



Subdivision/Lot Merger Application

Planning, Building and Code Enforcement

Staff will assign

FILE #

INSTRUCTIONS. Use this form to apply for:

- Tentative Map for subdivisions
- Lot Line Adjustment
- Residential, commercial, or industrial condominiums

FEES. Fees are due when you file the application, and include:

- Application fee
- Record Retention fee
- Environmental Review fee
- Public Noticing fee, if applicable

For current fees, see www.sanjoseca.gov/PlanningFees.

Make checks payable to: City of San José

Or pay online with a credit card: www.sjpermits.org

APPOINTMENT REQUIRED. Submit the application package in person at the Planning and Development Services Offices, 3rd floor, City Hall. Schedule your required appointment at www.sanjoseca.gov/planningappointments.

QUESTIONS? If you have questions, speak with a City Planner at 408-535-3555. For phone services hours, visit: www.sanjoseca.gov/planning.

APPLICATION PACKAGE. For all projects, provide this signed, original form (not a photocopy) plus:

- Initial fee payment
- 2 copies: Preliminary title report, dated within last six months of the application. For reports with hyperlinks, please also provide an electronic copy.
- A USB or CD containing electronic copy of application package.

FOR TENTATIVE MAP OR CONDOMINIUMS INCLUDE:

- 2 copies: Legal description, each stamped and signed.
- 4 copies: Tentative Map, see example at www.sanjoseca.gov/planningapplications. Must be 24 X 36" in size, and prepared under the direction of a licensed Land Surveyor or registered Civil Engineer (certified before Jan. 1, 1982).

FOR LOT LINE ADJUSTMENT INCLUDE:

- 2 copies of each of the following:
 - Legal Description, labeled Exhibit A. See example, page 6.
 - Plat Map, labeled Exhibit B. Each copy must be stamped and signed prior to approval.
 - Site Plan, labeled Site Plan Exhibit. Show existing buildings and structures. See example, page 7.

Use the computer-fillable form at www.sanjoseca.gov/PlanningApplications or print clearly using ink.

1. PROPERTY INFORMATION

FIND APN: WWW.SCCASSESSOR.ORG

FIND COUNCIL DISTRICT: WWW.SJPERMITS.ORG

USE A COMMA BETWEEN MULTIPLE NUMBERS

ASSESSOR'S PARCEL NUMBER/S:

LOCATION OR PROJECT ADDRESS/ES:

USE A COMMA BETWEEN MULTIPLE NUMBERS

PREVIOUS PLANNING PERMITS IF ANY:

EXISTING USE:

GROSS ACRES:

EXISTING # OF UNITS IF RESIDENTIAL:

COUNCIL DISTRICT:

2. PROJECT PROPOSAL INFORMATION

PROPOSED # OF LOTS:

PROPOSED USE CHECK ALL THAT APPLY: COMMERCIAL INDUSTRIAL OFFICE RESIDENTIAL CONDOMINIUM PURPOSES

TYPE OF MAP CHECK ONE: TENTATIVE MAP VESTING TENTATIVE MAP CONDOMINIUM PURPOSES

ESTIMATED DATE OF OCCUPANCY (MM/DD/YYYY):

OFFICE USE ONLY

INTAKE DATE:

BY:

PAID: \$

2. PROJECT PROPOSAL INFORMATION - continued

BRIEFLY DESCRIBE THE PROJECT:

3. QUESTIONS

FOR ITEMS CHECKED YES, EXPLAIN THE ITEMS IN MORE DETAIL ON AN ATTACHED SHEET OF PAPER.

YES	NO	
		1. Is the area of the Tentative Map in a geological hazard area? Find a property's geologic hazard designation at www.sjpermits.org . If yes, call Public Works staff at 408-535-7802 or email pwgeneralinfo@sanjoseca.gov for instructions on how to proceed.
		2. Does the project involve or anticipate the use of federal funding? Compliance with the National Environmental Policy Act (NEPA) is required for projects using federal funding.

