

MEMORANDUM

TO: CITY COUNCIL

FROM: TERESA MCCLISH, DIRECTOR OF COMMUNITY DEVELOPMENT

BY: MATTHEW DOWNING, PLANNING MANAGER

SUBJECT: CONSIDERATION OF TIME EXTENSION 17-006; ONE YEAR TIME EXTENSION IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND ARROYO GRANDE MUNICIPAL CODE; LOCATION – LA CANADA/BLOSSOM VALLEY ROAD (TRACT 1998); APPLICANT – CASTLEROCK DEVELOPMENT; REPRESENTATIVE – JASON TYRA

DATE: DECEMBER 12, 2017

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 January 27, 2019.

IMPACT TO FINANCIAL AND PERSONNEL RESOURCES:

None.

RECOMMENDATION:

It is recommended that the City Council adopt a Resolution approving Time Extension 17-006.

BACKGROUND:

On January 27, 2009, the City Council adopted Resolution No. 4156, approving Vesting Tentative Tract Map No. 01-001 and Planned Unit Development No. 01-001. The approved project consists of the subdivision of 26.9 acres into fifteen (15) residential lots on approximately 4.9 acres and one (1) 22-acre open space parcel (Attachment 1). The original approval was set to expire on January 27, 2011; however, as a result of State Law during the Great Recession, and the previously approved time extension (Time Extension 16-002), the expiration of the map has been extended until January 27, 2018.

The applicant submitted a request for a one-year time extension on October 31, 2017. 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

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CONSIDERATION OF TIME EXTENSION 17-006
DECEMBER 12, 2017
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by the applicant to extend the map. The map will remain active until March 27, 2018, or until the City Council takes action on the time extension if no action is taken by the new expiration date.

ANALYSIS OF ISSUES:

Municipal Code Subsection 16.12.140.C allows the Council 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 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, including dedicating an area for municipal use (Well 11), submitting and revising Public Improvement Plans, and submitting Homeowners Association Articles of Incorporation, By-Laws, Covenants, Conditions, and Restrictions, Design Manual, and a Common Area Management Program.

If approved, the one-year time extension would extend the expiration date of the project to January 27, 2019, and the applicant 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:

1. Adopt the attached Resolution approving Time Extension 17-006;
2. Modify and adopt the attached Resolution approving Time Extension 17-006;
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 subdivision 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.

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CONSIDERATION OF TIME EXTENSION 17-006
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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.

Attachment:

1. General Lot Layout map for Tract 1998

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A ONE-YEAR TIME EXTENSION FOR VESTING TENTATIVE TRACT MAP NO. 01-001 AND PLANNED UNIT DEVELOPMENT 01-001 (TIME EXTENSION 17-006); APPLIED FOR BY CASTLEROCK DEVELOPMENT CO.; LOCATED AT JAMES WAY AND LA CANADA

WHEREAS, the City Council approved Vesting Tentative Tract Map No. 01-001 and Planned Unit Development 01-001 (the "Project") on January 27, 2009; and

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

WHEREAS, the City Council approved the first of three potential time extensions on February 28, 2017, extending the expiration date to January 27, 2018; and

WHEREAS, the applicant filed Time Extension 17-006 on October 31, 2017, to extend the expiration date of the Project by one (1) year; and

WHEREAS, the City Council of the City of Arroyo Grande has considered the request for Time Extension 17-006 on December 12, 2017; and

WHEREAS, the City Council 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 City Council 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 City Council of the City of Arroyo Grande hereby approves Time Extension 17-006 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. Vesting Tentative Tract Map 01-001 and Planned Unit Development No. 01-001 shall now expire on January 27, 2019.

RESOLUTION NO.

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

AYES:

NOES:

ABSENT:

The foregoing Resolution was adopted this 12th day of December, 2017.

