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SUBDIVISION APPLICATION PROCEDURES

PURPOSE

The State Subdivision Map Act authorizes local government agencies to regulate and control the design and development of subdivisions. A subdivision is defined as the division of any improved or unimproved land for the purpose of sale, lease, or financing. A subdivision also includes the conversion of a structure to condominiums. Subdivision regulations and review procedures for a division of property into five or more lots (generally referred to as a major subdivision) require tentative subdivision map approval; four lots or less (generally referred to as a parcel map or minor subdivision) require a tentative parcel map approval.

The tentative map review procedure is designed to ensure that such things as street alignments, drainage, water and sewer facilities, location and size of easements and rights-of-way, traffic access, grading, and numerous other features conform to City regulations and are arranged in the best possible manner to serve the public, minimize impacts to the environment, and provide usable parcels.

The tentative map is evaluated for its consistency with the General Plan, zoning regulations and the compatibility of the site plan and public improvements with surrounding development. Special attention is focused on the preservation of trees and natural features of value, the integration of the development to existing terrain and land forms, and relevant environmental or service issues.

PROCESS

Step 1 - Pre-application discussion with staff

It is recommended that the applicant review the proposal with Planning and Engineering staff prior to the submittal of the formal application. This will allow the staff to advise the applicant on conformity with the General Plan and Zoning Ordinance; engineering requirements; possible environmental concerns; specific traffic, siting, and design criteria. In addition, local utility agencies should be contacted regarding requirements for future development in the area. Usually, this first step is the most important step and helps a project move faster through the process.

Step 2 - Filing of application

The applicant should submit a completed application, an accurately drawn tentative map, preliminary title report, filing fee, and other required

supplemental information (please refer to the attached handout of submittal requirements) to the Community Development Department, 124 N. Cloverdale Blvd., Cloverdale, California 95425. Staff will review the material to make sure all the required information is provided. The applicant will be notified within 30 days after filing as to whether the application is complete or if additional information is required. The application must be signed by the property owner(s).

Step 3 – Review by City Project Review Committee (PRC)

Once the initial application has been received and fees paid, the proposal may be scheduled for review by the Project Review Committee (PRC). The PRC consists of City staff who collectively and informally consider an application in its early stages. The intent of the PRC meeting is to identify any significant issues early in the process and assist in the determination of the completeness of the application.

Step 4 – Environmental Review

After the application is deemed complete, if required by the California Environmental Quality Act (CEQA), an Initial Study will be prepared by staff to identify any significant environmental impacts of the project which have not been mitigated by the design of the project or which cannot be mitigated by modifications. Based on the findings of the Initial Study, staff will prepare either a negative declaration or require the preparation of an environmental impact report (EIR). The environmental review process takes approximately 90 days for a negative declaration and one year for an EIR.

Step 5 – Public Hearing

The Planning Commission will review the environmental document and tentative map at a public hearing where the map may either be approved subject to conditions or denied. Conditions of approval will include any mitigation measures required to reduce the impact on the environment to a less than significant level, as well as requirements for the construction of the on-site and off-site infrastructure necessary to serve the subdivision. Any action by the Planning Commission may be appealed to the City Council. Notice of the public hearing is provided ten days in advance to owners within 300 feet of the property. Tentative maps are only subject to Planning Commission approval. However, if the project requires other entitlements subject to City Council approval, e.g. rezone or General Plan amendment, the Planning Commission will make a recommendation to the City Council. The City Council would then consider the recommendation of the Planning Commission at a public hearing. Unless appealed, approvals are effective in ten days.

Step 6 – Filing of the Final Map

The final map is a legal document based on the approved tentative map that must be recorded to complete the subdivision. After the approval of the tentative

map by the Planning Commission, the applicant submits a final map prepared by an engineer or licensed surveyor to the City Engineer for plan check. Typically, the conditions of approval requiring construction of the necessary infrastructure must be satisfied prior to the recording of the Final Map. Alternatively, the applicant may be allowed to enter into a Subdivision Improvement Agreement and bond for the completion of the improvements, which then must typically be completed within one year after recordation of the Final Map. The Subdivision Improvement Agreement requires City Council approval, adding approximately 90 days to the processing time. After plan check, the final map is placed on a City Council agenda for approval. After City Council approval, the applicant forwards the final map to the County Recorder's Office for processing. Pursuant to the Subdivision Map Act, if a final map is not recorded within the 24 months, or an extension is not approved, the tentative map becomes null and void.

Improvement plans for the development of the site must be prepared by a registered civil engineer and submitted for plan check. Both Final Map check and Improvement Plan check are performed at the applicant's expense and require separate deposits based upon estimated costs.

ESTIMATED TIME REQUIREMENTS:

The actual time for the processing of a tentative map will vary depending on the complexity and magnitude of the proposal, but generally the period from acceptance of a complete application to adoption of a resolution approving the tentative map is approximately 12 to 14 weeks under normal circumstances. If an EIR is required, the process could encompass a period of one year. It cannot be over emphasized that the burden for meeting this time frame rests largely on the applicant.

APPLICATION SUBMITTAL REQUIREMENTS:

See attached checklist.