

MAP APPLICATION

Introduction

The Map Application is the City of Lathrop's application for Subdivision Map Act related entitlements that have been adopted in the City's Subdivision Code. Such entitlements include, but are not limited to parcel maps, tentative maps, lot mergers, and lot line adjustments.

It is important that you discuss your application with a staff member before submittal. City staff must find that your application is complete as defined by the City Code before your application can be processed. If you would like to schedule a time to speak with a staff member prior to submittal, please call the number noted above to set a time convenient for you. It is recommended (but not required) that a Subdivision Conference be held with the City Planning Commission; please ask a staff member for more information about this process.

After your application is received and all fees are paid, you will be notified within 30 calendar days if your application is not complete and if additional information or materials are needed. The application information you are reading contains checklists that will assist you in completing your application, including a list of fees, required information for maps and an application form that will describe your project. All checks for fees should be made payable to the "City of Lathrop."

Once your application has been deemed complete, a project planner will be assigned to review and process your application. In some cases, depending on the type of application, a public hearing will be scheduled before the Planning Commission and/or the City Council for approval. Some applications are approved by the Community Development Director and do not require a public hearing. A description of each type of application and the process necessary for its review is included in subsequent sections of this information packet.

If your application is scheduled for a public hearing, you will be mailed a copy of a staff report that will be presented to the Planning Commission and/or City Council approximately one week prior to the date of the hearing. Some applications will require both a hearing before the Commission and then before the Council. In these cases you will be provided a copy of a staff report for each hearing. You or your representative will be allowed to make a presentation at the public hearing to provide the Commission/Council with any pertinent information you feel will help in the review of your project. Keep in mind that other interested parties and individuals may also speak or provide information about your application – this will often include adjacent property owners or others that live near the project site. The Planning Commission may approve, deny or with some applications, recommend an action to the City Council based on all information presented to them, both verbally and in writing, which includes this application. Any action made by the City Council is deemed final.

Please also note that other public agencies may comment on and review your application and may require additional permits. Both the fire district and schools are separate districts from the City and may impose additional requirements, fees and permits. Please review the "Contact Names and Agencies List" in this information packet for contact names and numbers.

Required Notice and Disclosure

As required by the state law, the City must make the following disclosures to you about your application:

- The City must take action on your application within 60 days from the date the application is deemed complete. This time limit is hereby waived automatically if the City of Lathrop determines that your application for a map needs to be processed concurrently with other related approvals. You will be notified of such determination when your application is deemed complete.
- If an Environmental Impact Report (EIR) is required, the City must take Action on your project within 180 days from the date the EIR was certified, or if an extension is granted in completing the EIR, Action must take place within 90 days. Time limits for project approval may be extended with your mutual consent.
- Section 65962.5 (e) of the Government Code of the State of California requires that you, as the applicant, should consult the Lists of Hazardous Waste Sites and submit a signed statement as to whether the project is located on a site which is included on any of the lists. The City has a copy of the lists at the counter for your use.
- State law requires that a notice of a proposed subdivision map application be published in one newspaper of general circulation within the City at least 10 days before the public hearing. In addition, the City will notify all property owners within 300 feet of the subject property, by mail, at least 10 days prior to the public hearing before the Planning Commission and/or City Council.
- You may request in writing that we notify you of any proposal to adopt or amend any of the following plans or ordinances during the time your application is pending: a General Plan; a Specific Plan; a Zoning Ordinance; an ordinance affecting building permits or grading permits.
- You must specify in the written request, the types of proposed action for which notice is requested. The City shall give such notice if it is determined that the proposed amendment or adoption is reasonably related to the applicant's application. If you make such a request for notification, you must pay an additional \$50 fee to cover the cost of notification.
- You may request in writing, that we notify you of any proposal to adopt or amend a rule or regulation affecting the issuance of a development permit and such notice shall be given. If you make such a request for notification, you must pay an additional \$50 fee to cover the cost of notification.

Requirements for Application Submittal

All of the following items are necessary in order for you to submit a complete application package:

- ✓ A complete and signed original application. Please note that all property owners must sign the application form or provide a signed agent authorization form included.
- ✓ Payment of an application fee as provided in the schedule of application fees. The application fee is due and payable at the time the application is filed with the Planning Division office. The application fee is non-refundable. Payment of the application fee does not preclude payment of other fees related to the issuance of a development or building permit or fees related to an Environmental Impact Report.
- ✓ One (1) full size copy (24" x 36") fan folded, three (3) reduced size copies (11" x 17") and digital PDF copies of the plans in CD or email meeting the requirements listed on the "Form and Scale of Map" requirements in this Application Package.
- ✓ A copy of title reports or a preliminary title report for all properties involved in the project. For lot line adjustment, parcel map, certificate of compliance, lot mergers, tentative map and subdivision conference applications, you must also submit both a recorded deed and a preliminary title report for all parcels included in your project.
- ✓ For projects subject to Environmental Review (please see the Environmental Review section of this package to determine if your project is subject to review), a completed Environmental Assessment form included on pages 19-23 of this application package is due at the time all other items are submitted to the Planning Division office.