**RESOLUTION NO.
PAGE 3**

JIM HILL, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

HEATHER K. WHITHAM, CITY ATTORNEY

**EXHIBIT 'A'
CONDITIONS OF APPROVAL
TIME EXTENSION NO. 17-006
VESTING TENTATIVE TRACT MAP NO. 01-001 AND
PLANNED UNIT DEVELOPMENT NO. 01-001
JAMES WAY AND LA CANADA (TRACT 1998)**

This approval authorizes a one (1) year time extension for Vesting Tentative Tract Map No. 01-001 and Planned Unit Development 01-001, which was originally approved by the City Council on January 27, 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. Vesting Tentative Tract Map No. 01-001 and Planned Unit Develop No. 01-001 shall expire on January 27, 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 Vesting Tentative Tract Map No. 01-001 and Planned Unit Develop No. 01-001.

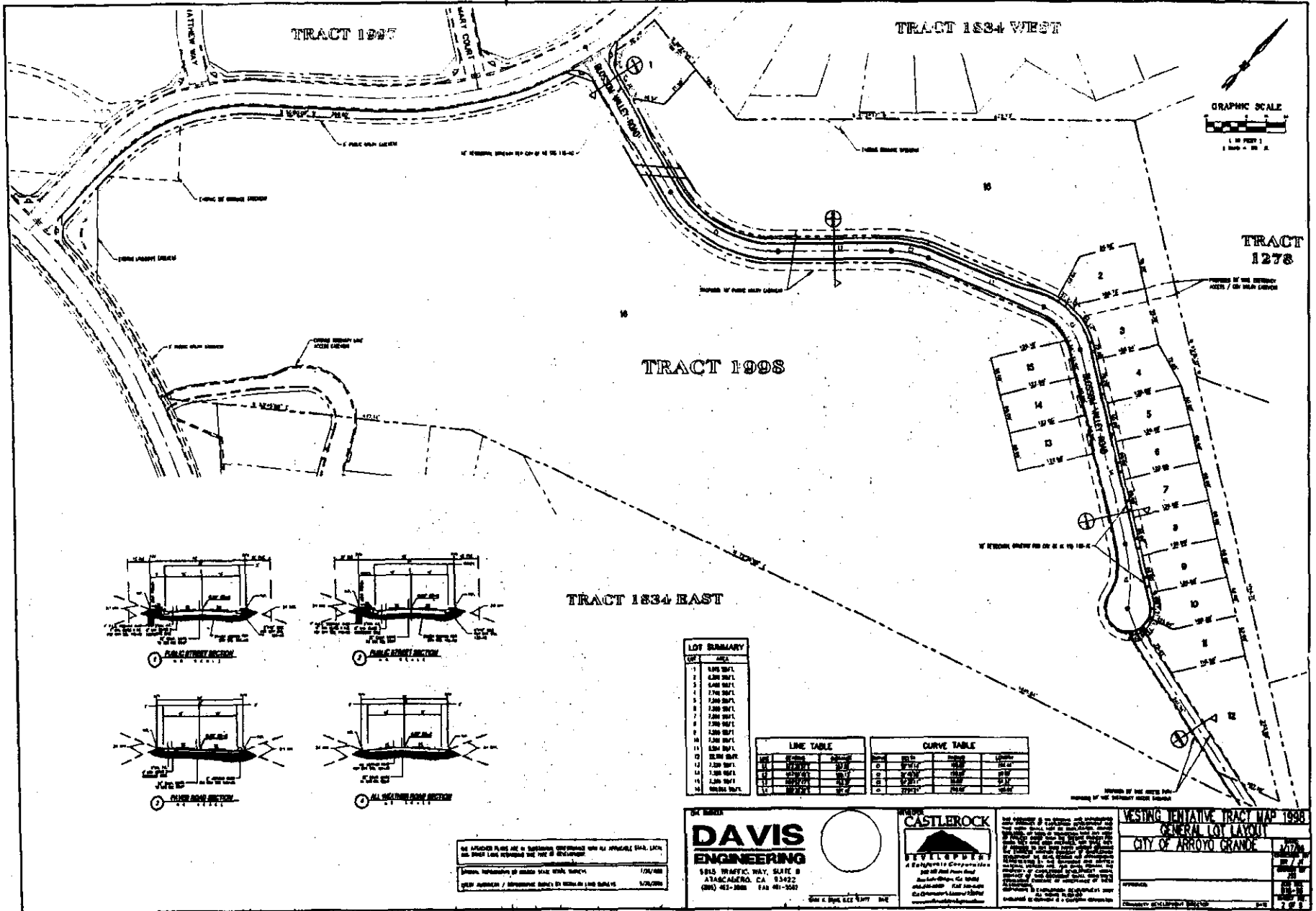


EXHIBIT C-2

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A ONE-YEAR TIME EXTENSION FOR VESTING TENTATIVE TRACT MAP NO. 01-001 AND PLANNED UNIT DEVELOPMENT 01-001 (TIME EXTENSION 17-006); APPLIED FOR BY CASTLEROCK DEVELOPMENT CO.; LOCATED AT JAMES WAY AND LA CANADA

