



# Planning Department

## Subdivision Permit Procedure and Checklist

**Definition:** A subdivision is the process of dividing property for the purpose of sale, lease or financing (including condominiums). State law requires approval of a map showing the division; before sale, lease or financing of a new parcel can legally occur. The basic distinction between Parcel Maps and Subdivision Maps is that, in general, the creation of four (4) or fewer lots requires approval of a Parcel Map by the Development Review Committee (DRC), while five (5) or more lots will require approval of a Subdivision Map by the Planning Commission.

**Application:** An application for a subdivision consists of the following:

- An application form signed by the property owner
- The applicable filing fee
- An environmental assessment as applicable to the project
- Fourteen (14) copies of the Tentative Map
- Title report

The Tentative Map must contain information required by the Municipal Code and be prepared by a qualified individual. A separate checklist is available which outlines the content requirements. (Engineering Department)

**Filing Fees:** Filing fees are those adopted by City Council Resolution. Contact the Planning Department for applicable fees.

**Preliminary Review:** Applicants should note that incomplete plans submitted for formal processing may be returned for correction. Therefore, applicants are encouraged to submit copies of a preliminary plan for staff review prior to formal submittal. The Planning staff will review and comment on the plan, so that necessary changes or additions can be made prior to preparation of the final application and the submittal deadline.

**Review Process:** Upon receipt of the application, the Planning staff will prepare a public hearing notice and arrange for publication prior to the public hearing. Notices will also be mailed at least 21 days (10 days for Parcel maps) prior to the hearing to the property owner and to all owner or real property as shown on the latest equalized assessment roll within 300 feet of the property proposed for which the subdivision is requested.

A request for comment will be sent to City Departments and local agencies that may be affected by the application. If deemed necessary, a meeting by the applicant/developer may be requested.

Upon receipt of comments, the Planning staff will prepare a staff review for the Planning Commission (the DRC for Parcel Maps). The staff review will contain an evaluation of the proposal and may include alternatives or recommendations for conditions of approval. The staff review and meeting agenda will be sent to the Planning Commission (the DRC Parcel Maps) and the applicant on the Thursday preceding the public hearing. Questions on the staff review may be directed to the Planning staff prior to the hearing.

**Planning Commission and DRC Action:** At the public hearing, input will be obtained from the applicant and any interested parties. **IT IS THE POLICY OF THE COMMISSION AND DRC TO REQUIRE THAT THE APPLICANT/PROPERTY OWNER OR HIS AUTHORIZED REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING.** At the conclusion of the public hearing, the Planning Commission or the DRC may:

- Take action on the environmental assessment or continue the matter for preparation of additional information
- Approve, conditionally approve or deny the Subdivision

**Appeals:** Any person dissatisfied with the action of the Planning Commission or the DRC may appeal said action. Appeals must be filed within fifteen (15) days of the action. Such appeals must be filed in triplicate with the City Clerk and shall state the grounds of the appeal. The appeal must be accompanied by the required filing fee.

**Acknowledgement and Acceptance of Conditions:** Following action on the Subdivision, a letter will be sent to the applicant which states the action taken. The applicant and property owner of an approved Subdivision are required to execute an acknowledgment and acceptance to the terms and conditions of the approval and an agreement with the City certifying such acceptance and agreement to be bound thereby.

**City Council or Planning Commission Action on Appeals:** Upon receipt of an appeal within the specified fifteen (15) day period, a public hearing will be scheduled and notice given in the same manner as that prescribed for the Commission or DRC hearing. The appeal body may affirm the action, reverse it or modify it in whole or part. A four/fifths vote is required to grant, in whole or part, an appeal of an application denial.

**Expiration of Tentative Maps:** The tentative map approval is valid for a two year period unless a written extension is requested prior to expiration or the final map is recorded with that time frame.