



ORDINANCE No. 5180

AN ORDINANCE APPROVING COMMUNITY BENEFIT AND DEVELOPMENT AGREEMENT DA22-0001 BETWEEN THE COUNTY OF EL DORADO AND EAST RIDGE HOLDINGS, LLC, EL DORADO LAND VENTURES, LLC, AND VALLEY VIEW REALTY INVESTMENTS, LLC FOR THE DEVELOPMENT KNOWN AS EAST RIDGE VILLAGE ON THE APPROXIMATELY 734 ACRE SITE IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 119-390-001 THROUGH -075

WHEREAS, Government Code Section 65864 et seq. and El Dorado County Ordinance Code Chapter 130.58 authorize the County of El Dorado (the "County") to enter into binding development agreements with any person or persons having a legal or equitable interest in real property for the development of such property;

WHEREAS, East Ridge Holdings, LLC, owns that certain real property consisting of approximately 734 acres of undeveloped land within El Dorado County, identified as Assessor's Parcel Number 119-390-001 through -075 (the "Subject Property"), for which the County previously approved a tentative subdivision map (TM14-1521);

WHEREAS, MJM Properties, LLC, filed an application with the County for a community benefit and development agreement regarding development of the Subject Property;

WHEREAS, El Dorado County Code section 130.58.030 provides that the Board of Supervisors shall have review authority of original jurisdiction for development agreement applications, based on the review and recommendation by the Planning Commission;

WHEREAS, following a duly noticed public hearing on May 11, 2023, the Planning Commission of the County of El Dorado discuss the proposed Community Benefit and Development Agreement and recommended that the Board of Supervisors adopt the Community Benefit and Development Agreement, a copy of which is attached hereto as Exhibit A;

WHEREAS, said matter was set for a public hearing by the Board of Supervisors for the County of El Dorado on July 25, 2023 to consider the Community Benefit and Development Agreement, at which hearing the Planning Commission's recommendation and other evidence, both oral and documentary, were received and considered; and

WHEREAS, upon conclusion of the public hearing, the Board of Supervisors for the County of El Dorado voted to approve the Community Benefit and Development Agreement and authorize the Chairman to sign the Development Agreement following adoption of this Ordinance.

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1.

The Board of Supervisors of the County of El Dorado hereby finds and determines that the Community Benefit and Development Agreement:

1. Is consistent with the objectives, policies, general land uses and programs specified in the County General Plan and the Valley View Specific Plan;
2. Will not be detrimental to the health, safety and general welfare of persons residing in the immediate area nor detrimental to the general welfare of the residents of the County as a whole;
3. Will not adversely affect the orderly development of property or the preservation of property values;
4. Is consistent with the provisions of Government Code Sections 65864 through 65869.5; and
5. Is consistent with the provisions of Government Code 66473.7 and County Code 130.58.040.E as it is associated with the approved and currently active tentative subdivision map that has been conditioned to and would be served by adequate public water supply.

Section 2.

The Board of Supervisors of the County of El Dorado hereby approves the Community Benefit and Development Agreement between the County of El Dorado and East Ridge Holdings, LLC, El Dorado Land Ventures, LLC, and Valley View Realty Investments, LLC and authorizes the Chair of the Board of Supervisors to execute the Development Agreement in the form attached hereto as **Exhibit A, Community Benefit and Development Agreement**. Pursuant to Government Code section 65868.5, within ten (10) days after full execution of the Development Agreement by all parties, the Clerk of the Board of Supervisors shall record the Development Agreement with the Recorder of the County of El Dorado.

Section 3.

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4.

This ordinance shall take effect and shall become effective thirty (30) days following the adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 25 day of July, 2023, by the following vote of said Board:

ATTEST

KIM DAWSON
Clerk of the Board of Supervisors

By *Kyle Kuperus*
Deputy Clerk
Kyle Kuperus

Ayes: Thomas, Hidahl, Turnboo, Parlin, Laine

Noes: None

Absent: None

By *Wendy Thomas*
Chair, Board of Supervisors
Wendy Thomas

APPROVED AS TO FORM
DAVID LIVINGSTON
COUNTY COUNSEL

By *[Signature]*
Jefferson Billingsley
Deputy County Counsel

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: KIM DAWSON, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk