

Chapter 16.116

CERTIFICATES OF COMPLIANCE

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16.116.010 Purpose.

It is the purpose of this Chapter to provide a method of reviewing requests to determine the compliance of property with the provisions of the Subdivision Map Act and this Title. (Ord. 606, 1999)

16.116.020 Requirements for Application.

An application for a Certificate of Compliance may be initiated by the property owner(s) or vendee of such person pursuant to a contract of sale of such property. Applications are filed with the Planning Department. An application for Certificates of Compliance must include a site plan and any other maps or documents required by the City. A fee, as specified by resolution of the City Council, is required with the application. (Ord. 606, 1999)

16.116.030 Review Procedures.

The review procedure for a Certificate of Compliance Application shall be the Staff Review Procedure as specified in Section 16.08.020. (Ord. 606, 1999)

16.116.040 Determinations and Requirements for Issuance.

The Director shall review the Certificate of Compliance and make one of the following determinations based on that review:

A. Issuance. If the parcel is found to comply with all provisions of the Subdivision Map Act and the City Municipal Code, a Certificate of Compliance shall be issued pursuant Government Code; or

B. Conditional Issuance. If the parcel does not comply with regulations in effect at the time of its creation or does not comply with current regulations, the parcel shall be found not to comply with State or City regulations. A conditional Certificate of Compliance that states the conditions required to bring the parcel into compliance shall be issued, pursuant to the Government Code. Only conditions that would have been applicable at the time the applicant acquired interest in the property may be imposed. Conditions may not exceed the requirements at the time the parcel was created. However, if an applicant was the owner of record at the time of the initial violation of the Subdivision Map Act or of local ordinances enacted pursuant to the Act, conditions may be imposed that are applicable to a current division of property. Fulfillment of all conditions shall be required before subsequent issuance of any permit or grant of approval for development of property. (Ord. 606, 1999; Ord. 758 §2 (part), 2007)

16.116.050 Documents Constituting Certificate of Compliance.

A recorded final map or parcel map shall constitute a Certificate of Compliance declaring all parcels described therein to be in compliance with State and City regulations. (Ord. 606, 1999)

16.116.060 Real Property Approved for Development.

A Certificate of Compliance shall be issued for any real property that has been approved for development, as defined in the Government Code, upon request by the owner(s) pursuant to a

contract of sale of the property. (Ord. 606, 1999)

16.116.070 Development of Parcels.

The granting of a Certificate of Compliance does not constitute a guarantee that the property may be built upon or developed. (Ord. 606, 1999)