



CITY OF CAMPBELL

Public Works Department

CERTIFICATE OF COMPLIANCE APPLICATIONS

ENGINEERING APPLICATION CHECKLIST

(Download at <https://www.campbellca.gov/DocumentCenter/View/2868>)

This Engineering Application Checklist (“Checklist”) is intended to facilitate the submittal of a Certificate of Compliance application to the City of Campbell Engineering Division. If you need additional assistance, please contact the Engineering Division at (408) 866-2150.

BACKGROUND INFORMATION

A Certificate of Compliance is a legally recorded document which certifies that a parcel of land complies with the Subdivision Map Act and local laws. In other words, it is a document that states the City of Campbell accepts the fact that a particular parcel of real property has been legally created.

The Certificate of Compliance is provided for under the Map Act, Section 66499.35 of the Government Code. It allows a person to apply for a determination as to whether a division of land complied with State and local laws in effect at the time of the division. If the division complies with applicable provisions of State and local law enacted pursuant thereto, a Certificate of Compliance shall be recorded, but if the division did not comply with State and Local laws enacted pursuant thereto, a Conditional Certificate of Compliance shall be issued. A Certificate of Compliance is administered by the Public Works Department, but is also reviewed by the Planning Division to consider imposing appropriate conditions in accordance with provisions of Section 66499.35(b) of the Government Code.

There are a number of different ways to subdivide real property. The most common way is by a tract map or parcel map. These processes are recognized by the State of California and the City of Campbell as being legal means of subdividing. However, many parcels were created long before these processes became widely accepted. In California, *generally*, if a parcel was created without using one of these processes, yet was created by a recorded deed prior to March 4, 1972, then it is considered to have been legally created, *unless local ordinances were in effect* at the time regulating divisions of land (Map Act, Section 66412.6).

In the City of Campbell, there were in fact local ordinances in place regulating divisions of land prior to March 4, 1972. On May 8, 1961 the City of Campbell enacted Ordinance 330 that mandated all subdivisions of less than five lots be approved by the Planning Commission. And on May 27, 1963, the City of Campbell enacted Ordinance 423 mandating all divisions of land be mapped.

On occasion, we find that parcels have been created after the City enacted Ordinances in 1961/1963 and/or after the Subdivision Map Act’s date of March 4, 1972, which are in violation. In such instances, Certificates of Compliance can still be issued; however they are called CONDITIONAL CERTIFICATES OF COMPLIANCE. Conditions are imposed that require certain improvements or dedications be made or certain zoning approvals obtained prior to issuance of any future construction or development permits. Building permits cannot be issued for parcels that have a Conditional

Certificate of Compliance unless all of the conditions have been satisfied. A Conditional Certificate of Compliance is viewed the same as a Certificate of Compliance in regard to the ability to obtain title insurance and sale of the property.

The conditions imposed upon a Conditional Certificate of Compliance may vary. If the land is still owned by the person(s) who created the violation, then the conditions will reflect the requirements of today's subdivision regulations. However, if the property has been sold, where the person creating the violation no longer owns the property, then conditions are imposed that reflect the subdivision requirements at the time the violation occurred.

The issuance of a Certificate of Compliance simply means that the parcel complies with the Subdivision Map Act and the City of Campbell Land Division Ordinance. It does not mean that it complies with the Zoning Ordinance, Building Code, or any other law or ordinance. Additionally, the issuance of a Certificate of Compliance does not necessarily mean that the lot has an approved means of access. Zoning and building codes are not the criteria used to determine the issuance of a Certificate of Compliance. It is quite feasible that a Certificate of Compliance can be issued for a parcel that is otherwise "unbuildable" for reasons unrelated to land division laws.

DIGITAL SUBMISSION REQUIRED

The City of Campbell utilizes an online permit system called MyGovernmentOnline ("MGO"). **All applications must be electronically submitted through the MGO system**, accessible at <https://campbellca.gov/pwmgo>. Before you submit an application for the first time, you must create a user account. For more information, please visit the City's Application Center at <https://www.campbellca.gov/1050/>. MGO also offers a customer service support line at (866) 957-3764 if you need assistance in creating a user account and/or navigating the system. Questions related to the application submittal requirements specified by this Checklist should be directed to the Engineering Division at (408) 866-2150 or publicworks@campbellca.gov. If you require accommodation, there is a public kiosk in City Hall that you may use to submit an application through the MGO system and/or create a user account. However, as noted further in the Checklist, all application materials must be provided electronically; if you wish to use the public kiosk you must bring your application materials on a USB flash drive. For security reasons, application materials may not be downloaded or emailed to the kiosk computer.