4. CONTACT INFORMATION

USE THE AFFIDAVIT OF OWNERSHIP FORM FOR MULTIPLE PROPERTY OWNERS www.sanjoseca.gov/planningapplications

APPLICANT/AUTHORIZED AGENT NAME IF DIFFERENT FROM PROPERTY OWNER:

NAME OF FIRM IF APPLICABLE:

APPLICANT MAILING ADDRESS:

APPLICANT PHONE:

APPLICANT EMAIL:

PROPERTY OWNER NAME:

PROPERTY OWNER MAILING ADDRESS:

PROPERTY OWNER PHONE:

PROPERTY OWNER EMAIL:

NAME OF SURVEYOR OR CIVIL ENGINEER:

NAME OF FIRM IF APPLICABLE:

PROFESSIONAL'S PHONE:

PROFESSIONAL'S EMAIL:

The undersigned does certify, as required by [Section 19.12.020](#) of the San Jose Municipal Code, that:

CHECK ONE:

- A. I am the owner of the property proposed for subdivision; or
- B. I have an option or contact to purchase the property proposed for subdivision or the portion there of which I do not own; or
- C. I am the authorized agent of one who meet the requirements of A or B.

• WET SIGNATURE

DATE [MM/DD/YYYY]

IMPORTANT: Submit this form with original wet signatures (not a photocopy) to the City.

Electronic signatures are accepted only if consistent with City Administrative Policy Manual [Section 1.7.11](#).

Please refer to this section for allowable electronic signatures for Development Services applications.

6. INDEMNIFICATION AGREEMENT FOR DEVELOPMENT APPLICATIONS

Applicant submitted an application to the City of San José Planning Division on (enter date): _____ for the following development approval/s: _____ (the "Project").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one of the following terms and conditions:

- 1. Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of San José ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annul:
a. Any approvals issued in connection with any of the above described applications by City; and/or
b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council.
Applicant's indemnification includes, but is not limited to, damages, fees and/or costs awarded against or incurred by City, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding, whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.
2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
3. Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional investigation or study of, or for

supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding, and if Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

- 4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
a. The counsel to so defend City; and
b. All significant decisions concerning the manner in which the defense is conducted; and
c. Any and all settlements, which approval shall not be unreasonably withheld.
5. City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.
6. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

After review and consideration of all of the foregoing terms and conditions, Applicant, by signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

• APPLICANT SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

TITLE, IF ANY

IMPORTANT: Submit this form with original wet signatures (not a photocopy) to the City.

Electronic signatures are accepted only if consistent with City Administrative Policy Manual Section 1.7.11.

Please refer to this section for allowable electronic signatures for Development Services applications.

PROCESSING OF TENTATIVE MAPS

Processing Schedule. It may take 60 to 90 days to process a Tentative Map application; much of that time allows for the legal notice of the related public hearing. You can help facilitate a timely review by submitting complete and accurate information on your application. You may also opt for a Preliminary Review of your proposal, which facilitates an acceptable proposal by minimizing project issues and processing time.

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.

Noticing the Neighborhood. Public Hearing notices will be mailed for Tentative Map proposals at least 10 calendar days before the date set for hearing for a project. Refer to the Public Outreach Policy for a full description of the City’s public notification procedures.

Dedications. Dedications of easements 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.

