WHAT IS A SUBDIVISION?

A subdivision is the division of land into two or more lots or parcels for the purpose of sale, lease or financing, except for leases of agricultural land for agricultural purposes. Subdivision also includes a condominium project, a community apartment project or the conversion of five or more existing dwelling units to a stock cooperative. Agricultural purposes means the cultivation of food or fiber or the grazing or pasturing of livestock.

WHAT IS A MINOR SUBDIVISION?

A minor subdivision is the creation of four or fewer parcels, with or without a remainder parcel. In determining how many parcels a subdivider may create through the minor subdivision process, in addition to the parcels being proposed, there shall be counted every contiguous parcel, which was created by the same subdivider.

HOW DO I APPLY FOR A MINOR SUBDIVISION?

Submit completed Minor Subdivision application forms to the Department of Planning and Building Services along with the appropriate filing fee (see the application form or a planner for appropriate number of copies and filing fee). As part of the application process, you will be required to submit the appropriate number of copies of the following:

- Application forms and initial site and project description questionnaires.
- Tentative Maps (legibly drawn at a workable scale) in addition, one 8x11 inch reproducible map.
- Preliminary Title Reports issued within the previous 30 days.
- Certification and site view authorization.
- Mail Direction form.
- Indemnification and Hold Harmless Agreement.
- Filing Fee.

WHAT SHOULD THE TENTATIVE MAP CONTAIN?

The Tentative Map shall be a sketch clearly and legibly drawn. The minimum sheet size shall be 8 ½ by 11 inches. The minimum scale shall be one inch equals one hundred feet. The Tentative Map must contain the following information:

- Name, addresses and telephone numbers of owners, subdivider and person who prepared the map.
- Date map was prepared, north point and scale.
- The approximate width and location of all proposed or existing easements together with the purpose thereof. Roadway easements shall extend to a publicly maintained road.
- The proposed lot lay-out, approximate dimensions and approximate area of all lots. All proposed lots or parcels shall be numbered consecutively throughout the entire division of land.
- A red border on the map to indicate the boundaries of the land to be divided.
- Approximate location, width, name and status as public or private of all existing and proposed streets lying within and adjacent to the division of land.
- The outline of any existing buildings to remain in place and their approximate locations in relation to existing or proposed lot lines.
- Lines indicating direction of slope and approximate percent of grade or sufficient contour lines to indicate the general slope of land.
- The approximate locations of areas subject to inundation; the approximate location of existing or proposed lakes, ponds springs, or reservoirs; and the location, width and direction of flow of all significant water courses.
- The approximate location of property line fences, wells, sewage disposal systems, culverts, drainpipes, underground structures, overhead structures, major excavations, mining shafts or other hazards within the area of the land to be divided two hundred (200') feet adjacent thereto.
The Assessor’s Parcel Numbers of the property to be divided, together with the Assessor’s Parcel Numbers and date acquired, transferred, leased or financed to any property contiguous to the property to be divided in which the owner or subdivider of said property has had any ownership interest subsequent to September 20, 1963.

A site sketch showing the location of the proposed minor division in relation to the surrounding area.

What is a waiver of parcel map (unilateral agreement)?

A waiver of a parcel map may be requested by a subdivider and granted by the Planning Commission for a minor subdivision which:

- Results in the creation of only two parcels and where the parcel to be divided was not created through a previous minor subdivision process whereby a parcel map was waived and a unilateral agreement was allowed in lieu of a parcel map.
- Results in the creation of parcels with a minimum gross area of 40 acres or more or each parcel is a quarter-quarter section as determined by government survey.
- Does not result in a requirement for a right of way dedication or other easements for access, drainage or utilities.

What happens after I apply?

- **Preliminary Review of Application.** The application will be reviewed for completeness. If the application is deemed incomplete, that is, all information is not submitted or is found inadequate, you will be notified by mail as to what additional information is required. The application will be referred to various agencies, which may request additional information or request that conditions of approval be attached to your subdivision. The application will be assigned to a project coordinator who will be your contact through completion of the project.

