

# **ORDINANCE NO. 460**



## **REGULATING THE DIVISION OF LAND OF THE COUNTY OF RIVERSIDE**

**As amended through  
ORDINANCE NO. 460.152**

**EFFECTIVE 8/14/14**



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**TABLE OF CONTENTS**

---

ARTICLE I	SCOPE .....	I-1
SECTION 1.1.	AUTHORITY.....	I-1
SECTION 1.2.	ADVISORY AGENCIES.....	I-1
SECTION 1.3.	LAND DEVELOPMENT COMMITTEE.....	I-2
SECTION 1.4.	APPEAL BOARDS.....	I-2
SECTION 1.5.	SUSPENSIONS.....	I-2
ARTICLE II	DEFINITIONS .....	II-1
SECTION 2.1.	GENERAL DEFINITIONS.....	II-1
SECTION 2.2.	TECHNICAL DEFINITIONS.....	II-2
SECTION 2.3.	STREET AND HIGHWAY DEFINITIONS.....	II-6
ARTICLE III	STANDARDS OF LAND DIVISION - GENERAL .....	III-1
SECTION 3.1.	CONFORMANCE.....	III-1
SECTION 3.2.	GENERAL STREET DESIGN.....	III-1
SECTION 3.3.	PRIVATE STREETS.....	III-3
SECTION 3.4.	STREET GRADES.....	III-4
SECTION 3.5.	STREET ALIGNMENT.....	III-4
SECTION 3.6.	INTERSECTIONS - GENERAL.....	III-4
SECTION 3.7.	ALLEYS.....	III-5
SECTION 3.8.	LOTS.....	III-5
SECTION 3.9.	EXCLUSIONS.....	III-6
SECTION 3.10.	REQUIRED ACCESS.....	III-6
SECTION 3.11.	DESIGN OF SUBDIVISION TO PROVIDE FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES.....	III-7
ARTICLE IV	TENTATIVE MAPS - GENERAL .....	IV-1
SECTION 4.1.	MAP NUMBERS.....	IV-1
SECTION 4.2.	PRELIMINARY CORNER STAKES.....	IV-1
SECTION 4.3.	PRE-APPLICATION REVIEW.....	IV-1
SECTION 4.4.	APPLICATION.....	IV-1
SECTION 4.5.	DIVISION OF LAND.....	IV-2
ARTICLE V	TENTATIVE MAPS - INFORMATION REQUIRED .....	V-1
SECTION 5.1.	TENTATIVE TRACT MAPS.....	V-1
SECTION 5.2.	TENTATIVE PARCEL MAPS.....	V-4
SECTION 5.3.	PLANNED DEVELOPMENTS - RESIDENTIAL, COMMERCIAL AND INDUSTRIAL.....	V-6
SECTION 5.4.	VESTING TENTATIVE MAPS.....	V-6
ARTICLE VI	PROCESSING OF TENTATIVE MAPS .....	VI-1
SECTION 6.1.	FILING OF TENTATIVE MAP.....	VI-1
SECTION 6.2.	FEE FOR FLOOD PROTECTION STUDY.....	VI-1
SECTION 6.3.	MAP DISTRIBUTION.....	VI-2
SECTION 6.4.	REVIEW BY LAND DEVELOPMENT COMMITTEE.....	VI-2
SECTION 6.5.	CONSIDERATION BY THE ADVISORY AGENCY.....	VI-2
SECTION 6.6.	CONSIDERATION OF TENTATIVE MAPS BY THE ADVISORY AGENCIES.....	VI-5
SECTION 6.7.	APPEAL OF ACTIONS OF ADVISORY AGENCY - PROCEDURE.....	VI-5
SECTION 6.8.	EXTENSION OF TIME FOR PROCESSING.....	VI-6
SECTION 6.9.	FAILURE TO RECEIVE NOTICE.....	VI-6
ARTICLE VII	DENIAL OF TENTATIVE LAND DIVISION MAPS .....	VII-1
SECTION 7.1.	GENERAL.....	VII-1

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**TABLE OF CONTENTS**

---

SECTION 7.2.	LAND SUBJECT TO CONTRACT PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT. ....	VII-1
SECTION 7.3.	LAND PROJECTS. ....	VII-3
ARTICLE VIII	GENERAL REGULATIONS.....	VIII-1
SECTION 8.1.	REVISED TENTATIVE MAPS.....	VIII-1
SECTION 8.2.	MINOR CHANGES. ....	VIII-1
SECTION 8.3.	DIVISION INTO UNITS. ....	VIII-1
SECTION 8.4.	EXPIRATION OF APPROVED TENTATIVE MAPS AND VESTING TENTATIVE MAPS: EXTENSION OF TIME. ....	VIII-3
ARTICLE IX	FINAL LAND DIVISION MAPS .....	IX-1
SECTION 9.1.	GENERAL.....	IX-1
SECTION 9.2.	SUBDIVISION BOUNDARY REQUIREMENTS. ....	IX-1
SECTION 9.3	PRELIMINARY FILING OF FINAL MAP.....	IX-1
SECTION 9.4.	PRELIMINARY FILING OF PARCEL MAP.....	IX-2
SECTION 9.5.	DATA REQUIRED - FINAL LAND DIVISION MAPS.....	IX-3
SECTION 9.6.	PARCEL MAPS COMPILED FROM RECORDED DATA. ....	IX-6
SECTION 9.7.	FILING OF FINAL LAND DIVISION MAPS. ....	IX-6
SECTION 9.8.	ACTION BY THE COUNTY SURVEYOR. ....	IX-7
SECTION 9.9.	ACTION BY THE BOARD OF SUPERVISORS.....	IX-7
SECTION 9.10.	SURVEYS AND MONUMENTS. ....	IX-8
SECTION 9.11.	DELIVERY OF MAP TO THE RECORDER. ....	IX-8
SECTION 9.12.	WAIVED MAPS.....	IX-8
SECTION 9.13.	WAIVED MAPS - MOBILE HOME PARK. ....	IX-9
SECTION 9.14.	CERTIFICATE OF CORRECTION.....	IX-9
SECTION 9.15.	AMENDMENT OF FINAL MAPS OR PARCEL MAPS.....	IX-10
ARTICLE X	LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND RESERVATIONS	X-1
SECTION 10.1.	DEDICATIONS. ....	X-1
SECTION 10.2.	LAND DIVISION IMPROVEMENTS. ....	X-1
SECTION 10.3.	IMPROVEMENT PLANS REQUIRED. ....	X-2
SECTION 10.4.	IMPROVEMENT FOR SUBDIVISIONS.....	X-3
SECTION 10.5.	SCHEDULE "A" SUBDIVISION.....	X-3
SECTION 10.6.	SCHEDULE "B" SUBDIVISION.....	X-6
SECTION 10.7.	SCHEDULE "C" SUBDIVISION.....	X-9
SECTION 10.8.	SCHEDULE "D" SUBDIVISION.....	X-10
SECTION 10.9.	IMPROVEMENTS FOR PARCEL MAP DIVISIONS. ....	X-12
SECTION 10.10.	SCHEDULE "E" PARCEL MAP DIVISION. ....	X-12
SECTION 10.11.	SCHEDULE "F" PARCEL MAP DIVISION.....	X-13
SECTION 10.12.	SCHEDULE "G" PARCEL MAP DIVISION. ....	X-16
SECTION 10.13.	SCHEDULE "H" PARCEL MAP DIVISION. ....	X-19
SECTION 10.14.	SCHEDULE "I" PARCEL MAP DIVISION.....	X-21
SECTION 10.15.	<i>REPEALED</i> .....	X-22
SECTION 10.25.	DRAINAGE FEES.....	X-22
SECTION 10.30.	MAJOR THOROUGHFARE AND BRIDGE CONSTRUCTION FEES..	X-26
SECTION 10.35.	PARK AND RECREATION FEES AND DEDICATIONS.....	X-31
ARTICLE XI	FLOOD CONTROL AND TRACT DRAINAGE .....	XI-1
SECTION 11.1.	GENERAL PROVISIONS.....	XI-1
SECTION 11.2.	FLOOD CONTROL. ....	XI-1
SECTION 11.3.	TRACT DRAINAGE. ....	XI-1

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**TABLE OF CONTENTS**

---

ARTICLE XII	DRY SEWERS .....	XII-1
SECTION 12.1.	DRY SEWERS.....	XII-1
ARTICLE XIII	ELECTRICAL AND COMMUNICATION FACILITIES .....	XIII-1
SECTION 13.1.	INSTALLATION REQUIREMENTS.....	XIII-1
ARTICLE XIV	STREET TREES .....	XIV-1
SECTION 14.1.	GENERAL PROVISIONS.....	XIV-1
SECTION 14.2.	SECURITY AND AGREEMENTS.....	XIV-1
SECTION 14.3.	EXEMPTIONS. ....	XIV-2
SECTION 14.4.	ENFORCEMENT. ....	XIV-2
ARTICLE XV	SOIL EROSION CONTROL DUE TO WIND.....	XV-1
SECTION 15.1.	GENERAL PROVISIONS.....	XV-1
SECTION 15.2.	FACTORS OF CONSIDERATION. ....	XV-1
SECTION 15.3.	SOIL EROSION CONTROL REQUIREMENTS.....	XV-2
SECTION 15.4.	WIND EROSION CONTROL PLAN. ....	XV-3
ARTICLE XVI	SURFACE MINING OPERATIONS .....	XVI-1
SECTION 16.1.	GENERAL PROVISIONS.....	XVI-1
SECTION 16.2.	INTENT.....	XVI-1
SECTION 16.3.	NOTICE TO BUYERS OF LAND.....	XVI-1
ARTICLE XVII	SECURITY FOR IMPROVEMENTS AND TAXES .....	XVII-1
SECTION 17.1.	SECURITY FOR IMPROVEMENTS.....	XVII-1
SECTION 17.2.	SECURITY FOR TAXES AND ASSESSMENTS.....	XVII-3
SECTION 17.3.	LIEN AGREEMENT AS SECURITY.....	XVII-4
ARTICLE XVIII	REVERSION TO ACREAGE .....	XVIII-1
SECTION 18.1.	REVERSION TO ACREAGE.....	XVIII-1
SECTION 18.2.	PROCEDURES FOR FILING.....	XVIII-1
SECTION 18.3.	REVIEW OF TENTATIVE MAP.....	XVIII-1
SECTION 18.4.	CONSIDERATION BY THE ADVISORY AGENCY. ....	XVIII-1
SECTION 18.5.	CONSIDERATION BY THE BOARD.....	XVIII-2
SECTION 18.6.	FINAL MAP PROCEDURES.....	XVIII-2
SECTION 18.7.	MERGING OF CONTIGUOUS PARCELS. ....	XVIII-2
ARTICLE XIX	FEES.....	XIX-1
ARTICLE XX	LOT LINE ADJUSTMENTS .....	XX-1
SECTION 20.1.	LOT LINE ADJUSTMENT. ....	XX-1
ARTICLE XXI	ENFORCEMENT AND PENALTIES.....	XXI-1
SECTION 21.1.	DENIAL OF PERMITS. ....	XXI-1
SECTION 21.2.	CERTIFICATE OF COMPLIANCE. ....	XXI-1
SECTION 21.3.	NOTICE OF VIOLATION.....	XXI-4
SECTION 21.4.	PROHIBITION.....	XXI-4
SECTION 21.5.	PROCEDURES, REMEDIES AND PENALTIES. ....	XXI-5
SECTION 21.6.	COUNTY TO BE HELD HARMLESS. ....	XXI-5
ARTICLE XXII	VALIDITY .....	XXII-1
SECTION 22.1.	VALIDITY.....	XXII-1

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**TABLE OF CONTENTS**

---

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE I SCOPE**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**REGULATING THE DIVISION OF LAND**

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

**ARTICLE I SCOPE**

**SECTION 1.1. AUTHORITY.**

- A. This ordinance is adopted pursuant to the provisions of the Subdivision Map Act.
- B. All land divisions in the unincorporated area of the County of Riverside as hereinafter defined are subject to all of the applicable provisions of the Subdivision Map Act and this ordinance.

**SECTION 1.2. ADVISORY AGENCIES.**

- A. The Riverside County Planning Commission is designated as the "Advisory Agency" charged with the duty of making investigations and reports on the design and improvement of all proposed tentative Schedule "A", "B", "C", "D" and "E" maps that lie outside the area jurisdiction of the East Area Planning Council. The Commission is authorized to approve, conditionally approve or disapprove all such tentative map land divisions and report the action directly to the Board of Supervisors and the land divider.
- B. The East Area Planning Council is designated as the "Advisory Agency" charged with the duty of making investigations and reports on the design and improvement of all proposed tentative Schedule "A", "B", "C", "D" and "E" maps that lie within its area jurisdiction. The Council is authorized to approve, conditionally approve or disapprove all such tentative map land divisions and report the action directly to the Board of Supervisors and the land divider.
- C. The Planning Director of Riverside County is designated as the "Advisory Agency" charged with the duty of making investigations and reports on the design and improvement of all proposed tentative Schedule "F", "G", "H" and "I" Parcel maps in the County of Riverside. The Planning Director is authorized to approve, conditionally approve or disapprove all such tentative map land divisions and to report the action directly to the Board of Supervisors and land divider.
- D. Notwithstanding the above, or any other provision herein to the contrary, the Board of Supervisors reserves exclusively to itself the duty to investigate, hear, approve, conditionally approve or disapprove all tentative land division maps included as part of a fast track project as defined by Section 21.34d of County Ordinance No. 348. The Board's actions shall be final with no right of appeal.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE I SCOPE**

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Amended Effective:  
04-19-96 (Ord. 460.132)

Amended 460.151 Item 3.55 of 5/4/2010 (Eff: 6/3/2010)

**SECTION 1.3. LAND DEVELOPMENT COMMITTEE.**

- A. There is hereby created a Land Development Committee to act in an advisory capacity on all land divisions to the designated Advisory Agencies.
1. The Land Development Committee shall consist of representatives from the following departments and districts:  
  
Transportation and Land Management Agency  
    Planning Department  
    Transportation Department  
    Department of Building and Safety  
Health Department  
Riverside County Flood Control and Water Conservation District  
Coachella Valley Water District  
East Blythe Water District  
Fire Department
  2. The Land Development Committee shall consider all land use proposals and report its findings and recommendations to the Advisory Agency for their decision.
  3. A representative from one of the above departments or districts shall coordinate recommendations from the other departments and districts, under the supervision of the Planning Department.

**SECTION 1.4. APPEAL BOARDS.**

- A. The East Area Planning Council is established as the appeal board to which the land divider or any interested person may appeal from any action of the Advisory Agency with respect to tentative Schedule "F", "G", "H", and "I" maps that lie within the area jurisdiction of the East Area Planning Council.
- B. The Riverside County Planning Commission is established as the appeal board to which the land divider or any interested person may appeal from any action of the Advisory Agency with respect to tentative Schedule "F", "G", "H", and "I" maps that lie outside the area jurisdiction of the East Area Planning Council.
- C. The Board of Supervisors is established as the appeal board to which the land divider or any interested person may appeal from any action of the Riverside County Planning Commission or East Area Planning Council with respect to all tentative maps.

**SECTION 1.5. SUSPENSIONS.**



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE I SCOPE**

---

Notwithstanding the above, or any other provision herein to the contrary, operation of the East Area Planning Council is hereby suspended and its authority and duties transferred to the Planning Commission.

Amended Effective:  
01-17-97 (Ord. 460.135)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE I SCOPE**

---

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

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**ARTICLE II DEFINITIONS**

**SECTION 2.1. GENERAL DEFINITIONS.**

In this ordinance, unless the context otherwise requires, the following words shall have the following meanings.

- A. **ADVISORY AGENCY** means the Planning Commission, the East Area Planning Council or the Planning Director as specified in [Section 1.2](#) of this ordinance.
- B. **BOARD** means the Board of Supervisors of Riverside County.
- C. **BUILDING OFFICIAL** means the Director of the Building and Safety Department of Riverside County.
- D. **COMMUNITY SERVICES DISTRICT** means a community services district which has the power to construct and maintain streets.
- E. **COUNTY SURVEYOR** means the County Surveyor of Riverside County.
- F. **DEPARTMENT OF TRANSPORTATION** means the Department of Transportation of the State of California.
- G. **DIRECTOR OF TRANSPORTATION** means the director of the Transportation Department of Riverside County.
- H. **FAST TRACK PROJECT** means a development project designated as a fast track project by majority vote of the Board of Supervisors or by the Assistant County Executive Officer/Economic Development Agency (the EDA Director) in accordance with the provisions of Board of Supervisors Policy A-32, as now adopted or hereafter amended. Fast track project is further defined by Section 21.34d of County Ordinance No. 348.
- I. **FIRE CHIEF** means the Chief of the Fire Protection Agency or designee having jurisdiction of the area in which a land division is located.
- J. **FLOOD CONTROL ENGINEER** means the person as determined by the area in which a land division is located as follows:
  - 1. Within the boundaries of the Riverside County Flood Control and Water Conservation District, it means the Chief Engineer of that District.
  - 2. Within the boundaries of the flood control jurisdiction of the Coachella Valley Water District, it means the General Manager-Chief Engineer of that District.
  - 3. Outside the boundaries of either of the above Districts, it means the person designated by the Board of Supervisors to perform the flood protection studies.
- K. **HEALTH OFFICER** means the Health Officer of Riverside County.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

- L. LAND USE ORDINANCE means the Riverside County Ordinance No. 348, as amended.
- M. PLANNING DIRECTOR means the Planning Director of Riverside County.
- N. PRIME AGRICULTURAL LAND and the Williamson Act means either:
  - 1. Land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
  - 2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
  - 3. Land which supports livestock used for production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
  - 4. Land planted with fruit or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
  - 5. Land which has returned from the production of unprocessed agricultural plant products and annual gross value of not less than \$200 per acre for three of the previous five years.
- O. RECORDER means the Recorder of Riverside County.
- P. STAFF means the employees of the Transportation and Land Management Agency, the Health and Fire Departments and the Riverside County Flood Control and Water Conservation District.
- Q. TRANSPORTATION AND LAND MANAGEMENT AGENCY means the departments of Planning, Transportation, and Building and Safety consolidated into one Agency.

Amended Effective:  
04-19-96 (Ord. 460.132)

Amended 460.151 Item 3.55 of 5/4/2010 (Eff: 6/3/2010)

**SECTION 2.2. TECHNICAL DEFINITIONS.**

- A. APPROVED FIRE HYDRANT means an appliance meeting AWWA pamphlet C-502 or C-503 standards and approved by the water company and fire department having jurisdiction.
- B. CONTIGUOUS UNITS means adjacent parcels of land which shall be considered contiguous even if separated by roads, streets, utility easements or railroad rights-of-way.
- C. COMPREHENSIVE GENERAL PLAN means the comprehensive General Plan of the County of Riverside, including all elements thereof, as adopted by the Board of Supervisors.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

- D. DESIGN means:
1. Street alignments, grades and widths;
  2. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
  3. Location and size of all required easements and rights-of-way;
  4. Fire roads and firebreaks;
  5. Lot size and configuration;
  6. Traffic access;
  7. Grading;
  8. Land to be dedicated for park or recreational purposes; and,
  9. Such other specific physical requirements in the plan and configuration of the entire land division as may be necessary or convenient to insure consistency with or implementation of the Comprehensive General Plan or any adopted specific plan.
- E. ENVIRONMENTAL CONSTRAINT NOTE means any note or notes required by the conditions of approval to be shown on an Environmental Constraint Sheet and reference made thereto on the final map. This shall be required when constraints involving but not limited to any of the following are conditioned by the Advisory Agency or Board of Supervisors: archaeological sites, geologic mapping, grading, building, building setback lines, flood hazard zones, seismic lines and setbacks, fire protection, water availability, and sewage disposal.
- F. ENVIRONMENTAL CONSTRAINT SHEET means a duplicate of the final map on which are shown the Environmental Constraint Notes. This sheet shall be filed simultaneously with the final map, with the County Surveyor, and labeled ENVIRONMENTAL CONSTRAINT SHEET in the top margin. Applicable items will be shown under a heading labeled Environmental Constraints Notes. The Environmental Constraint Sheet shall contain the statement: THE ENVIRONMENTAL CONSTRAINT INFORMATION SHOWN ON THIS MAP SHEET IS FOR INFORMATIONAL PURPOSES DESCRIBING CONDITIONS AS OF THE DATE OF FILING, AND IS NOT INTENDED TO AFFECT RECORD TITLE INTEREST. THIS INFORMATION IS DERIVED FROM PUBLIC RECORDS OR REPORTS, AND DOES NOT IMPLY THE CORRECTNESS OR SUFFICIENCY OF THOSE RECORDS OR REPORTS BY THE PREPARER OF THIS MAP SHEET
- G. FIRE HAZARD areas means area within the County of Riverside so designated on the map entitled "Hazardous Fire Areas of Riverside County" on file in the Office of the Clerk of the Board of Supervisors and in the Office of the County Fire Chief.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

- H. IMPROVEMENT means any street work, surveys and monuments and utilities to be installed, or agreed to be installed, by the land divider 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 needs as condition precedent to the approval and acceptance of the final map thereof. Improvement also means such other specific improvements or types of improvements the installation of which, either by the land divider, public agencies, private utilities, any other entity or by any combination thereof, is necessary or convenient to insure consistency with and implementation of the conditions of approval of the tentative map and the Comprehensive General Plan and any adopted specific plan.
- I. IMPROVEMENT STANDARDS means the standards set forth in this and other ordinances related to the development of land as a subdivision or parcel map division.
- J. LAND DIVISION or SUBDIVISION means the division 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, gift or financing, whether immediate or future. Land division or subdivision includes both tract map and parcel map divisions of land as hereinafter defined:
1. TRACT MAP DIVISION means a land division 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 the conversion of a dwelling to a stock cooperative containing five or more dwelling units.
  2. PARCEL MAP DIVISION means a land division where any of the following conditions prevail:
    - a. The land is divided into 4 or less parcels.
    - b. The whole parcel before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedication or improvements are required for the land division.
    - c. Each Parcel created by the land division has a gross area of not less than 20 acres up to 40 acres and each parcel has an approved access to a maintained public street or highway.
    - d. The land consists of a parcel or parcels of land having approved access to a public street or highway, is part of a tract of land zoned for industrial or commercial development, and is approved as to street alignment and width.
    - e. Each parcel created by the land division has a gross area of 40 acres or more, or each of which is not less than a quarter of a quarter section.
  3. LAND DIVISION or SUBDIVISION does not include:
    - a. The financing or leasing of apartments, offices, stores or similar space within apartments buildings, industrial buildings, commercial buildings, mobile home

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

parks or trailer parks.

- b. Agricultural, gas, oil or mineral leases.
- c. Land dedicated for cemetery purposes under the California Health and Safety Code.
- d. The division of land caused by the acquisition of a property interest by any public entity or governmental agency.
- e. The division of land caused by the acquisition of a property interest by a public utility for operating public utility purposes, or the conveyance of land by a public utility to a contiguous ownership.
- f. A lot line adjustment solely for the purpose of increasing or adjusting the size of adjacent lots or parcels, provided that the lot line adjustment does not reduce the original parcels below the zoning development standards applicable to the land, no additional parcels are created and the adjustment is approved by the Planning Director.
- g. When a land division is of a portion of any unit or units of improved or unimproved land, the subdivider may designate as a remainder that portion which is not divided for the purpose of sale, lease or financing. The designated remainder shall not be counted as a parcel for the purpose of determining whether a parcel map or final map is required.

For a designated remainder parcel, the fulfillment of construction requirements for improvements shall not be required until a permit or other grant of approval for development of the remainder parcel is issued by the Planning Department, or until the construction of the improvements is required pursuant to an agreement between the subdivider and the County. In the absence of that agreement the County may require fulfillment of the construction requirements within a reasonable time following approval of the final map and prior to the issuance of a permit or other grant of approval for the development of a remainder parcel upon a finding by the County that fulfillment of the construction requirements is necessary for reasons of the public health and safety, or the required construction is a necessary prerequisite to the orderly development of the surrounding area. A designated remainder subsequently may be sold without any further requirement of the filing of a parcel map or final map, but the Planning Director may require a certificate of compliance or conditional certificate of compliance.

K. Repealed Effective:  
04-07-00 (Ord. 460.140)

L. LOT LINE ADJUSTMENT means a minor alteration to adjust a lot line or lot lines. It is not a subdivision or re-subdivision procedure and is intended to be used only in those situations where the provisions of the Subdivision Map Act and this ordinance applicable to subdivision and re-subdivisions do not apply.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

- M. **MINOR CHANGE** means a minor modification of an approved tentative map that includes, but is not limited to, a change in lot lines, lot design or street alignment, building pad location or grading proposals provided that the basic design concept is retained. A minor change may decrease, but not increase the number of approved lots. A minor change may alter or delete any condition of approval which is no longer appropriate or necessary. Notwithstanding the above, or any other provision herein to the contrary, a request to alter or delete a condition of approval of any approved tentative map within the boundaries of the following districts shall, in all instances, be considered a minor change: Assessment District No. 159, Assessment District No. 161, Community Facilities District No. 84-2, Community Facilities District No.86-1, Community Facilities District No. 87-1, Community Facilities District No. 87-5 and Community Facilities District No. 88-8.
- N. **PUBLIC IMPROVEMENTS** means traffic controls, streets, roads, highways, freeways, bridges, over crossings, street interchanges, flood control or storm drain facilities, sewer and water facilities, and lighting facilities.
- O. **PUBLIC ACCESS** means:
1. A dedication to public use or to the County of Riverside to the required width for road purposes.
  2. A permanent written easement for road purposes to the required width from the State or Federal Government.
  3. An access road as defined in this ordinance that has been open to the public without posting for five years or more, provided adequate evidence thereof is submitted to and approved by the Director of Transportation.
  4. A dedication to a community services district to the required width for road purposes.
- P. **PLANNED RESIDENTIAL DEVELOPMENT** means residential development including, but not limited to, statutory and nonstatutory condominiums, cluster housing, town houses and community apartments that is permitted reduced lot area, width and depth requirements and building setback requirements, by integrating into the overall development open space and outdoor recreational facilities, and which may include recreational and public assembly buildings intended primarily for the use of the residents of the project, within the development.
- Q. **REVISED TENTATIVE MAP** means a modification of an approved tentative map wherein the design of the land division is changed from the approved tentative map, but there is no substantial change in concept from the original approved map.
- R. **SPECIFIC PLAN** means a plan adopted by the Board that is based upon the comprehensive General Plan of Riverside County, as provided in [Section 65450 et seq.](#) of the Government Code.
- S. **STORM FREQUENCY OF ONE IN 100 YEARS** means a storm that will probably be



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

equaled or exceeded on the average of once every 100 years. It does not follow, however, that such a storm will be equaled or exceeded once in every 100-year period, or that having occurred once, it will not occur again for 100 years. It may occur several times in a 100-year period, but over a sufficient length of time the average is expected to be once in 100 years.

- T. TENTATIVE MAP means a map made for the purpose of showing the design and improvement of a proposed land division and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property.
- U. VESTING TENTATIVE MAP means a land division that has printed conspicuously on its face the words "Vesting Tentative Map" and is processed in accordance with [Section 5.4](#) of this ordinance.

