

TITLE III - LAND USE AND DEVELOPMENT

DIVISION 2

SUBDIVISION REGULATIONS

CHAPTER 1

GENERAL

321-1. SHORT TITLE.

This division may be referred to as the "Humboldt County Subdivision Division." (Ord. 1146, § 116, 7/19/77)

321-2. DECLARATION OF POLICY.

Land subdivision is the most important factor in establishing the physical character of a growing community. If improperly designed and executed, it wastes the intrinsic value of the land and can become a costly burden to the community.

It is hoped that these regulations and procedures will encourage well-planned subdivision of land while preventing land division with high future costs to those who will occupy the land, their neighbors and the County as a whole.

It is declared to be the policy of the Board of Supervisors of Humboldt County to consider land subdivision as a part of the planning for the orderly, efficient and economical development of the County. This means, among other things: that land to be subdivided for any purpose shall be of such a character that it can be used for that purpose without danger to the public health and safety; that proper provision shall be made for water supply, drainage and sewage disposal; that, in areas subject to flooding, proper flood control measures shall be provided; that proposed streets and other improvements shall be in harmony with existing or proposed principal thoroughfares and shall provide an adequate and convenient system for present and prospective traffic needs; and that, when requested by the Advisory Agency, open spaces shall be shown on the subdivision plan. (Ord. 1146, 7/19/77)

321-3. DEFINITIONS IN MAP ACT INCORPORATED.

All terms used in this division which are defined in the Subdivision Map Act are used in this division as so defined. (Ord. 1146, § 1, 7/19/77)

321-4. GENERAL TERMS.

The following terms shall have the meanings ascribed to them as follows:

(a) Words in the singular include the plural and those in the plural include the singular.

(b) Words used in the present tense include the future tense.

(c) The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive. (Ord. 1146, § 2, 7/19/77)

321-5. ACCESS.

"Access" means deeded or prescriptive right of way to a lot from a right of way maintained for the public. (Ord. 1146, § 3, 7/19/77)

321-6. ADVISORY AGENCY.

The Advisory Agency for the administration of this division shall be the Humboldt County Planning Commission. The Advisory Agency shall have the power and authority to approve, conditionally approve or disapprove Tentative Subdivision Maps. The Advisory Agency shall regulate and control subdivisions in the manner set forth in the Map Act and this division, the Advisory Agency may delegate all or part of its functions to the Planning Director or the Public Works Director. (Ord. 1146, § 4, 7/19/77)

321-8. LOT.

"Lot" means a portion of land separated from other portions of land by description as on a Final or Parcel Map or by metes and bounds for the purpose of sale, lease, financing or separate use. Assessor's parcels are separations of property pursuant to the Revenue and Taxation Code for valuing property for tax purposes only. Assessor's parcels do not create or establish a lot or legal building site, nor do they merge previous legally created lots that were created under the provisions of the Subdivision Map Act or any prior law. Assessor's parcels are not intended to supersede requirements of zoning, building or subdivision Code sections. (Ord. 1146, § 6, 7/19/77; Ord. 1290, § 2, 12/12/78)

321-9. MAPS.

(a) Preliminary Map. A "Preliminary Map" is less detailed than a Tentative Subdivision Map. It is used by some subdividers to obtain staff suggestions on design and improvement.

(b) Tentative Subdivision Map. A "Tentative Subdivision Map" is a study plan of the layout and design of the subdivision, the improvements proposed by the subdivider, and the existing conditions in and around the subdivision. The Tentative Subdivision Map and the other information accompanying it are designed to provide information necessary to the persons who must review the map for compliance with this division and other laws. (Government Code § 66424.5)

(c) Final Map. A "Final Map" is a formal map which divides or redivides the land into the lots shown on the map. This map must meet exacting requirements before it is recorded with the Humboldt County Recorder. A Final Map is required for all subdivisions creating five (5) or more lots unless exempted by Government Code § 66426.

(d) Parcel Map. A "Parcel Map" is a formal map which divides or redivides the land into the lots shown on the map. This map must meet exacting requirements before it is recorded with the Humboldt County Recorder. A Parcel Map is required for all subdivisions that do not require a Final map, unless it is waived as provided in § 326-34 of this Code.

(e) Reversion to Acreage Map. A "Reversion to Acreage Map" is a formal map which, when recorded, eliminates all lot lines and easements not shown on the map. (Ord. 1146, § 7, 7/19/77)

321-10. QUARTER SECTION AND QUARTER QUARTER SECTION.

"Quarter section" and "quarter quarter section" shall be determined by procedures set forth in the "Manual of Instructions for the Survey of Public Lands", prepared by the U.S. Bureau of Land Management and printed by Superintendent of Documents. A "quarter quarter section" is deemed to contain forty (40) acres. One and one-half (1-1/2) quarter quarter sections is deemed to contain sixty (60) acres. (Ord. 1146, § 8, 7/19/77)

321-11. SUBDIVISION MAP ACT, MAP ACT.

"Subdivision Map Act" and "Map Act" shall mean the Subdivision Map Act (commencing with § 66410) of the Government Code of the State of California. (Ord. 1146, § 9, 7/19/77)

321-12. SUBDIVISION TECHNICAL REVIEW COMMITTEE.

The Subdivision Technical Review Committee is hereby created. The Committee shall have four (4) members. The department heads, or their delegates, of the following entities shall be members of the Subdivision Technical Review Committee: Public Works Department, Planning Department, Health Department, Building Inspection Department, and advisory members from public utility companies. The Subdivision Technical Review Committee shall review maps and submit its recommendations to the Advisory Agency. (Government Code § 66452.3) (Ord. 1146, § 10, 7/19/77)

321-13. FEES AND DEPOSITS FOR CONTEMPLATED PROJECTS.

(a) A charge shall be imposed for all services in excess of two (2) hours of time which the Department of Public Works provides in relation to any contemplated project involving the improvement, division or development of property. A deposit shall be posted with the Department of Public Works after the initial two hours of service to cover the cost of such services. The amount of the required deposit shall be estimated by the department, but the minimum deposit shall be Fifty Dollars (\$50.00).

(b) The person requesting the service will be billed on a monthly basis and the actual charges therefore deducted from the deposit.

(c) If charges exceed the amount on deposit, no additional services will be performed until the deposit is augmented by an amount estimated by the Public Works Department to cover the remainder of anticipated services, but not less than Fifty Dollars (\$50.00).

(d) Upon written notice by the person requesting the service to the Department that no further service is needed, any balance remaining in the deposit shall be returned to said person. (Ord. 1615, § 1, 9/13/83)

321-14. SPECIAL PROVISIONS APPLICABLE IN CERTAIN IMPROVEMENT ASSESSMENT DISTRICTS.

In unincorporated areas in the County within which special assessment proceedings have been conducted and bonds have been issued under the Improvement Act of 1915 or a similar act, where the division of the lot requires the division of the bond, final subdivision maps, final parcel maps, and lot line adjustment on which the unpaid special assessment is less than \$2,000 shall not be approved unless the applicant submits proof satisfactory to the Planning Director that the assessment has been paid in full. (Ord. 1697, § 1, 7/9/85; Ord. 1912, § 1, 10/23/90)

If the special assessment is greater than \$2,000.00, the assessment shall be reapportioned. The applicant shall provide proof satisfactory to the Planning Director that the reapportionment has been completed. (Ord. 1912, § 1, 10/23/90)