

AMENDED IN ASSEMBLY MAY 27, 2008

AMENDED IN ASSEMBLY MAY 6, 2008

AMENDED IN ASSEMBLY APRIL 17, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2447

Introduced by Assembly Member Jones

February 21, 2008

An act to add Section 66474.02 to the Government Code, relating to subdivisions.

LEGISLATIVE COUNSEL’S DIGEST

AB 2447, as amended, Jones. Subdivision maps: ~~disapproval~~. *denial of approval*.

The Subdivision Map Act requires the legislative body of a city or county to deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes certain findings.

This bill would require the legislative body of a county to deny approval of a tentative map, or a parcel map for which a tentative map was not required, if the proposed map is in a state responsibility area or a very high fire hazard sensitivity zone unless the legislative body of ~~a~~ *the* county makes specified findings.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66474.02 is added to the Government
- 2 Code, to read:

1 66474.02. (a) A legislative body of a county shall deny
2 approval of a tentative map, or a parcel map for which a tentative
3 map was not required, if the proposed map is in a state
4 responsibility area or a very high fire hazard severity zone, as both
5 are defined in subdivision (b) of Section ~~5117~~ 51177.

6 (b) Notwithstanding subdivision (a), a legislative body of a
7 county may approve a tentative map, or a parcel map for which a
8 tentative map was not required, if the legislative body of a county
9 does all of the following:

10 (1) Makes a finding supported by substantial evidence that the
11 design and location of each ~~parcel and the map lot in the~~
12 *subdivision and the subdivision* as a whole would allow
13 improvements, such as roads, turnarounds, defensible space, and
14 emergency water systems, to be made consistent with ~~the any~~
15 regulations adopted by the State Board of Forestry and Fire
16 Protection pursuant to Sections 4290 and 4291 of the Public
17 Resources Code, including, but not limited to, Subchapter 2
18 (commencing with Section 1270) of, and Subchapter 3
19 (commencing with Section 1280) of Chapter 7 of Division 1.5 of
20 Title 14 of the California Code of Regulations.

21 ~~(2) Obtains certification from the appropriate agency for either~~
22 ~~of the following:~~

23 ~~(A) There is or will be, prior to the issuance of occupancy~~
24 ~~permits for the subdivision, sufficient fire protection and~~
25 ~~suppression services provided by a local agency or agencies for~~
26 ~~the parcels created by the map.~~

27 ~~(B) There is or will be, prior to the issuance of occupancy~~
28 ~~permits for the subdivision, sufficient fire protection services~~
29 ~~provided by the Department of Forestry and Fire Protection under~~
30 ~~contract between that department and the county or another local~~
31 ~~agency that pays for that department's cost of providing those~~
32 ~~services.~~

33 ~~(2) Obtains certification from each of the appropriate fire~~
34 ~~protection agencies that there is or will be sufficient structural~~
35 ~~fire protection for the lots created by the subdivision provided by~~
36 ~~either of the following:~~

37 ~~(A) A county, city, special district, or political subdivision of~~
38 ~~the state.~~

1 (B) *The Department of Forestry and Fire Protection by contract*
2 *entered into pursuant to Section 4129, 4142, or 4144 of the Public*
3 *Resources Code.*

4 (3) Makes a finding that there is adequate ingress and egress
5 for *the lots created by* the subdivision, including a minimum of
6 two access~~ways~~ *roads* into and out of the subdivision for
7 emergency equipment and evacuations.

O