

RESOLUTION NO. 132 – 2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO
APPROVING AN EXTENSION TO EXISTING DEVELOPMENT ENTITLEMENTS
AND BUILDING PERMITS THROUGH DECEMBER 31, 2022**

WHEREAS, on March 3, 2020, the Health Officer of the County of San Mateo declared a Local Health Emergency Regarding Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, on March 16, 2020, the Health Officer of the County of San Mateo issued an Order (“Shelter Order”) directing all individuals in the County to shelter in place in their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services; and exempting individuals experiencing homelessness but urging them to find shelter and government agencies to provide it; and

WHEREAS, on March 31, 2020, April, 29, 2020, and May 15, 2020, the Health Officer of the County of San Mateo issued a revised Order (“Revised Order”) that clarified, strengthened, and extended certain terms of the Prior Shelter Order to increase social distancing and reduce person-to-person contact in order to further slow transmission of COVID-19; and

WHEREAS, on March 17, 2020, via Resolution No. 44-2020, the City Council of the City of East Palo Alto (“City Council”) determined that a local emergency exists in the City of East Palo Alto (“City”); and

WHEREAS, since March 17, 2020, the majority of Community and Economic Development Department (“CEDD”) staff have been required to work remotely, and City Hall and the Tate Offices where CEDD is located remains closed to the public; and

WHEREAS, City operations have been curtailed to address the immediate and serious threat to public health and safety, and this closure has resulted in a disruption to government operations not only at the local level, but throughout all of California; and

WHEREAS, between March 17, 2020 and May 18, 2020, the CEDD did not accept new applications for most Planning or Building permits, including permit renewals, as operations were curtailed to address the immediate and serious threat to public health and safety; and

WHEREAS, these conditions warrant and necessitate measures to mitigate adverse economic effects that may be experienced by businesses and property owners during this emergency; and

WHEREAS, 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, and expiration of these entitlements represents a significant loss for the owners and the City; and

WHEREAS, COVID-19 remains a threat, and further efforts are needed to control the spread of the virus, which have implications on the timely start and completion of construction of land development projects; and

WHEREAS, the City Council finds and declares that the global health emergency caused by the COVID-19 outbreak is delaying the start and completion of construction of land development projects, and the land use approvals for these projects are at risk of expiring; and

WHEREAS, the City Council desires to minimize the impact of CEDD's current limited operations on residents whose permits were previously approved; and

WHEREAS, the City Council desires to preserve development opportunities by granting additional time to the term of these entitlements; and

WHEREAS, the City Council finds that the adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline section 15061 (b)(3), because it can be seen with certainty that temporarily extending certain permit approvals for a limited time period will not result in direct or indirect changes in the environment.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY extends through December 31, 2022 development entitlements (Planning and Building) that expired or will expire between March 17, 2020 and December 31, 2021.

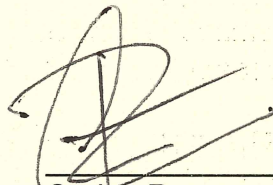
PASSED AND ADOPTED this 21st day of September 2021, by the following vote:

AYES: Gauthier, López, and Romero

NOES:

ABSENT: Abrica, Wallace-Jones

ABSTAIN:



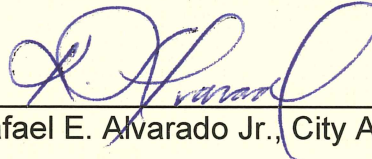
Carlos Romero, Mayor

ATTEST:



Walfred Solorzano, City Clerk

APPROVED AS TO FORM:



Rafael E. Alvarado Jr., City Attorney