



Mark Lancaster
Director of Transportation

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

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Transportation Department

CERTIFICATE OF COMPLIANCE

PURPOSE: To determine if a parcel of land is in conformance with the Subdivision Map Act and Riverside County ordinances in order to permit the sale, lease, or finance of such real property. A Certificate of Compliance does not grant the right to develop the parcel.

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 Ordinance No. 460.
2. Conditional Certificate of Compliance. A Conditional Certificate of Compliance is issued when the Survey Division determines that the property was divided in violation of the Subdivision Map Act or Ordinance No. 460.
3. Certificate of Compliance and a waiver of a parcel map. A Certificate of Compliance is required on all tentative parcel maps that have the parcel map waived. Since there is no parcel map to record, a certificate is necessary to record a legal description of the properties that have been created by the tentative parcel map.

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

- B. Application. Any owner of real property may file an application for a Certificate of Compliance. A separate application shall be made to the Survey Division, 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 form shall be accompanied by the following:
1. A map shall be submitted, drawn on a form provided by the Survey Division. 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 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.

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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.

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 the Exhibit "A" – Legal Description form, with 1" margins at the top, sides and bottom. This legal description shall be reproducible to yield a legible copy that can be used as a part of a recorded Certificate of Compliance.

C. Processing and Issuance.

1. Certificate of Compliance.

- a) Upon receipt of a completed application, the Survey Division 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 Ordinance No. 460, 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 Survey Division determines that the real property was divided in compliance with the provisions of the Subdivision Map Act and Ordinance No. 460 that were applicable at the time the property was divided, the Division shall cause a 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 Survey Division determines that the property was divided in violation of the Subdivision Map Act or Ordinance No. 460, 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 Survey Division, contingent upon the completion of specified conditions.

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- b) The Survey Division 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 Transportation Department 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 parcels in violation, and such person is the current owner of record of one or more of the parcels that were created as a result of the grant in violation, then the Transportation Department 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 Transportation Department imposes conditions, the department 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 Survey Division. If the conditions are satisfactorily completed, the Survey Division 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 that have the parcel map waived.
 - (2) The Survey Division 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. 671.
- D. Appeal to Planning Commission. The decision of the Survey Division regarding a Certificate of Compliance may be appealed to the Planning Commission within 10 calendar days after the date of the decision by the Survey Division. Upon receipt of a completed appeal, the Survey Division 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.
- E. Processing and Issuance.

CERTIFICATE OF COMPLIANCE

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 - b) The Survey Division 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 Transportation Department 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 parcels in violation, and such person is the current owner of record of one or more of the parcels that were created as a result of the grant in violation, then the Transportation Department 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.
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Appeal to Planning Commission. The decision of the Survey Division regarding a Certificate of Compliance may be appealed to the Planning Commission within 10 calendar days after the date of the decision by the Survey Division. Upon receipt of a completed appeal, the Survey Division 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.

CERTIFICATE OF COMPLIANCE

FILING INSTRUCTIONS FOR CERTIFICATE OF COMPLIANCE

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Certificate of Compliance application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

THE CERTIFICATE OF COMPLIANCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form.
2. Applicable deposit-based fee.
3. One copy of a typed written legal description of the subject property on the attached Exhibit "A" - Legal Description sheet.
4. One legibly drawn map of the subject property on the attached Exhibit "B" – Map sheet.
5. One copy of the current recorded deed.
6. If the property involved does not abut a public street, a copy of appropriate documentation of legal access from the property to a public road (e.g. recorded easement) for said property shall be provided.
7. If applicable, a map and copies of deeds of all other property owned by the applicant that is contiguous to the subject property.
8. Documentation showing the subject parcel as a separate parcel based upon the following:
 - a) Parcels of **4 acres or less**: documents dated prior to **July 14, 1971**.
 - b) Parcels **greater than 4 acres, but less than 60 acres**: documents dated prior to **March 4, 1972**.

CERTIFICATE OF COMPLIANCE

PROPERTY INFORMATION:

Assessor's Parcel Number(s): _____

Street Address (if Applicable) _____

Section: _____ Township: _____ Range: _____

Approximate Gross Acreage: _____

General location (cross streets): North of _____, South of _____, East of _____, West of _____.

FOR WAIVER OF PARCEL MAP ONLY:

What is the number of the waived parcel map? _____

What was the date of approval? _____

If the property is owned by more persons than indicated above, check the box below, and attach a separate page that includes the following statement "Certificate of Compliance No. _____", and references the affected Assessor's Parcel Number(s), and lists the names, mailing addresses, and phone numbers of those persons having an interest in the real property or properties involved in this application.

See attached sheet(s) for additional property owner's names, mailing addresses and phone numbers.

The Applicant may be the property owner, representative, or other assigned agent. Your signature below substantiates the fact that you understand the nature of the fee deposit, whereby work done by various Departments, Agencies, and/or Districts for this application will be billed directly to the application. If it is determined that additional funds are needed to complete the processing of this application, a bill will be sent to the applicant. If at any point, the fee deposit is reduced to zero or a negative balance, processing of the application will cease until the negative balance is paid and sufficient funds are available to continue the processing of the application. There will be NO refund of fees that have been expended for case review or other services, even if the application is withdrawn, or the application is ultimately denied.

The signature below also authorizes the Transportation Department and Transportation & Land Management Agency to expedite the refund and billing process by transferring monies among concurrent applications, if any, to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

CERTIFICATE OF COMPLIANCE

I certify that I am/we are all the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

<hr/> <i>PRINTED NAME OF PROPERTY OWNER(S)</i> <hr/>	<hr/> <i>SIGNATURE OF PROPERTY OWNER(S)</i> <hr/>
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**EXHIBIT "A" – LEGAL DESCRIPTION
CERTIFICATE OF COMPLIANCE NO. _____**

Record Owner(s):

Address:

Phone Number:

Exhibit prepared by:

Address:

Phone Number:

Assessor's Parcel Number(s):

**EXHIBIT "B" - MAP
CERTIFICATE OF COMPLIANCE NO. _____**

Record Owner(s):
Address:
Phone Number:

Exhibit prepared by:
Address:
Phone Number:

Scale:
Assessor's Parcel Number(s):

Zone: