

RESOLUTION NO. 129 – 2022

**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, 2024**

WHEREAS, on September 21, 2021, the City Council adopted a resolution approving an extension to existing development entitlements and building permits through December 31, 2022; and

WHEREAS, on April 5, 2022, the San Mateo Local Agency Formation Commission (SMLAFCo) released the Draft Municipal Service Review (MSR) for the City of East Palo Alto (City), the East Palo Alto Sanitary District (EPASD), and the West Bay Sanitary District (West Bay) to analyze the inability of the EPASD to issue will serve letters for new approved development; and

WHEREAS, upon direction by the City Council, the City is currently analyzing what would be required to establish East Palo Alto Sanitary District as a subsidiary district of the City of East Palo Alto; 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, the City Council desires to preserve development opportunities by granting additional time to the term of these entitlements; and

WHEREAS, the automatic permit extension would not apply to use permits that require annual or regular renewals to verify compliance with City requirements; and

WHEREAS, the City Council finds this action 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, 2024 development entitlements (Planning and Building) that will expire between December 31, 2022 and December 31, 2023.

PASSED AND ADOPTED this 18th day of October 2022, by the following vote:

AYES: Abrica, Gauthier, Lopez, Romero, Wallace-Jones

NOES:

ABSENT:

ABSTAIN:

Ruben Abrica

Ruben Abrica, Mayor

ATTEST:

James Colin

James Colin, City Clerk

APPROVED AS TO FORM:

Valerie J. Armento

Valerie J. Armento, Interim City Attorney