

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: July 26 ,2007

Item No.: 8

Staff: Mel Pabalinas

TENTATIVE SUBDIVISION MAP TIME EXTENSION

FILE NO.: TM95-1298E and TM99-1299E/Marble Valley

APPLICANT: Marble Valley Company, LLC

AGENT: Kirk Bone

REQUEST: Five one-year time extensions to an approved tentative subdivision map in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and Marble Valley Development Agreement

LOCATION: On the south side of U.S. Highway 50 between the Bass Lake Road and Cambridge Road interchanges, in the El Dorado Hills area (Exhibit A); Supervisorial District II

APN: 119-020-44, 119-030-09, -10, -00, and -13; and 87-200-74

ACREAGE: 2,341 acres

GENERAL PLAN: Low Density Residential and Tourist Recreational

ZONING: Estate Residential Five-acre/Planned Development overlay (RE-5/PD) and Open Space (OS)

ENVIRONMENTAL DOCUMENT: Subject to Environmental Impact Report (EIR) originally adopted for the project

SUMMARY RECOMMENDATION: Conditionally approve

BACKGROUND

The Marble Valley tentative subdivision map was conditionally approved by the El Dorado County Board of Supervisors on February 10, 1998, with a three year expiration date to February 10, 2001. A one-year time extension request was filed on December 29, 2000, and approved by the El Dorado County Planning Commission on April 12, 2001 extending the map to February 10, 2002. Marble Valley Company acquired the property from the SH Cowell Foundation in 2001.

Prior to expiration, a time extension request for a series of five one-year time extensions was filed on January 11, 2002 by the Marble Valley Company. Based on the Subdivision Map Act Section 66452.6(a) (1) and the Marble Valley Development Agreement (DA), the approved map would be allowed an extension for a cumulative period consistent with the DA. On July 14, 2005, the Planning Commission approved the time extension for five years with an expiration of February 10, 2007.

On November 3, 2006, Marble Valley Company filed the current time extension request. The applicant was not able to file and record any final map for the subdivision due to lack of available public water provided by El Dorado Irrigation District (EID) for the subdivision and various challenges associated with slowing housing market, upfront improvement costs and requirements, and with the pending completion of 404 permit process with the Army Corp of Engineers. The applicant states that the one-year time extension would not be sufficient to accomplish the required improvements, and obtain necessary permits and final map approvals. Therefore, a five one-year time extensions have been requested. If granted, the map would expire February 12, 2012.

STAFF ANALYSIS

Staff has reviewed the project for consistency with the County's regulations and requirements. An analysis of the proposal and issues for the Planning Commission consideration are provided in the following sections.

Project Description

The subdivision (TM95-1298) and planned development (PD96-004) consist of 398 single-family residential lots with an average size of two acres and lots for open space, a cultural arts center, school site, park and ride, and public streets and private streets. A large lot map (TM95-1299) was also approved for the merger and re-subdivision of the parent parcels creating 19 phasing parcels. The project was granted a design waiver allowing two road systems to exceed the dead-end road limit of 2,640 feet that serves more than 24 lots. There are no changes or revisions to the map associated with this time extension request.

Pursuant to the Subdivision Map Act [Section 66452.6(e)] and local ordinance (Chapter 16.74.030), the developer may request up to five one-year time extensions for the tentative map. However, the Marble Valley Development Agreement (Section 3.N.5) and the Subdivision Map Act (Section 66452.6(a1)) allow the extension of the tentative subdivision

map for a cumulative period consistent with the term of the Development Agreement. The term of the Marble Valley Development Agreement is 20 years (Section 1.B.1). The tentative map and development agreement were approved on February 10, 1998, and therefore a maximum of 20 years would allow an extension to February 10, 2018.