- **Subdivision Committee.** The Subdivision Committee, which consists of representatives from the Department of Planning and Building Services, the Division of Environmental Health and the Department of Transportation, will meet to discuss and make recommendations regarding your subdivision. You will be notified of the time and place that the Subdivision Committee will consider your subdivision and a representative for the project should attend the meeting.

- **Environmental Review.** The project coordinator will evaluate the project’s impact on the environment and consistency with the General Plan and other applicable plans and ordinances. At any time during the project review, you may be requested to provide additional information, such as archaeological, botanical, water availability or engineering studies, to assist in the evaluation.

- **Staff Report.** The project coordinator will prepare a written staff report at least 21 days prior to any public hearing. It will include agency comments, and staff’s recommendation on whether the Planning Commission should approve or deny the application.

Who will take action on my application?

Your application will be considered during a public hearing by the Planning Commission. You will be notified by mail of the time and place that your application will be considered by the Planning Commission. You or a representative should be present at this hearing.

In addition, public notice of the hearing for your application will be published in a local newspaper and owners of adjoining property will be notified of the application.

What happens during the public hearing on my application?

The staff report prepared for your application will be presented and summarized.

You will be provided an opportunity to describe your project and address any issues raised in the staff report.
Members of the public will be given an opportunity to express positive or negative comments regarding your application.

The Planning Commission will consider the staff report, comments from you and the public and take action on the application.

**What can I do to give my application the best chance of approval?**

- When planning your project, consider how you can complete it in such a way that it harmonizes with its surroundings and does not disrupt the neighborhood by creating undue noise, traffic, etc.
- You must convince the decision-makers that your subdivision should be approved. When you submit your application, provide the best information possible.
- Attend the public hearing so that you can speak for your project and respond to questions posed by those who may be worried about how your land use might affect them.

**Can the decision on my application be appealed?**

During the 10-day appeal period after the Planning Commission hearing, you or any interested party may appeal the decision to the Board of Supervisors. Even if your application is approved, you may still appeal any of the conditions that are attached to the subdivision. **Appeals must be filed in writing and accompanied by a filing fee, submitted to the County Executive Office.**

If an appeal is filed, the project coordinator will prepare a written report and recommendation to the Board of Supervisors. Notification of the Board of Supervisors’ hearing will be provided in the same manner as the Planning Commission’s hearing.

In the case of projects located within the Coastal Zone, approved minor subdivisions may be appealable to the California Coastal Commission within 10 working days following the Coastal Commission’s receipt of the Notice of Final Action on the project.

**How long does it take to process a minor subdivision?**

The process takes approximately four to six months from the time you submit a complete application to the day of the public hearing. The process may take longer if significant environmental issues requiring additional study are discovered in the process.

**What happens after my subdivision is approved?**

After approval of the application and expiration of the appeal period (or action on an appeal if any appeal was filed) you must satisfy any conditions that were imposed by the Planning Commission or Board of Supervisors. Typically, conditions include requirements to complete improvements to the subdivision access road, water and soil testing for wells and septic systems, etc. These requirements are administered through the County Environmental Health Division and Department of Transportation and are discussed in sections of the Binder for those Departments.

Upon completion of the conditions, you will have to file either a Parcel Map with the County Surveyor at the Department of Transportation, or, if a Waiver of Parcel Map was approved, a Unilateral Agreement must be filed with the Department of Planning and Building Services. These documents must be prepared by a licensed engineer or surveyor and will be checked by the County Surveyor within the Department of Transportation. You will have two years to complete the conditions and file the Parcel Map or Unilateral Agreement; however, extensions are possible upon application to the Department of Planning and Building Services prior to the expiration of the Tentative Map. Once the Parcel Map or Unilateral Agreement is recorded with the County Recorder, your Minor Subdivision is complete.