PROCESSING OF FINAL MAPS

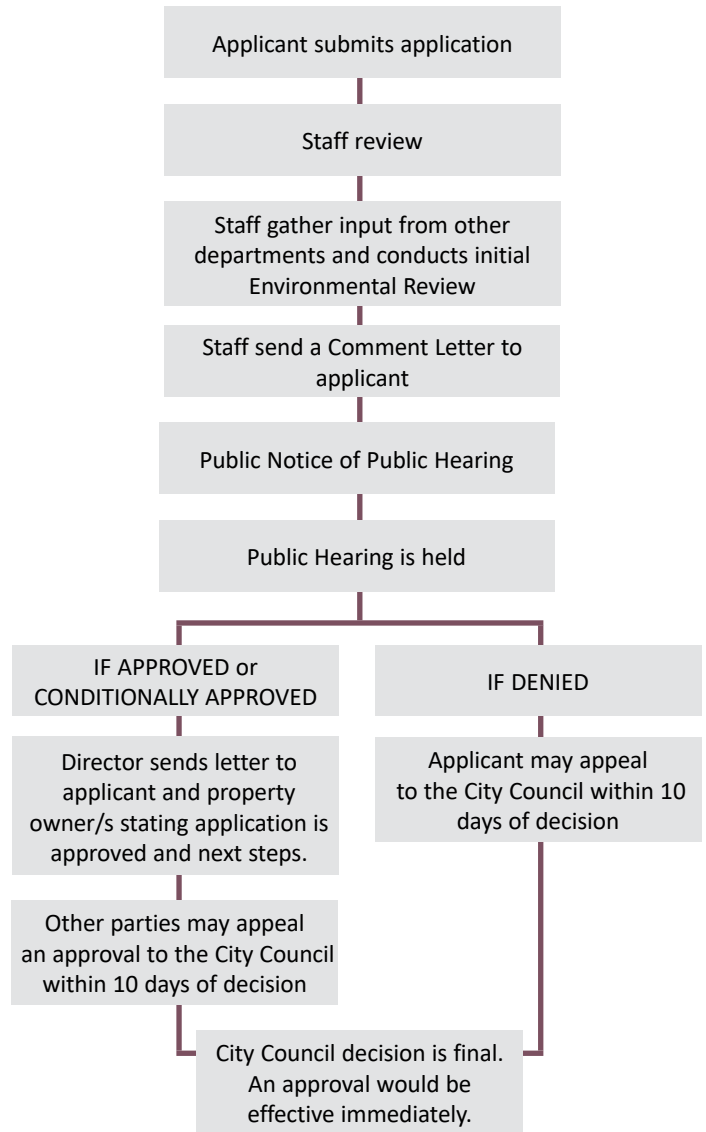
The Department of Public Works processes Final Maps, Parcel Maps, and Tract Maps, with review by the Planning Division. Tract Maps must also be approved by the City Council. Contact Public Works staff at 408-535-7802 for information regarding clearances, improvements bonds and plans, and drawing and document requirements.

Staff will approve and record Parcel Maps after the Tentative Map conditions are fulfilled. A Final Map is not normally reviewed unless the Tentative Map is approved. However, staff may review the Final Map prior to approval if the applicant assumes responsibility for any required changes resulting from the Tentative Map which occur after Final Map submittal. When an applicant submits a Final Subdivision Map or Parcel Map that differs from the approved Tentative Map, the submittal must include a letter identifying and explaining those changes.

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

Dedication or Offers of Dedication. 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 made by separate instrument, the dedications or offers of dedications must be recorded concurrently with, or prior to, the Parcel Map being filed for record. In all cases, the dedication must be signed by the same parties and in the same manner as for dedication by a Final Map.

