MEMORANDUM
COMMUNITY DEVELOPMENT/RESOURCE AGENCY
ENGINEERING & SURVEYING DIVISION
County of Placer

TO: Honorable Board of Supervisors             DATE: May 3, 2016
FROM: Michael Johnson, AICP
       Agency Director
BY:   Leslie Amsberry, County Surveyor
SUBJECT: Amendments to Chapter 16 of the Placer County Code Regarding Tentative Map Extensions

ACTION REQUESTED
1. Introduce an Ordinance amending Placer County Code Chapter 16, Article 16.12, Section 16.12.120(C) and Article 16.20, Section 16.20.060(B)(1) Related to Tentative Map Term Extensions, and waive oral reading.
2. Determine the Ordinance is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

BACKGROUND
The California Government Code regulating divisions of land is known as the Subdivision Map Act (the Map Act). Under Map Act Sections 66452.6(e) and 66463.5(c), upon receipt of an application for an extension of time filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or advisory agency for a period or periods not exceeding a total of six years.

These extensions are in addition to the automatic extensions enacted by the legislature commencing in 2008. A total of 4 bills were enacted to authorize an automatic extension of qualifying tentative subdivision and parcel maps for a potential maximum seven year period. In 2015, the legislature enacted AB1303, which provides an automatic extension of maps but only within “disadvantaged communities”. Placer County is not such a community. Now that the automatic extensions have come to an end, the County is experiencing an upsurge in applications for extensions of the terms of maps under the above cited Government Code provisions.

State law permits a local jurisdiction to define what “period or periods” it desires to authorize per extension. Currently County Code sections 16.12.12(C) (for tentative subdivision maps) and 16.20.060(B)(1) (for tentative parcel maps) authorize a one-year term for each extension not to exceed three years. The above identified Government Code provisions were amended in 2008 to authorize extensions for a maximum six years.

Community Development Resource Agency is proposing changes to County Code relating to extensions of time for Tentative Maps to align County Code with State law.

The proposed changes to County Code will allow extensions of time to be granted in two-year increments, but not exceeding the total number of years allowed under Sections 66452.6(e) and 66463.5(c) of the Map Act of six years. The intent of the extensions under state law and county code, is to encourage applicants expeditiously work towards finaling maps (or file for
revisions of the same) but provide a reasonable extension should additional time be needed to satisfy the conditions of the Tentative Map. In staff’s experience, two-year extensions of a map is a reasonable period of time for the applicant to finish satisfying conditions of the map in order to file for final maps. It is also a reasonable period of time to ascertain what, if any, changed conditions in the surrounding area have occurred. In addition, current County Code, which is not proposed to be revised, requires the approval of a map extension be conditioned to satisfy County Code and standards in effect at the time of granting the extension. Two-year increments are a reasonable period of time to track such changes.

State law authorizes an automatic sixty-day extension upon the application of the subdivider prior to the expiration of the Tentative Map. This applies to applications limited to a request for map extensions. For maps that required additional land use permits to realize the proposed development design (for example, a planned residential development requires both a Use Permit and a Tentative Subdivision Map), staff proposes an automatic extension of a maximum six-month period, which allows for the additional processing time for such applications to reach the hearing stage.

In ongoing efforts to improve the County’s land development processes, aligning County Code with State law provides consistency and allows additional time for applicants to complete projects under a single Extension of Time application.

ENVIRONMENTAL IMPACT
The proposed Ordinance is exempt pursuant to CEQA Guidelines Section 15061 (b) (3). Any applications for extensions will be separately reviewed pursuant to CEQA. The present proposed Ordinance aligns County Code with State law with respect to extensions of the originally approved map and does not create in itself a new entitlement. As a result, it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment.

FISCAL IMPACT
There is no fiscal impact as a result of this action. Applications for extensions of maps will be subject to payment of standard processing fees.

ATTACHMENTS
Attachment 1: Proposed Ordinance Amending County Code Sections 16.12.120(C) and 16.20.060(B)(1)
ATTACHMENT 1
Before the Board of Supervisors
County of Placer, State of California

In the matter of: Amendments to Chapter 16, Article 16.12, Section 16.12.120(C) and Article 16.20, Section 16.20.060(B)(1) Related to Tentative Map Term Extensions

Ordinance No.: 
Introduced: 

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held, by the following vote on roll call:

Ayes: 
Noes: 
Absent: 

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Placer County Code Chapter 16, Article 16.12, Tentative Maps, Section 16.12.120(C) is hereby amended as follows:

16.12.120 Notification of decision, term of approval, extensions of time and timely filings.

C. Extensions of Time. Upon application prior to expiration of the tentative map approval, an extension of time not exceeding one two (2) years may be granted by the approving authority agency. Additional two (2) year extensions may be granted upon application prior to the previous expiration of time. The total number of extensions allowed under this section shall not exceed a total of six (6) years. Upon application prior to expiration of the first one-year extension of time, a second extension of time not exceeding one year may be granted by the advisory agency. Upon application prior to expiration of the second one-year extension of time, a third extension of time not exceeding one year may be granted by the advisory agency. Prior to the expiration of an approved or
ordinance between January 1, 2016 and June 30, 2016, calculation of the automatic extensions referenced in this ordinance will commence on June 30, 2016.
SECTION 4: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with government code section 25124.