

# ***A GUIDE TO SUBDIVISIONS***

City of Clearlake  
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This handout explains what a subdivision is, how to apply for a subdivision, under what conditions a subdivision can be approved, and how applications are processed. For further information, explanations, or assistance, please feel free to contact the Community Development Department.

## ***WHAT IS A SUBDIVISION***

A subdivision is a division of land for sale, lease, or financing. The City has adopted subdivision and land use regulations in response to the California Subdivision Map Act to:

- Protect property values and private and public improvements;
- Reduce the cost of providing public services in the future;
- Promote public health, safety, and welfare; and
- Encourage orderly development of the community.

All subdivisions are reviewed to determine if they are consistent with the State Subdivision Map Act, the City's Zoning Ordinance, the City's Design and Construction Standards, and the City's Subdivision Ordinance. The Zoning Ordinance has established development standards to control the size, width, and depth of lots.

The City's Design and Construction Standards describes how streets, waterlines, sewerlines, curbs/gutters, sidewalks, etc. have to be built. The City's Subdivision Ordinance regulates the design and improvement of subdivisions. Design factors include (1) street alignment, grades, and widths, (2) drainage and sewer facilities (3) the location and size of easements for roads and public facilities, (4) traffic circulation, (5) lot size and configuration, and (6) grading.

A subdivision is completed in two steps. The first step involves acting on a tentative map. The tentative map shows the design of the subdivision. The type of improvements that apply to the subdivision are outlined as conditions of approval in the City's resolution that approves the subdivision.

The second step involves the recording of a subdivision map that is based on a qualified survey and the construction of any improvements required by the City. The subdivider is responsible for dedicating land necessary for easements, and constructing certain improvements so the residents of the new lots will not become an undue burden on the community.

## **IMPORTANT FACTS**

Before the Planning Commission can approve a subdivision, each of the following must be proved:

- That the subdivision is compatible with the surrounding area;
- Traffic circulation, parking, and pedestrian ways are designed to promote the safety and convenience of the City's residents;
- That the site is physically suitable for the proposed type and density of development;
- That the subdivision will not cause substantial environmental damage and public health problems; and
- The design and improvements will not conflict with existing public easements and facilities.

The subdivision map must be recorded within two years from the date of approval, unless an extension of time has been granted by the City.

The applicant, or a representative, must attend the Planning Commission meeting at which the application is considered, and be prepared to answer any questions. If the applicant or representative is not present, the application will be continued to the next meeting.

In return for the privilege of subdividing property, the subdivider is responsible for providing certain services and improvements needed to serve the new residents. The most common improvements and conditions that need to be satisfied include the following:

- Off-site and on-site drainage improvements.
- Installing and/or improving the street and sidewalk within and/or adjacent to the subdivision.
- Installing water and sewer laterals for each new lot.

The City collects fees to pay for the staff time to review subdivision applications. You can obtain the amount of the fees from the Community Development Department.

## ***SUBDIVISION PROCESSING PROCEDURE***

1. The applicant or agent prepares and submits an application to the City.
2. The City evaluates the application to determine if additional information is needed. If so, the applicant is requested to submit the information.
3. The application is circulated to other City departments and other governmental agencies for their review and comment. The City may find at this point that additional information is needed. If so, it will be requested.
4. A meeting may be held to evaluate the application. The purpose of the meeting is to discuss the project with the applicant to resolve any potential problems and to answer questions.
5. The application is scheduled for a public hearing.
6. A notice of the public hearing is published in the newspaper, and the applicant, agent, and all property owners within 300 feet are notified by mail. A copy of the staff report is mailed to the applicant and agent.
7. The project is considered at a public hearing held by the Planning Commission. At the public hearing, the Commission considers the application, the staff's recommendation, and any public testimony. At the conclusion of the hearing, the application is approved with conditions.
8. If the applicant or any other party is dissatisfied, they may appeal the Planning Commission's decision to the City Council.

## ***INFORMATION TO BE SUBMITTED WITH AN APPLICATION***

1. Completed Application Form (Attached)
2. Twelve Copies of the Tentative Map and one copy of the Checklist. Also, submit two copies of the tentative map 11 x 17' in size. The Checklist is attached.
3. Application Fees
4. Preliminary Subdivision Title Report and All the Deeds Referenced in the Report.

**CITY OF CLEARLAKE**  
**APPLICATION FORM FOR SUBDIVISIONS**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_  
Address City Zip Code

Telephone Number \_\_\_\_\_

Project Location \_\_\_\_\_

Assessor's Parcel Number \_\_\_\_\_

**Owners Authorization:**

I hereby authorize the City of Clearlake to process this application and to enter upon the property described on the tentative map as reasonably necessary to evaluate the project. I also understand that if the application materials do not contain truthful and accurate information the processing may be delayed and any approval may be revoked.

\_\_\_\_\_  
Owner's Signature Date

I also authorize the agent identified below to file this application and to represent me in all matters concerning the application.

