



**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

MEETING DATE August 3, 2020	CONTACT/PHONE Katie Nall (805)781-5702 kinall@co.slo.ca.us	APPLICANT Carlos Castaneda, Jr.	FILE NO. CO 15-0065 SUB2015-00009 EXT2020-00023
SUBJECT A request for a Third Time Extension by Carlos Castaneda, Jr. for a Vesting Tentative Parcel Map (SUB2015-00009) to subdivide two existing parcels totaling approximately 21 acres into four parcels of approximately 5.20 acres each for the purpose of sale and/or development. The project includes road improvements to Pomeroy Road and Rocky Place fronting the property. The project will result in site disturbance of approximately 10,000 square feet (for road improvements). The proposed project is within the Residential Rural land use category. The project is located at 1650 Rocky Place, at the north east corner of Rocky Place and Pomeroy Road, approximately three miles northwest of the community of Nipomo. The site is in the South County Sub Area of the South County Planning Area. The Parcel Map was approved by the Subdivision Review Board on June 6, 2016.			
RECOMMENDED ACTION Approve the Third Time Extension request for Vesting Tentative Parcel Map CO 15-0065.			
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 April 28, 2016 for this project. The Negative Declaration was approved by the Subdivision Review Board on June 6, 2016.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-073-021 & -022	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: Section 22.98.070(B) – Edge of the Nipomo Mesa, Section 22.98.070(F) - Nipomo Mesa Water Conservation Area, Section 22.98.072(H) – Residential Rural Standards for the South County Section 22.98.072(H)(9) – Residential Rural Standards for the Summit Station area			
LAND USE ORDINANCE STANDARDS: 22.22.060 – Subdivision Design Standards for the Residential Rural land use category			
EXISTING USES: Single family residences, accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Single family residences <i>West:</i> Residential Rural/Single family residences <i>East:</i> Residential Rural/Single family residences <i>South:</i> Residential Rural/Single family residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative parcel map was originally referred to: South County Advisory Council, Public Works, Environmental Health, County Parks, County Fire / Cal Fire, Nipomo Community Services District, APCD, Lucia Mar School District, Bicycle Advisory Committee			
TOPOGRAPHY: Nearly level to gently sloping		VEGETATION: Grasses, shrubs, oaks, eucalyptus	
PROPOSED SERVICES: Water Supply: Community system Sewage Disposal: Individual septic system Fire Protection: County Fire / 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

The applicant, Carlos Castaneda, Jr., is requesting a third one-year time extension for Vesting Tentative Parcel Map CO 15-0065 approved by the Subdivision Review Board on June 6, 2016. On June 2, 2020, the applicant requested the **third 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.

Vesting Tentative Parcel Map (CO 15-0065) is a request to subdivide two existing parcels totaling approximately 21 acres into four parcels of approximately 5.20 acres each for the purpose of sale and/or development. The project includes road improvements to Pomeroy Road and Rocky Place fronting the property. The project will result in site disturbance of approximately 10,000 square feet (for road 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 tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was June 6, 2018. 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 **third 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. Because the project was approved on June 6, 2016 after the effective dates of these state-mandated extensions, none of the following apply:

Senate Bill 1185 (California Government Code Section 66452.21)

Assembly Bill 333 (California Government Code Section 66452.22)

Assembly Bill 208 (California Government Code Section 66452.23)

Assembly Bill 116 (California Government Code Section 66452.24(a))

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 tentative map, staff recommends to the Subdivision Review Board that the **third one-year time extension** be granted to June 6, 2021 subject to the conditions of approval set by the Subdivision Review Board on June 6, 2016.

ATTACHMENTS

Attachment 1 - Project Graphics
Attachment 2 – Notice of Final County Action, June 6, 2016

Report prepared by Katie Nall and reviewed by Terry Wahler.