

**COUNTY OF EL DORADO  
PLANNING AND BUILDING DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** November 12, 2020

**Staff:** Tom Purciel

**TENTATIVE SUBDIVISION MAP REVISION**

**FILE NUMBER:** TM-R19-0002/Bass Lake North

**OWNER  
APPLICANT:** Norm Brown, N.C. Brown Development, Inc.

**REQUEST:** Revision to the approved Bass Lake North Phased Tentative Subdivision Map (Bass Lake North) amending Condition of Approval (COA) No. 66, reducing the required constructed quantity of park-and-ride parking spaces from 100 to 50 and phasing the remaining 50 spaces as a condition of approval for future subdivision(s) within the Bass Lake Hills Specific Plan (BLHSP) area.

**LOCATION:** East side of Sienna Ridge Road approximately 800 feet east of the intersection with Bass Lake Road in the El Dorado Hills area, Supervisorial District 1. (Exhibits A, B, C)

**APNs:** 115-400-006, 115-400-007, and 115-400-008 (Exhibits B and D)

**ACREAGE:** 38.57 Acres

**GENERAL PLAN:** Adopted Plan ([AP] - Bass Lake Hills Specific Plan) (Exhibit E)

**ZONING:** Residential, Single-Unit, Planned Development (R1-PD) (Exhibit F)

**ENVIRONMENTAL DOCUMENT:** Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the CEQA Guidelines (Residential Projects with an EIR Pursuant to Specific Plan; Bass Lake Road Study Area [BLRSA] Final Program EIR and subsequent Addenda, State Clearing House No. 1990020375).

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

1. Find the project Statutorily Exempt pursuant to Section 15182 of the CEQA Guidelines (Residential Projects with an EIR Pursuant to Specific Plan; BLRSA Final Program EIR and subsequent Addenda, State Clearing House No. 1990020375); and,
2. Approve TM-R19-0002, revising Condition of Approval No. 66 of approved Tentative Subdivision Map TM14-1522 (Bass Lake North), based on the Findings and subject to the Conditions of Approval as presented.

## **EXECUTIVE SUMMARY**

At the final Board of Supervisors (Board) project hearing for Bass Lake North (TM14-1522) on February 28, 2017, the Board added a condition of approval (COA No. 68), requiring the subdivider to construct the southernmost segment (“Segment 1”) of the Bass Lake Road Bike Trail (BLRBT) along the east side of Bass Lake Road beginning from the intersection of Bass Lake Road and Hollow Oak Drive and ending at U.S. Highway 50, as originally shown on the BLHSP Circulation Plan Map (Exhibit G). While the length of the entire BLRBT is more than 1.44 miles, the segment of the BLRBT under the applicant’s responsibility amounts to approximately 0.68 miles (trail segments “B” to “F”), which is approximately 47 percent of the entire trail (Exhibit H). As a result of the increased cost burden associated with another condition of approval (COA No. 66) requiring the applicant to construct 100 parking spaces within the Bass Lake Road park-and-ride lot, the applicant is requesting COA No. 66 be amended to require construction of only 50 parking spaces as part of this project. For further details, please refer to the applicant’s subdivision amendment request (Exhibit I), as well as the discussion of total subdivider costs for required Bass Lake North improvements below in this report.

Approval of the proposed revisions to COA No. 66 would result in phasing of the required 100 park-and-ride parking spaces, with 50 spaces to be constructed as part of the Bass Lake North subdivision and the remaining 50 spaces would be constructed or funded by future subdividers within the BLHSP area. According to the established BLHSP Public Facilities Financing Plan (PFFP), the additional spaces are required to be completed before construction of the 600<sup>th</sup> residential unit. As of this date, 470 units have been built or are in progress within the BLHSP area (Exhibit K), and therefore, 130 units have yet to be approved and permitted before completion of the remaining 50 park-and-ride spaces is required. Proposed parking space phasing would be consistent with applicable provisions of the BLHSP and also consistent with the established PFFP, specifically developed to ensure transportation and circulation facilities and infrastructure improvements in the Plan area would be constructed when needed as part of anticipated development under the Plan. With the proposed amendments, the map maintains consistency with the General Plan, the BLHSP, the Subdivision Ordinance and Zoning Ordinance. Staff recommends approval of the project subject to the Findings and Conditions of Approval as presented.

