

**EL DORADO COUNTY PLANNING & BUILDING
DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: June 20, 2018
Item No.: 4.b.
Staff: Isaac Wolf

TENTATIVE PARCEL MAP TIME EXTENSION

FILE NO.: P10-0003-E/Scheiber Ranch

APPLICANT/OWNER: Scheiber Ranch, LLC

AGENT: The True Life Companies

REQUEST: Request for six (6) one-year time extensions to the approved Tentative Parcel Map P10-0003-R creating two parcels, resulting in a new expiration date of December 1, 2023.

LOCATION: Approximately 4,000 feet south of Mother Lode Drive along the eastern perimeter of French Creek Road, in the Shingle Springs area, Supervisorial District 2 (Exhibit A).

APN: 090-190-01 (Exhibit B)

ACREAGE: 297.05 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

ZONING: Residential Estate-10 (RE-10) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Previously Adopted Negative Declaration.

RECOMMENDATION: Staff recommends the Zoning Administrator 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 Negative Declaration or an Addendum to the existing Negative Declaration, adopted by the Zoning Administrator on December 1, 2010; and
2. Approve P10-0003-R extending the expiration of the approved Tentative Parcel Map for six years to December 1, 2023, based on the Findings and subject to the original Conditions of Approval as presented.

BACKGROUND

On December 1, 2010, the Zoning Administrator adopted the Negative Declaration based on the Initial Study prepared by staff and approved Tentative Parcel Map P10-0003, subdividing the 293-acre property into two lots consisting of a 273-acre lot and a 20-acre lot. (Exhibit F)

Since the December 1, 2010 approval, the total acreage of the lot at 273 acres was identified as an error. The parcel has been verified by the project engineer as having a total acreage of 297.05 acres.

On March 2, 2016, the Zoning Administrator approved Tentative Parcel Map Revision P10-0003-R, subdividing the 297.05-acre lot into two lots consisting of a 274.26-acre lot and a 21.31-acre lot. This revision was to reconfigure the two previously-approved lots. (Exhibit G)

Since approval, the applicant has not filed or recorded a Parcel Map. The Tentative Parcel Map had an original expiration date of December 1, 2013, which was automatically extended to December 1, 2017 as a result of recent state legislation including Subdivision Map Act (SMA) Sections 66452.23 (Assembly Bill AB 208) and 66452.24 (Assembly Bill AB 116) (Exhibit H). The applicant filed this time extension request on November 21, 2017.

ANALYSIS

Section 120.074.030 of the El Dorado County Subdivision Ordinance regulates the time extension of approved Tentative Parcel Maps. The ordinance limits the extension to a maximum of six one-year discretionary time extensions.

As a Condition of Approval, the County Transportation Division has required that the applicant irrevocably offer to dedicate, in easement or in fee, a 30-foot right-of-way along Lot 1 frontage of French Creek Road, which totals 1.48 acres with slope easements included as necessary. The remainder lot has been the subject of an application for a development project which has been in process for several years. Delays in processing the development application have prevented recording of the dedication of right-of-way along Lot 1 frontage with any level of certainty as to whether or not that proposed dedication limit is appropriate.

If approved, the map expiration date would extend to December 1, 2023. This would be the last time extension allowable under the El Dorado County Subdivision Ordinance.

ENVIRONMENTAL REVIEW

The Scheiber Ranch Tentative Parcel Map and subsequent revision are projects that were analyzed in the adopted Negative Declaration. The proposed time extension would allow the continued residential development of the project consistent with the approved Tentative Parcel Map revision. Since the time extension request does not request any changes to the Tentative map revision approval, and since there is neither any new information nor any changes to the project or its circumstances after adoption of the previous Negative Declaration, this tentative map time extension application is consistent with the previously adopted Negative Declaration and is hereby exempt in accordance with CEQA Guideline 15162. No further environmental analysis is necessary.

PUBLIC COMMENT

At the time this staff report was written and submitted to clerical staff for processing on May 14, 2018, no public comments for this project have been received. An update will be provided to the Zoning Administrator at the hearing date of June 28, 2018 if any public comments were received including staff's response to the public comment.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A Location Map
Exhibit B..... Assessor's Parcel Number Map
Exhibit C..... General Plan Land Use Map
Exhibit D Zoning Map
Exhibit E..... Aerial Map
Exhibit F..... Approved Tentative Parcel Map (Original)
Exhibit G Approved Tentative Parcel Map (Revision)
Exhibit H Slope Map
Exhibit I..... Parcel Map Timeline and Expiration
Exhibit J..... Extension Request

FINDINGS

Tentative Parcel Map Time Extension P10-0003-E/Scheiber Ranch Zoning Administrator/June 20, 2018

1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including: (1) substantial changes to the project which would require major revisions to the previous negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects; (2) substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous negative declaration due to the involvement of new significant environmental effects; or (3) a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous negative declaration was adopted, shows the project will (a) have one or more significant effects not discussed in the previous negative declaration; and (b) significant effects previously examined will be substantially more severe than shown in the previous negative declaration.