**SECTION 2.3. STREET AND HIGHWAY DEFINITIONS.**

- A. HIGHWAY OR STREET means a right-of-way within which improvements are constructed for the conveyance of vehicular and pedestrian traffic and includes all highways, streets, road and alleys. Said rights-of way and improvements shall be in conformity with County Transportation Department Standards and Specifications as set forth in Ordinance No. 461.
  - 1. FREEWAY means a highway upon which the abutter's rights of access are controlled and which provides separated grades at intersecting streets.
  - 2. EXPRESSWAY means a highway for through traffic to which access from abutting property is restricted. Intersections with other streets or highways shall be limited to approximately one-half mile intervals.
  - 3. ARTERIAL (URBAN) HIGHWAY means a six-lane divided highway primarily for through traffic where anticipated traffic volumes exceed four-lane capacity. Access from other streets or highways shall be limited to approximately one-quarter mile intervals. Minimum right-of-way width shall be 134 feet.
  - 4. ARTERIAL HIGHWAY means a divided highway primarily for through traffic to which access from abutting property shall be kept at a minimum. Intersections with other streets or highways shall be limited to approximately one-quarter mile intervals. Minimum right-of-way width shall 110 feet.
  - 5. ARTERIAL (MOUNTAIN) HIGHWAY means a four lane highway intended to serve through traffic in mountainous areas zoned for low density residential development. Access from abutting property shall be kept at a minimum. Intersections with other streets or highways shall be limited to approximately 330 foot intervals. Minimum right-of-way width shall be 110 feet.
  - 6. MAJOR HIGHWAY means a highway intended to serve property zoned for major industrial and commercial uses, or to serve through traffic. Intersections with other streets or highway may be limited to approximately 660 foot intervals. Minimum

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

right-of-way width shall be 100 feet.

7. SECONDARY HIGHWAY means a highway intended to serve through traffic along longer routes between major traffic generating areas or to serve property zoned for multiple residential, secondary industrial or commercial uses. Minimum right-of-way width shall be 88 feet. Intersections with other streets and highways may be limited to 330 foot intervals.
8. INDUSTRIAL COLLECTOR means a three lane circulatory street with a continuous left turn lane with at least one end connecting to a road of equal or greater classification. Minimum right-of-way width shall be 78 feet.
9. COLLECTOR STREET means a street which is intended to serve intensive residential land use, multiple family dwellings, or to convey traffic through an area to roads of equal or similar classification or higher. It may also serve as a cul-de-sac in industrial or commercial use areas but shall not exceed 660 feet in length when so used. Minimum right-of-way width shall be 66 feet.
10. GENERAL LOCAL STREET means a through street serving 50 or more single family lots or lot sizes of less than 7,200 square feet. It may also serve as a private interior street in an industrial park. Minimum right-of-way width shall be 60 feet.
11. SHORT LOCAL OR CIRCULATORY PRIVATE INTERIOR STREET means a residential street limited by design to serve less than 50 single family dwellings or a circulatory private street in a planned residential development. Minimum right-of-way width shall be 60 feet.
12. RESTRICTED LOCAL OR NONCIRCULATORY PRIVATE INTERIOR STREET means a local street where, due to unusual conditions it is impractical to provide for a wider right-of-way or a street with limited circulation within a planned residential development. Minimum right-of-way shall be 50 feet.
13. ACCESS ROAD means:
  - a. an existing improved roadway, either graded, graded and based, or asphalt paved, built within the dedicated right-of-way and providing safe, passable access from a maintained road to a land division site; or,
  - b. a proposed road that will be constructed to grade, alignment, and width from the project site to a maintained or public road as defined in later articles of this ordinance.
14. MAINTAINED ROAD means a road in which the road maintenance shall be principally conducted by a Governmental Agency, a County Service Area, or Community Services District. A road maintained by a Property Owner's Association may constitute a maintained road if the Board of Supervisors determines that there is no other feasible means of guaranteeing maintenance of the road for public use, and if the association has the unqualified right and obligation to maintain the road pursuant to recorded conditions, covenants, and restrictions which provide that

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

such right and obligation cannot be amended or terminated without the mutual consent of the County of Riverside and the association.

15. ALLEY means a secondary means of access to property and is located at the rear or side of the property. Minimum right-of-way width shall be 20 feet.
16. MAJOR, SECONDARY AND RESIDENTIAL FRONTAGE ROAD OR SERVICE ROAD means an auxiliary street adjacent to freeways, expressways, arterial highways, major highways, secondary highways and flood control channels. Minimum right-of-way width shall be in accordance with the appropriate Ordinance No. 461 Street Standards.
17. CUL-DE-SAC STREET means a road open at one end only, with special provisions for turning around, and the further extension of which is precluded by the land division design.
18. DEAD-END STREET means a street open at one end only without provisions for turning around and which may be further extended into adjoining property.
19. PRIVATE STREET means a street within a private development or a planned residential development whereby the street requirements are regulated by [Section 3.3](#) of this ordinance.
20. PART-WIDTH STREET means any street in which the improved width is less than the width necessary for a normal full-width street.
21. RURAL ROAD means any local residential street within designated areas, identified in the General Plan, Community Plan, or a Specific Plan serving less than 50 single family lots with lot sizes of one-half acre or larger. Minimum right-of-way shall be 60 feet.

The radii, maximum grade percentage, intersection intervals and all other design standards except pavement width shall be the same as those for a "Local Road" as required by Ordinance No. 461. Minimum improvements are as follows:

<u>Road Classification</u>	<u>Minimum Parcel Size</u>	<u>Number of Residences</u>	<u>Minimum Pavement Width</u>	<u>Road Standard Number</u>
Collector	½ Acre Gross	21 Thru 49	28 Feet	No. 136
Residential	2 Acre Gross	20 or Less	24 Feet	No. 138

The above rural road standards shall be applicable in the following areas:

- a. Lake Mathews Community Plan
- b. County Service Areas Numbered 41, 86, 104, 105, 108, 117, 124 and 149

**B. STREET AND HIGHWAY DETAILS**

1. BARRIER STRIP means a strip of land one foot or more in width dedicated to the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE II DEFINITIONS**

---

County of Riverside for street purposes and access control at the end of a dead end-street or along the side of a part-width dedicated street or other public right-of-way.

2. BICYCLE WAY means an area either within or outside the right-of-way of a dedicated street where bicycle travel is the designated use.
3. MEDIAN means that portion of a divided highway separating the traveled way for traffic in opposite directions.
4. MULTI-LANE DEMAND means that projected traffic volume will exceed the nominal capacity of a two-lane street section when such projected traffic volume is determined by a rational method of traffic generation employing land use techniques and traffic engineering principles.
5. OUTER SEPARATION means the area between the traveled way of a highway for through traffic and a frontage road or service road.
6. PEDESTRIAN WAY/SIDEWALK means a right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or without a street right-of way, at grade, or grade separated from vehicular traffic.
7. RIGHT-OF-WAY means the entire width of property for the use of highways, flood and drainage works, overhead and underground utilities, or any related improvements.
8. PARKWAY means the area adjoining the outer edge of the roadbed, extending to the right-of-way line in which sidewalks, plantings, utilities, bank slopes and related facilities may be located.
9. ROADWAY means that portions of the highway including roadbed, all slopes, side ditches, channels, waterways and all other related facilities which are located within a road right-of-way.
10. ROADBED means that portions of the roadway extending from curb-face or to the outside line of improved shoulders.
11. TRAVELED-WAY means that portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

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**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

**SECTION 3.1. CONFORMANCE.**

- A. All land divisions shall conform to the Comprehensive General Plan of Riverside County, with all applicable specific plans, with the requirements of the Land Use Ordinance and other ordinances, and with the requirements of this ordinance except as hereinafter provided.
- B. The requirements set forth within this ordinance are minimum requirements, and the County may impose greater requirements if so justified.
- C. Exceptions from the requirements of this ordinance relating to the design or improvement of land divisions shall be granted by the appropriate Advisory Agency or Appeal Board only when it is determined that there are special circumstances applicable to the property, such as but not limited to size, shape or topographical conditions, or existing road alignment and width, and that the granting of the modification will not be detrimental to the public health, safety or welfare or be damaging to other property in the vicinity.
- D. Applications for exceptions shall be made, in writing, stating fully the reasons and justification for the requested exception, and shall be submitted with the application for a land division.

**SECTION 3.2. GENERAL STREET DESIGN.**

- A. The street system in the proposed land division shall relate, in general, to the existing streets in the area adjoining the proposed land division.
- B. The proposed street plan shall give consideration to the future development of adjoining undeveloped property.
- C. All streets shall be designed to serve the proposed use of the abutting land.
- D. When improvements are required, part-width boundary streets in a land division adjacent to undivided land shall have a minimum right-of-way width of 40 feet. The land developer shall provide the prescribed half-width, and the additional dedications shall be acquired from the adjacent undeveloped property.
- E. When no improvements are required, part-width boundary streets shall have a minimum right-of-way width of 30 feet.
- F. Additional right-of-way or easements shall be provided where necessary to accommodate roadway slopes, drainage structures, and other facilities related to land division improvements.
- G. When consistent with existing development, access to residential property along freeways, expressways, arterial highways, major highways and flood control channels shall be provided by one of the following:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

1. A frontage road or service road;
  2. A street separated by a tier of lots
- H. Design of streets shall make provisions for railroads, parkways, expressways, grade separations, flood control channels, prevailing geological conditions and local drainage facilities.
- I. In order to assure adequate evacuation times, whenever lots of a proposed land division are located more than 1,320 feet, or 660 feet in a high fire hazard area, from a publicly maintained circulatory road, alternate or secondary access shall be provided.
- J. When alternate access is required and the alternate access is off-site, or when any other public improvement is required or proposed off-site, the land divider shall do each of the following as part of the tentative map review.
1. Provide any studies or information required to adequately evaluate the environmental impacts of constructing the off-site improvement/alignment; and,
  2. Show all proposed centerline, approximate gradients and radii on the tentative map in addition to other factors such as street widths, pavement surface, etc. for the off-site improvement/alignment; and,
  3. Provide mailing labels showing the addresses of property owners that are adjacent to the off-site improvement/alignment for hearing notification purposes; and,
  4. Provide written assurance(s) from the owner(s) of the property underlying the off-site improvement/alignment that sufficient right-of way to construct will be provided. A formal agreement or offer of dedication is not necessary to satisfy this requirement, but the owner's willingness to cooperate must be communicated in a form acceptable to the Transportation Department.

In the event that the land divider does not satisfy one or more of the requirements set forth in subsections J.1., J.2. or J.3., and no exception is granted, the tentative map shall be redesigned such that the off-site improvement/alignment is no longer required. If the land divider refuses or is unable to redesign, project review staff shall recommend to the appropriate Advisory Agency or Appeal Board that the tentative map be denied. In the event that the land divider does not satisfy the requirement set forth in subsection J.4., project review staff shall note in its report the potential need to institute eminent domain proceedings and the appropriate Advisory Agency or Appeal Board may, in its discretion, act on the tentative map as designed or require that the map be redesigned to eliminate the off-site improvement/ alignment.

- K. Cul-de-sac streets shall conform with Ordinance No. 461, Standard No. 800. When a part-width cul-de-sac is permitted, an offset cul-de-sac shall be provided in conformance with Ordinance No. 461, Standard No. 800 (A).
- L. Dead-end and part-width streets shall not be permitted if it is determined that adjacent

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

land use or topographical features will not permit the extension or widening of such streets. Dead-end streets shall be so designed that access to abutting property shall be physically possible.

- M. On land divisions where improvements are not required, the centerline alignment of the street right-of-way shall be so located that future improvements will be feasible and in accordance with County standards and ordinances.

**SECTION 3.3. PRIVATE STREETS.**

- A. Private streets may be permitted when it is determined that there is adequate provision for their construction and continued maintenance, that the welfare of the occupants of the development will be adequately served and that it will not be detrimental to the public health, safety and general welfare.
- B. Private streets, other than interior streets of Planned Residential Developments, shall be required to be offered for dedication to public use. All dedicated private streets shall meet the width requirements set by the Director of Transportation and shall be constructed in accordance with Improvement Standards of Riverside County Ordinance No. 461. All offers of dedication shall remain in effect and shall be irrevocable unless abandoned under the Streets and Highways Code.
- C. All streets that are permitted to be private, whether offered for dedication or not, may provide for access control by land division design, posting or gating.
- D. Interior streets of a planned residential development, if not offered for dedication, shall be constructed to minimum widths of 32 feet for noncirculatory interior access and 36 feet for circulatory interior access in accordance with Improvement Standards of Ordinance No. 461; however, reduced widths may be permitted when either of the following conditions occur:
1. Where the design and topography permit the taking of access only on one side of the street; or,
  2. When the design does not permit on-street parking.
- E. When a special design for a cul-de-sac, length of a street terminating in a cul-de-sac, landscaped median, or any other improvement design is proposed and is not provided for in this ordinance or in the improvement standards of Ordinance No. 461, the design shall be submitted to the Director of Transportation for approval.
- F. Concrete rolled curbs in conformance with Ordinance No. 461, Standard No. 202, may be permitted in place of standard curbs on non-dedicated streets upon the determination of the Director of Transportation that the streets are adequate to handle drainage, and that an adequate maintenance program is provided for in the covenants, conditions and restrictions.
- G. Sidewalks shall be required to be constructed in conjunction with dedicated or non-

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

dedicated private streets unless it is determined by the approving body to be unnecessary, considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Ordinance No. 461 unless otherwise approved by the Director of Transportation.

- H. Improvement plans, agreements and bonds shall be required for all dedicated and non-dedicated private streets in accordance with the applicable provisions of this ordinance.

**SECTION 3.4. STREET GRADES.**

- A. Grades for local streets may not exceed 16% unless approved by both the Transportation and Fire Departments. In areas with an elevation of 5,000 feet or more, street grades shall not exceed 10%, except that grades up to 15% may be approved for distances not to exceed 200 feet.
- B. Street grades of less than 0.50% may be approved only when engineering design shows that local drainage provisions are adequate and steeper gradients cannot be obtained. The utilization of combinations of steep and minimum grade lines as a means of generating embankment materials for on-site tract grading to the detriment of street maintenance and good engineering design will not be approved. Every effort shall be made to design street grades which will be in conformance with the existing terrain.

**SECTION 3.5. STREET ALIGNMENT.**

- A. Curves of streets with right-of-way width of 60 feet or less shall have a minimum centerline radius of 300 feet in comparatively level locations and shall have a minimum centerline radius of 150 feet in comparatively steep hillside locations.

**SECTION 3.6. INTERSECTIONS - GENERAL.**

- A. All street intersections shall be at right angles, plus or minus 5 degrees, unless otherwise approved by the Director of Transportation.
- B. Centerline offsets of less than 200 feet shall not be permitted, except that in special design cases offsets of less than 5 feet may be used when approved by the Director of Transportation.
- C. Curb Returns:
1. A minimum curb return radius of 25 feet shall be provided at intersecting streets designated as collector or local streets.
  2. A minimum curb return radius of 35 feet shall be provided when one or both of the intersecting streets is designated as a secondary highway or greater.
  3. In hillside areas, the curb return radius may be modified if required because of the



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

topography.

- D. Corner cutbacks shall be established as provided in county Ordinance No. 461, Standard No. 805.
- E. Frontage road connections providing access on C-1/C-P, C-P-S, M-SC, M-M, M-H and I-P zoned properties to the main highway shall incorporate an intersection design in conformance with county Ordinance No. 461, Standard No. 802.
- F. Median openings or crossovers between opposing lanes of a divided highway shall be located only at approved intersections and at intervals of not less than 660 feet unless otherwise approved by the Director of Transportation.

**SECTION 3.7. ALLEYS.**

- A. Improved alleys not less than 20 feet in width may be approved at the rear of all lots intended for industrial, commercial, and multiple family uses.
- B. Alley intersections shall have minimum corner cutbacks of 25 feet or shall provide unobstructed sight distance as approved by the Director of Transportation.
- C. Dead-end alleys shall provide an adequate turnaround.
- D. Part-width alleys shall not be permitted.

**SECTION 3.8. LOTS.**

- A. Lot size shall not be less than the minimum required by the zoning classifications applicable to the subject property, and shall be consistent with the Comprehensive General Plan for Riverside County.
- B. Corner lots shall be designed to provide a building site equal to that required for interior lots in the same zone.
- C. When lots 18,000 sq. ft. or less are proposed, the depth of lots shall not exceed 2½ times the width. When lots greater than 18,000 sq. ft. are proposed, the depth shall not exceed 4 times the width.
- D. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than 3,600 square feet, exclusive of the utility easement.
- E. When a lot includes an access strip, the access strip shall not be less than 30 feet in width. In no case shall the length of the access strip exceed 660 feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than 1,320 feet in length in a Non-hazardous Fire Area and 660 feet in a Hazardous Fire Area.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

- F. Side lot lines shall be at approximately right angles or radial to the street centerline, except where terrain or other restrictions make such design impractical.
- G. Lots less than 2 acres in gross area shall not have double street frontage except that in hillside areas where the topography requires, lots may abut two or more streets provided that the frontage and vehicular access is from only one such street.
- H. No lot shall be divided by a city, county, school district or other taxing agency boundary line.
- I. The minimum lot frontage on a knuckle or cul-de-sac street shall be 35 feet measured along the property line unless otherwise specified in the development standards of the zoning classification.
- J. Lot frontage along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.
- K. Garage door setbacks for all residential zones shall be 24 feet for a conventional door or 20 feet for a roll up door, measured from the back of the sidewalk to the face of garage door or the face of the curb if no sidewalk is required, or 20' from the street right-of-way, whichever setback is greater.

**SECTION 3.9. EXCLUSIONS.**

- A. Any contiguous property that is owned by the land divider shall be included within the boundaries of a land division when necessary or desirable in the design or improvement of the land division if the remaining parcels are less than 40 acres in size.
- B. Any contiguous property that is owned by the land divider, but not included within the boundaries of the land division, shall be of such size and shape as to conform to the provisions of this ordinance, the Land Use Ordinance, the Comprehensive General Plan of Riverside County, or any applicable specific plan; otherwise it shall be included within the boundaries of the land division.

**SECTION 3.10. REQUIRED ACCESS.**

- A. No land division map shall be recorded unless public access is provided from each parcel of the land division to a city, county, county service area, community service district, state or federal road that is maintained for public use. Public access to a road maintained by a property owner's association may be allowed if the Board determines that there is no other feasible means of guaranteeing maintenance of the road for public use, and if the association has the unqualified right to maintain the road pursuant to recorded conditions, covenants and restrictions which require the association to maintain the road and such requirement cannot be amended or terminated without the consent of the County of Riverside.
- B. The requirement for public access may be waived under the following circumstances.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

1. If a parcel map creates 4 or less parcels and public access over intervening lands cannot be offered for dedications, an appurtenant private easement for ingress, egress, roadway, and public utility purposes may be approved, provided:
    - a. The land to be divided is not zoned for commercial, industrial, or multiple-residential use;
    - b. No parcel under one acre in size is created unless only two additional parcels are being created;
    - c. If no improvements are required, the private easement is not less than 20 feet in width, and is duly recorded, is perpetual in duration, and is not subject to liens and encumbrances which might impair or defeat its purpose. If improvements are required, a minimum of 40 feet is required.
    - d. The access easement owned by the land divider is not an exclusive easement or specifically written to prohibit further division of the land.
  2. If a subdivision map has been previously recorded that permitted private streets without the requirement of offering the streets for dedications, a private road easement may be approved provided said easement grants the new lots unrestricted access rights to the existing private streets.
- C. Public access is not required if each parcel created is 40 acres or more or is a quarter of a quarter section.

**SECTION 3.11. DESIGN OF SUBDIVISION TO PROVIDE FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES.**

In order to provide for future passive or natural heating and/or cooling opportunities in a subdivision, the following considerations shall be taken into account: subdivision lot design, size, configuration of structure, orientation in an east-west direction, local climate, contour, configuration of the parcel to be divided, and other design and improvement requirements. Such provision shall not result in reducing allowable densities or the percentage of lot which may be occupied by a building or structure under applicable planning and zoning in force at the time the tentative map is filed.

These requirements do not apply to condominium projects which consist of the subdivision of airspace in an existing building when no new structures are added.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE III STANDARDS OF LAND DIVISION - GENERAL**

---

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IV TENTATIVE MAPS - GENERAL**

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**ARTICLE IV TENTATIVE MAPS - GENERAL**

**SECTION 4.1. MAP NUMBERS.**

- A. Prior to filing of a tentative map, a map number shall be obtained from the County Surveyor. Any number that is not used within two years from the date it is issued shall become null and void. The land divider shall pay the fee required as set forth in [Ordinance No. 671](#).
- B. When the tentative map is a parcel map division, this shall be so indicated thereon.
- C. The County Surveyor shall maintain a permanent record of all map numbers.
- D. When applying for a map number, the land divider shall certify that he is the record owner of the property, or that the record owner consents to the filing of the map, or the land divider shall submit such proof of ownership or consent of the owner as shall be necessary for the County Surveyor.
- E. When a number has been assigned by the County Surveyor for a particular parcel or contiguous parcels of land, the land divider shall place the map number upon each tentative map of the land division and neither the number nor the area of the parcel of land for which the number is issued shall thereafter be changed or altered in any manner upon the tentative map of the land division unless and until a new number has been assigned by the County Surveyor.

**SECTION 4.2. PRELIMINARY CORNER STAKES.**

At the request of staff, the land divider may be required to place a conspicuous stake identified with a number or corner description and flag at each approximate corner of the property to be divided. The stake shall extend at least three feet above ground and be identified with a number and corner description.

**SECTION 4.3. PRE-APPLICATION REVIEW.**

Prior to submitting an application for a tentative map, the land divider shall comply with the pre-application review procedure described in Ordinance No. 752 to the extent that such procedure is applicable.

**SECTION 4.4. APPLICATION.**

- A. Prior to submitting a tentative map, the land divider shall obtain an application for a land division, which form shall be furnished by the Planning Director and completed by the land divider.
- B. The application shall be for the purpose of:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IV TENTATIVE MAPS - GENERAL**

---

1. Providing and clarifying the information required to be shown on, or to accompany, the tentative map.
2. Determining whether the land division conforms to all the requirements of this and other County ordinances.
3. Expediting the processing of the tentative map.

**SECTION 4.5. DIVISION OF LAND.**

- A. No person shall make any land division, as herein defined, of real property located in the unincorporated area of the County of Riverside, except in accordance with the provision of the Subdivision Map Act and this ordinance.
- B. When a tentative map has been submitted, no grading or construction work shall be performed until the tentative map has been approved by the appropriate approving body.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

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**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

**SECTION 5.1. TENTATIVE TRACT MAPS.**

- A. The following information shall be shown on and verified or accompany tentative tract maps. The Planning Director may require such additional information as he or she deems necessary and reasonable.
1. Tract number, title of map, Assessors' parcel number and legal description of property, not including tract name.
  2. Name, address and telephone number of owner and land divider and name, address and telephone number of person preparing map;
  3. Ownership information on additional property owned adjacent or contiguous to the land to be subdivided.
  4. Approximate total acreage of property and lot size, net and gross for a typical lot and for each irregular lot, overall dimension, north arrow, scale and date;
  5. Subdivision boundary line and detailed vicinity map showing relationship to surrounding community;
  6. Names, locations, right-of-way, widths and improvements of adjacent streets, alleys, railroads, transmission lines, pipelines, sewers and existing structures, both above and below ground;
  7. Names, locations, widths of right-of-way for proposed streets, alleys and easements, and the approximate grades of proposed and existing streets and approximate street centerline radii of curves;
  8. Streets, alleys and right-of-way providing legal access to the property;
  9. If private streets are proposed, they shall be so noted on the tentative map;
  10. Names of utility purveyors, locations and widths of existing and proposed public utility easements:
    - a. When specific areas for subsurface disposal are required, those areas shall be delineated.
    - b. Any known existing wells on the property or within 200 feet of the subdivision boundary shall be indicated on the tentative map.
  11. Water courses, channels, existing culverts and drain pipes, including existing and proposed facilities for control of storm waters;
  12. Land subject to overflow, inundation or flood hazard;

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

13. Any land or right-of-way to be dedicated to public use;
14. Identify common areas and open spaces;
15. Proposed lot lines and approximate dimension;
16. Adjoining property and lot lines;
17. Maximum contour interval shall be four feet. The contour lines shall extend 300 feet beyond the exterior boundaries of the property when adjacent property is unimproved or vacant. Copies of U.S.G.S topographic maps are acceptable only when other information is not available. Flood control and Transportation Department base maps may be acceptable.
18. Site Grading:
  - a. Whenever any area of the proposed tract has a gradient of 5% or more, as measured between natural contours, the following information shall be shown on, or accompany, the tentative map:
    - 1) The proposed cuts and fills in the tract:
      - a) All cut and fill slopes or combinations thereof shall be made no steeper than 2:1 (two horizontal to one vertical), and their height shall be no greater than ten feet. Exceptions to these standards may be permitted as follows:

Cut Slopes - Slope ratios steeper than 2:1 and slope heights in excess of ten feet vertically shall be considered if they are recommended to be safe in a slope stability report written by either a registered soil engineer or a registered engineering geologist. The slope stability report must also include recommendations for erosion control and landscaping of the proposed grading.

Fill slopes - Fill slopes with heights in excess of ten feet vertically (on a slope of 2:1) may be allowed if they are recommended to be safe in a slope stability report written by a registered soil engineer. The slope stability report must also include recommendations for erosion control and landscaping of the proposed grading.

Based on the slope stability report, fill slopes greater than ten feet may need to be constructed at a more gentle slope ratio (e.g. 3:1 or 4:1), in order to achieve stability.
      - b) Cuts and fills in areas of subsurface sewage disposal shall be in accordance with the sewage disposable feasibility report recommendations.
    - 2) The elevations of all individual building pads in the subdivision;



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

- 3) The elevations at the perimeter of the subdivision;
      - 4) The relationship to adjoining land and development.
    - b. Where grading will tie into adjacent natural terrain, final manufactured slopes shall be blended into the existing terrain.
  19. Existing use and zoning of property immediately surrounding tract;
  20. Existing zoning, and proposed land use of property (single-family, multiple-family, business, industrial);
  21. A list of the names and addresses of the owners of real property located within 600 feet of the exterior boundaries of the property to be considered, as shown on the last equalized assessment roll, and any update issued by the County Assessor.
- B. Reports and written statements of the following matters shall accompany the tentative map:
1. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimension of the proposed facilities.
  2. A written statement (Land Division form SAN 53) from the Health Officer stating that:
    - a. A water purveyor under permit has agreed in writing to serve all lots in the land division; or,
    - b. The land divider has an acceptable application for a water purveyor permit on file with the Department of Public Health or the State Department of Health Services.
    - c. The land divider has filed with the Health Department information regarding the quantity and quality of water of any wells existing on the property, and the estimated current cost of drilling a well on the property.
    - d. No water system is provided and is not required for this land division.
  3. A written statement (Land Division form SAN 53) from the Health Officer stating the type of sewage disposal and water supply that will be permitted. To aid in this determination, a sewer feasibility letter, or a sewage disposal feasibility report, and, when necessary, a Regional Water Quality Control Board clearance or other pertinent information shall be required.
- C. If the land division lies within a special studies zone shown on the map prepared by the State Geologist pursuant to the Alquist-Priolo Earthquake Fault Zoning Act, a geologic report or waiver thereof pursuant to the provisions of [Ordinance No. 547](#) shall accompany the tentative map.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

- D. A program for the control of soil erosion and other pollutants in conformity with Section 4.J.13. of [Ordinance No. 457](#), [Ordinance No. 742](#), and within blow sand areas, [Section 15.1](#). of this Ordinance, shall be submitted and implemented for land divisions and related improvements.