## **BACKGROUND**

### **Development of the BLHSP and PFFP**

The approved Bass Lake North Tentative Subdivision Map, which also included a request for a Rezone and Planned Development (Z14-0008/PD14-0010/TM14-1522) consisted of the subdivision of a 38.57-acre parcel into 90 single family residential lots ranging in size from approximately 7,204 square feet to 23,975 square feet; four open space lots totaling approximately 11.37 acres; and two Right-of-Way (ROW) lots totaling approximately 5.09 acres (Exhibit J). Bass Lake North is within the BLHSP, a master development plan designed to facilitate orderly and systematic development within the Plan area and to ensure that safe and efficient transportation and circulation facilities and major infrastructure improvements in the Plan area are completed when needed as part of future development. The BLHSP was approved by the Board on November 7, 1995. The BLHSP provides for distinct residential villages that allow a range of housing types and densities as well as open space, parks, schools, and a fire station. There are a total of 1,458 dwelling units anticipated for the Plan area, and the Plan is currently being developed with several subdivisions in various stages of entitlement, recordation or construction including Hollow Oak (TM94-1290R), Hawk View (TM00-1371R), Bell Woods (TM01-1380R), Bell Ranch (TM96-1321R3) and Bass Lake North. To date, a total of 470 residential units have either been built or in process of being built and 988 lots remaining for development under the BLHSP (Exhibit K).

The PFFP was developed and finalized in June 2004 pursuant to Section 9.4 of the BLHSP and Section 3.2 of the BLHSP Development Agreement. The PFFP sets forth the strategy to finance the infrastructure and public facilities required to serve the proposed land uses within the Plan area, while recognizing the need for flexibility to accommodate the development plans of a diverse set of property owners, and assuring the County that required facilities are constructed when necessary.

The BLHSP is unique from other existing specific plans in the County, in that the Plan area is not owned by a single entity. As a result, multiple Development Agreements, which expired on September 19, 2016, were entered into with individual land owners and the County. Of the 88 parcels in the Plan area, 42 had an associated Development Agreement. Bass Lake North consists of three parcels, one of which (APN 115-400-07) was encumbered by the Development Agreement. However, the application for the Bass Lake North was received on September 30, 2014 and deemed complete on December 24, 2014, prior to the Development Agreement expiring. Therefore, the terms, provisions, obligations, and protections provided by the Development Agreement remain. Further, Section 66474.2 of the Subdivision Map Act provides that the review and approval of a Tentative Map should be conducted in accordance with the rules, regulations, policies, and standards in effect at the time that the application for the Tentative Map is deemed complete. As such, the project is subject to the policies set forth in the Bass Lake Hills Specific Plan and associated PFFP. Neither the provisions of recent amendments to the General Plan or Zoning Ordinance affected through the approval of the Targeted General Plan Zoning Ordinance Update on December 15, 2015 nor the voter-approved ballot Measure E, effective July 29, 2016, are applicable to this project.

The Board approved the Bass Lake North on February 28, 2017. On May 14, 2020, the Planning Commission approved a six-year time extension of the tentative map, extending the project's original expiration date of February 28, 2020 to February 28, 2026.

