

CHAPTER 11

VESTING TENTATIVE MAPS

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10-11-1: **CITATION AND AUTHORITY:** This chapter is enacted pursuant to the authority granted by the State of California Subdivision Map Act, Division 2 Subdivisions, of Title 7, Chapter 4.5, Development Rights of the Government Code, commencing with Section 66498.1 (hereinafter referred to as the Vesting Tentative Map Statute). (Ord. 1626, 8 July 2008)

10-11-2: **PURPOSE AND INTENT:** 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 of Title 10 of the City Code. Except as otherwise set forth in the provisions of this chapter, the provisions of the City Code shall apply to vesting tentative maps.

To accomplish this purpose, the regulations outlined in this chapter are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development.

10-11-3: **CONSISTENCY:** No land shall be subdivided and developed pursuant to a vesting tentative map which is inconsistent with the City of Placerville General Plan, or is inconsistent with the applicable zoning ordinance or other applicable provisions of the City Code unless specifically so allowed for in this chapter.

10-11-4: **DEFINITIONS:**

(A) "Vesting tentative map" shall mean a "tentative map" or "tentative parcel map" for a residential, commercial, or industrial subdivision, as defined in the City Code, that shall have printed conspicuously on its face the words "vesting tentative map" at the time it is filed, and is thereafter processed in accordance with the provisions hereof.

(B) All other definitions set forth in the City Code are applicable.

10-11-5: **APPLICABILITY:** This chapter shall apply to residential, commercial and industrial developments. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by the subdivision ordinance, requires the filing of a tentative map or tentative parcel map for development, a vesting tentative map may instead be filed in accordance with the provisions hereof.

10-11-6: **REQUIRED SUBMITTAL DATA—COMPLETION OF APPLICATION:**

(A) Upon applying for approval of a vesting tentative map, the following maps, data, reports and information shall be submitted. If any of the following documentation is not submitted, the application shall be deemed incomplete pursuant to Government Code Section 65493.

1. The words "vesting tentative map" printed conspicuously on the map;
2. Four copies of a Drainage Plan, which in addition to the requirements of the land capability study, shall include an analysis of upstream, on-site and downstream facilities and details, and detail of off-site drainage facilities where needed;
3. Four copies of a Preliminary Grading Plan as defined by Title VIII, Chapter 7, of this code. The Preliminary Grading Plan shall show all cut and fill slopes and the proposed elevations of driveways and roads at one-hundred-foot stations, proposed building pad elevations, and at all lot corners around the periphery of the project. The Preliminary Grading Plan shall be prepared to a one-foot (plus or minus) tolerance;
4. Four copies of a Tree Canopy Retention Plan and a Woodland Alteration Permit (if required) in accordance with Chapter 13 of Title VIII of the City Code (Woodland and Forest Conservation Plan).
5. An archeological survey noting the existence, if any, of any historical or cultural sites, and appropriate mitigation measures;
6. Fuel modification program when the proposed site is heavily vegetated with trees or brush covering fifty percent or more of the site;
7. In those circumstances where a development plan review is required by City Code, such review application and all exhibits necessary for the review;
8. In those circumstances where the project requires concurrent discretionary approval (i.e. General Plan Amendment, Zoning Amendment, etc.), all exhibits necessary for such application;
9. A complete Site Plan showing all buildings and structures intended to be constructed on the lots proposed to be created. Those buildings, structures or improvements not shown on the site plan shall have no vested development rights hereunder and shall be subject to such ordinances, policies and standards in effect at the time of building permit issuance. Such site plan shall be of suitable scale (one inch equals fifty feet or greater) and sufficient detail to determine whether the proposed development conforms to existing ordinances, policies and standards and shall show the following:
 - a. Lot dimensions,
 - b. All buildings and structures; location (setback area), height and proposed use (number of dwelling units),
 - c. Walls and fences: location and height,
 - d. Off-street parking: location, number of spaces and dimensions,
 - e. Access: pedestrian and vehicular,
 - f. Signs: location, size and height,

- g. Drainage: natural drainage and any proposed drainage systems,
 - h. Landscaping,
 - i. Building colors, roofing type, and building architecture,
 - j. Lighting.
10. Approved septic area for each lot if public sewer service is not proposed;
 11. Building envelopes shall be noted on any proposed lot where average cross slopes exceed a ten-percent grade. The building envelope area shall not exceed five thousand square feet in area on Class I subdivisions (less than two-acre lots) or twenty thousand square feet in rural divisions (two-acre or larger lots);
 12. Application form completed and signed;
 13. Deed restriction certificate signed;
 14. Letter of authorization from property owner, if applicable, authorizing the agent to act as applicant;
 15. A copy of official assessor's map, showing the property outlined in red;
 16. Proof of ownership (grant deed), if the property has changed title since the last tax roll;
 17. Completed and signed environmental assessment form;
 18. If sewer or water service is proposed to be provided by a public agency, proof of availability and ability to serve the proposed development must be provided;
 19. Required maps:
 - a. Fifteen copies of the vesting tentative map, folded to fit in an eight and one-half by eleven-inch folder, with signature block showing:
 - i. Four copies of slope map noting the following slope range categories; zero percent to ten percent, eleven percent to twenty percent, twenty-one percent to twenty-nine percent, thirty percent and over;
 - ii. One copy of the reduced vesting tentative map, eight and one half-inches by eleven inches, or eight and one-half inches by fourteen inches, may be on two or more pages if necessary;
 20. The vesting tentative map shall further include the following information with items a through p shown on map in sequence noted;
 - a. Proposed subdivision name,
 - b. Owner of record (name and address),
 - c. Map prepared by (name and address),
 - d. Scale,
 - e. Contour interval,
 - f. Source of topography,