Amended Effective:  
12-03-91 (Ord. 460.103)

01-03-97 (Ord. 460.134)

**SECTION 5.2. TENTATIVE PARCEL MAPS.**

- A. The following information shall be shown and verified on or accompany all tentative parcel maps and any other information that the Planning Director may deem necessary and reasonable.
1. Parcel Map identification number, Assessor's parcel number, title of map, and legal description of property but not including tract name;
  2. Name and address of owner and land divider and name and address of person preparing map;
  3. Approximate total acreage of property and lot size net and gross for a typical lot and for each irregular lot, overall dimension, north arrow, scale and date;
  4. Land division boundary line and vicinity map showing relationship to surrounding community;
  5. Assessor's Map book and page numbers of adjoining land divisions;
  6. Names, locations, right-of-way, widths and improvements of existing adjacent streets, alleys, railroads, and existing structures, both above and below ground;
  7. Names, locations, widths of right-of-way for proposed streets, alleys and easements, and the approximate grades of proposed streets and approximate street centerline radii of curves;
  8. Street and right-of-way providing legal access to the property;
  9. If the private streets are proposed, it shall be so noted on the tentative map.
  10. Names of utility purveyors, locations and width of existing and proposed known public utility easements:
    - a. When specific areas for subsurface sewage disposal systems are required, the disposal areas shall be depicted. This requirement applies to Schedule "E" parcel maps only.
    - b. Any known existing wells on the property or within 200 feet of the subdivision boundary shall be indicated on the tentative map.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

11. Water courses, channels, existing culverts and drain pipes, including existing and proposed facilities for control of storm waters;
  12. Land subject to overflow, inundation or flood hazard;
  13. Any land or right-of way to be dedicated to public use and right-of-way for railroads and other uses;
  14. Identify common areas and open spaces;
  15. Proposed lot lines and approximate dimensions;
  16. Adjoining property and lot lines;
  17. Maximum contour intervals shall be four feet. The contour lines shall extend 300 feet beyond the exterior boundaries of the property when adjacent property is unimproved or vacant. Copies of U.S.G.S. topographic maps are acceptable only when other information is not available. Flood Control and Transportation Department base maps may be acceptable;
  18. Existing use and zoning of property immediately surrounding tentative map;
  19. Existing zoning and proposed land use (single-family, multi-family, business industrial);
  20. A statement as to whether the tentative map includes the entire contiguous ownership of the land divider or only a portion thereof;
  21. A list of the names and addresses of the owners of real property located within 600 feet of the exterior boundaries of the property to be considered, as shown on the last equalized assessment roll, and any update issued by the County Assessor.
- B. Reports and written statements on the following matters shall accompany the tentative map:
1. Proposed method of control of storm water, including data as to amount of runoff, and the approximate grade and dimension of the proposed facilities.
  2. A written statement (Form SAN 53) from the Health Officer, stating the type of sewage disposal and water supply that will be permitted shall be submitted for all parcel maps.
- C. If the land division lies within a special studies zone shown on the map prepared by the State Geologist, pursuant to the Alquist-Priolo Earthquake Fault Zoning Act, a geologic report or waiver thereof pursuant to the provisions of Ordinance No. 547 shall accompany all tentative maps.
- D. Requests to waive the parcel map for any parcel map division shall be filed at the time of

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

the filing of the tentative parcel map.

- E. A program for the control of soil erosion and other pollutants in conformity with Section 4.J.13. of Ordinance No. 457, Ordinance No. 742, and within blow sand areas, Section 15.1 of this Ordinance shall be submitted and implemented for land divisions and related improvements.

Amended Effective:  
12-03-91 (Ord. 460.103)

01-03-97 (Ord. 460.134)

**SECTION 5.3. PLANNED DEVELOPMENTS - RESIDENTIAL, COMMERCIAL AND INDUSTRIAL.**

- A. Whenever a tentative tract map or parcel map is filed for a planned residential, commercial or industrial development, as defined in Ordinance No. 348, the following data shall accompany or be delineated on the tentative map in addition to the data required by sections 5.1 and 5.2 of this ordinance:
1. Locations and dimensions of proposed dwellings, buildings or other structures.
  2. Table indicating area and density calculations.
  3. Building setback dimensions.
  4. Driveways, loading and parking areas.
  5. Location and type of proposed fencing, gates and walls.
  6. Irrigation and landscaping plans, including plant species.
  7. Floor plans and elevations.
  8. Location and dimension of common areas.
  9. Proposal for maintenance of common areas.
  10. Proposed special restrictions.

**SECTION 5.4. VESTING TENTATIVE MAPS.**

- A. This section is enacted pursuant to [Section 66498.1](#) of the Government Code, and is intended to establish procedures necessary to implement the provisions of the Subdivision Map act and this ordinance. The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with those County ordinances, policies, and standards described in [Section 66474.2](#) of the Government Code or, if that Section is repealed, with the County ordinances, policies, and standards which are in effect at the time the vesting tentative map is approved or

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

conditionally approve. The rights conferred by this section shall expire if a final map is not approved prior to the expiration of the vesting tentative map. Whenever a provision of this ordinance requires that a tentative map be filed, a vesting tentative map may be filed instead.

B. Whenever a vesting tentative map is filed, it shall be processed in the same manner as a tentative map unless modified by this section, and shall have printed conspicuously on its face the words "Vesting Tentative Map." All vesting tentative maps shall be submitted to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the filing fee set forth in [Ordinance No. 671](#). In addition to the data required by Sections [5.1](#) and [5.2](#) of this ordinance, the following data and information may be required by the Planning Director:

1. A plot plan, drawn to scale, that shows the following:
  - a. Name, address and the telephone number of the applicant and all owners of the subject property, including evidence that all owners agree to the application.
  - b. Location or address of the property and Assessor's parcel number.
  - c. Boundary and dimension of property, north arrow, scale and date.
  - d. Topography of the property.
  - e. Approximate total acreage of the property and lot size of each lot, recreational and open space area, and paving. Common areas and open space to be identified.
  - f. Location and names of adjoining streets, alleys and right-of-way providing legal access to the property.
  - g. Name, locations and widths of right-of-way for proposed streets, alleys, and easements. Streets without current names must show proposed names.
  - h. Drainage plan to control both on-site and off-site storm runoff, water courses, channels, existing culverts and drainpipes including existing and proposed facilities for control of storm waters, and data as to the amount of runoff and the approximate grade and dimensions of proposed facilities for control of storm waters.
  - i. Height, size and location of buildings.
  - j. Typical street cross sections.
  - k. Lighting system, street and outdoor.
  - l. Signs (location, dimensions, height).

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE V TENTATIVE MAPS - INFORMATION REQUIRED**

---

- m. Setback dimensions.
  - n. Location and nature of proposed and existing fences, gates, walls, driveways and curbs.
  - o. Irrigation systems.
  - p. Landscaping, including size, species and spacing proposed, including planters.
  - q. Elevations and floor plans.
  - r. Detailed grading plans.
- C. An application for an amendment or minor change to a vesting tentative map may be made at any time prior to expiration of the map.
- D. Whenever the intended development of a vesting tentative map is inconsistent with the zoning ordinance in existence at the time of filing of the map, that inconsistency shall be noted on the map, and the map may be denied or approved upon condition that the zoning is changed to eliminate the inconsistency. A conditionally approve vesting tentative map shall confer the vested right to proceed with the development in substantial compliance with the amended zoning and the map, as approved.
- E. Notwithstanding any provision herein to the contrary, any permit approval, extension, or entitlement of a vesting tentative map be conditioned or denied under either of the following circumstances.
- 1. A failure to do so would place the residents of the subdivision or the immediate community, or both in a condition dangerous to their health or safety, or both.
  - 2. The condition of denial is required in order to comply with state or federal law. In addition, the conditions of approval of a vesting tentative map may be amended through a minor change in order to protect against conditions dangerous to the public health or safety.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

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**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

**SECTION 6.1. FILING OF TENTATIVE MAP.**

- A. Date of Filing: The date of filing for the purpose of determining the 50 day limitation for action on the tentative map shall be the date on which the Planning Director accepts the map as complete for filing.
- B. Submittal Requirements: All tentative maps shall be submitted to the Planning Director and shall be accompanied by the appropriate fee specified in [Ordinance No. 671](#) and shall comply with Article V of this ordinance. The map shall be drawn to an engineer's scale which clearly presents the details. The map sheets shall not be less than 18" x 26". The number of copies of the map to be submitted shall be as determined by the Planning Director.
- C. Additional Information: Within 30 days of the date on which the map is submitted, the Planning Director shall determine whether any additional information is required, and the applicant or representative shall be so notified. Once the information required to complete the review of the tentative map is provided, the Planning Director shall accept the map as complete for filing. Additional information which may be required shall include, but not be limited to, data necessary to complete environmental review, flood and drainage studies, sewage disposal information, and circulation studies.
- D. Effect of Environmental Review: Notwithstanding subsection A above, the time limitation for action on the tentative map shall be 50 days after certification of an environmental impact report, adoption of a negative declaration, or a determination that the project is exempt from the California Environmental Quality Act.

**SECTION 6.2. FEE FOR FLOOD PROTECTION STUDY.**

- A. A flood protection study fee as set forth in [Ordinance No. 671](#) shall be paid upon the submittal of the tentative map to the Planning Director.
- B. When the fee is collected, it shall be paid to the Flood Control District that performs the flood protection study.
- C. No charge shall be made for a flood protection study on a revised tentative map filed within two years of the original filing unless additional lots have been added. If a resubmitted map has additional lots proposed, a supplemental payment of the normal lot fee multiplied by the additional number of lots will be required. After two years the fee shall be the same as the original fee.
- D. There shall be no flood protection study fee for reverting subdivided lands to acreage.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

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**SECTION 6.3. MAP DISTRIBUTION.**

Upon the submittal of the tentative map to the Planning Director, one copy thereof shall be forwarded to each member of the appropriate Advisory Agency and to each of the following as may be concerned:

- A. California Department of Transportation;
- B. Any municipality entitled thereto;
- C. The Flood Control District or person designated who will perform flood control and drainage studies;
- D. Any city, community services district, school or other authorized district requesting a copy;
- E. Any utility purveyor serving the area with its facilities;
- F. Any others as may be appropriate.

**SECTION 6.4. REVIEW BY LAND DEVELOPMENT COMMITTEE.**

- A. All tentative maps shall be reviewed by the appropriate section of the Land Development Committee. The land divider and his representative shall be notified of the date and time of the meeting, at which time the land divider shall review the proposed map with the Committee.
- B. Upon completion of its review, the Land Development Committee shall prepare a report and recommendation and shall transmit a copy thereof to the appropriate Advisory Agency. The report shall be in writing, and a copy thereof delivered to the land divider or his representative at least 3 days prior to any hearing or action on the map by the Advisory Agency.

**SECTION 6.5. CONSIDERATION BY THE ADVISORY AGENCY.**

- A. Tract Maps and Commercial Parcel Maps. Within 50 days after the date of filing of a tentative tract map, a public hearing on the map shall be held before the appropriate Advisory Agency or before the Board of Supervisors as provided in [Subsection D. of Section 1.2](#) of this ordinance. Notice of the time, date and place of the hearing, the identity of the hearing body, and a general description of the location of the proposed land division, shall be given at least 10 days prior to the hearing by all of the following procedures:
  - 1. Publication once in a newspaper of general circulation in the County.
  - 2. Mailing or delivery to the owner of the subject real property or the owner's duly authorized agent, and to project applicant.



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

---

3. Mailing or delivering to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project whose ability to provide those facilities and services may be significantly affected.
  4. Mailing or delivering to all owners of real property which is located within 300 feet of the exterior boundary of the subject property, as such owners are shown on the last equalized assessment roll and any update.
  5. Mailing by first class mail to any person who has filed a written request with the Planning Department and has provided that department with a self-addressed stamped envelope for that purpose.
  6. In the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, such notice shall also be given by mail to each tenant of the subject property, and, in addition to notice of the time and place of the public hearing, shall include notification to the tenant's right to appear and the right to be heard.
  7. If the number of owners to whom notice would be mailed or delivered pursuant to paragraph 4 herein is greater than 1,000, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation in the County at least 10 days prior to the hearing.
  8. The Planning Director may require that additional notice of the hearing be given in any other manner he deems necessary or desirable.
  9. Any interested person may appear at the public hearing and shall be heard by the hearing body.
- B. After closing the hearing, the Advisory Agency shall:
1. Approve, conditionally approve or disapprove the proposed tentative map. Notice of the decision shall be filed with the Clerk of the Board of Supervisors and a copy thereof mailed to the land divider or his authorized agent and any interested party requesting a copy.
- C. Parcel Maps. The following procedures shall apply to all applications for approval of residential parcel maps:
1. Applications. Permit applications shall be filed with the Planning Director in accordance with [Section 5.2](#) of this ordinance and accompanied by the fees as set forth in [Ordinance No. 671](#).
  2. Proposed Use. Not less than 10 days prior to the date on which the decision will be made on the application, the Planning Director shall give notice of the proposed use by mail or delivery to all owners, as shown on the last equalized assessment roll as owning real property within a 300 foot radius of the exterior boundary of the property in question and publication once in a newspaper of general circulation in the area

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

---

affected by the proposed project. No public hearing on the application for a permit issued pursuant to this paragraph shall be required unless such a hearing is requested by the applicant or other affected person or the Planning Director determines that a public hearing is required in the best interest of the community's health, safety and welfare. The notice of proposed use shall include the following information:

- a. A brief description of the project and its proposed location.
  - b. The officer or body which will consider approval of the project and the address where comments or request for a public hearing should be sent.
  - c. A statement that the decision-making officer or body will not act on the project for a period of 10 days and will consider written comments received during that period as to whether the determination of the Planning Director that the project will not have a significant effect on the environment is appropriate.
  - d. A statement that a copy of the completed Negative Declaration is available for inspection at the Planning Department.
3. Public Hearing. If a request for a public hearing is made, it shall be held within 21 days after the first request is made by the Riverside County Planning Director's hearing body. Not less than 10 days prior to the date on which the hearing will be held, the Planning Director shall give notice of the proposed hearing by mail or delivery to all owners, as shown on the last equalized assessment roll as owning real property within a 600 foot radius of the exterior boundary of the property in question, and all others who received notice of the proposed use. The hearing body shall hear relevant testimony from interested persons.
4. Decision. The decision shall be made by the Planning Director within the time limitations of the Subdivision Map Act, shall be filed with the Clerk of the Board of Supervisors and, if no public hearing was held, shall be mailed to the same owners who were given notice pursuant to [subdivision C.2.](#) above.
- D. The Advisory Agency, upon the request of the land divider, may waive the requirement that a parcel map be recorded if the Advisory Agency finds that the proposed land division complies with the requirements as to:
1. Area;
  2. Improvement and design;
  3. Flood water drainage control;
  4. Appropriate improved public roads;
  5. Sanitary disposal facilities;
  6. Water supply availability;

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

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7. Environmental protection and;
  8. Adequate existing survey control;
  9. Other provisions of this and other applicable ordinances of Riverside County and the Subdivision Map Act.
- E. Notwithstanding the above, or any other provision herein to the contrary, any tentative map that requires the approval of a general plan amendment, a specific plan amendment or a change of zone, except, a map that is included as part of a fast track project, shall be heard in accordance with the provisions of Article 2 or Article 20 of County Ordinance No. 348, whichever is applicable, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.
- F. Notwithstanding the above, or any other provision herein to the contrary, any tentative map that is included as part of a fast track project shall be heard in accordance with the provisions of Section 18.26a of County Ordinance No. 348 and all the procedural requirements as set forth therein shall govern the hearing.

Amended 460.151 Item 3.55 of 5/4/2010 (Effective: 6/3/2010)

**SECTION 6.6. CONSIDERATION OF TENTATIVE MAPS BY THE ADVISORY AGENCIES.**

- A. Tentative Schedule "A", "B", "C", "D", and "E" Maps. Except as provided in "subsection D, of Section 1.2 of this ordinance, the action of the Planning Commission or East Area Planning Council on a tentative Schedule "A", "B", "C", "D", and "E" map shall be final unless the final decision is appealed by the land divider or any interested party.
- B. Tentative Schedule "F", "G", "H", and "I" Maps. The action of the Planning Director on a tentative Schedule "F", "G", "H", and "I" map shall be final unless the final decision is appealed by the land divider or any interested party.

Amended Effective:  
04-19-96 (Ord. 460.132)

**SECTION 6.7. APPEAL OF ACTIONS OF ADVISORY AGENCY - PROCEDURE.**

- A. Except as provided in [Subsection D, of Section 1.2](#) of this ordinance, the Planning Commission and East Area Planning Council are the Advisory Agencies authorized to directly approve, conditionally approve or disapprove tentative Schedule "A", "B", "C", "D", and "E" maps that lie in their area jurisdiction. If the land divider or any interested party believes that they may be adversely affected by the decision of the Planning Commission or East Area Planning Council, the land divider or any interested party may appeal the decision to the Board of Supervisors. Any such appeal shall be filed with the Clerk of the Board within 10 days after the notice of decision of the Advisory Agency appears on the Board's agenda. The appeal shall be filed in writing, stating the basis for appeal, and

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VI PROCESSING OF TENTATIVE MAPS**

---

shall be accompanied by the fee set forth in [Ordinance No. 671](#) unless the fee shall be paid out of the same fund into which it would be deposited. Upon the filing of the appeal, the Clerk of the Board shall set the matter for public hearing on a date within 30 days after the date of the filing of the appeal and shall give notice of the public hearing in the same manner as was given for the original hearing. The Board shall render its decision on the appeal within 10 days of the closing of the hearing.

- B. The Planning Director is the Advisory Agency authorized to directly approve, conditionally approve or disapprove tentative Schedule "F", "G", "H", and "I" maps. If the land divider or any interested party believes they may be adversely affected by the decision of the Planning Director, the matter may be appealed to the Planning Commission or the East Area Planning Council. The appeal shall be filed with the Planning Department within 10 days after the notice of decision of the Planning Director appears on the Board's agenda. Any appeal shall be filed in any permanent office maintained by the Planning Department, stating in writing the basis for the appeal and accompanied by the fee set forth in [Ordinance No. 671](#). All appeals shall be heard within 30 days after the filing of the appeal. Notice of the public hearing shall be given in the same manner as specified for a tract map. The appeal board shall render its decision on the appeal within 10 days of the closing of the hearing. The land divider or any interested party or the Advisory Agency may appeal the decision of the appeal body to the Board of Supervisors. Any such appeal shall be filed with the Clerk of the Board within 10 days after the notice of decision of the appeal body appears on the Board's agenda. The appeal shall be filed in writing, stating the basis for appeal, and shall be accompanied by the fee set forth in [Ordinance No. 671](#) unless the fee shall be paid out of the same fund into which it would be deposited. Upon the filing of the appeal, the Clerk of the Board shall set the matter for public hearing on a date within 30 days after the date of the filing of the appeal and shall give notice of the public hearing in the same manner as was given for the hearing before the appeal body. Upon conclusion of the hearing, the Board shall render its decision on the appeal within 10 days.

Amended Effective  
04-19-96 (Ord. 460.132)

**SECTION 6.8. EXTENSION OF TIME FOR PROCESSING.**

All time limits specified in this ordinance for reporting and acting on tentative maps may be extended by the mutual consent of the land divider and the Advisory Agency or the Board required to act, but in no event may the extensions exceed one year.

**SECTION 6.9. FAILURE TO RECEIVE NOTICE.**

Failure to receive notice of a hearing shall not invalidate the action taken by the Advisory Agency, appeal body or the Board.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VII DENIAL OF TENTATIVE LAND DIVISION MAPS**

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**ARTICLE VII DENIAL OF TENTATIVE LAND DIVISION MAPS**

**SECTION 7.1. GENERAL.**

A tentative map shall be denied if it does not meet all requirements of this ordinance, or if any of the following findings are made:

- A. That the proposed land division is not consistent with applicable general and specific plans.
- B. That the design or improvement of the proposed land division is not consistent with applicable general and specific plans.
- C. That the site of the proposed land division is not physically suitable for the type of development.
- D. That the site of the proposed land division is not physically suitable for the proposed density of the development.
- E. That the design of the proposed land division or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. That the design of the proposed land division or the type of improvements are likely to cause serious public health problems.
- G. That the design of the proposed land division or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division. A land division may be approved if it is found that alternate easements for access or for use will be provided and that they will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.
- H. Notwithstanding subsection E. above, a tentative map may be approved if an environmental impact report was prepared with respect to the project and a finding was made, pursuant to the California Environmental Quality Act, that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Amended Effective:  
04-19-96 (Ord. 460.132)

**SECTION 7.2. LAND SUBJECT TO CONTRACT PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT.**

- A. In addition to any of the grounds set out in [Section 7.1](#) of this ordinance, the Board of Supervisors shall deny approval of a tentative map, if it finds that the land is subject to a

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VII DENIAL OF TENTATIVE LAND DIVISION MAPS**

---

contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7, commencing with [Section 51200](#) of Division 1 of Title 5 of the California Government Code) and that the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use. For purposes of this section, land shall be presumed to be in parcels too small to sustain their agricultural use if the land is (1) less than 10 acres in size in the case of prime agricultural land, or (2) less than 40 acres in size in the cases of land which is not prime agricultural land. For purposes of this section, agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land.

- B. The Board of Supervisors may approve a subdivision with parcels smaller than those specified in this section if it makes either of the following findings:
1. The parcels can nevertheless sustain an agricultural use permitted under the contract, or are subject to a written agreement for joint management pursuant to [Section 51280.1](#) of the California Government Code, provided that the parcels which are jointly managed total at least 10 acres in size in the case of prime agricultural land or 40 acres in size in the case of land which is not prime agricultural land.
  2. One of the parcels contains a residence and is subject to [Section 428](#) of the Revenue and Taxation code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown on the map are at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land.
- C. No other homesite parcels as described in [paragraph 2 of Section 7.2.B.](#) may be created on any remaining parcels under contract for at least 10 years following the creation of a homesite parcel pursuant to this section.
- D. This section shall not apply to land which is subject to a contract when any of the following has occurred:
1. The Local Agency Formation Commission has approved the annexation of the land to a city and the city will not succeed to the contract as provided in [Sections 51243 and 51243.5](#) of the California Government Code.
  2. Written notice of non-renewal of the contract has been served prior to March 7, 1985, as provided in [Section 51245](#) of the California Government Code.
  3. Written notice of non-renewal of the contract has been served on or after March 7, 1985, as provided in [Section 51245](#) of the California Government Code, and, as a result of that notice, there are no more than three years remaining in the term of the contract.
  4. The Board of Supervisors has granted tentative approval for cancellation of the contract as provided in [Section 51282](#) of the California Government Code.
- E. This section shall not be construed as limiting the power of the Board of Supervisors to

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VII DENIAL OF TENTATIVE LAND DIVISION MAPS**

---

establish minimum parcel sizes larger than those specified in [Section 7.2.A](#).

**SECTION 7.3. LAND PROJECTS.**

Repealed Effective:  
04-14-00 (Ord. 460.140)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VII DENIAL OF TENTATIVE LAND DIVISION MAPS**

---



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

**ARTICLE VIII GENERAL REGULATIONS**

**SECTION 8.1. REVISED TENTATIVE MAPS.**

- A. Any revised tentative map shall comply with all of the provisions of the Subdivision Map Act and this ordinance in effect at the time the revised map is approved.
- B. Proceedings on a revised tentative map shall be conducted in the same manner as for the original approval of a tentative map except those procedures that are not applicable. The approval or conditional approval of a revised tentative map shall annul approval of the previous tentative map, but the approval thereof shall not extend the time within which the final map may be filed.

**SECTION 8.2. MINOR CHANGES.**

- A. A request for approval of a minor change to an approved tentative map shall be filed with the Planning Department, accompanied by the fee specified in [Ordinance No. 671](#).
- B. The Planning Director shall make a written recommendation thereon to the Advisory Agency having jurisdiction over the underlying map, or to the Board of Supervisors as provided in [Subsection D, of Section 1.2](#) of this ordinance, and shall notice a public hearing in accordance with [Section 6.5](#) of this ordinance unless the underlying map did not previously require such a hearing.
- C. The Advisory Agency or the Board of Supervisors may decide the matter when it first appears on the agenda, or it may continue the matter with or without the consent of the land divider.
- D. The decision of the Advisory Agency shall be final, unless the decision is appealed to the Board of Supervisors. In the event of such an appeal, the Board of Supervisors shall hear the matter in the above-described manner.
- E. The approval by the Advisory Agency or the Board of Supervisors of a minor change shall not affect the time period within which the land divider must prepare and file the final map.

Amended Effective:  
04-19-96 (Ord. 460.132)

**SECTION 8.3. DIVISION INTO UNITS.**

- A. If a land divider proposes to file a final map or parcel map on only a portion of the land shown on an approved tentative map, the land divider shall file an application with the Planning Director. The land divider shall note on the application whether the division into units is to be approved by the Director of Transportation or the Advisory Agency.
  - 1. If the land divider indicates that the division into units is to be approved by the Advisory Agency, then the application shall be processed in accordance with

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

[Section 8.3.B](#) through G and [Section 8.2.A](#), B, C, E and shall be accompanied by the fee set forth in [Ordinance No. 671](#) for Minor Changes (Subdivision).

2. If the land divider indicates that the division into units is to be approved by the Director of Transportation, then the application shall be accompanied by the fee set forth in [Ordinance No. 671](#) for Land Division Unit Map Filings and the application shall be processed in accordance with [Section 8.3.B](#) through G.

Amended Effective:  
06-30-94 (Ord. 460.122)

- B. The Planning Director after reviewing the application shall refer it to the Director of Transportation for review.
- C. No unit map shall be approved unless it is complete and in compliance with all of the provisions of this ordinance, including fire protection, flood control, traffic circulation, access/secondary access and environmental considerations, and with all conditions of approval of the tentative map, including provisions and agreements for development of parks, schools, and other facilities, and specifically approved by the Director of Transportation or the Advisory Agency, whichever is appropriate, based on the application filed by the land divider.
- D. The unit will be identified by the approved tentative map number with a dash number designating said unit. The unit number shall be obtained from the County Surveyor upon payment of the fee specified in [Ordinance No. 671](#). Units are not required to record in order as indicated by the unit number. However, the land divider shall specify in the application or designate a set of units which may be approved in advance by the Planning Director for recordation in any order or sequence. The last unit within a tentative map to be recorded will not bear a unit number.
- E. Any number of unit numbers may be issued; however, the County Surveyor can limit the number accepted concurrently for final map review.
- F. If, after approval of an application for division into units, the land divider proposes to further divide the tentative map into units, or amend the boundaries of the approved units, or change the previously approved order of recordation of units, the land divider shall first file an application for such, and it shall be processed in accordance with subsections A-E. above.
- G. No phased map shall be approved under [Section 8.3](#) unless the Transportation Department has determined that any delay in property development allowed by phasing shall not:
  1. Delay the construction of any critically needed facility which is conditioned to be constructed with the delayed phase(s);
  2. Result in the increase in Mello-Roos assessments, or similar property improvement assessments, to any existing end user of property within an improved district of which the phased areas to be delayed is a party;

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

3. Cause a critical reserve fund deficiency, or where a critical deficiency already exists, increase said deficiency, in any Mello-Roos district, or similar property district, of which the phased areas to be delayed is a party; or,
4. Cause increased expenses or assessments to existing end property uses or any property owners association, maintenance district or similar property maintenance facility of which the phased areas to be delayed is a part.

**SECTION 8.4. EXPIRATION OF APPROVED TENTATIVE MAPS AND VESTING TENTATIVE MAPS: EXTENSION OF TIME.**

- A. Tentative Tract Maps: An approved or conditionally approved tentative tract map shall expire 36 months after such approval unless within that period of time a final map shall have been approved and filed with the County Recorder. Prior to the expiration date, the land divider may apply in writing for an extension of time. Each application shall be made to the Planning Director 30 days prior to the expiration date of the tentative map and shall be accompanied by the fee set forth in [Ordinance No. 671](#). The Planning Director shall forward to the Advisory Agency a recommendation for approval or denial of the application. The Advisory Agency may extend the date on which the map expire for one year and, on further application before expiration thereof, may further extend it for a second year and on further application before expiration thereof, may further extend it for a third year, and on further application before expiration thereof, may further extend it for a fourth year, and on further application before expiration thereof, may further extend it for a fifth year. The decision of the Advisory Agency shall be forwarded to the Clerk of the Board of Supervisors. The decision of the Advisory Agency shall be final unless the decision is appealed to the Board. Any appeal must be filed with the Clerk of the Board of Supervisors accompanied by the fee set forth in [Ordinance No. 671](#) within 10 days of the date of the notice of decision appears on the Board's agenda.

