



SUBDIVISION PROCESS

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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A subdivision is any division of land for the purposes of sale, lease, or finance, and is governed by the State Subdivision Map Act (California Government Code Section 66410-66499.58) and the subdivision ordinance of the County of Lassen (Lassen County Code Title 16). The process of subdividing land, as required by the Map Act and regulated by the Lassen County Code, applies to all subdividers regardless of the number of parcels created and whether or not the land is improved. The leasing of agricultural land for agricultural purposes, however, is exempt from this process (as are mineral, oil, and gas leases). In general, divisions of property resulting in the creation of five (5) or more parcels are considered Subdivisions, and divisions of property resulting in the creation of less than five (5) parcels are considered Parcel Maps. Following is a brief description of the Subdivision (5 or more parcels) process in Lassen County.

An application for a Subdivision begins with an Initial Study to determine the extent of impact, if any, that the proposed division would have on the environment. The Initial Study is the first step in the environmental review process set forth by the California Environmental Quality Act (CEQA) and implemented by the Lassen County Environmental Review Guidelines (Resolution No. 01-043). (A copy of the Lassen County Environmental Review Guidelines, which provides a more detailed explanation of the environmental review process, can be obtained at the Lassen County Planning and Building Services Department). The applicant is required to fill out an Initial Study application and return it to the Lassen County Planning and Building Services Department along with three (3) copies of the preliminary tentative Subdivision map of the proposed division and an application fee. The preliminary tentative Subdivision map is not the tentative Subdivision map referred to in Ordinance 475A, but is prepared according to the same criteria.

The Initial Study application and the preliminary tentative Subdivision map are reviewed by the Environmental Review Officer (ERO). The ERO will prepare a more detailed environmental impact assessment (the Initial Study) in an effort to disclose all potential environmental impacts associated with the proposed project. The ERO may then make one of the following determinations: (1) That the proposed project would not have a significant effect on the environment and that a Negative Declaration should be prepared; or (2) That although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because mitigation measures designed to eliminate the significant impacts or reduce them to a level of insignificance have been incorporated into the projects, and a Negative Declaration should be prepared; or (3) That the project may have a significant effect on the environment and that an Environmental Impact Report (EIR) should be prepared. Alternatively, the ERO may choose to refer applications to the Planning Commission for the purposes of making a determination of whether an EIR or Negative Declaration should be prepared. If the Initial Study Application is referred to the Planning Commission for determination, surrounding property owners and affected agencies will be notified of the proposed project and will be requested to submit comments and/or concerns they may have regarding potential environmental impacts resulting from the proposal.

The Subdivision Map application and fee is usually submitted concurrently with the Initial Study application. Part of the Subdivision application will include the submittal of a minimum of five (5) copies of the tentative Subdivision map. Upon determination that the application is complete, the Subdivision application is reviewed by the Technical Advisory Committee (TAC). The TAC consists of the Planning Director, County Engineer, County Surveyor, Assessor, Director of Transportation, Sanitarian, and Fire Warden. The TAC reviews the technical aspects of the proposed project and makes recommendations to the Planning Commission regarding specific conditions to be attached should the project be approved.

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The project, with the recommendations of the TAC, are then presented to the Planning Commission at their next scheduled meeting. The Planning Commission is responsible for approving, conditionally approving, or denying Subdivision applications.

If the Planning Commission makes the necessary findings to approve a Subdivision application, the applicant would have an approved tentative map. Approved tentative maps are "active" for a period of two (2) years, during which time the applicant must meet all conditions of approval. Only after all conditions have been satisfactorily met can the final Subdivision Map be recorded. Please note: The final Subdivision map must be prepared by a licensed engineer/surveyor. The two year expiration date may be extended by the Planning Commission upon written request by the applicant and submission of the required fee. Any such written request must include the reasons to justify the extension, and must be submitted prior to the expiration date of the tentative map. Extensions may be denied, or additional conditions may be imposed. Up to three extensions, a maximum of 1 year each may be granted for a tentative map.

Initial Study Fees: Dept. of Planning & Building Services \$2,000.00
Environmental Health \$ 85.00 per parcel
These fees are payable to Lassen County.

CSU Chico Research Foundation \$ 75.00 in most cases
Make check payable to CSU Chico Research Foundation for archaeological records search related to the project site.

Note: Additional project review fees may be required by the California Archaeological Inventory Center.

Subdivision Fees: Dept. of Planning & Building Services \$1,750.00
and \$ 56.00 per proposed parcel
Environmental Health \$ 85.00 per parcel
These fees are payable to Lassen County.

Extension Fee: Dept. of Planning & Building Services \$ 238.00

It is important that prospective applicants recognize that the fees identified above are for the processing of the application and are non-refundable even if an application is ultimately denied. Prospective applicants are strongly urged to consult with the Lassen County Planning and Building Services Department staff prior to submitting any application materials.

If your project is approved by the County, a Notice of Determination (NOD) will be filed with the County Clerk by the Lassen County Planning and Building Services Department. The NOD starts a 30-day statute of limitations on any legal challenge to the project's environmental document. Prior to filing the NOD, Section 711.4 of the California Fish and Game Code requires that the County collect an environmental filing fee on behalf of the Department of Fish and Wildlife. The fee varies according to the environmental document prepared for your project as indicated in the following table.

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DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL FILING FEES (Fish and Game Code 711.4)

<u>CEQA DOCUMENT</u>	<u>FEE (effective January 1, 2022)</u>
Negative Declaration	\$2,548.00
Mitigated Negative Declaration	\$2,548.00
Environmental Impact Report	\$3,539.25
County Clerk Processing Fee	\$ 50.00

If you believe your project will have *no effect* on fish and wildlife, you may contact the California Department of Fish and Wildlife to discuss an exemption from the fees. For more information about the fees and possible

exemption you should contact the Department of Fish and Wildlife directly at (530) 225-2300 or at the DFW Website at www.wildlife.ca.gov.

IMPORTANT NOTE: Even if your project is approved by the County, the project is not operative, vested, or final, and any local permits issued for the project are invalid if the fees are not paid.

The Planning staff would be happy to help you through the Subdivision process, and refer you to other public agencies that may be involved in your particular project. Please feel free to contact the Lassen County Planning and Building Services Department if you have any questions regarding the Subdivision process.