



City Council Staff Report

Subject: Urgency Ordinance - One Year Time Extension for Certain Land Use Entitlements

Date: May 26, 2020

Submitted By: David Mohlenbrok, Community Development Director
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Department: Economic and Community Development

Staff Recommendation:

Adopt an Urgency Ordinance of the City Council of the City of Rocklin Approving a One Year Time Extension for Certain Land Use Entitlements in the City of Rocklin).

BACKGROUND:

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the COVID-19 pandemic. On March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all residents of California to stay at home ("Directive"), unless they were in the category of essential services.

Staff is recommending that the City Council find and declare that the current COVID-19 State of Emergency, Proclamation, and Directive are delaying the start and completion of construction of land development projects and the land use entitlement approvals for many of these projects are at an immediate risk of expiring due to the current pandemic and / or having their implantation fatally delayed as a result of the crisis. Because the processing, approval, and issuance of land use entitlements represent a substantial investment of money, time, and effort toward the successful completion of these projects, expiration of these entitlements represents a significant loss for landowner, developers, the local economy, and the City. Staff is therefore recommending that the City Council help protect against this potential loss and preserve development opportunities by granting additional time to the term of these entitlements.

If approved, the Ordinance would automatically extend the life of all currently approved and valid design review, conditional use permit, specific plan use permit, and variance entitlements that have not expired as the effective date of this ordinance for one additional year from the original date of their expiration. Approximately sixteen projects have entitlements that will expire in the next twelve months, but many more currently entitled projects are expected to require additional time to address and adapt to the disruptions and uncertainty caused by the COVID-19 outbreak and Stay At Home Order.

Subdivision and parcel map entitlements are governed by California's Subdivision Map Act provisions, which allow for substantial extensions for the life of a subdivision entitlement within certain parameters and limitations the results of which mean that any extensions must be addressed on a project specific basis or more globally by the State. Development Agreements are subject to the unique terms incorporated into each agreements specific language and therefore must also be addressed on a case by case basis. Building permits are governed by Title 15 of the Rocklin municipal Code and the California Buildings Standard Code, with gives the City's Chief Building Official broad discretion regarding building permit extensions and therefore further action by the City Council is not needed.

Environmental Analysis:

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably

foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378. Each development project that may be extended by the proposed ordinance has been reviewed in compliance with CEQA statutes as a part of their original approval. Given that the proposed ordinance will meet the above criteria and is therefore not subject to CEQA. No additional environmental review is required.

Fiscal Impact:

An economic benefit is likely to occur by extending the time deployment projects have to construct; however, the specific fiscal impact cannot be quantified.

ATTACHMENTS:

| | Description |
|---|--------------------|
| □ | Ordinance |