CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

AB1033 - PARCEL MAP

Department of Public Works, Development Services
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Assembly Bill 1033 (AB1033) ADU Condominium Map Subdivisions

California Assembly Bill 1033 allows for the creation of ADU condos within a residential property. What is allowed under the City's implementation of AB1033 under Part 2.76 of 20.80 Title 20 of the San Jose Municipal Code is the following:

- Single-Family Detached Residence: Maximum three (3) condominiums (one residential condominium and up to two ADUs)
- Two-Family Residence (Duplex): Maximum three (3) condominiums (one residential condominium and up to two ADUs)
- Existing Multi-Family Residence (3 to 7 units): Maximum nine (9) condominiums (max two residential condominium and up to seven ADUs)
- Existing Multi-Family Residence (8 or greater units): Maximum ten (10) condominiums (max two residential condominium and up to 8 ADUs)
- SB9 Duplex Project: Maximum four condominiums (up to 2 residential condominiums and up to two ADUs)

Please note: There must be at least one residential condo in conjunction with the ADU condominiums as part of the subdivision.

Under Subdivision Map Act Section 66426(a) – If the land before division contains less than five acres, and each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the legislative body, then you may submit directly as a Parcel Map as identified in these instructions.

If you do not meet this exemption from the Subdivision Map Act, you will be required to submit for a Tentative Map with Planning and then will be required to submit a Tract Map and not a Parcel Map. However, the instructions and required documents for the Tract Map submittal are the same as these instructions with the exception that you will be required to obtain a Tract number from the County of Santa Clara.

To learn more about AB1033 please visit the Planning ADU Condominium Conversion Information Page.

AB1033 PARCEL MAP

Project Review Procedure

Submission Methods:

1) **Online Application for AB1033 Parcel Maps:** Visit the following site to apply for your Parcel Map online: www.sjpermits.org. You will need to have an online account which you can create on the website. You will also need to attach all required documents as attachments during your online application; or

   When applying online you will have the option to create both the permit application and to initiate a San Jose ePlan project. If you initiate an ePlan project, you will receive a separate invitation email with log-in information and submission instructions for the project. The benefit of submitting via SJePlans is that the platform integrates with the City's permitting system and provides one place for you to upload plans digitally, receive plan check comments, monitor project status, and obtain copies of issued permits. Please visit our SJePlans Resources page for more information.

When applying online for an AB1033 Parcel Map be sure to select the following:

- **Group**: Public Works
- **Application Type**: Parcel Map
- **Sub Type**: Condo Map (1 Lot)
- **Work Type**: Residential

For ePlan submissions you will upload all required documents directly to the SJePlans Project. All other submissions you will need to attach all required documents as attachments during your online application.

For a list of required ePlans and Attachments for each type of online AB1033 Parcel Map Application refer to Attachment A

Schedule an Appointment with Staff (Optional): Prior to or after you have made the online application submittal you may wish to contact the Project Engineer or team member assigned to your project to schedule an intake meeting. This meeting will help the applicant determine what documents are required for a full submittal, what documents were missing from the online submittal or the required corrections of the online submitted documents prior to being accepted for review. The Project team will also be able to provide the invoice for payment at the meeting, if not provided previously. If the meeting is scheduled prior to making the submittal, the online application must be made prior to the meeting.

2) **Standard Application - Schedule an Appointment with Staff**

Submit a completed **Application for Assembly Bill 1033 (AB10339) Condominium Map**, and a copy of the **County Assessor's Parcel Map** showing the property to be subdivided directly to the Public Works Counter on the 1st Floor of City Hall or by emailing pwgeneralinfo@sanjoseca.gov. A Development Review Team will be assigned to your project who will then call you to schedule an appointment for submittal. Questions can be emailed or by calling the number above.

Submittal Instructions

Submit a complete package for review with the documents indicated below. The completed application should be submitted directly to the Public Works Counter on the 1st Floor of City Hall or by emailing pwgeneralinfo@sanjoseca.gov. A Project Engineer will be assigned to your project who will contact you with payment information and for any missing information from your submission.

When submitting a Standard Application, please include the following:

- A Completed **Application for AB1033 Parcel Map**.
- A Completed **Planning ADU Condo Conversion Checklist**
- A Completed **Public Works AB1033 Parcel Map Checklist**
- All of the submittal documents listed at the top of the **Public Works AB1033 Parcel Map Checklist** and in the **Planning ADU Condo Conversion Checklist**

These documents can be found on the Public Works Development Services Application and Resources page at: www.sanjoseca.gov/devresources

Upon submittal, City staff will review the application for completeness

- If the submittal is complete, staff will accept the application package and provide the review fee. The applicant will be advised of the time it will take to review the details of the application.

- If the submittal is incomplete (missing documents, etc.) staff will return the application to the applicant for completion prior to any review taking place.

Fees

Payment of the Application Submittal Fee is required prior to submittal being application being deemed complete and the review to begin (refer to the fee schedule as listed in the Development Fee Schedule). The review fee will be assessed once the application is submitted and reviewed by City staff.

Additional Public Works Applications

If your subdivision proposing a new sanitary lateral for the ADU unit, then a separate permit application must be made and processed by Public Works for each type. These should be submitted with the AB1033 Parcel Map Application.

The application and instructions for these permit types can be found on the Public Works Development Services Application and Resources page at: www.sanjoseca.gov/devresources

ePlan and Online Application Attachment Requirements

Note: If your application was started as an ePlan Application, submit the plans and documents in the indicated folder. If you did not initiate this project as an ePlan application, submit the documents indicated in the "Online Application Only" section during the "Attachments" section of the online application. Please note that the City reserves the right to convert the project from being Online only to an ePlan application during the project intake review.

ePlan Application: Refer to the City of San Jose SJePlans Resources page for more information.

Plans Folder

- **Parcel Map** – uploaded as single sheets per the Public Works file naming convention

Other Plans Folder

- **Site Plan** – Prepared in accordance with the requirements listed previously.

Documents Folder

- **ePlan Information Form**
- **Assembly Bill 1033 Parcel Map Application**
- **Public Works AB1033 Parcel Map Checklist** – Completed by the Licensed Surveyor or Qualified **Public Works** Civil Engineer.
- **Planning ADU Condo Conversion Checklist**
- **Submittal Documents** –
    - All the submittal documents listed at the top of the Public Works AB1033 Parcel Map Checklist; and
    - Items identified in the Planning Accessory Dwelling Unit Condominiums Zoning Conformance Checklist

Online Application Only

When attaching these documents, during the Add Application stage or using the "Add Attachments" on the My Permit Detail page of your permit application on SJPermits, make sure to select the following Attachment Type indicated after the dash. Each document will be required to provide a description of the uploaded attachment.

- **Parcel Map** (single combined set) – Parcel Map
- **ePlan Information Form** – Miscellaneous Documents
- **Senate Bill 9 Parcel Map Application** – Miscellaneous Documents
- **Site Plan** – Other Plans
- **Public Works AB1033 Parcel Map Checklist** – Completed by the Licensed Surveyor or Qualified Civil Engineer. – Miscellaneous Documents
- **Planning ADU Condo Conversion Checklist** – Miscellaneous Documents
- **Submittal Documents –** Attach the following as "Miscellaneous Documents":
    - All the submittal documents listed at the top of the Public Works AB1033 Parcel Map Checklist; and
    - Items identified in the Planning Accessory Dwelling Unit Condominiums Zoning Conformance Checklist