

INSTRUCTIONS FOR FILING A TENTATIVE MAP APPLICATION

INSTRUCTIONS

Please prepare the plans, forms, and other required information listed below and return them, by appointment, to the Planning Divisions of the Department of Planning, Building and Code Enforcement. Applications will only be accepted if they are complete and fees are paid.

- 1. Completed Application Forms.** Each page of the application shall be completely filled out and signed by the subdivider(s), property owner(s) and Licensed Land Surveyor or Civil Engineer. Original signatures are required.
- 2. Tentative Map.** Twenty copies of the proposed Tentative Map are required. Tentative Maps must be prepared by a Licensed Land Surveyor or a Registered Civil Engineer. Each proposed Tentative Map shall be prepared in conformance with the Tentative Map application requirements on the next column of this page.
- 3. Noticing the Neighborhood.** Refer to the Public Outreach Policy for a full description of the City's public notification procedures. Public Hearing notices will be mailed for development proposals at least 10 calendar days before the date set for hearing for a project. Notices will be sent to all property owners and residents within 300 feet for Very Small projects, 500 feet for Standard Development Proposals and a minimum of 1,000 feet for large or controversial projects as detailed in the Public Outreach Policy.
- 4. Environmental Clearance.** A complete application for Environmental Clearance or Exemption is required, including the appropriate filing fee. If the proposed subdivision was addressed in a previous Environmental Clearance application, and a Negative Declaration was issued, please attach a copy of that document.
- 5. Parkland Requirement.** In the event that acquisition or dedication of parklands is a provision of the Tentative Map; **OR** if the proposed subdivision is adjacent to or impacts public open space, the applicant should contact the Planning Divisions of the Department of Planning, Building and Code Enforcement and Department of Public Works, Park Design and Construction (793-9888) for procedural decision prior to filing the Tentative Map.
- 6. Vesting Tentative Map.** If the proposed Tentative Map is to be a Vesting Tentative Map, complete the supplemental procedures found in Page 3 of the application instructions.
- 7. Geologic Hazard Clearance.** Tentative Maps proposed in areas of special geological hazards will not be approved without a Geological Hazard Clearance. To find out more about this process, contact the City Geologist at (408) 535-3555.
- 8. Zoning Requirements.** A Tentative Map will not be approved prior to the approval of a zoning on which the subdivision is based. A Planned Development (PD) Permit may be filed and processed concurrently with a Tentative Map.
- 9. Fees.** An application fee, Record Retention fee, Public Noticing Fee, and a fee for the appropriate environmental application are due at the time of filing (see Fee Schedule).

TENTATIVE MAP REQUIREMENTS

Tentative Maps must be prepared under the direction of a Licensed Land Surveyor or Registered Civil Engineer. It must be clearly and legibly drawn to scale, be of the size and form prescribed by the Director of Planning, and must clearly show and contain the following information:

General Instructions:

- The map shall be legibly drawn and titled. Any certificate statements, affidavits, and acknowledgments must be legibly stamped or printed upon the map. Black line copies are preferred.
- The scale of the map shall be large enough to show all details clearly and several sheets can be used to accomplish this end.
- Each sheet shall be **no larger** than 24" x 36". Sheets of larger size shall require prior approval before filling the application.
- The sheet number and total number of sheets comprising the Tentative Map shall be stated on each sheet (For example: Sheet 1 of 2).
- A margin line shall be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch.
- A block reserved for revision dates and space for certificates and approvals (at least 3" x 3") shall be located on the map, preferably in the lower right hand corner.

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7. A bar scale, north arrow, and date of initial drawing shall be shown on the map. Whenever possible, north shall be oriented toward the top of the map.
8. A heavy line shall be used to draw the subdivision boundaries, dimensions and locations of all permanent and proposed monuments together with a description of their size.

