

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY:

Application Number: 24PLN-04
Subject: Time Extension Request: Berriman Ranch Phase II Duet Project Tentative Subdivision Map, for the subdivision of a ±7.66-acre parcel into 12 zero lot-line lots ranging in size from ±3,984 square feet (Lot 11) to ±8,405 square feet (Lot 12).
Owner: Asset Builders, Etal
Applicant: Martin Wood, SCO Planning & Engineering
Zoning/General Plan: Central Business (C-2) Zone/Commercial
Entitlements: Tentative Subdivision Map

RECOMMENDATION:

1. That the Planning Commission approve the Extension of Time for the Berriman Ranch Phase II Tentative Map as may be modified by the Planning Commission, which includes the following actions:
 - a. Find the Project exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15162; and
 - b. Adopt Findings of Fact for approval of the an Extension of Time for the Tentative Map as presented in the Staff Report; and,
 - c. Approve the Extension of Time for the Berriman Ranch Phase II Duet Project Tentative Subdivision Map in accordance with the Conditions of Approval and the Mitigation Monitoring Table adopted for the project, attached to the Staff Report.

BACKGROUND:

Following Planning Commission Recommendation on October 14, 2010, the City Council approved the Berriman Ranch project on December 14, 2010. The project included annexation and rezoning of 121 acres, and a planned development for a subdivision map to create 30 single-family lots on approximately 10 acres (Berriman Ranch Phase I). The project approval included a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program for the project and also considered potential future development at a program level.

In 2014, the City Council certified an Environmental Impact Report (EIR), and approved the Southern Sphere of Influence Planning and Annexation Project, followed by a Subsequent Environmental Impact Report (SEIR) in 2021 to change the sphere boundary. The SEIR

broadly covered the Berriman Ranch residential area, which was included in the annexation of the Southern Sphere.

At its meeting of May 18, 2021, the Planning Commission approved the Berriman Ranch Phase II subdivision map, along with entitlements for Development Review and Planned Development permits for the division of a ±7.66-acre parcel into 12 zero lot-line lots, subject to the attached conditions of approval (20PLN-34). The commission also certified an addendum to the Initial Study/Tiered Mitigated Negative Declaration, which had tiered off of the adopted Southern Sphere EIR.

PROJECT DESCRIPTION:

The applicant filed an application for a three-year extension of his project prior to the expiration of the tentative map slated for May 18, 2024. This extension request is consistent with the municipal code map extension provisions outlined in section 17.81.140. That section allows up to two thirty-six-month extensions after making the findings outlined below. However, the Development Review and Planned Development permit extension provisions are governed under a separate section of the development code, 17.74.060 (T.2) and only allow two one-year extensions, the first of which may be granted by staff. Staff is prepared to extend those entitlements by one year. All conditions of approval and mitigation measures previously adopted under 20PLN-34 remain applicable.

The two different time extension provisions will result in disparate timelines for components of the same project, which is unfortunate. Staff will likely make a future recommendation that entitlements that are associated with a tentative map follow the tentative map timelines when we prepare the next development code update.

ENVIRONMENTAL DETERMINATION:

The proposed Project consists of an extension of time for a previously-approved tentative subdivision map (20PLN-34), therefore, the proposal is a project under CEQA. Staff has reviewed the Project and determined that the Project requires no further environmental review pursuant to State CEQA Guidelines Section 15162 (a) (3) (Subsequent EIRs and Negative Declarations), which states that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, there is no new information of substantial importance and no new significant effects that were not discussed in the adopted Mitigated Negative Declaration (MND). All previously adopted mitigation measures apply.

FINDINGS:

In accordance with Sections 17.81.140 (B) - The review authority may grant two thirty-six-month extensions to the initial time limit, only after finding that:

1. There have been no changes to the provisions of the general plan, any applicable specific plan or this development code applicable to the project since the approval of the tentative map; and

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the general plan or other standards of this development code apply to the project; and
3. There have been no changes to the capacities of community resources, including, but not limited to, water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.

ATTACHMENTS:

1. Map Extension Application
2. 20PLN-34 Approval Letter
3. Berriman Ranch Phase II approved map
4. Conditions of Approval
5. Mitigation Monitoring Table