Site Description

The project site is characterized by sloping terrain ranging from 0 to 30 percent and an elevation varying from 650 feet to 1,200 feet. The site is approximately two miles wide and four miles long. The existing vegetation consists of corridors of oak woodland, pockets of Ponderosa pine, and grasslands. Marble Creek meanders from the northwest to the southeast, intersected by southwesterly flow by Deer Creek at the southern portion of the site.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
North	Residential Estate-10 acre minimum (RE-10)	Low Density Residential (LDR)	Single-family residence
South	Residential Estate-10 acre minimum (RE-10)	Rural Residential (RR)	Single-family residence
East	Various [Residential Estate-5acre (RE-5), Mineral Resources (MR), Open Space (OS)]	Various [Low Density Residential (LDR), Rural Residential (RR), Public Facilities (PF), Open Space]	Single-family residence
West	Residential Estate-10 acre minimum (RE-10)/Valley View Specific Plan (VVSP)	Low Density Residential (LDR)/Adopted Plan-Valley View Specific Plan	Single-family residence

General Plan

The General Plan Land Use Map designates the subject site primarily as Low Density Residential (LDR) which permits a density of one dwelling unit per five acres. Approximately 22 acres in the northwest portion of the site is designated Tourist Recreational (TR) and is designated for the future Cultural Arts Center. The 398 lots on 2,341 acres of LDR is a gross average of 5.8 acres per lot. The development plan was approved to allow clustering of the residential lots on an average of two-acres each, reserving the remainder of the development as permanent open space.

The approximately 22 acres in the northwest portion of the site is designated Tourist Recreational (TR) and is described in the Marble Valley Master Plan and Development Agreement to serve as the future Sierra Cultural Arts Center, also called the Marble Valley Center for the Arts. The Arts Center is consistent with the TR General Plan designation.

The site was formally created as Marble Valley, Unit A, in a one-lot final map (I-128) that recorded on March 5, 2002. The Marble Valley project is consistent with the General Plan.

Zoning

The subject site is zoned Estate Residential Five-acre/Planned Development (RE-5/PD) and Open Space (OS). The RE-5 Zone typically permits a parcel size of five acres, but the development plan was approved to allow a clustering of lots on parcels of approximately two acres each, with the remaining acreage in open space. The approved parcels are therefore consistent with the zoning and the approved development plan.

Subdivision Ordinance

As detailed in Attachment 2, the proposed tentative map time extension is found to be consistent with Section 16.44.030 of the El Dorado County Subdivision Zoning Ordinance.

Other Issues

Development Agreement Section 3.N.5

Section 3.N.5 of the Development Agreement states that, "Any such extension occurring subsequent to 10 years following the effective date of this Agreement, shall be subject to the application of the revised engineering standards as set forth in Section 2.J.1." This time extension request is for a total of five years and would extend the map to a total of 14 years from the execution date of the Development Agreement. Therefore, in accordance with Section 3.N.5 of the Development Agreement, applying "revised engineering standards" would be necessary. A condition of approval reflecting this requirement is included in Attachment 1.

Agency Comments

The time extension request was distributed for agency comments on November 22, 2006. The commenting agencies include Department of Transportation (DOT), El Dorado Hills Community Services District (CSD), El Dorado Hills Fire Department, Office of the County Surveyor, and Cameron Estates Community Services District.

As detailed below, the Planning Services Division recommends the additional conditions of approval.

There were no objections to the requested time extension.

Conditions of Approval

Included as Attachment 1, the tentative subdivision map time extension is subject to the original conditions of approval. Additional agency conditions of approval from Planning

Services have been incorporated and depicted with underlines. The numerical sequencing of the original conditions of approval are shown with a ~~striketrough~~.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was certified with the approval of the Marble Valley project on February 10, 1998. All mitigation measures contained in the Final EIR were adopted by the Board of Supervisors and incorporated as conditions of approval of the tentative map (Condition 32 of TM95-1298). Since the original certification of the EIR, no new environmental issues have been identified which would require additional environmental review. Therefore, the time extension is deemed Statutorily Exempt pursuant to Section 15182 of California Environmental Quality Act (CEQA) Guidelines.

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

RECOMMENDATION

Staff recommends that the Planning Commission:

- 1) Certify that the project is Statutorily Exempt from CEQA pursuant to Section 15182; and
- 2) Approve the Marble Valley tentative subdivision map time extension based on the Conditions of Approval in Attachment 1 and Findings in Attachment 2.

SUPPORT INFORMATION

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.....	Approved Tentative Subdivision Map

ATTACHMENT 1

CONDITIONS OF APPROVAL

1. This time extension is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibits D 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 without the above described approval would constitute a violation of permit approval.

