

County of San Mateo
Environmental Services Agency
Planning and Building Division

GUIDELINES FOR SUBDIVISION APPLICATIONS

A. **INTRODUCTION**

The purpose of this handout is to provide guidance for landowners and applicants interested in subdividing property. These guidelines include a review of the definition of a subdivision, an outline of the required application materials, a description of the permit process, and a list of sample conditions of approval. Questions or requests for application forms should be directed to the Planning Counter (363-4161). For a full description of subdivision requirements and prospective exactions, please obtain a copy of the County Subdivision Regulations from the Planning and Building Division office.

San Mateo County Subdivision Regulations (Ordinance No. 03366) require that prior to the division of an existing parcel of land, approval must be secured from the Planning Director or the Planning Commission.

A subdivision is defined as follows:

"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 gift, 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 1351(f) of the State Civil Code; a community apartment project, as defined in Section 11004 of the Business and Professions Code; and the conversion of five 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 section, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock (County Subdivision Regulations Section 7009.84).

B. **APPLICATION MATERIALS**

Subdivision proposals vary in their complexity; however, the application materials are the same for all proposals. The materials required to initiate a subdivision are outlined in Attachment A.

C. **EXCEPTIONS**

Section 7094 of the County Subdivision Regulations provides for the granting of exceptions to any of the design, improvement or exaction requirements set forth in the regulations. This includes road and street

design and fire protection measures. If an exception to standards or exactions is part of your subdivision request, then this must be clearly stated in your application form. The application form must then be accompanied by a statement of information supporting the findings required in order for a decision maker to approve an exception. These findings are as follows:

1. That there are special circumstances or conditions affecting the property and the exception is necessary for the preservation and enjoyment of substantial property rights of the owner/subdivider;
2. That the exception is appropriate for the proper design and/or function of the subdivision; and
3. That the granting of the exception will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated.

D. PROCESSING, REVIEW, AND CONDITIONS

1. Once an application package has been submitted, the project will be assigned to a planner for review and processing.
2. Application processing will include the following:
 - a. Consultation with other departments and agencies (e.g., Department of Public Works, Environmental Health, School District, adjacent city, public utilities, etc.). At a meeting of the Development Review Committee, a determination will be made as to the application's completeness. Applicants will be notified within 30 days of submittal as to additionally needed items.
 - b. Review of the application for compliance with all applicable ordinances and General Plan policies.
 - c. Review the application for compliance with the required findings listed on the application form.
 - d. Assessment of the potential environmental impacts of the proposal.
 - e. Preparation of a staff report outlining issues involved in the application, recommendations of findings and conditions of approval.
 - f. Establishment of a hearing date with the applicable decision maker (Zoning Hearing Officer, Planning Commission).
 - g. Giving appropriate public notice in compliance with legal requirements.
 - h. Presenting the application at the public hearing(s).
 - i. Processing a decision appeal if necessary.

- j. Assisting the applicant in follow-up with agencies on conditions of approval.

The applicant should expect the above process to take four to six months. A longer period of time may be required if the project is complex or if a decision is appealed.

3. Conditions of approval which may be applied to a subdivision vary, depending on the size and location of the project. All projects require the recording of a final or parcel map upon completion of all applicable conditions of approval. Sample conditions are found in Attachment B.

E. POST APPROVAL PROCESS

1. Satisfying Conditions of Approval

Once a subdivision application has been conditionally approved, the burden is upon the applicant or owner to satisfy the conditions of approval. Condition items are generally developed by a specific department (e.g., Public Works, Environmental Health). The applicant should coordinate the meeting of conditions with those respective departments. At the same time, a copy of any information submitted should be forwarded to the Planning Division project planner for inclusion in the subdivision file.

Typically, completion of conditions can take 6 to 12 months. The appropriate parcel or final map cannot be recorded until all conditions of approval have been met.

2. Life of Tentative Map

Section 66452.6 of the State Map Act states that tentative map approval shall expire 24 months after approval. The Planning Director may grant an extension of time in which to meet conditions upon receipt of a written request with justification by the applicant or owner. See Section 7013.5 of the County Subdivision Regulations.

3. Issuance of Building Permit

Building permits for construction on the new parcels may not be applied for until conditions of approval have been met and the final or parcel map recorded. The Planning Director may allow such an application to be submitted, at risk, for review. However, in such instances, the building permit(s) shall not be approved by the Planning Division or the Department of Public Works until the parcel or final map has been recorded.

