

Chapter 17.13

VESTING TENTATIVE MAPS

Sections:

- 17.13.010 Vesting tentative map statute.
- 17.13.020 Purpose.
- 17.13.030 Consistency.
- 17.13.040 Definition.
- 17.13.050 Application.
- 17.13.060 Filing and processing.
- 17.13.070 Fees.
- 17.13.080 Expiration.
- 17.13.090 Vesting on approval of vesting tentative map.

17.13.010 Vesting tentative map statute. This chapter is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the state of California, hereinafter referred to as the vesting tentative map statute. (Ord. 456 (part), 1986).

17.13.020 Purpose. It is the purpose of this chapter to establish procedures necessary for the implementation of the vesting tentative map statute, and to supplement the provisions of the Subdivision Map Act and local laws pertaining to subdivisions. Except as otherwise set forth in this chapter, all the provisions of this code pertaining to subdivisions shall apply to the vesting tentative map ordinance. (Ord. 456 (part), 1986).

17.13.030 Consistency. No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the general plan and any applicable specific plan or not permitted by the zoning or other provisions of this code. (Ord. 456 (part), 1986).

17.13.040 Definition. "Vesting tentative map" means a "tentative map" for a residential subdivision, as defined in this code, that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Section 17.13.060 and is thereafter processed in accordance with the provisions of this chapter. (Ord. 456 (part) , 1986).

17.13.050 Application. This chapter shall apply only to residential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by this code, requires the filing of a tentative subdivision map or tentative parcel map for a residential development, a vesting tentative map may instead be filed, in accordance with the provisions of this chapter. (Ord. 456 (part), 1986).

17.13.060 Filing and processing. A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this code for a tentative map except as hereinafter provided:

(a) At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words "Vesting Tentative Map."

(b) At the time a vesting tentative map is filed, the subdivider shall supply any additional information required by the public works director. (Ord. 456 (part), 1986).

17.13.070 Fees. Upon filing a vesting tentative map, the subdivider shall pay the fees required by resolution for the filing and processing of such a tentative map. (Ord. 456 (part), 1986).

17.13.080 Expiration. The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions, established by the code for the expiration of the approval or conditional approval of a tentative map. (Ord. 456 (part), 1986).

17.13.090 Vesting on approval of vesting tentative map. (a) The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Government Code S66474.2.

(b) Notwithstanding subdivision (a), a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

(1) A failure to so do would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

(2) The condition or denial is required, in order to comply with state or federal law.

(c) The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in Section 17.03.080. If the final map is approved, these rights shall last for the following periods of time:

(1) An initial time period of one year. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded.

(2) The initial time period set forth in subsection (c)(1) shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing extends thirty days, the date a complete application is filed.

(3) A subdivider may apply for a one-year extension at any time before the initial time period set forth in subsection (c)(1) expires. If the extension is denied, the subdivider may appeal that denial to the town council within fifteen days.

(4) If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions (c)(1)--(3), the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit. (Ord. 456 (part), 1986).