

# TOWN OF PORTOLA VALLEY

## SUBDIVISION

### **What Is A Subdivision?**

Subdivisions are created when property is divided for the purposes of sale, lease, or financing. If you wish to subdivide property, you must do so in accordance with the Town's Subdivision Ordinance contained in Chapter 17 of the Municipal Code and provisions of the State of California Subdivision Map Act. Further, the size and character of new parcels must be consistent with the existing zoning for the land, and must be found to conform with the Town's General Plan.

As a subdivider, you will be responsible for all improvements necessary to serve all proposed parcels or lots. These improvements may include streets, storm drains, water, sewage disposal, underground utilities, or any additional improvement which is necessary to adequately serve the proposed development. Further, certain fees must be paid in order to cover the new parcels' pro-rated share of park and recreation, storm drainage improvements, and possibly inclusionary lot in-lieu fees.

Special, more limited procedures exist for TRANSFER OF LAND BETWEEN ADJACENT PROPERTIES where no new parcel is created. Please check with the Planning Department if this situation applies to you.

### **How Do I Apply and How Much Does It Cost?**

Application forms and filing information are available at Town Hall, 765 Portola Road, at the Building Counter. An application requires a filing fee and a deposit for professional services. The filing fee and deposits for professional services vary based on the number of parcels being created by subdivision and stage of subdivision processing. At the preliminary map, tentative map and record map stages, separate fees and deposits are required. Fees can range from a low of \$1,390 to a high of \$4,865. Deposits range from \$7,500 to \$30,000+. At each map stage, the minimum deposit must be made. Please refer to the separate schedule of fees and deposits for more information.

### **What Are The Preliminary, Tentative and Record Subdivision Maps?**

These maps represent the various stages of subdivision application processing. At each stage the mapping descriptions are required to be increasingly accurate and more supporting information is required. The form, information requirements and purposes of each map are described in detail in Chapter 17 of the Municipal Code. Briefly, they are:

Preliminary Map. At this stage, the applicant submits a preliminary map prepared according to requirements of Chapter 17.16 of the Municipal Code. The map is circulated for staff review. The proposed subdivision concept is reviewed for compliance with basic general plan provisions and Town regulations. Written reports are prepared and/or a subdivision committee meeting is held to provide guidance to the applicant in preparing the tentative map. No formal action is required or taken on a preliminary map.

Tentative Map. The tentative map is a critical step in the processing of any subdivision application. At this point the subdivider is responsible for submitting a technically accurate map description of the subdivision proposal that must be prepared by a registered civil engineer or licensed land surveyor. Also, the time schedule for map processing is extremely important. Once a completed tentative map, including necessary supporting data, is accepted for processing by the Town, the Planning Commission has 50 days, unless the applicant agrees to a longer time period, or unless it takes a longer period of time to comply with the requirements of the California Environmental Quality Act, in which to approve, deny, or approve the map with conditions. During this 50 day period, the tentative map is circulated to subdivision committee members for review, and a subdivision committee meeting is held. Written input and data developed at the subdivision committee meeting is assembled in a written report to the Planning Commission that is prepared by the Planning staff and circulated at least five days prior to the Planning Commission public hearing.

Planning Commission action will occur at a fully noticed public hearing. This means that at least ten (10) days prior to the Planning Commission hearing, it will be noticed by posting in several locations in the Town and by mailings to all property owners within 300 feet of the subdivision site. Persons attending the hearing will be given an opportunity to tell the Planning Commission their feelings on the proposed subdivision. After public hearing, the Planning Commission will take action on the tentative map. In taking action, the Commission must make specific findings on the acceptability of the subdivision. These findings are listed in the Town's Subdivision Ordinance and in the State Subdivision Map Act.

Record Map. Once a tentative map has been approved, the subdivider has 24 months to record a final or parcel map. These maps, once recorded, are the legal documents that actually create the subdivision. A parcel map is used for all subdivisions of four or less parcels. A final map is required for all other subdivisions of five or more parcels or lots. Prior to recording, final maps and parcel maps are reviewed by staff and the Planning Commission to ensure that they are substantially the same as the approved tentative map. (NOTE: the 24 month time period for filing the parcel or final map may be extended pursuant to State planning law and Town ordinance. Check with the Planning Department for more details.)

### **How Long Does It Take?**

It usually takes between 4 and 12 months from the time a preliminary map is submitted and a tentative map is approved. The length of time will vary depending on the subdivision design and the conditions of the land proposed for division. As discussed above, once the tentative map is approved, the subdivider has a minimum of 24 months to record the subdivision.

### **When Does The Planning Commission Meet To Review Tentative Maps?**

The Planning Commission holds regular evening meetings at 7:00 p.m. on the 1st and 3rd Wednesdays of the month in the Council Chambers at Town Hall. Planning staff advises the Planning Commission at these meetings.

## **Appeals**

Any person dissatisfied with the decision of the Planning Commission may appeal to the Town Council. The appeal must be filed with the Town Clerk within 15 days of the Planning Commission decision by completing appropriate forms and paying a required filing fee and deposit. The deposit will be used by the Town to prepare a report to the Town Council on the appeal. The Town Council will normally hear the appeal at its next regular meeting after filing of the appeal.

## **Are There Any Special Concerns I Should Be Aware Of?**

Yes. The Town's General Plan stresses that all new subdivisions must be designed to be in harmony with the character of the natural environment of the Town. This means that careful review will be given to ensure the protection of natural vegetation, topographic features, and drainage. Subdivisions that propose substantial alternation of the natural conditions will normally not be approved. **REMEMBER, THE STATE SUBDIVISION MAP ACT REQUIRES THAT THE PLANNING COMMISSION FIND THE SUBDIVISION TO BE IN FULL COMPLIANCE WITH THE TOWN'S GENERAL PLAN.**

Also, the Town has very special and important geologic hazard mapping and application review policies and procedures. These affect all applications to varying degrees. You may have to file more than one application in support of your request. Please check with the Planning Department regarding these matters **PRIOR** to preparing any development plans.