

Chapter 16.08

DEFINITIONS

Section

16.08.010	Advisory Agency
16.08.020	Approved Access
16.08.030	Certificate of Compliance
16.08.040	Complete
16.08.050	Consistent with the General Plan and Specific Plans
16.08.060	Design
16.08.070	Improvements
16.08.080	Land Project
16.08.090	Latest Equalized Roll
16.08.100	Lot Line Adjustment
16.08.101	Lot Line Adjustment, Major
16.08.102	Lot Line Adjustment, Minor
16.08.110	Lot Line Merger
16.08.111	Preliminary Map
16.08.112	Tentative Subdivision Map
16.08.113	Final Map
16.08.114	Parcel Map
16.08.115	Reversion to Acreage Map
16.08.130	Public Waterway
16.08.140	Quarter-Quarter Division
16.08.150	Reasonable Public Access
16.08.155	Reasonable Public Access Easements
16.08.160	Subdivider
16.08.170	Subdivision
16.08.180	Subdivision Improvement Standards
16.08.190	Subdivision Map Act
16.08.200	Deleted per Ordinance No. 1094
16.08.210	Vesting Tentative Maps
16.08.220	Flag Lot

All terms used in this Ordinance which are defined in the Subdivision Map Act are used in this title as so defined. For the purpose of these regulations, the following words and phrases shall be construed as defined in this Chapter.

Sec. 16.08.010 Advisory Agency

The Advisory Agency for the administration of this Ordinance shall be the Trinity County Planning Commission. The Advisory Agency shall have the power and authority to

approve, conditionally approve, or disapprove Tentative Maps of four (4) or fewer parcels, Parcel Maps, Lot Line Adjustments, or Lot Line Mergers. The Advisory Agency shall regulate and control Subdivisions in a manner set forth in the Map Act and this Ordinance. The Advisory Agency may delegate all or part of its functions to the Subdivision Review3 Committee.

Sec. 16.08.020 Approved Access

Approved access means an irrevocable easement of record or an irrevocable easement established by a court of competent jurisdiction, appurtenant to the land which is proposed to be divided, providing access between the proposed subdivision and a county road or state highway; provided that access without such easements across land owned by the state or federal government, or Santa Fe Pacific Land Company may be acceptable under conditions specified by the Subdivision Improvements Standards. In the event that access is proved by permit or similar instrument, the map of record shall clearly indicate this.

Sec. 16.08.030 Certificate of Compliance

Certificate of Compliance means a document describing certain real property and stating that the division thereof complies with applicable provisions of the Subdivision Map Act and of County Ordinances enacted pursuant thereto. (Ord. 352, Sec. 3(A) (2), 1975)

Sec. 16.08.040 Complete

As it applies to determinations of the County Surveyor, Planning Director, Planning Commission, and Subdivision Review Committee relative to the adequacy of maps, "complete" means containing all information required by the Subdivision Improvement Standards, this title, and the Subdivision Map Act. (Ord. 352, Sec. 3(A) (3), 1975)

Sec. 16.08.050 Consistent with the General Plan and Specific Plans

Consistent with the General Plan and Specific Plans means compatible with the objectives, policies, general land uses, programs, and standards, specified in the General Plan and Specific Plan. (Ord. 352, Sec. 3(A) (3), 1975)

Sec. 16.08.060 Design

Design includes: (a) street alignments, grades, and widths; (b) drainage and sanitary facilities and utilities, including alignments and grades thereof; (c) location and size of all required easements and rights-of-way; (d) fire roads and firebreaks; (e) lot size and configuration; (f) traffic access; (g) grading; (h) land to be dedicated for park or recreational purposes; and (i) such other specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure

conformity to or implementation of the Trinity County General Plan or any adopted Specific Plan. (Ord. 352, Sec 3(A) (4), 1975)

Sec. 16.08.070 Improvements

Improvements refers to such street work and utilities to be installed, or agreed to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof. Improvements also refers to such other improvements, the installation of which, whether by the subdivider, by public agencies, by public utilities, by any other entity approved by the responsible County agency or official, or combination thereof, is necessary or convenient to insure conformity to or implementation of the General Plan or any adopted Specific Plan. (Ord. 352, Sec 3(A) (5), 1975)

Sec. 16.08.080 Land Project

Land Project means a subdivision for which all of the following conditions exist:

- A. The subdivision contains fifty (50) or more parcels, of which any fifty (50) are not improved with residential, commercial, industrial, or institutional buildings and are offered for sale, lease or financing for purposes other than industrial, commercial, institutional, or commercial agricultural purposes;
- B. Less than 1500 registered voters reside within the subdivision or within two miles of the boundaries of the subdivision;
- C. The subdivision is not a community apartment project, a subdivision consisting of condominiums, or a stock cooperative (each of which are defined by state law). Lands owned or controlled by substantially the same entities or interests shall be deemed to be part of the same subdivision for the purposes of this definition. (Ord. 352, Sec. 3 (A) (6), 1975)

Sec. 16.08.090 Latest Equalized Roll

Latest equalized County Assessment Roll is the assessment roll in existence on the first Tuesday after the third Monday in August. (Ord. 352, Sec. 3(A) (7), 1975)

Sec. 16.08.100 Lot Line Adjustment

Lot Line Adjustment means the relocation, modification, or an elimination of a property line(s) between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by the County. (Ord. 1195, Sec. 1, 1995)

Sec. 16.08.101 Lot Line Adjustment, Major

A Major Lot Line Adjustment means a lot line adjustment means a lot line adjustment which represents a substantial rearrangement of existing parcels, requires a certificate of compliance for one or more of the affected parcels, requires relocation of a utility or roadway, or which, in the judgment of the Planning Director, A Subdivision Review Committee Member, or Planning Commissioner, should be discussed in a public hearing.

