

San Francisco Surveying and Mapping Committee

Draft Report 2020-11-13

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Preface

This Committee was formed per motion at the May 2020 Chapter meeting to consider and report on issues submitted to it and of its choosing pertaining to surveying, mapping, and city map-checking in San Francisco. The below constitutes the draft report of this Committee, and is very respectfully submitted to you the Chapter members for your consideration and feedback on the issues covered. A few items remain outstanding and will be added to the next draft of this Report next month. It is the Committee's hope that this document will serve as a catalyst for discussion of the current and future state of surveying, mapping, and map-checking in San Francisco, leading to mutually acceptable resolution of issues presently outstanding, and a mutually beneficial and productive working relationship among and between private and public sector surveyors and organizations in San Francisco. Your opinions and feedback are kindly requested.

Questions Considered, Discussion and Committee Findings

1. Question

Is it appropriate for BSM to require assessor's block numbers of blocks other than the subject block be labelled on the map?

Discussion

The labelling of assessor's numbers generally is not known to be required by any state or local code, ordinance, or regulation. The standard local practice is to label the assessor's numbers of the subject block, subject lot, adjacent lots, and the proposed assessor's parcel numbers of any new lots or units.

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Finding

The Committee recommends the assessor's number of the subject block, subject and adjacent lots, and any other lots and blocks shown on the map that the surveyor may desire, be labelled, in keeping with the standard local practice. The manner of labelling and use of abbreviations should be at the discretion of the surveyor, and done in such a way that it is clear that the numbers indicated are assessor's numbers and not subdivision lot and block numbers. The Committee believes that it is not appropriate for BSM to absolutely require labelling of assessor's block or lot numbers on the map, as this is not known to be required by any state or local code, ordinance, or regulation.

2. Question

Is it appropriate for BSM to require dimensioning of lengths of sidelines of rear adjacent lots, and locating of sidelines of rear adjacent lots relative to the end of the block, in a typical rectangular lot and block configuration?

Discussion - depth of block

The location of the lines of the subject property should be located and dimensioned, and their relationship to adjacent surveys and/or parcels should be shown. The location of the right of way at the rear of the block should be established, if that right of way is called for in the deeds to the subject or adjacent parcels. The purpose is to establish the depth of the block, the depths of the subject and rear adjacent lots, and identify any gaps or overlaps along the common rear lines, if any exist.

Finding - depth of block

In a rectangular lot and block configuration, the depth of the block from the street on which the subject parcel fronts, through to the street on which the rear adjoiners front, should be established. In this case, the distance from the right of way at the front of the block to the right of way at the rear of the block should be labelled, by whatever method is deemed appropriate to the survey and map by the surveyor. Common and acceptable methods of such labelling include labelling the overall depth of the block, or labelling the depths of the subject and rear adjacent lots, or both. The depth of the rear adjacent lots should be either directly labelled or ascertainable by simple calculation from the face of the map. If there is any discrepancy with the record dimensions, the record and measured dimensions should be shown. It is not appropriate for BSM to require dimensioning of one or more sidelines of rear adjacent lots if the length of those

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lines is ascertainable from the map by calculation and no discrepancies with record exist, as this is an issue of style rather than technical correctness.

Discussion - sidelines of rear adjoiners, lateral position

The location of the sidelines of the rear adjoiners relative to the end of the block should be established and dimensioned if material to the survey. If not material, the location of those sidelines relative to the end of the block need not be established or dimensioned.

Finding - sidelines of rear adjoiners, lateral position

The necessity to establish and dimension the sidelines of the rear adjoiners relative to the end of the block is dependent on whether or not the location of those lines is material to the survey. If it is not material, there is no necessity. If it is material, it is necessary.

3. Question

Is it appropriate for BSM to require a linetype legend on all maps?

Discussion

The nature of the lines on the map should be made clearly ascertainable from an inspection of the map, either by use of proper and commonly accepted map drafting techniques, or by inclusion of a legend, or both. Commonly used linetypes denoting the subject parcel, other parcels, right of way lines, monument lines, center lines, easement lines, and dimensional lines may be utilized, together with commonly used annotation and map drafting techniques, such that a legend of linetypes is not necessary for interpretation of the map. Lines that are subject to confusion as to their nature should be labelled directly or made clear by appropriate map drafting measures or by utilization of a legend.

Finding

The inclusion of a linetype legend is not required by state or local code or regulation, or the local standard of practice. The nature of the lines on the map should be made clearly ascertainable from an inspection of the map, either by use of proper and commonly accepted map drafting techniques, or by inclusion of a legend, or both, at the discretion of the surveyor.

4. Question

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Is the comment below, commonly made by BSM to the surveyor on maps in the Western Addition, correct or necessary to be made by BSM?