Attachments
CDP FORM SMN-10
FRM00227 (7/92)

ATTACHMENT A

1. Application form (SMN-5) with attached statement in support of required findings (Item No. 6 on application).
2. Proof of owner's interest (copy of deed or tax bill) and a statement of owner's concurrence in the application (if the owner does not sign the application).
3. Environmental Information Form.
4. A copy of density analysis results for properties zoned PAD/CZ, RM/CZ, TPZ/CZ, RM, TPZ, S-11 or SS-104.
5. An application for density certification for properties zoned RH.
6. Tentative map prepared by a licensed land surveyor or registered civil engineer. The map filed with an application must be consistent with the following format and include the listed elements:
 - a. Seven (7) copies of the map.
 - b. Map size - 18" x 26" with 1" margin, at engineer's scale.
 - c. Property owner's and subdivider's name and address.
 - d. Vicinity map.
 - e. Existing subdivision name, block and lot number, Assessor's Parcel Number (APN), and proposed subdivision name, if any.
 - f. Location of both existing and proposed:
 - utilities.
 - water source.
 - septic tank drainfield and expansion areas.
 - easements.
 - roads and driveways. [Note: preliminary plans and profiles of all proposed roads and driveways are needed.]
 - topography on-site, adjacent streets and access roads (use dotted lines for existing contours and solid lines for proposed contours). Include contours at two feet intervals for slope less than 10% and five feet intervals for slope over 10%; 25 foot intervals acceptable for parcels exceeding 20 acres regardless of slope. Continue contour lines 50 feet beyond site boundaries for urban parcels and 100 feet beyond for rural parcels.
 - structures and building sites.

- g. Note trees which would be affected by eventual development.
 - h. Existing property lines in dotted lines; proposed property lines in solid lines.
 - i. Scale of map, bar scale, and north arrow showing true, not magnetic north. Orient north to top or right edge of map.
 - j. Area of each lot in square feet if less than one acre; in acres, if one acre or larger.
 - k. Show adjacent properties and owners.
 - l. Land surveyor or engineer's name, address, signature and license number.
 - m. If the application is a vesting tentative map, the words Vesting Tentative Map must appear "conspicuously" on the face of the map (County Subdivision Regulations Section 7101.2).
 - n. Indicate existing zoning, existing and proposed land use, and any proposed zoning changes.
 - o. When applicable, indicate location of flood hazard areas, existing and proposed recreation areas, common areas and open space.
6. Preliminary title report showing the legal owners at the time of application, all easements, encumbrances, and reservations.
 7. The following data is required on a case-by-case basis as outlined in the County Subdivision Regulations (Section 7011):
 - a. Preliminary Geotechnical/Soils Report.
 - b. School Facilities Statement.
 - c. Energy Conservation Analysis.
 - d. Noise Contours.
 8. Property owner notification materials for properties within 300 feet of the subject property (500 feet if rezoning involved). Resident notification (100 feet) is also required if proposal lies within the Coastal Zone.
 9. Application forms for any associated required permits (e.g., Coastal Development Permit, Grading Permit). The Planning Counter staff can assist you in determining other requirements.
 10. One 8 1/2" x 11" transparency of map and any associated plans.
 11. Fees--see the current fee schedule adopted by the Board of Supervisors. Fees will vary depending upon the following:

- a. Minor subdivision (four or fewer parcels) or major subdivision (five or more parcels).
- b. Exempt from CEQA review or requiring an Initial Study.
- c. Need for additional permit applications.
- d. Environmental Health Division fee for unsewered parcels or sewerred parcels.
- e. County Fire Department/California Division of Forestry review fee, if applicable.

ATTACHMENT B

SAMPLE CONDITIONS OF APPROVAL

The following list includes required conditions which can generally be expected in the approval of a subdivision. Where possible, a notation has been made to distinguish between conditions placed on urban and rural subdivisions. For these purposes, "urban" generally includes land which is serviced by water and sewer utilities, and "rural" generally includes land which is serviced by septic and well systems.

Please note that the following are samples of the typical conditions which may be required. Actual conditions of approval may vary.

A. ENVIRONMENTAL HEALTH DIVISION

1. Submit proof of domestic water sources within the boundaries of each parcel that meet County quantity and quality standards. (Rural)
2. Submit soil percolation rate data for Parcels A and B that will allow the construction of septic tank systems which meet County standards; also submit a geotechnical report which addresses soil stability within the chosen drainfield area. (Rural)
3. Submit a site plan showing the location of the septic drainfield and expansion area along with the location of the percolation testing sites. Site plan shall be a map prepared by a licensed land surveyor if the proposed drainfield is 20% slope or greater.
4. Install water meters to serve each parcel to the satisfaction of the _____ Water District. (Urban)
5. Extend the sanitary sewer main to serve each parcel to the satisfaction of the _____ Sewer District. (Urban)

