

El Dorado County Surveyor Certificate of Compliance

PURPOSE

As of March 4, 1972, the California State Subdivision Map Act and El Dorado County Ordinances required that new parcels of land could only be created lawfully by recording a parcel map (when four or less parcels are being created). Further, in most cases the recording of a subdivision map is required if five or more parcels are created either prior to or after the March 4, 1972 date. Unfortunately, unless the parcel meets the criteria as set forth in the adopted Board of Supervisors Policy establishing some parcels as eligible for development, some parcels that have been created in violation of these requirements may not be eligible to obtain a building or development permit. The Certificate of Compliance application is a process wherein these unlawfully created parcels will be considered legal parcels after approval.

PROCESS

There are three major categories of Certificate applications; two are processed by the County Surveyor without a public hearing and are 1) Unconditional, where no conditions are applied, 2) Conditional, where County Ordinance 4632 has set the conditions to be applied. The third is processed by the Planning Department, which may require a public hearing and compliance with applicable development standards. These major categories are more clearly defined as follows:

1. County Surveyor applications: (Unconditional - no conditions to be added)
 - a. The parcel is one of less than five parcels created by the same owner from the original parcel prior to March 4, 1972.
 - b. The parcel is the result of a division which created parcels of 40 acres or larger, or is not less than a quarter of a quarter section, created prior to March 4, 1972.
 - c. The parcel is a Final or Parcel Map remainder created prior to January 1, 1980.
 - d. The parcel was created in violation of the Subdivision Map Act or local ordinance and subsequently issued any permit or grant of approval for development.
2. County Surveyor applications: (Conditional- conditions is set by Ordinance #4632 see below)
 - a. The parcel was one of five or more parcels created by separate ownership transfer of a deed or similar document by the same owner from the original parcel prior to March 4, 1972 and the parcel appears on the 1972 tax roll as a separate parcel.
 - b. The parcel was created by a gift deed or grant deed with zero transfer tax between the dates of March 4, 1972 and October 10, 1983 where fewer than five parcels were created by the same owner from the original parcel.
 - c. The parcel was the result of a division which created parcels 40 acres or larger, or not less than a quarter of a quarter section after March 4, 1972 and prior to January 7, 1992 and fewer than five parcels were created by the same owner from the original parcel.

Conditions

“The owner of this parcel either prior to or concurrently with obtaining any permit or grant of approval for development shall comply with all fire safe regulations that are enforced now or in the future by the El Dorado County Building Department.”

3. Planning Department applications: (Discretionary – Where conditions may be applied) All other situations with a parcel creation date after March 4, 1972 that is not included within categories 1 or 2 above.