

Your Development Project and the Public Works Department

Part II

(Development Processing Phase - Condition of Compliance)



Contra Costa County
Public Works
Department

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Public Works Department
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NOTE: Throughout the text of this booklet, some words will appear in **bold type**. These words are defined for you in the Glossary of Terms at the end of the booklet.

Your Development Project and the Public Works Department II: Development Processing Phase (Condition of Approval Compliance)

The Public Works Department (Public Works) is involved with all development applications virtually from start to finish. At this point, Community Development Division (CDD) of the Department of Conservation and Development (DCD) issued you an approved permit for your proposed **subdivision (SD)**, **minor subdivision (MS)**, **land use permit (LP)**, **variance permit (VP)**, or **development plan (DP)** in the unincorporated Contra Costa County. This approved permit is your development's tentative approval. You must satisfy your **conditions of approval** stated in your approved permit and applicable provisions of Titles 8, 9, and 10 of the County Ordinance Code prior to receiving the final approval of your development.

See "Your Development Project and The Public Works Department I" brochure if you do not have an approved permit.

The Land Development Processing Section of Engineering Services Division at Public Works will be forwarded the approved permit. However, you, as the applicant, will need to initiate the condition of compliance phase of your development process with Public Works, separate from DCD.

Processing Section will begin processing your development once a complete package is received. Should you have any questions regarding the submittal of improvement plans, please contact the Associate Civil Engineer in Engineering Services Division.

Public Works implements/enforces Titles 8, 9 and 10 of the County Ordinance Code and **conditions of approval** set forth in your approved permit. Public Works staff works with each applicant and/or applicant's engineer to ensure compliance with the County Ordinance Codes and conditions of approval.

Step 1

Approved Permit Arrives at Public Works (Submittal Checklist)

Public Works, specifically Engineering Services Division, will mail you, the applicant, a letter and submittal checklist after we receive a copy of your approved permit from the Department of Conservation and Development. This letter and checklist will highlight the below information, which are available on the County's website at www.co.contra-costa.ca.us via our Public Works page:

- General Information—Improvement Plans Submittal
- Processing Guideline—Applicant Filing a Subdivision Final or Parcel Map
- Unit Price Guide for Improvement Bond Estimates
- Improvement Plan Review Check List
- Parcel and Final Maps Check List
- Cost and Time Notification Form
- General Notes for Improvement Plans
- Fee Schedule

It is your responsibility to initiate this development processing/condition of approval compliance stage of your development project. The checklist will assist in preparing a complete submittal. ***Proceed to Step 2.***

If you have not received a letter and checklist and there are Public Works conditions of approval on your approved permit, please obtain these from the County's website at www.co.contra-costa.ca.us via our Public Works page. Or contact Engineering Services Division at (925) 313-2000 to request it be emailed or mailed to you.

Please note that information regarding Community Facilities District 2010-1 Countywide Street Light Financing and Community Facilities District 2007-1 Stormwater Management Facility will be provided to you separately and after receiving your complete initial submittal.

Step 2

Preparing Initial Submittal to Public Works (Development Processing Section)

If your project does require improvement plans (i.e. construction plans) for the improvements required by the Ordinance Code and the conditions of approval, then a complete initial submittal to Public Works includes the items listed on the "General Information—Improvement Plan Submittal" and/or "Checklist for Parcel Maps and Final Maps."

If your project does not require improvement plans but you must satisfy conditions of approval specific to Public Works, then the initial submittals must include at least the following, which are items listed on the "General Information—Improvement Plans Submittal":

- Plan/Related review fee(s) (typically Condition of Approval Compliance Check)
- Annotated Conditions of Approval with Supporting Documentation
- Signed Cost and Time notification form

It is your responsibility as the applicant to submit a complete package.

Step 3

Is Your Submittal Complete?

