



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

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 26, 2016	CONTACT/PHONE Jo Manson 781-4660/jmanson@co.slo.ca.us	APPLICANT Peoples' Self-Help Housing Corporation	FILE NO. S030011U
SUBJECT A request for a second time extension by Peoples' Self-Help Housing Corporation for Vesting Tentative Tract Map 2527 and Conditional Use Permit to subdivide three existing parcels totaling 50.55 acres into: 58 residential parcels ranging in size from 5,360 square feet to 12,500 square feet, one residential parcel of 4.75 acres, one 11.16 acre open space parcel with a 6,000 square foot building envelope, for the purpose of sale and/or development, one non-buildable open space parcel of 20.22 acres and a 2.43 acre remainder lot. The project includes on-site and off-site road improvements and also includes rectifying illegal grading that occurred in 2003. The project will result in the disturbance of approximately 13 acres of the 50.55 acre parcel and 30,000 cubic yards of cut and fill. The proposed project is within the Residential Single Family land use category and is located approximately 480 feet south of 11 th St., east of and adjacent to the Union Pacific Railroad tracks, in the community of San Miguel. The site is in the Salinas River Sub-area of the North County Planning Area.			
RECOMMENDED ACTION Approve the second time extension request for Vesting Tentative Tract Map 2527 and Conditional Use Permit.			
ENVIRONMENTAL DETERMINATION A Final Environmental Impact Report (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was certified by the Board of Supervisors on April 4, 2006.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Flood Hazard	ASSESSOR PARCEL NUMBER 021-361-003, 021-351-005, 021-351-007	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: South of 11 th St. – Density & Cluster requirements, Open space preservation, Salinas River resource protection, compliance with the San Miguel Design Plan.			
LAND USE ORDINANCE STANDARDS: Archeology Resources, Exterior Lighting, Fencing and Screening, Height, Noise, Setbacks, Underground Utilities, Parking, Residential Accessory Uses, Grading and Drainage, and Street and Frontage Improvements.			
EXISTING USES: Single family residence; undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban; Residential Single Family/ Vacant; scattered residences; East: Agriculture/Salinas River; South: Agriculture/ Crops; West: Recreation/ Mission San Miguel, vacant			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was originally referred to San Miguel Community Advisory Group, Public Works, County Environmental Health, County Parks, CDF, San Miguel Community Services District, APCD, Department of Fish and Game, Ag Commissioner, California Public Utilities Commission, California Office of Historic Preservation, Pacific Bell, Pacific Gas and Electric, and Charter Cable.			
TOPOGRAPHY: Nearly level to moderately sloping		VEGETATION: Non-native grasses and riparian vegetation	
PROPOSED SERVICES: Water supply: Community System Sewage Disposal: Community sewage disposal system Fire Protection: San Miguel Fire Department		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			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map 2527 and Conditional Use Permit were approved by the Board of Supervisors on April 4, 2006 and were set to expire on April 4, 2016. On April 1, 2016, the applicant requested the **second one year time extension and paid the extension application fee**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Tract Map 2527 is a request by Peoples' Self-Help Housing Corporation to subdivide three existing parcels totaling 50.55 acres into: 58 residential parcels ranging in size from 5,360 square feet to 12,500 square feet, one residential parcel of 4.75 acres, one 11.16 acre open space parcel with a 6,000 square foot building envelope, for the purpose of sale and/or development, one non-buildable open space parcel of 20.22 acres and a 2.43 acre remainder lot. The project includes on-site and off-site road improvements and also includes rectifying illegal grading that occurred in 2003. The project will result in the disturbance of approximately 13 acres of the 50.55 acre parcel and 30,000 cubic yards of cut and fill.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was April 4, 2008. The Planning Commission approved a first one year time extension request on April 24, 2008 and the new expiration date was April 4, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **second discretionary 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:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. The Vesting Tentative Tract Map 2527 and Conditional Use Permit were extended to April 4, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2527 and Conditional Use Permit were extended to April 4, 2012.

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 Tract Map 2527 and Conditional Use Permit were extended to April 4, 2014.

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 11, 2013 it extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2527 and Conditional Use Permit were extended to April 4, 2016.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Planning Commission that the **second one year time extension** be granted to April 4, 2017 subject to the conditions of approval set by the Board of Supervisors on April 4, 2006 in accordance with Resolution No. 2006-123.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 – Board of Supervisors Resolution No. 2006-123