Face of Map - General Information:

9. The shape, dimensions, and square footage of each proposed lot shall be delineated. Lots shall be numbered beginning with one (1) and continue consecutively. Any "designated remainder" must be so identified and labelled with the name of the property owner and the phrase "Designated Remainder."
10. A location map shall be provided to a scale of 500 feet to the inch, showing the property in relation to the adjacent public streets and freeways. Orient the location map to match the Tentative Map.
11. All dimensions, both linear and angular, for locating the boundaries of the property, lots, streets, right-of-ways and easements within the subdivision and building setback line adjacent to the proposed and existing streets within the subdivision shall be shown. Linear dimensions shall be expressed in feet and decimals of a foot, followed by the angle expressed in degrees, minutes and seconds.
12. Show city limit lines which cross or adjoin the subdivision.
13. Locate all existing buildings on the subject property. Indicate if these buildings are to remain or be removed with the subdivision. Proposed structures should not be indicated on a Tentative Map unless building footprints are necessary to identify proposed Public Service Easements.
14. Show the location of any existing well(s) on the subject property and whether they are to capped or abandoned in accordance with Santa Clara Valley Water District (SCVWD) standards.
15. Locate all potentially dangerous areas within and adjacent to the proposed subdivision, such as areas subject to flooding or geologic hazards.
16. Locate all proposed public areas, such as school sites and park sites, within the proposed subdivision and on lands immediately adjacent thereto.
17. Label all adjacent land uses surrounding the subject property.
18. Label the names of property owners and/or tract numbers of adjacent properties.

Easements and Streets:

19. Identify and dimension all existing and proposed public or private easements for utility, drainage, sewer, parking, access and other purposes. If the properties are held in common ownership, please see item No. 40 under "Additional Notes", page 3.
20. Indicate the radius of each right-of-way line for streets in the proposed subdivision.
21. Indicate the angle of intersecting streets if such angle deviates from a right angle by more than four (4) degrees.
22. Label proposed streets or alleys and identify whether public or private.
23. Show the location and dimensions of all existing and proposed public rights-of-ways, including adjacent streets, alleys and railroad rights-of-way. Also locate and dimension all existing and proposed public facilities such as curbs, sidewalks, sidewalk planters, street trees, utility poles, electroliers, traffic signs and signals, storm sewers, sanitary sewers, fire hydrants, median island and median island openings, project driveways, driveways on opposite street frontages, bus stops, drainage inlets and manholes.
24. Show cross-sections for all existing and proposed public or private streets, including curb gutter, sidewalk soundwalls, median island, park strip and travel ways, each fully dimensioned.

Note: Dedications may be required as specified in the Subdivision Map Act (Section 66475). Any required dedications will be identified and conveyed, in writing, to the applicant during the review of the project.

Grading and Drainage:

25. Provide the following grading and drainage details:
 - a) Topography with pad elevations for the site and all property within 50 feet.
 - b) Existing trees, specifying size, species, condition, and disposition. Details of rock outcroppings and other natural features.
 - c) All existing retaining walls, swales, and inlets.
 - d) All existing and proposed grading, including slopes.
 - e) Include sections through the property as requested to include adjoining properties, showing any grading and any soundwall/fence at the property line.
 - f) Drainage flows and overland release flows.

General Notes: List the following information on the proposed Tentative Map.

26. The name of the proposed subdivision.

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- 27. The names, complete mailing addresses of:
 - a) current property owner and all parties having recorded title interest,
 - b) subdivider, and
 - c) Civil Engineer or Land Surveyor under whose direction the map was prepared, including the registration number of the engineer or surveyor.
- 28. The current County Assessor's designation of Book, Page, and Parcel Numbers.
- 29. The existing use of the subject property.
- 30. The proposed use of the property being subdivided. For residential developments, list the maximum number and type of dwelling units.
- 31. The existing zoning of the property being subdivided and proposed zoning, if different. If the property is zoned a Planned Development (PD) Zoning District, include the PDC file number and Ordinance number.
- 32. The General Plan/Land Use Transportation Diagram designation of the subject property.
- 33. The source of water supply for domestic purposes and fire protection.
- 34. The proposed number of lots.
- 35. The total acreage of the proposed subdivision.