PROCESS FOR TENTATIVE MAP OR CONDO MAP



APPROVAL AUTHORITY FOR PARCEL, FINAL OR TRACT MAPS

PARCEL MAPS
Are approved by the Director of Public Works

FINAL OR TRACT MAPS
Are approved by the City Council

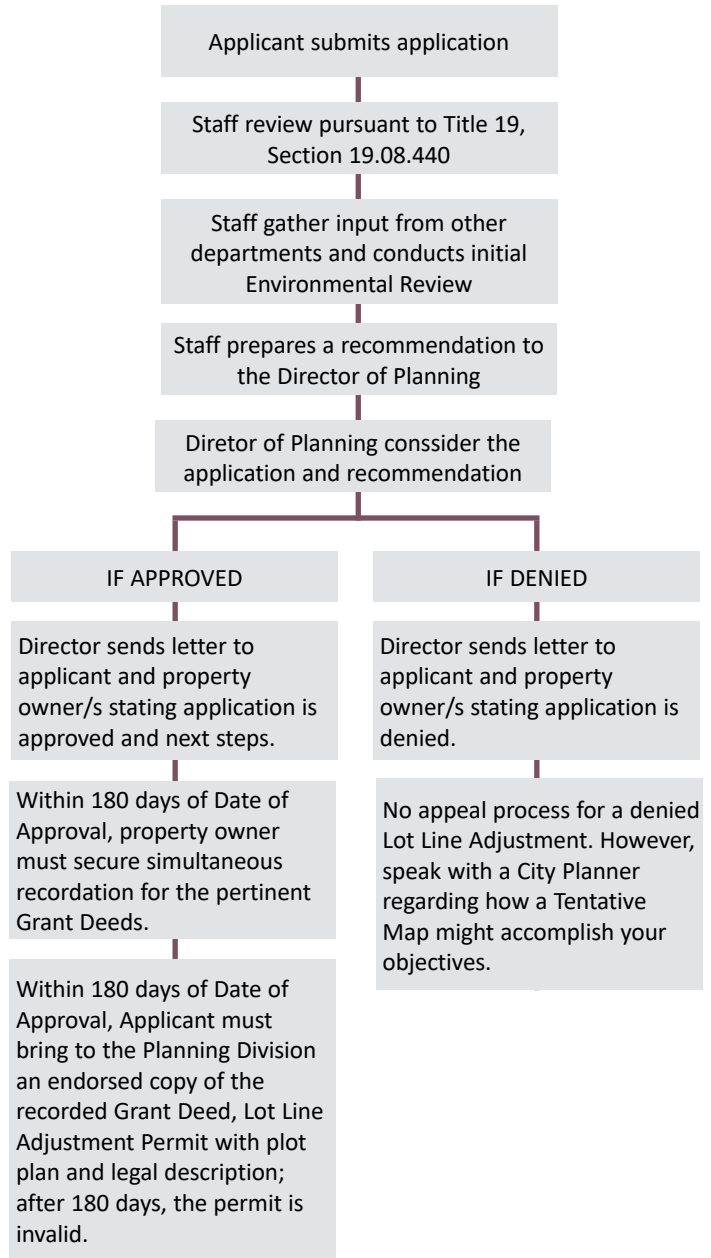
The City Clerk will record Parcel, Final or Tract Maps with the County Recorder's Office.

PROCESSING OF LOT LINE ADJUSTMENTS

Recording. The Applicant must get the Lot Line Adjustment officially recorded at Santa Clara County and provide proof of recordation to the City of San José Planning Division. An approved Lot Line Adjustment shall be null and void without further act of the City of San José in the event that said permit is not recorded with the Grant Deed conveying the real property within 180 days (six months) of the approval date.

Adjustments and Corrections. A certified Legal Description and Plat Map that is part of an approved Lot Line Adjustment (recorded or pending recordation) may be corrected through a Lot Line Correction if the needed correction meets the provisions of the Section 19.40.120 of the San José Municipal Code. Otherwise, a new Lot Line Adjustment will need to be submitted. If the certified Legal Description and Plat Map that is part of an approved Lot Line Adjustment permit is incorrect, the applicant is solely responsible for filing a new application for a Lot Line Adjustment or Lot Line Correction and payment of applicable fees. The City will not waive fees associated with a new Lot Line Adjustment application.

PROCESS FOR LOT LINE ADJUSTMENT



Questions?
 Speak with a planner at 408-535-3555. Visit www.sanjoseca.gov/planning for phone service hours.

