

Findings

1.0 CEQA FINDINGS

- 1.1 The map amendment project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines which states that minor alterations in land use limitations not resulting in the creation of any new parcel are exempt.
- 1.2 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 *The project is consistent with General Plan Policy 2.2.5.2.*

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to determine consistency with the policies of the General Plan.

- 2.2 *Policy 2.3.2.1 Disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.*

Rationale: The slopes onsite are consistently around 30%. The purpose of this map amendment application is to allow the house and garage to be built closer to the road therefore minimizing the amount of grading necessary to develop the site.

3.0 ZONING FINDINGS

- 3.1 No Zoning Ordinance findings are applicable.

4.0 SUBDIVISION ORDINANCE (MAP AMENDMENT) FINDINGS

- 4.1 *That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.*

Rationale: The 25-foot Setback Line is common on many of the Tahoe Paradise subdivision maps which were all recorded in the late 1960's. However, after the recording of this map the Tahoe Regional Planning Agency

(TRPA) was created in 1972 and by 1987 was regulating the land coverage and depth of excavation on every lot in the Tahoe Basin. These two TRPA development standards make meeting the 25 foot Subdivision Setback Line, while leaving enough development rights to build a single-family residence, extremely difficult

- 4.2 *That the modifications proposed do not impose any additional burden on the present fee owner of the property.*

Rationale: The applicant is the present fee owner of the property. The proposed map amendment would result in the reduction of the subject easement in benefit the owner by allowing more of the lot to be utilized.

- 4.3 *That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.*

Rationale: All potentially impacted agencies were included in consultation on this project. None have submitted comments or concerns that the proposed amendment would alter any right, title or interest in the real property reflected in the recorded map.

- 4.4 *That the map as modified conforms to the provisions of Section 66474 of the Government Code.*

Rationale: The provisions of Section 66474 of the Government Code (Subdivision Map Act) list the findings for approval or denial of a parcel map. The findings section include consistency with the General Plan, suitability of the site for the type and density of development, no significant environmental effects, or public health problems, and does not conflict with public access easements. The proposed easement reduction does not affect any of the provisions of findings for approval of the map amendment. The amended subdivision map would remain suitable for the type and density of development, no physical change to the environment would occur, and the subdivision map would remain consistent with the General Plan.