

## **COMMUNITY DEVELOPMENT SERVICES**

## PLANNING AND BUILDING DEPARTMENT

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TO:	Planning Commission	Agenda of:	August 23, 2018
FROM:	Efren Sanchez, Assistant Planner	Item No.:	7
DATE:	August 22, 2018		
RE:	Design Review Revision DR-R18-0001/Saratoga Retail Phase 2; Revisions to Findings 1.1 and 1.5		

The following information details minor revisions to the CEQA Findings.

Finding 1.1 (Insert new text after first sentence in current Finding)

As explained more fully in the Mitigated Negative Declaration, the proposed project is a revision of a larger, previously approved development (DR08-0003), such that the proper environmental baseline and scope of environmental review concerns the incremental impacts found by comparing the proposed project to the previously approved development. To the extent comparison to an undeveloped site was discussed in the Mitigated Negative Declaration, this was done for the informational purpose of providing for a more conservative assessment of impacts.

**New Finding 1.5** (Renumber current Finding 1.5 to 1.6)

1.5 While full environmental analysis was conducted as a conservative measure for the benefit of public disclosure, the legal scope of CEQA review of a discretionary design review permit is generally limited to design-related impacts in accordance with the holdings of San Diego Navy Broadway Complex Coalition v. City of San Diego (2010) 185 Cal.App.4th 925, Friends of the Juana Briones House v. City of Palo Alto (2010) 190 Cal.App.4<sup>th</sup> 286, and other applicable law.