

SUPREME COURT OF CALIFORNIA

City of Goleta v. Superior Court

40 Cal. 4th 270, 52 Cal. Rptr. 3d 114, 147 P.3d 1037 (2006) · No. S129125 · Decided December 21, 2006

SUMMARY

The California Supreme Court held that a newly incorporated city had discretion to disapprove a final subdivision map when the county had approved the related vesting tentative map outside the safe-harbor conditions of Government Code section 66413.5. The court also held that the city's adoption of county ordinances did not surrender that discretion and that equitable estoppel did not bar the city from denying approval. The court affirmed the judgment of the Court of Appeal.

CASE DETAILS

|                       |                                                                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of California                                                                                                                                                                      |
| WRITING FOR THE COURT | Corrigan, J.; George, C.J.; Baxter, J.; Werdegarr, J.; Chin, J.; Moreno, J.; Kennard, J.                                                                                                         |
| JURISDICTION          | California                                                                                                                                                                                       |
| DECIDED               | December 21, 2006                                                                                                                                                                                |
| DOCKET                | S129125                                                                                                                                                                                          |
| DISPOSITION           | affirmed                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | The City of Goleta petitioned for review after the Court of Appeal reversed a superior court order granting Sandpiper's writ petition and requiring the City to approve a final subdivision map. |
| STANDARD OF REVIEW    | The court resolved the statutory and ordinance-interpretation issues as questions of law and reviewed the equitable-estoppel claim under the governing estoppel elements and record.             |
| PRECEDENTIAL VALUE    | Published California Supreme Court opinion; precedential.                                                                                                                                        |
| PARTIES               | City of Goleta et al. v. Superior Court of Santa Barbara County                                                                                                                                  |

TOPICS

- municipal law
- real estate
- statutory interpretation
- municipal liability
- equitable relief

PRACTICE AREAS

- municipal law
- real estate
- land use

## QUESTIONS PRESENTED

1. Whether a newly incorporated city has discretion to disapprove a final subdivision map when the county approved the vesting tentative subdivision map after the incorporation election.
2. Whether Goleta's adoption of the County's subdivision ordinances required ministerial approval of Sandpiper's final map.
3. Whether Goleta was equitably estopped from disapproving the final map based on its conduct and communications concerning the project.

## HOLDINGS

1. Because Sandpiper's vesting tentative map did not satisfy the temporal conditions of Government Code section 66413.5, subdivision (f), the mandatory approval obligation in subdivision (a) did not apply. Goleta therefore retained discretion to disapprove the final map.
2. Goleta's adoption of the County's subdivision ordinances did not require ministerial approval of a final map based on a tentative map approved by the County. The City retained discretion over final maps when the County, rather than Goleta, had approved the tentative map.
3. Goleta was not equitably estopped from disapproving Sandpiper's final map.

## KEY QUOTATIONS

*“Here we conclude that a newly incorporated city had discretion to disapprove a final subdivision map when the vesting tentative subdivision map had been approved by the county. We also conclude that actions taken by the city did not divest it of this discretion or subject it to estoppel.”* (40 Cal. 4th at 274)

*“We conclude the City had discretion under section 66413.5 to disapprove the final map because it had not approved the tentative map.”* (40 Cal. 4th at 279)

*“Exempting the project from the extended moratorium in this fashion could not reasonably be understood to imply that it would eventually receive approval.”* (40 Cal. 4th at 281)

## FACTUAL BACKGROUND

Goleta was incorporated from unincorporated territory in Santa Barbara County. After incorporation proceedings began and after the incorporation election, the County approved Oly Chadmar Sandpiper General Partnership's vesting tentative subdivision map for a multifamily residential project within Goleta's proposed boundaries. Following incorporation, Goleta adopted the County's subdivision ordinances, but its officials repeatedly expressed concerns about the project and asserted that the City retained discretion to deny the final map. Although the final map was technically correct and substantially complied with the vesting tentative map, the City Council denied approval because it found the project's design and improvements inconsistent with the City's general plan then being prepared.

## PROCEDURAL HISTORY

Sandpiper sought a writ requiring Goleta to approve its final subdivision map. The superior court granted the writ and ordered approval. The Court of Appeal reversed by writ of mandate, and the Supreme Court of

California affirmed the Court of Appeal's judgment.

## DISPOSITION

affirmed

## CASES CITED

- Bright Development v. City of Tracy, 20 Cal. App. 4th 783, 792, 24 Cal. Rptr. 2d 618 (1993)
- City of Long Beach v. Mansell, 3 Cal. 3d 462, 488-489, 476 P.2d 423 (1970)
- Strong v. County of Santa Cruz, 15 Cal. 3d 720, 725, 543 P.2d 264 (1975)
- Hughes v. Board of Architectural Examiners, 17 Cal. 4th 763, 793-794, 952 P.2d 641 (1998)
- Bib'le v. Committee of Bar Examiners, 26 Cal. 3d 548, 553, 606 P.2d 733 (1980)
- Hock Investment Co. v. City and County of San Francisco, 215 Cal. App. 3d 438, 449, 263 Cal. Rptr. 665 (1989)
- Shea Homes Limited Partnership v. County of Alameda, 110 Cal. App. 4th 1246, 1269-1270, 2 Cal. Rptr. 3d 739 (2003)