Environmental Review

The City is required by state law to review your application for environmental impacts in accordance with the California Environmental Quality Act of 1970 (also known as "CEQA"), which governs the environmental review process.

The purpose of the Environmental review process is to evaluate your projects physical effects upon the environment, including both man-made and natural conditions. Some applications, such as an administrative approval, are considered ministerial, and by law, exempt from the provisions of CEQA. However, most development permits are considered a project subject to review and will require you to fill out an Environmental assessment form. The Environmental assessment form is included in this package with additional information on how to fill it out. The Environmental Assessment form is used by staff to prepare an "initial study". An initial study is a checklist that describes the potential impacts that may be associated with your project. In some cases additional information may be necessary to determine what impacts are involved, such as a traffic study. If the identified impacts are significant, they must be mitigated to a level of insignificance prior to your project being implemented. Mitigations can be incorporated into the project's design or be in the form of conditions of approval for the project.

After review of all project information and studies, staff will make or recommend an Environmental determination for your project. The types of determinations are:

Categorical Exemption: This identifies that your project is exempt from the provisions of CEQA and that no further Action by you or the City is necessary.

Negative Declaration: If the initial study prepared by staff reveals that your project will not have a significant effect on the environment, a negative declaration will be processed, adopted by the City and posted with the County Clerk, and in some cases, with the State Office of Planning and Research. A minimum 20 day public review period (30 days for projects subject to state review) is required before a Negative Declaration can be adopted.

Mitigated Negative Declaration: If the initial study reveals that your project will not have a significant effect on the environment there are certain conditions or mitigations that can be imposed upon the project to avoid or minimize potential impacts, a Mitigated Negative Declaration can be adopted. A Mitigation Monitoring Program is also adopted that includes the required mitigations for the project, when they are to be performed, by whom and who is responsible. The review period for a Mitigated Negative Declaration is the same as for the Negative Declaration described above.

Environmental Impact Report: An Environmental Impact Report (EIR) will be required if substantial evidence shows that your project will have significant adverse effects on the environment and as a result further analysis is necessary to determine appropriate mitigations. An EIR is prepared by an independent consultant hired by the City and paid for by the applicant. The EIR process includes a minimum 45 day public review period of the Draft EIR and the approving authority (City Council, Planning Commission, or both) is required to certify a final EIR prior to the approval of your project.

The EIR process can take at least 6 months, however, more complex projects may require a significantly longer process. A Mitigation Monitoring Program is also necessary for an EIR and the City Council may adopt a Statement of Overriding Considerations if there are impacts that cannot be mitigated to a level of insignificance, but are considered acceptable because of the merits of the project.

Environmental Review (Continued)

For fish and wildlife resources, the Planning Commission or City Council may also adopt a De Minimis Finding for projects that do not impact these resources. Projects that do affect fish and wildlife will be required to have additional review by the State Department of Fish and Game and an additional review fee will be required; please see the attached fee schedule or ask staff for more information.

Additional environmental review at the federal level under the National Environmental Protection Act or NEPA may be required for projects that affect resources under a federal agency's jurisdiction. Please ask staff for more information regarding this review process.

Application Descriptions

The following descriptions summarize the types of applications that can be reviewed and approved by the City. Please ask a staff member if you need more information on what application you need to file.

Applications Approved by Staff

Certificate of Compliance

A Certificate of Compliance is issued by the Planning Division to a subject property when an applicant shows that the property was legally formed in accordance with the City's Subdivision Ordinance and the Subdivision Map Act. A Conditional Certificate of Compliance may also be issued if a property is not in compliance, but can be conditioned to be in compliance with standards applicable at the time the parcel was formed.

Lot Line Adjustment

As permitted by state law, adjustments may be made to property lines of existing legal parcels. The city has adopted a subdivision ordinance that provides for such adjustments for fully improved parcels in accordance with the exemptions included in the subdivision map act. Property owners can effectuate a lot line adjustment by creating new legal descriptions that are recorded with new deeds. The city provides a notice of lot line adjustment that is recorded as well. No additional parcels may be created with a lot line adjustment, you must utilize a parcel map or tentative/final map to create new parcels.

Lot Merger

A merger of parcels can be performed if the subject properties do not meet the lot size standards of the city zoning code and where at least one of the parcels involved does not meet other minimum development standards of the city. The city records a notice of merger when the merger has been legally completed.

Parcel Map Waiver

When an applicant can show that a division of land can be effectuated without the filing of a tentative parcel map, under the strict adherence of the city's subdivision code and the subdivision map act, the requirement of a tentative parcel map can be waived.