“GENERAL NOTE TO MAP PREPARER:

“WESTERN ADDITION BLOCK NO.xxx

BLOCKS EXISTED PRIOR TO THE MONUMENT LINES BEING ESTABLISHED.

PLEASE DEMONSTRATE BLOCK DIMENSIONS INDEPENDENT OF MONUMENT

LINES. RESOLUTION OF EACH BLOCK IN THE “WESTERN ADDITION” MAY BE

CONSIDERED INDEPENDENT OF THE OTHER ADJOINING BLOCKS AND ALSO

INDEPENDENT RELATIVE TO THE CITY MONUMENT LINES. A SURVEY OF THE

PHYSICAL STRUCTURES OF OCCUPATION MAY BE FOUND TO BE IN

AGREEMENT WITH THE RECORD BLOCK DIMENSIONS IF THE SURVEY DOES

NOT ATTEMPT TO HOLD THE MONUMENTS LINES. IN CASES WHERE SUCH

HARMONY EXISTS, THE BLOCK LINES MAY BE HELD AS EVIDENCED BY THAT

PHYSICAL OCCUPATION. HOWEVER, MONUMENT LINES SHOULD IN ALL CASES

BE SHOWN WITH BOTH RECORD AND MEASURED TIES LABELED

ACCORDINGLY. ALSO NOTE THAT IN ADJUSTING BLOCKS LINES TO BEST FIT

THAT WHICH IS EVIDENCED BY OCCUPATION, THERE MAY BE SOME MINOR

DEVIATION FROM THOSE STREET WIDTHS INDICATED BY OFFICIAL CITY

GRADE MAPS. REGARDLESS OF EFFECT, BOTH RECORD AND MEASURED

STREET WIDTHS SHOULD BE SHOWN.”

Discussion

The reason for the making of this note is not known to the Committee. This note is not used or given weight by the members of the committee. The general intent of the note applies to most areas of the city, not just the Western Addition. The portion of the note requiring record and measured street widths is not presently adhered to by members of the committee, is not presently enforced by BSM, is not seen to be followed on maps of others, and is not necessary as part of a survey in the Western Addition.

Finding

BSM should cease to add this note to maps in the Western Addition or anywhere else, as it is not utilized by surveyors in this committee, or in San Francisco generally, contains requirements that are not necessary, supportable, or enforced, and is not specifically applicable to the Western Addition alone.

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5. Question

Is it appropriate for BSM to require 3 monument marks be located per monument line in all instances, or in instances at their discretion?

Discussion

In areas where monument lines are established by reference to marks on buildings or similar, not actual street monuments, it is prudent to locate at least 3 marks per line, and this is the standard local practice. However, there are cases where it is not necessary or possible to locate 3 or more marks per line, including cases where many marks have been lost, monument district boundary lines exist, few marks exist generally and are far apart, or sufficient marks and supporting evidence are recovered to establish the relevant lines without resort to more 3 or more marks.

Finding

It is recommended and prudent to locate at least 3 marks per line, but there are cases where this is not necessary, and it should be at the discretion of the submitting surveyor to determine how many marks are necessary.

The Committee believes the following PLS Act citation applies to this question, with regard to Records of Survey as specifically addressed, as well as in spirit to subdivision maps and corner records generally.

PLSA 8766 Record of Survey - Examination

(b) The examination pursuant to this section shall not require the licensed land surveyor or registered civil engineer submitting the record of survey to change the methods or procedures utilized or employed in the performance of the survey, nor shall the examination require a field survey to verify the data shown on the record of survey.

6. Question

What is the Committee's opinion regarding BSM Technical Bulletin 2016-1 (Minimum Standards for Surveying) Item 8: "Record information alone is not sufficient to resolve boundary lines for your project."?

Discussion

This requirement, and comments on BSM map reviews citing it, are the source of much confusion. It appears that in practice, BSM requires that some physical evidence be

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located and shown near most or all established lines on maps, commonly including curb lines, building corners, and other evidence of possession, regardless of how much or little record measurement evidence is used to support the lines established, or whether or not the submitting surveyor believes the requested information to be material to the establishment of the lines. This leads to much confusion and disagreement over what is required or appropriate in these cases.

It is the Committee's supposition that this Minimum Standards Item 8 was created with the goal of increasing the amount of physical evidence shown on recorded maps, from that required by the previous unofficial standards enforced by BSM prior to approximately 2015, which generally discouraged the showing of evidence of possession, found points of unknown origin, and any evidence not of record generally.

Finding

The Committee supports the supposed intent of this note as described above, and supports the move over the past several years toward a more complete mapping standard which requires surveys to "stand on their own". However, the committee takes issue with the overly rigid and heavy-handed application by BSM of this general principle to cases where it is not warranted. This statement would be better understood and received if re-worded to more clearly indicate its intent. The following language is suggested:

Lines established should be supported on the map by the evidence that was relied upon by the surveyor to establish those lines. A map should show the methods and evidence used, not omit evidence that suggests alternate positions for the lines established, and should be consistent with the purpose of the survey and the local standard of practice.

