

map or final map to be adequately checked and recorded. An application for an extension of time must be filed prior to the expiration date of the tentative map and is limited to a maximum of two (2) additional years in which to record the parcel map or final map.

Parcels created by minor subdivision may be sold after the parcel map is filed for record with the County Recorder. A building permit can then be issued subject to compliance with any outstanding conditions noted on the parcel map.

Major subdivisions are subject to obtaining a public report from the Real Estate Commissioner in addition to recording of the final map prior to the sale, lease or financing of any lot. A building permit can subsequently be issued subject to the building permit procedure.

*Department of Planning and Development
October 2001*



Subdivision



**Santa Clara County
Planning Office**

70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110
TEL 408-299-5770 • FAX 408-288-9198
www.sccplanning.org



Printed on Recycled Paper

What Is A Subdivision?

A Subdivision is the division of property for the purposes of sale, lease or financing. All new subdivisions must comply with the requirements of the Santa Clara County Subdivision Ordinance, must be in conformance with County General Plan and meet the minimum lot size criteria set forth by the County Zoning Ordinance.

The subdivider is responsible for all improvements necessary to serve all proposed parcels. These improvements may include streets, storm drains, water, fire protection, sewage disposal, or any other improvements necessary for the proposed development depending on the parcel size and the availability of services.

Map Requirements

An application for subdivision must be accompanied by the items noted in the List of Required Materials, including a tentative map, which shows the proposed design and improvements of the proposed subdivision and the current conditions affecting it. It must be produced by a registered civil engineer or licensed land surveyor, and need not be based upon a detailed final survey of the property.

A tract map (final map) or a parcel map is the map that precisely describes and authenticates the subdivision. A parcel map normally records subdivisions of four parcels or fewer. A tract map is ordinarily required for major subdivisions, when five or more parcels are created. Based on the approved tentative map, the parcel or tract map must show the precise location of boundaries and survey monuments, and must contain all required certifications, statements, official signatures, and acknowledgments. It must conform with all pertinent requirements of the State Subdivision Map Act.

After the map is approved by the County Surveyor, it must be filed for record with the County Recorder.

Application Procedure

Information, application forms, brochures, and the list of required materials are available at the County Planning Office. Required items include copies of a tentative map, deeds, certain forms, and the current fee (see fee schedule). Prior to submittal, the applicant must make an appointment with a member of the Planning staff to discuss the proposed subdivision at a pre-application meeting. The purpose of the pre-application meeting is to provide advice to the applicant about the General Plan, Zoning Ordinance, subdivision requirements and standards and information about the proposed subdivision.

Processing

After the application for subdivision is filed, the Planning Office staff will set up a file with the submitted materials. The file will eventually contain reports, revisions, resubmitted items, comments from referral agencies, and general correspondence regarding the application.

Copies of the tentative map and other pertinent items are distributed to various departments and agencies for review and recommendations. These agencies consider the application from the perspective of their specific area of specialty. Road dedication, road improvement requirements, access, geology, sewage disposal, water supply, grading, drainage and fire protection are some of the issues typically addressed.

Field investigations are often required by representatives of the referral agencies. Each application must stand on its own merit, and the amount of further review and investigation is subject to the current information that is available. Environmental review may also be required and is initiated once the application is deemed complete.

For a minor subdivision (4 parcels or fewer), the Planning Office will prepare a consolidated report citing the recommended preliminary conditions of approval from the various referral agencies. This report is then transmitted to the Clerk of the Board

of Supervisors, where it is scheduled on an agenda for public hearing. Notice of the public hearing is sent to property owners within 300 feet of subject property. The Board will take an action at that hearing which will also include the final determination of the Environmental Assessment.

In the case of a major subdivision (5+ lots), the Planning Office staff will prepare and submit a written consolidated report to the Secretary of the Planning Commission citing the recommended preliminary conditions of approval from the various referral agencies. The Secretary then schedules a public hearing with the Planning Commission and provides the required public notice. The Planning Commission will make a final determination on the Environmental Assessment, and a recommendation to either grant or deny the proposed subdivision. The Secretary of the Planning Commission will then submit a report to the Clerk of the Board of Supervisors citing specific recommendations. A hearing before the Board will then be scheduled.

Public Notice

The notice of the public hearing is accomplished by the following means:

- Publication in newspaper of general circulation printed and published within the county at least ten (10) days prior to the date set for the hearing; and,
- Notices are mailed not less than ten (10) days prior to the hearing to the owners of property within 300 feet of the exterior boundaries of the subject property.

After Tentative Map Approval

An approved or conditionally approved tentative map expires thirty (30) months after its approval by the Board of Supervisors. In order to complete the subdivision within this time period, the subdivider should complete all conditions of approval and allow sufficient time for the parcel