



STAFF REPORT

DATE: July 10, 2018

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Kenneth W. Strelo, Principal Planner

SUBJECT: **Farr MS 15-976 Tentative Map Extension (TME 02-18) – Request for a Five Year Extension to the Tentative Parcel Map for Minor Subdivision 15-976**

Summary

This is an application by Owen Poole of Real Estate Services (“Applicant”) for approval of a Tentative Map Extension. The applicant is requesting to extend the approval of the Tentative Parcel Map for Minor Subdivision 15-976, known commonly as “Farr Minor Subdivision,” for a period of five (5) additional years (“Project”). The approved Tentative Parcel Map consists of an approximately 2.1 acre parcel subdivided into two parcels of approximately 1.08 acres (“Parcel A”) and 0.99 acres (“Parcel B”). The project site is located at 2601 East Cypress Road and zoned SP-1 (East Cypress Corridor Specific Plan) District. APN 032-070-006.

Staff recommends the City Council adopt the resolution approving Farr MS 15-976 Tentative Map Extension (TME 02-18), as conditioned.

Fiscal Impact

None. Developer funded project.

Background and Project Description

General Plan and Zoning

- **General Plan: SP (Specific Plan)** – The project site is designated as “SP” (Specific Plan) in the Oakley General Plan. The “SP” designation was approved through adoption of City Council Resolution 49-07, at which time other specific land use modifications were made to the ECCSP area, including adding additional Commercial, Community Park, and Light Industrial acreage to the Specific Plan area.
- **Zoning: SP-1 (ECCSP)** – The zoning classification for the project site is “SP-1” (ECCSP) District. The SP-1 District and ECCSP were approved with adoption of City Council Ordinance 10-09. The SP-1 District is further

classified into land uses within the Specific Plan. The project site is located within “Planning Area – 6 (PA 6)” of the ECCSP. The parcels fall within the “Agriculture Limited” land use, as depicted by the ECCSP Exhibit 6 – Land Use Plan.

Previous Entitlements

Farr Tentative Parcel Map MS 15-976 (TPM 02-15) was originally approved by the Oakley City Council on July 14, 2015 through adoption of Resolution 97-15. The Tentative Parcel Map was conditioned to expire three (3) years after approval, or on July 14, 2018.

Environmental Review

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 – Minor Land Divisions) of the State CEQA Guidelines.

Analysis

The Subdivision Map Act (Government Code 66452.6 (e)) allows the governing body with authority to approve a tentative map to extend that approval for a period not to exceed six (6) additional years from the original expiration date. That original expiration date would include any automatic extensions, none of which apply to this project, and the extension does not have to occur in one approval. In other words, the City Council may grant multiple approvals on the same map, so long as requests for extensions are submitted prior to expiration of the map, pursuant to the Subdivision Map Act. If this extension were approved for five (5) additional years, under current legislation, one (1) additional year of discretionary extensions would remain.

Staff is recommending approval of the five (5) year extension in order to allow the map to stay active until a time development of the East Cypress Corridor Specific Plan begins. The parcel directly west of this subdivision will be used for main access to development to the south, and related improvements will result in access to the two parcels created by this map. Alternatively, if the Parcel Map were to be recorded before future development, access to both parcels would be through a private easement that runs along the eastern edge of the property to the west. The easement would need to be quitclaimed at the time the property to the west is improved per the Specific Plan, at which point access will be taken directly from the adjacent roadway. The applicant would prefer to time future development in the area with recording of the Parcel Map.

Conditions of Approval

Pursuant to the Subdivision Map Act, the City Council may approve or conditionally approve extensions to a tentative map. The proposed resolution includes references

to conditions of approval in Resolution No. 97-15 (original TPM approval), as applicable. If approved for a five (5) year extension, the Tentative Parcel Map would expire on July 14, 2023.

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the resolution approving Farr MS 15-976 Tentative Map Extension (TME 02-18), as conditioned.

Attachments

1. Vicinity Map
2. Public Hearing Notice
3. Approved Plans for Farr Tentative Parcel Map MS 15-976 (TPM 02-15)
4. Draft Resolution