



## Overview of Land Division

### City of Bishop Planning Department

#### **Purpose:**

State Law authorizes local governmental agencies to regulate and control the design and improvement 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. The State Subdivision Map Act provides general regulations and procedures that local governments must follow in the regulation of subdivisions. The City also has a Subdivision Ordinance which provides specific City guidelines and standards for the regulation and control of subdivisions. Subdivision regulations and review procedures vary between major subdivisions which encompass a division of property into five or more lots (known as tract maps) and minor subdivisions of four or less lots (known as parcel maps). This guideline covers the procedures for major and minor subdivisions.

The tentative map review procedure is designed to insure that such things as street alignments, grades and widths; water systems and sanitary facilities; location and size of easements and rights-of-way, lot sizes and configurations; traffic access; grading and drainage; and numerous other features conform to City regulations and policies and are arranged in the best possible manner to serve the public.

The tentative map is evaluated for its consistency with the General Plan and zoning designation and the compatibility of site plan and public improvements with surrounding development.

#### **Process:**

##### **Step 1 - Project Consideration**

Early in the consideration of a potential subdivision, it is advisable to consult the City of Bishop for a preliminary review of the proposal and answer any questions regarding the application and processing procedures. The applicant should carefully review what the City's General Plan and zoning calls for in the location or area affected. It is important that the proposed subdivision be consistent with both the zoning regulations and the General Plan or the application cannot be accepted. In addition, local utilities and other special agencies should be contacted regarding requirements for future development in the area.

### **Step 2 – Pre-application Conference**

It is recommended that the applicant submit a preliminary proposal to the City of Bishop prior to submission of the formal application. This will allow staff to review the plans and to provide input to the applicant at a subsequent pre-application staff conference on possible environmental concerns, General Plan and engineering requirements, traffic, siting, and design criteria. This early review and input by staff could save the applicant possible delay and expensive plan revisions.

### **Step 3 - Environmental Review**

All subdivision requests are required to have an environmental assessment to determine if it will be necessary to have an Environmental Impact report prepared. Information on timing and sequence of this process is contained in the City of Bishop's "An Overview of Environmental Review" which will be provided to the applicant during the pre-application conference.

### **Step 4 - Filing of Application**

The applicant should first obtain a subdivision number from the Inyo County Planning Department, Independence. The applicant should submit the completed application and fees to the City of Bishop. Staff will review the materials to make sure all the required information is provided. Following completion of the environmental review process, the applicant shall be notified within 30 days as to whether the application is complete or if any additional information is required.

### **Step 5 - Subdivision Conference**

Following the pre-application conference, environmental review and the submittal of the final Tentative Map, staff will send a copy of the Map to all affected public agencies, utilities, school districts and City departments for their comments. Staff may then hold a subdivision conference with the subdivider and invite all the affected agencies to review their comments and suggested changes or conditions.

### **Step 6 - Staff Review for Planning Commission**

Following the subdivision conference and receipt of any comments from other agencies, Staff will study the application by reviewing the relationship of the request to the City's General Plan and analyze the environmental, land use, traffic, site plan, design and other impacts or concerns of the proposed development. A written staff report will be prepared for the Planning Commission which will analyze the Tentative Map and include staff recommendations. A copy of this report will be sent to the applicant prior to the Planning Commission review of the Tentative Map.

### **Step 7 - Planning Commission Decision**

Following the subdivision conference, the Tentative Subdivision Map is scheduled for review by the Planning Commission. The Planning Commission will hold a hearing, with notice to the applicant (subdivider), to review the Tentative Map. The Planning Commission must review and take action on the Tentative Map and report its decision to the City Council and the subdivider within 50 days after the Tentative Map has been accepted for filing. At the hearing, staff first

will present its report and recommendations. This presentation will be followed by testimony from the applicant and any interested persons who may wish to comment on the application. A decision will be made by the Planning Commission after evaluating the applicant's testimony, the staff report, and the environmental information. The Commission may then close the hearing and make its decision (1) approving, (2) conditionally approving, (3) denying the request, or (4) postponing it to a later date. They may also continue the hearing to a specified time, date, and place.

