



MEMORANDUM

TO: PLANNING COMMISSION

FROM: TERESA MCCLISH, DIRECTOR OF COMMUNITY DEVELOPMENT

BY: MATTHEW DOWNING, PLANNING MANAGER

SUBJECT: CONSIDERATION OF TIME EXTENSION 18-005 AND 18-006; ONE YEAR TIME EXTENSIONS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND ARROYO GRANDE MUNICIPAL CODE; LOCATION – PEARWOOD AVENUE (TRACT 3017 AND TENTATIVE PARCEL MAP 09-003); APPLICANT – CITY OF ARROYO GRANDE

DATE: AUGUST 7, 2018

SUMMARY OF ACTION:

Approval of the time extensions will provide an additional year for the maps to be finalized and the subdivisions to occur.

IMPACT TO FINANCIAL AND PERSONNEL RESOURCES:

None.

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Adopt a Resolution approving a time extension for Tract 3017; and
2. Adopt a Resolution approving a time extension for Tentative Parcel Map 09-003.

BACKGROUND:

On June 1, 2009, the Planning Commission adopted Resolution No. 10-2104, approving Vesting Tentative Tract Map No. 09-007 and Planned Unit Development No. 09-002. The Planning Commission also adopted Resolution No. 10-2105, approving Tentative Parcel Map No. 09-003. The two projects consist of the subdivision of 7.16 acres of former Redevelopment Agency property into four (4) residential lots and one (1) open space lot and the subdivision of 0.87 acres into two (2) residential parcels. The two projects were processed and approved concurrently for access purposes. The original approvals were set to expire on June 1, 2011; however, as a result of State Law during the Great Recession, the expiration of the maps was extended until June 1, 2016.

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In 2017, the Planning Commission approved the first time extensions for the subdivisions. As a buyer for Tract 3017 is still being sought, a time extension was again applied for by the City. Due to changes in personnel as a result of the budget, the request was delayed. Renewed purchase interest has revived the need to take formal action on the Time Extension by the Planning Commission. In accordance with Subsection 66452.6(e) of the Subdivision Map Act, the application was automatically extended for sixty (60) days upon receipt of application by the applicant to extend the map. The map will remain active until the Planning Commission takes action on the time extension.

ANALYSIS OF ISSUES:

Municipal Code Subsection 16.12.140.C allows the Planning Commission to grant a project up to three (3) one-year time extensions, only if it is found that there have been no significant changes in the General Plan, Municipal Code or character of the area within which the project is located that would cause the approved project to be injurious to the public health, safety or welfare. No such changes have been identified in these areas that would cause the proposed projects to be injurious to the public health, safety, or welfare. Additionally, the City has been working toward the sale of the Pearwood Tract for the purchaser to final the map for the project.

If approved, the one-year time extension would extend the expiration date of the project to March 21, 2019, and the owners would be eligible to apply for one (1) additional one-year time extension, in accordance with the provisions of the Municipal Code and the Subdivision Map Act.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

- Adopt the attached Resolutions approving time extensions for Tract 3017 and Tentative Parcel Map 09-003;
- Modify and adopt the attached Resolutions approving time extensions for Tract 3017 and Tentative Parcel Map 09-003;
- Do not adopt the attached Resolutions, provide specific findings and direct staff to return with Resolutions denying the time extensions; or
- Provide direction to staff.

ADVANTAGES:

Approving the requested time extensions will maintain the viability of approved projects, will allow the Successor Agency to sell an entitled subdivision, and will continue cooperative efforts with the neighboring property owner for mutually beneficial land profitability, consistent with the Subdivision Map Act.

DISADVANTAGES:

No disadvantages associated with approval of the requested time extensions have been identified.

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ENVIRONMENTAL REVIEW:

In accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, it has been determined that the granting of time extensions is not subject to CEQA per Section 15061(b)(3) of the Guidelines, regarding the general rule that where it can be seen with certainty that there is no possibility of a significant effect on the environment, an activity is not subject to CEQA.

PUBLIC NOTICE AND COMMENT:

Per Municipal Code Table 16.12.030-B, a public hearing is not required for approval of time extensions. The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

Attachment:

1. General lot layouts for Tract 3017 and Tentative Parcel Map 09-002

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING A ONE-YEAR TIME EXTENSION FOR TENTATIVE TRACT MAP NO. 09-007 AND PLANNED UNIT DEVELOPMENT 09-002 (TIME EXTENSION 18-005); APPLIED FOR BY CITY OF ARROYO GRANDE; LOCATED NORTH AND NORTHEAST OF PEARWOOD AVENUE

WHEREAS, the Planning Commission approved Tentative Tract Map No. 09-007 and Planned Unit Development 09-002 (the "Project") on June 1, 2009; and

