

Date of Hearing: March 25, 2026

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 1834 (Patel) – As Introduced February 11, 2026

SUBJECT: Subdivisions: tentative and final map: exceptions

SUMMARY: Adds specified land zoned for mixed-use development to the list of exceptions to when a tentative and final map for subdivisions of five or more parcels are required.

EXISTING LAW:

- 1) Requires a tentative and final map for all subdivisions creating five or more parcels, five or more condominiums, as defined, a community project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where any one of the following occurs:
 - a) The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the legislative body.
 - b) Each parcel created by the division has a gross area of 20 acres or more and has an approved access to a maintained public street or highway.
 - c) The land consists of a parcel or parcels of land having approved access to a public street or highway, which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths.
 - d) Each parcel created by the division has a gross area of not less than 40 acres or is not less than a quarter of a quarter section.
 - e) The land being subdivided is solely for the creation of an environmental subdivision, as specified. [Government (GOV) § 66426]
- 2) Makes technical and conforming changes.

FISCAL EFFECT: None.

COMMENTS:

- 1) **Bill Summary.** Existing law allows land that is zoned for industrial or commercial development, has approved access to a public street or highway, and the approval of the governing body as to street alignments and widths, to be exempt from a tentative and final map requirement that applies to subdivisions of five or more parcels. This bill adds land zoned for mixed-use development to that exception.

This bill is sponsored by San Diego Regional Chamber of Commerce.

- 2) **Author’s Statement.** According to the author, “By creating this commonsense exemption, mixed-use projects can move through the review process more quickly. This will allow for desperately needed multi-family housing projects in existing area zoned for mixed use to progress faster throughout California. It will also create more commercial space for local businesses to locate within mixed-use developments. This creates economic benefits for local businesses and contributes to lively, walkable communities where residents can shop, dine, and work near where they live.”
- 3) **Subdivision Map Act.** The Subdivision Map Act (or Map Act) governs how local officials regulate the division of real property into smaller parcels for sale, lease, or financing. Cities and counties adopt local subdivision ordinances to carry out the Map Act and local requirements. City councils and county boards of supervisors use the Map Act to control a subdivision's design and improvements. Local subdivision approvals must be consistent with city and county general plans.

Under the Map Act, cities and counties can attach scores of conditions. The Map Act allows local officials to require, as a condition of approving a proposed subdivision, the dedication of property within a subdivision for streets, alleys, drainage, utility easements, and other public easements and improvements. Once subdividers comply with those conditions, local officials must issue final maps. For smaller subdivisions that create four or fewer parcels, local officials usually use parcel maps, but they can require tentative parcel maps followed by final parcel maps. The Map Act also constrains the dedications and improvements that local cities and counties can require as a condition of a subdivision of four or fewer lots to only the dedication of rights-of-way, easements, and the construction of reasonable offsite and onsite improvements for the parcels being created.

- 4) **Policy Considerations.** Existing law requires a tentative and final map for all subdivisions creating five or more parcels, five or more condominiums, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except under certain conditions. One of these conditions applies to land consisting of a parcel or parcels of land having approved access to a public street or highway, is zoned for industrial or commercial use, and has the approval of the governing body as to street alignments and widths. This bill adds mixed-use development to this exception.

Mixed-use development is not defined in this bill or the chapter of law that the bill seeks to amend. Considering that the exception the bill amends applies only to land zoned for commercial or industrial uses, it is unclear if a mixed-use development that includes residential uses would be covered by the bill. The author’s states in 2) above that the bill would “allow for desperately needed multi-family housing projects in existing area zoned for mixed use to progress faster.” The Committee may wish to consider clarifying that a mixed-use developments which includes residential uses is covered by the bill.

- 5) **Committee Amendments.** To address the policy consideration above, the committee may wish to consider the following amendment (in bold):
 - (a) A tentative and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a

dwelling to a stock cooperative containing five or more dwelling units, except if any one of the following occurs:...

- (3) The land consists of a parcel or parcels of land having approved access to a public street or highway; which comprises part of a tract of land zoned for industrial, commercial, or mixed-use development, **inclusive of mixed-use developments containing residential uses**; and which has the approval of the governing body as to street alignments and widths...
- 6) **Related Legislation.** AB 782 (Quirk Silva) prohibits the Real Estate Commissioner of the Department of Real Estate from requiring a security in connection with a subdivision improvement if the Commissioner finds that a sufficient security has been furnished to a local agency for the same improvement. This bill is on the inactive file on the Senate Floor.
- 7) **Previous Legislation.** SB 745 (Ashburn), Chapter 76, Statutes of 2003, allows the approval of a map of real property that is less than 20 acres in size under specified conditions.

AB 1287 (Cortese), Chapter 955, Statutes of 1995, permits a local agency to allow a landowner to subdivide land for "biotic and wildlife purposes." Approval of a subdivision must be based on the following conditions: Data must be available to the local agency supporting application for subdivision of land to be perpetually maintained for biotic and wildlife purposes.

- 8) **Arguments in Support.** San Diego Regional Chamber of Commerce, the sponsor of the bill, writes in support, "Some local jurisdictions throughout California have created mixed-use base zones. Unfortunately, mixed-use projects that want to build housing and provide commercial space on these zones, made specifically for them, cannot currently receive a tentative map exemption. Projects on mixed-use base zones are subject to the discretionary review process for a tentative map, unnecessarily slowing down important housing by months and even years.

"AB 1834 (Patel) remedies this inconsistency by creating a tentative map exemption for projects on mixed-use base zones. It is a commonsense measure to provide consistency with the existing exemptions provided for commercial and industrial base zones and will expedite housing opportunities and space for new businesses throughout California.."

- 9) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

San Diego Regional Chamber of Commerce (Sponsor)
Todd Gloria, Mayor of San Diego

Opposition

None

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