EXAMPLE OF LEGAL DESCRIPTION FOR A LOT LINE ADJUSTMENT**EXHIBIT A****LOT LINE ADJUSTMENT FOR
LANDS OF _____****PARCEL A**

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being more particularly described as follows:

All of Lot 47, Tract No. 2238. Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

and, in addition thereto, the following area:

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

PARCEL B

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being more particularly described as follows:

All of Lot 8, Tract No. 2238. Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

and, excepting therefrom, the following area:

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

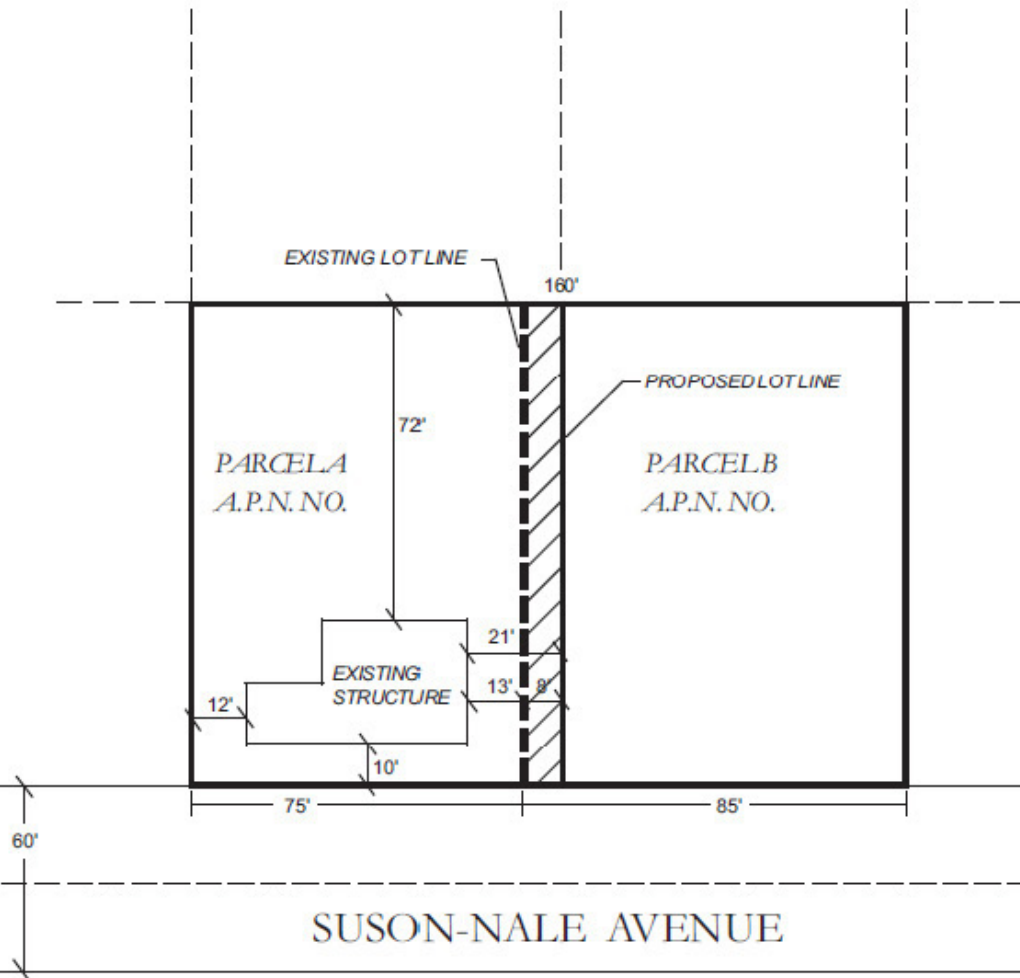
Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

EXHIBIT A
PAGE ____ OF ____

EXAMPLE OF SITE EXHIBIT FOR A LOT LINE ADJUSTMENT

EXAMPLE SITE EXHIBIT



LOT AREA (sq.ft.)	PARCEL A	PARCEL B	ACRES
EXISTING	8250	9350	
PROPOSED	9130	8470	



 PROPERTY TO BE TRANSFERRED

LOT LINE ADJUSTMENT SITE EXHIBIT LANDS OF NALE, ET AL

TITLE OF EXHIBIT _____
 ENGINEERING COMPANY _____
 ADDRESS _____
 PHONE NUMBER _____
 ENGINEER'S LICENSE NO. SEAL _____

DATE _____
 SCALE _____
 PAGE ___ OF ___