B. DEPARTMENT OF PUBLIC WORKS

1. The applicant shall demonstrate, to the satisfaction of the Department of Public Works and the Fire Marshal, that the existing road access from the nearest publicly maintained roadway to the subdivision meets or exceeds the County's minimum standards for an interim access roadway, including appropriate turnouts and a turnaround meeting Fire Marshal requirements plus appropriate drainage and drainage facilities.
2. Dedicate one-half of a XX-foot right-of-way for roadway purposes along the subdivision's frontage on _____. (Urban or Rural)
3. Design and construct an on-site road to serve proposed Parcels "X", "Y", and "Z" of this subdivision. This road shall be designed and constructed to San Mateo County (urban/rural) (public/private) road standards and shall include provisions to accommodate all roadway drainage. The road shall terminate in a turnaround, meeting the

requirements of the fire jurisdiction and the Department of Public Works. (Urban or Rural)

4. Record documents which address the future maintenance responsibilities of the private road. Prior to recording these documents, they shall be submitted to the County for review and concurrence. (Urban or Rural; used where private roads are to be constructed)
5. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off the property being subdivided shall be detailed on the plan and shall include adjacent land as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage.
6. Design and construct a gravity sanitary sewer system to serve the proposed lots of this subdivision. The sanitary sewer system shall be designed and constructed to the standards and requirements of the _____ Sewer District and the County of San Mateo. Sanitary sewer easements shall be dedicated on the parcel or final map for any portions of the sewer main which lie outside of existing public easements. (Typically Urban)
7. All utilities constructed to serve the proposed lots of this subdivision shall be constructed underground. (All (Minor or Major) Subdivisions--Urban or Rural)
8. Submit written certification from the appropriate water district to the San Mateo County Department of Public Works that all potable water system improvements required by the district to provide water service to this subdivision have been constructed and accepted by the city and that all other conditions of the city germane to water service have been met. (Typically Urban)
9. Submit written certification from the appropriate energy and communications utilities to the San Mateo County Department of Public Works and the Planning Division stating that they will provide energy and communications service to the proposed parcels of this subdivision. (Urban or Rural)
10. Plans, specifications, and estimates for all work required by the San Mateo County Department of Public Works shall be prepared and signed by a registered civil engineer and shall be submitted to the department for review and approval prior to the commencement of any construction. (Urban or Rural)
11. "As-built" plans of all construction shall be prepared and signed by the subdivider's engineer upon completion of all public works improvements. The as-built plans shall be delivered to the San Mateo County Department of Public Works prior to any action on the part of the County to record a Notice of Completion. (Urban or Rural)

12. Submit a (parcel/final) map to the Department of Public Works for review and recording. (Urban or Rural)

C. CALIFORNIA DIVISION OF FORESTRY

1. The applicant shall provide a water main extension and fire hydrant(s) to the satisfaction of the County Fire Marshal, to comply with the provisions of the County Fire Ordinance Section 3435.1. (Urban)
2. The applicant is advised that the project site is within a Fire Severity Zone on official maps of the California Department of Forestry and Fire Protection, and all structures must annually comply with the fire safety clearances of Public Resources Code Section 4291. The applicant is further advised that upon the sale or transfer, he must comply with the disclosure requirements of Public Resources Code Section 4136. (Urban)
3. The applicant is advised that the project site is located within Fire Hazard Severity Zone 3306 on official maps of the California Department of Forestry and Fire Protection and has been designated as having a moderate danger rating. The site is also located within the boundaries of the San Mateo, Santa Clara, Santa Cruz Hazardous Fire Area, as defined in Title 14, California Code of Regulations, Section 1205.5. Upon sale or transfer, the applicant must comply with the disclosure requirements of Public Resources Code Section 4136. (Rural)
4. The applicant shall provide or show that the existing structures are in conformance with the fire safety clearance provisions of the Public Resources Code and County Fire Ordinance. (Urban or Rural)
5. The applicant shall submit a proposed name for the access road serving the sites, and shall install the approved street name, to the satisfaction of the Director of Public Works and the County Fire Marshal. (Urban or Rural)
6. The applicant shall design and construct the access road to the Public Works standards including the turnaround areas to the satisfaction of the Fire Marshal. (Rural)
7. The applicant shall post "No Parking--Fire Lane" signs along the access road, and within the turnaround area, to the satisfaction of the Director of Public Works and the Fire Marshal. (Urban or Rural)
8. The applicant shall demonstrate that the existing water storage system serving Parcel ___ complies with the County Fire Ordinance or shall upgrade the storage capacity and delivery system to the satisfaction of the County Fire Marshal. (Rural)