

CITY OF HAYWARD - PLANNING DIVISION

CERTIFICATE OF COMPLIANCE

Administrative – Staff Level Decision

WHEN IS A CERTIFICATE OF COMPLIANCE REQUIRED?

A Certificate of Compliance is required when there is a question about the legality of a parcel of land. A Certificate of Compliance is needed to assure that the real property was legally created in conformance with the Subdivision Map Act and the City subdivision ordinance.

Any person owning real property or a buyer pursuant to a contract of sale of the real property may request, and the City shall determine, whether the real property complies with the provisions of the Subdivision Map Act and of the City ordinances enacted pursuant to the Subdivision Map Act.

WHAT DOES IT COST?

The initial deposit for a Certificate of Compliance is \$3,000 and is used for cost of staff review time and materials [See Planning [Fee Schedule](#)].

WHAT MATERIALS DO I SUBMIT?

Refer to the “[Certificate of Compliance Application Instructions and Checklist](#)” available on the City of Hayward website or in the Permit Center.

All applicants should consult with the Development Review Engineer to determine which of these submittal requirements will be applicable for the specific project you are submitting, some of the requirements may not be necessary.

IMPORTANT NOTES:

The City shall not issue any permit or grant any approval necessary to develop any real property which has been divided, or which has resulted

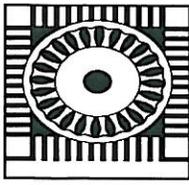
from a division, in violation of the provisions of the Subdivision Map Act or of the provisions of the City ordinances enacted pursuant to the Subdivision Map Act if the City finds that development of such real property is contrary to the public health or the public safety.

The issuance of a Certificate of Compliance or Conditional Certificate of Compliance does not automatically imply that a parcel or parcels of land constitute a legal building site. Additionally, it does not necessarily mean that the parcel has an approved means of access. Zoning and Building ordinances, and access **are not** criteria used to determine the issuance of a Certificate of Compliance.

FUTURE CONSTRUCTION

All new construction must meet the City’s Green Building Ordinance and Bay Friendly Landscaping requirements. These ordinances can be found by clicking on the “Green Hayward” icon (shown below) located on the left-hand side of the City’s home page at www.hayward-ca.gov.

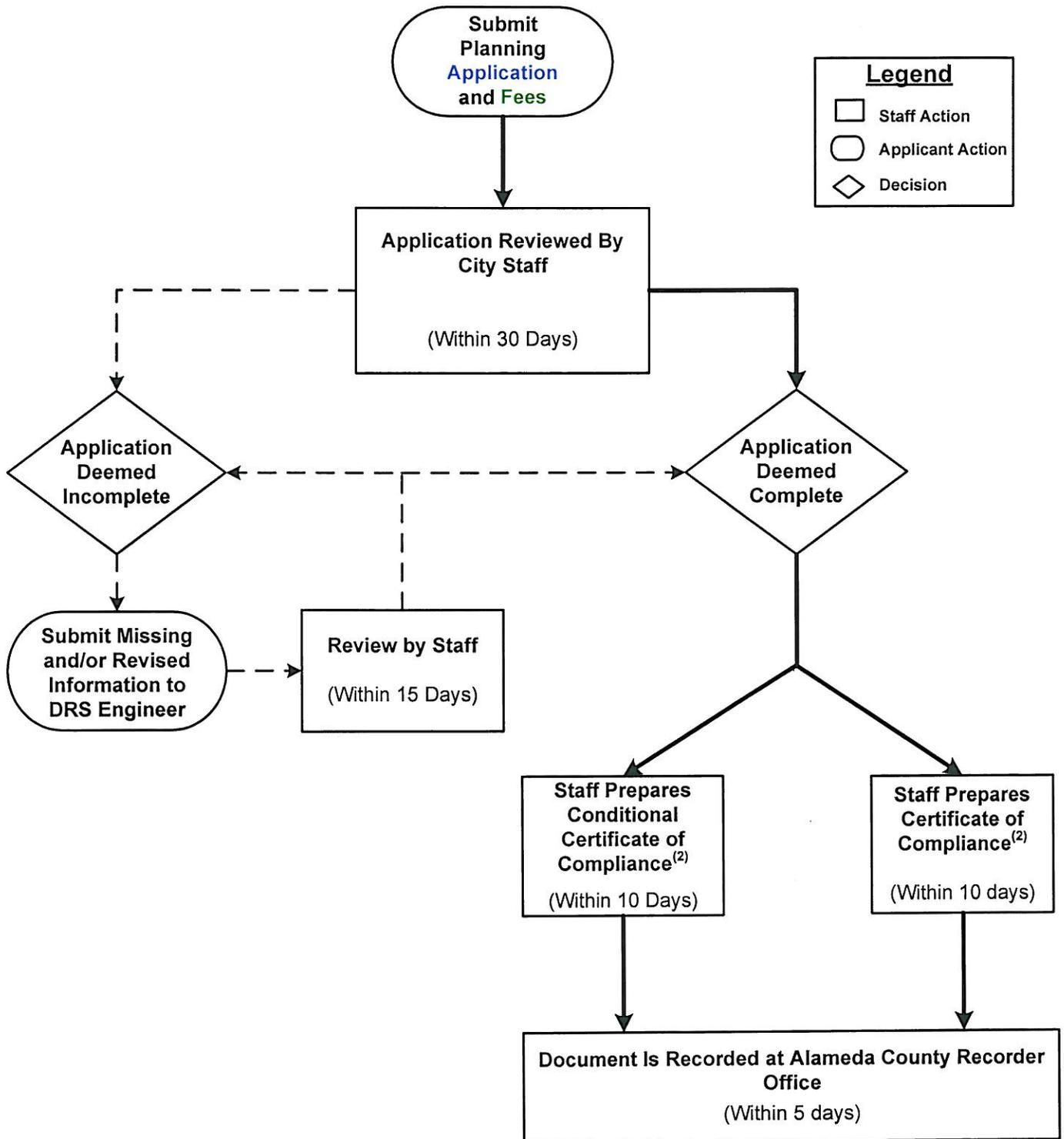




City of Hayward – Planning Division

Certificate of Compliance

Goal: 6 Weeks Processing Time ⁽¹⁾



(1) The processing time assumes complete and timely submittals by the Applicant.