Amended Effective:  
07-03-97 (Ord. 460.137)

- B. Tentative Parcel Maps: An approved or conditionally approved tentative parcel map shall expire 36 months after such approval unless within that period of time a final map shall have been approved and filed with the County Recorder. Prior to the expiration date, the land divider may apply in writing for an extension of time. Each application shall be made to the Planning Director 30 days prior to expiration date of the tentative map and shall be accompanied by the fee set forth in [Ordinance No. 671](#).
1. For Schedule "F", "G", "H" and "I" maps, the Planning Director is the Advisory Agency and may extend the date on which the map expires for one year and, on further application thereof, may further extend it for a second year, and on further application thereof may extend it for a third year, and on further application before expiration thereof, may further extend it for a fourth year, and on further application before expiration thereof, may further extend it for a fifth year. The Planning Director shall report its action directly to the land divider and the Board of Supervisors. If the Planning Director denies the request for an extension, the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

applicant may appeal that decision to the Advisory Agency which has jurisdiction on the land division within 10 days following the date the notice of decision appears on the Board's agenda by filing an appeal with the Planning Department accompanied by the fee set forth in [Ordinance No. 671](#).

Amended Effective:  
07-03-97 (Ord. 460.137)

2. For schedule "E" maps, the Planning Director shall forward to the Advisory Agency a recommendation of approval or denial of the application. The Advisory Agency may extend the date on which the map expires for one year and, on further application thereof, may further extend it for a second year, and on further application thereof may further extend it for a third year, and on further application before expiration thereof, may further extend it for a fourth year, and on further application before expiration thereof, may further extend it for a fifth year. The decision of the Advisory Agency shall be forwarded to the Clerk of the Board of Supervisors. The decision of the Advisory Agency shall be final unless the decision is appealed to the Board. Any appeal must be filed with the Clerk of the Board of Supervisors accompanied by the fee set forth in [Ordinance No. 671](#) within 10 days of the date the notice of decision appears on the Board's agenda.

Amended Effective:  
07-03-97 (Ord. 460.137)

- C. An extension of time shall not be granted unless the land division conforms to the Comprehensive General Plan, is consistent with existing zoning, and does not adversely affect the general health, safety, and welfare of the public.
- D. Vesting Tentative Maps: A vesting tentative map shall be subject to the same expiration and extension of time provisions as a tentative map; provided, however, that on recordation of a final map, the rights conferred on a vesting tentative map shall last for one year. Whenever several final maps are recorded on various phases of a project covered by a single vesting tentative map, the one year initial time period shall begin for each phase when the final map for that phase is recorded. The one-year initial time period shall be automatically extended by any time used for processing a complete application for a grading permit if the time used to process the application exceeds 30 days from the date that a complete application is filed. Prior to the expiration of the initial time period, the subdivider may apply in writing to the Advisory Agency for a one-year extension, accompanied by the fee set forth in [Ordinance No. 671](#). If the extension is denied, an appeal may be filed with the Board of Supervisors within 15 days of the date the notice of decision appears on the Board's agenda. When the subdivider submits a complete application for a building permit during the period of time specified in this section, the vested rights shall continue until the building permit, or any extension thereto, expires.
- E. If the subdivider is required to expend one hundred twenty-five thousand dollars (\$125,000) or more to construct, improve or finance the construction or improvement of public improvements outside the property boundaries of the land division, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, each

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

filing of a final map authorized by [Section 8.3.A.1](#) shall extend the expiration of the approved or conditionally approved land division map by 36 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the land division more than 10 years from its approval or conditional approval. The number of phased final maps which may be filed shall be determined by the Advisory Agency at either the time of the approval or conditional approval of the land division or pursuant to [Section 8.3.A.1](#).

The amount of the one hundred twenty-five thousand dollars (\$125,000) shall be increased by the registrar of contractors according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The adjustment by the registrar of contractors shall be effective on the first day of the month occurring more than 30 calendar days after the registrar of contractors made that adjustment. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

Amended Effective:  
04-14-00 (Ord. 460.140)

- F. Extensions of Time for Maps Affected by Moratoriums and Lawsuits: The period of time specified in Subsections A and B shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence; provided however, that the length of the moratorium does not exceed five years. Once a moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of said moratorium. A development moratorium shall include a water/sewer moratorium as well as other actions of public agencies which regulate land use, development, or the provisions of services to the land, other than the County which thereafter prevents, prohibits, or delays the approval of a final or a parcel map.
- G. The period of time specified in Subsections A and B shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court or competent jurisdiction if the stay of the time period is approved by the Advisory Agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the County the subdivider may apply to the Planning Department for a stay pursuant to this section.
1. Applications for a stay shall be made to the Planning Director on the forms provided by the Planning Department and shall be accompanied by the filing fee set forth in [Ordinance No. 671](#) and shall include such information and documents as may be required by the Planning Director. The Planning Director shall forward to the Advisory Agency a recommendation for approval or denial of the request for a stay. The Advisory Agency shall act on the requested stay within 40 days after the application is received by the Planning Director. The decision of the Advisory Agency shall be forwarded to the Clerk of the Board of Supervisors. The decision of the Advisory Agency shall be final unless the decision is appealed to the Board. Any appeal must be filed with the Clerk of the Board of Supervisors accompanied by

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE VIII GENERAL REGULATIONS**

---

the fee set forth in [Ordinance No. 671](#) within 10 days of the date the notice of decision appears on the Board's agenda.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

**ARTICLE IX FINAL LAND DIVISION MAPS**

**SECTION 9.1. GENERAL.**

After the approval or conditional approval of the tentative map and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map or parcel map thereof prepared in accordance with the current Riverside County Surveyor's Office Map Preparation Manual and the approved or conditionally approved tentative map.

**SECTION 9.2. SUBDIVISION BOUNDARY REQUIREMENTS.**

- A. Surveys made in preparation of final maps or parcel maps shall be in accordance with standard practices and principles of surveying and all applicable provision of the Subdivision Map Act.
- B. The entire boundary of a land division must appear on the first map sheet of a final map or parcel map showing:
  - 1. A boundary survey of the land division, including all courses and distances necessary to compute a closure;
  - 2. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found or set, adjoining maps or property lines of record;
  - 3. Phased units in relation to the boundary.
- C. The County Surveyor may waive the boundary plat if sufficient survey information is of record.
- D. Whenever the County Surveyor has established the centerline of a street, that data shall be considered in making the surveys and in preparing the final map or parcel map, and all monuments found shall be indicated and proper reference made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map or parcel map shall show City and County boundaries adjoining the division of land.

**SECTION 9.3 PRELIMINARY FILING OF FINAL MAP.**

- A. When the subdivider files his final map for preliminary checking in the office of the County Surveyor, five positive prints shall be distributed as follows:
  - 1. Two to the county surveyor;
  - 2. One to the Planning Director;

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

3. One to the Health Officer;
  4. One to the appropriate Flood Control agency.
- B. The final map shall be accompanied by the map checking fee as set forth in [Ordinance No. 671](#).
- C. Required improvement plans shall be submitted to the Transportation Department and accompanied with the plan checking fee as set forth in [Ordinance No. 671](#).
- D. Prior to the recordation of the final map, the following items shall be provided and approved:
1. A copy of the approved Conditions, Covenants and Restrictions (CC&Rs) that are to be recorded with the final map.
  2. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final land division map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of this title.
  3. All requests for waivers of signatures as provided in the Subdivision Map Act.
  4. Letters from utility purveyors that will serve the land division certifying that satisfactory provisions have been made with each of the said public utility purveyors as to location of their facilities and construction thereof.

**SECTION 9.4. PRELIMINARY FILING OF PARCEL MAP.**

After a tentative parcel map is approved, the land divider may cause a parcel map to be prepared and submitted to the County Surveyor. The land divider shall submit the following:

- A. The parcel map with map checking fee as required in [Ordinance No. 671](#).
- B. Required improvement plans with plan checking fee as required in [Ordinance No. 671](#).
- C. Evidence of title in the form of a current preliminary title report issued by a California title company showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests herein. In the event that any dedication is to be made for public use of any property shown on a parcel map, a subdivision guarantee shall be issued by a California title company.
- D. Prior to the recordation of the parcel map, the following items shall be provided and approved:



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

1. A copy of the approved Conditions, Covenants and Restriction (CC&R's) that are to be recorded with the final map.
  2. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a parcel map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of title.
  3. All requests for waivers of signatures as provided in the Subdivision Map Act.
- E. The Recorder shall have not more than 10 days within which to examine the final map or parcel map and either accept or reject it for filing.
- F. If the Recorder accepts the final map or parcel map for filing, such acceptance shall be certified on the face thereof.
- G. The Recorder, upon filing the final map or parcel map, shall attach the recording data to the polyester type film duplicate original and thereupon deliver the same to the County Surveyor who shall retain custody thereof.

**SECTION 9.5. DATA REQUIRED - FINAL LAND DIVISION MAPS.**

- A. Final maps and parcel maps shall conform to all of the following provisions:
1. Each map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or good quality polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque material when recommended by the County Surveyor and authorized by the County Recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. The size of each sheet shall be 18" x 26". A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch.
  2. Each sheet shall bear the number as assigned by the County Surveyor which shall be followed by a subtitle consisting of a general description of all the property being divided by reference to record maps, and to section surveys or ranchos. Reference shall be spelled out and worded identically with original records, with complete reference to proper book and page of record and shall be shown on every sheet of a multi sheet map.
  3. All sheets shall be numbered, the relation on one sheet to another clearly shown, and the number of sheets used shall be set forth on each sheet. An adequate number of sheets shall be submitted to clearly present all pertinent data.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

4. When required by the county surveyor, a location map shall be placed on the final map which indicates the location of the proposed land division and its relationship to existing streets and highways.
5. The certificates and acknowledgments, required by the Subdivision Map Act and this ordinance, shall appear on the first sheet only. Statements shall include the following:
  - Owners' Statement
  - Trustee's Statement
  - Recorder's Statement
  - Surveyor's/Engineer's Statement
  - County Surveyor's Statement
  - Director of Transportation's Statement
  - Clerk of the Board of Supervisors Statement
  - Board of Supervisor's Statement
  - Tax Collector's Statement

Signature Omissions (relating to oil, gas or mineral rights) Notice of Election by Land Divider to Defer Payment of Drainage Fees if needed, the second map sheet may be used for notary acknowledgments. In no case shall the certificates noted above be placed on the second sheet of a multi sheet map.
6. The Recorder's certificate shall be placed in the upper right-hand corner of the map.
7. The surveyor's or engineer's certificate shall state that the survey was made by him or under his direction, that the survey is true and complete as shown, that all monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced, that the map conforms to the approved tentative map and conditions of approval thereof, and that all provisions of the applicable state and local ordinances have been complied with.
8. The number, scale, north point and sheet number shall be shown on each sheet of the map. The map shall be drawn at a suitable engineer's scale to identify and describe all essential details clearly. If more than two map sheets are used, an index showing the division of land, with lots numbered as shown on the map, shall be shown. A complete boundary survey shall be shown on one sheet of every phase of unitized subdivision. Said boundary shall also reflect the original boundary as shown on the tentative map of said subdivision.
9. A land division name shall not be shown on the map.
10. The exterior boundary of the land shown on a land division map shall be indicated by a distinctive delineation and clearly designated.
11. A statement labeled Surveyor's Notes or Engineer's Notes shall be shown on the first map sheet after the signature sheet of a multi sheet map. The statement shall include the basis of bearings; the monuments that were found; the monuments and

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

points that were set, with reference to Ordinance No. 461 standards; and a key to the symbols and abbreviations and such other information required by the County Surveyor.

12. Lots shall be numbered consecutively, commencing with the number "1", with no omissions or duplications. Each lot shall be shown in its entirety on one sheet; unless, due to size and/or shape, and after using an acceptable scale, the County Surveyor determines the parcel(s) or lot(s) cannot reasonably be shown on a single sheet. Lots used for streets, alleys, or barrier strips shall be lettered. Easements shall be clearly identified.
  13. Where a part-width street is shown on a map, the centerline of the improvements shall be monumented and shown correctly, as related to the full future width of the street.
- B. The following data shall be shown on each final map and parcel map:
1. Dates of survey and the name and registration number of the person authorized to practice land surveying by the State of California and who is responsible for the preparation of the map;
  2. Locations and names (without abbreviations) of all adjoining, existing and proposed streets and the locations of alleys. Proposed public area and easements shall also be identified;
  3. Gross area of land division, and the net acreage, computed to the nearest .01 acres, on all lots containing 1 acre or more. Lot lines shall be shown by solid lines;
  4. Centerline of all streets and lengths, tangent, radius and central angle or radial bearings on all points on curves and the bearings of radial lines to each lot corner on a curve; the width of each street, the width of the portion being dedicated and the width of existing dedications; and the widths of right-of-way of railroads, flood control or drainage channels and other easements appearing on the map;
  5. Sufficient data to determine readily the bearing and length of each line. Recorded survey data as require by the County Surveyor;
  6. Sufficient primary survey control points;
  7. Ties to and recording references to adjacent record maps and to section corners, quarter section corners and also to section lines and quarter section lines when adjacent or within the map;
  8. Centerline data and width of all easements to which the division of land is subject. If the easements are not definitely located by record, a statement as to the easement shall appear on the title sheet of the land division. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual location. Alignment data alongside lot lines of easements shall be provided when not controlled by paralleling lines or centerline. The easement shall

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

be clearly labeled and identified and, if already on record, proper reference to the records given. Easements dedicated in land divisions shall be included in the owner's Certificate of Dedication. Easements shall be shown on the map by broken lines;

9. Clear indication of stakes, monuments or other evidence found on the ground to determine the boundaries of the tract, data to determine physical description, size, ground position, tag number and record reference of survey markers; untagged monuments accepted as control shall be tagged or replaced by the surveyor or engineer making the survey;
10. No setback lines shall appear on the final map;
11. New street names shown on a land division map must be approved by the County Surveyor;
12. When an Environmental Constraint sheet is required a note shall be placed below the Surveyor's notes on the final map in one-fourth inch high bold block letters, stating: ENVIRONMENTAL CONSTRAINT NOTE: Environmental constraint sheet affecting this map is on file in the Office of the Riverside County Surveyor in E.C.S. Book \_\_\_\_\_ Page \_\_\_\_\_. This affects Lot Nos. \_\_\_\_\_ or Parcel Nos. \_\_\_\_\_.
13. The Basis of Bearings and the Basis of Coordinates shall be based on the California State Plane Coordinate System, Zone 6, and shall be shown on the map in accordance with the current Riverside County Surveyor's Map Preparation Manual. Exemptions shall be at the discretion of the County Surveyor.

Amended Effective:  
06-18-91 (Ord. 460.99)

**SECTION 9.6. PARCEL MAPS COMPILED FROM RECORDED DATA.**

A parcel map of four or less parcels may be compiled from recorded or filed data, if such data is acceptable to the County Surveyor.

**SECTION 9.7. FILING OF FINAL LAND DIVISION MAPS.**

- A. After the preliminary final map or parcel map is determined to be correct, the County Surveyor shall notify the land divider to prepare and submit the original and duplicate original of the final map or parcel map together with all required agreements for improvements and securities and all other required documents as may be necessary for consideration of the final map or parcel map. If the final map or parcel map or documents are not determined complete by the County Surveyor, they shall be returned to the land divider for corrections.
- B. The original and duplicate original map shall be inscribed on polyester base film, including the required signatures, and shall meet the requirement of the County Surveyor.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

**SECTION 9.8. ACTION BY THE COUNTY SURVEYOR.**

- A. When a Schedule "A", "B", "C", "D", or "E" final map or parcel map and all agreements, securities and other required documents have been submitted and found to be in correct form, the County Surveyor shall, within 20 days thereafter, file the final map or parcel map and documents with the Clerk of the Board and certify that:
1. He has examined the map;
  2. The land division as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof;
  3. All provisions of the Subdivision Map Act and all County ordinances applicable at the time of approval of the tentative map have been complied with;
  4. He is satisfied that the map is technically correct; and;
  5. In the certificate, the County Surveyor shall state the date of approval of the tentative map and the date of expiration.
- B. When a Schedule "F", "G", "H", or "I" final parcel map and all agreements, securities and other required documents have been submitted and found to be in correct form, the County Surveyor shall, within 20 days thereafter, approve the map if it conforms to all the requirements of the Subdivision Map Act and this ordinance applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or, if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the County Surveyor do not materially affect the validity of the map. When the map is approved, the County Surveyor may accept or reject dedications and offers of dedication that are made by certificate on such map, and may sign the certificate for the County. The County Survey shall file the approved map and documents with the Clerk of the Board for transmittal by the Clerk of the County Recorder.

**SECTION 9.9. ACTION BY THE BOARD OF SUPERVISORS.**

The Board, upon filing with it of a Schedule "A", "B", "C", "D", or "E" final map or parcel map, shall at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it conforms to all the requirements of the Subdivision Map Act and this ordinance applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or it does not so conform, disapprove the map; provided, however, that the map shall not be disapproved due to technical or inadvertent errors which in the opinion of the County Surveyor do not materially affect the validity of the map.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

**SECTION 9.10. SURVEYS AND MONUMENTS.**

- A. At the time of making the survey for a final map or parcel map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in [Section 8771](#) of the Business and Professions code and also comply with the requirements of Ordinance No. 461 and with the requirements of the County Surveyor.
- B. All monuments for final maps and parcel maps shall be set prior to the recordation of the map. The land divider may execute a secured agreement or cash bond guaranteeing the setting of the monuments upon approval by the County Surveyor.

**SECTION 9.11. DELIVERY OF MAP TO THE RECORDER.**

- A. Upon approval by the Board, or upon approval by the County Surveyor if he is so authorized, the Clerk of the Board shall certify that all required certificates, security and deposits have been filed and shall transmit the final map or parcel map to the Recorder.
- B. The land developer shall present to the Recorder evidence that, at the time of the filing of a final map or parcel map, the parties consenting to the filing are all of the parties having a record title interest in the real property being divided whose signatures are required, as shown by the records in the Office of the Recorder; otherwise, the map shall not be filed.
- C. The Recorder shall have not more than 10 days within which to examine the final map or parcel map and either accept or reject it for filing.
- D. If the Recorder accepts the final map or parcel map for filing, such acceptance shall be certified on the face thereof.
- E. The Recorder, upon filing the final map, shall attach the recording data to the polyester type film duplicate original and thereupon deliver the same to the County Surveyor who shall retain custody thereof.

**SECTION 9.12. WAIVED MAPS.**

- A. Waiver of a parcel map means that enough information is available and that the necessary conditions of the tentative parcel map have been met, therefore, a parcel map is not required.
- B. The Planning Director may waive a parcel map according to the provisions set forth in Section 6.5 D. of this ordinance.
- C. When a parcel map has been waived, the Planning Director shall distribute copies of the Certificate of Compliance and waiver of the parcel map to the Department of Building and Safety and file a Certificate of Compliance with the Recorder's Office upon payment of the fee set forth in [Ordinance No. 671](#).

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

**SECTION 9.13. WAIVED MAPS - MOBILE HOME PARK.**

- A. When at least two-thirds of the owners of mobile homes who are tenants in the mobile home park have signed a petition indicating their intent to purchase the mobile home park for purposes of converting it to tenant-owned, condominium ownership interest and a field survey has been performed, they may file with the Planning Director an application for waiver of a parcel map or a tentative and final map.
- B. The petition signed by the owners of mobile homes in a mobile home park proposed for conversion to a tenant-owned, condominium ownership shall read as prescribed by Government Code [66428\(b\)](#).
- C. The application for map waiver shall be on the form prescribed by the Planning Director, shall be accompanied by the field survey, certified copies of all petitions signed in accordance with paragraph B and the combined fee required for Residential Parcel Map (with waiver of final map) and Certificate of Land Division Compliance with waiver of final Parcel Map.
- D. Waiver of a parcel map may not occur if any one of the following exists:
  - 1. There are significant design or improvement requirements necessitated by health or safety concerns.
  - 2. Subsequent to recordation of the existing parcel or final map, there is an exterior boundary discrepancy that requires recordation of a new parcel or tentative and final map.
  - 3. The existing lot or lots were not created by a recorded parcel or final map.
  - 4. The conversion would result in the creation of additional parcels.
- E. After the waiver application is deemed complete, the Planning Director shall approve or deny the application within 50 days. The applicant shall have the right to appeal that decision to the Planning Commission and Board of Supervisors.

Amended Effective:  
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**SECTION 9.14. CERTIFICATE OF CORRECTION.**

After a final map or parcel map is filed in the Office of the County Recorder, the recorded map may be modified by a Certificate of Correction.

- A. Application. The land divider may apply for a Certificate of Correction upon finding that one or more of the following conditions apply:
  - 1. To correct an error in any course or distance shown thereon;

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

2. To show any course or distance that was omitted therefrom;
  3. To correct an error in the description of the real property shown on the map;
  4. To indicate monuments set after the death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments; or,
  5. To show the proper location or character of any monument which has been changed in location or character and originally was shown at the wrong location or incorrectly as to its character.
  6. To correct any other type of map error or omission as approved by the County Surveyor which does not affect any property right. Such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps. As used in this section, "error" does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final or parcel map.
- B. The application for a Certificate of Correction shall be made to the County Surveyor upon payment of fees set forth in [Ordinance No. 671](#) and on the forms provided by the Director of Transportation and shall include such information as required by the County Surveyor in addition to the following:
1. The Certificate of Correction shall be prepared and signed by a registered civil engineer or licensed land surveyor and shall show in detail the corrections made and show the names of the present fee owners of the property affected by the correction or omission.
- C. Recordation of Certificate of Correction. Once the Certificate of Correction has been certified by the Director of Transportation and the County Surveyor, the Certificate of Correction shall be filed in the Office of the County Recorder in which the original map was filed. Upon such filing, the County Recorder shall index the names of the fee owners and the appropriate tract or parcel map designation shown on the amended map or Certificate of Correction in the general index and map index respectively. Thereupon, the original map shall be deemed to have been conclusively so corrected, and thereafter shall impart constructive notice of all such corrections in the same manner as though set forth upon the original map.

**SECTION 9.15. AMENDMENT OF FINAL MAPS OR PARCEL MAPS.**

- A. In addition to the amendments authorized by [Section 9.13](#) of this ordinance, after a final map or parcel map is filed in the Office of the County Recorder, the recorded map may be modified by an Amendment of the Map.
- B. Application. The land divider may apply for an Amendment of Map on the forms provided by the Planning Department upon payment of fees as set forth in [Ordinance No. 671](#) and shall include such information as required by the Planning Director.



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

- C. No Amended Map shall be approved unless it complies with the following standards:
1. There are changes in circumstances which make any or all of the conditions of such a map no longer appropriate or necessary.
  2. The modifications do not impose any additional burden on the present fee owner of the property;
  3. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map;
  4. The County Surveyor finds that the map as modified conforms to the provision of [Section 7.1](#) of this ordinance.
- D. Notice of Hearing. The Planning Director shall set the matter for public hearing in accordance with [Section 6.5](#) of this ordinance. The hearing shall be confined to consideration of and action on the proposed modification.
- E. Recordation of Amendment of Map. When the changes to a final map or parcel map are in conformance with the standards, the Planning Director shall certify to this fact on the amended map.

Amended Effective:  
06/18/91 (Ord. 460.99)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE IX FINAL LAND DIVISION MAPS**

---

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

**SECTION 10.1. DEDICATIONS.**

- A. All streets, highways and alleys, and other parcels of land intended for public use including, but not limited to, access road easements required for flood control and utilities intended for public use, shall be offered for dedication to the public by owners certificate as a part of a final map or parcel map. No utility easement or other rights-of-way shall be granted within proposed street dedications subsequent to the date of filing of a preliminary tentative map. Necessary right-of-way outside of the subdivision boundary must be processed by separate instruments.
- B. Whenever a secondary highway or higher classification is designated on the Circulation Element of the Comprehensive General Plan of Riverside County as requiring an ultimate right-of-way of 88 feet or greater and such highway either adjoins or crosses a proposed land division, access rights may be offered for dedication to the County of Riverside or otherwise restricted. The note "ACCESS RESTRICTED" shall be shown along the highway frontages on the final map or parcel map, as provided herein. Access rights shall be restricted except for limited access openings as approved by the Director of Transportation. However, access control to commercially zoned property may be postponed to the development stage as approved by the Director of Transportation.
- C. Whenever, a subdivider is required to dedicate roadways to the public, he may also be required to dedicate such additional land as may be necessary and feasible to provide bicycle paths for the use and safety of the residents of the subdivision, if the subdivision, as shown on the final map or parcel map thereof, contains 200 or more parcels.
- D. The subdivider shall offer a dedication or an irrevocable offer of dedication of land within the subdivision for local transit facilities such as bus turnouts, benches, shelters, landing pads and similar items which directly benefit the residents of a subdivision if (a) the subdivision as shown on the tentative map has the potential for 200 dwelling units or more if developed to the maximum density shown on the adopted general plan or contains 100 acres or more, and (b) the governing body finds that transit services are or will within a reasonable time period be made available to such subdivision.

The provisions of this section do not apply to condominium projects.

**SECTION 10.2. LAND DIVISION IMPROVEMENTS.**

- A. Improvements installed in land divisions shall be constructed in conformance to the provisions of Ordinance No. 461.
- B. In the absence of a standard for an improvement, the Director of Transportation or Flood Control Engineer, as appropriate, may establish a standard in keeping with good construction and engineering practices.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

- C. When asphalt-concrete dikes are permitted and drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters shall be installed.
- D. Structural roadbed section shall be designed using recognized design methods, employing engineering soils analysis and determination of traffic evaluations.
- E. The street pattern in the land development shall not land lock adjacent property or preclude access to public land.
- F. When located under the pavement, utility mains and utility services shall be installed before the final street surfacing is installed.
- G. Asphalt-concrete dikes shall be placed when fill slopes are 4:1 or steeper, or street gradients exceed three percent.
- H. Concrete curb and gutter shall be placed in lieu of asphalt concrete dike when street gradient is less than 0.50 percent or when street drainage exceeds a velocity of 10 feet per second.
- I. When an existing underground utility or pipeline crosses a proposed land division or an access to a land division, the land divider shall adequately protect the utility or pipeline as directed by the utility owner as part of the conditional approval of the land division.
- J. Projects which are located in High Fire Hazard Areas as shown on the Riverside County Comprehensive General Plan Hazardous Fire Area Map shall require special fire mitigation measures. These fire mitigation measures include the following.
  - 1. Roofs, eaves and siding must be constructed with Class B fire resistant roofing materials.
  - 2. A buffer of fire retardant landscaping for appropriate distances from structures.
  - 3. Water facilities improvements such as storage tanks as required by the Fire Chief.

**SECTION 10.3. IMPROVEMENT PLANS REQUIRED.**

- A. All improvements constructed or installed in public or private dedications shall be in accordance with detailed plans and specifications as approved by the Director of Transportation prior to commencement of said improvement work.
- B. Plans for water and sewer improvements shall be signed by a registered civil engineer, the water and sewer purveyors and the Health Officer. Each system shall comply with all applicable State and County regulations. The County Fire Chief shall also sign the water plans when conditions include fire protection.
- C. Contractors shall secure an encroachment permit for all work done within the County right-of-way and the Riverside County Flood Control and Water Conservation District

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

right-of-way prior to commencing said work.

