



## **CITY OF SALINAS COUNCIL STAFF REPORT**

---

**DATE:** OCTOBER 10, 2017

**DEPARTMENT:** COMMUNITY DEVELOPMENT DEPARTMENT

**FROM:** MEGAN HUNTER, COMMUNITY DEVELOPMENT DIRECTOR

**THROUGH:** COURTNEY GROSSMAN, PLANNING MANAGER

**BY:** THOMAS WILES, SENIOR PLANNER

**TITLE:** MISCELLANEOUS 2017-013; A REQUEST FOR A TIME  
EXTENSION TO VESTING TENTATIVE MAP 2003-002 LOCATED  
IN THE MONTE BELLA PRECISE PLAN AREA

**RECOMMENDED MOTION:**

A motion to approve the attached Resolution approving a 3-year time extension of Vesting Tentative Map 2003-002.

**RECOMMENDATION:**

Staff recommends that the City Council approve a Resolution approving a 3-year time extension of Vesting Tentative Map 2003-002 (VTM 2003-002).

**BACKGROUND:**

Richland Planned Communities, on behalf of Struck Farms LLC and Canadian Pacific Land LLC, the property owners, is requesting approval of a 3-year time extension to VTM 2003-002. The Vesting Tentative Map authorized the Monte Bella subdivision consisting of 853 single-family residential units, a park, and an elementary school site as specified in the Monte Bella Precise Plan (see attached request dated June 28, 2017). The map was approved on October 14, 2003 and will expire on October 14, 2017, if not extended. Per Municipal Code Section 31-313.1, upon an application by the subdivider to extend a map, the map is automatically extended for 60-days or until the application for the extension is approved or denied, whichever occurs first.

The Monte Bella Precise Plan Area is located in the southeast portion of Salinas and bounded by Williams Road on the north, Freedom Parkway on the east, Sconberg Parkway on the south, and by Bardin Elementary School and residences on the west. The Precise Plan Area is zoned Residential Low Density (R-L-5.5), Residential Medium Density (R-M-3.6), Public/Semipublic (PS), and Park (P).

On October 1, 2003, the Planning Commission recommended approval of VTM 2003-002. Subsequently, the City Council approved VTM 2003-002 on October 14, 2003 per attached Resolution No. 18392. The map was approved as a six (6)-phase project and created 853 single-family residential lots, an approximately 21-acre parcel for a community park site, an approximately 9-acre parcel for an elementary school site, a 2-acre parcel for the future expansion for an existing elementary school, and several parcels for future well sites and project related infrastructure. Phases 1 through 4 have been recorded and constructed. Phase 5A for 85 residential lots has recently been recorded and construction is underway. Phases 5B and 6 of VTM 2003-002 will remain.

### **Timeline of VTM 2003-002**

<b>Date</b>	<b>Event</b>	<b>Map Expiration</b>
10/14/2003	Vesting Tentative Map Approved with 24-month lifespan per Municipal Code 31-503	10/14/2005
7/15/2004	Phase 1 and Phase 2B Final Map approved, extends map by 36 months with off-site expenditures over \$125,000 (adjusted for inflation per Municipal Code 31-314(a) and Gov't Code Sec. 66452.6)	10/14/2008
5/12/2005	Phase 2 Final Map approved, extends map by 36 months with off-site expenditures over \$125,000 (adjusted for inflation per Municipal Code 31-314(a) and Gov't Code Sec. 66452.6)	10/14/2011
3/14/2006	Phase 4 Final Map approved, extends map by 36 months with off-site expenditures over \$125,000 (adjusted for inflation per Municipal Code 31-314(a) and Gov't Code Sec. 66452.6); but extensions cannot exceed 10 years beyond the original approval	10/14/2013
7/15/2011	Enactment of Gov't Code Sec. 66452.23 extends map by 24 months	10/14/2015
7/15/2013	Enactment of Gov't Code Sec. 66452.24 extends map by 24 months	10/14/2017

## DISCUSSION:

Salinas Municipal Code Section 31-503 permits the extension of vesting tentative maps pursuant to Municipal Code Sections 31-313 (Discretionary Extensions) and 31-314 (Statutory Extensions). Under Section 31-313, an applicant can request up to a 36-month extension of a tentative map for no more than the later of: (1) six years after the tentative map was initially approved; or (2) six years after the tentative map's expiration date as extended in accordance with Municipal Code Section 31-314(a).

