

**EL DORADO COUNTY PLANNING AND BUILDING DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** February 9, 2023

**Staff:** Corinne Resha

**TENTATIVE MAP TIME EXTENSION**

- FILE NO.:** TM-E22-0006/Piedmont Oak Estates
- APPLICANT:** Jim Davies and Terri Chang
- OWNER:** Terri Chang
- REQUEST:** Request for six (6) one-year time extensions to the approved Piedmont Oak Estates Tentative Subdivision Map (TM12-1510) resulting in a new expiration date of September 20, 2028.
- LOCATION:** The property is located on the east side of State Route 49 (SR 49), approximately 1,000 feet north of the intersection with Black Rice Road and Lime Kiln Road, in the Diamond Springs area, Supervisorial District 3. (Exhibit A)
- APNs:** 051-550-040, 051-550-048, 051-550-051, 051-550-058 (Exhibit B)
- ACREAGE:** 25.86 acres
- GENERAL PLAN:** High Density Residential (HDR) (Exhibit C)
- ZONING:** Single-unit Residential-Planned Development (R1-PD) (Exhibit D)
- ENVIRONMENTAL DOCUMENT:** Previously adopted Initial Study/Mitigated Negative Declaration
- RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:
1. Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, that there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration (MND) or an Addendum to the adopted IS/MND, which was adopted by the Board of Supervisors on March 20, 2018; and

2. Approve Tentative Subdivision Map Time Extension TM-E22-0006 extending the expiration of the approved Piedmont Oak Estates Tentative Subdivision Map for six (6) years to September 20, 2028, based on the Findings and subject to the original Conditions of Approval as presented.

## **BACKGROUND**

The Board of Supervisors approved the Piedmont Oak Estates Tentative Subdivision Map (TM12-1510) on March 20, 2018, along with its Planned Development Permit (PD12-0002) and Rezone (Z12-0010). The approved subdivision map and development plan consists of a 75-unit residential subdivision (Exhibit G). The Tentative Subdivision Map was due to expire on March 20, 2021, however, Assembly Bill (AB 1561) granted certain tentative maps an 18-month extension, as codified in California Government Code Section 65914.5. Based on a review of the criteria identified in AB 1561, the Piedmont Oak Estates Tentative Subdivision Map (TM12-1510) qualifies for the 18-month extension. Thus, the current expiration date is September 20, 2022. As required under the County's Subdivision Ordinance, the present application for extension was timely filed prior to the September 20, 2022 expiration date (Sec. 120.74.030). Under the Subdivision Ordinance and the California Subdivision Map Act, subdividers may request up to six (6) one-year extensions of the expiration of tentative maps.

## **ANALYSIS**

Section 120.074.030 of the El Dorado County Subdivision Ordinance regulates the time extension of approved Tentative Subdivision Maps. The ordinance limits the extension to a maximum of six (6) one-year discretionary time extensions. Citing the COVID-19 pandemic and current real estate market conditions, the project applicant has been unable to find a qualified builder/developer to complete the project, or a buyer for the land. The applicant is requesting six (6) one-year time extensions. If approved, the applicant will not have any additional discretionary time extensions remaining. Given that there are no proposed changes to the approved Tentative Subdivision Map or Conditions of Approval, as approved by the Board of Supervisors on March 20, 2018, the map remains consistent with the applicable policies of the General Plan, as well as the provisions of the Zoning and Subdivision Ordinances. If approved, the map expiration date would be extended to September 20, 2028.

## **ENVIRONMENTAL REVIEW**

The proposed time extension would allow for the development of the 75-lot residential subdivision consistent with the approved Tentative Subdivision Map and the adopted Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse Number 2015122025). The requested time extension does not make any changes to the approved Tentative Subdivision Map, Planned Development, or Rezone. Because no changes are proposed to the project description or its conditions of approval, approval of the requested time extensions would not involve new significant environmental effects and would not increase the severity of previously identified significant effects. No new information that was not known and could not have been known at the time the IS/MND for the project was adopted has since become available. Therefore, the requested Tentative Subdivision Map extension application is

consistent with the adopted IS/MND and further environmental analysis is not necessary in accordance with CEQA Guideline Sections 15162 and 15164.

The project is required to file a Notice of Determination (NOD) Exemption. The applicant shall submit a **\$50.00** recording fee to Planning Services for the County Recorder to file the Notice of Exemption **within 48 hours** of any decision-making body approving the project. Checks shall be made payable to El Dorado County.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Findings

Conditions of Approval as Approved by the Board of Supervisors on March 20, 2018

Exhibit A.....Location Map

Exhibit B.....Assessor's Parcel Map

Exhibit C.....General Plan Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Aerial Map

Exhibit F.....Piedmont Oak Estates Tentative Subdivision  
Map Timeline and Expiration

Exhibit G.....Approved Piedmont Oak Estates Tentative  
Subdivision Map

## FINDINGS

### **Tentative Subdivision Map Time Extension TM-E22-0006/Piedmont Oak Estates Planning Commission/February 9, 2023**

#### **1.0 CEQA FINDINGS**

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent mitigated negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including substantial changes to the project which would require major revisions to the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, no substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous IS/MND due to the involvement of new significant environmental effects; or a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous IS/MND was adopted, shows the project will have one or more significant effects not discussed in the previous IS/MND.
- 1.2 Pursuant to CEQA Section 15164(b), it has been determined that there is no substantial evidence requiring an addendum to the adopted IS/MND because no minor technical changes or additions are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent IS/MND have occurred.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, California 95667.

#### **2.0 TENTATIVE SUBDIVISION MAP TIME EXTENSION FINDINGS**

- 2.1 **The request for extension of the approved tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.A.**

Section 120.74.030.A allows the subdivider to request up to six (6) one-year extensions from the expiration date of an approved or conditionally approved tentative map, as allowed by Government Code Sections 66452.6(e) and 66463.5, by timely written application to the Planning Services, Planning and Building Department. The subdivider may request more than one (1) time extension at a time, up to the maximum allowed by this subsection or a development agreement applicable to the map for which the extension request is filed, but in no event shall the total time extension requested exceed six (6) years. Each application shall be filed before the approved or conditionally approved tentative map expires and shall state the reasons for requesting the extension.

Rationale: The applicant is requesting six (6) one-year time extensions and appropriate processing fees were timely filed on August 10, 2022, prior to the expiration date of the Tentative Subdivision Map of September 20,

2022. The six (6) on-year time extension request complies with Section 120.74.030.B.

Per the applicant, the time extension request would allow the applicant the time needed to complete the outstanding Conditions of Approval (COAs) required in order to submit an application for Final Map approval.

**2.2 The request for extension of the approved tentative subdivision map complies with County Subdivision Ordinance Section 120.74.030.B.**

Section 120.74.030.B. requires that the Planning and Building Department review the request and submit the application for the extension, together with a report, to the approving authority for approval, conditional approval, or denial. In approving, conditionally approving, or denying the request for extension, the approving authority shall make findings supporting its decision.

Rationale: The Planning Division has reviewed the time extension request for Tentative Subdivision Map TM-E22-0006/Piedmont Oak Estates, along with all submitted materials, and has submitted this staff report with recommendations for approval based on the Findings provided in compliance with Section 120.74.030.B.