- g. Section, township, and range,
 - h. Assessor's parcel number,
 - i. Present zoning,
 - j. Total area (acres),
 - k. Total number of parcels,
 - l. Minimum parcel area,
 - m. Water supply,
 - n. Sewage disposal,
 - o. Proposed structural fire protection,
 - p. Date of preparation,
 - q. North point located anywhere on map,
 - r. Project boundary with dimensions,
 - s. A vicinity map showing the location of the project in relation to major roads, including township, range and section,
 - t. Approximate dimension and area of all lots, and area of lots larger than one acre,
 - u. Names of adjacent subdivisions and property owners for parcels that have not been subdivided,
 - v. Approximate radii of centerline of all street curves,
 - w. Grades and width of proposed and existing roads of road easements with typical improvement cross-section,
 - x. All existing structures, buildings, utility, transmission lines and dirt roads,
 - y. Fire hydrant location, existing and/or proposed,
 - z. Existing water and sewer line locations,
- i. Contours of not more than five-foot intervals, based on aerial photogrammetry or on-site survey (USGS interpolation not acceptable),
 - ii. Phasing if proposed,
 - iii. The location, if present, of rock outcroppings, lava caps, drainage courses, canals, reservoirs, streams, spring areas subject to inundations, wetlands, and respective one-hundred-foot and fifty-foot septic system setbacks when a septic system is proposed,
 - iv. Flood areas on perennial streams or creeks (one-hundred-year).

(B) If as a result of the process of review by the City of the vesting tentative map it becomes necessary for the applicant: (1) to make a material change in the vesting tentative map; or (2) to submit additional data; or (3) to revise any aspect of the data that has been previously submitted pursuant to the Subdivision Map Act and City Code; then the application shall be deemed incomplete pursuant to Government Code Section 65943 until such new or additional or revised maps, data, reports and information shall be submitted.

10-11-7: **PROCESSING:**

(A) A vesting tentative map shall be processed in the same manner as required for tentative maps in Title X, Chapter 7, or for tentative parcel maps in Title X, Chapter 8; provided, however, on vesting tentative subdivision maps, the Planning Commission shall only make a recommendation to the City Council, and the map shall then be set for hearing before the City Council, jointly with a zone change or development plan when applicable, within thirty days of the Planning Commission action.

The decision on a vesting tentative subdivision map is not final until the City Council has acted on the matter as noted herein.

- (B) A vesting tentative map shall not be approved unless it is found to be consistent with the General Plan for the property proposed to be subdivided. A vesting tentative map application, which is consistent with the then current General Plan at the time of its initial submittal, shall be deemed incomplete.
- (C) A vesting tentative map shall not be approved unless it is consistent with the zoning of the property proposed to be subdivided. A vesting tentative map, which is inconsistent with the then current zoning at the time of submittal, shall be deemed incomplete unless an application for a change in zoning, and any other discretionary approval as may be required, is submitted concurrently with the vesting tentative map. If a change in the zoning, or any other discretionary approval as may be required, is obtained concurrently with the approval or conditional approval of the vesting tentative map, the approved or conditionally approved vesting tentative maps shall confer the vested right to proceed with the development in substantial compliance with the change so obtained. Vesting tentative maps shall not be approved with a condition that other discretionary approvals be subsequently secured.

10-11-8: **FEES:** Upon filing a vesting tentative map, the subdivider shall pay the fees as adopted by the City from time to time for the filing and processing of vesting tentative maps or tentative parcel maps.

10-11-9: **EXPIRATION:** The approval or conditional approval of a vesting tentative map shall expire twenty-four months after the date of the City Council's action on said map, and shall be subject to the same extensions established by the City Code for the expiration of the approval or conditional approval of a tentative map or tentative parcel map.

10-11-10: **VESTING RIGHTS:**

- (A) Subject to the provisions of this section, 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 Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, 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 in effect at the time of the vesting tentative map is approved or conditionally approved.
- (B) Determination of when an application for a vesting tentative map is complete shall be made pursuant to procedures set forth herein and pursuant to Government Code Section 65943.
- (C) Notwithstanding subsection A of this section, a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:
 - 1. A failure to do so 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.

- (D) 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 10-11-9. 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. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivision 1 of this subsection D, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit. (Ord. 1626, 8 Jul 2008)