
September 10, 2025 Planning Commission Meeting - Agenda Item #2 File #: 25-1503 Town & Country Village El Dorado SP-R21-0001, PD-R19-0003, TM22-0005, PD21-0005, SP-R21-0002 Z21-0013

From El Dorado Hills Area Planning Advisory Committee <info@edhacpac.org>

Date Thu 9/4/2025 10:00 PM

To Planning Department <planning@edcgov.us>; Bob Williams <Bob.Williams@edcgov.us>; David Spaur <David.Spaur@edcgov.us>; Jeff Hansen <Jeff.Hansen@edcgov.us>; Tim Costello <Tim.Costello@edcgov.us>; Patrick Frega <Patrick.Frega@edcgov.us>

Cc BOS-District I <bosone@edcgov.us>; BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>; Joe H. Harn <joe.harn@edcgov.us>

 1 attachment (442 KB)

EDH APAC Findings_ Town & Country Village El Dorado.pdf;

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Report Suspicious

Good day,

The El Dorado Hills Area Planning Advisory Committee (EDH APAC) would like to submit the attached Project Review Findings provided by our project review subcommittee for consideration of the Planning Commission in advance of your Scheduled Wednesday September 10, 2025 public hearing regarding the Town & Country Village El Dorado project, SP-R21-0001, PD-R19-0003, TM22-0005, PD21-0005, SP-R21-0002 Z21-0013.

EDH APAC members have appreciated many years of dialog and engagement with the applicant as their project was refined and submitted for entitlements and approval consideration. Their commitment to community engagement and outreach has made for a demonstratively collaborative process that included the concerns of the community in planning development projects in El Dorado Hills.

Respectfully,

John Davey

Chair

El Dorado Hills Area Planning Advisory Committee

1021 Harvard Way

El Dorado Hills CA 95762

<https://edhacpac.org>

info@edhacpac.org

916 936-3824

El Dorado Hills Area Planning Advisory Committee <https://edhapac.org>



"Non-Partisan Volunteers Planning Our Future Since 1981" 1021 Harvard Way, El Dorado Hills, CA 95762

EDH APAC 2025 Officers

John Davey, Chair jdavey@daveygroup.net

Brooke Washburn, Vice Chair Washburn_bew@yahoo.com

John Raslear, Vice Chair jirazzpub@sbcglobal.net

Bill Jamaca, Secretary bjamaca@gmail.com

Timothy White, Vice Chair tjwhitejd@gmail.com

Thursday September 4, 2025

El Dorado County Planning Commission

2850 Fairlane Court, Placerville, CA 95667

ATTN: Clerk of the Planning Commission

RE: Town & Country Village El Dorado SP-R21-0001, PD-R19-0003, TM22-0005, PD21-0005, SP-R21-0002 Z21-0013

Honorable Planning Commissioners,

The El Dorado Hills Area Planning Advisory Committee (EDH APAC) would like to offer the following Project Review Findings regarding the Town & Country Village El Dorado project completed by the EDH APAC Town & Country Village El Dorado subcommittee.

EDH APAC has benefited from a tremendous amount of engagement and outreach from the project applicant, which includes more than seven years of ongoing communication. This is unique among most development projects proposed for El Dorado Hills, and our volunteer committee feels that we have enjoyed a very collaborative process as the project has progressed. In the past several years this has also included numerous meetings, discussions, and communications with EDH APAC officers, as well as multiple public discussions at EDH APAC meetings attended by community members.

Additionally, EDH APAC appreciates the significant outreach that the applicant has made in the community, in El Dorado Hills, and pointedly in the Bass Lake Community.

EDH APAC would request that as the project moves forward towards entitlements and approvals, that any Conditions of Approval be required to have identified and enforceable timelines, and oversight management in place.

In the Project Findings below, "EDH APAC" refers to our Town & Country Village El Dorado subcommittee volunteers.

Development Services Staff Report Concerns

1. Deferred CEQA Analysis and Public Review

The staff report acknowledges the split of the project into a "Project Development Area" and a "Program Study Area." While it states that the EIR analyzed the Program Study Area at a "program level," it also notes that if future development is consistent with the EIR's assumptions, "further CEQA analysis may not be required." This is a significant concern because it implies that a substantial portion of the project (30.41 acres) has been conceptually approved with a one-time environmental review, even though specific plans have not been meaningfully vetted by the public. This could limit future opportunities for detailed review of potential impacts from the 352 multifamily residential units, 200 mixed-use multifamily units, and 150 senior housing units proposed for this area.

