Automatic Time Extensions for Maps
(Pursuant to S.B. 1185, effective July 15, 2008)

Customer FAQ Sheet

Q. ***How do I know my map qualifies for an automatic time extension pursuant to SB 1185?***

A. Under this newly added Section 66452.21 of the Government Code, a 12-month time extension is granted to any Tentative Map or Vesting Tentative Map [or Tentative Parcel Map] which meets three criteria:

(1) It was approved prior to July 15, 2008,
(2) It had not expired on July 15, 2008, and
(3) It would otherwise have expired prior to January 11, 2011. For purposes of determining criterion (3), "discretionary" time extensions granted prior to July 15, 2008, and extensions based on the filing of a final maps in unitized projects with certain amounts of required offsite improvements are included. However, extensions based on development moratoria or litigation stays are not included.

This automatic extension is in addition to any extensions which may be granted under state law, based on final maps in unitized projects with certain amounts of required off-site improvements, development moratoria, or pending litigation, or based on automatic extensions granted by 1993 and 1996 legislation.

SB 1185 also extends for 12 months state agency approvals that pertain to a development project included in a tentative map extended by the above provisions, if it had not expired on July 15, 2008.

Q. ***Do I need to submit a letter of request to receive the automatic 12-month extension for my map?***

A. No, a subdivider does not need to request the automatic extension. This urgency measure automatically extends maps that did not expire as of July 15, 2008, for 12 months, as stated above. No further action is required by the subdivider.

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Q. ***What if I want to submit an Extension of Time application based upon my original expiration date?***

A. Sections 81.308(b) and 81.617 of the County of San Diego Subdivision Ordinance state "The application shall be filed no more than 180 days prior to such expiration", therefore, the subdivider must wait to submit the extension of time application until no more than 180 days prior to the *new* expiration date.

Q. **Are all of the discretionary permits associated with the approved map automatically extended?**

A. No- subdividers must be aware that this urgency measure only extends the tentative map or tentative parcel map. If a related permit or approval (such as a major use permit, site plan, etc.) granted by the County *itself states* that it is in effect or extended as long as the associated Tentative Map is in effect, then the related permit or approval would be extended also. Or, if there is a particular County ordinance that says that such a related permit or approval is extended based on an associated Tentative Map being extended, then that would also operate to extend the related permit or approval.

NOTE: Subdividers should review their associated discretionary permits to determine the actual expiration date.

Q. **What do I do if the discretionary permit(s) are not in effect or extended as long as the associated tentative map is in effect?**

A. There may be situations where a discretionary permit extension of time request will need to be processed *one year before the associated tentative map or tentative parcel map expires*. If these associated permits (that do not state that they are in effect as long as the associated map) expire, the subdivider would need to reapply and process a new permit. The subdivider is responsible for submitting an application for an extension of time *prior to the expiration* of a discretionary permit.

Q. **What is the maximum length of time for which an Extension of Time can be granted for a Tentative Map or Tentative Parcel Map?**

A. The maximum length of time for which the County is authorized to grant a "discretionary" time extension under Gov. Code Sections 66452.6(e) [Tentative Maps] or 66463.5(c) [Tentative Parcel Maps], has been increased from five years to six years. Only "discretionary" time extensions under the referenced Map Act sections are affected. Other authorized time extensions (such as those based on filing a final map for a unit of a unitized map with a certain amount of required off-site improvements development moratoria, and stays for litigation), are not affected.