



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380

FAX: (209) 257-5002

WEBSITE: www.amadorgov.org

EMAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

MEMO

TO: LAND USE COMMITTEE
FROM: CHUCK BEATTY, PLANNING DIRECTOR *CB*
DATE: OCTOBER 21, 2021
RE: PUBLIC HEARING NOTIFICATION POLICY

BACKGROUND: Government Code Section 66452.6 requires that an approved Parcel Map or Subdivision Map be recorded within 24 months of approval, and previously authorized cities and counties to add up to 12 months to the initial expiration date. SB9, Housing Development Approvals, approved by Governor Newsom last month, extended from 12 to 24 months the length of time a city or county may extend the initial expiration date of an approved map.

Further extensions of a map's expiration date can be granted by the County for up to an additional six years, if requested by the project proponent prior to a map's expiration. These further extensions are discretionary and not guaranteed.

If the County chooses to exercise this new authority granted by SB9, County Code Section 17.88.230 would have to be amended to reflect an initial expiration date of up to 48 months for approved Parcel Maps and Subdivision Maps.

REQUESTED ACTION: Direct staff to either:

- 1) Prepare an amendment to County Code Section 17.88.230 to increase the initial expiration date of approved Parcel Maps and Subdivision Maps from 36 months to 48 months (or other term suggested by the Committee); or
- 2) Continue to administer County Code Section 17.88.230 as written with a 36-month initial expiration date for approved Parcel Maps and Subdivision Maps.

The fee for filing an appeal pursuant to Section 17.88.180 shall be thirty-five dollars, no part of which shall be refundable. (Ord. 1127 §2(part), 1987).

17.88.190 Appeal--Decision.

The board shall find that the decision appealed from shall be affirmed, reversed, or modified within fifty days of receipt of the appeal, unless mutual agreement is reached to extend such period by the board of supervisors and the applicant of the tentative map. Notice of the board of supervisors' decision shall be mailed forthwith to the applicant and the appellant. (Ord. 1127 §2(part), 1987).

17.88.200 Parcel map--Preparation.

After the approval or conditional approval of the tentative map, a parcel map shall be prepared in conformity with the approved or conditionally approved tentative map and in the form of a parcel map produced by a licensed land surveyor or registered civil engineer pursuant to the state Subdivision Map Act. Said map may be compiled from record data available when survey information exists and when the location of any boundary of the parcel map is certain. (Ord. 1127 §2(part), 1987).

17.88.210 Parcel map--Certificate acknowledging conformance.

A certificate on the parcel map signed by the county surveyor as acknowledgment that the map is in accord with the approved or conditionally approved tentative map, shall be required in addition to the other certifications required by state law. (Ord. 1127 §2(part), 1987).

17.88.220 Parcel map--Filing.

The land division shall be deemed complete when the approved parcel map thereof is filed in the office of the county recorder. (Ord. 1127 §2(part), 1987).

 **17.88.230 Parcel map--Time limit for filing.**

An approved or conditionally approved tentative parcel map shall expire thirty-six months after its approval or conditional approval. However, extensions of such time limit may be obtained upon application by the subdivider in the manner specified in Government Code Section 66463.5, subsection (c). (Ord. 1402 §5, 1996).

17.88.240 Enforcement.

It shall be the duty of the district attorney to enforce the provisions of this chapter pertaining to land divisions in the unincorporated territory of the county. (Ord. 1127 §2(part), 1987).


17.88.250 Violation--Penalty.

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars, or by

considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(o) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for urban lot splits pursuant to this section.

SEC. 3. Section 66452.6 of the Government Code is amended to read:

 66452.6. (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (c), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.