

## **SB 1185: Map Extension Measure to Aid Homebuilders, Housing Recovery**

SB 1185 (Lowenthal) proposes to extend the life of expiring subdivision maps for a period of two years. Subdivision maps are the principal vehicles used by local governments to “entitle” proposed housing development projects and as activity in the state’s housing markets has ebbed substantially, many of these maps are languishing and are set to expire before they’re needed. If the maps are left to expire, the housing contained in those maps will be taken out of the marketplace, forcing homebuilders to start the time-consuming entitlement process all over again and delaying an awaited housing recovery. SB 1185 is proposed for quick action in the Legislature and, therefore, carries a 2/3 vote requirement.

Select [Fulltext Map Extension](#) bookmark for the full bill language.



**Introduced by Senator Lowenthal**February 12, 2008

---

---

An act to amend Section 66452.11 of, to amend and renumber Sections 66452.11 and 66452.12 of, and to repeal Section 66452.13 of, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1185, as introduced, Lowenthal. Land use: subdivision maps.

(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 May 15, 1996. 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 24 months, as specified for any vesting tentative map, in addition to a tentative map, generally. By adding to the procedures 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

Vote:  $\frac{2}{3}$ . 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 66452.11 of the Government Code, as  
 2 added by Section 1 of Chapter 407 of the Statutes of 1993, is  
 3 amended to read:

4 66452.11. (a) The expiration date of any tentative *or vesting*  
 5 *tentative* subdivision map or parcel map for which a tentative *or*  
 6 *vesting tentative* map, *as the case may be*, has been approved that  
 7 has not expired on the date that the act that ~~adds~~ *amends* this  
 8 section becomes effective shall be extended by 24 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 or 66463.5.

12 (c) Any legislative, administrative, or other approval by any  
 13 ~~state agency of the State of California~~ that pertains to a  
 14 development project included in a map that is extended pursuant  
 15 to subdivision (a) shall be extended by 24 months if this approval  
 16 has not expired on the date that the act that ~~adds~~ *amends* this  
 17 section becomes effective.

18 SEC. 2. Section 66452.11 of the Government Code, as added  
 19 by Section 6 of Chapter 612 of the Statutes of 2007, is amended  
 20 and renumbered to read:

21 ~~66452.11.~~

22 66452.14 (a) Pursuant to the provisions of subparagraph (E)  
 23 of paragraph (2) of subdivision (a) of Section 66427.1, the  
 24 subdivider shall give written notice of the intent to convert 180

1 days prior to the termination of tenancy in the form outlined in  
2 subdivision (b), to each tenant of the subject property.

3 (b) The notice shall be as follows:

4  
5 “To the occupant(s) of  
6 \_\_\_\_\_:

7 (address)

8  
9 The owner(s) of this building, at (address), plans to convert this  
10 building to a (condominium, community apartment, or stock  
11 cooperative project). This is a notice of the owner’s intention to  
12 convert the building to a (condominium, community apartment,  
13 or stock cooperative project).

14 A tentative map to convert the building to a (condominium,  
15 community apartment, or stock cooperative project) was approved  
16 by the City on \_\_\_\_\_. If the City approves a final map, you  
17 may be required to vacate the premises, but that cannot happen  
18 for at least 180 days from the date this notice was served upon  
19 you.

20 Any future notice given to you to terminate your tenancy because  
21 of the conversion cannot be effective for at least 180 days from  
22 the date this notice was served upon you. This present notice is  
23 not a notice to terminate your tenancy; it is not a notice that you  
24 must now vacate the premises.

25  
26 \_\_\_\_\_  
27 (signature of owner or owner’s agent)

28 \_\_\_\_\_  
29 (date)”  
30

31 The written notices to tenants required by this section shall be  
32 deemed satisfied if such notices comply with the legal requirements  
33 for service by mail.

34 SEC. 3. Section 66452.12 of the Government Code, as added  
35 by Section 7 of Chapter 612 of the Statutes of 2007, is amended  
36 and renumbered to read:

37 ~~66452.12.~~

38 66452.15 (a) Pursuant to subparagraph (F) of paragraph (2)  
39 of subdivision (a) of Section 66427.1, the subdivider shall give  
40 written notice within five days after receipt of the subdivision

1 public report to each tenant of his or her exclusive right for at least  
2 90 days after issuance of the subdivision public report to contract  
3 for the purchase of his or her respective unit in the form outlined  
4 in subdivision (b).

5 (b) The notice shall be as follows:

6  
7 “To the occupant(s) of  
8 \_\_\_\_\_:  
9 (address)

10  
11 The owner(s) of this building, at (address), have received the  
12 final subdivision report on the proposed conversion of this building  
13 to a (condominium, community apartment, or stock cooperative  
14 project). Commencing on the date of issuance of the subdivision  
15 public report, you have the exclusive right for 90 days to contract  
16 for the purchase of your rental unit upon the same or more  
17 favorable terms and conditions than the unit will initially be offered  
18 to the general public.

19  
20 \_\_\_\_\_  
21 (signature of owner or owner’s agent)  
22 \_\_\_\_\_  
23 (date)”  
24

25 The written notices to tenants required by this section shall be  
26 deemed satisfied if the notices comply with the legal requirements  
27 for service by mail.

28 SEC. 4. Section 66452.13 of the Government Code is repealed.  
29 ~~66452.13. (a) The expiration date of any tentative or vesting~~  
30 ~~tentative subdivision map or parcel map for which a tentative map~~  
31 ~~or vesting tentative map has been approved, that has not expired~~  
32 ~~on or before the date the act that adds this section becomes effective~~  
33 ~~shall be extended by 12 months.~~

34 ~~(b) The extension provided by subdivision (a) shall be in~~  
35 ~~addition to any extension of the expiration date provided for in~~  
36 ~~Section 66452.11, 66452.6, or 66463.5.~~

37 ~~(c) Any legislative, administrative, or other approval by any~~  
38 ~~state agency that pertains to a development project included in a~~  
39 ~~map that is extended pursuant to subdivision (a) shall be extended~~  
40 ~~by 12 months if this approval has not expired on the date that the~~

1 ~~act that adds this section becomes effective. This extension shall~~  
2 ~~be in addition to any extension provided for in Section 66452.11.~~

3 SEC. 5. If the Commission on State Mandates determines that  
4 this act contains costs mandated by the state, reimbursement to  
5 local agencies and school districts for those costs shall be made  
6 pursuant to Part 7 (commencing with Section 17500) of Division  
7 4 of Title 2 of the Government Code.

8 SEC. 6. This act is an urgency statute necessary for the  
9 immediate preservation of the public peace, health, or safety within  
10 the meaning of Article IV of the Constitution and shall go into  
11 immediate effect. The facts constituting the necessity are:

12 In order to permit cities, counties, and a city and county to  
13 preserve development applications that are set to expire and that  
14 cannot be processed presently due to prevailing adverse economic  
15 conditions in the construction industry, it is necessary that this act  
16 take immediate effect.