



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Promoting the wise use of land

SUBDIVISION REVIEW BOARD

MEETING DATE December 7, 2015	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Avila Beach Villas LLC	FILE NO. CO 08-0155 SUB2008-00040
SUBJECT A request for a first time extension by AVILA BEACH VILLAS LLC . for a Vesting Tentative Parcel Map/Coastal Development Permit, and Development Plan to subdivide and develop an existing 8,434 square foot parcel into four air space condominium units for the purpose of sale. Also included is a right of way abandonment which will increase the usable site area to 9,679 square feet. The units range in size from approximately 1,269 square feet to 1,585 square feet each. The project includes the demolition of the existing single family residence on site, construction of an approximately 5,265 square foot subterranean parking garage with storage areas for each residential unit, and inclusion of internal courtyards and open areas for condominium residents to utilize. The project is designed to be constructed in three floors with parking on the bottom level and have a maximum height of 25' as measured from average natural grade. The project will result in the disturbance of the entire 8,434 square foot property (9,679 square feet including right of way abandonment). The proposed project is within the Residential Multi Family land use category and is located at 250 San Luis Street within the community of Avila Beach. The site is in the San Luis Bay Coastal planning area.			
RECOMMENDED ACTION Approve the first time extension request for Vesting Tentative Parcel Map CO 08-0155, Coastal Development Permit and Development Plan.			
ENVIRONMENTAL DETERMINATION A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on October 1, 2009 for this project. The Negative Declaration was approved by the Subdivision Review Board on November 2, 2009.			
LAND USE CATEGORY Residential Multi-Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Local Coastal Program, Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 076-201-056 & -021	SUPERVISOR DISTRICT(S): 3
PLANNING AREA STANDARDS: View Protection, Storm Drainage and the Avila Beach Specific Plan			
LAND USE ORDINANCE STANDARDS: Section 23.04.028 Minimum Parcel Size for Residential Multi-Family, Section 23.04.104 Setbacks, Parking, Design Standards – Title 21			
EXISTING USES: Residential single family			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Multi Family/residential East: Residential Multi Family/residential South: Residential Multi Family/residential West: Residential Multi Family/vacant			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative vesting parcel map, coastal development permit and development plan was originally referred to Avila Community Advisory Council, Public Works, Environmental Health, County Parks, Cal Fire, Avila Community Services District, APCD, and the California Coastal Commission			
TOPOGRAPHY: Site is slightly to moderately sloping to the north (approx. 11% grade average across site).		VEGETATION: Ornamental Vegetation	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cal Fire		ACCEPTANCE DATE: N/A	

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

PROJECT HISTORY:

This time extension request has been reviewed by staff. It complies with Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances. The Subdivision Map Act as amended by Senate Bill 1185, Assembly Bill 333, Assembly Bill 208 and Assembly Bill 116 currently allows time extensions to be granted to a maximum of thirteen (13) years past the initial approval period of two years for tentative parcel maps, if the tentative map qualifies for each of the state mandated extensions. This tentative vesting parcel map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for subdivision projects are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The following time extension is recommended for approval:

VESTING TENTATIVE PARCEL MAP CO 08-0155 (SUB2008-00040), COASTAL DEVELOPMENT PERMIT AND DEVELOPMENT PLAN

First time extension by Avila Beach Villas LLC for a vesting tentative parcel map, coastal development permit, and development plan to subdivide and develop an existing 8,434 square foot parcel into four air space condominium units for the purpose of sale. Also included is a right of way abandonment which will increase the usable site area to 9,679 square feet. The units range in size from approximately 1,269 square feet to 1,585 square feet each. The project includes the demolition of the existing single family residence on site, construction of an approximately 5,265 square foot subterranean parking garage with storage areas for each residential unit, and inclusion of internal courtyards and open areas for condominium residents to utilize. The project is designed to be constructed in three floors with parking on the bottom level and have a maximum height of 25' as measured from average natural grade. The project will result in the disturbance of the entire 8,434 square foot property (9,679 square feet including right of way abandonment). The proposed project is within the Residential Multi Family land use category and is located at 250 San Luis Street within the community of Avila Beach. The site is in the San Luis Bay Coastal planning area.

The tentative map is set to expire on November 2, 2015. On August 21, 2015, the applicant's agent, MBS Land Surveys, requested the **first one year time extension and paid the extension application fee**. After review of the tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to November 2, 2016, subject to the conditions of approval set by the Subdivision Review Board on November 2, 2009.

Vesting Tentative Parcel Map CO 08-0155, coastal development permit and development plan were approved by the Subdivision Review Board on November 2, 2009. A conditionally approved tentative parcel map shall expire twenty-four (24) months after its conditional approval. The original expiration date was November 2, 2011. The applicant can request up to

six (6) one year time extensions. This request is the applicant's **first one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows. This vesting tentative parcel map qualifies for the amendments in 2011 and 2013.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0155 was extended to November 2, 2013.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 15, 2013 and will expire between July 15, 2013 and January 1, 2016 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0155 was extended to November 2, 2015.

Attachment 2, Notice of Final County Action, November 2, 2009, specifies that SUB2008-00040 is Tract 2998 in the cover letter. This is an error. SUB2008-00040 is CO 08-0155 and the findings and conditions correctly specify CO 08-0155.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, November 2, 2009

Report prepared by Jo Manson
and reviewed by Terry Wahler, Senior Planner