Additional Notes. In addition to the above, the following notes and information should be written upon the face of the map, when applicable:

- 36. A statement indicating that the proposed subdivision will conform to the street tree plan of the City of San José. "This subdivision will conform to the street tree plan of the City of San Jose".
- 37. If no new street names are involved, a statement to this effect should be included. Contact the Project Manager for additional information and approval of proposed new street names at (408) 535-7800. Once street names are approved, add the note: "Street names shown here have been approved by the County of Santa Clara Communications and the U.S. Postal Service."
- 38. A statement that the proposed subdivision is subject to Parkland Dedication Ordinance Note:
 - a) For residential subdivisions:

"This subdivision is subject to the requirements of the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San José Municipal Code), for the dedication of land for parks purposes, under the formulae contained within that chapter."

- b) For commercial or industrial subdivisions:

"If a building permit(s) is requested for the construction of a residential structure or structures on any of the proposed parcels within four (4) years of the recordation of the parcel map, the owner of each such parcel shall be subject to the Parkland Dedication requirements pursuant to Chapter 19.38 of Title 19 of the San José Municipal Code."

- 39. A note on the face of the map if any easement(s) is/are proposed between two properties of the same ownership:

"Subdivider shall record a Covenant of Easement to the City of San José for _____ purposes, in accordance with Part 1 of Chapter 20.110 of Title 20 of the San José Municipal Code, across Lot(s) _____ for the benefit of Lot(s) _____ (as numbered on Tentative Map City file number _____) prior to or with the recordation of the map. Said easement(s) shall be binding upon, and the benefits shall inure to, all successor in interest to the affected real property."

Identify the easement on the face of the map as a Covenant of Easement (COE).

"VESTING" TENTATIVE MAP REQUIREMENTS

If an applicant wishes to file a "Vesting Tentative Map, the following information is required, in addition to the previously identified requirements:

- 1. A Vesting Tentative Map shall be printed on its face the words: "Vesting Tentative Map".
- 2. At the time of filing a Vesting Tentative Map, a subdivider shall also have submitted a complete application for all other discretionary permits pertinent to the development of the project site. Such approvals may include the following permits: Site Development, Development Variances or Exceptions, Conditional Use, or a Planned Development.
- 3. The processing of a Vesting Tentative Map may take place concurrently with the other discretionary permits required. However, the Vesting Tentative Map cannot be approved prior to issuance of any required discretionary permit.
- 4. If the filing of a Vesting Tentative Map does not require other discretionary permits under the Municipal Code, the subdivider shall, at the time a Vesting Tentative Map is filed, supply the following information in addition to what is required of a conventional Tentative Map application:
 - a) Proposed building envelope(s) including dimensions, height, size, setbacks and location of buildings;
 - b) A Preliminary grading plan including the approximate finished grade of each building pad;
 - c) Building elevation;

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- d) For a residential development, the number of dwelling units proposed.
 - e) The Director of Planning may require additional information, as necessary, to accomplish the purposes of the Subdivision Ordinance and the State Subdivision Map Act.
5. If the filing of a Vesting Tentative Map is concurrent or subsequent to a discretionary permit (PD, CUP, Site Development, etc.) those plans and standards may be included by a reference note on the face of the Tentative Map.
 6. The requirements for a conventional Tentative Map, in accordance with Section 19.12 of the Subdivision Ordinance, see page 3, shall be shown on the first sheet and labeled Sheet 1 and entitled "Vesting Tentative Map". Pages containing the requirements of numbers 4(a), (c), (d), and (e) above shall be supplemental to the Vesting Tentative Map sheet and shall be consecutively numbered. The requirements of item 4(b) (preliminary grading plan) shall be placed on a separate sheet and placed last in the numbering system.

FINAL MAPS

Final maps and Parcel maps are processed by the Department of Public Works (PW) with review by the Department of Planning, Building and Code Enforcement. Final Subdivision Maps (Tract Maps) are processed by Public Works and approved by the City Council. Parcel Maps are approved and recorded by the Department of Public Works after the Tentative Map conditions are fulfilled. Contact the Department of Public Works at (408) 535-8300 for information regarding the Public Works Clearance, improvements bonds and plans as well as drawing and document requirements. PW will not normally accept a final map for review unless the Tentative Map is approved. PW will, however, accept the final map for review, prior to approval, if the applicant assumes responsibility for any required changes resulting from the Tentative Map which occur after final map submittal.

Note: When an applicant submits a Final Subdivision Map or Parcel Map which differs from the approved Tentative Map, a letter identifying and explaining these changes must accompany the application to the Department of Public Works.

