

ATTACHMENT 2

FINDINGS

File Number TM75-0001C Rancho Cumbre Map Correction Board of Supervisors Hearing

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 This map correction is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)3 that allows exemptions when it is evident that no effects to the environment will occur. There will be no improvements required or associated to this map action. No effects to the environment will occur with this request.

2.0 MAP CORRECTION FINDINGS

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

Based on analysis and a site inspection, the existing 100-foot wide scenic easement may have been recorded with the subdivision map in order to ensure that no vehicular access would be allowed from Sliger Mine Road and buffer homes from potential noise and traffic. However, the area is a rural residential area with minimal noise and traffic along Sliger Mine Road. A vehicle access restriction would remain along Sliger Mine Road.

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

All property owners that requested the removal of the scenic easement within the Rancho Cumbre Subdivision have agreed to this change by providing signed documents. A Certificate of Correction must be filed with the County Surveyors and the documents must be recorded with the County Recorder following this map action for the correction to be finalized. A minor fee will be assessed for these other processes and all affected property owners are in agreement with and understand the process that is necessary to finalize the corrective measure identified by this map action.

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

The removal of the 100 foot scenic easement would not alter legal access rights or any other right, title or interest in the real property reflected in the recorded subdivision map.

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

Section 66474(g) requires the County to find that the changes to the final subdivision map would not conflict with easements for access through or use of property within the subdivision. It has determined that the scenic easement is not protecting a visual resource and a vehicle access restriction would ensure no additional encroachments onto Sliger Mine Road.