

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



Agenda of: February 23, 2017

Staff: Jennifer Franich

TENTATIVE SUBDIVISION MAP TIME EXTENSION

- FILE NO.:** TM05-1395-E/La Caille Estates
- APPLICANT:** Orbis Financial
- AGENT:** CTA Engineering & Surveying
- REQUEST:** Three one-year time extensions to the approved La Caille Tentative Subdivision Map TM05-1395 creating 24 residential lots, resulting in a new expiration date of November 14, 2019.
- LOCATION:** South side of Meder Road, approximately 0.5 mile west of the intersection with Ponderosa Road, in the Shingle Springs area, Supervisorial District 4 (Exhibit A).
- APNs:** 070-510-01, 070-510-02, 070-510-03, and 070-510-04 (Exhibit B)
- ACREAGE:** 25.04 acres
- GENERAL PLAN:** Medium Density Residential (MDR) (Exhibit C)
- ZONING:** Residential One-Acre (R1A) (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 May 12, 2009, as described in the CEQA Findings; and

2. Approve TM05-1395-E extending the expiration of the approved tentative subdivision map for three years to November 14, 2019, based on the Findings and subject to the Conditions of Approval as presented.

BACKGROUND

The tentative subdivision map (TM05-1395) and associated rezone (Z05-0004) was approved by the Board of Supervisors on November 14, 2006. The approved subdivision consisted of 24 residential lots ranging in size from one to 2.2 acres (Exhibit F). On November 13, 2014 the Planning Commission approved a tentative map revision (TM05-1395-R), which added a phasing plan and revised the lot layout, sizes, and site circulation. The Development Services Director approved a request for a finding of substantial conformance with the revised approved tentative map on July 12, 2016. The request was to rearrange the lots in order to protect sensitive natural resources, comply with current regulatory requirements, and provide sufficient building sites away from the sensitive areas.

Since approval, the applicant has recorded a Large Lot subdivision map for the purpose of project phasing, and filed a final map for Phase 1 on December 7, 2016. The tentative subdivision map had an original expiration date of November 14, 2009, which was automatically extended to November 14, 2016 as a result of recent state legislations including Subdivision Map Act (SMA) Sections 66452.21 (Assembly Bill AB 1185), Sections 66452.22 (Assembly Bill AB 333), Sections 66452.23 (Assembly Bill AB 208) and 66452.24 (Assembly Bill AB 116) (Exhibit G). No previous time extension requests have been filed for this tentative map. The applicant filed this time extension request on November 4, 2016.

ANALYSIS

This time extension request is for three one-year discretionary time extensions, pursuant to the Subdivision Map Act Section 66452.6 and the County Subdivision Ordinance Section 120.74.030. The code allows for a total six 1-year time extensions. If approved, the map would be extended to November 14, 2019. Three additional 1-year extensions may be requested prior to this new expiration date.

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 with the exception of Condition 1. Condition 1 was amended (additions shown as underlined) to reflect the extension request and the new expiration date of November 14, 2019. No other changes to the Conditions of Approval are proposed. As such, there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration.

The applicant states that the delay in filing and recording the subdivision map is a result of the 2008 economic recession, collapse of the housing and residential lot market, and the cost-prohibitive nature of some conditions of approval. Currently the applicant is in the process of county review of improvement plans and the Phase I final map. The requested time extension

would allow the applicant to secure the necessary funding, construct the project, and complete associated conditions of approval.

The project approval date of November 14, 2006 precedes the passage and effective date of Measure E which was approved by voters June 7, 2016 and became effective on July 29, 2016. According to the SMA (GC 66474.2.), the local agency shall apply [to the tentative map] only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete (unless the agency has initiated a change to a standard “by way of ordinance, resolution, or motion”). Therefore, Measure E does not apply to this time extension.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Location Map

Exhibit B.....Assessor’s Parcel Map

Exhibit C.....Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Aerial Map

Exhibit F.....Approved Tentative Subdivision Map

Exhibit G.....Tentative Map Timeline and Expiration

Exhibit H.....Applicant’s Extension Request; November 3,
2016