## **OTHER CONSIDERATIONS**

### **Park-and-Ride Lot Construction Timing**

The PFFP stipulates that there are two thresholds for completion of infrastructure. The first group of improvements, known as Phase I and Phase IA Improvements, are to be completed by the 300<sup>th</sup> dwelling unit. The next groups of infrastructure, known as the Phase II improvements, are to be built by the 600<sup>th</sup> unit. Park-and-Ride land acquisition was included in required Phase I Improvements and this land acquisition was required before approval of the first final map for Bass Lake North (COANo 64). On March 10, 2020, the El Dorado Transit Authority, the County's regional public transit organization, completed acquisition of the Park-and-Ride land, thereby fulfilling this requirement. After land acquisition is complete, the PFFP also required the construction of 100 spaces within the Park-and- Ride Lot by the 600<sup>th</sup> residential unit.

On pages 20 and 41, the BLHSP PFFP states; "The PFFP includes a second trigger at 600 units. At 600 units, funding is required to complete the construction of the park-and-ride facility and the sports park. The County will collect fees from the BLH PFF to fund the construction of these two items at the 600<sup>th</sup> building permit."

With the approval of the Bass Lake North project (90 units) there have now been 470 units approved within the specific plan (Exhibit K). Therefore, there are an additional 130 units yet to be approved and permitted before the PFFP requires construction of the Park and Ride lot in its entirety. As proposed, the Bass Lake North subdivider will construct, or cause to be constructed, the first 50 spaces and future subdividers of the remaining 130 units will be required to fund or construct the second set of 50 spaces (spaces 51 through 100), as authorized under the PFFP.

### **Subdivider Costs for Required Infrastructure Improvements**

At the time conditions of approval were prepared for each subdivision within the BLHSP, Planning and DOT staff assigned various components (e.g. required off-site improvements) specified in the PFFP to each of the proposed subdivisions. The assignments were done for compliance with the PFFP and designed to best distribute the cost of offsite improvements equitably throughout the BLHSP. In order to ensure full subdivider costs are reimbursed from PFFP funds for required offsite improvements, an update to the PFFP is being prepared for review by the Board as part of a separate effort in late 2020 or early 2021.

On January 26, 2017, the Planning Commission recommended the Board approve the Bass Lake North project, as reviewed by the Commission, including several specific conditions of approval regarding timing and construction of on-site and off-site improvements, previously agreed upon by the County and applicant. On February 28, 2017, the Board approved the project as recommended by the Commission, but with one significant change. At the Board hearing, the Board applied an

additional condition of approval (COA No. 68) to require construction of the southernmost segment (“Segment 1”) of the BLRBT along the east side of Bass Lake Road beginning from the intersection of Bass Lake Road and Hollow Oak Drive and ending at U.S. Highway 50, as originally shown on the BLHSP Circulation Plan Map (Exhibit G). A detailed map of the BLRBT, including the southernmost segment under the applicant’s responsibility (trail segments “B” through “F”), is attached as Exhibit H.

Although the Board’s applied new condition was consistent with planned improvements under the BLHSP and also included in the PFFP, the application of this COA was made during Board hearing, and therefore, was not subject to a detailed staff analysis considering the timing of this improvement and total and proportional subdivider cost for consistency with the intent of the PFFP.

Although long-term developer reimbursement (over a five to ten-year or greater time horizon) is anticipated for improvements included in the PFFP, the applicant was willing to front an increased cost burden for the BLBRT for the benefit of the community in the near term. However, the applicant believes the financial burden of the combined up-front costs for both the BLRBT (COA 68) and the 100 park-and-ride spaces (COA 67) is excessive for one project and, therefore, inconsistent with the intent of the PFFP. Accordingly, the applicant submitted detailed engineer’s cost estimates showing up-front costs to complete both improvements (Exhibit L). Based on the results of these preliminary cost estimates, the applicant determined the up-front cost for completing the southernmost segment of the BLRBT (from Hollow Oak Drive to U.S. Highway 50) is approximately \$300,000 more than the cost of adding the 50 additional parking spaces to the park-and-ride lot (spaces 50-100) (Exhibit L). Therefore, the applicant is requesting that COA 67 be amended to require construction of only 50 spaces, rather than the original 100 spaces as conditioned. The remaining parking spaces would be completed by subsequent project(s) within the BLHSP consistent with the requirements of the PFFP.