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WHEREAS, the City Council of the City of Arroyo Grande has considered the request for Time Extension 17-006 on December 12, 2017; and

WHEREAS, the City Council 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 City Council 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 City Council of the City of Arroyo Grande hereby approves Time Extension 17-006 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. Vesting Tentative Tract Map 01-001 and Planned Unit Development No. 01-001 shall now expire on January 27, 2019.

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AYES:

NOES:

ABSENT:

The foregoing Resolution was adopted this 12th day of December, 2017.

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PAGE 3**

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ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

HEATHER K. WHITHAM, CITY ATTORNEY

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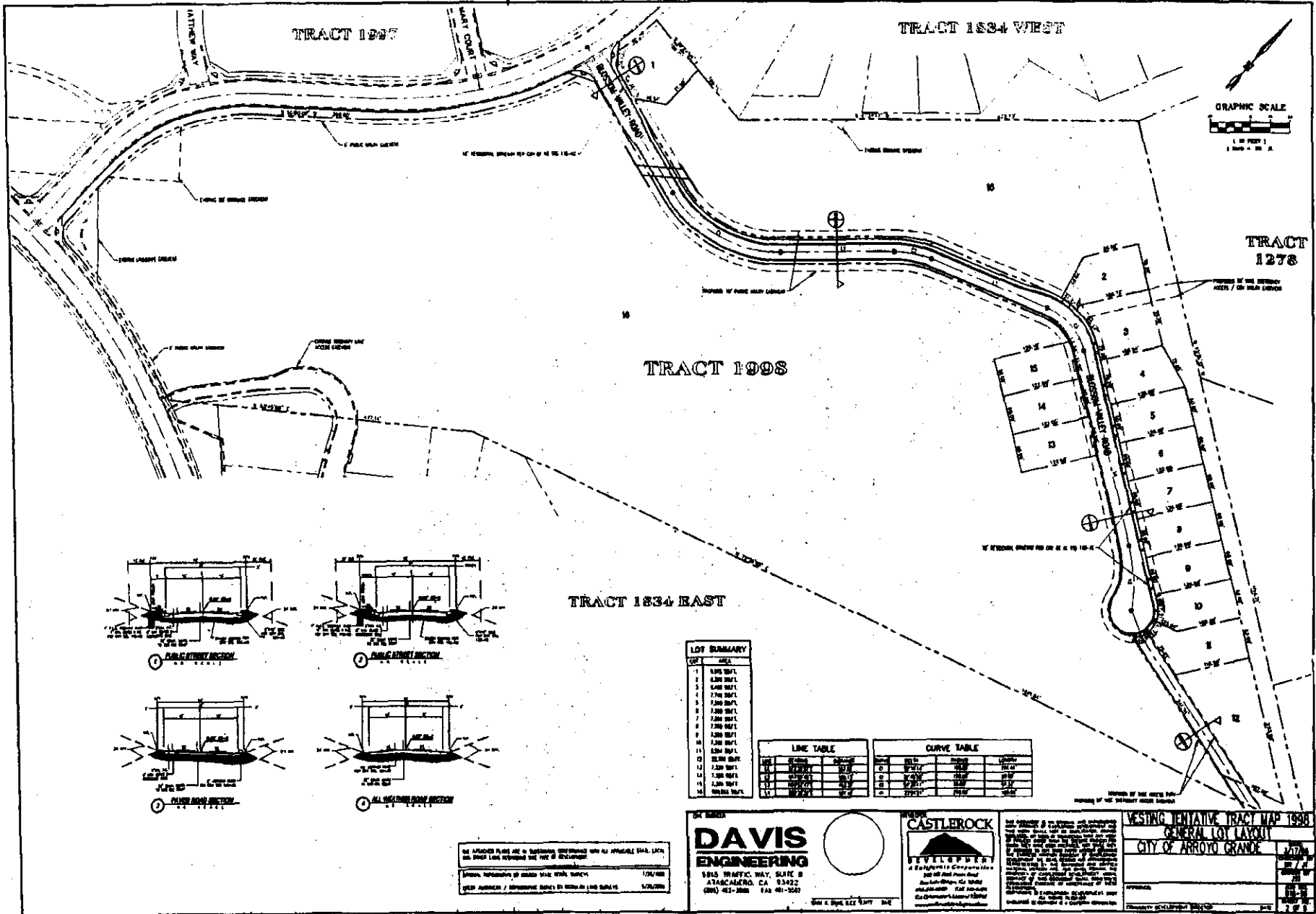


