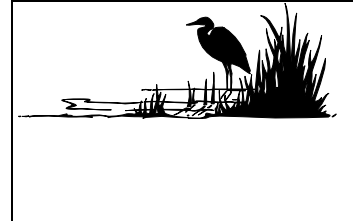


USERS GUIDE TO THE SUBDIVISION PROCESS

San Luis Obispo County Department of Public Works



INTRODUCTION

This is your guide to the process of completing a subdivision. It is designed to help answer your questions about the process, including:

- * After the public hearing approving my project, what happens next?
- * What information must be provided in order to complete my project?
- * How long will the process take?
- * How much will it cost?

WHAT HAPPENS NEXT?

After the approval of a tentative parcel map, or tentative tract map, you will be required to comply with a series of conditions which were established by the Subdivision Review Board (SRB) or Planning Commission (PC). The Department of Public Works has the main responsibility for tracking when those conditions have been met, and when completed, will schedule the project for final approval by the Board of Supervisors. Following this action by the Board, the subdivision may be recorded in the County Recorder's office, following which you may begin to sell lots.

There are two main processes which are used to comply with the conditions of approval: the subdivision map, and subdivision improvement plans.

SUBDIVISION MAP

Following approval of your tentative parcel map or tentative tract map, you will need to hire a licensed land surveyor or civil engineer to prepare the subdivision map. This map will establish the legal boundary of the parcel you are subdividing, and lay out the configuration of

the new lots. The surveyor or engineer will set "monuments" (i.e., a piece of rebar or iron pipe tagged with their registration number) at each property corner, and this map will record their surveying methods and the locations of these points. The map will be used to determine if the lots comply with the required minimum parcel sizes for the project. Many times an "additional information sheet" is also required, which records some of the requirements of the environmental mitigations for future reference by purchasers of the new lots.

When the surveyor or engineer has prepared the subdivision map, known as the "final map," it is submitted to the Department of Public Works for review and approval. A staff member will review the map for technical accuracy and compliance with State law and County ordinance. In addition, he or she will establish a checklist for tracking whether the conditions of approval have been met. Many of the conditions will require review by other County departments, or in some cases, State agencies, and our staff person will coordinate with them to ascertain their approval. The map check process may require several submittals by the surveyor or engineer, depending on how well the map complies with the ordinances and standards. Once the map is complete, it is signed and sealed first by your surveyor or engineer, then approved by the County Surveyor.

Once the map has been approved by the County Surveyor, and all conditions of approval satisfied, our staff will prepare a report transmitting the project to the Board of Supervisors for approval.

SUBDIVISION IMPROVEMENT PLANS

As a routine component of the approval of most subdivisions, the County will require the construction of street and utility improvements to serve the new lots. The Land Use Ordinance and Real Property Division Ordinance specify what type of improvements may be required with each type of project, including streets, water supply, wastewater disposal, utilities (such as electricity, telephone, gas and cable TV), stormwater drainage and sidewalks. The Public Improvement Standards provide the technical details on the County's requirements in each of these areas. Copies of the ordinances are available for review or purchase in the County Planning Department. The Public Improvement Standards are available for review or purchase in the Department of Public Works.

Once your tentative parcel map or tentative tract map have been approved, you will need to hire a registered civil engineer to prepare improvement plans to meet the requirements which were established in the conditions of approval. Your engineer will work with our staff to determine the specific requirements that apply to your project, and will submit plans for our review and approval. The plan check process may require several submittals by the engineer, depending on how well the plans comply with the ordinances and standards. The plans will need to be reviewed and approved by the utility companies, as well as the fire protection agency, which serve the property. Once the plans are complete, they are signed and sealed first by your engineer, then approved by the Development Services Engineer to start construction.

Once the plans have been approved by the Development Services Engineer, you may elect to proceed in one of two ways toward satisfying the conditions of approval: construct the improvements, or bond for their construction at a later date.

1. Construction of Improvements. Many applicants choose to construct the required improvements prior to seeking to record the

subdivision map.

When you have selected a contractor, you or they may contact our office to schedule a "preconstruction conference." This meeting is usually held on-site, at which time the contractor and your engineer meet with our staff and representatives of any affected utility companies to discuss the order of work and necessary coordination between these groups. Your engineer will be responsible for ongoing inspection of the construction as it proceeds, and ultimately for certifying to the County that the work is completed in compliance with our standards. Prior to construction, it will be necessary to obtain an encroachment permit from the Department of Public Works for any work in the right-of-way of any existing County-maintained road. We will require that you post a "damage bond" with this permit, in case something causes the construction to lapse prior to completion, in order that we may come in and restore our roadway to proper safe condition for the traveling public.

2. Bond for Improvements. Some applicants elect to post security, or a "bond," to guarantee the construction of the improvements at a later date. This enables the subdivision map to record (assuming all other conditions of approval have been satisfied), and lot sales to begin.

In this case, your engineer will need to prepare a "bonding estimate," which calculates the amount that would be needed in the unfortunate event that the County would need to come in and construct the subdivision improvements. As such, this estimate must be based on federal prevailing wage rates, since the County must use these when it contracts for road construction.