Typically, a waiver can be granted if legal descriptions can be established for the subject properties without the filing of a parcel map and all the subject properties meet all state and city requirements for drainage, access, water, sewer and flood control, if such a waiver is granted, the city issues a certificate of compliance for the newly created parcels in accordance with the procedure described above.

Tentative Parcel Map

Similar to a tentative map described below, a tentative parcel map sets forth a subdivision of land of less than five parcels (for residential properties or any commercial and industrial land with defined development patterns and improved infrastructure; please ask staff for more information on parcel map procedures under these circumstances).

Application Descriptions

Final Map

A final map is processed subsequent to the approval of a tentative map. Final maps may be phased, in accordance with the conditions of the tentative map. Every final map processed must be checked for technical accuracy by the San Joaquin County Surveyor's Office, as well as the City Public Works Department. The filing (recording) of a final map creates new legal parcels. Please ask staff for more information about the final map process.

Final Parcel Map

Similar to a final map described above, a parcel map is essentially a final map that typically involves less than 5 parcels. A parcel map is also checked for technical accuracy by San Joaquin County and City Public Works. The filing (recording) of a parcel map creates new legal parcels. Please ask staff for more information about the parcel map process.

Permits Requiring Planning Commission Approval

Subdivision Conference

As a prelude to the filing of a tentative map application, a subdivision conference may be held before the Planning Commission to establish understanding between the city and the applicant prior to the subdivision of land. The application is required to alert city officials and interested public and private agencies of the proposed subdivision so that they may have the opportunity to inform the subdivider of physical conditions, facts, policies and environmental concerns which are or may be pertinent to the preparation of the tentative map.

Time Extension

This application is to extend the life of a particular development permit or map. The amount of time that may be extended shall be consistent with the Lathrop Municipal Code and/or Subdivision Map Act.

Environmental Subdivision

An environmental subdivision is a tentative map utilized for the preservation of biotic or wildlife habitat to protect it from urbanization. The process is similar to that of the tentative map process, but also includes specific findings to be made by the City to preserve property of 20 or more acres for a specific habitat or habitats.

Permits Requiring City Council Approval

Appeal of Planning Commission Decision

Any interested party may file an appeal to the City Council after a decision has been made by the Commission.

Permits Requiring Planning Commission and City Council Approval

Tentative Map

As provided for in the state subdivision map act and the city subdivision ordinance, a tentative map may be filed to subdivide property into five (5) or more parcels. A subdivision conference must be held as the first step in the tentative map process to establish an understanding of the applicants' intentions regarding the subdivision of specific property. Please see the subdivision conference description located above.

Application Descriptions

Tentative Map Exception

An exception to approving a tentative map may be granted if there is enough information available by prior recorded documents to subdivide a parcel of land. A tentative map is still required to be submitted for review by staff, but is not necessarily utilized as the basis for the final map.

PLANNING DIVISION
APPLICATION FEES

PLANNING COMMISSION	
Subdivision Conference	\$1,039
Environmental Subdivision	\$3,837
PLANNING COMMISSION & CITY COUNCIL	
Tentative Subdivision Map	\$3,837
Exception (submitted with tentative map)	\$ 180
ADMINISTRATIVE ACTION	
Lot Line Adjustment *	\$ 456
Lot Merger *	\$ 424
Certificate of Compliance	\$ 498
Tentative Parcel Map	\$ 461
Parcel Map Waiver	\$ 302
Exception (submitted with tentative parcel map)	\$ 281
NOTE: Fees subject to change	

OTHERS	
Plan Storage Fee	See Master Fee Schedule
Public Notice Advertising (Deposit)	\$300 (Planning Commission) / \$600 (City Council)
Environmental Impact Report	Cost of Staff Time and/or any consultants to review and process the application, plus any applicable Fish and Game Filing Fee. Plus 15% Administrative Fee.
Final Map	Cost of all work done prior to approval of a Tentative Map, and in addition, the fees due upon submittal of a final map, improvement plans, and recording of the Final Map. Plus 15% Administrative Fee
Any Required Studies (i.e., transportation, biological, drainage, etc.)	Cost of hiring a consultant to prepare any studies, plus the cost of staff time to review and coordinate the studies. Plus 15% Administrative Fee.
Service for Others	Cost plus 15% Administration
PUBLIC WORKS/CITY ENGINEER – Final Map Plan Check - Verify with Public Works Fees	

1. A minimum retainer of \$10,000 shall be required for any project that, in the discretion of the Community Development Director requires extensive review.

