> When a project is approved in multiple stages, the CEQA SOL may run on the filing of the NOD filed for the initial approvals if the project is described sufficiently. (*Coalition for an Equitable Westlake/MacArthur Park v. City of Los Angeles* (2020) 47 Cal.App.5th 368.)

> A subdivider required to pay an affordable housing fee 20 years after it was originally imposed was not barred by the 90-day statute of limitations terms of Gov. Code §66499.37. The subdivider's challenge was based upon events which took place following subdivision approval. (*Schmier v. City of Berkeley* (2022) 76 Cal.App.5th 549.)

§ 66499.37.) See *Torrey Hills Community Coalition v. City of San Diego* (2010) 186 Cal.App.4th 429; *Sumner Hill Homeowners' Assn, Inc. v. Rio Mesa Holdings, LLC* (2012) 205 Cal.App.4th 999; *Friends of Riverside Hills v. City of Riverside* (2008) 168 Cal.App.4th 743.

b.   The time period runs from the date of the decision being challenged. *Example*: The time period to attack conditions imposed by a tentative map runs from approval of the tentative map, not from final map approval. See *Soderling v. City of Santa Monica* (1983) 142 Cal.App.3d 501, 505.

c.   The failure of a county to issue a certificate of compliance triggers the 90-day statute of limitations for judicial review. See *Hunt v. County of Shasta* (1990) 225 Cal.App.3d 432.

d.   The denial of an application to grant tolling of time for expiration of a tentative map, pursuant to Government Code section 66452.6(a) and (c), because of a pending lawsuit, also triggers the 90-day statute of limitations. See *Presenting Jamul v. Board of Supervisors* (1991) 231 Cal.App.3d 665.

e.   The 90-day statute of limitations applies to ordinance amendments which clarify the effects of earlier map approvals for below-market-rate units. The 90 days runs from ordinance amendment. See *Aiuto v. City & County of San Francisco* (2011) 201 Cal.App.4th 1347.

f.   The 90-day statute of limitations does not apply to later disputes as to the interpretation of conditions of approval. (*Honchariw v. County of Stanislaus* (2020) 51 Cal.App.5th 243.)

g.   Failure to allege taking claim in original writ may bar later claim. See *Honchariw v. County of Stanislaus* (2015) 238 Cal.App.4th 1.

3.   Rights of third parties seeking developer compliance with conditions of approval (claim based upon misrepresentation). See *Anthony v. Snyder* (2004) 116 Cal.App.4th 643.

B.   Challenges to Exactions

1.   Standing

2.   Exactions and fees v. conditions of approval. See *Sterling Park, LP v. City of Palo Alto* (2013) 57 Cal.4th 1193. The Rules of the Mitigation Fee Act and Performing Under Protest

a.   A developer challenging an individually applied fee, either statutorily or constitutionally, must follow the statutory framework of the Mitigation Fee Act. (Gov. Code, §§ 66000-66025.)

i.   The challenger must file a written protest, pay the fee under protest, and bring suit within a 180-day time framework.