The request consists of:

Five one-year Time Extensions to an approved Tentative Subdivision Map in accordance with Section 16.74.030 of the El Dorado County Subdivision Ordinance and Marble Valley Development Agreement

STANDARD CONDITIONS OF APPROVAL

2. ~~1.~~ The developer shall obtain approval of construction drawings consistent with the Subdivision Design and Improvement Standards Manual and cost estimates from the County Department of Transportation and pay all applicable fees prior to commencement of any improvements on the public street and service facilities. All improvements shall be consistent with the approved tentative map, as may be modified in the adopted mitigation measures or the following conditions of approval.
3. ~~2.~~ The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance.
4. ~~3.~~ The final map shall show all utility, road and drainage easements in accordance with the recommendation of the utility purveyors and the County Engineer. Final determination of the location of said easements shall be made by the County Engineer. Said easements shall be irrevocably offered to the County.
5. ~~4.~~ If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
6. ~~5.~~ If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.

7. ~~6.~~ This project shall be subject to the El Dorado Hills/Salmon Falls Road Impact Fee, pursuant to Resolution No. 175-96. Said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
8. ~~7.~~ This project shall be subject to the State System Capacity and Interchange TIM fees, pursuant to Resolution No. 202-96. Said fees shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
9. ~~8.~~ All roads shall be constructed in conformance with the Design and Improvement Standards Manual with the following widths:

ROAD NAME	STANDARD PLAN	ROAD WIDTH, EDGE OF PAVEMENT TO EDGE OF PAVEMENT (RIGHT-OF-WAY)	EXCEPTIONS/SPECIAL NOTES
Marble Valley Road	101 B	40 ft. [60 ft. ROW]	3 inches AC over 8 inches AB minimum with 8-foot wide paved bike trail
Marble Lake Drive (Marble Valley Road to Marble Creek Drive)	101 C	32 ft. [50 ft. ROW]	3 inches AC over 8 inches AB minimum
Marble Lake Drive (Marble Creek Drive to End), Marble Creek Drive, Marble View Drive, Marble Point Drive, Marble Way, and Lima between Marble Point Drive and Marble Way	101 C	28 ft. [50 ft. ROW]	2.5 inches AC over 6 inches AB minimum
All Cul-de-sacs	101 C and 114	24 ft. [50 ft. ROW]	2 foot minimum shoulders
Emergency Vehicle Access Roads	Fire Safe Regulations	20 ft.	Double chip seal over 6 inches AB

10. ~~9.~~ The eastern portion of Marble Valley Road as it passes through Cambridge 120 shall be constructed to Department of Transportation standards specified in Condition 8 connecting to Cambridge Road concurrently with Phase 2 of this project. Furthermore, the Marble Valley Road connection to Cambridge Road shall be constructed in a continuous alignment. The Crazy Horse Road and Flying C Road (Road #1021) intersections shall be reconstructed to the geometrics and minimum spacing between intersections as required by the Department of Transportation.

11. ~~10.~~ All emergency vehicle accesses shall be constructed to meet minimum fire safe regulations and shall extend off-site to a County-maintained road or private road that meets minimum fire safe regulations.
12. ~~11.~~ Direct access, via a residential driveway, to a roadway exceeding 2,000 Average Daily Trips shall be prohibited. Where applicable, all lots that front on two roads shall take access on the minor roadway. A vehicular access restriction shall be designated along the frontage of all associated major roadways.
13. ~~12.~~ Subdivision improvements shall include driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Transportation Director. Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.
14. ~~13.~~ An irrevocable offer of dedication, in fee, shall be made of 60 feet in the width, as approved by DOT, for the entire on-site portion of Marble Valley Road, from the western boundary line of this project to Cambridge Road, with slope easements where necessary.
15. ~~14.~~ An irrevocable offer of dedication shall be made for all other roads in the width as described in the conditions for the proposed roads, with slope easements where necessary. Said offer may be rejected at the time of the final map, in which case, a homeowners agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads.
16. ~~15.~~ An irrevocable offer of dedication shall be made of 60 feet in radius for the cul-de-sacs, with slope easements where necessary. Said offer may be rejected at the time of the final map, in which case, a homeowners agreement and association, or other entity, shall be established in order to provide for the long-term maintenance of the roads.
17. ~~16.~~ A final drainage plan shall be submitted to and approved by the Department of Transportation. All drainage facilities shall be designed in compliance with the County Drainage Manual. The developer shall install all drainage facilities shown on the plan with the respective phase of construction.
18. ~~17.~~ Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.

