



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

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

SUBDIVISION REVIEW BOARD

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| MEETING DATE November 7, 2016 | CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us | APPLICANT Dennis Johansen | FILE NO. CO 07-0099 SUB2007-00005 |
| SUBJECT A request for a First Time Extension by DENNIS JOHANSEN for a Vesting Tentative Parcel Map (CO 07-0099) to subdivide an existing 5.12 acre parcel into two parcels of 2.53 acres and 2.59 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 21,350 square feet on a 5.1 acre parcel due to future development of a residence, and approximately 17,850 square feet of road/driveway improvements. The proposed project is within the Residential Suburban land use category and is located at 9301 Santa Margarita Road, approximately 1,270 feet west of El Camino Real, north of the community of Santa Margarita. The site is in the Salinas River Sub-area in the North County Planning Area. | | | |
| RECOMMENDED ACTION Approve the first time extension request for Vesting Tentative Parcel Map CO 07-0099. | | | |
| 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 September 4, 2008 for this project. The Negative Declaration was approved by the Subdivision Review Board on December 1, 2008. | | | |
| LAND USE CATEGORY Residential Suburban | COMBINING DESIGNATION None | ASSESSOR PARCEL NUMBER 059-241-021 | SUPERVISOR DISTRICT(S): 5 |
| PLANNING AREA STANDARDS: Planning Impact Area – Minimum parcel size- Atascadero Colony, shared driveways | | | |
| LAND USE ORDINANCE STANDARDS: Land Divisions in the Residential Suburban land use category | | | |
| EXISTING USES: Single-family residence with accessory buildings | | | |
| SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / residential South: Residential Suburban / residential East: Residential Suburban / residential West: Residential Suburban / residential | | | |
| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Vesting tentative parcel map was originally referred to Santa Margarita Area Council, Public Works, Environmental Health, County Parks, Cal Fire, APCD, Building Division, RWQCB, City of Atascadero, Santa Margarita Fire, Addressing, and CSA 23 | | | |
| TOPOGRAPHY: Nearly level to very steeply sloping | | VEGETATION: Grasses, San Luis Obispo mariposa lilies, oak trees | |
| PROPOSED SERVICES: Water supply: Atascadero Mutual Water Sewage Disposal: Individual septic 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 | | | |

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 07-0099 was approved by the Subdivision Review Board (SRB) on December 1, 2008 and was set to expire on December 1, 2016. The applicant has requested a **first one year time extension and paid the extension application fee on September 19, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body.

Vesting Tentative Parcel Map (CO 07-0099) is a request by Dennis Johansen to subdivide an existing 5.12 acre parcel into two parcels of 2.53 acres and 2.59 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 21,350 square feet on a 5.1 acre parcel due to future development of a residence, and approximately 17,850 square feet of road/driveway improvements.

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 Subdivision Review Board 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 December 1, 2010. 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 **first 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. Vesting Tentative Parcel Map CO 07-0099 does not qualify for this state mandated extension because the tentative approval date was on December 1, 2008.

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 Parcel Map CO 07-0099 was extended to December 1, 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 Parcel Map CO 07-0099 was extended to December 1, 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 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 07-0099 was extended to December 1, 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 Subdivision Review Board that the **first one year time extension** be granted to December 1, 2017 subject to the conditions of approval set by the Subdivision Review Board on December 1, 2008.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, December 1, 2008

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