- D. Improvements proposed or required on State Highway right-of-way shall require Caltrans approval.
- E. The subdivider may submit a written request and justification to the Director of Transportation to accept an estimate of the construction costs for the required public improvements as a basis for the bonding amounts for the Improvement Agreement as specified in [Article XVII](#) of this ordinance. If the request is approved by the Director of Transportation, the bond estimate shall be based upon a written report prepared by the subdivider's engineer, signed and stamped by a registered Civil Engineer, detailing the itemized construction quantities. The quantities shall be taken from the subdivider's engineer's improvement plans, which while not required to be signed by the Director of Transportation, must be acceptable to him as to final design concept and quantities. The design engineer shall utilize current unit costs for bonding purposes as issued annually by the Transportation Department. When improvement plans are not approved and signed by the Director of Transportation prior to map approval and recordation, an additional contingency amount of 20% shall be included in the security amount.
- F. Securities submitted by a subdivider shall not be reduced to reflect signed plans. Any partial releases of security shall only reflect the percentage of construction work completed. The bond amounts held for improvement design may only be released in conjunction with the first partial bond release for construction.

**SECTION 10.4. IMPROVEMENT FOR SUBDIVISIONS.**

The minimum improvements which a land divider shall install, or enter into an agreement to install, for subdivisions shall be as hereinafter set forth in Schedule "A", "B", "C", and "D".

**SECTION 10.5. SCHEDULE "A" SUBDIVISION.**

Any division of land into 5 or more parcels, where any parcel is less than 18,000 square feet in net area, shall be defined as a Schedule "A" subdivision.

- A. **STREETS.** The minimum improvements for public streets are established as follows:
  - 1. Arterial Highways - 86 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100.
  - 2. Arterial (Urban) Highways - 110 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (A).
  - 3. Arterial (Mountain) Highways - 64 feet in width, designed and constructed in conformance with Ordinance no. 461, Standard No. 100 (B), Section A. A maximum width of 40 feet in conformance with Ordinance No. 461, Standard No. 100 (B), section C may be allowed when anticipated low traffic volumes or rugged terrain

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

does not warrant construction of a 64-foot four-lane highway. A minimum width of 52 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section B may be required in steep terrain to provide for a passing lane.

4. Major Highways - 76 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 101.
5. Secondary Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 102.
6. Collector Streets - 44 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 103, Section A.
7. General Local Streets - 40 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 10, Section A.
8. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 105, Section A.
9. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section A; provided, however, that in areas with an elevation of 5,000 feet or more it shall be 28 feet in width, designed in conformance with Ordinance No. 461, Standard No. 112, Local Mountain Residential Street.
10. Access Road - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B.
11. Frontage Roads - designed and constructed in conformance with Ordinance No. 461, Standard No. 107, Section A, 108 or 109.
12. Cul-de-sac Streets - shall be designed and constructed in conformance with Ordinance No. 461, Standard No. 800.
13. Alleys - 20 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard 500.
14. Part-width Streets - shall be one-half of the required improvement, but not less than 28 feet, designed and constructed in conformance with Ordinance No. 461, Standard No. 110, Section A.
15. Street Name Signs - Type and placement shall conform with Ordinance No. 461, Standard No. 816.
16. Barricades shall be placed at the end of dead-end streets in accordance with Ordinance No. 461, Standard No. 810.
17. Sidewalks shall be required to be constructed unless they are determined by the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Ordinance No. 461.

- B. Domestic Water. The minimum requirement for domestic water supply and distribution system is as follows:
1. Water Supply: Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by [Section 9.3](#) of this ordinance.
  2. Piped water systems.
- C. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:
1. Type of fire hydrant and connection as approved by the agency providing fire protection.
  2. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 330 feet apart in any direction.
  3. The water system shall be capable of providing a fire flow of 1,000 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards).
  4. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site.
  5. In zones that allow multi-family residential uses, the minimum fire protection shall be set forth in [Ordinance No. 546](#).
- D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
1. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements, or, by development of a package treatment plant that meets the Health Department and Regional Water Quality Control Board standards and requirements.
  2. Improvement plans for sewage collection systems shall be reviewed as required by [Section 9.3](#) of this ordinance.
  3. Dry sewer may be required as set forth in [Section 12.1](#) when subsurface sewage

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

disposal is approved.

- E. Fences. Minimum fencing requirements shall be as follows:
1. Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- F. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:
1. Electrical and communication facilities shall be installed in conformity with the provisions of [Article XIII](#).

**SECTION 10.6. SCHEDULE "B" SUBDIVISION.**

Any section of land into 5 or more parcels, where any parcel is not less than 18,000 square feet in net area up to 2 acres in gross area, shall be defined as a Schedule "B" subdivision. The minimum improvements for a Schedule "B" subdivision shall be as follows:

- A. Streets.
1. Arterial Highway - 86 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100.
  2. Arterial (Urban) Highway - 110 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (A).
  3. Arterial (Mountain) Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (B), Section A. A maximum width of 40 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section C may be allowed when anticipated low traffic volumes or rugged terrain does not warrant construction of a 64-foot four-lane highway. A minimum width of 52 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section B may be required in steep terrain to provide for a passing lane.
  4. Major Highways - 76 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 101.
  5. Secondary Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 102.
  6. Collector Streets - 44 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 103, Section B.
  7. General Local Streets - 40 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 104, Section B.



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

8. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 105, Section B.
  9. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B, provided, however, that in areas with an elevation of 5,000 feet or more it shall be 28 feet in width designed in conformance with Ordinance No. 461, Standard No. 112, Local Mountain Residential Street.
  10. Access Roads - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B.
  11. Frontage Roads - designed and constructed in conformance with Ordinance No. 461, Standard No. 107, 108 or 109, Section B.
  12. Cul-de-sac Streets - shall be designed and constructed in conformance with Ordinance No. 461, Standard No. 800.
  13. Rural Collector Roads shall be 28 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 136.
  14. Rural Residential (Local) Roads shall be 24 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 138.
  15. Alleys - 20 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 500.
  16. Part-width Streets - Shall be one-half of the required improvement, but not less than 28 feet, designed and constructed in conformance with Ordinance No. 461, Standard No. 110. Section B.
  17. Street Name Signs - Type and placement shall conform with Ordinance No. 461, Standard No. 816.
  18. Barricades shall be placed at the end of dead-end streets in conformance with Ordinance No. 461, Standard No. 810.
- B. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
1. Water supply: Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by [Section 9.3](#) of this Ordinance.
  2. Piped water systems.
- C. Fire Protection. The minimum requirement for protection facilities in residential zones that

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

do not allow multi-family residential uses shall be as follows:

1. Type of fire hydrant and connection as approved by the agency providing fire protection.
  2. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 660 feet apart in any direction.
  3. The water system shall be capable of providing a fire flow of 1,000 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16, (California Waterworks Standards).
  4. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site.
  5. In zones that allow multi-family residential uses, the minimum fire protection shall be as set forth in [Ordinance No. 546](#).
- D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
1. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements, or, by development of a package treatment plant that meets the Health Department and Regional Water Quality Control Board standards and requirements.
  2. Improvement plans for sewage collection systems shall be reviewed as required by [Section 9.3](#) of this ordinance.
  3. Dry sewer may be required as set forth in [Section 12.1](#) when subsurface sewage disposal is approved.
- E. Fences. Minimum fencing requirements shall be as follows:
1. Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- F. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:
1. Electrical and communication facilities shall be installed in conformity with the provisions of [Article XIII](#).

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

**SECTION 10.7. SCHEDULE "C" SUBDIVISION.**

- A. Any division of land into 5 or more parcels where any parcel is not less than 2 acres in gross area up to 5 acres in gross area. The minimum improvements for Schedule "C" subdivision shall be as follows:
1. All streets excluding Rural Collector Roads and Rural Residential (Local) Roads, shall be 32 feet in width, improved with asphalt concrete and paving, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions. Rural Collector Roads shall be 28 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 136.
  2. Rural Residential (Local) Roads shall be 24 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 138.
- B. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
1. No water system required. If a water system is installed, the requirements shall be as follows:
    - a. Water Supply: Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by section 9.3 of this ordinance.
    - b. Piped water systems.
  2. If no water system is installed, the following statement shall be placed on each map sheet of the record land division map and the Environmental Constraints Sheet, in letters not less than inch high:

NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS  
OF THE DATE OF RECORDATION OF THIS MAP.
- C. Fire Protection. If a water system is installed, the minimum requirement for fire protection facilities in single-family residential zones shall be as approved by the Fire Chief as follows:
1. Type of fire hydrant and connection as approved by the agency providing fire protection.
  2. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 660 feet apart in any direction.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

3. The water system shall be capable of providing a fire flow of 500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards)
4. If a domestic water system is installed that does not meet the minimum fire protection requirements, the following statement shall be placed on each map sheet of the record land division map and the Environmental Constraints Sheet, in letters not less than 1/4 inch high:

THE DOMESTIC WATER SYSTEM PROVIDED FOR THIS LAND  
DIVISION DOES NOT MEET THE MINIMUM FIRE PROTECTION  
REQUIREMENTS.

D. Sewage Disposal. The Minimum requirement for sewage disposal shall be as follows:

1. No sewage disposal collection system is required.
2. The land divider will be required to provide the Health Department with a Sewage Disposal Feasibility Report in conformance with Health Department and the Regional Water Quality Control Board standards.

E. Electrical and Communication Facilities. The minimum requirement for electrical and communication facilities shall be as follows:

1. No electrical and communication facilities are required.
2. If installed, they shall be installed in conformity with the provisions of [Article XIII](#).

**SECTION 10.8. SCHEDULE "D" SUBDIVISION.**

Any division of land into 5 or more parcels, where any parcel is not less than 5 acres in gross area up to 20 acres in gross area, shall be defined as a Schedule "D" subdivision. The minimum improvements for a Schedule "D" subdivision shall be as follows:

A. Streets.

1. If the streets are not to be accepted for maintenance by the County, all streets shall be improved with 24 feet of suitable aggregate base, four inches thick, on a 40 - foot graded roadway section. Vertical grades and horizontal alignments shall be held to an acceptable tolerance as determined by the Director of Transportation.

If the streets are to be accepted for maintenance by the County, the improvements shall be the same as those required for Schedule "C" subdivisions.

A. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

2. No water system required. If a water system is installed, the requirements shall be as follows:
  - a. Water Supply: water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by [Section 9.3](#) of this ordinance.
  - b. Pipe water systems.
3. If no water system is installed, the following statement shall be placed on each map sheet of the record land division map and Environmental Constraints Sheet, in letters not less than inch high:

NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS  
OF THE DATE OF RECORDATION OF THIS MAP.

**B. Fire Protection.**

1. If a water system is installed, the minimum requirements for fire protection facilities in single family residential zones shall be as approved by the Fire Chief or as follows:
  - a. The water system shall be capable of providing a fire flow of 500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards).
  - b. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 660 feet apart in any direction.
2. If a domestic water system is installed that does not meet the minimum fire protection requirements, the following statement shall be placed on each map sheet of the Environmental Constraints Sheet in letters not less than 1/4 inch high:

THE DOMESTIC WATER SYSTEM PROVIDED FOR THIS LAND  
DIVISION DOES NOT MEET THE MINIMUM FIRE PROTECTION  
REQUIREMENTS.

**C. Sewage Disposal.** The minimum requirements for sewage disposal shall be as follows:

1. No sewage disposal collection system is required.
2. The land divider will be required to provide the Health Department with a Sewage Disposal Feasibility Report in conformance with Health Department and the Regional Water Quality Control Board standards.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

**SECTION 10.9. IMPROVEMENTS FOR PARCEL MAP DIVISIONS.**

- A. The minimum improvements which a land divider shall install, or enter into an agreement to install, for parcel map divisions shall be as hereinafter set forth in Schedules "E", "F", "G", "H" and "I".

**SECTION 10.10. SCHEDULE "E" PARCEL MAP DIVISION.**

Any division of land into 2 or more parcels in commercial or industrial zones, regardless of parcel size.

- A. Streets. The minimum improvements for streets are established as follows:
1. All through streets shall be 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard 102.
  2. No circulatory street shall be less than 56 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 111.
  3. No part-width interior street shall be less than 34 feet in width.
  4. Concrete curb and gutter shall be required in all cases.
  5. Industrial Collector shall be 56 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 111.
  6. Sidewalks may be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Ordinance No. 461.
- B. Domestic Water. The minimum requirement for domestic water supply and distribution system is as follows:
1. Water supply: Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by [Section 9.3](#) of this ordinance.
  2. Piped water systems.
- C. Fire Protection. The minimum fire protection requirements shall be as provided in Riverside County [Ordinance No. 546](#).
- D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

1. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements, or, by development of a package treatment plant that meets the Health Department and Regional Water Quality Control Board standards and requirements.
  2. Improvement plans for sewage collection systems shall be reviewed as required by [Section 9.3](#) of this ordinance.
  3. Dry sewer may be required as set forth in [Section 12.1](#) when subsurface sewage disposal is approved.
- E. Fences. Minimum requirement for fencing shall be as follows:
1. Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- F. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
1. Electrical and communication facilities shall be installed in conformity with the provisions of [Article XIII](#).

**SECTION 10.11. SCHEDULE "F" PARCEL MAP DIVISION.**

Any division of land into 4 or less parcels, where any parcel is less than 18,000 square feet in net area, shall be defined as a Schedule "F" parcel map division. The minimum improvements for a Schedule "F" parcel map division shall be as follows:

- A. Streets. The minimum improvements for streets are established as follows:
1. Arterial Highways - 86 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100.
  2. Arterial (Urban) Highways - 110 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (A).
  3. Arterial (Mountain) Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (B), Section A. A maximum width of 40 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section C may be allowed when anticipated low traffic volumes or rugged terrain does not warrant construction of a 64-foot four-lane highway. A minimum width of 52 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section B may be required in steep terrain to provide for a passing lane.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

4. Major Highways - 76 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 101.
5. Secondary Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 102.
6. Collector Streets - 44 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 103, Section A.
7. General Local Streets - 40 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 10, Section A.
8. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 105, Section A.
9. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section A, provided, however, that in areas with an elevation of 5,000 feet or more it shall be 28 feet in width, designed in conformance with Ordinance No. 461, Standard No. 112, Local Mountain Residential Street.
10. Access Road - 32 feet in width, designed and constructed in conformance with Ordinance No 461, Standard No. 106, Section B.
11. Frontage Roads - designed and constructed in conformance with Ordinance No. 461, Standard No. 107, Section A, 108 or 109.
12. Cul-de-sac Streets - shall be designed and constructed in conformance with Ordinance No. 461, Standard No. 800.
13. Alleys - 20 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 500.
14. Part-width Streets - shall be one-half of the required improvement but not less than 28 feet, designed and constructed in conformance with Ordinance No. 461, Standard No. 110, Section A.
15. Street Name Signs - Type and placement shall conform with Ordinance No. 461, Standard No. 816.
16. Barricades shall be placed at the end of dead-end streets in accordance with Ordinance No. 461, Standard No. 810.
17. Sidewalks shall be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with the Improvement Standards of Ordinance No. 461.



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

- B. Domestic Water. The minimum requirement for domestic water supply and distribution system is as follows:
1. Water Supply: water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by [Section 9.3](#) of this ordinance.
  2. Piped water systems.
- C. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:
1. Type of fire hydrant and connection as approved by the agency providing fire protection.
  2. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 330 feet apart in any direction.
  3. The water system shall be capable of providing a fire flow of 1,000 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards).
  4. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site.
  5. In zones that allow multi-family residential uses, the minimum fire protection shall be as set forth in [Ordinance No. 546](#).
- D. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
1. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet Health Department and the Regional Water Quality Control Board standards and requirements, or, by development of a package treatment plant that meets the Health Department and Regional Water Quality Control Board standards and requirements.
  2. Improvement plans for sewage collection systems shall be reviewed as required by [Section 9.3](#) of this ordinance.
  3. Dry sewer may be required as set forth in [Section 12.1](#) when subsurface sewage disposal is approved.
- E. Fences. Minimum fencing requirements shall be as follows:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

1. Six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- F. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:
1. Electrical and communication facilities shall be installed in conformity with the provisions of Article XIII.

**SECTION 10.12. SCHEDULE "G" PARCEL MAP DIVISION.**

Any division of land into 4 or less parcels, where any parcel is not less than 18,000 square feet in net area to 1 acre in gross area, shall be defined as a Schedule "G" parcel map division. The minimum improvements for a Schedule "G" parcel map division shall be as follows:

- A. Streets. The minimum improvements for streets are established as follows:
1. Arterial Highway - 86 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100.
  2. Arterial (Urban) Highways - 110 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (A).
  3. Arterial (Mountain) Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 100 (B), Section A. A maximum width of 40 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section C may be allowed when anticipated low traffic volumes or rugged terrain does not warrant construction of a 64-foot four-lane highway. A minimum width of 52 feet in conformance with Ordinance No. 461, Standard No. 100 (B), Section B may be required in steep terrain to provide for a passing lane.
  4. Major Highways - 76 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 101.
  5. Secondary Highways - 64 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 102.
  6. Collector Streets - 44 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 103, Section B.
  7. General Local Streets - 40 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 10, Section B.
  8. Short Local or Circulatory Interior Streets - 36 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 105, Section B.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

9. Restricted Local or Noncirculatory Interior Streets - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B; provided, however, that in areas with an elevation of 5,000 feet or more it shall be 28 feet in width, designed in conformance with Ordinance No. 461, Standard No. 112, Local Mountain Residential Street.
  10. Access Road - 32 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B.
  11. Frontage Roads - designed and constructed in conformance with Ordinance No. 461, Standard No. 107, Section B, 108 or 109.
  12. Cul-de-sac Streets - shall be designed and constructed in conformance with Ordinance No. 461, Standard No. 800.
  13. Rural Collector Roads shall be 28 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 136.
  14. Rural Residential (Local) Roads shall be 24 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 138.
  15. Alleys - 20 feet in width, designed and constructed in conformance with Ordinance No. 461, Standard No. 500.
  16. Part-width Streets - shall be one-half of the required improvement, but not less than 28 feet, designed and constructed in conformance with Ordinance No. 461, Standard No. 110, Section B.
  17. Street Name Signs - Type and placement shall conform with Ordinance No. 461, Standard No. 816.
  18. Barricades shall be placed at the end of dead end streets in conformance with Ordinance No. 461, Standard No. 810.
- B. Domestic Water. The minimum requirement for a domestic water supply and distribution system shall be as follows:
1. No water system required. If a water system is installed, the requirements shall be as follows.
    - a. Water Supply: water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by Section 9.3 of this ordinance.
    - b. Piped water systems.
  2. If no water system is installed, the following statement shall be placed on each map

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

sheet of the Environmental Constraints Sheet, in letters not less than 1/4 inch high:  
NO WATER SUPPLY IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE  
OF RECORDATION OF THIS MAP.

C. Fire Protection. The minimum improvements for fire protection shall be as follows:

1. Fire protection is required when a public water system exists within 500 feet right-of-way distance of the boundary of the land division and the water purveyor is not prohibited by law from extending water service to the land. In such case, fire protection shall be required as approved by the Fire Chief or as follows:
  - a. Approved fire hydrants shall be located one at each street intersection, and spaced not more than 660 feet apart in any direction.
  - b. The water system shall be capable of providing a fire flow of 1,000 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant. This amount shall be in addition to the average day demand as defined in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards).
2. If a domestic water system is installed that does not meet the above minimum requirements for fire protection, a statement must be placed on each map sheet of the record land division map and Environmental Constraints Sheet, in letters not less than 1/4 inch high:

THE DOMESTIC WATER SYSTEM PROVIDED FOR THIS LAND  
DIVISION DOES NOT MEET MINIMUM FIRE PROTECTION  
REQUIREMENTS.

D. Sewage Disposal. The minimum improvements for sewage disposal shall be as follows:

1. No sewage disposal collection system is required; however, the land divider may be required to provide the Health Department with a sewage disposal feasibility report in conformance with Health Department and Regional Water Quality Control Board Standards.

E. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:

1. No electrical and communication facilities are required.
2. If installed, they shall be installed in conformity with the provisions of Article XIII.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

**SECTION 10.13. SCHEDULE "H" PARCEL MAP DIVISION.**

Any division of land into 4 or less parcels, where all parcels are not less than 1 acre in gross area, shall be defined as a Schedule "H" parcel map division. The minimum improvements shall be as follows:

- A. Streets. The minimum improvements for streets shall be as follows:
1. Parcels between 1 acre and less than 5 acres in gross area.
    - a. Proposed Streets. The minimum improvements for a roadway section within new dedication(s) or for existing dedications shall be designed and constructed in conformance with Ordinance No. 461 and as per the following designated standards.
      - 1) Primary and General Plan Circulation Element Street serving 50 or more lots - 24 feet graded and based with 6-foot graded shoulders.
      - 2) Collector Street serving 21-49 lots - 24 feet graded and based with 4-foot graded shoulders.
      - 3) Local Street serving 6 to 20 lots - 24 feet graded and based with 2-foot graded shoulders.
      - 4) Cul-de-sac Street serving less than 6 lots - 24 feet graded and based.
      - 5) Access Road - 24 feet graded.
    - b. If the streets are to be accepted for maintenance by the County, the improvements shall be as follows:
      - 1) All streets except as noted in paragraphs 2 and 3 below shall be not less than 32 feet in width, improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions.
      - 2) Non-circulatory streets located in an area where the geography will not sustain parcels of lesser size may have the street section reduced to 28 feet in width. The street shall be improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461.
      - 3) Rural Residential (Local) Roads shall be not less than 24 feet in width, improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461, Standard No. 138.
    - c. Existing streets. If any segment of an existing roadway section in which the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

grade, alignment, and drainage are not adequate as determined by the Transportation and Fire Departments and/or the width of the traveled way is less than 18 feet; street and drainage improvement plans shall be prepared detailing the work necessary for the deficient section to be brought in compliance with County's grade, alignment, and drainage standards as stated in Ordinance Nos. 460 and 461 and the designated roadway sections as listed in section A.1.a. above.

- d. Access Roads. The design and construction requirements as stated in sections A.1.a. and A.1.b. above shall pertain for access road(s) from the nearest maintained road(s) as defined in Section 2.3 to the map boundary street(s).
2. Parcels no less than 5 acres in gross area.
- a. Proposed Streets. No improvements are required. A Centerline study profile of the map street dedications shall be submitted to the Transportation Department for review and approval.
  - b. If the streets are to be accepted for maintenance by the county, the improvements shall be as follows:
    - 1) All streets except as noted in paragraphs 2 and 3 below shall be not less than 32 feet in width, improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461, Standard No. 106, Section B, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions.
    - 2) Non-circulatory streets located in an area where the geography will not sustain parcels of less size may have the street section reduced to 28 feet in width. The street shall be improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461.
    - 3) Rural Residential (Local) Roads shall be not less than 24 feet in width, improved with asphalt concrete paving, designed and constructed in conformance with Ordinance No. 461, Standard No. 138.
  - c. Access Roads: Legal access shall be provided as defined in Section 3.10 of this ordinance.
- B. Street Improvement Plans. For the purposes of this section, Street Improvement Plans means plans prepared by a registered civil engineer and, as approved by the Transportation Department. The plans shall be drawn on acceptable reproducible material, drawn to a horizontal scale of not greater than 80 feet to an inch, a vertical scale of not greater than 8 feet to an inch, and contain a contour interval plotting of not greater than 5 feet. The plans shall show the following: The existing ground line profile at centerline, the engineered profile at centerline, the plan view layout of all right-of-way

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

dedications, the water courses and the rate of surface runoff for a 100-year storm (Q's 100), the proposed drainage facilities within road dedications, the roadway cut and fill slope requirements, and all major topographic features and existing improvements. Design parameters shall be in compliance with Ordinances Nos. 460 and 461, unless otherwise approved by the Director of Transportation.

- C. Other Improvements. Domestic water, fire protection facilities and electrical and communication facilities shall be as required by the Advisory Agency.
- D. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
  - 1. No sewage disposal collection system is required; however, the land divider may be required to provide the Health Department with a sewage disposal feasibility report in conformance with Health Department and Regional Water Quality Control Board Standards.
- E. Agricultural Lands. The following agricultural land shall be exempt from all improvement requirements specified within this section:
  - 1. Lands lying within established agricultural preserves formed pursuant to the California Land Conservation Act and Riverside County Ordinance No. 509.
  - 2. Lands zoned A-1, A-2, or A-P, or A-D identified in the Riverside County Comprehensive General Plan as important farmland shown on the Agricultural Resources Map, and not less than 5 acres in size.
- F. Exceptions. For the purposes of this section, the following exceptions shall apply to any parcel map division located in its entirety within a community services district:
  - 1. Whenever in this ordinance reference is made to any street design, standards, minimum improvements, maintenance, access, or dedication thereof, the adopted street standards of the community services district shall apply in meeting any street requirement for land division approval, provided the Transportation Department has previously approved such standards. The land divider shall submit to the Transportation Department a street construction permit issued by the community services district approving the proposed street construction.

**SECTION 10.14. SCHEDULE "I" PARCEL MAP DIVISION.**

Any division of land where all parcels are not less than 20 acres in gross area, or greater, shall be defined as a Schedule "I" parcel map division. The land divider may be required to provide the County with soils feasibility reports in conformity with the standards and requirements of the Health Department and the Regional Water Quality Control Board for individual sewage disposal.

- A. Streets. The minimum improvements for streets shall be as follows:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

1. If no Specific Plan has been filed on the land to be divided, no improvements will be required. Only a centerline study profile of the proposed street dedications shall be prepared for Transportation Department review and approval.
  2. If a Specific Plan has been filed on the land to be divided, grading and required infrastructure improvements plans shall be prepared to ultimate design parameters for planning areas or phases of the Specific Plan as recommended by County Development staffs and approved by the appropriate Advisory Agencies.
  3. Legal access shall be provided as defined in Section 3.10.
- B. Agricultural Lands. The following agricultural land shall be exempt from all improvement requirements specified in this section.
1. Lands lying within established agricultural preserves formed pursuant to the California Land Conservation Act and Riverside County Ordinance No. 509.
  2. Lands zoned A-1, A-2, A-P, or A-D identified in the Riverside County Comprehensive General Plan as important farmland shown on the Agricultural Resources Map.
- C. Exceptions. For the purposes of this section, the following exceptions shall apply to any parcel map division located in its entirety within a community services district:
1. Whenever in this ordinance reference is made to any street design, standards, minimum improvements, maintenance, access, or dedication thereof, the adopted street standards of the community services district shall apply in meeting any street requirement for land division approval, provided the Transportation Department has previously approved such standards. The land divider shall submit to the Transportation Department a street construction permit issued by the community services district approving the proposed street construction.

**SECTION 10.15. REPEALED**

Repealed Effective:  
11-27-08 (Ord. 460.148, Item 3.33 10/28/08)

**SECTION 10.25. DRAINAGE FEES.**

- A. This section is adopted pursuant to Section 66483 et seq. of the Government Code which provides for the payment of fees for the construction of drainage facilities as a condition to the division of land.
- B. Whenever land that is proposed to be divided lies within the boundaries of an Area Drainage Plan, a drainage fee in the amount required by the plan for the area, as adopted or thereafter amended, shall be required as a condition of approval of the division of land



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

in that drainage area.