Agent's Name \_\_\_\_\_

Agent's Address \_\_\_\_\_  
\_\_\_\_\_

Agent's Telephone Number \_\_\_\_\_

**STAFF USE ONLY**

DATE RECEIVED: \_\_\_\_\_ FEES: \_\_\_\_\_ RECIEPT # \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_ INITIAL STUDY NUMBER: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_ ZONE: \_\_\_\_\_

PUBLIC HEARING DATES:  
\_\_\_\_\_ PLANNING DIRECTOR \_\_\_\_\_ PLANNING COMMISSION

ENVIROMENTAL REVIEW:  REQUIRED  EXPEMPT (Sec. 153 \_\_\_\_\_, Class \_\_\_\_\_)

## **TENTATIVE MAP CHECKLIST**

The purpose of this checklist is to explain what information must be on your tentative subdivision map. The tentative subdivision map must be at least 18 x 26 inches in size. The following information has to be shown on the map. If the item applies the boxes should be checked. If it does not apply, the box should be marked with N/A.

### Checklist

- Applicant's Name and Address, and Person Who Prepared the Map
- Brief Project Description
- Parcel(s) Size and Dimensions
- Date, North Arrow, Scale, and Assessor's Parcel Number
- Existing and Proposed Structures and Distances to Property Lines and Easements
- Existing and Proposed Driveways and Adjacent Roads
- Existing and Proposed Utility Lines (Power, Cable, Telephone, Sewer, and Water)
- Existing and Proposed Well(s)
- Existing and Proposed Parking and Loading Areas Including Dimensions
- Existing and Proposed Storm Drains, Drainage Ditches, Curbs, and Gutters
- Proposed Grading or Fill
- Direction of Surface Water Runoff
- Locations and Widths of All Easements of Record and Proposed Easements
- Areas Subject to Flooding, Creeks, and Wet Areas
- Unstable Slopes and Slopes over 15 %
- Contour Lines at 2 Foot Intervals for slopes less than 5% and 5 feet for slopes greater than 5%
- Names of All Adjacent Owners
- A Statement That All Easements of Record Are Shown on the Tentative Map and Will Appear On the Recorded Map
- Widths of Existing and Proposed Rights-of-Way Including Adjacent Streets
- Size and Location of Streets within and Next to the Subdivision
- Proposed Method of Sewage Disposal and Water Supply
- Nearest Fire Hydrant, Parcel Numbers, and a Vicinity Map
- Proposed Phasing of the Parcels and/or Improvements
- Any Proposed Public Areas

## **A GUIDE TO COMPLETING YOUR SUBDIVISION**

O.K., you are doing well! The Planning Commission has approved the tentative map for your subdivision and passed a resolution establishing the conditions under which you may proceed.

This handout is intended to help you complete the next step in the process by pointing out as many of the hurdles as possible which must be cleared. It must be realized that this is only a guide and not a definitive list. Other requirements may be imposed by the State, the County, Federal agencies or local agencies in response to changing needs or conditions. While it is the policy of the City of Clearlake to assist in every way possible, it is the responsibility of the developer to know and meet the development requirements.

### **WHAT DO YOU DO NOW?**

#### **STEP 1 – Prepare Your Construction Plans**

1. Hire a civil engineer who is registered in California who agrees to provide you with the largest range of services at the most reasonable price. Have your engineer prepare a set of construction plans which accurately reflect the improvements approved by the Planning Commission. Remember, you are responsible for satisfying all the conditions in the resolution. Shortcuts may cause you unnecessary and excessive delays. Review these plans carefully with your engineer to be sure you agree with all the proposed improvements.
2. Submit three (3) copies of the construction plans for City review and approval and the estimated cost for the City to review the plans. One copy will be returned with any necessary corrections noted after the review. Make any needed corrections and resubmit the construction plans for final review and approval.

#### **STEP 2 – Build the Improvements or Record Your Subdivision Map**

You have two options at this step. You can build the improvements shown on the construction plan or enter into an agreement with the City that allows you to record the map then build the improvements. Both options are explained below.

##### **Build the Improvements on the Construction Plans**

If you build the improvements you will need to pay the City an inspection fee and obtain an encroachment permit for any work within the City's right-of-way. Your engineer will also need to provide the City with a cost estimate for the construction work. You cannot record the subdivision map to create the lots until the improvements have been built and accepted by the City.

##### **Enter Into a Subdivision Construction Agreement with the City**

With this option you may enter into a subdivision construction agreement with the City. Most people use this option to create the lots by recording the map so they can obtain financing for constructing the improvements shown on the construction plan.

The agreement will require that you provide security at 150% of the engineer's cost estimate to make sure the improvements are built. If the improvements are not built, the City will take the security and hire a contractor to build the improvements.

#### **STEP 3 – Record the Subdivision Map**

1. Hire a civil engineer or surveyor who has a license to prepare a subdivision map. Have this person prepare the subdivision map and which accurately reflects the tentative map approved by the Planning Commission.
2. Submit three (3) copies of the subdivision map to the City for review and approval along with an updated preliminary title report. Pay the City the cost of reviewing the subdivision map. One copy of the map will be returned with any necessary corrections noted after the review. Make any needed corrections and resubmit the map for final review and approval for recording.