family dwelling uses (including condominium and community apartment projects) the proposed number of units shall be stated. If for non-residential condominium purposes, the maximum number of condominium units and square feet by land use shall be stated.
- (41) Proposed method of sewage disposal and the name of the sewerage agency.
[Weblink: Irvine Ranch Water District](#)
- (42) Name of proposed water supplier.
- (43) If a residential map, the name of the school district that serves the subject property.
- (44) Types of other utilities which are proposed to serve the subdivision, including but not limited to: gas, electricity, communications, and cable television; and the name of the utility company or agency that will provide the service.
- (45) The gross acreage of the area tributary to the subdivision and a statement setting forth in detail, but not quantitatively, the manner in which storm runoff will enter the subdivision, the manner in which it will be carried through the subdivision (including approximate size, type, lineal footage of storm drainage facilities and catch basin locations), and the manner in which disposal beyond the subdivision boundaries will be assured; and, where applicable, reference to any duly adopted Master Plan of Drainage.

- (46) Designation and boundaries of special flood hazards, including base flood elevation data. If no special flood hazards exist, a statement to this effect shall be made. [Weblink: FEMA Map Service Website](#)
- (47) Designation, location, widths, and directions of flow of all watercourses and flood control channels.
- (48) A statement setting forth how the requirements of the Local Park Code are to be accomplished. If a park is to be provided, its location, dimensions, net area, access, existing and proposed easements, proposed ownership and maintenance agency.
- (49) The contour of the land at intervals of five feet for slopes ten percent (10%) or greater and two (2) feet for slopes less than ten percent (10%).
- (50) The height, width, and slope of man-made slopes.
- (51) Location, number, type, height, and trunk size of existing trees onsite.
- (52) For any eucalyptus trees on-site or located twenty (20) feet from the site boundary (measured from the centerline of the tree), the following information shall be provided:
 - a) Accurately plot location of each eucalyptus tree, based on a field survey (aerial surveys are not permitted).
 - b) Designate whether each tree is proposed for retention or removal. If proposed for removal, include a letter of justification for removal.
 - c) Designate locations of eucalyptus windrow maintenance easements and identify who will be responsible for maintenance of trees.
 - d) Designate curb-cut access to the eucalyptus windrow maintenance easements.
 - e) Provide a profile of the finished grade relationships between the maintenance easement and access entry points, to insure accessibility to windrows during maintenance.
- (53) Total area to be held in reservation for improvements or facilities, itemized by type of improvement or facility.
- (54) A "Revision Block" placed on each revised map.
- (55) A block for the provision of the city case file number.
- (56) The location of existing buildings or structures, as well as existing parking lots and drives, in relation to the parcel/lot lines being created and dimensions from the parcel/lot lines to the existing buildings and structures.

- (57) Proposed use and zoning designation for each parcel.
- (58) Summary tables of gross area, number of lots, intended uses of lots, improvements, existing trees, number of dwelling units, areas to be dedicated to the City. **(Tentative Tract Map submittal only)**
- (59) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel and the gross and net area of each parcel in acres (where more than one acre) or in square feet (where less than one acre). If the tentative parcel map proposes parcels both greater and lesser than one acre in size, the gross and net area of each parcel shall be specified in acres or its portion thereof. Net area does not include easements or rights-of-way, existing or proposed, that prohibit or limit the surface use of the property in question.

If the parcel is NOT to be used as a building site, it shall be alphabetically identified and an explanation as to its intended use shall be provided.
(Tentative Parcel Map submittal only)
- (60) Such other information or matters as may be required by the City Engineer.

If determined to be practical by the Director of Community Development or designee, some of the information listed above may be shown on a supplemental sheet or on an exhibit if referenced on the tentative map. Further, any of the foregoing requirements may be waived in writing by the Director of Community Development or designee if it is determined that a given requirement is not necessary in a particular instance or if the clarity of the map would be impaired.

4.4 Information to Accompany Tentative Map

In addition to the information required to appear on the face of the tentative tract map, the following information shall also be submitted:

a. Soils and geology report

A preliminary report, or reports, describing the soils and geologic conditions on the site and their effects on the feasibility of the plan of development, including the grading concept, shall be submitted with the tentative tract map. This report shall be prepared by a soils engineer registered in California and shall be based upon adequate test borings.

The City Engineer may waive this submittal if he determines that due to his knowledge of soils qualities in the subdivision, no preliminary analysis is necessary; or, if a recent preliminary soils report has been prepared for the subject site as part of previous project applications and this report is still valid.

b. Water purveyor's statement of certification

A statement of certification from the proposed water supplier indicating that it holds a valid permit in accordance with Sections 4010-4025 of the California Health and Safety Code, and can adequately serve the project. The statement shall also include the current flow, the storage capacity, the quantity of water available at the points of connection, additional distribution commitments for approved projects not yet using their total projected needs, and any projected expansion of facilities. This form is included in the tentative tract map application.

c. Water Supply Assessment [Weblink: Irvine Ranch Water District](#)

For a residential subdivision proposing 500 or more dwelling units, a water supply assessment from the proposed water supplier shall be submitted with the tentative map.

d. Sewering agency's statement of certification [Weblink: Irvine Ranch Water District](#)

A statement of certification from the proposed sewerage agency indicating that it can adequately treat the sewage generated by the project, the capacity of the sewage treatment facility, the current amount of sewage capacity that has been committed by the approval of projects not yet using the sewage facilities and any projected expansion of the facilities. This form is included in the tentative tract map application.

e. Energy conservation statement

In conjunction with the design of a subdivision, the subdivider shall consider the inclusion of energy conservation measures such as, but not limited to, the alignment of streets, and the orientation and configuration of lots so as to take the maximum advantage of prevailing winds and the relative position of the sun, and the provision of ready access to alternative means of transportation. At the time of the filing of the tentative map, the subdivider shall submit a statement setting forth the energy conservation measures incorporated into the design of the subdivision and stating why other energy conservation measures, such as those noted in the environmental analysis for the subdivision, have not or could not be included in the design of the subdivision.

f. Regional Housing Needs Statement

A statement describing the effect of the proposed subdivision on the City's current housing goals based on the adopted housing needs of the region, balanced against the public service needs of the City's residents and available fiscal and environmental resources.

g. Mobile Home Parks Report

If the proposed subdivision involves the conversion of a mobile home park to another use, the subdivider must submit a report on the impact of the conversion upon the displaced residents of the mobile home park to be converted. In determining the impact of the conversion on displaced mobile home park residents, the report shall address the availability of adequate replacement space in other mobile home parks.

The subdivider shall also be required to make a copy of this report available to each resident of the mobile home park at least fifteen (15) days prior to the public hearing on the tentative map.

h. Developments within the Hillside Overlay District [Weblink: Zoning Code Section 5-4](#)

If a proposed subdivision is located within the hillside overlay district, as determined by the City zoning ordinance, the subdivider shall submit the following information prior to or coincidental with the tentative map:

- (1) Final site plans
- (2) Erosion control plans
- (3) Conceptual landscape plans
- (4) Grading plans
- (5) Precise drainage and flood control plans
- (6) Photographic renderings, view analysis, three-dimensional models and other information only as specifically required by the Director of Community Development.
- (7) Slope zone map for the area under consideration which depicts existing slope zones, in contrasting colors, in accordance with the adopted planning area slope zone map.

i. Environmental Documents

To assist staff with complying with the requirements of the California Environmental Quality Act (CEQA), the applicant may be required to provide additional information that is reasonably necessary to assess the projects potential impacts on the environment.

j. A current title report prepared by a title company within three (3) weeks of the submittal of the tentative map.

k. Standard Plan Deviation [Weblink: Development Engineering - Standard Plans](#)

An engineer's variance shall be required for any request to deviate from City standard plans. A separate application process is required.

l. Filing Fee

The applicant shall submit the appropriate deposit for processing the tentative map application concurrently with submittal of the tentative map.

m. Park Plan [Weblink: Zoning Code Chapter 2-22](#)

If the map is for residential purposes, a park plan in accordance with the requirements set forth in the Zoning Ordinance.

n. Such additional information as may be required by the Director of Community Development or designee which is reasonably related to the proposed subdivision.

4.5 Vesting Tentative Maps.

Except as otherwise noted above, the requirements for filing and the form, contents and supplementary information required for and application for a vesting tentative map shall be the same as for tentative maps.

SUBARTICLE 5: FINANCE AND CONVEYANCE MAPS

5.1 General

This subarticle shall govern the filing and processing of tentative maps for finance and/or conveyance purposes. Applications for finance and/or conveyance maps may only be accepted under one of the following criteria:

- (a) The site to be subdivided by the map is already developed, and the proposed map will not create legal building sites upon which new development may occur; or
- (b) A future map for development purposes must be processed in order for any development on the site the property to occur, and this fact is clearly stated on the face of the map; or
- (c) The zoning for the property covered by the map does not permit any development, except for interim agricultural uses, without an approved conditional use permit or master plan.

5.2 Filing Instructions

Financing and/or conveyance maps (collectively referred to as "financing maps") are filed with the Community Development Department, Planning and Zoning Counter, 1 Civic Center Plaza, Irvine. Application forms are available at the Planning and Zoning Counter or may be obtained through the mail by contacting the Planning Section at (949) 724-6308.

5.3 Submittal Requirements

The form, content and supplementary information that must accompany a financing map shall conform to the requirements for tentative maps set forth in Subarticle 4 of this Manual except as hereafter provided.