- C. Each Area Drainage Plan shall be adopted by resolution of the Board of Supervisors, pursuant to the provisions of Government Code Section 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan, and shall include a map of the area that shows the boundaries of the drainage area and the location of the required facilities serving the drainage area. As a part of the adoption of a plan, the Board shall find and determine that the subdivision and development of land within the plan area will require construction of the facilities described in the plan. The Board shall further find and determine that the drainage fees are fairly apportioned within the local drainage area, on the basis of benefits conferred on property proposed for subdivision or on the need for local drainage facilities created by the proposed subdivision and development of other properties within the adopted drainage area, and may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within the area which would be assessable on such property if the costs were apportioned uniformly on a per acre basis.
- D. Drainage fees shall be paid at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels and may be paid, at the option of the land owner, in pro rata amounts. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular Area Drainage Plan at the time of issuance of the grading permits or prior to issuance of the building permits if grading permits are not issued.
- E. The drainage fee shall be paid to the Riverside County Flood Control and Water Conservation District at the time of issuance of a grading or building permit. Upon issuance of the grading or building permit, written documentation verifying payment of the drainage fee shall be submitted to the Building Official of the Riverside County Department of Building and Safety. All fees that are collected shall thereafter be deposited into a Local Drainage Facilities Fund maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the District for each adopted local drainage area. Money in such funds shall be expended for construction or reimbursement for construction including acquisition of rights of way necessary for construction of the drainage facilities serving the drainage area for which the fees are collected, or to reimburse the District for the cost of engineering and administrative services to design and construct and acquire any necessary rights of way for the facilities.
- F. At the discretion of the Board, considerations such as dedications of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
- G. Money may be advanced by the Riverside County Flood Control and Water Conservation District to design or construct drainage facilities or to acquire necessary right-of-way within an adopted drainage area; therefore, money so advanced may be reimbursed to the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

District from the fund for the local drainage area in which the facilities are located.

- H. When required for the implementation of an adopted area plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance money for the construction of facilities, or design or construct facilities within a local drainage area; provided that the sole security to the developer for repayment of money or other consideration advanced shall be money subsequently accruing to the Local Drainage Facilities Fund for the drainage area in which the facilities are located. Reimbursement shall be for the amount agreed upon in advance only and shall not include interest or other charges. The agreement shall expire fifteen years after the date it was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.
- I. The drainage plan area; the required facilities and the drainage fee in an adopted plan may be amended by the Board at any time upon a determination that it is necessary to do so in order to correctly reflect the drainage area, the required facilities or estimated cost of the facilities.
- J. Area Drainage Plans shall be administered, and drainage fees shall be calculated in accordance with the "Rules and Regulations for Administration of Area Drainage Plans" adopted by resolution of the Board of Supervisors. The drainage fees for adopted Area Drainage Plans (ADP) shall be as follows:
- |     |                                     |                      |
|-----|-------------------------------------|----------------------|
| 1.  | Day Creek ADP                       | \$9,262.00 per acre. |
| 2.  | Sunnymead ADP                       | \$6,133.00 per acre. |
| 3.  | Southwest Riverside ADP             | \$4,147.00 per acre. |
| 4.  | Moreno ADP                          | \$6,715.00 per acre. |
| 5.  | Lakeview-Nuevo ADP                  | \$2,093.00 per acre. |
| 6.  | Reche Canyon ADP                    | \$7,354.00 per acre. |
| 7.  | Hemet Regional ADP                  | \$5,134.00 per acre. |
| 8.  | San Jacinto Regional ADP            | \$5,402.00 per acre. |
| 9.  | Perris Valley ADP                   | \$8,875.00 per acre. |
| 10. | Murrieta Creek ADP                  |                      |
|     | a. Wildomar<br>Sub-Watershed        | \$4,952.00 per acre. |
|     | b. Murrieta Valley<br>Sub-Watershed | \$3,985.00 per acre. |

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

c.	Temecula Valley Sub-Watershed	\$2,291.00 per acre.
d.	Santa Gertrudis Valley Sub-Watershed	\$1,179.00 per acre.
e.	Warm Springs Valley Sub-Watershed	\$677.00 per acre.
11.	West Elsinore Area ADP	\$5,567.00 per acre.
12.	San Jacinto River ADP	\$2,215.00 per acre.
13.	Homeland/Romoland ADP	
a.	Line A Sub-Watershed	\$21,052.00 per acre.
b.	Line B Sub-Watershed	\$15,505.00 per acre.
14.	Anza ADP	\$2198.00 per acre.
15.	Eastvale ADP	\$7,777.00 per acre
16.	Lake Mathews ADP	\$3,815.00 per acre.
17.	Salt Creek Channel ADP	
a.	Winchester/North Hemet Sub-Watershed	\$131.00 per acre
b.	South Hemet Sub-Watershed	\$338.00 per acre

Amended Effective:

01-19-88 (Ord. 460.85)  
01-19-88 (Ord. 460.86)  
01-19-88 (Ord. 460.87)  
01-19-88 (Ord. 460.88)  
01-19-88 (Ord. 460.89)  
04-12-88 (Ord. 460.90)  
08-22-89 (Ord. 460.93)  
01-30-90 (Ord. 460.94)  
07-10-90 (Ord. 460.95)  
01-22-91 (Ord. 460.97)  
04-16-91 (Ord. 460.98)  
06-25-91 (Ord. 460.100)  
06-25-91 (Ord. 460.102)  
06-12-93 (Ord. 460.107)  
06-12-93 (Ord. 460.108)  
06-12-93 (Ord. 460.109)

06-12-93 (Ord. 460.110)  
06-12-93 (Ord. 460.111)  
06-12-93 (Ord. 460.112)  
06-12-93 (Ord. 460.113)  
06-12-93 (Ord. 460.114)  
06-12-93 (Ord. 460.115)  
06-12-93 (Ord. 460.116)  
06-12-93 (Ord. 460.117)  
06-12-93 (Ord. 460.118)  
09-22-94 (Ord. 460.123)  
01-19-97 (Ord. 460.136)  
06-20-98 (Ord. 460.138)  
07-25-98 (Ord. 460.139)  
07-07-02 (Ord. 460.141)  
10-20-03 (Ord. 460.142)  
01-27-04 (Ord. 460.143)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

04-04-06 (Ord. 460.144)

Amended 460.152 Item 9.8 of 7/15/2014 (Eff: 8/14/2014)

**SECTION 10.30. MAJOR THOROUGHFARE AND BRIDGE CONSTRUCTION FEES.**

- A. This section is adopted pursuant to Section 66484 of the California Government Code which provides for the payment of fees to defray the actual or estimated costs for the construction of bridges and major thoroughfares as a condition of approval of a final map or as a condition of issuing a building permit.
- B. Whenever land that is proposed to be divided or for which a building permit is sought, lies within the boundaries of an Area of Benefit, as hereinafter defined and established, a fee in the amount specified by the resolution establishing the Area of Benefit as adopted or thereafter amended, shall be required as a condition of approval and recordation of any final map or parcel map or of the issuance of a building permit.

No property shall be assessed a fee under this section for both a final map or parcel map and a building permit.

- C. Definitions.
1. "Construction" means design, acquisition of right-of-way, administration of construction contracts and actual construction.
  2. "Major thoroughfare" shall mean those roads designated as an expressway, arterial highway, major highway and secondary highway as defined by Section 2.3 of Ordinance 460 and reflected in the Circulation portion of the Public Facilities and Services Element of the Comprehensive General Plan and whose primary purpose is to carry through traffic and provide a network connecting to or which is part of the state highway system.
  3. "Bridge" shall mean a bridge identified in the Circulation portion of the Public Facilities and Services Element of the Comprehensive General Plan or a bridge that is part of a major thoroughfare and spans a waterway, railway, freeway or canyon.

- D. Setting the Matter for Public Hearing.

The Board of Supervisors may, by resolution, set a public hearing at any time to determine whether an Area of Benefit is to be established, to designate the boundaries of an Area of Benefit, and to identify the major thoroughfare(s) and/or bridge(s) within said Area of Benefit that are to be constructed, to determine the costs of construction, whether actual or estimated, and to establish a fair basis for allocation of costs to the Area of Benefit and apportionment of a fee to be collected from owners of real property within said Area of Benefit. The Clerk of the Board of Supervisors shall notice the public hearing pursuant to Section 65091 of the California Government Code. Said notice shall contain the information required by Section 65094 of the California Government Code and shall set forth the preliminary information related to the boundaries of the Area of Benefit, identifying the major thoroughfare(s) and/or bridge(s) to be constructed and the

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

estimated cost of each, and set forth the proposed method of apportioning the fee among property owners.

**E. Public Hearing and Protest.**

At the public hearing the Board of Supervisors will consider the preliminary plan prepared by the Transportation Department that outlines the area to be included within the Area of Benefit, designates those bridge(s) and/or major thoroughfare(s) to be constructed, the cost estimate with regard to each improvement, and the method for apportioning fees within the Area of Benefit. The Board will also consider testimony from interested persons, written protests and all relevant evidence submitted.

All protests are to be in writing and may be filed with the Clerk of the Board of Supervisors at any time prior to the close of the public hearing. Each protest must be filed by a person or entity owning property within the proposed boundaries of the proposed Area of Benefit and describe the property with sufficient specificity that the parcel may be identified. If the person or entity filing the protest is not shown on the last equalized assessment roll as the owner of the parcel, the protest must contain or be accompanied by documentary evidence establishing ownership. A protest may be withdrawn in writing at any time prior to the conclusion of the public hearing.

If written protests are filed with the Clerk of the Board from persons or entities owning more than 50 percent of the land area to be included within the proposed Area of Benefit and, by the conclusion of the public hearing, a sufficient number of said protests have not been withdrawn so as to reduce the land whose owners are protesting to less than 50.0 percent, then all proceedings with regard to the Area of Benefit shall be abandoned and the Board shall not, for one year from the date of the hearing, commence or carry on any proceeding for the same improvements or Area of Benefit under the provisions of this section.

If any majority protest is directed against only a portion of the designated improvement, then all further proceeding under the provisions of this section to construct that portion of the designated improvement so protested against shall be barred for a period of one year, but the Board shall not be barred from commencing new proceedings not including any part of the designated improvements so protested against. The Board may, within a one-year period following a majority protest, commence new proceedings for the construction of the portion of the designated improvements so protested against, if it finds by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the property to be benefited are in favor of going forward with such portion of the designated improvements.

**F. Establishment of Area of Benefit.**

The Board of Supervisors, by resolution, within a reasonable time after the close of the public hearing, may establish the Area of Benefit. Said resolution shall set forth the boundaries of the Area of Benefit, specify the designated improvements to be constructed, the cost, actual or estimated, for each of the designated improvements, and establish the fee schedule by which said cost is to be apportioned among the parcels

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

comprising the Area of Benefit. The decision of the Board represented by said resolution shall be final. A certified copy of said resolution shall be recorded in the Office of the County Clerk and Recorder for the County of Riverside.

The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the designated improvement except where the abutting property is provided direct usable access to the major thoroughfare.

If the Area of Benefit includes lands not subject to the payment of fees, the Board shall make provision for payment of the fees that would otherwise be chargeable to said lands from other sources. The designation of said alternate funding need not be addressed in the resolution establishing the Area of Benefit.

**G. Payment of Fees.**

**1. Road improvement fees for Areas of Benefit shall be paid as follows:**

- a. Road improvement fees shall be paid to the Director of Transportation at the time of issuance of a certificate of occupancy or upon final inspection, whichever occurs first. The fees paid shall be based on the fee schedule in effect on date of payment.
- b. In the event a land division was previously conditioned to pay road improvement fees prior to recordation of a final or parcel map, the land divider may submit a written request to defer the payment of fees until issuance of a certificate of occupancy or upon final inspection, whichever occurs first. The fees shall be based on the fee schedule in effect on the date of payment and shall be paid to the Director of Transportation.
- c. The Board of Supervisors may, at the time of approval of a land division, require land divisions within General Plan Policy Areas to pay road improvement fees to the Director of Transportation prior to recordation of a final or parcel map if the Board of Supervisors finds that: (1) early payment of such fees is necessary to defray the actual or estimated costs for the construction of bridges or major thoroughfares and (2) the existing bridges or major thoroughfares are currently inadequate or non-existence and critical to support the land division. The fees paid shall be based on the fee schedule in effect on the date of payment.
- d. For any parcel or lot created prior to the adoption of the resolution establishing the Area of Benefit, road improvement fees shall be paid to the Director of Transportation at issuance of a certificate of occupancy or upon final inspection, whichever occurs first, for any new construction on a parcel or lot that creates additional dwelling units or increases the value of nonresidential structures by more than one-half of their current market value, as determined by the Building Official. All fees collected shall be deposited in a separate account designated for each Area of Benefit. Any fees once collected shall not be returned, except as reimbursement for the construction of designated

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

improvements. The fees shall be based upon the fee schedule in effect on the date of payment.

2. Nothing in this section is intended to relieve a subdivider or applicant for a building permit from the requirements imposed under other provisions of this or other County ordinances to dedicate and improve roads as a condition of approval of a tentative map or building permit.
3. Notwithstanding the provisions of paragraph 1 of this subsection G, payment of fees shall not be required for the following:
  - a. The alteration or enlargement of an existing building or structure, or the erection of one or more buildings or structures accessory thereto, or both, on the same lot or parcel of land; provided, however that the total value as determined by the Building Official of all such alterations, enlargement or construction which is completed within any one-year period shall not exceed one-half of current market value, as determined by the Building Official, of all existing buildings or structures on such lot or parcel of land.
  - b. The following accessory buildings and structures: private garages, children's playhouses, radio and television receiving antennas, windmills, silos, tank houses, shops or barns, or buildings that are accessory to one-family or two-family dwellings.
  - c. Outdoor advertising structures.
  - d. Wells.
4. Notwithstanding the provisions of paragraph 1 of this subsection G, payment of fees shall not be required unless the designated major thoroughfare(s) are in addition to, or a reconstruction of, any existing major thoroughfares serving the Area of Benefit at the time of the adoption of the boundaries for the Area of Benefit.
5. Notwithstanding the provisions of paragraph 1 of this subsection G, payment of fees shall not be required unless the designated bridge is an original bridge serving the Area of Benefit or an addition to any existing bridge facility serving the Area of Benefit at the time of the adoption of the boundaries of the Area of Benefit. Fees imposed by this subsection G shall not be expended to reimburse the cost of existing bridge construction, unless these costs are incurred in connection with the construction of an addition to an existing bridge for which fees may be required.

Amended Effective:  
01-15-09 (Ord. 460.149, Item 3.55 12/16/08)

**H. Use of Funds.**

1. Fees shall be deposited in a designated bridge or major thoroughfare fund. A separate fund shall be established for each designated bridge or major thoroughfare

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

project; provided, however, if the Area of Benefit is one in which more than one bridge or major thoroughfare is required to be constructed, a fund may be established covering all of the bridge or major thoroughfare projects in the Area of Benefit. Monies in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the County for the cost of constructing the improvement.

2. The County may advance money from its general fund or road fund to pay the cost of constructing the designated bridge or major thoroughfare(s) and may reimburse the general fund or road fund for such advances from the bridge or major thoroughfare funds established pursuant to this section.
3. The County may incur an interest bearing indebtedness for the construction of a designated bridge or a major thoroughfare planned pursuant to this section; provided that the sole security for repayment of such indebtedness shall be money in the specific fund established for that designated bridge or major thoroughfare.
4. At the discretion of the Board, considerations such as dedication of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
5. When required to implement the construction of a specific facility, a project agreement shall be entered into between a developer and the County whereby the developer may advance money for the construction of a facility, or design or construct a facility within the Area of Benefit; provided that the sole security to the developer for repayment of money or other consideration advanced shall be money subsequently accruing to the fund that has been established for the specific facility. Reimbursement shall be for the amount agreed upon in advance only and the right to reimbursement shall expire fifteen years after the agreement was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.

I. Amendments.

The resolution establishing an Area of Benefit may be amended from time to time by the Board of Supervisors to reflect modifications in either the facilities to be constructed or the area to be included within the Area of Benefit due to alterations in land use and to reflect adjustments in the fee schedule necessitated by any amendment or increases in construction costs. Said amendments shall be adopted by following the same procedure required to establish an Area of Benefit.

Amended Effective:  
02-13-91 (Ord. 460.96)



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

**SECTION 10.35. PARK AND RECREATION FEES AND DEDICATIONS.**

- A. This section is adopted pursuant to Section 66477 of the Government Code which provides for the dedication of land or the payment of fees in lieu thereof for park and recreational facilities as a condition of approval of a tentative map or parcel map.
- B. Whenever land that is proposed to be divided for residential use lies within the boundaries of a public agency designated to receive dedications and fees pursuant to this section, a fee and/or the dedication of land shall be required as a condition of approval of the division of land.
- C. It is hereby found and determined by the Board of Supervisors that the public interest, convenience, health, welfare, and safety requires that three acres of land for each 1,000 persons residing within the County of Riverside shall be devoted to neighborhood and community park and recreational facilities unless a Community Parks and Recreation Plan, as approved by the Board of Supervisors, determines that the amount of existing neighborhood and community park area exceeds that limit, in which case the Board determines that the public interest, convenience, health, welfare and safety requires that a higher standard, not to exceed five acres of land per 1,000 persons residing within the County, shall be devoted to neighborhood and community park and residential purposes.
- D. Definitions.
1. "Community Area" shall mean the boundaries of the public agency which provides park and recreational services, unless otherwise defined by the public agency.
  2. "Community Parks and Recreation Plan" shall mean a general plan for park and recreational facilities prepared by a public agency for a community area, which describes current and planned facilities and services.
  3. "Dwelling Unit" shall mean a building or mobile home designed for residential occupancy. For the purposes of this section, the number of dwelling units created by a land division shall be as follows: One dwelling unit per lot created in a single-family residential zone, one dwelling per unit approved in a multi-family residential zone; and where the number of units to be built in a multi-family residential zone is unknown, the maximum number of dwelling units allowed under that zone. For a condominium project, the number of dwelling units created shall be the number of condominium units approved.
  4. "Park" shall mean a parcel or parcels of land, exclusive of natural open space, which is open and available for use by the general public and which serves the recreational needs of the public.
  5. "Public Agency" shall mean a public entity which provides neighborhood or community park or recreational facilities and services within a community area, including but not limited to park and recreation districts, county service areas, and the County of Riverside.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

- E. Exemptions. This section shall not apply to the following land divisions:
1. Commercial or industrial.
  2. Condominium projects or stock cooperatives which consists of the subdivision airspace in an existing apartment building which is more than five years old and no new dwelling units area added.
  3. Subdivisions containing less than five parcels and not used for residential purposes: provided, however, that a condition of approval shall be placed on those maps that if a building permit is requested for the construction of a residential structure or structures on one or more of the parcels within four years the fee may be required to be paid by the owner of each parcel as a condition to issuance of such permit.
- F. Land Dedication and Fee Requirements.
1. Whenever a tentative tract map which is subject to the provisions of this section is submitted to the Planning Director, it shall be accompanied by a written statement from the applicant stating whether he intends to dedicate land, pay fees in lieu thereof, or a combination of both for park and recreational purposes. If the developer desires to dedicate land for this purpose, he shall first consult with the County and public agency as to the appropriate area to be dedicated, and such area shall be shown on the tentative tract map as submitted.
  2. The conditions of approval of a tentative tract map subject to the provisions of this section shall require the dedication of land, the payment of fees in lieu thereof, or a combination of both for park and recreational purposes. If the land is to be dedicated, the proposed dedication shall be shown on the approved tentative map. If fees are to be paid, the condition of approval shall require that the fees be paid to the public agency which provides the park and recreational services for the community area.
  3. The amount and location of property to be dedicated and the amount of any fees to be paid shall be as approved by the County. If the park and recreational services are provided by a public agency other than the County, the appropriate dedication of land and payment of fees shall be as determined by the County and other public agency. If the County and the public agency are unable to agree on the appropriate dedication, the final decision shall be made by the Board of Supervisors. If the County and the public agency are unable to agree on the appropriate amount of fees, the final decision shall be made by the Board of Supervisors as specified in Section 10.35.l.7.b of this Ordinance.
  4. Whenever subsequent development occurs on property for which fees have been paid or land dedicated, no additional fees or dedications shall be required except as to any additional lots or dwelling units which were not subject to a prior fee or dedication requirement.
  5. All dedications of land shall be in accordance with the Subdivision Map Act. Land

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

shall be conveyed in fee simple to the public agency free and clear of all encumbrances except those which will not interfere with the use of the property for its intended purposes and which the public agency agrees to accept. All deeds shall be delivered to the public agency before the approval of the final map. If the final map is disapproved, or if it is withdrawn by the subdivider, the deeds shall be returned to the subdivider. If the final map is approved, the deeds shall be recorded by the public agency at the time the final map is recorded. No deed for dedication of land shall be accepted unless it is accompanied by a policy of title insurance, secured by the subdivider, in an amount equal to the value of the land dedicated.

6. Whenever fees are to be paid, the fees shall be paid at such time as is agreed upon by the subdivider and the public agency through the conditions of approval. Payment may be required prior to recordation of the final map if the fees are to reimburse the public agency for expenditures previously made, or if the public agency determines that the fees will be collected for park and recreation facilities for which an account has been established and funds appropriated and for which the public agency has adopted a proposed construction schedule or plan. Payment may be deferred to the date of the issuance of building permits, or the date of final inspection or the date the certificate of occupancy is issued, whichever occurs last. If the payment of fees is deferred, the public agency may determine whether the fees shall be paid on a pro rata basis for each dwelling unit when it received its final inspection or certificate of occupancy, on a pro rata basis when certain percentages of the dwelling units have received their final inspections or certificates of occupancy, or on a lump-sum basis when the last dwelling in the development receives its final inspection or certificate of occupancy.
  7. Whenever land has been conveyed or fees paid to the public agency and a final map is never recorded or, if recorded, is reverted to acreage, the public agency shall, at its option, either reconvey all land dedicated to it, repay all fees paid without interest, allow the developer a credit for any land dedicated or fees paid to be applied only to a new subdivision on the same property, or make other arrangements with the subdivider.
- G. Adoption and Amendment of a Community Parks and Recreation Plan.
1. The Board of Supervisors shall by resolution designate those public agencies which may receive dedications and fees pursuant to this section.
  2. Each public agency which provides park and recreational services on a community-wide level and which is authorized to receive land dedications and the payment of fees pursuant to this section, must prepare and adopt a Community Parks and Recreation Plan. The Plan shall be used to plan and direct park and recreation services within the community area served by the public agency.
  3. Whenever a public agency has adopted a Community Parks and Recreation Plan, the Plan shall be submitted to the Board of Supervisors for review and approval. Within 30 days of receipt of the Plan the Board shall set the matter for hearing and shall thereafter approve, disapprove or modify the Plan by resolution.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

4. A public agency may amend an approved Community Parks and Recreation Plan at any time to reflect the needs of the community area, but shall at a minimum do each of the following:
  - a. Amend its Plan to reflect significant changes in its boundaries or service area within one year of any such changes; and,
  - b. Conduct a public hearing before its governing board not less than once per year to consider the need for additional amendments.

An amendment to an approved Community Parks and Recreation Plan shall be processed in the same manner as the adoption of the original Plan, and the amendment shall not become effective until the Board of Supervisors approves it by resolution.

5. If a public agency fails to adopt a Community Parks and Recreation Plan within one year of the date that the public agency is designated by the Board of Supervisors to receive dedications and fees pursuant to this section, all lands which have been dedicated and all fees which have been paid to the public agency and accepted by it pursuant to this section for that community area shall be reconveyed to the subdivider, and no further dedications of land or payment of fees shall be required as a condition of approval for land divisions within that community area until a Community Parks and Recreation Plan is adopted by the Board of Supervisors. In addition, any requirements for the dedication of land or the payment of fees which come due prior to the approval of the Plan by the Board of Supervisors shall be waived and may not be accepted by the public agency.

H. Contents of a Community Parks and Recreation Plan.

A Community Parks and Recreation Plan shall contain the following provisions:

1. A statement of goals, policies, programs and proposed location and development of recreation facilities and services such as natural reservations, parks, parkways, beaches, playgrounds, recreational community gardens, and other recreational areas.
2. A statement of the average number of persons per household in the community area. Unless a different number is set forth in the Community Parks and Recreation Plan, the average number of persons per unit shall be as follows:
  - a. Single Family Dwelling Unit (Detached Garage): 2.98 persons per dwelling unit.
  - b. Single Family Dwelling Unit (Attached Garage): 2.59 persons per dwelling unit.
  - c. Two dwelling units per structure: 2.64 persons per dwelling unit.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

- d. Three or four dwelling units per structure: 2.48 persons per dwelling unit.
  - e. Five or more dwelling units per structure: 2.34 persons per dwelling unit.
  - f. Mobile homes: 2.72 persons per dwelling unit.
  - g. Dwelling units located within residential projects legally restricted to occupancy by senior citizens pursuant to Civil Code Section 51.3: 1.94 persons per dwelling unit.
- 3. A statement of standards to be used to determine the proportion of a subdivision to be dedicated for park and recreation purposes or the amount of fees to be paid in lieu thereof.
  - 4. Specific policies and standards for the development, maintenance and operation of the parks and recreation facilities.
  - 5. Specific policies, standards and information for the establishment, use and credit for in-lieu fees.
- I. Land Dedication and Fee Determinations. Whether the conditions of approval for a land division shall require the dedication of land, the payment of fees, or both, shall be based on the following:
- 1. The natural features of the area, available access, the location, size and shape of the subdivision, the land available for dedication, the feasibility of dedication, the location of existing and proposed park sites and trailways, and the compatibility of dedication with the County Comprehensive General Plan.
  - 2. For subdivision containing 50 parcels or less only the payment of fees may be required: provided, however, that when a condominium project, stock cooperative or community apartment project exceeds 50 dwelling units, the dedication of land may be required even though the number of parcels may be less than 50. Nothing herein shall prevent a public agency from accepting the voluntary dedication of land by a subdivider for a subdivision containing less than 50 parcels if the dedication meets the other requirements of this section.
  - 3. Whenever the actual amount of land to be dedicated is less than the amount of land required to be dedicated, the subdivider shall pay fees for the value of any additional land that otherwise would have been required to be dedicated.
  - 4. Whenever a park or recreational facility is to be located in whole or in part within the proposed subdivision, the land dedicated shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision.
  - 5. The amount of land to be dedicated or fees paid shall be based on the residential density of the subdivision and shall be determined by multiplying the number of

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

dwelling units of the subdivision by the average number of persons per unit (as determined pursuant to section 10.35.H.2 above) by a coefficient equaling the number of acres of park land required per person (ranging from .003 to .005)

6. Whenever land is dedicated, the subdivider shall, without credit, provide the following for the benefit of the land dedicated:
  - a. Full street improvements and utility connections including, but not limited to, curbs, gutters, relocation of existing public utility facilities, street paving, traffic control devices, street trees, and sidewalks to the dedicated land.
  - b. Fencing along the property lines of the subdivision which are contiguous to the park.
  - c. Improve the drainage through the park site.
  - d. Provide minimal physical improvements, not including recreational facilities, building, or equipment, which the County and the public agency determine are necessary for acceptance of the land for park and recreational purposes.
  - e. Provide access from the park and recreational facilities to an existing or proposed public street, unless the County and the public agency both determine that such access is unnecessary for maintenance of the park area or use of the park by the residents of the area.
  - f. Grading and drainage improvements in addition to those grading, drainage, irrigation and planting improvements required under other County ordinances. All land to be dedicated and improvements to be made should be approved by the public agency providing the park and recreation services for the community area prior to the approval or disapproval of a subdivision by the Land Development Committee.
  - g. All grading plans for land to be dedicated shall be reviewed and approved by the public agency for conformance with the Community Parks and Recreation Plan and the needs of the public agency.
  - h. No grading, drainage, irrigation, planting, street or utility improvements required under this section shall be eligible for a credit against the land to be dedicated or fees paid under the provisions of this ordinance.
7. Whenever a fee is to be paid in lieu of the dedication of land, the following provisions shall apply:
  - a. The fee shall be based either on the fair market value of the land which would otherwise be required or on a fixed in-lieu fee rate set forth in the approved Plan. Any fixed in-lieu fee rate schedule shall be approved by the Board of Supervisors. In the event that a fixed fee rate schedule has been established through the adoption of a Community Parks and Recreation Plan approved by

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

the Board of Supervisors, or an amendment thereto approved by resolution of the Board of Supervisors, deviation or variance from these fee schedules shall not be permitted except by mutual agreement of the Board of Supervisors and the public agency. The determination that a project is eligible for credits shall not be interpreted as a deviation or variance for the purposes of this section. If no fixed in-lieu fee rate has been established, the fee shall be determined by multiplying the number of acres of land required to be dedicated pursuant to this section by the per acre fair market value of the land within the subdivision which would otherwise be required to be dedicated.

