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SB-249 Land use: Subdivision Map Act: expiration dates. (2019-2020)

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Date Published: 09/30/2019 09:00 PM

Senate Bill No. 249

CHAPTER 366

An act to add Section 66452.27 to the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 27, 2019. Filed with Secretary of State September 27, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 249, Nielsen. Land use: Subdivision Map Act: expiration dates.

(1) The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification thereof. The act generally requires a subdivider to file a tentative map or vesting tentative map with the local agency, as specified, and the local agency, in turn, to approve, conditionally approve, or disapprove the map within a specified time period. The act requires an approved tentative map or vesting tentative map to expire 24 months after its approval, or after an additional period of time prescribed by local ordinance, not to exceed 12 months. However, the act extends the expiration date of certain approved tentative maps and vesting tentative maps, as specified.

This bill would, within the County of Butte, authorize the legislative body to extend the expiration date, by up to 36 months, of any approved tentative map or vesting tentative map that meets certain criteria, including that it was approved on or after January 1, 2006, and not later than March 31, 2019, and that it relates to the construction of single or multifamily housing, as specified. By adding to the procedures that local agency officials must follow, this bill would impose a state-mandated local program.

The bill would also require any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended pursuant to these provisions to be extended by 36 months, as specified.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Butte.

(3) 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.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66452.27 is added to the Government Code, to read:

66452.27. (a) A legislative body located within the County of Butte, may extend the expiration date for up to 36 months of any tentative map, vesting tentative map, or parcel map for which a tentative map or vesting tentative map, as the case may be, that was approved on or after January 1, 2006, and not later than March 31, 2019, that relates to the construction of single or multifamily housing, and that has not expired on or before the effective date of the act that added this section.

(b) Any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended pursuant to subdivision (a) shall be extended by 36 months if the approval has not expired on or before the effective date of the act that added this section.

(c) The extension provided by subdivisions (a) and (b) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.21, 66452.22, 66452.23, 66452.24, or 66463.5.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances faced by the County of Butte and the cities within the County of Butte in preserving development applications that are set to expire in order to provide housing to persons displaced by the Camp Fire incident.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to allow the County of Butte and cities within the County of Butte to preserve development applications that are set to expire to provide housing to persons displaced by the Camp Fire incident, it is necessary that this act take effect immediately.