When the bonding estimate has been approved by the Department of Public Works, we will then require you to enter into a "Subdivision Agreement," which spells out the amount of time in which the construction will have to be completed. The typical time frame is one year

from the date the agreement is entered. Along with the agreement, you will need to post security to cover three things:

- Performance - 100% of the estimated cost of construction of the improvements.
- Payment - 50% of the amount of the performance bond is held for 90 days, to assure payment of contractors.
- Guarantee - 10% of the amount of the performance bond is held for one year, to cover the cost of any needed repairs during that time.

The County will accept cash, Certificates of Deposit, Letters of Credit or Surety Bonds. Depending on which of these forms of security you provide, different combinations of the Performance/Payment/Guarantee amounts will need to be covered. Please contact the Department of Public Works to go over these details.

OK, NOW WHAT?

Your subdivision map has been reviewed and approved by the County Surveyor. Your improvement plans have been completed and approved by the Development Services Engineer, and you have either constructed the improvements or bonded for their completion. The following clearances must be obtained in order to obtain final approval of your subdivision by the Board of Supervisors:

1. Taxes. You must pay (or bond for) the current year's **and the next year's** real property taxes. Contact the County Assessor's office first, who will calculate your new assessment based on the configuration of the new lots in the subdivision. This information will then be used by the County Tax Collector's office to determine the amount of taxes to be paid or bonded for. When this requirement is satisfied, the Tax Collector will give you a certificate for you to bring to the Department of Public Works, verifying compliance.
2. Health. You must obtain clearance from the County Health Department regarding the water supply and wastewater disposal components of your project.

They will review the existing condition of any facilities already in place, as well as the plans for any proposed improvement to be constructed, and will write a memo directly to the Department of Public Works when their requirements have been satisfied.

3. Soils Report. If you are filing a tract map (usually required for five lots or more), State law requires that you hire a civil engineer to prepare a preliminary soils report. This report is used to identify the presence of expansive soils, subsurface drainage problems or other hazardous conditions which could affect the future homes or other structures to be built on the new lots.

4. Utilities. The utility companies which serve the property must be involved in two ways. First, they must review and approve the subdivision map to say whether the utility easements it shows are sufficient to provide for their facilities. Second, they must review the plans and determine whether the proposed improvements comply with their requirements and are adequate to provide service to each of the new lots.

When the map is done, the plans are done, and the clearances obtained, you can obtain a Subdivision Guarantee from your title company.

This documents exactly which individuals or organizations must sign the map as the owner or beneficiary under a deed of trust. The Department of Public Works will then prepare a staff report to transmit your subdivision to the Board of Supervisors for final approval. These items are scheduled on the Board's "Consent Agenda," which means this step is considered a routine matter and under most circumstances won't be discussed at the meeting. The Board regularly meets the first four Tuesdays of each month, (exceptions are at mid-year budget time and Christmas holiday season). We will schedule your project for their next agenda which is at least two weeks away, following receipt of all the materials discussed above. Following the Board's approval, the map is transmitted to the County Recorder's office, where it is recorded within a few days.

HOW LONG DOES THE PROCESS TAKE?

Most of the steps above involve an iterative process of submittal of materials to the Department of Public Works, review by staff, and return to you or your agent. Following are typical turnaround times for various steps described above. The times given are only estimates; the specific length of time will vary depending on the number of other projects received in the same timeframe and the complexity of the projects.

- Subdivision map - State law requires that a map be reviewed and returned within 20 days from when it is received. Maps usually spend about two weeks in our “stack,” and take a day or less for our staff review.
- Improvement Plans - State law requires that plans be reviewed and returned within 60 days from when they are received. Plans usually spend about two-three weeks in our “stack,” and take a couple days for our staff review.
- Board of Supervisors Approval - the item will be scheduled for the next regular agenda of the Board, which is at least two weeks away when we receive all necessary materials and clearances. In other words, our deadline is every Tuesday for the agenda two weeks hence, with exceptions for “fifth Tuesdays” or holidays (when there is no Board meeting).
- Recording - the map will usually record by the end of the week in which it is approved.

HOW MUCH DOES IT COST?

The Department of Public Works processes parcel maps and tract maps on a real-time-billing basis. When we respond to your first submittal, you will be required to enter into a Checking and Inspection Agreement. We will establish a unique charge code for your project, with which staff will bill for only the time spent directly working on the project. Because of the diversity of types of projects, it is not possible to give an estimate of how much the total charges might be. The more complete a given submittal from your surveyor or engineer is, the lower the charges from the Department will be, as we will need substantially fewer number of reviews, and less time per review.

The Department Public Works is happy to answer your questions regarding any of these requirements. For more information, please call (805) 781-5252 and ask for the Development Services Division.

This guide is designed to provide general information only. It is not a County ordinance or policy, and has no legal effect. The general plan, County Code and State law are the official regulations of the County. Those documents, rather than this Guide, are the only legal basis for assessing how State and County regulations affect property development.

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