



AUTOMATIC EXTENSION OF MAPS & ENTITLEMENTS

AB 1561 effective September 28, 2020

CUSTOMER FAQ'S

Purpose of AB 1561. In an effort to mitigate delays in housing production throughout the State, on September 28, 2020, Governor Gavin Newsom signed into law Assembly Bill 1561, which extended the validity of certain categories of residential development entitlements. Under AB 1561, qualifying development applicants will benefit from additional time to overcome any impacts the Coronavirus Pandemic has had on a project's planning, financing, or construction. All such qualifying housing entitlements will now remain valid for an additional period of eighteen (18) months.

Q. *How do I know if my map or development project qualifies for the time extension pursuant to AB 1561?*

AB 1561 added a new section to the state's Government Code, Section 65914.5, that extended the effectiveness of "housing entitlements" that were (a) issued and in effect prior to March 4, 2020 and (b) set to expire prior to December 31, 2021.

See specifics below

A. Qualifying Projects: AB 1561 automatically granted an 18-month time extension to "housing entitlements", which meet all three criteria below:

- (1) Entitlement was issued (approved) prior to and was in effect on March 4, 2020;
- (2) Entitlement would otherwise have expired prior to December 31, 2021; and,
- (3) Meets the definition of a "housing entitlement."

A "**housing entitlement**" means any of the following: a tentative map, vesting tentative map, or parcel map for a residential development; a residential development (i.e. entitlement such as a discretionary and non-discretionary design review permits, development plan review, or special development permits for a single family home, multifamily project, or accessory dwelling unit); or a mixed use development in which at least two-thirds of the square footage of the development is designated for residential use.

Excluded from the definition of a "housing entitlement" are:

- (a) Development agreements authorized pursuant to California Government Code Section 65864;
- (b) Approved or conditionally approved tentative maps which were previously extended for at least eighteen (18) months on or after March 4, 2020 but before September 28, 2020 pursuant to Government Code Section 66452.6 (discretionary extensions or phased maps that have constructed improvements outside project boundary in excess of \$317,940);

- (c) Preliminary applications under SB 330 (the Housing Crisis Act of 2019); and,
(d) Applications for development approved under SB 35 (Cal. Gov. Code § 65913.4).

Q. *Do I need to submit an application to receive the automatic time extensions for my tentative map or housing entitlement?*

- A.** You do not need to request the extension provided by AB 1561, as it is automatic. However, if you would like a formal determination in writing (record for your file) you will need to request a Zoning Verification Letter along with the applicable fee of \$165.11. The application is available [here](#) (the application form includes a link for online submittal and fee payment).

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

- A.** Yes. Per County Code Section 22.20.095, any entitlement, development permit or other approval which would expire pursuant to this Code or the Sacramento County Zoning Code, but which was approved concurrently with and pertains to any approved tentative subdivision or parcel map the expiration date of which was automatically extended by the provisions of the Government Code, shall be extended for the same period as that provided by said section for the approved tentative subdivision or parcel map to which it pertains.

Q. *Will I still be able to apply for a discretionary extension of my tentative map in addition to the provisions of AB 1561?*

- A.** Any tentative subdivision map, vesting subdivision map, or tentative parcel map is eligible for an extension of time, provided final approval for such extension occurs prior to the expiration of the map. The hearing procedures for an extension of time shall be the same as for resubmittal of the map. Upon filing of a timely application for an extension of time, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.

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 (cumulative). Only "discretionary" time extensions under the referenced Map Act sections are affected. Other authorized time extensions (such as those based on automatic legislative extensions, filing a final map for a unit/village of a unitized/phased map with a certain amount of required off-site improvements, development moratoria, and stays for litigation) are not affected.