- b. The per acre fair market value of the land within the subdivision which would otherwise be required to be dedicated shall be based on the zoning of the property contemplated under the development approval and on the value of the land within the subdivision as if it were improved only with those improvements described in Section 10.35.I.6. of this Ordinance. The value of any structures other than those improvements specified in Section 10.35.I.6. shall not be considered when determining fair market value. The fair market value shall be determined and agreed to by the Board of Supervisors, the public agency, and the subdivider. However, if an agreement on the fair market value cannot be reached, the subdivider may, at his own expense, obtain an appraisal of the property. If the Board of Supervisors and the public agency do not accept the subdivider's appraisal, the fair market value shall be determined by the Board of Supervisors after consultation with the Office of the County Assessor.
- c. Whenever fees are paid pursuant to this section, the public agency shall deposit them into a separate subdivision park trust fund. All fees paid may be used only for the purpose of developing new or rehabilitating existing park and recreational facilities. The development of new park and recreational facilities includes, but is not limited to, the acquisition of land for neighborhood or community parks for recreational purposes. Fees shall be expended for the use only within the boundaries of the County of Riverside unless the Board of Supervisors approved otherwise and the public agency maintains appropriate records to reflect such expenditures.
- d. The subdivider may receive a credit against fees as follows:
  - 1) A credit may be given against the requirement for the payment of fees or the dedication of land required by this section for the reasonable value of park and recreation improvements provided by the subdivider. The amount of the credit shall be determined prior to the approval or conditional approval of the tentative map. The granting of a credit shall be at the discretion of the Board of Supervisors and shall be based on an approved set of improvement plans. However, the public agency reserves the right to require in-lieu fees if it finds the improvements unacceptable.
  - 2) A credit may be given where private areas for park and recreational purposes are provided in a subdivision and such area is for active

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

recreational uses, to be privately owned and maintained in common by the future owner(s) of the development. Such area maybe credited against up to 50 percent of the requirement of land dedication or fees at the discretion of the Board of Supervisors, provided that the Board of Supervisors, after consulting with the public agency, determines that it is in the public interest to grant such credits and that all of the following standards either have been or will be met prior to approval of the final map or development permit:

- a) That yards, court areas, setbacks, and other open space areas, required to be maintained by Ordinance No. 348, the Building Code and other regulations, shall not be included in the computation of such private areas;
- b) Evidence is provided that the private ownership and maintenance of the area will be adequately provided for by recorded written agreement, covenants or restrictions; and,
- c) That the use of the private area is restricted for park and recreational purposes by an open space easement or other instrument; and,
- d) That the proposed private area is reasonably adaptable for use of park or recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location.

Active recreational uses shall mean, for the purposes of this section, recreation facilities occurring on usable level land (5 percent maximum slope) in a planned development which are designed to provide individual or group activities of an active nature including, but not limited to, open lawn, sports fields, court games, swimming pools, children's play areas, picnic areas, golf courses, and recreational community gardening. Active recreational uses do not include natural open space, nature study areas, open space for buffer areas, steep slopes, or scenic overlooks. Credits for areas within water courses, drainage areas, or water bodies may be granted only if:

- 1) Such areas are suitable for active recreational use;
- 2) Such areas will actually be used for active recreation; and
- 3) The affected public agency submits written verification that its adopted Community Parks and Recreation Plan specifically allows for the proposed type of active recreational use to be located within such areas.

Notwithstanding the 50 percent limitation as set forth above, a private open space credit in excess of 50 percent of the requirement of land dedication or fees payment may be granted by the Board of Supervisors upon written authorization from the public agency consenting to the granting of such credits



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

and specifying that the proposed recreational use is cited in its adopted Community Parks and Recreational Plan.

8. Land which has been dedicated and accepted may be sold by the public agency if the subdivider has not begun substantial construction on the subdivision and the Board and the public agency both determine that another site would be more suitable for local park or recreational facilities. The proceeds from the sale of the land must be used for the purchase of the more suitable site.
  9. All fees collected pursuant to this section shall be committed by the public agency for a specific project to serve residents of the subdivision in a budgetary year either within five years of receipt of the fees or five years after the issuance of building permits on one-half of the lots created by the subdivision whichever occurs later. If the fees are not so committed, the fees received shall be distributed to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots in the subdivision.
- J. Annual Reports. Each public agency which has received land dedications or fee payments pursuant to this section shall maintain a separate account thereof and shall prepare an annual report, as well as any additional reports required by the Board of Supervisors. The annual report shall be in a format prescribed by the County Executive Officer and shall be filed with such officer no later than ninety (90) days after the fiscal year of the reporting public agency ends. The report shall include each of the following:
1. The land dedications and fee payments received, the balance of the account, and the facilities purchased, leased or constructed during the fiscal year;
  2. Documentation in support of and justification for the land dedications, fee payments, fee expenditures and any change in the fee account balance;
  3. The most recent audit of the agency, the date and results of the annual public hearing referenced in Subsection G.4 hereof, information describing any changes in boundaries, service area, plan goals, policies, standards, as well as, any changes in park and recreation facility inventory; and,
  4. A schedule of how, when and where it intends to use the land dedicated and the fees paid, including the anticipated starting dates for the development of the park and recreation facilities. The starting dates shall be reasonable with respect to the need for such parks and facilities, weather constraints, the need to minimize the disruption of the neighborhood, the amount of land and fees received, and the anticipated availability of funds for the operation and maintenance of the parks and facilities which are constructed.

The County Executive Officer shall review the annual reports to ensure that they comply with the provisions of this section and with the standards and policies of the appropriate Community Parks and Recreation Plan. The Executive Officer shall thereafter file a status report with the Board of Supervisors.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE X LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND**  
**RESERVATIONS**

---

- K. Public Agency Noncompliance. The Board of Supervisors may revoke, suspend or modify any resolution designating a public agency to receive land dedications and fees or any approval of a Community Parks and Recreation Plan if, after a public hearing, it finds a public agency has not complied or is not complying with any provisions of this section or the adopted Plan. Notice of such hearing shall be mailed to the affected public agency and shall be published in accordance with Government Code sections 6060 and 6061 at least ten (10) days prior to the hearing. If the Board of Supervisors revokes or suspends any such resolution or approval, all lands dedicated and all fees paid to the affected public agency and accepted by it pursuant to this section after the date of the revocation or suspension shall be reconveyed to the subdivider, and no further land dedications or fee payments shall be required as a condition of approval for land divisions within the affected community area until the revocation or suspension is lifted.

Amended Effective:  
06-28-96 (Ord. 460.133)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XI FLOOD CONTROL AND TRACT DRAINAGE**

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**ARTICLE XI FLOOD CONTROL AND TRACT DRAINAGE**

**SECTION 11.1. GENERAL PROVISIONS.**

Facilities for the control of tract drainage and flood waters in Schedule "A", "B", "C", "D", "E", "F" and "G" land divisions are established as follows:

- A. The minimum design for facilities which control drainage water generated within a land division or floodgate flowing into or crossing a land division shall be based on a storm having a frequency of once in 100 years.

Hydrologic and hydraulic calculations for the design of drainage facilities which control drainage water generated within a land division shall be submitted for approval to the Director of Transportation. Hydrologic and hydraulic calculations for the design of flood control facilities to control floodgate flowing into or crossing a land division shall be submitted for approval to the flood control agency having jurisdiction and to the Director of Transportation.

- B. The use of streets for flood control and drainage purposes may be prohibited by the Director of Transportation if the use thereof is not in the interest of the public health, safety and welfare.
- C. When the Director of Transportation permits the use of streets for flood control and drainage purposes, the 10-year frequency design discharge shall be contained between the tops of curbs or asphalt concrete dikes, and the 100-year frequency design discharge shall be contained within the street right-of-way. If either of these conditions is exceeded, additional flood control facilities shall be provided.

**SECTION 11.2. FLOOD CONTROL.**

- A. The Flood Control Engineer shall review the hydrologic calculation submitted by the land divider and determine the adequacy of peak discharges of offside flood waters impinging upon the land division from which protection must be provided. The land divider may consult with the Flood Control Engineer or his representative as to the adequacy of the flood control facilities proposed.
- B. Improvement plans for flood control facilities to control floodgate flowing into or crossing a land division shall be approved by the appropriate Flood Control Agency and the Director of Transportation.
- C. After receipt of an acceptable tentative map, the Flood Control Engineer will recommend conditions to be imposed. He shall also furnish a flood hazard report to the land divider and such governmental agencies as may require the same.

**SECTION 11.3. TRACT DRAINAGE.**

- A. Improvement plans for drainage facilities to control drainage water generated within a land

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XI FLOOD CONTROL AND TRACT DRAINAGE**

---

division shall be approved by the Flood Control and Water Conservation District and Transportation Department.

- B. In land divisions where lot grading is not proposed, the following criteria are established:
1. Where land division streets on sustained gradients cross natural drainage courses, adequate culverts shall be provided to accommodate the 100-year storm with maximum ponding to an elevation 2 feet below the road centerline profile grade, provided diversion of ponded water into another drainage area will not result therefrom.
  2. Runoff in natural drainage courses exceeding the 10-year storm may be permitted to overtop the roadway in dip sections where, in the opinion of the Director of Transportation, topography, soil conditions, adjacent development and available all-weather routes indicate its feasibility. If a deep section is permitted, the roadway embankment slopes shall be adequately protected.
  3. Culverts of adequate size, but not less than 18 inches in diameter or equal, to prevent the 10-year storm from overtopping the roadway shall be provided in dip section or as approved by the Director of Transportation. Smaller culverts may be approved by the Director of Transportation.
  4. Streets crossing improved channels shall be provided with culverts of adequate size to permit passage of the channel design flow or such other type of crossing as approved by the appropriate Flood Control Agency and the Director of Transportation.
  5. Asphalt concrete for lining of channels shall not be permitted.
  6. When a land division substantially changes, concentrates or increases the natural flow of surface water onto adjacent property, facilities shall be required to direct the water to an adequate outlet, or the land divider shall obtain a recordable easement or written agreement for drainage purposes across the affected property.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XII DRY SEWERS**

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**ARTICLE XII DRY SEWERS**

**SECTION 12.1. DRY SEWERS.**

If a land division is submitted that proposes high density development and/or development in an area with marginal soils and if connection to a wet sewerage system is not currently available, the installation of a dry sewer system may be required by the Health Department in addition to subsurface sewage disposal in accordance with the following:

- A. An Agency that provides sewage collection and treatment services has a plan that includes the area being divided and implementation program for the wet sewer system that would serve the area within a reasonable period of time, and the serving agency has agreed to serve the land.
- B. The land divider has contacted and has secured a letter of approval from the agency that will have the ultimate responsibility for acceptance of the sewage treatment and disposal thereof and the maintenance of the proposed dry and wet sewer lines. The approval letter shall be submitted to the County.
- C. When dry sewers are required, the dry sewer design must be shown on the utility plans in accordance with the requirements as set forth in Section 9.3 of this ordinance.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XII DRY SEWERS**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIII ELECTRICAL AND COMMUNICATION FACILITIES**

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**ARTICLE XIII ELECTRICAL AND COMMUNICATION FACILITIES**

**SECTION 13.1. INSTALLATION REQUIREMENTS.**

- A. Electrical power, telephone or other communication, street lighting, and cable television lines shall be placed underground.
- B. The owner or land divider is responsible for complying with the requirements of this section and shall make necessary arrangements with the serving agencies for the installation of such facilities.
- C. For the purposes of this section, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, concealed ducts, and pedestal mount terminal boxes and meter cabinets may be placed above ground.
- D. Underground lines shall not be required:
  - 1. For any part of a land division as to which an existing overhead line is in a street or easement adjacent to the lot or lots to be served from said line or from one or more additional lines on the same poles.
  - 2. In any land division or portion thereof where it is determined that, due to severe soil or topographical problems in the greater portion of the land, underground installation would be reasonably costly and the use of overhead lines would not be detrimental to other property in the vicinity.
  - 3. In any case in which it is determined that the use of overhead facilities is compatible with the surrounding development and is not inconsistent with the purposes of this ordinance, underground lines as to all or a portion of a land division may be waived at the time of the approval of the tentative map. Application shall be made in writing by the land divider at the filing of the tentative map, stating fully the facts and grounds upon which the waiver is sought.
- E. When arrangements are made with the serving agency, a letter stating that arrangements have been made for underground facilities and such other comments the agency may have regarding easements, utility locations, and other pertinent matters must be submitted by the agency to the Director of Transportation.
- F. Distribution lines must be underground when alignments parallel or cross scenic highways, natural scenic and historic sites, recreation areas, wildlife refuges, national and state monuments or other unique natural resources when it is deemed feasible.
- G. Street lighting shall conform to the provisions and processing procedures as outlined in Section 22 of Ordinance No. 461.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIII ELECTRICAL AND COMMUNICATION FACILITIES**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIV STREET TREES**

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**ARTICLE XIV STREET TREES**  
**(formerly Article XIIIa)**

**SECTION 14.1. GENERAL PROVISIONS.**

- A. The planting of street trees in connection with the development of new land divisions is desirable and shall be required as a condition of approval in Schedule "A", "B", "C", "D", "E", "F" and "G" land divisions unless otherwise exempted. In Schedule "E" parcel maps, the planting of trees shall be deferred to the plot plan stage.
- B. All land divisions governed by this section shall be required to have planted a minimum of one street tree per parcel frontage prior to final building inspection based on the following standards:
1. Trees shall be chosen from Land Use Ordinance No. 348, article XIXj, Water Efficient Landscape Requirements, the accompanying tree list and the Riverside County guide to Trees, Shrubs and Ground Covers. Each choice should reflect consideration of the geographic zone involved.
  2. Trees shall be located such that at 15 years of age that the crown will not encroach across property lines or into street rights-of-way.
  3. Trees shall be located a minimum of ten feet from driveways.
  4. Trees shall be spaced at approximately 60 foot intervals or a minimum of one tree per lot frontage.
  5. For corner lots, street trees shall be required on both street frontages, provided such planting does not interfere with site distances and setbacks.
  6. Street trees shall not be required along street frontages where noise attenuation walls exist or will be required.
  7. All street trees shall be staked. Tree stakes shall be 1½ to 2 inches in diameter, 8 feet in length, and driven into the hole before tree is planted on the side from which the prevailing winds come. The tree shall be secured to the stake in two or three places with plastic, cloth or rubber ties.
  8. Exceptions to street tree planting may be permitted in cul-de-sacs and on those lots where proper spacing is not possible. Requests for exception shall be made to the Planning Director.

**SECTION 14.2. SECURITY AND AGREEMENTS.**

- A. Prior to the issuance of building or grading permits, the land divider shall enter into an agreement with the Transportation Department for the planting of the trees and for the guarantee and warranty of the work for a period of one year following the acceptance of all improvements as against any defective work or labor done, or defective materials

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIV STREET TREES**

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furnished.

- B. Acceptable forms of security shall be the same as those enumerated in Section 15.1(A). The agreement and the security shall be executed only upon forms and terms approved by the Board, and shall be checked by the Director of Transportation. The amount of the security shall be \$100.00 for each tree required.
- C. The security shall be released at the time when the one-year warranty period has ended.

**SECTION 14.3. EXEMPTIONS.**

- A. Any person who is required to plant street trees may request exemption from the requirement. The request for the exemption shall be made to the Director of Transportation on the forms provided by the Transportation Department with other such agency clearances as may be required.
- B. Any person may be exempted from the requirement to plant street trees if any of the following conditions are found to exist:
  - 1. Tree planting is impractical due to unsatisfactory soil, rock, grade or other topographical conditions that cannot readily be corrected.
  - 2. A satisfactory water supply is not available.
  - 3. Tree planting will create conditions hazardous to traffic.
  - 4. The street is likely to be widened within a reasonable period of time and trees cannot now be set in their proper relationship to the ultimate right-of-way.
  - 5. Trees are already planted in the substantially correct location.
- C. Any request for exemption shall be reviewed by the Director of Transportation and be transmitted for review to the Planning Department. The decision on any request for an exemption under this section shall be made prior to the issuance of any building or grading permits.

**SECTION 14.4. ENFORCEMENT.**

- A. The Transportation Department shall be responsible for the enforcement of the street tree planting requirements under this Article.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XV SOIL EROSION CONTROL DUE TO WIND**

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**ARTICLE XV SOIL EROSION CONTROL DUE TO WIND**  
**(formerly Article XIV)**

**SECTION 15.1. GENERAL PROVISIONS.**

Whenever a division of land is proposed in an area that is subject to wind erosion, the requirements of this article shall apply in addition to all other requirements of this ordinance.

**SECTION 15.2. FACTORS OF CONSIDERATION.**

An area shall be considered as subject to wind erosion when all of the following factors are present:

- A. The proposed land division lies within the Colorado River Watershed Basin;
- B. The soils within the land division are classified as any of the following:

- Aco loamy sand
- Aco sandy loam
- Bull Trail stony loamy sand
- Cajon loamy sand
- Cajon variant
- Carrizo gravelly sand
- Carrizo stony sand
- Carsitas cobbly sand
- Carsitas fine sand
- Carsitas gravelly sand
- Carsitas sand
- Carsitas variant
- Chuckawalla cobbly fine sandy loam
- Chuckawalla very gravelly silt loam
- Chuckawalla very gravelly sandy clay loam
- Coachella fine sand
- Coachella fine sand, wet
- Coachella fine sandy loam
- Cibola fine sandy loam
- Cibola silty clay loam
- Duneland
- Gilman fine sandy loam
- Gilman fine sandy loam, moderately fine substratum
- Gilman fine sandy loam, wet
- Gilman loamy fine sand
- Gilman silty loam
- Gilman silty clay loam
- Glenbar silty clay loam
- Holtville fine sandy loam
- Holtville silty clay

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XV SOIL EROSION CONTROL DUE TO WIND**

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Imperial fine sandy loam  
Imperial silty clay  
Imperial silty clay, wet  
Imperial - Gullied Land Complex  
Imperial - Gullied Land Complex, wet  
Indio fine sandy loam  
Indio fine sandy loam, wet  
Indio very fine sandy loam  
Indio very fine sandy loam, wet  
Indio silty clay loam  
Meloland fine sandy loam  
Meloland silty clay loam  
Myoma fine sand  
Myoma fine sand, wet  
Niland sand  
Niland sand, wet  
Omstott coarse sandy loam  
Omstott - Rock Outcrop Complex  
Orita fine sand  
Orita gravelly loamy sand  
Orita fine sandy loam  
Ripley very fine sandy loam  
Ripley silty clay loam  
Rockland  
Rositas fine sand  
Rositas fine sand, wet  
Rositas gravelly loamy sand  
Rositas silty clay loam  
Rositas silty clay loam, wet  
Rubbleland  
Rock Outcrop  
Salton fine sandy loam  
Salton silty clay loam  
Soboba stony sand  
Soboba cobbly sand  
Tujunga fine sand  
Tujunga gravelly loam sand  
Tujunga loamy fine sand; and,

- C. Field observation of the area proposed to be divided indicates evidence of soil erosion by wind.

**SECTION 15.3. SOIL EROSION CONTROL REQUIREMENTS.**

When a proposed land division has been determined to be subject to this article, the following requirements may be imposed as conditions of approval of the land division as a means to control soil erosion:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XV SOIL EROSION CONTROL DUE TO WIND**

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- A. A solid masonry wall, up to 6 feet in height;
- B. A windbreak consisting of suitable trees or shrubs;
- C. A suitable ground cover which may consist of plantings, spraying, rock or other approved stabilizing materials;
- D. An irrigation system to maintain any required plantings;
- E. The formation of a homeowners association, improvement district, or management company to maintain the erosion control.

**SECTION 15.4. WIND EROSION CONTROL PLAN.**

When a proposed land division is determined to be subject to this article, the land divider shall submit a proposed wind erosion control plan at the time of the actual filing of the tentative map, and an approved control plan shall be one of the conditions of approval of the tentative map. The plans shall be reviewed as a part of the processing of the tentative map.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XV SOIL EROSION CONTROL DUE TO WIND**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVI SURFACE MINING OPERATIONS**

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**ARTICLE XVI SURFACE MINING OPERATIONS**

**SECTION 16.1. GENERAL PROVISIONS.**

Whenever a division of land is proposed in an area that lies partly or wholly within 600 feet of a surface mining operation permitted pursuant to Ordinance No. 555, the requirements of this article shall apply in addition to all other requirements of this ordinance.

**SECTION 16.2. INTENT.**

It is the intent of Riverside County to conserve, protect, and encourage the development, improvement, and continued viability of its mining land and industries for the long-term production of construction materials and other rock products, and for the economic well-being of the County's residents. It is also the intent of the County to balance the rights of mining corporations to produce construction materials and other rock products with the rights of non-mining persons/corporations who own, occupy, or use land in close proximity to mining operations.

**SECTION 16.3. NOTICE TO BUYERS OF LAND.**

An Environmental Constraints Sheet shall be created for each land division subject to this article and the following notice placed thereon:

"Lot No.(s). \_\_\_\_\_, as shown on this map is (are) located partly or wholly with 600 feet of a surface mining operation permitted pursuant to Ordinance No. 555. This (these) lot(s) may be subject to vibration, noise, fumes, dust, odors and other disturbances from surface mining activities which include, but are not limited to, blasting, extraction, crushing, processing, grading, stockpiling and storage or transportation of mineral resources."

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVI SURFACE MINING OPERATIONS**

---



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

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**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**  
**(formerly Article XV)**

**SECTION 17.1. SECURITY FOR IMPROVEMENTS.**

- A. If the improvements are not completed prior to approval of the final map or parcel map, the land divider shall enter into an agreement with the County to complete the improvements and in connection therewith shall furnish to the County improvement security in the amounts required by Subsection D of this section. Acceptable forms of security shall be limited to the following:
1. A bond or bonds by one or more duly authorized corporate sureties;
  2. A deposit with the County of cash;
  3. An irrevocable instrument of credit from one or more financial institutions subject to regulation by the state or federal government pledging that the funds necessary to carry out the agreements are on deposit until released by the County.
  4. An irrevocable letter of credit issued by a financial institution subject to regulation by the state or federal government guaranteeing that all or any portion of the funds available pursuant to the letter of credit will be paid upon the written demand of the Director of Transportation, and that such written demand need not present documentation of any type as a condition of payment, including proof of loss.
- B. The agreement and the improvement security for Schedule "A" , "B", "C", "D", and "E" maps shall be executed for the County by the Chairman of the Board only upon forms and terms approved by the Board, which shall be checked by the Director of Transportation. The Director of Transportation shall be authorized to execute on behalf of the County agreements and improvement security in accordance with the provisions of this article for Schedule "F", "G", "H", and "I" maps. The agreement and improvement security for Schedule "F", "G", "H", and "I" maps shall be executed for the County by the Director of Transportation only upon forms and terms approved by the Board. If bonds are to be used, they shall be substantially in the form provided for in the Subdivision Map Act.
- C. The original period of the agreement and security shall be 24 months. Extensions of time may be granted at any time by the Director of Transportation only upon forms and terms approved by the Board, either at its own option, with or without notice to the land divider and surety, or at the written request of the land divider, with or without notice to the surety. Each extension shall be for a period not to exceed one year. In addition to the above, and as a further condition to granting an extension of time, the Director of Transportation may require additional agreements or security be furnished as are necessary to guarantee the completion of the improvements.
- Amended 460.150 Item 3.52 of 09/15/09 (Effective 10/15/09)
- D. Security to guarantee the performance of any act or agreement shall be in the following amounts:

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

1. 100 percent of the total estimated cost of the improvement or of the act to be performed, conditioned upon the faithful performance of the act or agreement;
  2. 50 percent of the total estimated cost of the improvement or the performance of the required act, securing payment to the contractor, his subcontractors, and the persons furnishing labor, materials or equipment to them for the improvement or the performance of the required act;
  3. 10 percent of the total estimated cost of the improvement or the performance of the required act for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished. As a part of the obligation guaranteed by the security and in addition to the face amount of the security, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the County in successfully enforcing the obligation, all to be taxed as costs and included in any judgment.
- E. The security may be released, in whole or in part, in the following manner:
1. Security given for faithful performance or any act or agreement shall be released upon the performance of the act and final completion and acceptance of the required work. Once one third of the bonded work has been completed, a request for a partial release of securities may be submitted. The request shall be made in writing to the Transportation Director, and a fully detailed description of the bonded work completed shall be provided with the request. A maximum of three partial releases of the security may be granted by written order of the Director of Transportation upon a determination by the Director of Transportation of the acceptable work that has been completed and the amount of security that is necessary to guarantee the completion of the remaining improvements. Requests for partial releases, setting forth in detail the amount of work completed, shall be made in writing to the Director of Transportation.
  2. Security securing the payment to the contractor, the subcontractors, and the persons furnishing labor, materials or equipment may, after of the time within which claims of lien are required to be recorded pursuant to Article 3 (commencing with Section 3114) of Chapter 2 of Title 15 of Part 4 of Division 3 of the Civil Code and after acceptance of the work, be reduced to an amount not less than the total claimed by all claimants for whom claims of lien have been recorded and notice thereof given in writing to the Board, and if no such claims of lien have been recorded, the security may be released in full. Requests for release shall be made to the Director of Transportation who may, prior to the release of any security under this paragraph, require the land divider to provide a title report or other form of evidence sufficient to show what claims of lien, if any, are of record on the land division.
  3. The release of such security shall not apply to any required guarantee and warranty period, nor to costs and reasonable expenses and fees, including reasonable attorney fees.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

- F. In any case where the performance of the obligation for which the security is required is subject to the approval of another agency, the security shall not be released until the obligation is performed to the satisfaction of such other agency. The County shall notify the servicing agency in writing and such agency shall have two months after completion of the performance of the obligation to register its satisfaction or dissatisfaction. If at the end of that period it has not registered its satisfaction or dissatisfaction, it shall be conclusively deemed that the performance of the obligation was done to its satisfaction.
- G. The liability upon the security given for the faithful performance of any act or agreement shall be limited to:
  - 1. The performance of the work, covered by the agreement between the subdivider and the County for the performance of the required act.
  - 2. The performance of any changes or alterations in such work, provided that all such changes or alterations do not exceed 10 percent of the original estimated cost of the improvement.
  - 3. The guarantee and warranty of the work for a period of one year following completion and acceptance thereof against any defective work or labor done or defective materials furnished in the performance of the agreement or the performance of the act.
  - 4. Costs and reasonable expenses and fees, including reasonable attorneys' fees.
- H. If the estimated cost of completing the street/drainage improvements, water system improvements, sewer system improvements or the setting of the monuments is less than \$5,000, a cash bond shall be required for that specific improvement.
- I. The Director of Transportation is authorized to release or reduce the security in accordance with the provisions of this section.

**SECTION 17.2. SECURITY FOR TAXES AND ASSESSMENTS.**

- A. Certificates for taxes and special assessments, as prepared by the Tax Collector, and security for unpaid taxes and special assessments, shall be furnished as required by the Subdivision Map Act. This section applies to land divisions located within the boundaries of cities as well as land divisions in the unincorporated area of the County.
- B. When a land division is located within the boundaries of a city:
  - 1. If the certificate shows that there are no liens against the land division or any part thereof for unpaid taxes or special assessments collected as taxes, the Clerk of the Board shall certify that such certificates have been filed and shall transmit the final map or parcel map to the County Recorder without placing the matter on the agenda of the Board.
  - 2. If the certificate shows that there are no liens against the land division or any part

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

thereof for unpaid taxes or special assessments collected as taxes, except for taxes or special assessments that are not yet payable, the land divider shall file with the Clerk of the Board acceptable security in the amount determined by the Tax Collector as necessary to pay the taxes and special assessments which are a lien but not yet payable. Upon approval of the security by County Counsel, the Clerk of the Board shall certify that such certificates and security have been filed and shall transmit the final map or parcel map to the County Recorder without placing the matter on the agenda of the Board.