When the Development Processing Section receives your initial submittal, staff (typically the Associate Civil Engineer) will review the submittal to determine whether or not all the required information has been submitted. If the submittal is complete, it is assigned to a **processing engineer**, who will review items for compliance with the Ordinance Code and the conditions of approval. ***Proceed to Step 4.***

If the submittal is incomplete, Development Processing Section will notify you and

provide a list of required additional information. We may return the whole package to you or hold it unprocessed. Incomplete submittals will not be processed. ***Return to Step 1 and Step 2.***

Step 4

Processing Your Complete Submittal and Review Time

The assigned processing engineer will work closely with you and/or your engineer in satisfying the Ordinance Code and conditions of approval. The processing engineer will review submittals, determine if the submittals meet the Ordinance Code and conditions of approval, request additional information, etc. Depending on the conditions of approval and completeness of the submittals, the review time may take several working days and several plan check iterations. The typical plan check review time is shown on Table 1.

| Plan Check No. | Review Time (work days) |
|----------------|-------------------------|
| 1 | 30 |
| 2 | 20 |
| 3 | 10 |
| 4+ | 10 |

Step 5

Have You Satisfied the Ordinance Code and the Conditions of Approval?

If your project does require improvement plans and has satisfied the provisions under the Ordinance Code and conditions of approval specific to Public Works, then the processing engineer will prepare an LE-135 Form (summary), which contains the project cost, inspection deposit, bonding amounts, and any other outstanding items. The processing engineer will forward the improvement plans to the Associate Civil Engineer who will then review, stamp, and sign the improvement plans to be in compliance with Titles 9 and Stormwater Control Plan to be in compliance with Division 1014. The processing engineer will route the approved copies to appropriate staff. Copies of the signed approved plans will be routed to Design/Construction Division, which will begin the construction stage. ***Proceed to Step 6.***

If your project does not require improvement plans and has satisfied the Ordinance Code and conditions of approval specific to Public Works, then the processing engineer will prepare an LE-135 Form (summary), which contains project cost, and any other outstanding items.

Contact your planner at the Department of Conservation and Development, and work with him/her on satisfying conditions of approval specific to their department. Public Works will require a notice from the planner that their conditions have been satisfied prior to improvement plan approval and/or map recordation.

Board of Supervisors action is required for parcel/final map approval. For more information on the Board of Supervisors process, please refer to the "Public Works and Your Agenda Item" pamphlet.

Step 6

What If You Want a Change in Your Condition of Approval?

Public Works enforces the Ordinance Code and conditions of approval of your approved permit at this stage of your development. Contact your planner at the Department of Conservation and Development to request changes to your approved permit and discuss the requirements.

Step 7

Construction of Improvements

With the 'approved' improvement plans (i.e. stamped and signed in compliance with Title 9 of the County Code) and paid inspection deposit, you may proceed with constructing the improvements. Your project will be assigned to one of our Public Works Construction Inspectors. You will need to contact the Inspector to schedule a preconstruction meeting, periodic inspections, completion of improvements inspection, and an end-of-warranty inspection.

For subdivisions, the improvements will need to be completed and other conditions of approval will need to be satisfied prior to approval of the final/parcel map for recordation.

If you wish approval of the final/parcel map for recordation prior to completing the improvements, you may request to enter into Subdivision Agreement with the County in which you agree to construct the improvements within a specified time. ***See Step 11.***

For Land Use Permits (LP) and Development Plans (DP), the improvements will need to be completed and other conditions of approval will need to be satisfied prior to issuance of a building permit and/or initiation of use.

Step 8

What If You Want to Construct Improvements Not Shown In Your Approved Improvement Plans?

Revised improvement plans must be submitted to the processing engineer for review and approval. It must be approved (i.e. stamped and signed for compliance with Title 9 of the County Code) prior to construction. The 'approved' plan revisions will be routed to the assigned Construction Inspector. Public Works does not accept "as-built" plans to

address changes made to the approved improvement plans.

Step 9 Completion of Improvements and Warranty Period

You must request inspection and sign-off for completion of improvements from the Public Works Construction Inspector. When the inspector has signed off that the improvements are satisfactorily completed, then Engineering Services will prepare the Board Order and Resolution recommending accepting the project as complete. The Board of Supervisors must accept the project as complete.

Improvements must be constructed as shown on the approved improvement plans. Plan revisions must be approved prior to construction. ***See Step 8.***

In this process, Engineering Services will review your account balance. You must pay all cost associated with your development project prior to scheduling for Board of Supervisors acceptance of the project as complete. Additional deposits may be necessary to process your development until the warranty period is complete.

If you are subdividing, the Board of Supervisors will have to accept the project as complete prior to approving the final/parcel map for recordation.