WHEREAS, the map has remained active as a result of State Law; and

WHEREAS, the applicant filed Time Extension 18-005 to extend the expiration date of the Project by one (1) year; and

WHEREAS, the Planning Commission of the City of Arroyo Grande has considered the request for Time Extension 18-005 on August 7, 2018; and

WHEREAS, the Planning Commission has reviewed the project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for Implementation of CEQA and has determined that the project is not subject to CEQA per Section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the Planning Commission finds, after due study and deliberation, the following circumstances exist:

1. There have been no significant changes in the General Plan, Municipal Code or character of the area within which the project is located that would cause the approved project to be injurious to the public health, safety or welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Arroyo Grande hereby approves Time Extension 18-005 for the second of three (3) available one-year extensions, with the above findings and subject to the conditions as set forth in Exhibit "A" attached hereto and incorporated herein by this reference. Tentative Tract Map 09-007 and Planned Unit Development No. 09-002 shall now expire on August 7, 2019.

On motion by Commissioner _____, seconded by Commissioner _____ and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was adopted this 7th day of August, 2018.

**RESOLUTION NO.
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GLENN MARTIN, CHAIR

ATTEST:

**MATTHEW DOWNING
SECRETARY TO THE COMMISSION**

APPROVED AS TO CONTENT:

**TERESA McCLISH
COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT 'A'
CONDITIONS OF APPROVAL
TIME EXTENSION NO. 18-005
TENTATIVE TRACT MAP NO. 09-007 AND
PLANNED UNIT DEVELOPMENT NO. 09-002
NORTH AND NORTHEAST OF PEARWOOD AVENUE (TRACT 3017)**

This approval authorizes a one (1) year time extension for Tentative Tract Map No. 09-007 and Planned Unit Development 09-002, which was originally approved by the Planning Commission on June 1, 2009.

GENERAL CONDITIONS:

1. The developer shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. Tentative Tract Map No. 09-007 and Planned Unit Develop No. 09-002 shall expire on August 7, 2019 unless it is recorded prior to this date or an extension of time is granted (one potential extension remains).
3. The developer shall comply with all conditions of approval for Tentative Tract Map No. 09-007 and Planned Unit Develop No. 09-002.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING A ONE-YEAR TIME EXTENSION FOR TENTATIVE PARCEL MAP NO. 09-003 AND PLANNED UNIT DEVELOPMENT 09-002 (TIME EXTENSION 18-006); APPLIED FOR BY CITY OF ARROYO GRANDE; LOCATED ON PEARWOOD AVENUE

WHEREAS, the Planning Commission approved Tentative Parcel Map No. 09-003 and Planned Unit Development 09-002 (the "Project") on June 1, 2009; and

WHEREAS, the map has remained active as a result of State Law; and

WHEREAS, the applicant filed Time Extension 18-006 to extend the expiration date of the Project by one (1) year; and

WHEREAS, the Planning Commission of the City of Arroyo Grande has considered the request for Time Extension 18-002 on August 7, 2018; and

WHEREAS, the Planning Commission has reviewed the project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for Implementation of CEQA and has determined that the project is not subject to CEQA per Section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the Planning Commission finds, after due study and deliberation, the following circumstances exist:

1. There have been no significant changes in the General Plan, Municipal Code or character of the area within which the project is located that would cause the approved project to be injurious to the public health, safety or welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Arroyo Grande hereby approves Time Extension 18-006 for the second of three (3) available one-year extensions, with the above findings and subject to the conditions as set forth in Exhibit "A" attached hereto and incorporated herein by this reference. Tentative Parcel Map 09-003 and Planned Unit Development No. 09-002 shall now expire on August 7, 2019.

On motion by Commissioner _____, seconded by Commissioner _____ and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was adopted this 7th day of August, 2018.

**RESOLUTION NO.
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GLENN MARTIN, CHAIR

ATTEST:

**MATTHEW DOWNING
SECRETARY TO THE COMMISSION**

APPROVED AS TO CONTENT:

**TERESA McCLISH
COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT 'A'
CONDITIONS OF APPROVAL
TIME EXTENSION NO. 18-006
TENTATIVE PARCEL MAP NO. 09-003 AND
PLANNED UNIT DEVELOPMENT NO. 09-002
PEARWOOD AVENUE**

This approval authorizes a one (1) year time extension for Tentative Parcel Map No. 09-003 and Planned Unit Development 09-002, which was originally approved by the Planning Commission on June 1, 2009.

GENERAL CONDITIONS:

1. The developer shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. Tentative Parcel Map No. 09-003 and Planned Unit Development No. 09-002 shall expire on March 21, 2018 unless it is recorded prior to this date or an extension of time is granted (one potential extension remains).
3. The developer shall comply with all conditions of approval for Tentative Parcel Map No. 09-003 and Planned Unit Development No. 09-002.

Attachment 1

Tract 3017