- a. Notwithstanding the requirements set forth in Subarticle 4, the Director of Community Development or designee may waive the following requirements in writing if requested in advance by the applicant:
 - (1) internal streets and access ways within the boundary of the map (with concurrence of the City Engineer);
 - (2) dimensions and location of sidewalks and common areas;

- (3) method of compliance with Local Park Code;
 - (4) soils and geology report;
 - (5) energy conservation statement;
 - (6) regional housing needs statement; and/or
 - (7) other submittal requirements set forth in Subarticle 4, the Subdivision Ordinance, or the Subdivision Map Act, provided, the City Engineer determines in advance, in his/her professional judgment, that the proposed map continues to comply with the spirit and intent of the Subdivision map Act, the Subdivision Ordinance, and this Manual.
- b. The following statement must be clearly printed on the face of the proposed financing map: "FOR FINANCE AND CONVEYANCE PURPOSES ONLY."
 - c. If a future map is required for any development, the face of the map must include the following additional statement: "THIS MAP DOES **NOT** CREATE A LEGAL BUILDING SITE. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY."

5.4 Review Procedure

Except as otherwise noted in this subarticle, finance and conveyance maps shall be processed in the same manner and shall be subject to the same requirements as specified for tentative maps in subarticles 3 and 4 of this Manual and chapter 4 of the Subdivision Ordinance. The City Engineer or designee will distribute copies of the financing map to the appropriate reviewing bodies to determine whether the map conforms to the requirements of this Manual, the Subdivision Ordinance and the Subdivision Map Act. These reviewing bodies may include, but are not limited, to those set forth in subsection 6.4 of Subarticle 6 of this Manual.

5.5 Approval Process

a. Criteria.

The advisory agency/reviewing authority shall base its decision to approve, conditionally approve, or disapprove the proposed financing map on the information required under this subarticle, and any additional information reasonably necessary to determine that the property covered by the map can be feasibly developed under the existing zoning and general plan designations for the site. At a minimum, the advisory agency/reviewing authority should examine the following:

- (1) Does the parcel (or parcels) of land covered by the map meet the minimum size requirements to ensure that future development can meet all applicable site development standards imposed by the zoning code?

- (2) Does the parcel (or parcels) of land have access from a public road, or is access both feasible and required by a condition of approval for the proposed map?
 - (3) Do the parcel lines conflict with any public easements?
 - (4) Are there any physical constraints or other issues which may affect the feasibility of future development on the site (e.g. vehicular access, utility service extensions)? If necessary in order to adequately evaluate the map, additional technical studies (e.g. access study) should be required prior to finding the application complete.
 - (5) Does the map provide sufficient information on future uses and feasibility of future uses to ensure consistency with the general plan and zoning designations for the site?
 - (6) Is the site suitable for the future permitted or proposed uses?
 - (7) Does the map provide sufficient information on the subdivision design and future improvements to evaluate its potential impact on the environment in compliance with the California Environmental Quality Act?
 - (8) Does the map provide sufficient information to evaluate and ensure that the subdivision design will not cause future conflicts with public easements?
 - (9) Is there sufficient information on the subdivision design and future improvements to enable the City to determine whether the map complies with applicable water quality standards, particularly with respect to future discharge of waste into the sewer system?
- b. Findings. The advisory agency must make the findings required by subsection 3.6(c) of this Manual.
- c. Mandatory Conditions of Approval. In addition to the standard subdivision conditions of approval applied to all maps for development purposes, the following conditions of approval shall apply to all financing maps:
- (1) Any submittal requirements which were waived in connection with the financing map in accordance with subsection 12.3(a) of this subarticle shall be submitted concurrently with the first discretionary application for development of the site covered by the map (i.e. with an application for a future map, a conditional use permit, or master plan).
 - (2) This map is approved for financing and land conveyance purposes only. No applications for building or grading permits shall be accepted for the parcel or parcels created by this map until a (future map/conditional use permit/master plan) for development has been approved by the City.

SUBARTICLE 6: FINAL MAPS: HOW TO PROCESS

6.1 General

To establish a legal building site, a subdivider must record an approved final tract or parcel map. This map must be filed with the advisory agency prior to the expiration of the tentative map.

6.2 Where to Submit the Map

Final tract and parcel maps are submitted to the Community Development Department, Planning and Zoning Counter. [Weblink: Development Engineering - Final Maps Site](#)

6.3 Submittal Requirements

No application forms are required. Submittal requirements are as follows:

- a. Five copies of the final tract or parcel map, signed, sealed and dated by the responsible Surveyor/Engineer. Check prints can be stamped or marked as "DRAFT", if so desired.
- b. Title report (Title Report must be prepared within three (3) weeks of initial submittal and must be updated within three (3) weeks at final submittal)
- c. Traverse/closure calculations to prove mathematical consistency of all map data. Closures are required for boundary, lots, blocks, easements, along with any and all closed geometric figures within the map.
- d. One (1) copy of each recorded document (maps, deeds, etc.) referred to in either the title report or on the final tract or parcel map. Documents may be submitted either as paper copies or, optionally, reference documents may be submitted in digital format using TIF, PDF, or other formats acceptable to the City Surveyor.
- e. Appropriate deposit for processing the map. (This deposit is based on the site acreage. Call (949) 724-6308 for the precise amount required.)
- f. If signatures of owners of rights-of-way, easements or other interests which cannot ripen into fee, which are owned by a public entity, public utility, or subsidiary of a public utility are to be omitted from the map as provided in SMA Section 66436(a)(3), or any successor statute thereto, prior to approval of the map, the subdivider or his representative must provide the City Surveyor with either:

Letters from those owners stating that 'the division and development of the property will not unreasonably interfere with the full and complete exercise of their right-of-way or easement'

or:

Evidence that the owners have been notified, and said owners have not filed any objection within 30 days of receipt of such notification as provided in SMA

Section 66436(a)(3)(A) or any successor statute. Generally this would be a copy of a Certified or Registered Letter with signed return receipt from the owners of said easements.

These maps may be submitted over the front counter or by mail to the City of Irvine Community Development, Engineering Services Section, 1 Civic Center Plaza, Irvine, CA 92606. When all the submittal requirements have been received, a staff engineer will be assigned to review the final tract or parcel map. **NOTE:** A completed application for a final map must be submitted and accepted as complete by the City **prior** to the expiration of the approval (or any extension thereof) of the underlying tentative map.

6.4 Review Procedure

The staff engineer will distribute copies of the final tract or parcel map to the following reviewing bodies for technical comment and for written clearances of any requirements tied to the recordation of the map:

- (1) City Engineer
- (2) City Surveyor
- (3) Orange County Fire Authority
- (4) Development Services, Community Development Department

The reviewing bodies will identify any outstanding requirements which have not been met; the staff engineer will notify the applicant of these requirements. The applicant is responsible for contacting these bodies for further discussion and clearance of the unfulfilled conditions. No further processing of the final tract or parcel map will occur until all the clearances have been granted.

The City Surveyor will review the final map for mathematical and technical accuracy and for consistency with the approved tentative map. He will develop a list of corrections for the applicant; the applicant shall submit corrected maps to the City Surveyor for further checks. When all the corrections have been made, and all appropriate signatures have been affixed to the original mylar, the City Engineer will sign.

6.5 Filing and Approval of Final Maps

a. Final Parcel Maps

- (1) The City Engineer approves all final parcel maps. NOTE: If there are any bonds or agreements, these documents must be signed, notarized, and reviewed by the City Attorney and approved by the City Council before the City Engineer will sign the map.
- (2) City Engineer signs map approving the map and provides approved parcel map to Subdivider or his representative for transmittal to Orange County Surveyor.
- (3) The City requires that the applicant submit one (1) digital copy in Adobe PDF format (or as otherwise approved by the City Engineer) of the recorded map to the City Engineer.

b. Final Tract Maps

- (1) City Engineer signs map approving the map; approving signature omissions per SMA 66436, if any; and accepting dedications, if any. NOTE: If there are any bonds or agreements, these documents must be signed, notarized, and reviewed by the City Attorney before the City Engineer will sign the map. (If the City Engineer is not authorized to approve surveying documents per SMA Section 66416.5(b), a separate certificate will be necessary for that purpose and signed by the City surveyor prior to approval by the City Engineer). City Engineer provides approved map to Subdivider or his representative for transmittal to Orange County Surveyor.
- (2) County Surveyor, County Clerk of the Board and County Tax Collector-Treasurer review and sign map.
- (3) County Recorder records map.
- (4) The City requires that the applicant submit one (1) digital copy of the recorded map in Adobe PDF format (or in such other format as approved by the City Engineer) to the City Engineer.

6.6 Concurrent Processing of Tentative and Final Maps

Generally, the City does not initiate processing of any final tract or parcel map until the underlying tentative map has been approved. However, the City does provide the opportunity to process final tract or parcel maps while the tentative map is in review, subject to the requirement that the applicant sign a waiver acknowledging and accepting all risks. This waiver shall acknowledge that should changes be required to approve the tentative map, and these changes require revisions to the submitted final tract or parcel map, the subdivider is responsible for any additional charges and costs incurred to make such revisions to the final map. In addition, the waiver shall acknowledge that the charges accrued for the review of the original final tract or parcel map will not be refunded. Finally, the waiver shall acknowledge that the subdivider may be required to file revised maps in order to conform to such changes.

6.7 Multiple Final Maps

- a. Multiple final tract or parcel maps relating to an approved or conditionally approved tentative map, including a conditionally approved master tentative map (*A map*) may be filed prior to the expiration of the tentative map if:
 - (1) The subdivider, at the time the tentative map is filed, informs the advisory agency of the subdivider's intention to file multiple final tract or parcel maps, or
 - (2) After filing the tentative map, the advisory agency and the subdivider concur in the filing of multiple final tract or parcel maps.

