

**ELDORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: January 11, 2007

Item No.: 8.

Staff: Tom Dougherty

SUBDIVISION MAP CORRECTION

FILE NUMBER: TM89-1147C

OWNER/APPLICANT: Robert and Vera Doettling, Danny and Sandra Marostica, VCO, a California Limited Partnership

AGENT: Gene Thorne and Associates

REQUEST: A map correction to amend the recorded final map for Unit 3 (Lots 35 through 38) of the Longview Estates residential subdivision to reconcile the map with the correct location of the right-of-way for the cul-de-sac that fronts the four subject parcels.

LOCATION: On the west end of Morel Way, approximately 500 feet west of the intersection with Fieldstone Drive, in the Placerville Periphery area. (Exhibit A)

APN: 325-420-11, -12, -13 and -14

ACREAGE: 0.844 to 1.357 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit C)

ZONING: One-acre Residential (R1A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Statutorily Exempt pursuant to Section 15268(b) (3) of the CEQA Guidelines.

SUMMARY RECOMMENDATION: Recommend conditional approval

BACKGROUND: During the time period that lapsed between the approval and start of work on Long View Estates, and the filing for record of the final map for Unit 3 thereof, the subdivision standards for El Dorado County were modified. One change that affected Long View Estates, Unit 3, was that cul-de-sacs required new dimensions. As part of the approval process for the improvement plans, the dimensions for the cul-de-sac were modified to reflect the new County standards and the improvements were built according to the approved plans. The final map for Long View Estates, Unit 3, had been drafted prior to the new standards and in advance of the Improvement Plans. The right-of-way on the final map did not agree with that shown on the improvement plans, so the map that filed for record did not provide the necessary right-of-way.

The purpose of this subdivision map correction request is to make the amendment(s) necessary to the plat of the subdivision to provide right-of-way for the cul-de-sac in harmony with that shown on the approved, recorded improvement plans. The map includes the required offer of dedication for the additional right-of-way which is shown and noted as Lot R on Subdivision Map J-31 which was recorded on July 21, 2004.

STAFF ANALYSIS

Project Description: Amend a portion of the final map for the Long View Estates, Unit 3, as recorded in Book J, Page 31. The map correction would reconcile the map with the correctly located right-of-way containing the cul-de-sac in the field involving four parcels in Unit 3 that front Morel Way. The scope of the project involves shifting applicable lot lines on Lots 35 through 38, with the error shift being absorbed into all four lots. This shift will result in all the parcels changing in size. The resultant four parcels will now range in size from 0.844 to 1.357 acres. The balance of the subdivision will remain as recorded. The map correction includes the abandonment and relocation of the utility easements. Exhibits E-1 and E-2, E-3, and E-4 show the existing project parcels (selected pages of the existing Longview Estates Subdivision Map J-31, four sheets), and Exhibits F-1, F-2, and F-3 show the details of the map after amendment.

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 to affect the removal of the road and public utility 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 are discussed in more detail in Attachment 2, Findings.

Site Description: The 4.255 total-acre site of the four subject parcels are comprised of approximately 20 to 30 percent slopes that have a downward trend from south to north. The existing

trees include interior live oaks (*Quercus wislizenii*), and blue oaks (*Quercus douglasii*) with annual non-native grasses.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Three parcels are vacant; one has a single-family dwelling in progress.
North	R1A	MDR	Single-family residence.
South	RE-5	LDR	Single-family residence.
East	RE-5	RR	Single-family residence.
West	RE-5	LDR	Single-family residence.

Discussion: The project parcels are all part of an approved and developing subdivision. The significant drainage easements have been maintained without change as well as the rest of the easements to support utility infrastructure of the subdivision, such that said correction will not affect any of the surrounding parcels, nor the project parcels in any negative way or conflict with their ability to be developed into single-family residences.

General Plan: The project area is designated on the General Plan land use map as Medium Density Residential. This designation is suitable for single-family residences, and the approved and developing Longview Estates, Unit 3, is consistent with this designation as well.

Conclusion: The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies. It has been determined that the project is consistent with the General Plan and also *Section 65402* of the *California Government Code*. Findings of Consistency with the General Plan are provided in Attachment 2.

Zoning: The project site is zoned One-acre Residential. No new conflicts with setbacks or easements relative to structures under construction, or any other development standards or requirements of the Zoning Code, will be created by correcting the cul-de-sac and right-of-way locations on the final map as proposed by this project, as they reflect what currently exists.

Other Issues: The four subject project parcels are owned by multiple entities. At the time of application submittal, the appropriate documents were received from all property owners indicating their acceptance of the proposed project. Should ownership change for any reason prior to the final recording of the amended map from that which is known currently, those new owners would also have to agree to the map correction and sign the recorded map. The applicants and agents have been notified of these requirements (also see Condition 4).

ENVIRONMENTAL REVIEW

This project has been found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15268 (b) (3) stating that the approval of final subdivision maps is presumed to be ministerial and is exempt from further environmental review.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (*California Fish and Game Code Section 711.4*).

RECOMMENDATION

Staff recommends the Planning Commission forward a recommendation that the Board of Supervisors take the following actions:

1. Certify that the Certificate of Map Correction is Statutorily Exempt from the requirements of CEQA pursuant to Section 15268(b) (3); and
2. Approve TM89-1147C, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	Assessor's Parcel Page
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E1 – E4	Subdivision Map J-31, Sheets 1-4
Exhibits F1 – F3	Applicant's Proposed Map Correction Amending Subdivision Map J-31.

CONDITIONS OF APPROVAL

File Number TM89-1147C

Planning Services

1. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be submitted to the El Dorado County Planning Services within five days of the approval of this application by the El Dorado County Board of Supervisors.

County of El Dorado Office of the County Surveyor

2. All survey monuments shall be set prior to the recordation of the final map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit shall be coordinated with the County Surveyor's Office.
3. The applicant shall file an amended final subdivision map with the El Dorado County Surveyor's office pursuant to the Subdivision Map Act and County Code for review and approval prior to recordation at the County Recorders Office. Said map is to be consistent with Exhibits F-1, F-2, and F-3. The property owners are responsible for all associated processing and recording fees.
4. All owners of record at the time of the recording of the amended final subdivision map must submit appropriate documentation demonstrating their acquiescence of the proposed project as approved, and they must be signature to the corrected Final Subdivision Map as well.

ATTACHMENT 2 **FINDINGS**

File Number TM89-1147C

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

FINDINGS FOR APPROVAL

1.0 Map Correction Findings

1.1 That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.

In light of the fact that the development plans reflecting the existing right-of-way and cul-de-sac locations have had previous County approval, there is no conflict with amending the final subdivision map to reconcile the map with the correct location of the right-of-way for the cul-de-sac that fronts the four subject parcels.

1.2 That the modifications proposed do not impose any additional burden on the present fee owner of the property.

Affected property owners are in agreement with the purpose of the map correction.

1.3 That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.

The correcting of the final subdivision map to reflect the current cul-de-sac location will not alter any right, title or interest in the real property reflected in the recorded subdivision map J-31.

1.4 That the map as modified conforms to the provisions of *Section 66474* of the *Government Code*.

The applicable portion of *Section 66474(g)* requires that the County find the change to the final map will not conflict with easements for access through or use of, property within the subdivision map. The map correction simply adjusts the locations of the property and right-of-way lines subject of this permit request.