ACKNOWLEDGMENTS

1. Whenever a certificate, statement or acknowledgment is made by separate instrument, there shall appear on the Final tract map a reference to the separately recorded document. This reference shall be completed by the County Recorder pursuant to Section 66468.1 of the Subdivision Map Act.

2. If dedication or offers of dedication are required, they may be made either by a statement on the parcel map or by separate instrument. If dedications or offers of dedication are made by separate instrument, the dedications or offers of dedications shall be recorded concurrently with, or prior to, the parcel map being filed for record. The dedication whether by statement or separate instrument, shall be signed by the same parties and in the same manner as for dedication by a final map.

PROCESSING SCHEDULE

Planning Staff

- Checks the application for completeness
- Logs in application, assigns a File Number and collects fees
- Reviews application with other City Departments and obtains any pertinent data
- When necessary, makes a field inspection
- Makes a recommendation to the Director of Planning

Director of Planning:

- The Director of Planning or delegate conducts a public hearing and approves, conditionally approves, or denies the Tentative Map
- An approval, conditional approval or denial may be appealed to the City Council within 10 days of decision

City Council:

- If appealed, the City Council will consider and act on the appeal
- If the appeal is denied, the decision of the City Council shall be final
- If the appeal is granted, the decision shall be effective immediately

Final Maps (Public Works staff):

- Reviews the parcel and final maps for completion of conditions of the Tentative Map
- Makes recommendation to the Director of Public Works for Parcel Maps and the City Council for Final Maps

Director of Public Works:

- Approves Parcel Maps

City Council:

- Approves Final or Tract Maps

City Clerk:

- Records Parcel, Final or Tract Maps with the County Recorder's Office.

TENTATIVE MAP APPLICATION

TO BE COMPLETED BY PLANNING DIVISION STAFF			
FILE NUMBER (T OR PT)	COUNCIL DISTRICT	QUAD #	RECEIPT #: _____
PROJECT LOCATION (<i>Address, if applicable</i>) _____ _____ _____			DATE: _____ AMOUNT: _____ BY: _____
ZONING	GENERAL PLAN		CENSUS TRACT #
PREVIOUS FILE NUMBERS (IF ANY) ZONING: _____ PD PERMIT: _____ T-MAP: _____		PROJECT DESCRIPTION: SUBDIVIDE/RECONFIGURE _____ PARCEL(S) INTO _____ LOTS TO ALLOW _____ USE(S).	
SCHOOL DISTRICTS:	ELEMENTARY	HIGH SCHOOL	

TO BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)		
ASSESSOR'S PARCEL NUMBER(S)	GROSS ACRES	NET ACRES
EXISTING NUMBER OF LOTS	PROPOSED NUMBER OF LOTS	
EXISTING LAND USE	PROPOSED LAND USE	
EXISTING NUMBER OF UNITS	PROPOSED NUMBER OF UNITS <i>(for Residential & Condominium projects)</i>	
	TYPE OF UNITS	
ESTIMATED DATE OF OCCUPANCY (<i>Day, Month, Year</i>)	MAXIMUM NUMBER OF UNITS	

ENVIRONMENTAL STATUS	
<input type="checkbox"/> NEGATIVE DECLARATION - NEW APPLICATION <input type="checkbox"/> EXEMPT FROM ENVIRONMENTAL CLEARANCE EXEMPTION SECTION # _____	<input type="checkbox"/> NEGATIVE DECLARATION GRANTED DATE: _____ FILE #: _____ <input type="checkbox"/> E.I.R. FOUND COMPLETE Date _____ TITLE OF E.I.R. _____