A - Staff Report Concerns

1. Inconsistent statements regarding potential SB35 applicability

On page 10 of the "A Staff Report" exhibit, under Future Development:

- Statement: "The project site is not currently designated as a census Urban Area, which means that until and unless such a designation occurs at this location, no future project in the Program Study Area could be determined eligible for any housing-focused state streamlining, such as SB 35."
- HOWEVER, in the BOS meeting on August 26, 2025 under item 25-1408 staff specifically said "they map the urban areas referenced in SB35 to our Community Regions, since they most closely correspond to their opportunity map of resource areas".
- Result: Once this project is moved into the community region, it will in fact be considered an option for state streamlined housing projects.

EDH APAC recommends aligning these two opposing concepts, to clarify for the community the applicability of *any* the project parcels for potential SB35 development opportunities, if the Community Region Boundary is modified to include the Project Development Area and Program Study Area.

Concerns with the Final Environmental Impact Report

1. FEIR Responses to EDH APAC DEIR Concerns

Based on our review of the Final Environmental Impact Report (FEIR), specifically the responses to comments 4-19 through 4-26, we maintain our significant concern that the project's analysis of water and sewer infrastructure is insufficient. While the FEIR asserts that the El Dorado Irrigation District (EID) has sufficient water supply to serve the project and other planned developments, it fails to provide adequate detail on the capacity of the *physical infrastructure* required to deliver that water and treat the wastewater.

The FEIR's conclusion relies on a Water Supply Assessment (WSA) that references the EID's 2020 Urban Water Management Plan (UWMP). This plan is now five years old, and a more current analysis should be provided to account for cumulative impacts, including the significant proposed developments of 3,200 residential units of The Village of Marble Valley Specific Plan, and the 800 residential units of the Lime Rock Valley Specific Plan. Without a robust and updated analysis, there is a substantial risk that the burden of funding the necessary capital improvement programs for water delivery and wastewater treatment will fall disproportionately on existing EID ratepayers, rather than being fully funded by the new developments that necessitate the upgrades.

A separate, yet critical, concern is the lack of a clear, public timeline for the necessary **EI Dorado Local Agency Formation Commission (LAFCO)** annexation of the property into EID's service area. This ambiguity raises the possibility of the project applicant seeking approval for a temporary or interim septic solution, which we believe is an unacceptable approach that could lead to unforeseen environmental and public health issues and should be avoided entirely.

2. Transportation and Circulation Impact Analysis

The Town & Country Village El Dorado project applicant committed to completing a very robust super-cumulative traffic impact analysis, which factored in several other large proposed projects in El Dorado Hills, adjacent to the Bass Lake area. EDH APAC appreciates the efforts of the applicant to provide a more comprehensive TIA than required. This super-cumulative TIA provides much greater detail and insight to the transportation and circulation impacts beyond just the Town & Country Village El Dorado project.

The unusually high amount, and significant density changes in the project area being processed for multiple projects for entitlements in the same compressed time frame justifies such a cumulative review:

CEQA states that past, present, and probable future projects, whether they are exempt from CEQA or not, must be considered when evaluating cumulative effect

California Unions for Reliable Energy v. Mojave Desert Air Quality Management District (2009)
178 Cal.App.4th 1225

[Cal. Code Regs. Tit. 14, § 15130 - Discussion of Cumulative Impacts](#)

(c) With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.

(d) Previously approved land use documents, including, but not limited to, general plans, specific plans, regional transportation plans, plans for the reduction of greenhouse gas emissions, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.

EDH APAC believes that cumulative impacts for all projects being processed must be subject to analysis and consideration.

Concerns with Conditions of Approval

1. Phased Development and Deferred Entitlements

The most significant concern lies in the approach to the **Project Development Area** and **Program Study Area**. Condition #3, "Future Planned Development Permit," states that any future development in the Program Study Area will require a separate Planned Development Permit. While this seems to provide for a future review, the overall approval of the EIR and the Rezone (Z21-0013) effectively grants a high level of entitlement for the future uses. The staff report notes that if future submittals are "consistent with assumptions in the Town & Country Village El Dorado EIR, further CEQA analysis may not be required." This phrasing could make it difficult for the public to meaningfully influence or review future projects in the Program Study Area, as the core environmental and land use decisions will have already been made.

