

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of:

November 10, 2016

Staff:

Rob Peters

TENTATIVE SUBDIVISION MAP TIME EXTENSION

FILE NO.: TM08-1466-E/Blackhawk Estates

APPLICANT: Bruce and Diane Wirtanen

OWNER: Bruce and Diane Wirtanen

REQUEST: Request for three one-year time extensions to the approved Blackhawk Estates Tentative Subdivision Map TM08-1466 creating nine residential lots, resulting in a new expiration date of October 20, 2019.

LOCATION: East of the intersection of Blackhawk Lane and Mt. Aukum Road, in the Pleasant Valley area, Supervisorial District 2. (Exhibit A)

APN: 078-200-71 (Exhibit B)

ACREAGE: 74.38 acre

GENERAL PLAN: Low Density Residential – Important Biological Corridor (LDR-IBC) (Exhibit C)

ZONING: Residential Estate Five-Acre (RE-5) and Rural Lands Ten-Acre (RL-10) (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 October 20, 2009, as described in the CEQA Findings; and

2. Approve TM08-1466-E extending the expiration of the approved tentative subdivision map for three years to October 20, 2019, based on the Findings and subject to the Conditions of Approval as presented.

BACKGROUND

The tentative subdivision map (TM08-1466-E) was approved by the Board of Supervisors on October 20, 2009, along with a Rezone (Z08-0004). The approved subdivision consisted of 9 residential lots ranging in size from 5 acres to 11.09 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 October 20, 2013, which was automatically extended to October 20, 2016 as a result of recent state legislation including Subdivision Map Act (SMA) Sections 66452.23 (Assembly Bill AB 208) and 66452.24 (Assembly Bill AB 116) (Exhibit G). The applicant filed this time extension request on May 13, 2016.

ANALYSIS

The applicant originally requested 5 one-year time extensions. However, based on the justification and the applicants proposed schedule, it was determined that 3 one-year extensions would be the appropriate amount of time to extend the tentative subdivision map. This time extension request has been modified to 3 one-year extensions, pursuant to SMA Section 66452.6 and the County Subdivision Ordinance Section 120.74.030. If approved, the map would be extended to October 20, 2019.

The applicant states that the delay in filing and recording the subdivision map is a result of difficulty in acquiring a loan for the project due to the economic recession. The applicant has assumed a loan, has a draft of the final map complete, and is in the final stages of acquiring the grading permit (Exhibit H). The encroachment onto Mt. Aukum Road is complete and the off-site road portion of Blackhawk Lane connecting Blackhawk Estates to Mt. Aukum Road is complete. The applicant is prepared to file and record the final subdivision map. The three one-year extensions should allow the applicant the time needed to complete the on-site improvements and file and record the final subdivision map.

The map remains consistent with the applicable policies under the current 2004 General Plan and the Zoning Ordinance, and the County Subdivision Ordinance. All applicable original conditions of approval shall remain in effect.

The application for the proposed project was received on May 13, 2016 and was deemed complete on June 2, 2016. Section 66474.2 of the Subdivision Map Act provides that the review and approval of a Tentative Map should be conducted in accordance with the rules, regulations, policies, and standards in effect at the time that the application for the Tentative Map is deemed complete. As such, the project is not subject to the recent amendments to the General Plan affected through the approval of the voter-approved ballot Measure E, effective July 29, 2016.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Location Map

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

Exhibit C.....Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Aerial Map

Exhibit F.....Approved Tentative Subdivision Map

Exhibit G.....Subdivision Map Timeline and Expiration

Exhibit H.....Extension Request