In providing this notice, the subdivider shall not be required to define the number or configuration of the proposed final maps.

- b. The advisory agency may impose reasonable conditions relating to the filing of multiple maps other than as set forth above.
- c. Where a final tract map is to be recorded for a portion of a tentative tract map, the final tract map shall contain a reference to the tentative tract map from which it is derived.
- d. Where final tract or parcel maps have been recorded for portions of a tentative map, the final tract or parcel map for the final increment of the tentative map shall contain the same number as the tentative map, unless waived by the City Engineer.

6.8 Special Requirements for Master Maps.

- a. A final map shall be recorded for all master tentative maps (*A maps*) approved pursuant to chapter 4 of the Subdivision Ordinance before any subsequent tentative map (*B map*) relating to the same parcel or parcels of land may be recorded.
- b. The advisory agency may impose reasonable conditions relating to the filing of master and subsequent maps.
- c. Where a final subsequent map (*B map*) is to be recorded for a portion of a tentative master map (*A map*), the *B map* shall contain a reference on its face to the *A map* that underlies it and the specific lot or lots from the *A map* covered by said *B map*.

SUBARTICLE 7. FINAL TRACT AND PARCEL MAPS: FORM AND CONTENT

7.1 Surveying and Mapping

- a. The subdivider shall cause the proposed subdivision to be accurately surveyed and mapped in accordance with the Subdivision Map Act, the Professional Land Surveyor's Act, the Subdivision Ordinance, the Zoning Code, the approved tentative map and conditions of approval thereof, and this Manual. No final Tract Map may be compiled from record data. Parcel maps may be compiled from record data only if specifically approved by the City Engineer and the City Surveyor.
- b. Coordinate and Basis of Bearings Control
 - 1. Tract maps and parcel maps shall be tied to at least two points of control which have California Coordinate System Zone VI positions established by National Geodetic Survey (NGS), California Spatial Reference Center (CSRC), Orange County Surveyor's Office (OCS) or the City of Irvine. These points of control may either be passive (in the ground) monuments, or they may be Continuous Global Positioning System Reference Stations (CGPS) or Continuously Operating Reference Stations (CORSS).

2. Ties to these control points from at least two points in the project area shall be shown on the map along with the coordinates of the control points and their descriptions.
3. Control points should be selected which bracket the project at hand.
4. A project Combination Factor (CF) shall be computed for the project and shown on the map. The distances shown on the map shall be based on the ground level at the project location. The map ground distances can be converted to grid distances commensurate with the grid coordinates by multiplying the ground distances by the CF. This CF should be computed at the location of the project, and at the average elevation of the project. In phased developments, it is acceptable to use one project CF for all of the units of the tentative map. The practice of using the average CF of the two control stations off project and at an elevation differing substantially from the project is not acceptable.
5. The bearings of the map shall be based on the Coordinate System and specifically the line between the two control points used. Said Basis of Bearings will be described in a Basis of Bearings note on the map.
6. Due to continuous land movement in this area, the coordinates for the points of control are updated periodically. In general, the coordinate adjustment or Epoch, to be used is the current Epoch published by the County of Orange Surveyor's Office. If there is any doubt, check with the City Surveyor for assurance on the proper system to be used for the mapping at hand.

Exceptions:

- 1) If the project is more than one mile from the nearest control point, the City Surveyor may establish additional control points in the area to facilitate ties or may dispense with the requirement.
- 2) Minor re-subdivision of small lots or parcels within the interior of maps which were originally controlled as described above need not be tied to control but may be based on the bearings of the original controlled map. Final authority for the necessity of control in these cases will rest with the City Surveyor.

7.2 Final Tract or Parcel Map Specifications and Requirements

a. Materials

The final tract or parcel map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film (mylar). Certificates may be legibly stamped or printed upon the map with black opaque ink. The ink used on polyester base film should be the type made specifically for such material. All signatures shall be original. Seals may either be stamped with permanent black ink, specifically designed for stamping mylar, or they may be computer generated and plotted with the map data, if so desired.

b. Size

The size of each sheet shall be 18 inches by 26 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch.

c. Orientation

Each map sheet and the lettering thereon shall be so oriented that, with the north arrow pointed directed away from the reader, the map may be read most conveniently from the bottom right corner of such sheet, i.e., from a southeasterly orientation.

d. Index Map/Vicinity Map

If more than two map sheets are used in preparing the final tract or parcel map, there shall be included either on the title sheet or first map sheet an index map showing the general layout of the subdivision (including streets) and the portions included on each map sheet.

Unless the location of the subdivision is easily discernible from the data on the map sheet, a vicinity map shall be included on the title sheet, or first map sheet, showing the relationship of the map boundary to major streets or highways nearby. (NOTE: The Index and Vicinity Map may be the same map.)

e. Data to be shown at the top left corner of all sheets of the final tract or parcel map:

- (1) The sheet number and total number of sheets.
- (2) The total number of lots or parcels within the subdivision.
- (3) Total acreage (gross) of property included within the subdivision.
- (4) The engineer's or surveyor's name and registration or license number.
- (5) Indicate whether map is:

Portion of Tentative Tract No. _____
All of Tentative Tract No. _____
or, All of Tentative Parcel Map No. _____
Final Unit of Tentative Tract No. _____

- (6) Survey date or dates (month and year).

f. Data to be shown at top center of all sheets of the final tract or parcel map:

- (1) The final tract or parcel map number shall be prominently lettered at top center of each sheet. Tract and parcel Map numbers are obtained from

the County Surveyor's Office upon completion of a tract number assignment form and payment of the appropriate fee.

- (2) The words "In the City of Irvine, County of Orange, State of California" shall be lettered directly below the final tract or parcel number.
- (3) Name and Registration Number of the preparing and responsible Surveyor or Engineer.
- (4) The name of the preparing firm may also be shown in this location at the option of the submitting firm.

g. Additional data to be shown on the title sheet (or sheets):

- (1) At the top center of the sheet and below the words "In the City of Irvine, County of Orange, State of California", a generalized description of the property being subdivided containing the name and legal designation of the tract, and the section or grant in which the property is located. Indicate if the subdivision is all or a portion of the tract, section or grant if applicable.
- (2) Add purpose of the map if applicable, such as: "FOR CONDOMINIUM PURPOSES", "FOR FINANCE AND CONVEYANCE PURPOSES ONLY", etc.
- (3) Certificates and acknowledgements as required by the Subdivision Map Act. These certificates must be in substantial conformance with those in the Orange County Surveyor's "Sample Certificate" publication, available from the Orange County Surveyor. Certificates should be signed with black opaque waterproof ink, or other medium acceptable to the County Recorder.
- (4) Notary seals, if used, must be legible, permanent and reproducible. Per Section 66436(c) of the California Subdivision Map Act, "A notary acknowledgment shall be deemed complete for recording without the official seal of the notary, so long as the name of the notary, the county of the notary's principal place of business, and the notary's commission expiration date are typed or printed below or immediately adjacent to the notary's signature in the acknowledgment." Since notary seals are historically difficult to assure legibility on the mylar mapping material, it is encouraged that the notary certificates be placed on the map, using the format as shown in the current version the County of Orange Standard Map Certificates book, to be completed by the notary at the time of notarization rather than using the normal notary seal.

h. Additional data to be shown on each map sheet:

- (1) The scale of the map. This scale shall be such that when the map contains any lots/parcels encompassing less than one acre, one inch shall be equivalent to eighty feet or less. In no case shall the scale be such that one inch is equivalent to more than two hundred feet. The City

Engineer/City Surveyor shall be the final authority as to allowable or acceptable map scales.

- (2) North arrow.
- (3) Basis of bearings note or reference to sheet showing same. See Section 6.1b of this Manual for requirements relative to Basis of Bearings.
- (4) A monument note shall be placed on one map sheet with references to that sheet made on all other map sheets. Each monument shown may be individually described or a combination of individual descriptions and monument symbols may be used. It is desirable that found monuments be shown by closed symbols, set monuments by open symbols. All monument symbols must be drawn in such a manner that they will remain clear when reproduced after recordation.
- (5) The relation of each map sheet to adjoining map sheets (match lines or notations to 'See Sheet ___' in the appropriate overlap locations).
- (6) Lot/parcel numbers

The building site lots/parcels shall be numbered consecutively, normally commencing with the number 1, except as otherwise provided in this Manual, with no omissions or duplications. Each numbered lot/parcel shall be shown entirely on one sheet. No alphabetically designated lot/parcel shall be considered or approved as a building site, and this fact shall be noted on the map. The purpose of each lettered lot shall be noted on the map. Some exceptions may be used if reviewed and specifically approved by the City Engineer.

- (7) Boundary Lines
 - (a) The boundary line of the subdivision shall be indicated by a solid continuous black line approximately three times as wide as the parcel or lot lines on the map. Minimum line width of the boundary line should be 0.045 of an inch.
 - (b) The boundary line of the subdivision along any street shall be carried to the limits of ownership along or within the street, as described in the title report supplied, or as approved by the City Engineer City Surveyor.
 - (c) On each map there shall be clearly shown and identified all monuments found, set, reset, replaced or removed, describing their kind, size and location, and giving other data relating thereto, together with ties to sufficient corners of adjoining tracts, sections, street centerlines, or other surveys of property, as may be necessary to locate the limits of the subdivision. All boundary lines, which are controlled by previously recorded deeds or maps, shall have appropriate reference notes to said controlling

documents drafted in the vicinity of, and arrowed to said lines. Existing boundaries shall be positioned in accordance with law, controlling title documents, surrounding surveys and professional survey practice.