Sec. 16.08.102 Lot Line Adjustment, Minor

A Minor Lot Line Adjustment means a lot line adjustment which readily conforms with the County Zoning Ordinance and Building Ordinance and which requires no discretionary review. Approval of a minor lot line adjustment is considered a ministerial act.

Sec. 16.08.110 Lot Line Merger

Lot Line Merger means the combining of two (2) or more parcels, where a greater number of parcels than originally existed is not thereby created.

Sec. 16.08.111 Preliminary Map

A Preliminary Map is less detailed than a Tentative Subdivision Map, It is used by some subdividers to obtain staff suggestions on design and improvements. A Preliminary Map need not be prepared by a Land Surveyor or Engineer.

Sec. 16.08.112 Tentative Subdivision Map

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

Sec. 16.08.113 Final Map

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

Sec. 16.08.114 Parcel Map

A Parcel Map is a formal map which divides or redivides the land into the lots shown on the map. This map must meet exacting requirements before it is recorded with the

Trinity County Recorder. A Parcel Map is required for all subdivisions that do not require a Final Map, unless it is waived as provided in Section 16.16.16 of this Ordinance.

Sec. 16.08.115 Reversion to Acreage Map

A Reversion to Acreage Map is a formal map which, when recorded, eliminates all lot lines and easements shown on the map, except for those easements which are required to be retained.

Sec. 16.08.130 Public Waterway

Public Waterway Means any of the following watercourses:

- A. Trinity River below Lewiston Dam
- B. North Fork of the Trinity
- C. New River
- D. South Fork of the Trinity
- E. Main trunk of the Eel River
- F. North Fork of the Eel River up to Shannon Butte
- G. Middle Fork of the Eel River
- H. Mad River up to Ruth Reservoir
- I. Trinity Lake
- J. Lewiston Lake
- K. Ruth Reservoir
- L. Ewing Reservoir

Sec 16.08.140 Quarter-Quarter Division

Quarter-quarter Division means a subdivision where every parcel created by the subdivision has a gross area of forty (40) or more acres or is a quarter-quarter section or larger. (Ord. 352, Sec. 3(A) (12), 1975)

Sec. 16.08.150 Reasonable Public Access

Reasonable Public Access means access by highway, foot trail, bike trail, horse trail, or other means to or along a river or stream or reservoir. In determining what is "reasonable" access, the Planning Commission and Board of Supervisors are required by the Subdivision Map Act to consider: (a) the size of the subdivision, (b) the type of riverbank and the various appropriate recreational, educational, and scientific uses possible there, (c) the likelihood of trespass on private property and reasonable means of avoiding such trespass, and (d) public safety and other such information as set forth in the State Map Act. (Ord. 352, Sec 3(A) (12), 1975)

Sec. 16.08.155 Reasonable Public Access Easements

Such easements are as defined in the State Map Act. Such easements also pertain to rivers, streams, and reservoirs. When read in context, "access" is used to describe a route from a road to a riverbank in or on the border of a subdivision (Para. 66478.4). This route need not cross the subdivision (Para. 66478.8). "Easement," as used in paragraph 66478.5, is a right to use part of the same riverbank for recreational, educational, and scientific pursuits. The right to use the bank and the right to a useable route to get there are distinguishable rights.

Sec. 16.08.160 Subdivider

Subdivider means a person, firm, corporation, partnership or association who proposes to divide, divides, or causes to be divided real property into a subdivision for himself or others, except that employees and consultants of such persons or entities acting in such capacity, are not "subdividers." (Ord. 352-2, Sec. 2, 1977; Ord. 352, Sec. 3(A) (14), 1975)

Sec. 16.08.170 Subdivision

Subdivision means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of way. "Subdivision" includes a condominium project, as defined in Section 1350 of the Civil Code, or the conversion of five (5) or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code. As used in this Chapter, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock.

Sec. 16.08.190 Subdivision Map Act

Subdivision Map Act refers to Division 2, commencing with Section 66410, of Title 7 of the Government Code of the State, and all amendments thereto. (Ord. 352-5, Sec. 1, 1979; Ord 352, Sec. 3(A) (17), 1975)

Sec. 16.08.210 Useable Area

Deleted per Ordinance No. 1094.

Sec. 16.08.210 Vesting Tentative Maps

A vesting tentative map shall mean a tentative map for a residential subdivision that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is applied for in accordance with Section 16.12 (Tentative Map), and is thereafter processed in accordance with the provisions in Section 16.16 (Parcel Maps), or Section 16.24 (Final Maps), unless otherwise specified. When a vesting tentative map is approved, the rules and regulations in effect on the date of will apply to the development of the project at the time of project development except as otherwise specified in this Ordinance.

Sec. 16.08.220 Flag Lot

A flag lot is an existing or proposed lot which is designed in such a way that a portion of the lot is 25% or less in width than the average side lot line extends to the nearest access point or water supply. This definition is not intended to apply to large acreage lots (Quarter-Quarter size).