



ORDINANCE NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the County of El Dorado approved the 250-unit El Dorado Hills Apartments project under project file A14-0001/Z14-0001/SP86-0002-R/PD94-0004R-2 on December 2, 2014 (“2014 Entitlements”) 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 adopted Ordinance No. 5015 for the approval of the El Dorado Hills Apartments 2014 Entitlements; and

WHEREAS, the County of El Dorado approved the 214-unit El Dorado Hills Apartments project under project file A16-0001/Z16-0001/SP86-0002-R-2/PD94-0004R-3 on February 13, 2018 (“2018 Entitlements”) 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, Spanos Corporation has requested rescission of the approval of General Plan Amendment A14-0001 and the associated 2014 Entitlements.

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby rescind Ordinance No. 5015 for the 2014 El Dorado Hills Apartments project effective upon entry of dismissal of Case No. PC20180127 with prejudice and based on the documents considered by the Board of Supervisors at the public hearing, except as may be noted therein:

1. EL DORADO HILLS AREA – Rescind rezoning of 4.565 acres, identified by Assessor’s Parcel Numbers 121-290-60, 121-290-61, and 121-290-62, being described as Sections 1, 2, 11, and 12, Township 9 North, Range 8 East, M.D.M, from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD)

EXHIBIT B

Resolution _____

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PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, 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