- (d) Any city or county boundary line adjoining the subdivision shall be clearly shown by proper symbol and labeling.

- (8) If five (5) or more parcels are being created by a parcel map, the following note shall be shown on the parcel map.

“This map is excluded from the requirements of a tentative and final tract map by Section 66426 (a, b, c, d or e) of the Subdivision Map Act.” (Set forth the factual basis for the applicability of the appropriate section.)

- (9) In the event that the distinctive border of a map encompasses more than one public entity (City-City) or (City-County), the appropriate officials of both entities must sign the map.

- (10) Any lot or parcel that is being dedicated to the City of Irvine for public use shall contain a statement defining the specific public use and shall also indicate whether the dedication is made as an easement or in fee.

- (11) Record data

Record data that disagrees with the measured data shown on the subject map by more than 1 in 10,000 shall be shown in parenthesis with the appropriate reference. Record data that agrees with the measured data may also be shown in parenthesis, at the option of the submitting surveyor.

- (12) Acreage

The acreage shall be shown to the nearest one-thousandth (X.XXX) of an acre for all lots/parcels containing one acre or more.

- (13) Monuments

Monuments shall be set which conform to the following requirements. Any deviation in character or position requirements of set monuments must be approved by the City Surveyor .

- (a) Boundary monuments

Each final tract or parcel map shall indicate the setting of acceptable durable monuments at each boundary corner or at an offset and at intermediate points as may be made necessary by topography or contour to facilitate recovery of any point or line without unreasonable difficulty, except at corners where substantial monuments which are easily identifiable are found. Acceptable monuments are 2” I.D. or larger iron pipe minimum of

15" in length with nonferrous nail and RCE or PLS identification tag, 6" spike with washer or tag stamped with RCE or PLS number or lead, nonferrous tack and tag stamped with PLS or RCE number or as approved by the City Engineer. The position and character of each found and set monument shall be shown on the map. Any monument found or set shall have its relationship to the surface of the ground shown on the map. Sufficient boundary monuments or references thereto shall be in position prior to recordation of any tract map to conform to the requirements of Section 66495 of the Subdivision Map Act. Direct bearing and distance tier to existing permanent substantial monuments, along the major controlling exterior lines of the overall "A" Maps, which judging by their location and the overall construction plan, will survive the initial mass grading, will suffice for this requirement. The BC's, EC's, PRC's and PCC's along the street R/W need not be set if the street centerline is monumented and tied out at these locations. See Item (d) below.

Rebar and/or plastic caps are not acceptable as durable monuments.

(b) Lot/parcel monuments

Each final tract or parcel map shall indicate the setting of acceptable durable monuments at all lot and parcel corners or at an offset, except at corners where substantial monuments which are easily identifiable are found. Acceptable monuments are 3/4" inside diameter iron pipe (or larger) a minimum of 15" in length with nonferrous nail and RCE or PLS identification tag, 6" spike with washer or tag stamped with RCE or PLS number or lead, nonferrous tack and tag stamped with PLS or RCE number.

The BC's, EC's, PRC's and PCC's along street R/W need not be set if the street centerline is monumented and tied out at these locations. See Item (d) below.

It is encouraged for ease of use by the owners and others and to insure durability, that front lot corner monuments be set at an offset on the property line extension in sidewalks or on the top of curb with a tie distance from the respective corners noted.

Rebar and/or plastic caps are not acceptable as durable monuments.

(c) Centerline monuments of Public and Private Streets, Ways, Drives, Lanes, Alleys, Etc.

All centerline intersections of streets and alleys and the beginning and end of curves shall be monumented with spikes (minimum 1/2" diameter, 6" long) with washers stamped with the PLS or RCE number of the person preparing the map. In addition, City of Irvine

or Orange County Type A or B monuments, or equivalent, with subsurface monuments shall be placed within public streets in strategically located positions throughout the subdivision so as to enable the survey to be readily retraced. The number and location of such monuments shall be as directed by the City Surveyor.

Rebar and/or plastic caps are not acceptable as durable monuments.

- (d) Ties and notes for Centerline Monuments of Public and Private Streets, Ways, Drives, Lanes, Alleys, Etc. (public street)

The engineer or surveyor under whose supervision the survey has been made shall furnish the City Engineer/City Surveyor a set of tie notes. Such set of notes must be of such form and content as needed to conform to the standardized records of the City Engineer/City Surveyor and be acceptable to him. These notes shall show the horizontal distance, along with azimuths or bearings, between the monuments marking street and alley centerline intersections and other centerline control points which are set or found and sufficient number (not less than four) of durable distinctive reference points (lead and nonferrous tack or equal, with RCE or PLS identification tag). It is preferable that the azimuth/bearings be based on the California State Plane Coordinate System, but at a minimum, they must be relative to all angular data shown at each individual intersection in order to show the geometric relationship of all tie monuments to the primary monument and to each other. The use of property corners as ties is encouraged in order to avoid confusion and duplication of labor. It is encouraged that identification tags for tie or reference points contain the word "TIE" along with the normal RCE or PLS identification, in order to alleviate confusion with property corners by the lay users.

- (e) Deferment of setting of monuments

The map shall show which monuments are set and which monuments are to be set on or before a specified later date. All monuments and monument ties and notes so deferred shall be agreed to be set and furnished by the subdivider. This agreement shall be accompanied and guaranteed by adequate and acceptable security guaranteeing the payment of the cost of setting such monuments.

The amount of the security posted must be agreeable to the City Engineer/City Surveyor. The City Engineer/City Surveyor, may require the placing of monuments sufficient to control the boundary prior to the specified date mentioned above.

(f) Identification marks on set monuments

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

NOTE: For maximum durability and legibility the following minimums shall be observed:

1. Iron pipe type or lead and tack in concrete type monuments will be tagged with standard 3/4 inch brass RCE/PLS tags affixed with nonferrous nails. Iron or steel nails are not acceptable.
2. Subsurface points in survey wells will be marked with brass or aluminum cap not less than 2" in diameter with RCE/PLS numbers stamped with not less than 1/8" letters.
3. Spikes in A.C. should have washers (not tins) stamped with not less than 1/8" RCE/PLS numbers. Commercially available spike tags are acceptable if the spike head does not cover portions of the numbers and the tag does not fold around the spike and become unreadable.

Generally, if the RCE/PLS numbers cannot be easily and unmistakably discerned, the monument is not acceptable.

4. The use of epoxy or other glue to affix identification tags to concrete, block, pipes, pavement, etc., has been found to be "non-durable" and is not acceptable.
5. Rebar with Plastic caps or Plastic Caps in any form are not durable, and as such are not acceptable.
6. All monuments set in concrete or asphalt, which may be disturbed by street cleaning or routine maintenance, should be recessed in the concrete or asphalt for their protection.

(g) Identification marks on found monuments

Monuments found and accepted for control of boundary lines and which are not marked with the registration or license number of an engineer or surveyor, or agency, shall be marked with the registration or license number of the engineer or surveyor under whose supervision the survey was made and be so indicated on the map. This requirement pertains to those monuments which the surveyor/engineer uses as control for the establishment of the boundary of his survey, i.e., street centerline intersections, lot corners, block corners, etc. and is based on opinions by the

Attorney General, State Board of Registration and the County Surveyor. It is not the intent of this article that all untagged monuments shown on a map need to be tagged. In lieu of removing an untagged monument and replacing it with a tagged one, four suitable and durable tagged ties may be set at a reasonable offset to the found monument.

(h) Monuments found out of position

When a boundary monument is found out of position, a new monument should be placed at the proper position if by doing so the found monument is not disturbed. If the monument cannot be set without disturbing the old one, an offset may be set. Monuments out of position shall be shown accentuated in scale on the map (see 6.2 h (15)(e)).

(i) Upon notification by the engineer or surveyor preparing the map the City Surveyor shall perform a field check to verify that monuments and ties have been set as described on the map.

(j) In the event that the exact character of a monument cannot be determined at the time the map is prepared, a note similar to the following shall be placed in the monument notes: "-O-denotes set 1" IP' PLS/RCE XXXX or a lead and tag PLS/RCE XXXX in concrete or a spike and tag PLS/RCE XXXX in asphalt pavement, having a thickness of 2" or more."

Iron pipe should be set in asphalt pavement having a thickness of less than 2" to insure durability of the monument.

(14) Boundary Control

(a) All deed references controlling the boundary should be delineated on the map.

(b) References shall be made to the most appropriate record data controlling the boundary.

(c) Notes shall be placed on the map stating how points or lines were established when the method of establishment is not obvious by inspection (i.e., "set by intersection," "set by proportion between", "established by holding record angle from the found spike," etc.) Nothing shall preclude the submitting surveyor from adding narrative descriptions, of any size or length, detailing the boundary control, such as record controls used, problems encountered, optional possibilities, the decisions made, etc. to allow future users to readily understand the situation and the thought processes at the time the map was prepared.

- (d) Lines of occupation shall be shown on the map when occupation is used to substantiate boundary establishment.
- (e) The boundary establishment will be reviewed for sufficiency by the City Surveyor prior to approval of the final tract or parcel map by the City.

(15) Map Delineation

(a) Curve data

The length, radius and total central angle of each curve; the bearings of terminal radials of each non-tangent curve; the bearings of radials to each lot/parcel corner located on a curve; and the length and central angle of each segment within each lot/parcel; and the length, radius semi-tangent and total central angle of all centerline curves, shall be shown.