**Appeals to the City Council**

If the Tentative Map is denied by the Planning Commission or if the applicant (subdivider) disagrees with any conditions of approval imposed by the Planning Commission, an appeal may be filed with the City Clerk within 10 days of the decision. An appeal (or complaint) shall include appellant's name, address, phone number and signature; project description and a clear statement of what is being appealed and all the reasons for the appeal. The Council will then hear the appeal within 30 days of the filing with notices sent to the subdivider and Planning Commission. After the hearing, the Council has 10 days to declare its findings, whereby it may sustain, modify, or reject the rulings of the Planning Commission subject to the same limitations that are placed on the Commission. Any interested person may also file a complaint with the City Clerk within 10 days of the Planning Commission decision, whereby the Council may reject the complaint or set the matter for hearing in the same manner as previously mentioned for the applicant.

**Other Required Actions**

The applicant (subdivider) must complete and have approved by the City Engineer and County surveyor the final map and related improvement plans within 24 months or the approved map expires. Extensions of time up to three additional years may be granted upon approval of the Planning Commission. The application for an extension must be filed not less than 60 days before the tentative map is to expire.

**Estimated Time of Process:**

The estimated time for the processing of a use permit application will vary depending upon the complexity and magnitude of the proposal and staff and Commission workload, but is generally estimated as follows:

	<u>ND</u>	<u>EIS</u>
A. Environmental Application	8 weeks	26 weeks
B. Subdivision Application	8 weeks	8 weeks
<b>Total Estimated time of Process</b>	<b>16 weeks</b>	<b>34 weeks</b>

City of Bishop

**Land Division Submittal Requirements**

Complete application consists of the following:

1. Application Form - 12 copies completed and signed.
2. Filing Fees - All fees are payable at time of application. The filing fees shall be payable to the City of Bishop.

Tentative Parcel Map	\$450.00
Tentative Tract Map	\$550.00 + \$25 per lot
Appeal Fee	One half of filing
Extension Fee	Actual Cost
Final parcel or tract map	Actual Cost
3. Site Photos - Photographs showing topography, existing and adjacent structures views of and from site.
4. Tentative Map Plans - 20 copies (all but 5 copies shall be reduced to 11 by 17 inches). Must be prepared by a Civil Engineer or Land Surveyor registered in California. The map must be legibly drawn on one sheet of paper containing the following:
  - A. A title containing the subdivision number, subdivision name, and type of subdivision.
  - B. Name and address of legal owner, sub-divider, and person preparing the map (including registration number).
  - C. Sufficient legal description to define the boundary of the proposed subdivision.
  - D. Date, north arrow, scale, and contour interval.
  - E. Size of smallest lot in the tract; statement of present district or use zone and proposed use or uses of the property.
  - F. A vicinity map showing streets, adjoining subdivisions, creeks, and other data sufficient to locate the proposed subdivision and show its relation to the community.
  - G. Existing topography of the proposed site and at least 100 feet beyond its boundary, including:
    1. Existing contours at 1-ft intervals. Existing contours should be represented by dashed lines or by screened lines.
    2. Type, location and dripline of existing trees over 18" in circumference. Any trees proposed to be removed should be so indicated.
    3. The approximate location and outline of existing structures identified by type. Buildings to be removed should be so marked.
    4. The approximate location of all areas subject to inundation or storm water overflow and location, width and direction of flow of each water course.

5. The location, pavement, and right-of-way width, and name of existing streets, highways and alleys.
6. The widths, locations, and identity of all existing easements.
7. The location and size of existing sanitary sewers, water mains, and storm drains. The approximate slope of existing sewers and storm drains should be indicated.
8. All existing aerial and underground utilities.

