

ASSEMBLY BILL

No. 333

Introduced by Assembly Member Fuentes

February 18, 2009

An act to add Section 66452.22 to the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 333, as introduced, Fuentes. Land use: subdivision maps: expiration dates.

(1) The Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing of land. It generally requires a subdivider to submit, and have approved by, the city, county, or city and county in which the land is situated a tentative or vesting tentative map, which confers a vested right to proceed with development in substantial compliance with specified ordinances, policies, and standards. The act provides for the expiration of tentative or vesting tentative maps, after specified periods of time, and specifically extends by 12 months the expiration date of any tentative or vesting tentative map or parcel map for which a tentative or vesting tentative map has been approved that had not expired on January 1, 2011. This extension is in addition to any other extension of the expiration date provided for in specified provisions of the act. Any legislative, administrative, or other approval by any local agency, state agency, or other political subdivision of the state that pertains to a development project included in a map that is extended is to be extended by 12 months under specified conditions.

This bill would extend the applicable expiration date to 72 months, as specified, for any vesting tentative map, in addition to a tentative

map, generally, that has not expired as of the date adding these provisions and that will expire, as specified, before January 1, 2016. By adding to the procedures that officials in counties, cities, and cities and counties must follow, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66452.22 is added to the Government
2 Code, to read:

3 66452.22. (a) The expiration date of any tentative or vesting
4 tentative subdivision map or parcel map for which a tentative or
5 vesting tentative map, as the case may be, has been approved that
6 has not expired on the date that the act that added Section 66452.21
7 became effective and that will expire before January 1, 2016, shall
8 be extended by 72 months.

9 (b) The extension provided by subdivision (a) shall be in
10 addition to any extension of the expiration date provided for in
11 Section 66452.6, 66452.11, 66452.13, or 66463.5.

12 (c) Any legislative, administrative, or other approval by any
13 state agency that pertains to a development project included in a
14 map that is extended pursuant to subdivision (a) shall be extended
15 by 72 months if this approval has not expired on the date that the
16 act that added Section 66452.21 became effective. This extension
17 shall be in addition to any extension provided for in Section
18 66452.13.

19 (d) For purposes of this section, the determination of whether
20 a tentative subdivision map or parcel map expires before January
21 1, 2016, shall count only those extensions of time pursuant to
22 subdivision (e) of Section 66452.6 or subdivision (c) of Section
23 66463.5 approved on or before the date that the act that added
24 Section 66452.21 became effective and any additional time in
25 connection with the filing of a final map pursuant to subdivision

1 (a) of Section 66452.6 for a map that was recorded on or before
2 the date that the act that added Section 66452.21 became effective.
3 The determination shall not include any development moratorium
4 or litigation stay allowed or permitted by Section 66452.6 or
5 66463.5.

6 SEC. 2. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 a local agency or school district has the authority to levy service
9 charges, fees, or assessments sufficient to pay for the program or
10 level of service mandated by this act, within the meaning of Section
11 17556 of the Government Code.