EXHIBIT C-2

LOT SUMMARY

LOT	AREA
1	8,875 SQ. FT.
2	8,875 SQ. FT.
3	8,875 SQ. FT.
4	7,744 SQ. FT.
5	7,744 SQ. FT.
6	7,744 SQ. FT.
7	7,744 SQ. FT.
8	7,744 SQ. FT.
9	7,744 SQ. FT.
10	7,744 SQ. FT.
11	8,875 SQ. FT.
12	8,875 SQ. FT.
13	7,744 SQ. FT.
14	7,744 SQ. FT.
15	7,744 SQ. FT.
16	8,875 SQ. FT.

LINE TABLE

LINE NO.	FROM	TO	LENGTH
1	1	2	111.78
2	2	3	111.78
3	3	4	111.78
4	4	5	111.78
5	5	6	111.78
6	6	7	111.78
7	7	8	111.78
8	8	9	111.78
9	9	10	111.78
10	10	11	111.78
11	11	12	111.78
12	12	13	111.78
13	13	14	111.78
14	14	15	111.78
15	15	16	111.78

CURVE TABLE

CURVE NO.	PC	PT	PI	LC	EA	EB	EC	EA	EB	EC
1	111.78	223.56	335.34	111.78	111.78	111.78	111.78	111.78	111.78	111.78
2	223.56	335.34	447.12	111.78	111.78	111.78	111.78	111.78	111.78	111.78
3	335.34	447.12	558.90	111.78	111.78	111.78	111.78	111.78	111.78	111.78
4	447.12	558.90	670.68	111.78	111.78	111.78	111.78	111.78	111.78	111.78
5	558.90	670.68	782.46	111.78	111.78	111.78	111.78	111.78	111.78	111.78
6	670.68	782.46	894.24	111.78	111.78	111.78	111.78	111.78	111.78	111.78
7	782.46	894.24	1006.02	111.78	111.78	111.78	111.78	111.78	111.78	111.78
8	894.24	1006.02	1117.80	111.78	111.78	111.78	111.78	111.78	111.78	111.78
9	1006.02	1117.80	1229.58	111.78	111.78	111.78	111.78	111.78	111.78	111.78
10	1117.80	1229.58	1341.36	111.78	111.78	111.78	111.78	111.78	111.78	111.78
11	1229.58	1341.36	1453.14	111.78	111.78	111.78	111.78	111.78	111.78	111.78
12	1341.36	1453.14	1564.92	111.78	111.78	111.78	111.78	111.78	111.78	111.78
13	1453.14	1564.92	1676.70	111.78	111.78	111.78	111.78	111.78	111.78	111.78
14	1564.92	1676.70	1788.48	111.78	111.78	111.78	111.78	111.78	111.78	111.78
15	1676.70	1788.48	1900.26	111.78	111.78	111.78	111.78	111.78	111.78	111.78

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DAVIS ENGINEERING
 5815 SWARTZ WAY, SUITE B
 ATASCADERO, CA 93422
 (805) 463-3888 FAX (805) 463-3889

CASTLEROCK
 A Subsidiary of
 200 10th Street, Suite 100
 San Diego, CA 92161
 (619) 594-4400 FAX (619) 594-4401
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WESTING TENTATIVE TRACT MAP 1998
 GENERAL LOT LAYOUT
 CITY OF ARROYO GRANDE

DATE: 7/24/08
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

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