

## **FINDINGS**

### **Subdivision Map Amendment TM-C23-0002/Oak Haven Board of Supervisors/September 26, 2023**

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 On March 11, 2008, the Board of Supervisors adopted a Mitigated Negative Declaration for the original Summer Brook tentative map. The environmental document analyzed impacts of the project with the application specific mitigation measures incorporated as project conditions of approval. Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval to mitigate or avoid significant effects on the environment. The project description and conditions of approval, which include the original mitigation measures, were adopted by the Board of Supervisors as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.2 Pursuant to CEQA Guidelines Section 15162, the current amendments to the subdivision map's conditions of approval do not require subsequent environmental review for the following reasons:

(a) The amendments do not constitute a substantial change in the project which will require major revisions of 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. In terms of changes to physical environment, the difference between the original and amended project is limited to the replacement of traffic signal poles for street lighting within and immediately abutting an existing asphalt paved public roadway.<sup>1</sup> Therefore, the amendment will cause neither a new significant effect nor increase in the severity of a previously identified significant effect.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will not require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As substantiated above, the amendments will cause neither a new significant effect nor increase in the severity of a previously identified significant effect.

(3) No new information of substantial importance, which was not known and could not

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<sup>1</sup> Note: Pursuant to CEQA Guidelines Section 15164, Condition Nos. 25 and 26 concern physical changes to the environment that have been analyzed in the Addendum to the Approved Mitigated Negative Declaration.

have been known with the exercise of reasonable diligence at the time the Mitigated Negative Declaration was adopted has surfaced. The proposed amendments also do not concern a mitigation measure included within the Mitigated Negative Declaration adopted for the project.

- 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-Planning Services 2850 Fairlane Court Placerville, CA 95667.

## **2.0 SUBDIVISION MAP FINDINGS**

### **2.1 The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.**

There are no proposed changes to the approved 29-lot subdivision and it remains consistent with the Low Density Residential (LDR) land use designation and with General Plan policies relating to public utilities, traffic, noise, air quality, riparian impacts, and oak woodland habitat. The adopted project mitigation measures would continue to minimize environmental impacts associated with the project.

### **2.2 The design or improvements of the proposed division are consistent with the General Plan.**

There are no proposed changes to the approved subdivision maintains the Planned Development planning concept which is designed to minimize impacts to the natural resources on the project site. The approved subdivision maintains the original clustered development that avoids additional impacts to the oak woodland habitat, wetlands onsite, and which provides buffering from the adjacent agriculture-zoned parcel to the south.

### **2.3 The site is physically suitable for the proposed type and density of development.**

The application is consistent with the approved subdivision map and includes no changes to the lot number, size, or configuration, including all related roadway and infrastructure aspects. Slopes exceeding 30 percent have been avoided and the approved project design to minimize the impacts to the existing wetlands. Any natural resources that will not be impacted will be included in the required 30 percent open space areas.

### **2.4 The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitats.**

The application will not alter the project's Planned Development aspects which, as originally approved, allow the units to be clustered on the project site. The application also does not alter project features designed to minimize the impacts to the natural resources on the site. Environmental impacts are mitigated through the project design and implementation of the adopted mitigation measures.

**2.5 The design of the subdivision or the improvements is not suitable to allow for compliance with the requirements of Section 4291 of the Public Resource Code (Section 4291 establishing criteria for fire and fuel breaks around buildings).**

Adequate fire protection measures are provided in the adopted conditions of approval for the project. Adequate emergency access is available and additional fire hydrants will be required for the residential units. The public water system serving the project will provide adequate fire flow for the project.

**2.6 The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed division.**

The required street light improvements will be consistent with the County Design and Improvement Manual Standards. All existing easements across the property for utilities and infrastructure would remain or be relocated in a manner acceptable to the affected agency.