- (b) An overall bearing and distance should be shown between the extremities of a line, with distances only along the increments.
- (c) An overall bearing and distance should be shown along the distinctive border line, with distances only shown along the increments.
- (d) When there are several points at one location or close together, a separate detail should be put on the map for clarification.
- (e) Found monuments should have a solid symbol shown accentuated in scale when not occupying accepted position and set monuments should have an open one.
- (f) To avoid cluttering, maps should generally have a Title Sheet with certificates only, plus additional sheet(s) for mapping.

(16) Easements (including limited or irrevocable offers of dedication) and rights of way

- (a) All existing easements within the property being subdivided shall delineated on the map, except those within existing dedicated public streets.
- (b) Easements and limited or irrevocable offers of dedication should be denoted by light dashed lines unless unusual circumstances dictate otherwise.

- (c) Easements and limited/irrevocable offers of dedication should be shown with adequate data to precisely locate the easement and define its limits with respect to the adjacent property lines and so that the net area of each lot/parcel may be computed.
- (d) Easements shall be clearly labeled and identified. If already of record, proper reference to the record shall be given. Easements and offers being dedicated to the City of Irvine and other public agencies shall be so indicated in the Ownership Certificate and shown as being accepted in the City Engineer's Certificate and on the title map sheet. Pre-existing easements and limited/irrevocable offers of dedication not being dedicated on the subject map shall show a note on the map sheet adequately defining the status thereof.
- (e) The map shall show each existing railroad right of way, flood control right of way, limited/irrevocable offers of dedication, drainage or floodplain easements and such other existing easements pertinent to the map with appropriate references. If applicable, a statement required by Section 66436 of the Subdivision Map Act shall appear on the title sheet. If "non-interference" letters are required from public entities who will not be signing the map, they should be requested at the time of first submittal of the map to alleviate any delays as the map nears final approval.
- (f) The centerline of each street or alley within the subdivision, the total width of each street or alley, the width on each side of the centerline thereof, and the width of that portion to be dedicated shall be shown. The bearing and length of each centerline and side line tangent, and the radius, central angle, and length of each curve shall be shown except as approved by the City Surveyor.
- (g) Limited access designation

When vehicular access between any lot/parcel and any street is to be restricted, the vehicular access rights released and relinquished to the City of Irvine shall be indicated by an appropriate statement in the Ownership Certificate and in the City Engineer's Certificate on the title sheet indicating all exceptions to access restrictions. A note to that effect shall be lettered along the street adjacent to the affected lots/parcels on the map sheet.
- (h) Street names

Each public or private street, alley, way, drive, etc., which is to be used for addressing or required for emergency service access shall be named. Private streets shall be labeled as such and shown as alphabetical lots. If the residential lots within the subdivision do not abut upon the private street, these streets may be shown as part of the common area lot. However, if the residential lots do abut upon the private streets, these streets shall be individually lettered.

(i) Survey practice

(1) The practice and procedures of all surveys made for any final tract or parcel map shall conform to the Professional Land Surveyor's Act and shall be in conformance with the accepted standards of the surveying profession.

(2) Field Survey Precision Standards

Using the field survey raw measurements, the computed error at the 95% confidence level (2 sigma) between any two adjacent points within the field survey shall not exceed 0.04 foot + 100 parts per million, using the field survey raw measurements.

The submitting surveyor shall archive the raw survey measurements, regardless of technology or techniques used to make those measurements, to allow the verification of the above standard, if requested by the City Surveyor.

(3) Map Closure Precision Standards

The acceptable error of map traverse closure of any, and all, closed figures on the final Tract or Parcel Maps should not exceed 0.017 foot.

(j) Additional Information/Waiver Authority

(1) Such other information or materials as may be required by the City Surveyor.

(2) Any of the foregoing requirements may be waived or modified by the City Surveyor if it is found that a given requirement is not necessary in a particular instance or if the clarity of the map would be impaired.

(k) Digital Submission

- (1) The surveyor preparing the tract or parcel map shall submit to the City Surveyor, a digital graphics file in either DWG or DXF format, containing the boundary, street centerline, right of way, lot/parcel line data, easements, basis of bearings, and GPS tie lines necessary to facilitate transferring of the file into the Geographic Information System of the City of Irvine, and the Land Information System of the County of Orange. See Chapter 8 of the County of Orange Subdivision Manual for general details on Digital Submission. For additional detailed information, refer to the Orange County Surveyor's publication "QUICK REFERENCE GUIDE FOR DIGITAL SUBMISSION OF SUBDIVISION MAPS."
- (2) The City Surveyor will review the digital submission and advise the submitting surveyor on any deficiencies. Digital submission must be deemed sufficient prior to final tract/parcel map approval by the City.

SUBARTICLE 8. LOT LINE ADJUSTMENTS

8.1 General

The Lot Line Adjustment is a routine procedure that may be used under certain specified circumstances as a method for making revisions to property lines between two or more existing lots or parcels. The lot line adjustment is not a procedure for subdividing property. When it has been determined that a proposed revision to property lines qualifies as a "Lot Line Adjustment," it is exempted from the normal subdivision process, as permitted by the Subdivision Map Act. The City Engineer (with the concurrence of the City Surveyor as to technical aspects) shall have final authority for determining that a proposed lot line revision qualifies as a "Lot Line Adjustment."

8.2 Filing Instructions for Lot Line Adjustments

- a. Where to File [Weblink: Development Engineering - Lot Line Adjustments](#)

Lot line adjustments are filed with the Community Development Department, and shall be accompanied by the appropriate deposit. Application forms are available at the front counter or may be obtained through the mail by contacting the Planning and Zoning Counter at (949) 724-6308.

- b. Requirements for Filing Application

Legal descriptions of each property involved in the application, maps illustrating the proposal, and a site plan of the proposal, shall be prepared by a Professional Land Surveyor or a Registered Civil Engineer authorized to practice Land Surveying by the California Professional Land Surveyors Act. The legal owners

of the parcels involved will be responsible for the accuracy of all information submitted in connection with this application.

The forms that are required to be submitted will become legal documents that must be recorded. The forms must be typed or computer produced (not hand written), and the exhibits drawn legibly in black ink, to assure the reproducibility of the documents.

c. Criteria for Acceptance

An application for a lot line adjustment may be accepted when it can be determined that the proposal complies with the following specifications:

- (1) The project site described in the proposal consists of existing adjacent legal parcels/lots.
- (2) Four (4) or fewer parcels or lots are involved.
- (3) Any land taken from one parcel will be added to an adjacent parcel, and:
 - (a) No greater number of parcels will result from the lot line adjustment; and,
 - (b) The design and configuration of the parcels created by the lot line adjustment are in substantial conformance with the design and configuration of the parcels approved under the underlying final map.
- (4) The project complies with the requirements of the California Environmental Quality Act. [Weblink: California Environmental Quality Act](#)
- (5) The proposal is consistent with the General Plan. [Weblink: Irvine General Plan](#)
- (6) The proposal is consistent with the Zoning Ordinance and Subdivision Ordinance. [Weblink: Zoning Ordinance](#) [Weblink: Subdivision Ordinance](#)
- (7) The lot line adjustment, in and of itself, will not result in the need for additional improvements and/or facilities, except as permitted under Government Code Section 66412(d) or any successor statute thereto.

d. Information Requirements for Lot Line Adjustments

- (1) Name, address, and signature of the record owners of all parcels involved.
- (2) Current title reports for each lot involved, each title report prepared within 30-days of submittal of the lot-line adjustment application, with full legal descriptions, assessor parcel numbers, and address/location of the parcels involved.

- (3) Name, address, signature, and registration number of civil engineer or licensed surveyor preparing the application.
- (4) Legal description (to be submitted as Exhibit A)
 - (a) Written legal description of the properties involved as they will exist after adjustment of lot lines.
 - (b) Each description must stand on its own.
 - (c) Refer to Subarticle 12.3 of this Manual for further information on legal description requirements.
- (5) Lot line adjustment depiction (to be submitted as Exhibit B)
 - (a) Shall be drawn in black ink on the form provided in the applications or in the digital form provided
 - (b) Shall be clear and readable.
 - (c) Shall contain the following information:
 - 1. Map scale and north arrow
 - 2. Underlying tract/parcel number and lot/parcel number in dashed lines.
 - 3. The location of the project site in relation to existing streets and the distance to the nearest cross street. (Must be detailed enough to allow someone not familiar with the area to locate the project site.)
 - 4. The existing and proposed lot layout. Show bearings and distances for all parcel lines. Use a heavy solid line for the project boundary, solid lines for proposed property lines, and light dashed lines for existing property lines to be adjusted.
 - 5. The adjusted building site lots/parcels shall be numbered consecutively, in such a manner that there will be no confusion with the original lot/parcel numbers. New lots/parcels may be numbered 1A, 2A, or 1B, 2B, etc. If new non-building site lots/parcels are involved, they should be letter in the same manner, i.e., AA, BB, CC, again to not be confused with the original lettered parcels.
 - 6. The net area of each parcel shall be shown. If there are any easements or other rights such as vehicular, pedestrian, or equestrian easements which restrict the surface use of the property, then the 'Gross' and the 'Net' area of the parcels shall be shown. Net area equals the

gross area minus any such easements . Area should be expressed in 'square feet' for parcels of one acre or less, and in 'Acres' for parcels greater than one area in size.

7. The location and width of all existing rights-of-way, whether public or private, for roads, drainage, utilities, sewers or flood control purposes. Easements may be shown without course data. The owner, purpose and recorded document reference creating the easement shall be shown.