3. When a land division is located within the unincorporated area of the County, the land divider shall furnish the required certificate as to tax and assessment liens to the Director of Transportation who shall handle the matter as a part of the processing of the final map or parcel map.
- C. Acceptable forms of security for taxes shall be as provided in Section 17.1.A for security for improvement; provided, however, that a cash bond shall be required to guarantee the payment of taxes in amounts of less than \$2,500.00. The forms of security offered shall not have an expiration date prior to that of the expiration of the map.

Amended 460.150 Item 3.52 of 09/15/09 (Effective 10/15/09)

**SECTION 17.3. LIEN AGREEMENT AS SECURITY.**

- A. The land divider may, in lieu of posting a security described in Section 17.1, enter into an agreement with the County to construct the required improvements in the future, securing such performance by granting the County a lien on the real property to be divided. Such agreements shall be known as 'lien agreements.' The use of lien agreements shall only be allowed if all requirements of this Section are satisfied.
- B. Government Code section 66499(a)(4) authorizes the County to enter into lien agreements if it is found by the County that it would not be in the public interest to require the installation of the required improvements sooner than two years after the recordation of the map.
- C. Where the County finds that it would not be in the public interest to require the installation of the required improvements sooner than two years after recordation of the map, the land divider may execute a lien agreement with the County at the time the land divider enters into an agreement with the County to construct required improvements pursuant to Article X of this Ordinance.
- D. A lien agreement may be used to substitute an existing security which was furnished under Section 17.1; provided, however, that use of a lien agreement as substitution for an existing security shall be at the County's sole discretion. The County will not accept a lien agreement from any land divider, either at the time of execution of the agreement to construct improvements, or as a substitute for existing security, if any individual lots have been sold, if any construction permits, including but not limited to any grading or building permits, have been issued on any of the property, or if construction of any of the required improvements has begun. Notwithstanding the above, the County may accept a lien

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

agreement from any land divider as a substitute for existing security if grading has commenced on the land to be divided so long as the grading is in strict accordance with a valid grading permit and all the following are met:

1. There is no need for the County to construct the required improvements if the land divider's project is abandoned or delayed for any period of time or for any other reason;
  2. The grading has no effect on the use, operation and maintenance of existing streets or highways, public or private;
  3. The grading has not caused the modification or closure of any public access points, existing streets or highways, public or private;
  4. Additional drainage improvement and/or erosion controls are not necessary and/or installed in the road right-of-way due to the grading;
  5. Delay of the construction of the land divider's required improvements do not affect or delay the improvements of an adjacent land divider who has already commenced work on his or her required improvements.
- E. Lien agreements shall:
1. Be allowed only for Schedule "A", "B" and "E" maps.
  2. Be allowed only where the land divider provides a title insurance policy and current title report from a title company approved by the County that documents that the land divider is the record owner of the real property to be divided and the real property to be divided is not subject to any mortgages, deeds of trust, or judgment liens. The title insurance policy and title report shall be issued within the 60 days prior to the execution of the lien agreement.
  3. Be in a form acceptable to and approved by County Counsel.
  4. Be used to secure future improvements that would be required for Schedule "A", "B" and "E" maps.
  5. Be used only when a land divider would be required by Article X of this Ordinance to construct or agree to construct the required improvements.
  6. Contain an itemization of the required improvements and an estimate of costs approved by the Director of Transportation and shall specify that the land divider's or subsequent owner's obligation extends to the actual cost of construction of the required improvements if such costs exceed the estimate.
  7. Be recorded with the County Recorder. The recorded lien agreement shall be indexed in the Grantor Index to the names of all record owners of the real property as specified on the map and in the Grantee Index to the County.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

8. Be approved concurrently with the approval of the final map with a note of the lien agreement's existence placed on the map, except where the lien agreement is being substituted after final map approval for other security previously deposited pursuant to Section 17.1, in which case the lien agreement shall be signed and acknowledged by all parties having any record title interest in the property, as prescribed by Government Code Section 66436, consenting to the subordination of their interests to the lien agreement.
- F. From the time of recordation of the lien agreement, a lien shall attach to the property and shall have the priority of a judgment lien in an amount necessary to complete the required improvements. Under no circumstances shall the County agree to subordinate the lien.
- G. The lien agreement shall provide that the land divider shall substitute acceptable security for the lien agreement and commence to construct the improvements required pursuant to Article X of this Ordinance within three years following recordation of the map, or in the case of a lien agreement which has been substituted for existing security pursuant to Section 17.1 within three years following recordation of the lien agreement.
- H. The time for substitution of acceptable security and commencement of construction of the required improvements in Subsection G. above, may be extended up to three times, by the Director of Transportation only upon forms and terms approved by the Board of Supervisors. Each extension shall be for a period not to exceed one year. However, the Board of Supervisors may grant additional time extensions, as it deems appropriate, for substitution of acceptable security and commencement of construction of the required improvements pursuant to agreements secured either by (i) lien agreements executed at the time of recordation of the map, or (ii) lien agreements substituted for an existing security furnished under Section 17.1. For each extension of time under this subsection, the land divider shall provide a title insurance policy and current title report from a title company approved by the County that documents that the land divider is the record owner of the real property to be divided and the real property to be divided is not subject to any mortgages, deeds of trust, or judgment liens. The title insurance policy and title report shall be issued within the 60 days prior to request for an extension of time.
- I. No individual lots may be sold while the lien agreement is in place. However, fee title to the entire property encumbered by the lien agreement or to all lots designated on any individual final map which is encumbered by the lien agreement, may be sold in the aggregate to a single purchaser, provide that the proposed purchaser must, prior to assuming title to the property, either (i) execute a new lien agreement in a form acceptable to the County which will encumber the property to be conveyed, specifying the respective obligations of the owners of property subject to the original and new lien agreement, or (ii) provide acceptable alternative security for the required improvements to be constructed as a condition to development of the property conveyed, pursuant to Section 17.1. Any new lien agreement must require that acceptable security be substituted therefore, and the improvements secured thereby commenced by the same date provided in the lien agreement with the original owner, unless such date shall be extended by the Board of Supervisors as provided in subsection H. above.
- J. At the time the Board of Supervisors approves a lien agreement, the land divider shall provide a cash deposit in the amount of \$12,000.00 to the County for the purpose of

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

---

reverting the property to acreage if the land divider breaches the terms of the lien agreement. In addition, at such time as title to any property subject to a lien agreement shall be conveyed, the transferee thereof, if such transferee executes a new lien agreement to secure construction of the improvements imposed upon such property as described in Subsection I. above, shall provide a substitute cash deposit in the amount of \$12,000.00 to the County for the purpose of reverting the property to acreage if the land divider breaches the terms of the lien agreement. Any unused portion of any such deposit shall be refunded to the land divider following completion of such reversion. If the costs of reverting the property to acreage exceed \$12,000.00, the land divider shall pay such additional costs to the County prior to recordation of the reversion to acreage map.

- K. The lien agreement shall only be released upon substitution of acceptable security for the lien agreement under Section 17.1 in order to begin construction of the required improvements, or upon recordation of a reversion to acreage map.
- L. In no instances shall the lien agreement compel the County to construct the required improvements.

Amended 460.150 Item 3.52 of 09/15/09 (Effective 10/15/09)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVII SECURITY FOR IMPROVEMENTS AND TAXES**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVIII REVERSION TO ACREAGE**

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**ARTICLE XVIII REVERSION TO ACREAGE**  
**(formerly Article XVI)**

**SECTION 18.1. REVERSION TO ACREAGE.**

Divided real property may be reverted to acreage pursuant to the provisions of this ordinance and the Subdivision Map Act. Reversion to acreage proceedings may be initiated by the Board of Supervisors on its own motion, or by petition of all owners of record of real property that is proposed to be reverted to acreage.

**SECTION 18.2. PROCEDURES FOR FILING.**

To revert divided lands to acreage, a tentative map shall be filed as follows:

- A. A tract or parcel map number shall be obtained from the County Surveyor upon payment of the fee set forth in [Ordinance No. 671](#).
- B. Twenty-five copies of the tentative map shall be filed with the Planning Director, accompanied by the fee as set forth in [Ordinance No. 671](#). The fee shall be paid by the owners filing the tentative map, or, if the reversion to acreage is initiated by the Board upon request of the owners of the property, the fee shall be paid by the persons(s) making the request to the Board.
- C. The tentative map prepared in the form required by Article V shall show all relevant details of the land division proposed to be reverted, its relationship to existing streets, dedications, and adjoining lands, and configurations of the proposed reversion.
- D. Proof of ownership of the real property proposed to be reverted to acreage shall be submitted with the tentative map.

**SECTION 18.3. REVIEW OF TENTATIVE MAP.**

The tentative map shall be distributed by the Planning Director to all interested and affected agencies and utilities. Thereafter, the tentative map shall be considered by the appropriate Land Development Committee, which Committee shall report and recommend to the Advisory Agency having jurisdiction over the area.

**SECTION 18.4. CONSIDERATION BY THE ADVISORY AGENCY.**

The Advisory Agency shall consider the report and recommendation of the Land Development Committee on the tentative map, and shall forward a report and recommendation to the Board for approval, conditional approval or disapproval of the proposed reversion to acreage. A copy of the Advisory Agency report and recommendations shall be mailed to the applicant or the authorized agent.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVIII REVERSION TO ACREAGE**

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**SECTION 18.5. CONSIDERATION BY THE BOARD.**

- A. After receipt of the report and recommendations of the Advisory Agency, the Board shall set the matter for public hearing. Notice of the time and place of the public hearing before the Board, including a general description of the location of the property proposed to be reverted to acreage, shall be given at least 10 days before the public hearing by publication once in a newspaper of general circulation that is published and circulated in the County.
- B. Divided real property may be reverted to acreage only if the Board finds that:
1. Dedications or offers of dedication which have not been accepted by Riverside County and which are to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and,
  2. Either:
    - a. All owners of an interest in the real property within the land division have consented to the reversion; or,
    - b. None of the improvements required to be made have been made within two years from the date the final land division map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or,
    - c. No lots shown on the final land division map have been sold within 5 years from the date such map was filed for record.
- C. The following shall be required as conditions to approval of a reversion:
1. Dedications necessary for a logical street pattern for access to any lands not proposed for reversion or as may be necessary for drainage or utilities;
  2. Retention of all previously paid fees;
  3. Retention of any necessary improvement security or deposit.

**SECTION 18.6. FINAL MAP PROCEDURES.**

After the approval of the tentative map, the applicant may cause a final map or parcel map to be prepared in accordance with the applicable provisions of Article IX of this ordinance, and shall pay the fees as set forth in [Ordinance No. 671](#).

**SECTION 18.7. MERGING OF CONTIGUOUS PARCELS.**

- A. Notwithstanding the preceding sections, four or fewer contiguous parcels under common

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVIII REVERSION TO ACREAGE**

---

ownership may be merged without reverting to acreage, provided that the merger is approved by the Planning Director and an instrument evidencing such merger is recorded with the County Recorder.

- B. Applications to merge contiguous parcels shall be made to the Planning Director on forms provided by the Planning Department, and shall be accompanied by the fee specified in [Ordinance No. 671](#), and the following:
1. An exhibit, drawn to scale, delineating the existing parcel boundaries and the location of existing structures and easements.
  2. Copies of grant deeds for the existing parcels.
  3. An exhibit, drawn to scale, delineating the boundaries of the parcel after the merger.
  4. A legal description of the new parcel as merged.
  5. Preliminary title report.
  6. Written consent of all owners of record interest.
- C. The Planning Director shall transmit a completed application to the County Surveyor for review and recommendation and shall grant approval of the request for merger if:
1. The parcels to be merged are, at the time of merger, under common ownership and written consent has been obtained from all record owners.
  2. The parcel as merged will be consistent with the zoning of the property.
  3. The parcel as merged will not conflict with the location of any existing structures on the property.
  4. The parcel as merged will not be deprived access as a result of the merger.
  5. Access to the adjoining parcels will not be restricted by the merger.
  6. No new lot lines are created through the merger.
  7. The existing right-of-way shall not be altered. Any alteration shall be accomplished through a separate vacation process.
- D. The Planning Director shall submit to the County Recorder for recordation the new legal description and exhibit within 20 days after it has been approved by the Planning Director.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XVIII REVERSION TO ACREAGE**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIX FEES**

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**ARTICLE XIX FEES**  
**(formerly Article XVII)**

(Deleted Effective:  
05-28-89 (Ord. 460.92)

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XIX FEES**

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**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XX LOT LINE ADJUSTMENTS**

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**ARTICLE XX LOT LINE ADJUSTMENTS**  
**(formerly Article XVIII)**

**SECTION 20.1. LOT LINE ADJUSTMENT.**

- A. GENERAL PROVISIONS. A lot line adjustment is a modification of a boundary line between two or more adjacent legal parcels where the modification complies with the following criteria:
1. No new parcels are created, and no existing parcels are deleted.
  2. No parcel is reduced below the minimum lot area required by the zoning designation set forth in Riverside County Land Use Ordinance No. 348 and the Comprehensive General Plan of Riverside County.
  3. The proposed adjustment is exempt from the Subdivision Map Act, and no tentative map, final map or parcel map, shall be required as a condition to the approval of a lot line adjustment.
  4. Public rights-of-way are not altered in any way unless approved by the Director of Transportation.
- B. FILING REQUIREMENTS. Applications for lot line adjustment as defined in Section 2.2 of this ordinance shall be made to the Planning Director on forms provided by the Planning Department. The applications shall be accompanied by the fee set forth in [Ordinance No. 671](#).
- C. PROCEDURE. Upon receipt of a completed application, the Planning Department shall transmit the material to the following agencies: Transportation Department, County Surveyor, Health, Fire, Building and Safety, Assessor Departments, and Flood Control District. The applicant and his representative shall be notified of any concerns set forth by the reviewing agencies which may delay approval of the applications. The Planning Director shall limit his review and approval to a determination of whether or not the parcels resulting from the adjustment will conform to state law and County ordinances, and shall not impose conditions or exactions on the approval except to conform to County ordinances, or to facilitate the relocation of existing utilities, infrastructure, easements, or improvements. When special circumstances applicable to a parcel of property, including but not limited to topographic constraints, parcel orientation, access restrictions, methods of circulation, existing improvements, and/or urbanization of the property under a requested permit, the Planning Director may, upon sufficient documentation and justification, approve a lot line adjustment so long as the proposed adjustment is not in conflict with state law, County ordinances, and requirements set by other County Departments or agencies. Within 30 days of the lot line adjustment application being accepted as complete, the Planning Director shall conditionally approve, disapprove, or notify the applicant and his representative that the request does not meet the requirements of a lot line adjustment. Applications for lot line adjustment shall not be considered final until the exhibits and new legal descriptions, or amended deed, reflecting the adjustment have been recorded.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XX LOT LINE ADJUSTMENTS**

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- D. RECORDATION. Upon approval of the lot line adjustment, the Planning Director, within six months or as agreed to by the Planning Director and applicant not to exceed one year, shall receive proof of the recordation of the deed or Record of Survey and the "Notice of Lot Line Adjustment" with the County Recorder. Said Notice shall contain the following: "This document is being recorded pursuant to Lot Line Adjustment No. \_\_\_\_\_, approved by the Planning Department on \_\_\_\_\_."
- E. RECORD OF SURVEY. A record of Survey shall be required pursuant to Section 8762 of the Business and Professions Code if monuments are set at the new lot lines, unless the boundary is monumented as part of a land division with a recorded map.



**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

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**ARTICLE XXI ENFORCEMENT AND PENALTIES**  
**(formerly Article XIX)**

**SECTION 21.1. DENIAL OF PERMITS.**

No building permit, grading permit or any other permit or approval necessary to develop real property shall be granted or issued for any parcel of real property which has been divided, or which has resulted from a division, in violation of the provisions of the Subdivision Map Act or this ordinance that were applicable at the time such division occurred, unless the Planning Director, as hereinafter provided, finds that development of such real property is not contrary to the public health, welfare or safety. A permit or approval shall be denied whether the applicant was the owner of the real property at the time of the violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of acquisition of the real property. Whenever a permit or approval is sought to develop such real property, the Department from which the permit is sought shall notify the applicant that the permit cannot be granted because of the illegal division of land, and shall advise the person that he may file an application with the Planning Director for a determination as to whether the development of the property would not be contrary to public health or safety and for the possible issuance of a Certificate of Compliance.

**SECTION 21.2. CERTIFICATE OF COMPLIANCE.**

A. Classification of Certificates of Compliance.

1. Certificates of Compliance. A Certificate of Compliance is issued when the real property is in compliance with the Subdivision Map Act and this ordinance.
2. Conditional Certificate of Compliance. A Conditional Certificate of Compliance is issued when the Planning Director determines that the property was divided in violation of the Subdivision Map Act or this ordinance.
3. Certificate of Compliance and a waiver of a parcel map. A Certificate of Compliance is required on all tentative parcel maps which have the parcel map waived. Since there is no parcel map to record, a certificate is necessary to record a legal description of the property which has been divided.

The following procedures shall apply to applications for approval of a certificate of compliance:

B. Application. Any owner of real property, including owners denied a permit, may file an application for a Certificate of Compliance. A separate application shall be made to the Planning Director, accompanied by the fees set forth in [Ordinance No. 671](#) for each parcel to be certified. No Certificate of Compliance application proposing the certification of multiple lots will be accepted unless submitted in conjunction with a waived final parcel map. Each completed application shall be accompanied by the following:

1. A map shall be submitted, drawn on a form provided by the Planning Department. The map shall be legibly drawn, in ink, to an engineer's scale, with the scale shown on the map. It shall show the subject property with dimensions and the gross and

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

---

net area, and it shall show the locations, width and names of all streets and roads adjacent to and providing access to the property.

2. The map shall show the location and use of all structures on the property, with the distances from the structures to the parcel boundaries and distances between structures, and all existing utilities and easements.
  3. A small scale vicinity map shall be shown with distances (in feet or tenths of a mile) to the nearest street intersection.
  4. The map shall show the name, address, telephone number of the current owner of the property, and the name, address and telephone number of the person preparing the map, if different from the owner.
  5. The map shall show the current zoning on the property and the current Assessor's Parcel Number.
  6. 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 on plain white paper, 8½" x 11" in size, with 1" margins at the top, sides and bottom. This 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.
    - e. A lot book report that shows transaction of the subject property for the previous 4 years.
- C. Processing and Issuance.
1. Certificate of Compliance.
    - a. Upon receipt of a completed application, the Planning Director shall review the matter and within 50 days after receipt of the completed application make a final determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act and this ordinance, or whether the proposed development of the real property can be approved as not contrary to the public health, welfare and safety.
    - b. If the Planning Director determines that the real property was divided in compliance with the provisions of the Subdivision Map Act and this ordinance that were applicable at the time the property was divided, he shall cause a

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

---

Certificate of Compliance to be filed for record with the County Recorder.

2. Conditional Certificate of Compliance.
  - a. If upon receipt of a completed application the Planning Director determines that the property was divided in violation of the Subdivision Map Act or this ordinance, but that a proposed development may be approved as being not contrary to the public health, welfare or safety, a Certificate of Compliance may be issued by the Planning Director contingent upon the completion of specified conditions.
  - b. The Planning Director shall submit the applications to the Land Development Committee at one of its regular meetings for its report, recommendations and to establish appropriate conditions.
  - c. The Planning Director may impose such conditions as would have been applicable to the division of the property at the time that the current owner of record acquired the property, except that where the applicant was the owner of record at the time of the initial violation who by a grant of the real property created a parcel or parcel sin violation, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the Planning Director may impose such conditions as would be applicable to a current division of the property or the requirement of filing on a tentative parcel or tract map.
    - 1) When the Planning Director imposes conditions, he shall file for record with the County Recorder a Conditional Certificate of Compliance.
    - 2) The conditions may be fulfilled and implemented by the owner who has applied for the Certificate of Compliance or any subsequent owner.
    - 3) Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the County or any other subsequent jurisdiction, unless the property is thereafter included as a part of a legal division of said real property pursuant to the provisions of this ordinance.
    - 4) Upon completion of the conditions, the owner shall notify the Planning Director. If the conditions are satisfactorily completed, the Planning Director shall then issue and record a final Certificate of Compliance.
  - d. Certificate of Compliance and Waiver of Parcel Map.
    - 1) A Certificate of Compliance is required on all tentative parcel maps which have the parcel map waived.
    - 2) The Planning Director shall distribute the final copy of the Certificate of Compliance and waiver of parcel map to the Department of Building and Safety and County Recorder's Office upon payment of the fee set forth in

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

---

Ordinance No. 671.

- D. Appeal to Planning Commission. The decision of the Planning Director regarding a Certificate of Compliance may be appealed to the Planning Commission within 10 calendar days after the date of the decision by the Planning Director. Upon receipt of a completed appeal, the Planning Director shall set the matter for hearing before the Planning Commission, not less than 10 days nor more than 60 days thereafter, and shall give written notice of the hearing, by mail, to the appellant. The Planning Commission shall render its decision within 30 days following the close of the hearing on the appeal and a copy thereof shall be mailed to the appellant.

**SECTION 21.3. NOTICE OF VIOLATION.**

Whenever the Planning Director has knowledge that real property has been divided in violation of the provisions of the Subdivision Map Act or of this ordinance, he shall cause to be filed for record with the County Recorder notice of intention to record a notice of violation, describing the real property in detail, naming the owners thereof, describing the violation and stating that an opportunity will be given to the owner to present evidence. Upon recording a notice of intention to record a notice of violation, the Planning Director shall mail a copy of such notice by certified mail to the owner of such property. The notice shall specify a time, date, and the place at which the owner may present evidence to the Advisory Agency why such notice should not be recorded. If, after the owner has presented evidence, it is determined that there has been no violation, the Planning Director shall file a release of the notice of intention to record a notice of violation with the County Recorder. If, after the owner has presented evidence, the Advisory Agency determines that the property has, in fact, been illegally divided, or within 60 days of receipt by the owner of the involved real property of a copy of the notice of intention to record a notice of violation, the owner of said real property fails to inform the Advisory Agency as to why the involved real property has not been illegally divided, the Advisory Agency shall record the notice of violation with the County Recorder. The notice of intention, to record a notice of violation and the notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property. The County Recorder shall index the names of the fee owners in the general index.

**SECTION 21.4. PROHIBITION.**

- A. No person shall sell, lease, or finance any parcel or parcels of real property or commence construction of any building for sale, lease, or financing thereof, or allow occupancy thereof, for which a final map or parcel map is required by this ordinance, until such map thereof, in full compliance with the provisions of this ordinance, has been filed for record by the County Recorder.
- B. No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, or allow occupancy thereof, for which a parcel map is required by this ordinance, except model homes, until such map thereof in full compliance with the provisions of this ordinance has been filed for record by the Recorder.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

---

- C. Conveyances of any part of a division of real property for which a final map or parcel map is required by this ordinance, shall not be made by parcel or block number, initial or other designation until such map has been filed for record by the Recorder.
  
- D. This section does not apply to any parcel or parcel of a division offered for sale, lease, or finance, contracted for sale, lease, or finance, or sold, leased, or financed in compliance with or exempt from this ordinance at the time the land division was established.

**SECTION 21.5. PROCEDURES, REMEDIES AND PENALTIES.**

The procedures, remedies and penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for in Ordinance No. 725, which is incorporated herein by this reference.

**SECTION 21.6. COUNTY TO BE HELD HARMLESS.**

Any person who obtains or files an application to obtain an approval of any kind under the provisions of this ordinance shall hold the County, its officers and agents, harmless from any liability or claim of liability, including costs, attorney fees and any claims of the applicant, arising out of the issuance of an approval, or the denial thereof, or arising out of any condition thereof held void or invalid by a court of law.

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXI ENFORCEMENT AND PENALTIES**

---

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXII VALIDITY**

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**ARTICLE XXIIVALIDITY**  
**(formerly Article XX)**

**SECTION 22.1. VALIDITY.**

This ordinance and the various parts, sections and clauses are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby. The Board hereby declares that it would have passed this ordinance and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

Section 2. This ordinance shall take effect 30 days after its adoption; provided, however, that all subdivision applications submitted to the Planning Director prior to February 17, 1987, shall be subject to the procedures, standards and other provisions of Ordinance No. 460 in effect prior to the adoption of this Ordinance No. 460.78. Pursuant to Section 66474.2 of the Government Code, all subdivision applications submitted to the Planning Director on or after February 17, 1987, shall be subject to the procedures, standards and other provisions of Ordinance No. 460 as amended by this Ordinance No. 460.78.

Adopted Effective:  
11-02-59 (Ord. 460)

Amended Effective:

06-09-77 (Ord. 460.28)	06-12-93 (Ord. 460.114)
06-11-87 (Ord. 460.78)	06-12-93 (Ord. 460.115)
06-04-87 (Ord. 460.79)	06-12-93 (Ord. 460.116)
08-13-87 (Ord. 460.80)	06-12-93 (Ord. 460.117)
07-30-87 (Ord. 460.81)	06-12-93 (Ord. 460.118)
07-30-87 (Ord. 460.82)	10-04-93 (Ord. 460.122)
10-08-87 (Ord. 460.83)	12-23-93 (Ord. 460.120)
10-06-87 (Ord. 460.84)	03-24-94 (Ord. 460.121)
01-19-88 (Ord. 460.85)	04-21-94 (Ord. 460.125)
01-19-88 (Ord. 460.86)	07-28-94 (Ord. 460.126)
01-19-88 (Ord. 460.87)	09-22-94 (Ord. 460.123)
01-19-88 (Ord. 460.88)	04-20-95 (Ord. 460.127)
01-19-88 (Ord. 460.89)	07-06-95 (Ord. 460.128)
04-12-88 (Ord. 460.90)	09-07-95 (Ord. 460.130)
05-03-88 (Ord. 460.91)	11-30-95 (Ord. 460.131)
03-28-89 (Ord. 460.92)	03-20-96 (Ord. 460.129)
08-22-89 (Ord. 460.93)	04-19-96 (Ord. 460.132)
01-30-90 (Ord. 460.94)	06-28-96 (Ord. 460.133)
07-10-90 (Ord. 460.95)	01-03-97 (Ord. 460.134)
02-13-91 (Ord. 460.96)	01-17-97 (Ord. 460.135)
01-22-91 (Ord. 460.97)	01-19-97 (Ord. 460.136)
04-16-91 (Ord. 460.98)	07-03-97 (Ord. 460.137)
06-18-91 (Ord. 460.99)	06-20-98 (Ord. 460.138)
09-08-87 (Ord. 460.100)	07-27-98 (Ord. 460.139)
09-03-91 (Ord. 460.101)	04-14-00 (Ord. 460.140)
06-25-91 (Ord. 460.102)	07-07-02 (Ord. 460.141)
12-03-91 (Ord. 460.103)	10-20-03 (Ord. 460.142)
07-15-93 (Ord. 460.105)	01-27-04 (Ord. 460.143)
04-29-93 (Ord. 460.106)	04-04-06 (Ord. 460.144)
06-12-93 (Ord. 460.107)	02-01-07 (Ord. 460.147)
06-12-93 (Ord. 460.108)	10-28-08 (Ord. 460.148)
06-12-93 (Ord. 460.109)	12-16-08 (Ord. 460.149)
06-12-93 (Ord. 460.110)	09-15-09 (Ord. 460.150)
06-12-93 (Ord. 460.111)	Amended 460.151 Item 3.55 of 5/4/2010 (Eff: 6/3/2010)
06-12-93 (Ord. 460.112)	Amended 460.152 Item 9.8 of 7/15/2014 (Eff: 8/14/2014)
06-12-93 (Ord. 460.113)	

**ORDINANCE NO. 460.152**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING THE DIVISION OF LAND**  
**ARTICLE XXII VALIDITY**

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