

# ABOUT SUBDIVISIONS

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*This explains 1) what a "subdivision" is, 2) how subdivisions fit into our efforts to shape our surroundings, and 3) how you can participate in the decision-making process.*

## What is a Subdivision?

Cities and counties oversee the process of dividing land into smaller lots or ownership units. They do this by approving a map that shows how the land will be divided. The process also typically involves a number of conditions that the landowner must meet in order to get the final okay.

## General Concepts

A state law called the California Subdivision Map Act governs the subdivision process. There are two kinds of review.

1. Subdivisions with five or more parcels involve more rules and procedures. This includes submitting both a tentative map and a final map for approval.
2. Subdivisions of fewer than five parcels generally involve less procedure. A tentative map may be required, along with a final parcel map.

Cities and counties have ordinances that explain their rules for approving subdivisions.

Tentative map applications typically include a map showing how the lots will be laid out. Other information includes public streets, sidewalks, parks, utilities, grading, drainage and other improvements in the subdivision. State law has a number of rules relating to conditions of map approval. These include conditions relating to bike paths, transit facilities, school fees, solar energy, and parkland, to name a few. The environmental review process may produce additional conditions. Also appropriate are conditions that make the map approval consistent with the general plan and the zoning code.

## Decision-Making Process

Decision-makers want to hear from those who have opinions or information about whether to approve a proposed map. If you want to share your thoughts, see "Preparing for Public Hearings" on the back of this sheet for some tips.

An important objective of the map review process is to assure that the people who will live in new subdivisions receive adequate public facilities and services. Many of the conditions on a map approval will relate to this goal. This includes how those services and facilities will be paid for.

After the public hearing, decision-makers have three options. They can approve the requested map. They can conditionally approve it. Finally they can deny the map after making specific findings. Approval of a tentative map generally comes with a deadline. If the owner does not satisfy the conditions, the map can expire. Extensions are a possibility, though, depending on local rules.

Before a final map can be approved, the landowner must show that the conditions have been satisfied or guarantee that they will be satisfied-by agreement, bond, letter of credit, or otherwise. The final map must be filed before the tentative map expires. Approval of the final map is a ministerial act-meaning there is no discretion to reject the final map if all the conditions are met. The approved final map is then recorded with the county and the applicant can proceed further with the development.

## To Learn More

- *The Planning Commissioner's Handbook*, League of California Cities, 2005, Chapter 4: The Planning Framework ([www.ca-ilg.org/pch4](http://www.ca-ilg.org/pch4))
- Government Code Section 66411 and following (accessible from [www.leginfo.ca.gov/calaw](http://www.leginfo.ca.gov/calaw))
- Solano Press also has a number of useful publications available for purchase on land use issues ([www.solano.com](http://www.solano.com))