(d) Traverse closure

The acceptable error of map traverse closure should not exceed 0.017 foot.

(6) Conveyance Documents

In accordance with the requirements of Government Code Section 66412(d), each application for a lot line adjustment shall be accompanied by a deed or deeds in recordable form to reflect and formalize the changes reflected in each lot involved in the lot line adjustment application. These documents shall be prepared and forwarded as part of the submittal package for Lot Line Adjustments. Conveyance documents must be prepared for all affected title owners, including owners, trust deed holders, easement holders, etc. Essentially the same owners that would be necessary to pass title to the adjusted areas. These Conveyance Documents will be recorded as a package with the Lot Line Adjustment approvals.

(7) Site Plan Diagram (to be submitted as Exhibit C)

Since only certain information can be on the official recorded lot line adjustment map, a site plan diagram is required showing additional information necessary to verify compliance with adopted City Ordinances. This information should be submitted on the form labeled SITE PLAN. The following information must be included on the site plan. For ease in displaying this information, a copy of the lot line adjustment map may be used as the base for the site plan diagram.

- (a) The information required in Section 7.2d (5) (c) above (base map).
- (b) The location of any natural or improved drainage paths, pipelines or swales.
- (c) The location of any aboveground or underground structures on the site. Dimension distances from proposed property lines to structures. If there are no structures on the lots proposed for adjustment, add a note on the diagram.

- (d) The gross area in acres(if greater than one acre) or square footage (if less than one acre) of the existing and proposed parcels.
- (e) Existing contours and topography are generally not required but may be required in special cases as directed by the City Engineer.
- (8) Any other information that the City Engineer determines is relevant to the area and its improvements which would help in the consideration of the lot line adjustment request.

8.3 Submittal Requirements

- a. Five copies of legal description
 - b. Five copies of map
 - c. Five copies of proposed Conveyance Documents in recordable form
 - d. Five copies of site plan
 - e. Title report prepared within 30 days of submittal
 - f. Appropriate deposit for processing the lot line adjustment.
 - g. Digital Submission
- (1) The surveyor preparing the Lot Line Adjustment shall submit to the City Surveyor, a digital graphics file in either DWG or DXF format, containing the boundary, street centerline, right of way and lot/parcel line data necessary to facilitate transferring of the file into the Geographic Information System of the City of Irvine, and the Land Information System of the County of Orange. See Chapter 8 of the County of Orange Subdivision Manual for general details on Digital Submission.
 - (2) The City Surveyor will review the digital submission and advise the submitting surveyor on any deficiencies. Digital submission must be deemed sufficient prior to final approval by the City.

8.4 Review and Approval Process

- a. Once a completed application is filed, a staff engineer will be assigned to review and analyze the lot line adjustment. The staff engineer shall distribute a copy of the application form and maps to the following reviewing bodies:
 - (1) Development Services, Community Development Department.
 - (2) City Engineer
 - (3) City Surveyor

- (4) Orange County Fire Authority
- (5) Transportation Planning, Public Works
- (6) Any other agency that the City Engineer determines to have an interest.

The map, legal descriptions and conveyance documents will be reviewed by the City Surveyor to determine whether they are technically correct and in an acceptable form to be recorded. The application, map, and site plan will be reviewed by the Director of Community Development or designee to verify compliance with zoning, General Plan policies, and the applicable provisions of the City's Subdivision Ordinance and Subdivision Manual.

The comments of the reviewing bodies shall be submitted in writing to the staff engineer. The staff engineer will review and consolidate the comments into one master list and discuss the proposed revisions with the applicant.

- b. In accordance with Public Resources Code Section 21080, lot line adjustments are not subject to CEQA since CEQA does not apply to ministerial projects.
- c. Once the comments from the reviewing bodies have been forwarded to the applicant, the applicant is responsible for preparing a revised submittal. The revised submittal will be checked by the City Engineer or designee and the City Surveyor for adequacy.
- d. When determined to be adequate, the City Engineer/City Surveyor will take action to approve or disapprove the application. In accordance with the provisions of Government Code Section 66412(d) or any successor statute, the City Engineer shall not impose conditions on the approval of a lot line adjustment except to the extent necessary to:
 - (i) make the resulting lots conform to the applicable general or specific plan, any applicable coastal plan, and the existing zoning and building ordinances;
 - (ii) to require prepayment of real property taxes prior to the approval of the lot line adjustment; or
 - (iii) to facilitate the relocation of existing utilities, infrastructure, or easements.
- e. New lot or parcel corners are required to be monumented as described in Section 6.2 h (13) of this Manual. If the application is approved, the applicant shall cause the new property lines to be monumented and comply with all requirements of the Professional Land Surveyors Act Section 8762 (b) (4) and (5).

SUBARTICLE 9. REVERSIONS TO ACREAGE

9.1 Who May File

- a. Proceedings to revert to acreage may be initiated by petition of all the owners of record of property.
- b. The City Council, at the request of any person or on its own motion, may by resolution initiate proceedings to revert property to acreage. The City Council shall direct the Director of Community Development to obtain the necessary information to initiate and conduct the proceedings.

9.2 Filing Instructions

a. Where to File

Petitions for reversion to acreage are filed with the Community Development Department, Current Planning Section.

b. Requirements for Filing Application

The petition shall be in the same form and contain the same information as required for tentative tract maps. If the land to be reverted consists of four (4) or less contiguous parcels under the same ownership, a tentative parcel map may be submitted in lieu of the tentative tract map (see Subarticles 4 and 7 of this Manual for information requirements).

Petitions for reversions to acreage shall also document the following:

- (1) A current title report prepared by a title company within three (3) weeks of the submittal of the petition; and
- (2) Either:
 - (a) Evidence of the consent of all of the owners of an interest(s) in the property or
 - (b) Evidence that none of the improvements required to be made have been made within two years from the date the final tract or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later; or
 - (c) Evidence that no lots shown on the final tract or parcel map have been sold within five years from the date such final tract or parcel map was filed for record; and
- (3) Evidence of non-use of or lack of necessity of streets or easements proposed to be vacated or abandoned.

9.3 Review Procedure

The petition (tentative map) is processed the same way as tentative tract maps and tentative parcel maps, (see Subarticles 2 and 6 of this Manual for a description of the processing steps).

9.4 Approval Process

- a. If the number of parcels being reverted qualifies the petition to be processed as a tentative parcel map, the petition shall be reviewed by the Subdivision Committee for purposes of making a recommendation to the City Council.
- b. If the number of parcels being reverted qualifies the petition to be processed as a tentative tract map, the petition shall be reviewed by the Subdivision Committee and the Planning Commission for purposes of making recommendation to the City Council.
- c. Final action on the petition is conducted by the City Council at a public hearing. The City Council must approve or disapprove the petition including any proposed vacations or abandonments of dedications or offers of dedication.
- d. After the hearing before the City Council and approval of the petition, the applicant may cause a final tract or parcel map to be prepared and processed in the same manner as in Subarticles 6 and 7 of this Manual. The reversion shall be effective upon the final tract or parcel map being recorded by the County Recorder.

SUBARTICLE 10. MERGERS

10.1 Who may file.

- a. Proceedings to merge two contiguous parcels under common ownership without reverting to acreage may be initiated upon application by the owner of record. Proceedings initiated by the owner of record shall proceed as set forth in this subarticle.
- b. The City, on its own initiative, may also initiate proceedings to force the merger of two contiguous parcels under common ownership by mailing a notice of intention to determine status to the current owner of record for the parcels involved. The notice of intention to determine status shall state that the affected parcels may be merged, and that the owner may request a hearing on the determination of status before the City Engineer to present evidence that the property does not meet the criteria for merger. The notice of intention to determine status shall be filed for record at the office of county recorder on the same day that the notice is mailed to the property owner. Proceedings initiated by the City shall be conducted as set forth in Chapter 16 of the Subdivision Ordinance.

10.2. Filing Instructions.

- a. Where to File [Weblink: Development Engineering - Lot Mergers](#)

Petitions for merger are filed with the Community Development Department, Planning and Zoning counter.

- b. Requirements for Filing Application.

- (1) A completed application
- (2) Four copies of the completed lot merger form with exhibits
- (3) Title report prepared by a title company within three weeks of submittal of the petition for merger
- (4) Appropriate deposits for processing and plan checking the petition for merger

10.3 Review and Approval Procedure.

The petition for merger shall be processed as follows:

- a. Upon written application by the owner to the City Engineer, and payment of required fees, the Director of Community Development and City Engineer shall determine whether the affected parcels shall be merged and shall notify the owner of the determination. If the Director of Community Development and City Engineer determine that the parcels shall not be merged, the owner may file a written request for an appeal in accordance with the provisions of section 5-5-110 of the Subdivision Ordinance. If the City Council, on appeal, determines that the parcels shall be merged, a determination of merger shall be recorded.
- b. Waiver of right to hearing. If the merger of contiguous parcels or units is initiated by the record owner(s), the owner(s) may waive the right to a hearing before the City Engineer and to all notices required by this chapter. Upon receipt of the waiver, the City Engineer shall record a notice of intention to determine status, a waiver of right of hearing and notice, and a notice of merger simultaneously.
- c. Compliance with minimum requirements. The lot to be created by the merger shall conform to the minimum requirements set forth in the city's zoning provisions.

10.4. Unmerged parcels.

A property owner may also apply to the city for a determination that any parcels or units of land for which a notice of merger had not been recorded on or before January 1, 1984, are deemed not to have been merged under Section 66451.30 of the Government Code or any successor statute. Such an application shall be reviewed and processed in the same manner as a petition for merger. If the Director of Community Development or designee determines that the parcels meet the standards specified in said Section

66451.30, the city shall issue the owner, and record with the county recorder, a notice of the status of the parcels and a declaration that the parcels are not merged.