H. Proposed improvements including:

1. The location, grade, centerline radius, and arc length of curves, pavement and right-of-way width, and names of all streets. Typical section of all streets must be shown.
  2. The location and radius of all curb return and cul-de-sacs.
  3. The location, width, and purpose of all easements.
  4. The approximate lot layout and the approximate dimensions of each lot and of each building site.
  5. Proposed contours at 1-ft. intervals must be shown.
  6. Proposed common areas and areas to be dedicated to public open space.
  7. The location and size of sanitary sewers, water mains, and storm drains. Proposed slopes and approximate elevations of sanitary sewers and storm drains must be indicated.
  8. Type and location of street lights to be installed.
    - I. The name or names of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map.
    - J. Certificates for execution by the Secretary of the Planning Commission indicating the approval by the City of Bishop.
    - K. If it is planned to develop the site as shown on the tentative map in units, then the proposed units and their proposed sequence of construction should be shown on the tentative map.
    - L. In a division of land consisting of a condominium project as defined in Section 1350 et seq, of the Civil Code, or a community apartment as defined in Section 11004 of the Business and Professional code, the tentative map shall show the general location of all buildings and other structures to be erected, including means of access thereto.
    - M. In a subdivision which may reasonably be expected to be re-subdivided in whole or in part at some future time, there shall be shown in dotted lines on the tentative map a plan of future street extensions with special consideration given to drainage.
5. Accompanying data and reports - The Tentative Map must be accompanied by the following data or reports:
- A. Soils Report. A preliminary soils report prepared in accordance with the City's Grading Ordinance must be submitted. If the preliminary soils report indicates the presence of

critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map must contain an investigation of each lot within the subdivision.

- B. Title Report. A preliminary title report, prepared within three months prior to filing the Tentative Map.
- C. Engineering, Geology, and/or Seismic Safety Report. If the subdivision lies within a "Medium risk" or "high risk" geologic hazard area, as shown on the maps on file in the City or County safety report, prepared in accordance with guidelines established by the City. If the preliminary engineering, geology, and/or seismic safety report indicates the presence of geologic hazards or seismic hazards, which, if not corrected, would lead to structural defects, an engineering, geology, and/or seismic safety report must be accompanying the final map and shall contain an investigation of each lot within the subdivision.
- D. School Site. The sub-divider must obtain from the school districts involved their intentions, in writing, concerning necessity for a school site, if any, within the subdivision and must present this information to the City prior to the construction of the Tentative Map by the Planning Commission.
- E. Utility Certification. Certification in writing from all utilities that the proposed subdivision can be adequately served.
- F. Other Reports. Any other data or reports deemed necessary by the City.
- G. Names and Addresses. 1 list of the names and addresses printed on labels of owners of property within 300 feet of the exterior boundaries of the subject property as shown on the latest adopted tax role of Inyo County.
- H. Assessor's Map. 12 copies of County Assessor's map showing boundaries.

City of Bishop

**Land Division Application Form**

(To be completed by applicant)

Date Filed \_\_\_\_\_

Attach additional pages as needed.

Legal Description:

\_\_\_\_\_  
\_\_\_\_\_

Location (address, section, township, range, parcel number):

\_\_\_\_\_  
\_\_\_\_\_

Size of parcel in acres or square feet:

\_\_\_\_\_  
\_\_\_\_\_

Number of existing lots involved:

\_\_\_\_\_  
\_\_\_\_\_

Is grading proposed? Yes No If yes, show grading on Tentative Map.

Are public improvements proposed? Yes No Examples of public improvements include street pavement, curb, gutter, sidewalk, utilities, street lights, and street signs.

Proposed Lots:

Type	Number	Minimum Size
Single Family		
Multiple Family		
Commercial		
Other		

Present zoning of each lot:

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Name and address of property owner:

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Name and address of subdivider:

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Name and address of subdivider's agent or surveyor:

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**Consent of Owner:** The following must be signed by at least one owner of record. I consent to the submission of the tentative map and other information accompanying this statement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

**Subdivider Certification:** I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

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**This Section For City Use**

Filing Fee:

\_\_\_\_\_  
Receipt/application number:

\_\_\_\_\_  
Accepted for processing (signature and date):

\_\_\_\_\_  
Staff action:

\_\_\_\_\_  
Planning Commission Action:

\_\_\_\_\_  
Remarks