

FINDINGS

Tentative Subdivision Map Time Extension TM07-1433-E/Portico Estates Planning Commission/April 27, 2017

1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including: (1) substantial changes to the project which would require major revisions to the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous negative declaration due to the involvement of new significant environmental effects; or (3) 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 negative declaration was adopted, shows the project will (a) have one or more significant effects not discussed in the previous negative declaration.

The proposed project is an extension to a previously approved Tentative Map for which a negative declaration was certified by the Board of Supervisors July 29, 2008. The proposed project was reviewed against the environmental analysis presented in the negative declaration. It was determined that the project does not involve any substantial changes in circumstances that result in a new significant impact or significant impacts that are substantially more severe than those previously disclosed in the negative declaration. In addition, there is no new information of substantial importance showing that the project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than effects shown in the negative declaration. Further, there is not new information of substantial importance showing (i) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative or (ii) that mitigation measures or alternatives considerably different from those analyzed in the negative declaration would substantially reduce one or more significant effects, but the proponents decline to adopt the mitigation measures or alternatives.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.3 The documents and other material, which constitute the record of proceedings upon which this decision is based, are in the custody of the Development Services Division - Planning Services at 2850 Fairlane Court, Placerville, CA 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 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 Development Services Division of the Community Development Agency. The subdivider may request more than one 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 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 one-year time extensions and appropriate processing fees were submitted on December 6, 2016, prior to the expiration date of the tentative subdivision map of July 29, 2017. The six one-year time extension request complies with Section 120.74.030.B.

The applicant states that the delay in filing and recording the final map is a result of lack of interest by the homebuilding industry, the economic recession and difficulty in completing the conditions of approval. Once there is market demand the applicant will commence the improvement plan stage, take action on the Conditions of Approval and prepare the final map for recording. The six one-year extensions should allow the applicant the time needed to record the subdivision map.

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 Development Services Division 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 Development Services Division has reviewed the time extension request for Tentative Subdivision Map TM07-1433-E/Portico Estates Subdivision Map, 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.