SUBARTICLE 11. CERTIFICATE OF COMPLIANCE; CONDITIONAL CERTIFICATE OF COMPLIANCE

11.1 General

Any owner of real property may request a determination by the City as to whether such real property complies with the provisions of the Subdivision Map Act and the City of Irvine Subdivision Ordinance.

11.2 Filing Instructions

a. Where to File

Certificates of compliance and conditional certificates of compliance are filed with the Community Development Department, Planning and Zoning Counter, 1 Civic Center Plaza, Irvine. Application forms are available at the Planning and Zoning Counter. If you would like to receive these forms through the mail, contact the Planning Section at (949) 724-6308. Accompanying the application form is a general information sheet which explains what information is required with the application submittal .

b. Submittal Requirements: Certificate of Compliance

No application forms are required for filing a certificate of compliance. The submittal requirements are as follows:

- (1) A letter of request setting forth details of the application.

c. Submittal Requirements: Conditional Certificate of Compliance

- (1) A letter of request setting forth details of the application.
- (2) A map, legibly drawn in ink to scale. The following information shall be included on the map:
 - (a) The boundary of the subject property with dimensions.
 - (b) The gross and net area.
 - (c) Location, width, and names of all adjacent streets and roads.
 - (d) Location, size, and use of all existing structures on the property.
 - (e) Location, size, and type of all existing utilities and easements.
 - (f) Vicinity map.

- (g) Name, address, telephone number, and signature of current property owner.
 - (h) Name, address, and telephone number of the person preparing the map.
 - (i) Current zoning on the property.
 - (j) Current Assessor's Parcel Number.
 - (k) Scale of map (Engineer's scale only) and north arrow.
- (3) The application shall also include:
- (a) A legible copy of the current owner's grant deed or contract of sale.
 - (b) A map and copies of deeds of all other property owned by the applicant that is contiguous to the subject real property.
 - (c) Documentation of recorded access to the subject property unless abutting a public street.
 - (d) A legal description for the subject property to be typed or computer generated on plain white paper, 8 1/2" x 11" in size. The legal description shall be reproducible so as to yield a legible copy that can be used as a part of a recorded Certificate of Compliance. If this is a new legal description, see Subarticle 12.3 of this Manual for additional information on legal descriptions requirements.
 - (e) The appropriate processing deposit.

11.3 Review and Approval Process

- a. The City Engineer, upon recommendation of the current planning staff, will determine whether the subject real property complies with the provisions of the Subdivision Map Act and the Subdivision Ordinance and the Zoning Ordinance.
 - (1) If the City Engineer finds that development of such real property is contrary to the public health or public safety, a Certificate of Compliance shall not be issued and no further action shall be taken on the application, unless appealed to the City Council.
 - (2) If the City Engineer determines that such real property complies with the provisions of the Subdivision Map Act and of the Subdivision Ordinance and is not contrary to the public health or public safety, proceed with checking of the map and legal description.
 - (3) Once the map and legal description have been checked and the necessary corrections have been made by the applicant, the City

Engineer shall certify that the map and legal description are correct and shall approve the Certificate of Compliance .

- (4) The approved certificate of compliance shall be recorded with the County Recorder.
- b. If the City Engineer determines that such real property was not divided in compliance with the provisions of the Subdivision Map Act, the Subdivision Ordinance and the Zoning Ordinance that were applicable at the time the property was divided, but that the proposed project is not contrary to the public health or public safety, he may refer the application to the Subdivision Committee for consideration as a Conditional Certificate of Compliance.
- (1) The Subdivision Committee, upon recommendation of the planning staff, will review and approve, conditionally approve, or disapprove the application. If the Committee's decision is to approve the application, it will impose such conditions, in compliance with the provisions of the Subdivision Ordinance as would have been applicable to the division of the property at the time the current owner of record acquired the property. Any approval of the application shall be by means of a resolution of the Subdivision Committee wherein the conditions of approval are set forth.
 - (2) If the Subdivision Committee makes a determination to approve a Conditional Certificate of Compliance, the map and legal description will then be forwarded to the City Engineer for checking.
 - (3) Once the map and legal description have been checked and the necessary corrections have been made by the applicant, the City Engineer shall certify that the map and legal description are correct and shall approve the Conditional Certificate of Compliance .
 - (4) The approved conditional certificate of compliance shall be filed for record with the County Recorder. Such certificate shall serve as notice to the property owner who has applied for the certificate, a grantee of the property owner, or any subsequent transferee or assignee of the property that the fulfillment and implementation of such conditions shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property.

SUBARTICLE 12. EASEMENT DEEDS, GRANT DEEDS, QUITCLAIM DEEDS AND LEGAL DESCRIPTIONS FOR SAME

12.1 General

Deeds are used to convey or terminate two types of interest in real property. An easement deed conveys the right to a surface or sub-surface use, but does not convey fee ownership of the land. Examples of this type of conveyance are easements for street right of way, sidewalks, storm drains, utilities and landscaping among others. A grant deed conveys ownership in the land or "fee" ownership. A quitclaim deed, on the other hand, terminates an interest in property, if any interest exists. Whenever the City

is a party to a deed conveyance, the deed must be processed through the City. The process is an administrative one. The City Engineer, with the technical and professional assistance of the City Surveyor and the Community Services and Community Development Departments, is the as approval authority for the sufficiency of the legal descriptions and exhibits. The City Engineer shall approve the legal description and depictions. The City Engineer is the final approval authority for accepting at no fee, the interest conveyed by the deeds on behalf of the City. The City Manager and City Council are the approving authorities for conveying City interests to another party or acquiring interests for a fee.

12.2 Filing Instructions

a. Where to file [Weblink: Development Engineering - Deeds](#)

Deeds are filed with the Community Development Department, Planning and Zoning Counter, 1 Civic Center Plaza, Irvine. Application forms are available at the Planning and Zoning Counter. If you would like to receive these forms through the mail, contact the Planning Section at (949) 724-6308. Accompanying the application form is a general information sheet which explains what information is required with the application submittal .

b. Requirement for filing an application

Legal descriptions shall be prepared by a registered civil engineer or licensed surveyor Professional Land Surveyor or a Registered Civil Engineer authorized to practice land surveying by the Professional Land Surveyors Act. The applicant shall be responsible for the accuracy of all information submitted in connection with this application.

The approved deed will become a legal document, which that will be recorded. The deed form shall be typed or printed (not hand written), and the exhibit drawn legibly in black ink.

The applicant shall be responsible for the accuracy of all information submitted in connection with this application.

c. Information to accompany deed submittal

- (1) Completed submittal application form.
- (2) Two copies of the deed document.
- (3) Name and notarized signature of all record owners noted in the current title report necessary to pass title to the area of interest on the deed form. This normally includes the fee owners, trust deed holders, and easement holders. See title report for complete list.
- (4) Title report

(Not more than three weeks old) at initial submittal.

Updated title report, not more than 10 days old will be required prior to final approval by City.

- (5) Legal description (Exhibit A) (prepared in accordance with the specifications detailed below in Subarticle 12.3.
- (6) Exhibit Map Depiction (Exhibit B) prepared in accordance with the specifications detailed below in Subarticle 12.3.
- (7) Processing fee
- (8) All shall be accompanied by:
 - (a) Any and all documents referenced in the descriptions and exhibits. These documents may be submitted in paper form or optionally in digital form using TIF or PDF format, or such format as is acceptable to the City Engineer.
 - (b) Other underlying material that will assist the City Engineer with the review and checking procedure.
 - (c) Construction plans or other documentation showing the precise areas to be conveyed and the purposes thereof.
 - (d) Traverse/Closure calculations of all easement areas, and any closed geometric figures on the map.
- (10) Digital Submission
 - (a) The surveyor preparing the Legal Description shall submit to the City Engineer, a digital graphics file in either DWG or DXF format, containing the boundary, street centerline, right of way and lot/parcel line data necessary to facilitate transferring of the file into the Geographic Information System of the City of Irvine, and the Land Information System of the County of Orange. See Chapter 8 of the County of Orange Subdivision Manual for general details on Digital Submission.
 - (b) The City Engineer will review the digital submission and advise the submitting surveyor on any deficiencies. Digital submission must be deemed sufficient prior to final approval.