There are many situations in which record information is relied upon heavily for establishment of lines, and is sufficient without resort to additional supporting evidence, and is presumed to be correct unless proven otherwise. The weight given to various forms of evidence including record information, and the necessity or non-necessity of verifying record information by reference to other evidence including buildings, old curbs, etc., is a professional determination that must be made by, and should be left to, the performing surveyor, and should not be made subject to a rigid rule.

7. Question

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What is the Committee's opinion regarding BSM Technical Bulletin 2016-1 (Minimum Standards for Surveying) Item 10: "At a minimum, show all found monuments of record and not-of-record along established right-of-way lines in the area containing the subject property between the midpoint of the block and the closest intersecting right-of-way lines located on the survey. If the subject property deed and adjoining property deeds tie to all 4 right of way lines, show all found monuments of record or not of record along the established right-of-way lines."?

Discussion

This requirement is not found to be supported by state or city code or regulation, or the local standard of practice. It is an arbitrary and rigid standard that is not applicable to many surveys in San Francisco, and does not allow for independence of methods or procedures by the performing surveyor. It is supposed that this requirement was created with the goal of increasing the amount of evidence shown on maps relative to that shown previous to 2015 approximately. The committee agrees with this supposed goal, but believes that this requirement as written is overly strict and unsupportable.

Finding

This requirement is not supportable as is, and the committee recommends it be removed altogether or replaced with language similar to the below to better express its supposed intent:

Lines established should be supported on the map by the evidence that was relied upon by the surveyor to establish those lines. A map should show the methods and evidence used and not omit evidence that suggests alternate positions for the lines established, consistent with the purpose of the survey.

8. Question:

What is the Committee's opinion regarding BSM Technical Bulletin 2016-1 (Minimum Standards for Surveying) Item 16: "Show all potential gaps or overlaps between subject property and adjoining properties caused by title issues, block surplus, or block shortages. Provide all evidence supporting conclusions, including but not limited to the McEnerney judgments."?

Discussion

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The committee supposes that this requirement is addressing the longtime practice of identifying and mapping “title gaps” or “gaps of unknown ownership” that are found to exist after a boundary resolution has been performed, usually due to surpluses in certain parts of the city, peculiar deed configurations and errors, and loss of original land records due to the fire of 1906. However, of late, comments on maps have been received requesting that “potential” gaps or overlaps be shown in cases where the submitting surveyor believes there is no gap or overlap along the relevant line, in their opinion.

Finding

The treatment of surpluses, shortages, gaps and overlaps in San Francisco is a complex subject beyond the scope of this document. All gaps and overlaps believed to exist, in the opinion of the surveyor, should be shown on the map, of course. However, the Committee takes issue with the use of the word “potential” in this context. This amounts to a request to show an “alternate boundary position”, a practice that the Committee is aware is somewhat common in other areas, but is not in San Francisco, and which is a significant request to make and one with important ramifications from the surveying, mapping, title, and liability perspectives. The identification of a “potential gap” or “potential overlap”, being the same as an “alternate boundary location” is not within the present local standard practice, is a topic that warrants further discussion, and should be left to the discretion of the submitting surveyor.

Therefore, the Committee believes BSM should cease to make these requests in the general case, and that the word “potential” should be removed from this item on the Minimum Technical Standards.

9. Question

Is it appropriate for BSM to require curb lines be located and shown on maps, at its discretion?

Discussion

It has been observed that BSM frequently suggests or requires that curb lines be located and shown on maps, and that the distance from the curb line to right of way line be noted and compared to the record dimension per the City Grade Maps.

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In San Francisco, curb lines and official sidewalk widths are, generally speaking, not weighted heavily in the boundary resolution process. This is due to a variety of factors, including the availability of more relevant and controlling evidence such historic and modern boundary line markers, historic and modern survey records, city monument lines, building possession lines, and, in many districts, a lack of documented connection between the construction of the curbs and the original survey of the area, if any. In some cases, of course, curb line are relied upon for a boundary determination, but in most cases they are not considered as material to the boundary resolution, for the above reasons. The utilization or not of curbs is a determination made by the performing surveyor based upon the facts of the particular survey.

Finding

For the reasons discussed above, it should be left to the discretion of the surveyor to determine the relevance of curbs to the survey. If curbs were relied upon as material to the boundary resolution, they should be shown upon the map. If they were not, they need not be shown.

It is not presently, nor has it been in the past, standard practice to always locate and map curb lines, either for documentation or for boundary resolution support purposes. The committee does not at this time support a change in the standard practice such that curb lines always be shown regardless of their relevance to the boundary resolution.

