



MEMORANDUM

TO: PLANNING COMMISSION

FROM: BILL ROBESON, ACTING COMMUNITY DEVELOPMENT DIRECTOR

BY: ANDREW PEREZ, ASSISTANT PLANNER

SUBJECT: CONSIDERATION OF TIME EXTENSION 19-009; ONE-YEAR TIME EXTENSION FOR TENTATIVE PARCEL MAP 15-001 AND PLANNED UNIT DEVELOPMENT 15-001 IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND ARROYO GRANDE MUNICIPAL CODE- 1177 ASH STREET; APPLICANT - TOM FRANCK; REPRESENTATIVE - JEFF EMRICK

DATE: FEBRUARY 4, 2020

SUMMARY OF ACTION:

Approval of the Time Extension would allow an additional twelve (12) months for the developer to record the final subdivision map, until November 15, 2020.

IMPACT TO FINANCIAL AND PERSONNEL RESOURCES:

None.

RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution approving Time Extension 19-008.

BACKGROUND:

On November 15, 2016, the Planning Commission adopted Resolution No. 16-2263, approving Tentative Parcel Map No. 15-001 and Planned Unit Development No. 15-001. The approved project consists of the subdivision of 0.22 acres into four (4) residential lots and the construction of four (4) one-bedroom, 1.5 bathroom townhome units including a one-car garage per unit and four (4) guest parking spaces. The original approval was set to expire on November 15, 2018; however, Time Extension 18-007 extended the approval by one year to November 15, 2019. On October 16, 2019 the applicant submitted the subject application, to extend the expiration of the map by one year, to November 15, 2020. By virtue of submitting an application for a time extension, the approval is automatically extended until the Planning Commission takes action on the application.

**PLANNING COMMISSION
CONSIDERATION OF TIME EXTENSION 19-009
FEBRUARY 4, 2020
PAGE 2**

ANALYSIS OF ISSUES:

Municipal Code Subsection 16.12.140.C allows the 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. This application would be the second of the three (3) one-year time extensions available for the project. No such changes have been identified that would cause the proposed project to be injurious to the public health, safety, or welfare. Additionally, the applicant has been working toward recording a final map for the project, and anticipates finalizing the map within the next few months.

If approved, the one-year time extension would extend the expiration date of the project to November 15, 2020, in accordance with the provisions of the Municipal Code and the Subdivision Map Act.

ALTERNATIVES:

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

1. Adopt the attached Resolution approving Time Extension 19-009;
2. Modify and adopt the attached Resolution approving Time Extension 19-009;
3. Do not adopt the attached Resolution, provide specific findings and direct staff to return with a Resolution denying the time extension; or
4. Provide direction to staff.

ADVANTAGES:

Approving the requested time extension will maintain the viability of an approved project, will allow the applicant to continue to work toward recording the final parcel map, and is consistent with the Subdivision Map Act.

DISADVANTAGES:

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

ENVIRONMENTAL REVIEW:

In accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, it has been determined that the granting of a time extension 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 a time extension. The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

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. 15-001 AND PLANNED UNIT DEVELOPMENT 15-001 (TIME EXTENSION 19-009); APPLIED FOR BY TOM FRANCK; LOCATED AT 1177 ASH STREET

WHEREAS, the Planning Commission approved Tentative Parcel Map No. 15-001 and Planned Unit Development 15-001 (the "Project") on November 15, 2016; and

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

WHEREAS, the Planning Commission approved Time Extension 18-007 to extend the expiration date of the Project by one (1) year to November 15, 2019

WHEREAS, the applicant filed Time Extension 19-009 on October 16, 2019, to extend the expiration date of the Project by one (1) more year; and

WHEREAS, the approval is automatically extended until the Planning Commission takes action on the application; and

WHEREAS, the Planning Commission of the City of Arroyo Grande has considered the request for Time Extension 19-009 on February 4, 2020; 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 19-009 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 15-001 and Planned Unit Development No. 15-001 shall now expire on November 15, 2020.

RESOLUTION NO.

PAGE 2

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 4th day of February, 2020.

**RESOLUTION NO.
PAGE 3**

GLENN MARTIN, CHAIR

ATTEST:

**PATRICK HOLUB
SECRETARY TO THE COMMISSION**

APPROVED AS TO CONTENT:

**BILL ROBESON
ACTING COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT 'A'
CONDITIONS OF APPROVAL
TIME EXTENSION NO. 19-009
TENTATIVE PARCEL MAP NO. 15-001 AND
PLANNED UNIT DEVELOPMENT NO. 15-001
1177 ASH STREET**

This approval authorizes a one (1) year time extension for Tentative Parcel Map No. 15-001 and Planned Unit Development 15-001, which was originally approved by the Planning Commission on November 15, 2016.

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. 15-001 and Planned Unit Development No. 15-001 shall expire on November 15, 2020 unless it is recorded prior to this date or another extension of time is granted in accordance with the Subdivision Map Act.
3. The developer shall comply with all conditions of approval for Tentative Parcel Map No. 15-001 and Planned Unit Development No. 15-001.