



## RESOLUTION NO. 161-2018

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**WHEREAS**, the County of El Dorado approved General Plan Amendment A14-0001, Rezone Z14-0001, El Dorado Hills Specific Plan Amendment SP86-0002-R, and Revision to Town Center East Development Plan PD94-0004R-2 (“2014 Entitlements”) for the 250-unit El Dorado Hills Apartments project on December 2, 2014 under Resolution No. 208-2014 and certified a Subsequent Mitigated Negative Declaration (State Clearinghouse No. 201405281) for the 2014 project; and

**WHEREAS**, a lawsuit was filed against the adoption of the Subsequent Mitigated Negative Declaration and the 2014 Entitlements by the Citizens for Sensible Development in El Dorado Hills (“CSDEDH”) under Case No. PC2015001, and the decision of the superior court is now on appeal in Case No. C081472; and

**WHEREAS**, the County of El Dorado approved General Plan Amendment A16-0001, Rezone Z16-0004, El Dorado Hills Specific Plan Amendment SP86-0002-R-3, and Revision to Town Center East Development Plan PD94-0004R-3 (“2018 Entitlements”) for the 214-unit El Dorado Hills Apartments project on February 13, 2018 under Resolution No. 017-2018 and certified an Environmental Impact Report (State Clearinghouse No. 201704217) for the 2018 project; and

**WHEREAS**, a lawsuit was filed against the certification of the Environmental Impact Report and the 2018 Entitlements by CSDEDH under Case No. PC2018017 on March 12, 2018; and

**WHEREAS**, a Settlement Agreement of the challenges to the 2014 and 2018 projects (Case Nos. PC2015001, PC20180127, and C081472) was reached between the involved parties on May 21, 2018; and

**WHEREAS**, in accordance with the Settlement Agreement and Condition of Approval No. 2 of the 2018 Entitlements, The Spanos Corporation has requested rescission of the approval of General Plan Amendment A14-0001 and associated 2014 Entitlements; and

**WHEREAS**, approval of this rescission would rescind Policy 2.2.6.6 established by General Plan Amendment A14-0001 for the El Dorado Hills Apartments on December 2, 2014.

**NOW, THEREFORE, BE IT RESOLVED** that the County of El Dorado Board of Supervisors hereby rescind Resolution No. 208-2014 and General Plan Amendment A14-0001 approved therein and the related 2014 Entitlements, effective upon entry of dismissal of Case No. PC20180127 with prejudice. Rescission of Policy 2.2.6.6 is hereby continued for final action with the County’s next “bundling” of amendments to the General Plan, consistent with Government Code section 65358, and the Planning and Building Department is directed to include this amendments in the next “bundling” of amendments to the General Plan.

## EXHIBIT A

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 24th day of July, 2018, by the following vote of said Board:

Attest:  
James S. Mitrisin  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chair, Board of Supervisors  
Michael Ranalli