The proposed project is a time extension to a previously approved tentative map for which a negative declaration was certified by the Zoning Administrator on December 1, 2010. The proposed project was reviewed under the environmental analysis presented in the negative declaration. It was determined that the project does not involve any substantial changes in circumstances that result in a new significant impact or significant impacts that are substantially more severe than those previously disclosed in the negative declaration. In addition, there is no new information of substantial importance showing that the project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than effects shown in the negative declaration.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division - Planning Services at 2850 Fairlane Court, Placerville, California, 95667.

2.0 TENTATIVE PARCEL MAP TIME EXTENSION FINDINGS

- 2.1 **The request for extension of the approved Tentative Parcel Map complies with County Subdivision Ordinance Section 120.74.030.A.**

Section 120.74.030.A allows the subdivider to request up to six one-year extensions from the expiration date of an approved or conditionally approved tentative map, as allowed by Government Code Sections 66452.6(e) and 66463.5, by timely written application to the Department of Planning. The subdivider may request more than one time extension at a time, up to the maximum allowed by this subsection or a

development agreement applicable to the map for which the extension request is filed, but in no event shall the total time extension requested exceed six years. Each application shall be filed before the approved or conditionally approved tentative map expires and shall state the reasons for requesting the extension.

Rationale: The applicant is requesting six one-year time extensions and the appropriate application and processing fees were submitted on November 21, 2017, prior to the expiration date of December 1, 2017. The six one-year time extension request complies with Section 120.74.030.B.

The applicant cites delays in processing a dedication of right-of-way for the delay in filing and recording the final map. The six one-year time extensions would allow the applicant time to prepare the Parcel Map and address all Conditions of Approval.

2.2 The request for extension of the approved Tentative Subdivision Map complies with County Subdivision Ordinance Section 120.74.030.B.

Section 120.74.030.B. requires that the Planning Department review the request and submit the application for the extension, together with a report, to the approving authority for approval, conditional approval, or denial. In approving, conditionally approving, or denying the request for extension, the approving authority shall make findings supporting its decision.

Rationale: The Planning Department has reviewed the time extension request for Tentative Parcel Map P10-0003-E/Scheiber Ranch Parcel Map Time Extension, along with all submitted materials, and has submitted this staff report with recommendations for approval based on the Findings provided in compliance with Section 120.74.030.B.

CONDITIONS OF APPROVAL

**Tentative Parcel Map Time Extension P10-0003-E/Scheiber Ranch
Zoning Administrator/June 20, 2018**

(The following are the original Conditions of Approval for P10-0003-R (Scheiber Ranch Tentative Parcel Map Revision), as approved by the Zoning Administrator on March 2, 2016.

Conditions of Approval

PROJECT DESCRIPTION

1. The Revised Tentative Parcel Map is based upon and limited to compliance with the revised project description, the hearing exhibits marked:

Exhibit F.....Approved Revised Tentative Parcel Map;
October 2015

Exhibit H.....Revised Slope Map; October 2015

and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations from the above described approval would constitute a violation of permit conditions.

The project description is as follows:

Revision to the approved Tentative Parcel Map reconfiguring the subdivision of a 297.05 acre property into two lots consisting of a 21.31-acre lot and a 274.26-acre Remainder Parcel.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

PLANNING SERVICES

2. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Parcel Map.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

3. A note shall be placed on the Parcel Map stating that the proposed Remainder Parcel is being created pursuant to Section 66424.6 of the Subdivision Map Act. This note shall be verified during the filing of the Parcel Map.

DEPARTMENT OF TRANSPORTATION

4. Offer of Dedication: The applicant shall irrevocably offer to dedicate either in fee or in easement, a 30- foot right-of-way along the Lot 1 frontage of French Creek Road as determined by the County of El Dorado Department of Transportation, prior to the filing of the map. Slope easements shall be included as necessary. This offer will be accepted by the County.
5. Easements: All applicable existing and proposed easements shall be shown on the project plans.

OFFICE OF COUNTY SURVEYOR

6. All survey monuments must be set prior to filing the Parcel Map.
7. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that “all conditions placed on P 10-0003-R by (that agency) have been satisfied.” The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.