

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



Agenda of: July 27, 2017

Staff: Evan Mattes

TENTATIVE SUBDIVISION MAP TIME EXTENSION

FILE NO.: TM05-1401-E/Malcolm Dixon Road Estates

APPLICANT: Diamante Development, LLC

AGENT: CTA Engineering & Surveying

REQUEST: Request for six one-year time extensions to the approved Malcom Dixon Road Tentative Subdivision Map TM05-1401 creating eight residential lots, resulting in a new expiration date of June 15, 2023.

LOCATION: North side of Malcolm Dixon Road, approximately 0.5 mile east of the intersection with Salmon Falls Road, in the El Dorado Hills area, Supervisor District 4. (Exhibit A)

APNs: 126-490-01 & 126-490-02 (Exhibit B)

ACREAGE: 40.65 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

ZONING: Residential Estate Five-Acres (RE-5) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Previously adopted 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, there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on June 15, 2010; and

2. Approve TM05-1401-E extending the expiration of the approved tentative subdivision map for six years to June 15, 2023, based on the Findings and subject to the original Conditions of Approval as presented.

BACKGROUND

The tentative subdivision map (TM05-1401-E) was approved by the Board of Supervisors on June 15, 2010, along with a Rezone (Z05-0015). The approved subdivision consisted of eight residential lots ranging in size from 5 to 5.6 acres (Exhibit F).

Since approval, the applicant has not filed or recorded a subdivision map. The tentative subdivision map had an original expiration date of June 15, 2017, as a result of recent state legislation including Subdivision Map Act (SMA) Sections 66452.23 (Assembly AB 208) and 66452.24 (Assembly Bill AB 116) (Exhibit G). The applicant filed this time extension request on March 3, 2017.

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 one-year discretionary time extensions. Citing trouble in completing the conditions of approval and subsequent mitigation measures, and difficulty in securing financing during the economic recession, the applicant has finalized one out of the eight lots. The applicant cites the economic recession and difficulty in satisfying condition of approval 16 and 17. Conditions of Approval 16 and 17 cannot be met until the annexation into the El Dorado Irrigation District and the El Dorado Fire Department is approved by the LAFCO. The applicant is requesting the entire six one-year time extensions. Staff has reviewed the request and recommends the Planning Commission grant the requested six one-year time extensions, subject to the original Conditions of Approval and environmental mitigation measures. Given that there are no changes to the previously approved Tentative Map, the map maintains consistency with the applicable policies of the General Plan and provisions of the Zoning and Subdivision Ordinances. If approved, the map expiration would be extended to July 29, 2023.

ENVIRONMENTAL REVIEW

The Malcolm Dixon Road Estates tentative subdivision map is a residential project that was analyzed in an adopted Mitigated Negative Declaration. The proposed time extension would allow the continued residential development of the project consistent with the approved tentative subdivision. The time extension does not make any physical changes to the original tentative map approval, does not involve new significant environmental effects, and does 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 Mitigated Negative Declaration was certified has since become available. Therefore, this tentative map time extension application is consistent with and is hereby exempt in accordance with CEQA Guideline Section 15162. No further environmental analysis is necessary.

The project is required filing of a Notice of Determination. A \$50.00 filing fee submitted to Planning Services.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Location Map

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

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

Exhibit D.....Zoning Designation Map

Exhibit E.....Aerial Map

Exhibit F.....Approved Malcolm Dixon Road Property
Tentative Subdivision Map

Exhibit G.....Malcolm Dixon Road Estates Tentative Map
Timeline and Expiration