The committee believes the following statement applies to this topic:

Lines established should be supported on the map by the evidence that was relied upon by the surveyor to establish those lines. A map should show the methods and evidence used, and not omit evidence that suggests alternate positions for the lines established, consistent with the purpose of the survey and the local standard of care.

10. Question

What is the Committee's opinion regarding BSM making suggestions on map reviews, generally speaking?

Discussion and Finding

It is the Committee's opinion that suggestions should be kept to an absolute minimum and reserved for material and substantive items only. The committee recommends that

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in no case should suggestions be made to add information to the map that is not required by the SMA, PLSA, local ordinance, or the local standard of practice, or that pertain to the style of the map rather than its technical or substantive aspects. Suggestions of this type include: requests for assessor's block numbers of adjacent blocks, requests to tie in extraneous monument lines having no bearing on the subject block, and requests to locate and dimension the sidewalk width and compare it to the grade map when it is not material to the survey. An excessive volume of such suggestions renders the weight of meaningful suggestions less and results in a map unduly burdened with red ink, increasing the time and difficulty of addressing the substantive map review comments.

It is the Committee's observation that the number of suggestions and comments on maps has risen greatly over the past several years, and particularly over the past two year approximately, to the detriment of the public-private surveyor relationship, the increased cost of addressing map reviews borne by the client, and to the benefit of no-one. The Committee believes a reduction in unnecessary editorial suggestions and requests on maps would do a great deal toward reversing these negative trends.

11. Question

Is the "Technical Bulletin 2016-1, Minimum Standards for 2016 Mapping Standards for surveying within the City and County of San Francisco" strictly enforceable by BSM.

Discussion

The 2016 Standards were issued by the former City and County Surveyor as a bulletin. This bulletin contains many generally supportable recommendations as well as some that in the Committee's view are not supportable, based on state code and local code, ordinance or regulation and the local standard practice. This bulletin is not part of the subdivision code or regulations.

Input from private sector surveyors was received and incorporated in this document, and it was generally supported by many in the professional surveying community in San Francisco at the time of its issuance. However, this document was not put forth for review or comment by SF CLSA at the time of its creation, has not been ratified by SF CLSA since its issuance, and has not been reviewed or revised since its issuance.

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Finding

The committee believes that at most this bulletin should be viewed as a guiding document to be used as a general reference, and not used as a strict set of rules to be applied to all surveys. It should only be viewed as supportable or enforceable to the degree that its assertions and requirements are supported by state or local code, ordinance or regulation, or the local standard of practice.

12. Question

Is it appropriate for BSM to charge a \$250 “incomplete submittal” fee for “failure to address revision comments” if those comments were addressed by memo instead of complied with by revisions to the map?

Discussion

It has been observed that when differences of opinion have arisen over map review comments, BSM has threatened to charge a \$250 fee for “incomplete submittal”, for the reason that the surveyor has not complied with requested map revisions on the map, but has instead addressed the comments by explanation in a memo.

Finding

In the Committee’s opinion, is not appropriate for BSM to do this. A submittal cannot be fairly deemed incomplete if it addresses all comments, either on the face of the map or by memo. Surveying is a professional practice and differences of opinion are inevitable. These differences of opinion, if unable to be resolved by written communication, must be resolved by a meeting or in some other fashion in a professional manner. The use of the threat of a \$250 fee to force compliance with specific map comments, against the professional judgment of the performing surveyor, is unprofessional, unproductive, and unsupportable.

13. Question

Is it appropriate for BSM to request the surveyor to “label the parent tract” (usually referring to historic block number, for example “50 vara block 20”, “western addition block 45”, etc.) on the face of the map, if it is already noted in the title block?

Discussion

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It is observed that BSM frequently requests the “parent tract” be labelled on the map portion of a map, regardless of whether it is noted in the title block or not. Frequently, the information being referred to is in fact the historic ‘city block number’ of the subject block, not actually a reference to a ‘parent’ map parcel or conveyance at all. In most cases this historic reference information is referenced in the legal descriptions, on current assessor’s maps, and in various other survey records.

The present and past standard practice is and has been to note this historic reference information on the map as a matter of course, whether or not it is of title or survey significance, either directly in the map area or in the title block of the map.

Finding

The historic block or parent tract information may not be technically necessary to be depicted on the map in all cases, based upon state and local code or ordinance, or the facts specific to the survey. However, the local standard practice is and has been to note this information on the map in all cases in some fashion, according to the preference of the preparer. The committee recommends the continuance of this practice as it adds context and aids in historical research.

However, the committee finds it inappropriate of BSM to specify the precise manner in which this information is depicted, as this constitutes a comment on the style of the map, not its technical correctness, and should be left to the discretion of the preparer.