When applying in MGO, please select the Application Type: "Map Review – Certificate of Compliance"

ENGINEERING REVIEW PROCESS

The Engineering Division will attempt to process initial requests for Certificates of Compliance within thirty (30) days. Coordination is required with the Planning Division as well. This time will be extended if there is insufficient information regarding the creation of the parcel. If during the initial review more documentation is needed, the City will respond to the applicant indicating the information or revisions needed. Once all the information meets the City's requirements, a Certificate of Compliance is prepared, signed and recorded at the [Santa Clara County Recorder's Office](#).

LEGAL DESCRIPTION AND PLAT MAP REQUIREMENTS

The legal description and plat shall be prepared and signed by a qualified Registered Civil Engineer or Land Surveyor pursuant to the Professional Land Surveyor's Act. The documents must comply with the requirements below.

Legal Description and Plat Map Requirements

1. Provide all bearings and distances appropriate for the description and clarity.
2. Area, in square feet, to be indicated on plat and legal description of lot.
3. Existing designations such as lot number and the subdivision recording date.
4. All easements for public and private purposes.
5. Abutting lot recording information.

6. Abutting streets, alleys, centerlines, right-of-way, and widths.
7. **Identify the basis of bearings on plat and legal description (provide record map/document).**
8. Legal description and closure calculations **to read clockwise.**
9. Existing lot line(s), lot line(s) deleted and/or new adjusted lot line(s) clearly identified.
10. Vicinity map, if necessary.
11. North arrow and scale.
12. Legal description shall be titled "Exhibit A, Legal Description".
13. Stamped and signed Engineer/Surveyor seal on plat and legal description(s).
14. Other pertinent information needed for clarity (City plan check may ask for further information).

Please note: Samples from previously approved projects can be provided on request to assist the Surveyor in understanding what is expected. *A picture is worth a thousand words.*

SITE PLAN REQUIREMENTS

Since only certain information can be on the official recorded certificate of compliance plat, a site plan is required showing the additional information necessary to document the existing conditions.

Site Plan Requirements

The following information must be included on the site plan:

1. The location and width of all existing or proposed easements or rights-of-way, whether public or private, for access roads, drainage, sewers, or flood control purposes. Label the easements as existing or proposed and indicate to whom the easement is granted.
2. The location of any above ground or underground structures on the site. Dimension distances from proposed property lines to structures. If there are no structures on the lots proposed for adjustment, add a note on the site plan stating that fact.
3. Setbacks: Show all new/existing building setbacks resulting from the lot line adjustment.
4. Project Data: For each **existing** and **reconfigured** parcel, provide the following information:
 - a. Building square footage (broken down by structure)
 - b. Lot Coverage
 - c. Floor Area Ratio
 - d. Lot Size
5. Vicinity map, if necessary.
6. North arrow and scale.
7. Any other information, as determined necessary by the City, on a case-by-case basis, to completely and properly assess the proposed lot line adjustment.

REQUIRED APPLICATION MATERIALS

Upon submittal to the MGO system, a staff member will review your uploaded materials for general adequacy with specifications stated in the table, below, as well as with the additional requirements provided in the following sections. If the required Application Materials are missing, clearly inadequate, mislabeled, or in an incorrect format, the application will not be accepted. You will be notified through the MGO system if your application has been accepted or rejected. Further, please be advised that the submission of Application Materials, including when responding to a notice of incompleteness, must be provided all together and cannot be piecemealed.

| # | REQUIRED APPLICATION MATERIALS |
|--|---|
| <i>(provide as separate documents)</i> | |
| 1. | <p>Request Letter prepared and signed by the applicant detailing each lot for which a certificate of compliance is sought. This summary shall include:</p> <ul style="list-style-type: none"> • The year when each lot or parcel was created and a copy and reference to the document(s) creating the lot or parcel. • An explanation of how the creation of each lot or parcel complied with the Subdivision Map Act and the City’s Subdivision Ordinance. • Copies and references of any court decisions or other documents on which these conclusions are based. • A summary of existing: road access, structures (with size in square feet), land use (residential, commercial, etc.), and zoning. |
| 2. | Current Grant Deed used to prepare the plat and legal description(s). Must include current grant deeds for all properties involved. |
| 3. | Chain of Title prepared by a title company for the property. |
| 4. | Legal Description(s) and Plat Map prepared in accordance with the requirements previously listed in this handout under “Legal Description and Plat Map Requirements”. |
| 5. | Closure Calculations that are computer generated and verify the closure/area calculations for all descriptions. Indicate degree of accuracy. |
| 6. | Site Plan prepared in accordance with the requirements previously listed in this handout under “Site Plan Requirements”. |
| 7. | Acknowledgement Statement (see last page of this checklist) stipulating to certain public record, copyright, environmental, and other legal obligations and disclosures. |