12.3 Legal Descriptions & Exhibits

a. Definition

“A description of the outline of a certain area is the proper grouping of words which delineates one specific piece of land and which cannot apply to any other piece of land. Although the definition is correctly stated as 'land' description, it is generally called 'legal' because it must stand up under the law and litigation.” (Writing Legal Descriptions, Gurdon H. Wattles, 1976, Section 3.1)

"A land description can be defined as that portion of a deed or instrument affecting title to land that provides a means of identifying and locating the land being conveyed or affected. The location of the land must be definite and certain. The description must be prepared in such a manner that the boundaries of the land in question can be fixed in only one place on the earth's surface. The identity of the land must be ascertained so that the description refers to one and only one parcel." (Advanced Land Descriptions, Paul A. Cuomon & Roy Minnick, Chapter 1)

b. Qualification for Preparation

All descriptions and exhibits shall be prepared by a Professional Land Surveyor licensed in the State of California as defined in the Professional Land Surveyors Act, sections 8701, 8704, 8708, 8726 or 8748; or by a Registered Civil Engineer authorized to practice Land Surveying in the State of California, as defined in the Professional Land Surveyors Act, sections 8731; or by a person who is exempt from the above referenced sections as defined in the Professional Land Surveyors Act, section 8730. All descriptions and exhibits shall be stamped and signed in accordance with the Professional Land Surveyors Act; section 8761.

c. Physical Criteria

- (1) Descriptions shall be submitted on 8 1/2" x 11" paper, unless unique circumstances dictate otherwise. Compliance shall be administered by the City Engineer.
- (2) Descriptions shall consist of two (2) parts, Exhibit "A" and Exhibit "B":
 - (a) Exhibit "A" shall consist of a written legal description or descriptions prepared in a manner so that it is unambiguous and sufficient to locate the subject property on the ground. 'Sufficiency' shall be determined by the City Engineer. The top of each page of Exhibit "A" shall be labeled:

EXHIBIT "A"

LEGAL DESCRIPTION

- (b) Exhibit "B" shall consist of a sketch or sketches of the subject property, and the top of each page shall be labeled:

EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

This designation should appear in a conspicuous location on the exhibit, and must appear on every sheet of a multi-sheet exhibit.

d. Form and Content - EXHIBIT "A"

- (1) There are three (3) fundamental formats for describing real property in Irvine. They may be used individually, or in conjunction with one another. They are:
 - (a) As a single parcel, as shown on a recorded map or as previously described in a recorded document, which can be described by referencing the unique identifier assigned to it by its prior recordation.
 - (b) As a portion of a larger parcel, which can be described by one, or any combination of the following methods:
 - A. metes and bounds format
 - B. exception format
 - C. "bounded by" format
 - D. "ly" format, as in "the southerly 100.00 feet of"
 - (c) As a strip of land.
- (2) The descriptions contained in Exhibit "A" must address the three basic parts of a proper description - the caption, the body and qualifications. The format of the description, will determine which of these elements might not be required. The criteria shall be determined by the City Engineer. A caption shall be required for all descriptions, including each individual parcel of multi-parcel descriptions.

The caption shall address the appropriate elements of the following items, in the following order:

- (a) Portion or Portions of...
- (b) Underlying lot/parcel, (number or letter), if any
- (c) Block number, if any
- (d) Tract map or Parcel map, (name or number), if any
- (e) City, (Irvine),
- (f) County, (Orange)
- (g) State, (California)
- (h) Complete recorded map book and page reference.

- (i) Public office in which the referenced material is recorded or filed. In Orange County, maps and documents are recorded or filed in the office of the County Recorder.
- (3) The descriptions contained in Exhibit "A" should be constructed in a way that eliminates all possibilities for ambiguous interpretation. The surveyor must take care, whenever possible, to describe the actual intent of a controlling element of a call, as well as the technical and mathematical elements of a call. These guidelines cannot address the many specific points of procedure that are necessary for a concise description. The following points are presented so that the author of a description will have a basic idea of the concepts that the City is looking for in descriptions that are submitted to them:
 - (a) The controlling point for the description, normally the Point of Beginning or the Point of Commencement, shall be a solid, physical, existing point that is relative to the property being described and should be perpetuated through time.

Good example – a centerline well monument that is on the centerline of the street for which right of way or additional right of way is being conveyed.

Bad example – the corner of a lot whose position depends upon establishing other relating centerlines, tract lines, block lines, lot lines, etc. Even if currently monumented, or shown as monumented, these monuments are historically not preserved through successive projects, and are subject to re-interpretation, and thus some possible change of actual location over time.
 - (b) Ties to and along senior adjoining parcels must be referenced and utilized. Care should be taken to not only include documents of antiquity, but also any recently recorded underlying references as well.
 - (c) The City does not require that a description be written in either a clockwise or counter clockwise direction,
 - (d) The City will, however, seek to avoid conflict with coincident parcels by requiring common lines be described in the same direction, or be sufficiently controlled so as to avoid any possible occurrence of an ambiguous interpretation, i.e. hold calls on one description should not take on closing call status in an adjoining description.
 - (e) Maintain a consistent approach to typical situations that occur frequently throughout the body of the description, i.e. use consistent language when describing curve courses from one occurrence to the next.

- (f) Maintain the same basis of bearing from one parcel to the next in a multiple parcel description.
 - (g) Strip descriptions, or descriptions coincident with a Right of Way, whether for easement or right of way purposes, should be described referencing a centerline or reference line. Writing metes and bounds descriptions around the parcel without solid references to a common centerline or reference line must be avoided.
- (4) Qualifications should be utilized as a way of adding to, subtracting from or encumbering the recited details. In many cases, all the necessary information can be communicated within the caption and body of a description, seemingly eliminating the need for further qualification. Regardless of whether or not qualifications, or exceptions have been added, the following statements should be added at the end of all descriptions:
- (a) "All as shown on exhibit "B", attached hereto and by this reference made a part hereof."
 - (b) "Subject to covenants, conditions, reservations, restrictions, rights of way and easements of record, if any."
 - (c) "Containing an area of _____ (Acres or Square Feet, as appropriate), more or less."
- (5) All descriptions and exhibits shall be signed, sealed and dated by the preparing Land Surveyor in accordance with Professional Land Surveyors Act Section 8761.

e. Form and Content - EXHIBIT "B"

- (1) Exhibit "B" shall:
- (a) Be drawn in black ink on 8 1/2" X 11" sheets, unless a variance of sheet size has been granted by the City Engineer.
 - (b) Be clear and readable, and be drafted using standard accepted drafting conventions.
 - (c) Contain the following basic information:
 - A. Map scale and north arrow.
 - B. Reference to any and all underlying referenced tract maps, parcel maps, lot numbers, parcel numbers, records of surveys, deed references, right of way references, street names, official records references, calls to adjoiners, City limit lines, or any other materials referenced in the text of EXHIBIT "A", whether of public record or not.

- C. The location of the subject property in relation to existing subdivisions, adjoining streets and/or nearest cross streets.
 - D. The layout of the proposed easement.
 - E. Bearings, distances and curve data for all described lines, existing right of ways, subdivision boundaries, lot/parcel lines, referenced documents, referenced adjoiners, and any other underlying referenced material.
 - F. Sufficient ties to existing subdivision lines must be shown.
 - G. Use a heavy solid line for the lines of the proposed easement, medium solid lines for underlying parcel/lot lines and subdivision boundaries, medium dashed lines for underlying controlling easement, deed or official record lines, and light lines for underlying lines not of a controlling nature.
 - H. Each parcel described shall be lettered or numbered, and shall be clearly labeled.
 - I. Show the location, as appropriate, of the "POINT OF COMMENCEMENT", TRUE POINT OF BEGINNING", or "POINT OF BEGINNING" for each parcel described.
 - J. Show the net area for each parcel, the net area being the area of the actual conveyance. Area should be expressed in 'square feet" for parcels of one acre or less, and in 'Acres' for parcels greater than one area in size.
- (d) All descriptions and exhibits shall be signed, sealed and dated by the preparing Land Surveyor in accordance with Professional Land Surveyors Act Section 8761.

SUBARTICLE 13: CORRECTION AND AMENDMENT OF MAPS

13.1 General

Both tentative and final maps may be amended subject to the applicable provisions of the Subdivision Ordinance and the Subdivision Map Act and the procedures set forth in this subarticle.

13.2 Amendments to Approved Tentative Maps

a. Permissible Amendments.

Tentative maps may be amended or revised for any of the following reasons:

- (1) Prior to approval of the tentative map, tentative maps may be amended or revised for any of the following reasons:
 - (i) For any reason, provided the subdivider files a new tentative map and withdraws the previously filed map, or the subdivider and the city agree that the time lines for processing the prior may recommence on the filing of the new or revised map (See Subdivision Ordinance § 5-5-901); or
 - (ii) To modify or change information shown on or supplied with the tentative map (See Subdivision Ordinance § 5-5-902).
- (2) After approval of the tentative map , tentative maps may be amended or revised for any of the following reasons:
 - (i) For any reason, provided the revised map complies with all applicable zoning, subdivision regulations, and other applicable rules, regulations, and ordinances in effect at the time such revised map is filed (See Subdivision Ordinance § 5-5-902); or
 - (ii) To modify or eliminate a condition of approval, provided such revisions do not affect the time limit for recording a final map See Subdivision Ordinance § 5-5-904); or
 - (iii) To modify or change information shown on or supplied with the tentative map (See Subdivision Ordinance § 5-5-903).

b. Filing Requirements.

The filing requirements for corrections or amendments to a tentative map shall be the same as those set forth in Subarticles 3 and 4 of this Manual for tentative maps.

c. Approval Process.

The approval process for changes to tentative maps shall be the same as those set forth in Subarticle 3 of this Manual for tentative maps except as noted below:

- (1) A public hearing before the appropriate advisory agency shall be required for:
 - i. any revision to the design or layout of an approved tentative map, or
 - ii. any request to modify or eliminate a condition of approval for an approved tentative map.
- (2) The appropriate advisory agency shall review and approve any changes in the information set forth on or supplied with a tentative map, however, such approval shall not require a public hearing.

13.3 Amendments to Final Maps

a. Permissible Amendments.

Final maps may be amended for any of the reasons set forth in Section 5-5-905 of the Subdivision Ordinance.

b. Filing Requirements.

The filing requirements for corrections or amendments to a final map shall be the same as those set forth in Subarticles 6 and 7 of this Manual for final maps.

c. Approval Process.

The approval process for corrections or amendments to a tentative map shall be the same as those set forth in Subarticle 6 of this Manual for final maps.

d. Recording Requirements.

The recording requirements for corrected or amended final maps shall be the same as those set forth in Subarticle 6 of this Manual for final maps.