## **ANALYSIS**

Staff has reviewed the proposed amendment for consistency with applicable County regulatory requirements and has determined that, as amended, the project would remain consistent with applicable General Plan policies as well as applicable provisions of the BLHSP and associated PFFP, Zoning Ordinance and Subdivision Ordinance. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

### **Project Description**

The applicant’s request is to amend COA No. 66 of the Bass Lake North Tentative Map, reducing the required number of parking spaces for the Bass Lake Road park-and-ride lot from 100 to 50 and allowing for phased construction of the second set of 50 parking spaces (spaces 51-100) to be built by future subdivision(s) within the BLHSP area. Proposed parking space phasing would be consistent with applicable provisions of the BLHSP and also consistent with the established PFFP for the Specific Plan, specifically developed to ensure transportation and circulation facilities and infrastructure improvements in the Plan area would be constructed when needed as part of

anticipated development under the BLHSP. Although formal engineering plans have not been submitted to the County for the park-and-ride lot, all future parking lot improvements, including parking space phasing, would be reviewed and verified by applicable agencies during Improvement Plan review (e.g. DOT, El Dorado Transit Authority, El Dorado County Transportation Commission, etc.) as part of the standard process for verifying conformance with all subdivision conditions. The proposed revisions to COA No. 66 do not affect the residential subdivision design, improvements, lot quantity or other improvements required as part of the Bass Lake North subdivision in association with development under the Bass Lake Hills Specific Plan.

## CONSISTENCY ANALYSIS

Tentative Subdivision Maps are required to be consistent with the applicable policies of the General Plan, provisions of the Zoning Ordinance and Subdivision Ordinance and compliance with the CEQA. The applicant's request for amending COA No. 66 does not directly affect the approved Tentative Subdivision Map or the environmental review associated with the previously approved map. However, implementation of map approval is subject to conformance with all conditions of approval including previous COA No. 66 (construction of the park-and-ride lot) and 67 (construction of the Bass Lake Road bicycle trail). The following is a summary discussion of consistency, which is further discussed in the Findings section below.

**General Plan:** The General Plan designates the Project area as Adopted Plan, a designation that pertains to those areas where specific plans have been adopted; in this case, the BLHSP. These plans are accepted and incorporated by reference, and the respective land use map associated with each such plan is adopted as the General Plan map for the area. As amended, the proposed Tentative Map maintains consistency with the General Plan as presented in the Findings below.

**Specific Plan:** The BLHSP was adopted in November 1995; therefore, all subsequent development within the plan area must conform to the policies contained therein along with the corresponding Development Agreement and PFFP. As amended, the proposed Tentative Map maintains consistency with the BLHSP as presented in the Findings below.

**Zoning Ordinance:** The Single-Unit Residential (R1) Zone District permits minimum parcel sizes of 6,000 square feet when the lot is served with public water and sewer. It is a requirement of the BLHSP that all lots are served by public water and sewer. Each parcel meets or exceeds the minimum requirement for the R1 Zone District as well as the provisions outlined within the BLHSP. The proposed amendment would not affect the project's compliance with applicable development standards and regulations as described in the Zoning Ordinance. As amended, the project maintains consistency with the Zoning Ordinance as presented in the Findings below.

**Planned Development (-PD) Combining Zone:** The subdivider's (-PD) zone request was previously reviewed and approved by the Board in 2017. Therefore, a Development Plan (-PD Combining Zone) already exists on the project parcels consistent with the BLHSP. Additional details are discussed in section 4.0 of the Findings below.

**Subdivision Ordinance:** As amended, the proposed Tentative Map maintains consistency with Section 120.44 of the El Dorado County Subdivision Ordinance as presented in the Findings below.

