

AMENDED IN SENATE APRIL 13, 2010

SENATE BILL

No. 1319

Introduced by Senator Pavley

February 19, 2010

~~An act relating to land use.~~ *An act to amend Section 66451.10 of the Government Code, relating to subdivisions.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1319, as amended, Pavley. ~~Land use: renewable energy.~~
Subdivisions: contiguous parcels: merger.

The Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing of land. Existing law provides the authority and procedures by which 2 or more contiguous parcels or units of land created under specified provisions of the act or other laws are merged.

This bill would additionally authorize an owner of 2 or more contiguous parcels to merge them by combining them in a single recorded instrument of conveyance or security, as specified.

~~The Planning and Zoning Law provides that it is the policy of the state to promote and encourage the use of distributed renewable energy systems and to limit obstacles to their use, and states the intent of the Legislature that local agencies encourage the installation of these systems by removing obstacles to, and minimizing the costs of, permitting them.~~

~~This bill would authorize local agencies to authorize one or more pilot projects that will result in the resubdividing or consolidation of, or redevelopment of, small parcels on previously disturbed lands that are of lesser value as wildlife habitat, but are not conducive to~~

acquisition for large-scale renewable energy systems, pursuant to existing law.

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 66451.10 of the Government Code is
2 amended to read:

3 66451.10. (a) Notwithstanding Section 66424, except as is
4 otherwise provided for in this article, two or more contiguous
5 parcels or units of land which have been created under the
6 provisions of this division, or any prior law regulating the division
7 of land, or a local ordinance enacted pursuant thereto, or which
8 were not subject to those provisions at the time of their creation,
9 shall not be deemed merged by virtue of the fact that the contiguous
10 parcels or units are held by the same owner, and no further
11 proceeding under the provisions of this division or a local ordinance
12 enacted pursuant thereto shall be required for the purpose of sale,
13 lease, or financing of the contiguous parcels or units, or any of
14 them.

15 (b) This article shall provide the sole and exclusive authority
16 for local agency initiated merger of contiguous parcels. On and
17 after January 1, 1984, parcels may be merged by local agencies
18 only in accordance with the authority and procedures prescribed
19 by this article. This exclusive authority does not, however, abrogate
20 or limit the authority of a local agency or a subdivider with respect
21 to the following procedures within this division:

- 22 (1) Lot line adjustments.
- 23 (2) Amendment or correction of a final or parcel map.
- 24 (3) Reversions to acreage.
- 25 (4) Exclusions.
- 26 (5) Tentative, parcel, or final maps which create fewer parcels.

27 (c) *If authorized by local ordinance, an owner of two or more*
28 *contiguous parcels may merge them, without first complying with*
29 *the other provisions of this division, by combining them in a single*
30 *recorded instrument of conveyance or security.*

31 ~~SECTION 1. In order to facilitate the siting and construction~~
32 ~~of appropriate renewable energy systems on lands that have been~~
33 ~~previously disturbed and are of lesser value as wildlife habitat, but~~

1 ~~that are small parcels not conducive to acquisition for large-scale~~
2 ~~renewable energy systems, local agencies may authorize one or~~
3 ~~more pilot projects that will result in the resubdividing or~~
4 ~~consolidation of these parcels pursuant to the Subdivision Map~~
5 ~~Act (Division 2 (commencing with Section 66410) of Title 7 of~~
6 ~~the Government Code), or the redevelopment of these parcels by~~
7 ~~a redevelopment agency pursuant to the Community~~
8 ~~Redevelopment Law (Division 24 (commencing with Section~~
9 ~~33000) of the Health and Safety Code).~~

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