19. ~~18.~~ Prior to approval of the final map by the Board of Supervisors, the subdivider shall be required to form a County Service Area Zone of Benefit to fund the maintenance of drainage facilities.
20. ~~19.~~ All grading plans shall be prepared and submitted to the Soil Conservation Service and the Department of Transportation. The Soil Conservation Service shall review and make appropriate recommendations to the County. Upon receipt of the review report by the Soil Conservation Service, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permit shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.
21. ~~20.~~ The timing of construction and method of re-vegetation shall be coordinated by the El Dorado County Resource Conservation District. If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the Soil Conservation Service for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
22. ~~21.~~ The location of fire hydrants and systems for fire flows are to meet the requirements of the responsible Fire Protection District. The location of hydrants shall be shown on the improvement plans which shall be subject to the approval of the fire protection district.
23. ~~22.~~ Improvement plans shall incorporate protective measures toward existing oak trees per Volume IV, Design and Improvement Standards Manual, Oaktree and Wetlands Preservation Requirements and Specifications (County Resolution No. 199-91).
24. ~~23.~~ An additional emergency road constructed as required by Condition 8 shall connect Marble View Drive to the boundary of the Valley View Project (current APN 108-020-01; current owner: El Dorado Hills Investors).

County Surveyor

25. ~~24.~~ All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, work completed, or work to be completed, and cost of completion is to be determined by the County Surveyor.
26. ~~25.~~ All roads shall be named by filing a completed road naming petition for each road with the County Surveyor's Office prior to filing the final map.

Planning Services

27. ~~26.~~ If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource. If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
28. ~~27.~~ A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map, pursuant to Board of Supervisors Resolution No. 118-92.
29. ~~28.~~ A letter of agreement from the cable television franchisee, pursuant to Section 16.16.010 (I) of the County Code, shall be submitted to Planning Services prior to approval of the final map.
30. ~~29.~~ Prior to the recording of the final map, the developer shall provide evidence of agreement with the elementary and high school districts for payment of such fees as may be established by said school district(s) in accordance with Government Code Sections 65995-65997. The developer shall produce evidence of an agreement with said school district(s) to pay, for each building permit issued thereafter, the amount of \$7,198 per residential unit pursuant to Resolution No. 220-91, or such other fee amount established by the Board of Supervisors pursuant thereto or pursuant to any successor thereto.
31. ~~30.~~ As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possessing of the property.

Where the subdivider is required to make improvements on land which neither the subdivider nor the County has sufficient title or interest to make such

improvements, prior to filing of any final map or parcel map, the subdivider shall submit to the Planning Director for approval:

- a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to the filing of the final map, the subdivider shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

32. ~~31.~~ Prior to finaling each phase, it shall be demonstrated that the Fire District Boundaries do not split residential lots. (Responding to Comment 5-1).
33. In accordance with Section 3.N.5 of the Marble Valley Development Agreement, relevant "revised engineering standards" shall apply in processing of Final Maps and Improvement Plans.

Mitigation Measures

34. ~~32.~~ All Mitigation Measures contained in the Final EIR that are adopted by the Board of Supervisors are incorporated as conditions of approval of the tentative map.
35. ~~33.~~ No grading permit shall be issued for the project, or any portion thereof, unless and until landowner has reached final agreement with the El Dorado Irrigation District regarding a fully vested right to water service to the portion of the project site affected by the grading permit.
36. ~~34.~~ Prior to approval of the next final map, the developer shall enter into an agreement to relocate a school site for the Buckeye Union Elementary School District.