There is a one-year warranty period for public improvements in accordance with County Code. This warranty period will begin on the date that the Board of Supervisors accepts the project as complete. There is typically no warranty period for private improvements.

Step 10 End-of-Warranty Period (Public Improvements) Development Project Complete

You must request an end-of-warranty inspection from the Public Works Construction Inspector, and the inspector must sign-off. When the Inspector has signed off that the improvements have satisfactorily met the warranty period, Engineering Services will prepare the Board Order and Resolution recommending accepting the completion of the warranty period and exonerating any bonds. The Board of Supervisors must accept the end-of-warranty and exonerate associated bonds.

Engineering Services will review your account balance. You must pay all costs associated with your development project prior to the scheduling for Board of Supervisors acceptance of the warranty as complete, and exonerating associated bonds.

Finally, your development's billing account will be liquidated and closed. We will refund the depositor any remaining balance. ***Development Project Complete.***

Step 11

What if I want to Record the Final/Parcel Map Prior to Completion of the Improvements?

(Subdivision Agreement)

As stated in Step 7, if you wish to record the final/parcel map prior to completing the improvements, you will need to enter into the standard Subdivision Agreement with the County. This Subdivision Agreement will need to be accepted by the Board of Supervisors along with the final/parcel map approval.

This Subdivision Agreement allows you to install the improvements within two (2) years after approval by the Board of Supervisors. A cash and surety performance bond and a payment (labor/material) surety bond is required per County Code.

- The performance cash bond is 1% of the Engineer's bond estimate, but not less than one thousand dollars.
- The Performance Surety Bond or acceptable instrument of credit (i.e. letter of credit using County standard form) is 99% of the Engineer's bond estimate.
- The Payment (labor/material) Surety Bond is 50% of the Engineer's bond estimate.

The Development Processing Engineer will prepare the standard Subdivision Agreement and Bond Agreement to be executed as well as provide you with bonding amounts, which are summarized in the LE-135 Form (summary).

Board of Supervisors action is required for parcel/final map approval. For more information on the Board of Supervisors process, please refer to the "Public Work and Your Agenda Item" pamphlet.

GLOSSARY OF TERMS

Approved Permit: The document which is issued when your application is conditionally approved that allows you to proceed with your development, if and when, all Conditions of Approval are met.

Civil Engineer: A registered professional who deals with the design elements of land development.

Conditions of Approval: The requirements which you must fulfill in order to receive final approval for your development.

Deemed Complete: An application is deemed complete when it is determined that all the necessary information to begin to process the development has been provided. Additional information may be required to complete the Environmental Review.

Land Use Permit: A change in land use requiring a permit which does not involve subdividing property (e.g. start or expansion of a new business)

Minor Subdivision: A subdivision of land which creates four or fewer new parcels.

Ordinance Code: The set of rules and regulations which governs, among other things, land development in Contra Costa County.

Processing Engineer: The staff in the Public Works Department who processes your submittals and implements the Public Works Conditions of Approval for your project.

Project Planner: The planner in Community Development who is assigned to your project. The planner coordinates the information received from all other departments and develops a staff report and recommendation for action on your application.

Public Works Department/Public Works: The agency, located at 255 Glacier Drive in Martinez, which will prepare and later implement the Conditions of Approval for roads and drainage.

Subdivision: Land development which creates one or more new, contiguous parcels.

Tentative Map: A scale drawing of the site of a proposed subdivision or minor subdivision.

Title 9: The "Subdivision Ordinance," enacted for the purpose of adopting subdivision regulations in accordance with the Subdivision Map Act, the Government Code, and other regulations.

Title 10: The "Public Works and Flood Control" Ordinance Code.

Variance Permit: Permission granted by the County to allow a specific non-conforming use of a zoned property.

Useful publications available to help you through the development process:

- Title 8, Planning and Zoning, County Ordinance Code
- Title 9, Subdivisions, County Ordinance Code
- Title 10, Public Works and Flood Control, County Ordinance Code
- Public Works Conditions of Approval: What Do They Mean?
- Your Development Project and the Public Works Department—Part I (Development Application Phase)
- Your Development Project and the Public Works Department—Part II (Development Processing Phase—Condition of Approval Compliance)
- Floodplain Management Program: Answers to Commonly Asked Questions

The above are available from the County Website at www.co.contra-costa.ca.us and/or our Public Works Website at www.cccpublicworks.org.



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