



Legislation Text

File #: 08-0615, **Version:** 1

Development Services, Planning Services Division, and Transportation Department recommending the following:

- (1) Hearing to consider parcel map correction to abandon a portion of the 60-foot wide road and public utilities easement on Parcel C of recorded Parcel Map PM13-22 (P76-0258C/Hollow Oak Road Realignment); said property identified as APN 119-090-07 is located on the east and west side of Hollow Oak Road, 3,000 feet east of the intersection with Bass Lake Road, in the El Dorado Hills area; Applicant: Patrick and Cynthia Morrison (District I); and
- (2) Transportation Department recommending Resolution **121-2008** accepting the Irrevocable Offer of Dedication from Patrick V. Morrison and Cynthia S. Morrison for road right of way, including the underlying fee, along with public utilities and slope easements located on the property identified as APN 119-090-07, necessary to accommodate construction of Hollow Oak Road, noting construction of improvements to Hollow Oak Road is a Condition of Approval for the Hollow Oak Subdivision Tentative Map TM94-1290.

Staff recommends that the Board of Supervisors take the following action:

1. Find that the project is exempt from CEQA review based on Section 15061(b) (3); and
2. Approve P76-0258C, subject to the Conditions in Attachment 1, based on the Findings in Attachment 2.
3. Approve the Resolution accepting the Irrevocable Offer of Dedication from Patrick V. Morrison and Cynthia S. Morrison.

Fiscal Impact/Change to Net County Cost: None.

BACKGROUND AND REASON FOR RECOMMENDATION:

Development Services Department:

1) The original parcel map (P76-0258) was approved by the Board of Supervisors on August 13, 1976. The recorded map created four (4) lots each 10 acres in size. The Department of Transportation has determined that a portion of the existing 60 foot road and public utilities easement requires an amendment to accommodate the proposed road improvements to Hollow Oak Road. Therefore, the map correction has been submitted.

Project Description: This parcel map correction would abandon a portion of a 60 foot wide non-exclusive road and public utilities easement on Parcel C of recorded Parcel Map PM13-22. A portion of the non-exclusive road and public utilities easement would be abandoned, while another portion would be offered to the County, in fee. This parcel map correction would facilitate a safer realignment of Hollow Oak Road.

Amending of Final Maps: Chapter 16.72 of the El Dorado County Code and Section 66472.1 of the Subdivision Map Act allows the amending of final maps by either the filing a Certificate of Correction or amending the map. Should the County determine that the amendment be approved, a Certificate of Correction is recommended by the County Surveyors Office to affect the amendment of the 60 foot road and public utilities easement.

Section 16.72.040 of the County Code requires the decision makers make findings for an amended map that there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary and that the changes do not impose any additional burden on the present fee owner of the properties. Further, the modifications proposed should not alter any right, title or interest in the real property reflected in the recorded map and that map as modified shall conform to the provisions of *Section 66474 of the Government Code*.

The findings for approving the parcel map correction are discussed in more detail within Attachment 2.

GENERAL PLAN

The El Dorado County General Plan designates the subject site as Adopted Plan, a designation in reference to areas where specific plans have been adopted. These plans and the respective land use maps are accepted and incorporated by reference and are hereby adopted as the General Plan Land Use map for such areas. Since the Bass Lake Hills Specific Plan has been incorporated by reference under General Plan Land Use Element Policy 2.2.1.2, the proposed parcel map correction is found to be consistent with the General Plan.

ZONING

The parcel map correction is consistent with the regulations established for the underlying Agricultural (A) Zone District and the general provisions outlined by the Zoning Ordinance. No conflicts with the development standards of the Zone District or Zoning Ordinance exist, and no conflicts would be created with this action. Any future development must observe the requirements of the underlying zone district and the general development provisions outlined by the County Ordinance.

Amending Final Parcel Maps: Chapter 16.72 of the El Dorado County Subdivision Ordinance allows the process of a map amendment to correct minor changes on a recorded final map. This project is a request to amend a portion of existing road and public utility easement. There would be no improvements required under this map action, and the findings necessary to support this proposal are included as Attachment 2.

Agency and Public Comments: The following agencies provided conditions of approval noted in Attachment 1:

County Surveyor
County Department of Transportation

ENVIRONMENTAL REVIEW

This project is exempt from the requirements of *CEQA* pursuant to *Section 15061(b) (3)* because it can be determined with certainty that this map correction would have no effects on the environment. The road to which the re-alignment is being shifted exists and was previously created to accommodate prior logging activities. No improvements are necessary in order to process this parcel map correction, and the project is exempt from CEQA review.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

Department of Transportation:

2) The Department of Transportation has received an Irrevocable Offer of Dedication for road right of way, including the underlying fee, along with public utilities and slope easements. Said dedication is being made by Patrick V. Morrison and Cynthia S. Morrison. The subject property is identified as Assessor's Parcel Number 119-090-07 and is located at 3521 Hollow Oak Road in El Dorado Hills. Said right of way and easements are more particularly described in Exhibit A and depicted in Exhibit B, which are attached to said Irrevocable Offer of Dedication. Said dedication is being made pursuant to the terms and conditions contained in the Bass Lake Hills Specific Plan Development Agreement and is necessary in order to accommodate the construction of Hollow Oak Road.

The Department of Transportation's staff has reviewed said offer and recommends that the Board adopt and authorize the Chairman to sign the Resolution accepting said offer, at this time. Authorization for recording said offer is pursuant to Government Code Section 7050.

ATTACHMENTS

Development Services Department:

Attachment 1 - Conditions of Approval

Attachment 2 - Findings

Exhibit A - Vicinity Map

Exhibit B - General Plan Land Use Map

Exhibit C - Zoning Map

Exhibit D - Assessor's Map

Exhibit E - Certificate of Modification

Exhibit F - Revised Parcel Map PM13-22

Department of Transportation:

Vicinity Map

IOD Resolution

IOD for Right of Way and Exhibits

Action to be taken following Board approval:

1. Applicant to pay the \$50.00 processing fee to file the Notice of Exemption with the County Recorder's office.
2. The Resolution accepting the Irrevocable Offer of Dedication and Exhibits will be recorded simultaneously with the Certificate of Modification abandoning a portion of said 60 foot wide road and

public utilities easement.

3. Copies of the recorded Resolution, Irrevocable Offer of Dedication, Exhibits and Certificate of Modification will be sent to the property owner.

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