**PFFP:** The PFFP identifies the financing mechanisms to be used to pay for the public infrastructure necessary to support development with the BLHSP area. The project has been conditioned to provide an update to the PFFP and related fee program, prior to final map, to reflect the current public facilities to be constructed and current facility cost estimates. The proposed amendment would not affect financing/funding mechanisms for public infrastructure within the BLHSP area as described in the PFFP. As amended, the proposed Tentative Map maintains consistency with the PFFP.

**Development Agreement:** Section 2.4 of the Development Agreement requires construction of public improvements in accordance with conditions set forth in the PFFP. As amended, the proposed Tentative Map remains consistent with the PFFP, and is therefore consistent with the Development Agreement.

**Conditions of Approval:** With the exception of the proposed amendments to COA No. 66, the original conditions of approval have been re-applied to this project with no other changes.

The proposed amendments to COA No. 66 would reduce the required number of park-and-ride spaces from the Bass Lake North subdivider from 100 to 50. To ensure development of the park-and-ride lot remains consistent with the 100 space parking requirement planned for in the BLHSP and associated PFFP, the proposed amendment also allows for phased construction of the remaining 50 parking spaces by future subdividers within the BLHSP area. Phased construction of the 50 additional spaces would be completed prior to construction of the 600<sup>th</sup> residential unit, and based on operational need as determined by the Department of Transportation or the El Dorado County Transit Authority. Such construction would be implemented as a condition of approval for future subdivision(s) within the PFFP area. With completion of 470 residential units within the BLHSP to date, future subdivisions for the balance of the 600 residential units (130 units remaining) will be required to fund or construct the second set of 50 spaces (spaces 51 through 100), as authorized under the PFFP.

**CEQA:**

The Bass Lake North Tentative Subdivision Map is a residential project that was analyzed in the certified Bass Lake Road Study Area (BLRSA) Final Program EIR (PEIR) (State Clearing House No. 1990020375, March 17, 1992). Subsequently, the Bass Lake Hills Specific Plan (BLHSP or Plan) and Addendum to the BLRSA PEIR were adopted by the El Dorado County Board of Supervisors on November 7, 1995. An Addendum to the BLRSA PEIR was certified for Bass Lake North on February 28, 2017.

The proposed map revision to amend COA No. 66 to allow phased parking space construction at the Bass Lake Road park-and-ride lot is consistent with the residential development requirements of the BLHSP and the infrastructure development/financing mechanisms of the associated PFFP, as previously analyzed in the BLRSA PEIR Addendum for Bass Lake North, certified on February 28,

2017. The proposed revision makes no significant changes to the original tentative map approval, does not involve new significant environmental effects, and does not increase the severity of previously identified significant effects. No new information that was not known and could not have been known at the time the EIR was certified has since become available. Therefore, this tentative map revision application is consistent with and is hereby exempt in accordance with Section 15182 of the CEQA Guidelines (Residential Projects Pursuant to a Specific Plan). No further environmental analysis is needed, as no changes have occurred in accordance with Sections 15162 and 15164 that would require any supplemental or subsequent environmental documentation.

A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption (NOE) for the exemption determination made for this project by the County. This filing establishes the 35-day statute of limitation during which the County's determination can be challenged.

### SUPPORT INFORMATION

Findings

Conditions of Approval

Exhibit A.....	Vicinity Map
Exhibit B .....	Location Map
Exhibit C .....	Site Aerial Photo
Exhibit D.....	Assessor's Parcel Map
Exhibit E .....	General Plan Land Use Map
Exhibit F .....	Zoning Map
Exhibit G.....	Bass Lake Hills Specific Plan Circulation Map
Exhibit H.....	Phased Map of Bass Lake Road Bicycle Trail
Exhibit I .....	Applicant Subdivision Amendment Request
Exhibit J .....	Approved Tentative Map
Exhibit K.....	Entitled, Recorded or Completed Subdivisions in the Bass Lake Hills Specific Plan Area
Exhibit L .....	Applicant's Improvement Cost Comparisons