Contact Names and Agencies List

The following names and phone numbers may be used to contact staff members or outside agencies in compiling necessary information for your application. All phone numbers are Area Code 209:

City Staff

Planning Division	941-7290
Public Works Department/Engineering Division:	941.7430
Building Department:	941.7270
Finance Department:	941.7320
City Clerk's Office:	941.7230
City Attorney's Office:	941.7235
City Manager's Office:	941.7220
Lathrop Police Department	647-6400

Fire District

Lathrop Manteca Fire District:	941-5100
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School Districts

Manteca Unified School District:	825.3200
Banta Unified School District (River Islands):	835.0171

Health Department

San Joaquin County Environmental Health Division:	468.3400
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County Surveyor

San Joaquin County Surveyor's Office:	468.3049
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County Clerk

San Joaquin County Clerk's Office:	468.2362
Air Pollution Control District:	1.800.766.4463

Form and Scale of Map (Tentative Maps or Tentative Parcel Maps)

Every tentative map for a subdivision filed with the Planning Commission shall be clearly and legibly drawn. The size of the sheet shall be twenty-four (24) inches by thirty-six (36) inches unless otherwise authorized by the City Engineer. The scale of the map shall be one (1) inch equals 100 feet, except those subdivisions with lots of two and one-half (2-1/2) acres or greater may use a scale of one (1) inch equals 200 feet.

A Tentative Map shall contain the following information and data:

- ☐ A tract number assigned by the San Joaquin County Recorder, as such numbers are assigned in consecutive order throughout San Joaquin County, and a tract name (if any). If the tentative map is a vesting tentative map, the words 'vesting tentative map" shall be printed conspicuously on the face of the map. Ask staff for more information regarding a vesting map.
- ☐ Name, address and telephone number of the record owner of the property to be subdivided and name, address and telephone number of the agent of the owner on record.
- ☐ Name, address and telephone number of registered civil engineer, licensed surveyor, licensed landscape architect or other person who prepared the map, date of preparation, north point, and scale.
- ☐ A legal description sufficient to define the boundaries of the subdivision, and the approximate acreage or square footage.
- ☐ Boundary lines.
- ☐ The location, names, present width, and approximate grades of adjacent roads, streets, highways, or ways.
- ☐ Traverse calculations for parcel maps, lot line adjustments, and lot mergers.
- ☐ The location, names, width, and curve radii of all roads, streets, highways and ways in the proposed new subdivision. The location, name and caliper of all trees.
- ☐ Approximately accurate contour lines drawn to intervals of one (1) foot, and spot elevations shown on a maximum grid of 100 feet in each direction, the width and approximate locations of all existing or proposed easements or rights-of-ways, whether public or private, for roads, drainage, sewers, public utilities or flood control purposes.
- ☐ Lot lines and approximate dimensions, and lot numbers, including lot lines and property lines of adjacent parcels.
- ☐ Locations and approximate dimensions of proposed public areas.
- ☐ Limitation on rights of access to and from streets, lots and other parcels of land, and locations and widths of reserve strips.
- ☐ Location and widths of watercourses and areas subject to inundation, storm water overflow.

Form and Scale of Map (Tentative Maps or Tentative Parcel Maps)

- ☐ Any submerged areas, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM).
- ☐ Locations of city boundary lines and boundary lines of any other public district which lay within 500 feet of the exterior boundary lines of the proposed subdivision.
- ☐ The approximate location and outline to scale of each building or structure, irrigation ditches, pipelines, railroads and other physical features on the property proposed for a subdivision. Buildings or structures on adjacent property shall also be shown. Each building shown shall be identified by house number or other identifying feature, including a notation on each building or structure to be retained or removed.
- ☐ A tentative drainage plan including provisions for the disposal of storm water and approximate finished grades along each rear or side lot abutting existing development and the exterior boundary of the tentative map.
- ☐ The proposed use of each lot within the subdivision.
- ☐ A key map showing the proposed subdivision and surrounding subdivisions and streets located within one-quarter (1/4) mile radius of the boundaries of the proposed subdivision.
- ☐ An outline of the areas of the tentative map proposed for the partial recording of a final map thereon.

Statements to Accompany Tentative Map

The tentative map shall be accompanied by reports or written statements as follows:

- ☐ Legal description of the property,
- ☐ Source of water supply.
- ☐ Proposed method of sewage disposal,
- ☐ Proposed means of surface water drainage.
- ☐ Type of street improvements
- ☐ Protective covenants to be recorded.
- ☐ The relative proportions of the total area of the subdivision proposed to be devoted to each use classification, in acres.
- ☐ Other improvements proposed to be made or installed and the time when these improvements are proposed to be made or installed.
- ☐ Description and location of community facilities, which would serve the proposed subdivision.
- ☐ Number of lots. Minimum, maximum and average lot size.
- ☐ A preliminary title report describing all rights-of-way and easements to which the property is to be subdivided.
- ☐ Justification and reasons for any exceptions to the provisions of this ordinance.
- ☐ A preliminary soil report for the City Engineer.