

ENDORSED
FILED

MAY 11 2023

KIMBERLY L. GRADY, County Clerk

AMADOR COUNTY

By

MORRIS

Deputy

**MITIGATED NEGATIVE DECLARATION
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

PROJECT: Tentative Subdivision Map 187 Allswell Ranch Estates

LEAD AGENCY: Amador County Planning Department

PROJECT LOCATION: 15910 State Highway 124, Plymouth, CA 95669

PROJECT DESCRIPTION: Tentative Subdivision Map SM 187 Allswell Ranch Estates, proposing the division of a single ±61.27 acre-parcel into 6 parcels, ranging in size from ±5 acres to ±33.63 acres. The parcel is zoned R1A, Single Family Residential and Agricultural and has a General Plan Designation of AT, Agricultural Transition (5-acre minimum). APN: 008-130-042

PUBLIC HEARING: The Amador County Planning Commission conducted a public hearing on the matter on May 9, 2023 at 7:00 p.m. in the Board Chambers of the County Administration Center, 810 Court Street, Jackson, CA, 95642.

PROJECT FINDINGS:

- I. Given that Section 66474 of the California Subdivision Map Act requires a County to deny approval of a tentative map if it makes any of the following findings:
 - a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
 - c. That the site is not physically suitable for the type of development;
 - d. That the site is not physically suitable for the proposed density of development;
 - e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - f. That the design of the subdivision or type of improvements is likely to cause serious public health problems;
 - g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

The above Findings I(a-g) do not apply to **Tentative Subdivision Map 187** in that:

- a. The proposed map is consistent with the Amador County General Plan;
- b. There are no proposed improvements of the proposed subdivision inconsistent with the General Plan;
- c. The site is physically suitable for residential development and is compatible with surrounding residential and agricultural uses;
- d. The site is appropriate for the specified density of development as provided in the Amador County General Plan;
- e. The CEQA Initial Study for Tentative Subdivision Map 187 determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval – see attached conditions/mitigation measures;
- f. The CEQA Initial Study prepared for Tentative Subdivision Map 187 determined that no potentially serious health impacts were identified from the project;

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- g. No conflicts with easements acquired by the public at large, for access through or use of property within the proposed subdivision have been identified.
2. Additionally, Government Code Section 66474.02 requires findings when approving a Parcel or Subdivision Map that is located in a State Responsibility Area (SRA) or a Very High Fire Hazard Severity Zone (VHFHSZ). Those findings are:
 - a. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any application regulations adopted by the State Board of Forestry and Fire protections pursuant to Sections 4290 and 4291 of the Public Resources Code;

Structural fire protection and suppression services will be available for the subdivision through any of the following entities:

 - i. A county, city, special district, political subdivision of the state, or other entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.
 - ii. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.
 - b. To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance.
 3. Additionally, County Code Section 19.50.030 includes required findings for discretionary approvals in the Agricultural-Transition general plan land use classifications, as follow:
 - a. Approval of any discretionary action that divides a parcel, increases the legal parcel density or intensity, or requires approving a discretionary use permit in the Agricultural-Transition (AT) land use classification is subject to the county making all of the following findings concurrent with project approval:
 - i. Feasible measures will be implemented to mitigate the project's significant adverse impacts, if any, on adjoining or nearby agricultural or timberlands and operations and to minimize the likelihood of those lands converting to nonagricultural or non-timberland uses.
 - ii. Any parcels subject to the county action remain suitable for rural ranchettes, limited animal husbandry, and family garden, orchard, or supplementary agricultural income. (Ord. 1777 §2 (part), 2018).
 4. The project, as proposed, is consistent with the Amador County General Plan and Zoning District at this location. The site is physically suitable for the type and density of the development proposed; the tentative map does not conflict with any easements of record acquired by the public at large, and the approval of this Tentative Map by the Planning Commission is sanctioned by County code Title 17 for Divisions of Land and that the establishment, maintenance or operation of the project applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county with the implementation of the proposed Conditions of Approval and Mitigation Measures.
 5. On the basis of the administrative record presented, the Planning Commission approves the proposed mitigated negative declaration and finds, based on the administrative record, that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the Planning Commission's independent judgment and analysis.

PREPARATION OF STUDY: Information on file with the Amador County Planning Department, 810 Court Street, Jackson, CA 95642; (209)223-6380; File No. Tentative Subdivision Map 187 Allswell Ranch Estates



 Chairperson
 Amador County Planning Commission

5/9/23

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