2. Indemnity and Litigation Exposure

Condition #5, the Indemnity clause, is a significant point of concern. It requires the developer and landowner to "defend, indemnify, and hold harmless" the County from any legal action

challenging the project approval. This is not unusual, but the addition that this applies to a challenge of the **Employee Housing Program** specifically highlights that the County anticipates potential legal exposure on this point. It's a clear signal from the County's legal team that they foresee litigation as a risk for the project, particularly regarding the novel employee housing program.

3. Timing and Funding of Infrastructure Improvements

Several conditions regarding traffic and infrastructure improvements use conditional or vague language.

- **Bass Lake Road Widening:** Condition #34.a.i states that the widening of Bass Lake Road "shall be completed prior to issuing the certificate of occupancy for the first building." While this is a strong condition, the language "may be eligible for reimbursement through the County's Traffic Impact Fee Program" introduces a potential financial risk to the applicant, which could create a point of contention if the TIF funds are not sufficient.
- **Bass Lake Road/Hawk View Road Signal:** Condition #34.b.i requires the signalization "prior to development levels in the project site that would require the improvement." This language is not a hard deadline and could be open to interpretation, potentially delaying a crucial traffic mitigation measure until significant impacts have already occurred.
- **Off-site Improvements:** Condition #36 requires the developer to enter an agreement with the County to acquire land for off-site improvements if they cannot secure it themselves. While this provides a mechanism for action, it shifts the burden of a potentially lengthy and costly process to the developer, which could lead to project delays or abandonment if the process becomes too complex.

4. Perpetual Maintenance of Infrastructure

Conditions related to maintenance of private roads and common areas warrant close scrutiny.

- **Maintenance Entity:** Condition #38 requires the formation of a maintenance entity or joining an existing one for the maintenance of "public and private roads and drainage facilities." It also states that the County will reject the offers of dedication for these roads and that a maintenance entity "shall be created and funded." This places the long-term responsibility and financial burden of maintaining these public-use roads and facilities on the residents or a private entity, rather than the County.
- **Common Fence/Wall Maintenance:** Condition #39 places the responsibility for maintenance on the Covenants, Codes, and Restrictions (CC&Rs) of a future Homeowner's Association (HOA). This is standard for HOAs but ensures the financial and logistical responsibility for these structures remains with the future property owners, not the developer or the County.

5. Public Notification and Transparency

The conditions do not explicitly require ongoing public notification for future phases of the Program Study Area, outside of the standard public hearing for a Planned Development Permit. Given the scale of the project and the community's engagement, a condition requiring specific, proactive outreach for future phases could be beneficial. The current framework relies on the public to actively monitor a future, undefined application process.

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EDH APAC Finding of Conditional Support

The **El Dorado Hills Area Planning Advisory Committee (EDH APAC)** **conditionally supports the Town & Country Village El Dorado project** based on its potential to provide a better use of the property than previous zoning allowed. The project offers a mix of uses, including tourist services, employee housing, and a future "village center" concept that aligns with the Community Region designation. However, the committee has significant concerns regarding the project's two-tiered review process and its long-term impacts, particularly as defined by the proposed Conditions of Approval. These concerns must be addressed through the following recommendations to the County Planning Commission.

Recommended Modifications and Mitigations

EDH APAC recommends that the Planning Commission adopt the following conditions and modifications to ensure the project's development proceeds responsibly and transparently.

1. Transportation and Circulation Improvements

We recommend that all required improvements to **Bass Lake Road** be constructed either **prior to or concurrent with** the issuance of a certificate of occupancy for the first building. This includes the widening of Bass Lake Road to four lanes and the installation of an Emergency Vehicle Hybrid Beacon (EVHB) at the Bass Lake Road and EDHFD Fire Station 86 intersection. We are concerned that the current condition for the signalization at **Bass Lake Road/Hawk View Road** is too vague, relying on an undefined "development level" to trigger the improvement. We recommend that the timing of this critical improvement be more clearly defined and tied to either specific ADT metrics, LOS data, or a specific phase of development to ensure it is not indefinitely delayed.

We also question the amended PFFP **II PUBLIC IMPROVEMENTS** list that indicates **4. Ancillary Facilities a. Park & Ride (100 Vehicle Finished)**. The amended PFFP is unclear if it is just listing the completed 100 vehicle Park & Ride facility as portion of the Public Improvements, or if the amended PFFP is removing the requirement to complete an additional 100 vehicle parking spaces - the original BLHSP PFFP first amended in 2016 included a Park & Ride facility for 200 Vehicles in two phases. This was intended not just to serve the El Dorado Transit commuter bus service, but also as a Park & Ride facility for Car Pool users, and as a parking facility for BLHSP trail users. Retroactively reducing the prior approved 200 Vehicle Park & Ride facility to the completed 100 units violates the original intent of the 1996 BLHSP, and the amended 2016 BLHSP PFFP. As it stands, in November 2020, the Developer of the approved BLHSP Phase 2 residential project "Bass Lake North" requested that their BLHSP PHASE 2 requirement to construct 100 of the of 200 Vehicle parking stalls be reduced to 50 parking stalls due to 'costs'. The Planning Commission heard this matter in a public hearing on November 12, 2020, and rejected the request, requiring that the Bass Lake North project fully construct the required initial 100 parking stalls. The Developer then appealed this Planning Commission decision to the Board of Supervisors, which rejected the appeal. The unique

