330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

County of El Dorado

Legislation Details (With Text)

File #:	11-0070 **Version:** 5		
Type:	Agenda Item	**Status:**	Adopted
File created:	1/18/2011	**In control:**	Board of Supervisors
On agenda:	5/17/2011	**Final action:**	5/17/2011
Title:	Development Services Department recommending the Board consider the adoption (second reading) of Ordinance 4960 amending Section 16.74.030 of Chapter 16.74 of Title 16 of the El Dorado County Ordinance Code addressing time extensions to approved subdivision and parcel maps. (Refer 5/17/11, Item 25) FUNDING: No net funding required. Potential loss of permit renewal and reactivation fee revenues.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. A - EDC Code 16-74-020.pdf, 2. B - EDC Code 16-74-030.pdf, 3. C - Gov Code 66452-6.pdf, 4. D - RTrout email.pdf, 5. E - email requesting continuance to 3-15.pdf, 6. 4A-DraftOrdinance, 7. 4B-Notice of Exemption NOE, 8. 4C-Expiration Chart, 9. 4D-16.74.030 Revised Text, 10. 4E-BlueRoute		

Date	Ver.	Action By	Action	Result
5/17/2011	5	Board of Supervisors	Adopted	Pass
5/3/2011	4	Board of Supervisors	Approve and Continue	Pass
3/15/2011	3	Board of Supervisors	Continued	Pass
2/15/2011	2	Board of Supervisors	Continued	Pass
2/1/2011	1	Board of Supervisors	Continued	Pass

Development Services Department recommending the Board consider the adoption (second reading) of Ordinance 4960 amending Section 16.74.030 of Chapter 16.74 of Title 16 of the El Dorado County Ordinance Code addressing time extensions to approved subdivision and parcel maps. (Refer 5/17/11, Item 25)

FUNDING: No net funding required. Potential loss of permit renewal and reactivation fee revenues.
Background: In response to direction by the Board on March 15, 2011, a draft amendment to Section 16.74.030 has been prepared. This amendment would provide for the following:
1. Change the number of years a map may be extended from five to six years, consistent with California Government Code §66452.6(e);
2. Permit an applicant to apply for more than one time extension at a time, rather than be limited to just a 12-month extension; and
3. Provide for extensions up to the maximum allowed under a development agreement.

The proposed changes bring the Countys subdivision ordinance into conformance with the Subdivision Map Act and provide greater flexibility to applicants to request additional time as may be needed to record a map. The six years is in addition to the automatic extensions recently enacted by the legislature (§66452.21 and 66452.22) and any legislation currently pending. The former granted a total of three additional years to tentative maps that meet certain provisions. Attachment C is a

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diagram that shows how maps have been or may be extended. AB208, if approved, would grant an additional two years.

The additional time provided by the proposed ordinance would only be authorized after review by the approving authority and consideration of any impacts associated with the original map and any proposed extension. Any environmental impacts would be reviewed at that time and appropriate CEQA documentation would be prepared. This ordinance amendment would not create any additional environmental impacts. Staff has, therefore, prepared a Notice of Exemption based on §15061(b)(3) of the CEQA Guidelines, which states that a project is exempt if it can be seen with certainty that there is no possibility that it would have an effect on the environment.

The ordinance amendment is consistent with the General Plan. Any extension request is discretionary, and would be required to be reviewed on its merits, with the ability to impose new or revised conditions if necessary to conform to any policy or land use changes. Additionally, Policy 10.1.2.4 requires an analysis of the effect of the rule or ordinance, and its economic effects. The proposed amendment brings the County Code into consistency with state law, and provides greater flexibility to applicants. Costs associated with processing any additional time extension request would be borne by the applicant, therefore, there would be no additional costs to the County.

Recommendation:
DSD recommends the Board of Supervisors take the following action:
1. Find that the proposed ordinance amendment is exempt from CEQA pursuant to §15061(b)(3) of the CEQA Guidelines; and
2. Direct that the proposed Ordinance be brought forward for second reading and adoption.

Action to be taken following Board approval: Development Services to return to the Board for second reading and adoption of the ordinance.

Contact: Roger Trout/ x5369