

AMENDED IN ASSEMBLY JUNE 3, 2010

AMENDED IN SENATE APRIL 13, 2010

SENATE BILL

No. 1319

Introduced by Senator Pavley

February 19, 2010

~~An act to amend Section 66451.10 of the~~ *An act to amend Section 66499.12 of, and to add Section 66451.24 to, the Government Code, relating to subdivisions.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1319, as amended, Pavley. Subdivisions: ~~contiguous parcels: merger.~~ *parcel merger: renewable energy facilities.*

The Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing *subdivision* 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, *provides the sole and exclusive authority for local agency initiated merger of contiguous parcels, and authorizes a legislative body, on its own motion or by petition of all owners of record of the real property within the subdivision, to initiate proceedings for reversion to acreage.*

~~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.~~

This bill would provide that specified provisions of the act do not prohibit a landowner, local agency, or renewable energy corporation authorized to conduct business in the state from seeking financial assistance from eligible state funding sources to defray the costs of merging parcels on private or public lands, or the costs of establishing

or administering a joint powers authority established or authorized to merge parcels on private or public lands for the purpose of siting renewable energy facilities.

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 66451.24 is added to the Government*
 2 *Code, to read:*

3 *66451.24. (a) Nothing in this article prohibits a landowner,*
 4 *local agency, or renewable energy corporation authorized to*
 5 *conduct business in this state from seeking financial assistance*
 6 *from eligible state funding sources to defray either of the following*
 7 *costs:*

8 *(1) The costs of merging parcels, including, but not limited to,*
 9 *escrow costs, on private or public lands pursuant to this article.*

10 *(2) The costs of establishing or administering a joint powers*
 11 *authority established or authorized to merge parcels on private*
 12 *or public lands, including, but not limited to, all eligible costs, for*
 13 *the purpose of siting renewable energy facilities.*

14 *(b) This section does not authorize the use of state funds for the*
 15 *acquisition of real property for which a parcel merger will be*
 16 *initiated.*

17 *SEC. 2. Section 66499.12 of the Government Code is amended*
 18 *to read:*

19 *66499.12. (a) Proceedings for reversion to acreage may be*
 20 *initiated by the legislative body on its own motion or by petition*
 21 *of all of the owners of record of the real property within the*
 22 *subdivision.*

23 *(b) Nothing in this chapter prohibits a landowner, local agency,*
 24 *or renewable energy corporation authorized to conduct business*
 25 *in this state from seeking financial assistance from eligible state*
 26 *funding sources to defray either of the following costs:*

27 *(1) The costs of merging parcels, including, but not limited to,*
 28 *escrow costs, on private or public lands pursuant to this chapter.*

29 *(2) The costs of establishing or administering a joint powers*
 30 *authority established or authorized to merge parcels on private*
 31 *or public lands, including, but not limited to, all eligible costs, for*
 32 *the purpose of siting renewable energy facilities.*

1 (c) *This section does not authorize the use of state funds for the*
2 *acquisition of real property for which a parcel merger will be*
3 *initiated.*

4 SECTION 1. ~~Section 66451.10 of the Government Code is~~
5 ~~amended to read:~~

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

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

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

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