APPLICATION MATERIALS SUBMITTAL REQUIREMENTS

Application materials must be provided electronically in [Adobe PDF](#) (unlocked) format (i.e., no JPEG, PNG, DOC, etc.), **using the standardized file naming format specified in the table on the following page**. Please do not add dates, numbers, acronyms, special characters (!, @, #, \$, %, ^, &, “, ”, and *), version numbers or prefix numbers to the file names. Please also ensure that the Project Plans, inclusive of all required sheets, **are combined into a single PDF file**. Separate PDF files will not be accepted and will result in rejection of your application.

| REQUIRED FILE NAMING FORMAT | |
|--|--|
| Required Material <i>(one PDF file for each item)</i> | Required File Name Format <i>(label each file exactly like this)</i> |
| ■ Request Letter | ■ Request Letter |
| ■ Current Grant Deed | ■ Grant Deed |
| ■ Chain of Title | ■ Chain of Title |
| ■ Legal Description and Plat Map | ■ Plat and Legal (Submittal #) <i>Example: Plat and Legal (Sub 1)</i> |
| ■ Closure Calculations | ■ Closure Calculations |
| ■ Site Plan | ■ Site Plan |
| ■ Acknowledgement Statement | ■ Acknowledgement Statement |

APPLICATION FEES

Payment of application fees is required prior to processing your application. Once your application has been reviewed and found to be complete, staff will generate an invoice for the application fees and e-mail it through the permitting system. Failure to pay in a timely manner may result in your application being removed from the application queue (rejected), requiring a new application to be submitted. The application fee schedule is available at <https://www.campbellca.gov/160/Fees>. Please note that the City charges a 3.36% processing fee for all credit card transactions and a 1% processing fee for all ACH (electronic check) transactions. Cash or check payments may be made at the City Finance Department at no additional cost.



CITY OF CAMPBELL
Public Works Department

ACKNOWLEDGEMENT STATEMENT

Please read carefully. These are legally binding statements that may warrant consultation with legal counsel and/or a translator prior to signing. Misrepresentation may result in revocation of an issued building permit. Signature by the Applicant (or contractor), and Property Owner (or a duly authorized individual who may sign on behalf of a corporation, non-profit organization, limited liability company, joint partnership, homeowner associations, etc.) constitutes acknowledgment and/or acceptance of the following by all parties:

- (1) The City of Campbell is granted release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this permit application for the City’s regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the [California Public Records Act \(CPRA\)](#);
- (2) All notices and communications may be provided electronically via email or through the MGO system. This acknowledgement constitutes a voluntary and knowing waiver to receive a physical copy of any such correspondence;
- (3) An application to Public Works is not deemed submitted until all required materials have been confirmed received and all application fees have been paid;
- (4) If the Public Works application involves construction activities, then the contractor shall maintain their required license and bond in good standing with the Contractors State License Board, a current City of Campbell Business License, and all City required insurance coverage during the entirety of construction activity;
- (5) Issuance of a Public Works permit shall not be construed to be an approval of a violation of any local, State, or Federal laws; a permit issued in error under such circumstance shall be considered void;
- (6) Construction activity shall occur in compliance with the time and noise limitations specified in the Special Provisions of the approved permit, as well as with local and State air quality and stormwater protection requirements;
- (7) Revisions to approved construction plans must receive prior City approval. Construction performed not in compliance with approved construction plans may result in the constructed improvements being rejected and requiring reconstruction; and
- (8) The information submitted with the permit application is true and correct to the best of my knowledge.

ATTEST:

APPLICANT ACKNOWLEDGEMENT

| | | | |
|--------------|-------------------------------|-------------------|--------------|
| Name: | Title (if applicable): | Signature: | Date: |
| _____ | _____ | _____ | _____ |

PROPERTY OWNER ACKNOWLEDGEMENT

| | | | |
|--------------|-------------------------------|-------------------|--------------|
| Name: | Title (if applicable): | Signature: | Date: |
| _____ | _____ | _____ | _____ |

Company (if applicable):
