



Legislation Details (With Text)

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**File created:** 7/1/2020      **In control:** Board of Supervisors

**On agenda:** 8/4/2020      **Final action:** 8/4/2020

**Title:** HEARING - Planning and Building Department, Planning Services Division, submitting for approval to amend recorded Subdivision Map E-72D to reduce an existing Setback Line from 25 feet to 12 feet, on property identified by Assessor’s Parcel Number 081-052-002 located on the east side of Elks Club Drive approximately 100 feet south of the intersection of Elks Club Drive and Glen Eagles Road, in the South Lake Tahoe Area, and recommending the Board of Supervisors take the following actions:  
 1) Find that Parcel Map Amendment P-C20-0002 amending Subdivision Map E-72D is exempt in accordance with California Environmental Quality Act Section 15305 (Minor Alterations in Land use Limitations); and  
 2) Approve Parcel Map Amendment P-C20-0002 amending Subdivision Map E-72D, based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 5)

**FUNDING:** Developer-funded recorded subdivision map amendment fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Staff Memo 07-01-20, 2. B - Findings, 3. C - Conditions of Approval, 4. D - Staff Memo Exhibits A-H, 5. E - Notification Map, 6. F - Proof of Publication-Mountain Democrat, 7. G - Proof of Publication-Tahoe Daily Tribune, 8. Public Comment Recvd 07-20-20, 9. FINAL Findings, 10. FINAL Conditions of Approval, 11. APPROVED STAMPED Map, 12. RECEIPT-Notice of Exemption, 13. FILED-Notice of Exemption

Date	Ver.	Action By	Action	Result
8/4/2020	1	Board of Supervisors	Approved	Pass

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**DISCUSSION / BACKGROUND**

Subdivision Map Amendments are required to be reviewed and approved by the original hearing body. The subject parcel was created by Subdivision Map E-72D (Exhibit F) approved by the Board of Supervisors on September 29, 1969 and recorded September 30, 1970. The recorded map imposed a 25-foot setback on the front parcel line (Lot 373), adjacent to Elks Club Drive (shown on

the recorded subdivision map as “Meadow Vale Drive”) on the west property line. The Setback Line is described on the recorded map as: “The front twenty-five (25) feet of all lots as a building setback and public utility easement for poles, guy wires, anchors, overhead and underground wires and conduits, including the right to trim and remove trees, tree limbs, and brush from the front 10 feet of the lot”.

The applicant is requesting an amendment to the recorded map to reduce the 25-foot setback to 12 feet for the purpose of egress to the site and building a garage.

In order to approve the map amendment, the County must find that the amended map complies with the Government Code and make specific findings pursuant to Section 120.72.040 of the County’s Subdivision Ordinance. Staff found that these findings could be made to show that this project adheres to and is within the standards as set forth. These and the applicable General Plan findings are presented in the staff report.

Staff has reviewed the Subdivision Map for compliance with the original conditions of approval and noted that all of the applicable conditions have been satisfied (Exhibit F). Affected agencies/departments, including the Transportation Department, County Surveyor’s Office and Lake Valley Fire Department, have reviewed, verified compliance with the conditions, and recommended approval of the amended setback line. Department of Transportation reviewed the project and had comments that have been incorporated into the Conditions of Approval. No other agencies provided comments, conditions, or concerns.

Improvement Agreements and Bonds: No improvement agreements or bonds have been proposed or agreed to.

Water/Wastewater: The South Tahoe Public Utility District will provided service upon payment of the required service fee.

Environmental Review: The review of the Map Amendment is a discretionary process and is Categorically Exempt from environmental review under Section 15305 of the CEQA Guidelines.

#### EXHIBITS (Attachment D)

- Exhibit A - Location Map
- Exhibit B - Assessor’s Parcel Map
- Exhibit C - Aerial Photo
- Exhibit D - General Plan Map
- Exhibit E - Zoning Designation Map Parcel
- Exhibit F - Subdivision Map pages E-72 and E-72D
- Exhibit G - Proposed Map Amendment
- Exhibit H - Topographic Survey and Draft Plans

#### **ALTERNATIVES**

The Board could decide to not approve the requested amendment and the applicant would be able to construct a garage at approximately 20 feet from edge of roadway pavement.

#### **PRIOR BOARD ACTION**

Subdivision Map pages E-72 was approved by the Board of Supervisors on September 29, 1969.

(See Staff Memo Exhibit F.)

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Department of Transportation and the Surveyor's Office

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

There is no financial impact to the County. Developer-funded recorded subdivision map amendment fees.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

None

**STRATEGIC PLAN COMPONENT**

This project aligns with the Good Governance goals of the County's Strategic Plan, as it would provide the best possible process for making and implementing decisions in accordance with the County's core values, legal requirements and industry best practices. This process is a departmental collaboration between the Planning and Building Department and the Surveyors Office to review and amend recorded Subdivision Maps.

**CONTACT**

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Planning and Building Department