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AFFIDAVIT OF SUBDIVIDER/AUTHORIZED AGENT <i>(PLEASE PRINT OR TYPE)</i>			
The undersigned does certify, as required by Section 19.12.20 of the San Jose Municipal Code, that: <i>(Check One Box)</i>			
<input type="checkbox"/> A. I am the owner of the property proposed for subdivision; or <input type="checkbox"/> B. I have an option or contract to purchase the property proposed for subdivision or the portion there of which I do not own; or <input type="checkbox"/> C. I am the authorized agent of one who meet the requirements of A or B.			
NAME OF SUBDIVIDER (if different from property owner or engineer/surveyor)		DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
PROPERTY OWNER(S) <i>(PLEASE PRINT OR TYPE)</i>			
PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()
ADDRESS	CITY	STATE	ZIP CODE
PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()
ADDRESS	CITY	STATE	ZIP CODE
PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()
ADDRESS	CITY	STATE	ZIP CODE
CIVIL ENGINEER OR SURVEYOR AND CONTACT PERSON <i>(PLEASE TYPE OR PRINT)</i>			
PRINT NAME OF CIVIL ENGINEER OR SURVEYOR			
NAME OF FIRM, IF APPLICABLE		LICENSE #	
ADDRESS	CITY	STATE	ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
NAME OF CONTACT PERSON			
ADDRESS	CITY	STATE	ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
If additional signatures are required, please attach a separate sheet to provide the above information.			

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THE UNDERSIGNED HEREBY DECLARE THAT THE FOLLOWING IS TRUE AND CORRECT:

1. **Tentative Map.** The proposed Tentative Map, a part of this application, has been prepared by a Licensed land Surveyor or Civil Engineer and contains all information required by the Director of Planning and listed in the Tentative Map Requirements.

2. **Water Wells.** If there are any existing active or deactivated water wells on your property, they must be shown on your plans. The property which is the subject of this application:

_____ does contain existing active or deactivated water wells and they are shown on the plans accompanying this application

_____ does not contain existing active or deactivated water wells.

3. **Hazardous Waste and Substances.** In conformance with Section 65962.5 of the California Government Code, and as subdivider(s) of the property referenced below, I(we) have reviewed the list of Hazardous Waste and Substance Sites within the City of San Jose, as compiled by the State Office of Planning and Research.

The property which is the subject of the above-referenced application is _____ is not _____ included on said list.

If included on the List, the listed item reads as follows:

4. **Notice To Applicants Regarding Effect of Wastewater Treatment Capacity On Land Development Approvals.**

Part 2.75 of Chapter 15.12 of the San Jose Municipal Codes requires that an applicant acknowledge the effect of Wastewater treatment capacity on Land development approvals at the time of application. As owner(s) of the property subject to this development application, I(we) hereby acknowledge the requirements of the Municipal Code, as stated below, and understand that these requirements will apply to the development permit for which I(we) am(are) applying.

Pursuant to Part 2.75 of Chapter 15.12 of the San Jose Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on the San Jose-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of the San Jose-Santa Clara Water Pollution Control to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

SIGNATURE OF PROPERTY OWNER/SUBDIVIDER OR AUTHORIZED AGENT X	DATE
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WAIVER OF WRITTEN REPORT

Section 66452.3 of the California Government Code requires that any report or recommendation on a Tentative Map by the staff of the City (Local Agency) to the Director of Planning (Advisor Agency) be in writing and copy thereof be served on the subdivider at least three (3) days prior to a hearing or action by the Director of Planning regarding a proposed subdivision map. However, you should be aware that compliance with the requirement will often result in a delay in approving the proposed subdivision after all review, negotiations and revisions have occurred.

Therefore, in an effort to provide a means of continued efficient action, the Director of Planning may consent to waive the requirement of written report or recommendation by the staff; provided that three (3) conditions exist as follows:

1. that the Subdivider has already consented to waive the requirement for a written report or recommendation as provided by Section 66452.3 of the California Government Code;
2. that, in the opinion of the Director, the proposed subdivision is not controversial, and
3. that a public hearing is to be held by the Director of Planning regarding the subject proposed subdivision.

The Property Owner/Subdivider or his authorized agent may waive the requirement for a written report or recommendation as required by Section 66452.3 of California Government Code by:

- A. signing and dating the statement which follows; and
- B. conveying the signed and dated statement to the Director of Planning via his staff.

I do hereby waive the requirement for a written report or recommendation as provided by Section 66452.3 of the California Government Code with regard to the proposed Tentative Subdivision Map entitled:

TITLE OF TENTATIVE MAP

DATE OF TENTATIVE MAP

DRAWN BY

NAME OF SUBDIVIDER OR AUTHORIZED AGENT

TITLE

SIGNATURE

X

DATE

SIGNATURE

X

DATE

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