(2) Certificate of Compliance application decisions will be made by the Planning Director, or his or her designee. HMC Section 10-3.150 et.al.



Certificate of Compliance Application Instructions and Checklist

City of Hayward, Planning Division

777 B Street, First Floor, Hayward, CA 94541
(510) 583-4200 Telephone (510) 583-3649 Fax

Submittal Requirements

All applicants should consult with the Development Review Engineer staff to determine which of these submittal requirements will be applicable for the specific project you are submitting, as some of the requirements may not be necessary.

- A. COMPLETED APPLICATION** signed by affected property owner.
- B. APPLICATION FEE.**
- C. TWO SETS OF VESTING DEEDS** or the instrument used to create the parcel (with the date shown). Copies of all deeds listed in the chain of title must be submitted.
- D. TWO COPIES OF RECENT PRELIMINARY TITLE REPORT (within 60 days)**, or other proof of ownership and title must be held in a similar manner back to the date the parcel was created.
- E. TWO COPIES OF THE 'CHAIN OF TITLE'**: A chronological listing of the parcel history, beginning with the creation of the originating (parent) parcel of the parcel in question, progressing through the current vesting is required.
- F. TWO SETS OF PLAT (EXHIBIT B) AND LEGAL DESCRIPTION (EXHIBIT A)** describing the parcel in question prepared by a Registered Civil Engineer or Licensed Land Surveyor, and copy of any filed Final or Parcel Map of the parcel in question.
- G. TWO SETS OF SITE PLAN:** application may be required to include 18"x26" site plan(s), drawn to scale and signed by a Registered Civil Engineer or Licensed Land Surveyor. that shows the parent legal lot of record and the boundaries of the subject unit of land within the parent lot, with metes and bounds descriptions clearly labeled.

ADDITIONAL REQUIREMENTS PRIOR TO FINAL APPROVAL

- A. Reproducible Mylar at least 3-mil thickness, Certificate of Compliance plat with the owners' signatures executed in black permanent ink and site plan sheet(s). **Do not** notarize the plat or exhibit map.
- B. If the property is within a local improvement district, maintenance district, or assessment district, either all outstanding assessments shall be paid, or an amended assessment diagram submitted for recordation.

Certificate of Compliance Checklist

APPLICATION # _____ LOCATION: _____ ACTIVITY # _____

Instructions: Check box if complete, circle if incomplete or mark N/A if not applicable. When item corrected, color box solid and date.

EXHIBIT B: The Plat or Exhibit B shall be drawn in black ink, indicate and/or conform with the following minimum requirements: **Survey and Property Information**

- 1. Title, including application number, City of Hayward, Alameda County, California. Filed Final or Parcel Map in which the parcel of land in question is located.
- 2. Map scale, north arrow, legend, reference, APN, recorded book and page of Alameda County Recorder's office.
- 3. The location of the project site in relation to existing streets and the distance to the nearest street intersection to allow someone not familiar with the area to locate the project site.
- 4. The existing and proposed lot layout. Show bearings and distances for all parcel lines. Use a heavy solid line for the parcel boundary.
- 5. A number for each parcel (parcel 1, parcel 2, etc.) and the net area of each parcel. Net area equals the gross area minus easements that restrict the surface use of the property, such as vehicular, pedestrian, or landscape area.
- 6. Information shall be legible on a reduction to 8-1/2" x 11".
- 7. Preparer's signature block. Final submittal shall have preparer's signature and wet stamp.

SITE PLAN: Since only certain information can be on the official recorded Certificate of Compliance Plat (Exhibit B), a second map is required to show additional information necessary to verify compliance with adopted City Ordinances. The following information must be included on the Site Plan:

- 8. Name, address and telephone number of owners.
- 9. Map scale, north arrow, legend, reference, APN, overall dimensions of the properties and location of adjoining lot lines, set back dimensions, and Vicinity map.
- 10. Location and names of adjoining streets. Accurately locate street centerline, and show all existing improvements such as sidewalks, curbs, gutters, and driveways.
- 11. Location and dimensions of existing structures, easements and/or uses. Location and nature of existing trees sizes, and species of all trees 10" or more in diameter, fences, gates, and walls.
- 12. If applicable, location, dimensions, arrangement and numbering of parking spaces or existing and/or proposed parking and loading facilities.

The City will finalize and record the executed Certificate of Compliance or Conditional Certificate of Compliance.

After final approval and recordation, a certified copy of the recorded Certificate of Compliance or Conditional Certificate of Compliance shall be filed with the Planning Director and another certified copy of the recorded Certificate will be sent to the applicant/owner. The recorded Certificate of Compliance is filed with the City Clerk office, and the Mylar is filed with Public Works-Engineering records.