

STAFF REPORT
City of Lancaster, California

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04/14/09
MVB

Date: April 14, 2009

To: Mayor Parris and City Council Members

From: Brian S. Ludicke, Planning Director

Subject: **Proposed Assembly Bill 333 - City Council Opposition**

Recommendation:

Formally oppose Assembly Bill 333 as currently proposed, and authorize the City Manager to transmit this opposition to the State Legislature.

Background:

Proposed Assembly Bill 333 would, if enacted, grant an automatic 72-month (6-year extension) to all active tentative tract or parcel maps within the State of California. This proposed bill mirrors legislation enacted by the State in 2008, which granted an automatic 12-month extension to all active tentative and parcel maps. This legislation, as well as the newly proposed assembly bill, is the result of the severe downturn in the home construction industry and, to a lesser extent, in the commercial and industrial market. The bill is intended to provide some additional time for approved tentative maps to complete the final map process and be recorded, a process that normally requires expenditures of funds for completion of improvement plans and posting of security to guarantee installation of improvements.

Under the City's Subdivision Ordinance, tentative tract maps (the type of map normally filed for residential subdivisions) receive an initial 2-year approval, and can be granted up to 3 one-year extensions. This allows for a potential total of 5 years that a tentative tract map may be active. The extension process allows the City to review the requirements of the tentative map and approve, conditionally approve, or deny an extension to the map depending on current circumstances. In the past, the City has commonly used the extension process to require subdivisions to comply with new requirements caused by changed conditions, such as annexation to newly formed maintenance districts or compliance with new improvement standards.

There is some precedent for the State of California to enact such legislation. In the economic downturn during the 1990's, the State approved two similar bills, granting a total of 3 years of extensions. Assembly Bill 333 would, however, grant an extension of time (6 years) that is longer than the normal combined approval and extension time frame for a tentative map in the City, and would further preclude the City from reviewing the appropriateness of the conditions of approval or even the appropriateness of extending the approval of the map itself. In short, enactment of this legislation would automatically extend the life of every active tentative map in the City of Lancaster (approximately 180 maps) to the year 2015. Further, it would severely limit the ability of the City to deal with issues not foreseen at the time of the map approval, such as water supply and design standards.

Given the potential effect on the City of Lancaster, staff recommends that the Council take a position opposed to Assembly Bill 333 as currently proposed, and authorize the City Manager to take appropriate steps to transmit this opposition to the State Legislature.

BSL/jr

Attachment:
Proposed text of Assembly Bill 333