ATTACHMENT 2 FINDINGS

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 An Environmental Impact Report was certified with the original approval of the Marble Valley project on February 10, 1998. All mitigation measures contained in the Final EIR were adopted by the Board of Supervisors and incorporated as conditions of approval of the Tentative Subdivision Map (Condition 32 of TM95-1298). Since the original certification of the EIR, no new environmental issues have been identified which would require additional environmental review. Therefore, the Time Extension is deemed Statutorily Exempt pursuant to Section 15182 of California Environmental Quality Act (CEQA) Guidelines.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The General Plan Land Use Map designates the subject site primarily as Low Density Residential (LDR) which permits a density of one dwelling unit per five acres. Approximately 22 acres in the northwest portion of the site is designated Tourist Recreational (TR) and is designated for the future Cultural Arts Center. The 398 lots on 2,341 acres of LDR is a gross average of 5.8 acres per lot. The Development Plan was approved to allow clustering of the residential lots on an average of two-acres each, reserving the remainder of the development as permanent open space.

2.2 Zoning Code

The subject site is zoned Estate Residential Five-acre-Planned Development (RE-5/PD) and Open Space (OS). The RE-5 Zone typically permits a parcel size of five acres, but the Development Plan was approved to allow a clustering of lots on parcels of approximately two acres each, with the remaining acreage in open space. The approved parcels are therefore consistent with the zoning and the approved development plan.

2.3 Subdivision Ordinance

A. That the proposed map is not consistent with applicable general and specific plans;

The proposed time extension to an approved map would create custom residential parcels consistent with the designated density under the 1996 and 2004 El Dorado County General Plan.

B. That the design or improvement of the proposed division is not consistent with applicable general and specific plans;

The proposed tentative map has been designed in conformance with the General Plan policies and standards including protection of natural resource, circulation, land use, and public facilities.

C. That the site is not physically suitable for the type of development;

The site is physically suitable for custom residential development. The anticipated lots are 2 acres in average size and would accommodate flexible building pad location, thereby minimizing impacts to on-site resources and site constraints, subject to the Marble Valley Master Plan and subsequent development permit review in accordance El Dorado County standards.

D. That the site is not physically suitable for the proposed density of development;

The 2,000-acre site is physically suitable to accommodate the approved subdivision and planned development. The subdivision anticipates a maximum 398 custom residential lots with an average size of two acres, and a gross density of 5.8 acres per residence for the entire subdivision. Development of each custom lot shall be subject to the Marble Valley Master Plan.

E. That the design of the division or the proposed improvements are likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;

Development of these custom residential lots are subject to the specific project conditions of approval and required mitigation measures under the certified Environmental Impact Report minimizing impacts to natural resources on site. Prior development of each lot, individual construction and improvement plans shall be reviewed for conformance to applicable County standards. Therefore, the design of the subdivision is not likely to cause substantial environmental damage.

F. That the design of the division or the type of improvements is likely to cause serious public health hazards;

The conditionally tentative subdivision map anticipates the development of 398 custom residential lots. Overall development of the site shall be subject to subsequent permitting review in accordance with the El Dorado County and affected agency standards. Also, the original approval included a granting of a Design Waiver of El Dorado County standards allowing two road systems to exceed the dead-end road limit of 2,640 feet and serve more than 24 lots subject to the provision of emergency access roads and other fire emergency infrastructures. Therefore, the project design anticipates a safe and orderly development is not likely to cause serious public health hazards.

G. That the design of the division or the improvements is not suitable to allow for compliance of the requirements of section 4291 of the Public Resources Code;

The design of the Tentative Subdivision Map conforms to the requirements of Section 4291 of the Public Resources Code involving brush and vegetation fire prevention. Future development permits for the site would be reviewed for conformance for on-site fire suppression and emergency access and circulation by the El Dorado Hills Fire Protection District. Moreover, Sections 5.5.1 (Wildfire Hazard Fuel Reduction) and 6.0 (Residential Design Guidelines) of the Marble Valley Master Plan provides additional measures for fuel management around individual home sites.

H. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection the approving authority may approve a map if it finds that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 3805 §15, 1988: prior code §9702)

Necessary utility easements are depicted on the tentative subdivision map and shall be further verified by the County Surveyor's Office at the time of filing of final map. Additional easements would be required during review of future discretionary development permit, as deemed necessary. Therefore, no conflicts with easements acquired by the public at large are anticipated.