Section 31-314(a) permits extensions based on off-site expenditures in accordance with Government Code Section 66452.6. Assuming that the vesting tentative map was extended to 10/14/2013 by meeting the off-site expenditure threshold, the City can approve a discretionary extension until 10/14/2019, or six years after the tentative map's expiration date as extended in accordance with Municipal Code Section 31-314(a).

Staff notes that the developer chose not to apply for a discretionary extension previously, so the language of Government Code Section 66452.6(e) only requires the City to consider discretionary extensions until 2019, six years after the map's expiration date pursuant to 66452.6(a). However, it is reasonable that the four years of additional map life granted by the legislative extensions could also be factored in. The City could find that the legislative extensions preempt Municipal Code Section 31-313 (which is otherwise consistent with the Subdivision Map Act and permits extensions for up to six years after the Section 66452.6(a) expiration) and consider the developer's request for a longer discretionary extension period. Then future projects would be eligible for six year discretionary extensions after the later of their expiration date under Section 66452.6(a) or any applicable legislative extension.

## CEQA CONSIDERATION:

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). The proposed Time Extension to Vesting Tentative Map 2003-002 (VTM 2003-002) is categorically exempt from further environmental analysis per CEQA Guidelines Section 15061(b)(3), because an Environmental Impact Report was certified in conjunction with the previously approved Vesting Tentative Map, and the act of granting a time extension would not result in any environmental impacts or physical effects on the environment

## Planning Commission Review:

On September 20, 2017, after public review and comment, the Planning Commission by a 5-0 vote recommended that the City Council find the proposed time extension to Vesting Tentative Map 2003-002 (VTM 2003-002) exempt from the California Environmental Quality Act (CEQA) and approve a three (3) year time extension to VTM 2003-002 (see attached Planning Commission Resolution 2017-06 and draft Planning Commission minutes).

### TIME CONSIDERATIONS:

The proposed project is a request for a time extension to a Vesting Tentative Map pursuant to Government Code 66452.6(e) and Municipal Code Section 31-313.1. Per Municipal Code Section 31-313.2(a), the City Planner shall review the request and within 30-days of determining the application to be complete, submit it to the Planning Commission for recommendation for approval or denial. Per Municipal Code Section 31-313.2(b), the City Council shall consider the application for extension at a public hearing within 45-days of the Planning Commission recommendation.

### ALTERNATIVES/IMPLICATIONS:

The City Council has the following alternatives:

1. Approve the Resolution for the requested 3-year time extension to Vesting Tentative Map 2003-002 (VTM 2003-002) with modifications (e.g. modify length of time); or
2. Find that the proposal is not appropriate and establish findings at the public hearing denying the time extension to Vesting Tentative Map 2003-002 (VTM 2003-002).

### STRATEGIC PLAN INITIATIVE:

By providing additional residential units, including inclusionary units, this item addresses the job/housing balance, which supports the Council's goal of providing well-planned City and excellent infrastructure.

### FISCAL AND SUSTAINABILITY IMPACT:

No significant impacts to the City's General Fund are anticipated with this proposed time extension to Vesting Tentative Map 2003-002.

### ATTACHMENTS:

Draft City Council Resolution  
Planning Commission Resolution 2017-06  
Planning Commission Staff Report dated September 20, 2017 without Exhibits  
Time Extension request from Richland Planned Communities dated June 28, 2017  
Map of Monte Bella Precise Plan Area  
Resolution No. 18392

\\SalSvr44\DeptPvt\ComDev\ThomasWi\Documents\M 2017-013 - Monte Bella Phase 5A\M 2017-013 CC Staff Report.docx