approach of the BLHSP PFFP was that it sought to front load public improvements from Phase 1, Phase 1A and Phase 2 projects, with the opportunity for these costs to be reimbursed by future projects. Modifying the BLHSP PFFP to remove required Public Improvements does not make the PFFP better, it would fundamentally weaken the BLHSP PFFP, counter to its intended purpose. To wit, in July 2024, when El Dorado Transit opened the constructed 100 Vehicle Park & Ride facility, they then chose to close an existing nearby Park & Ride facility in Cameron Park - instead of adding more Park & Ride vehicle capacity with the opening of the Bass Lake Road Park & Ride facility, El Dorado Transit undercut the intent of the BLHSP PFFP by removing existing Park & Ride spaces in Cameron Park - essentially addition via subtraction. With the Town & Country Village El Dorado project's admired and valuable commitment to improving public trails, and preserving historic trails to add to the community's public trail system, reducing the approved 2016 PFFP requirement for 200 units of parking stalls to the 2024 completed 100 units of parking stalls short changes the community.

2. Entire Site Inclusion in Community Region

EDH APAC agrees with the General Plan Amendment (GPA) that modifies the Community Region boundary to include the entire 60.5-acre project site. This ensures that the entirety of the project, including the Project Development Area and the Program Study Area, is consistently aligned with the objectives of a denser, mixed-use community, and is a better land use than the previously zoned 10-acre residential estates.

3. Rigorous Public Facilities Financing Plan (PFFP)

EDH APAC recommends that the project's Public Facilities Financing Plan (PFFP) be implemented with a rigorous, front-loaded approach to ensure improvements and mitigations are in place **prior to** the creation of any impacts. The developer should be held to strict adherence to the updated PFFP and its updated Capital Improvement Program (CIP). We are concerned with the language in the Conditions of Approval regarding the formation of a **maintenance entity** for public and private roads and drainage facilities, as it places the long-term financial burden on a private entity or future projects rather than the County. The PFFP should clearly define the mechanisms for long-term maintenance funding to ensure sustainability.

4. PFFP Lack of Pre-Approved Financial Terms

The Public Facilities Finance Plan states that the specific terms for "credit and reimbursement agreements will be subject to future negotiations between the developer, County, and other applicable agencies." This lack of concrete, pre-approved financial terms is a major concern. It introduces significant **financial uncertainty** and could lead to future disputes or delays in funding and completing essential public infrastructure. EDH APAC recommends that a more definitive financial agreement be established prior to the project's approval to protect both the public and the developer from future financial risk and implementation delays.

5. Concerns Regarding the Two-Tiered Review Approach

EDH APAC is deeply concerned about the unique approach of the two-tiered review process, which divides the project into a **Project Development Area** and a **Program Study Area**. We find this approach to be "piece-meal" and potentially a way to avoid the intent of the California Environmental Quality Act (CEQA). The language in the staff report, which suggests future CEQA analysis "may not be required" for the Program Study Area if it's consistent with the EIR's assumptions, raises significant concern, as these are subjective standards, where only objective standards should apply. This novelty risks exposing both the project and the County to potential litigation by appearing to grant entitlements for the Program Study Area without the same level of detailed, project-specific public and governmental review as the Project Development Area. Objective standards should be crafted to ensure compliance with the EIR's assumptions.

6. Future Review of the Program Study Area

EDH APAC recommends that the future review of any projects within the Program Study Area be subject to a **rigorous and deep review**, particularly concerning transportation and circulation impacts. While the EIR included a program-level analysis of this area, the focus of public discussion has been solely on the hotel project and related amenities of the Project Development Area. The Planned Development Permit (-PD) for the Program Study Area should not be considered a "fast track" or "rubber stamp" for full buildout. It must be a starting point for a comprehensive review and analysis of future development proposals, ensuring that all subsequent phases are transparently vetted. We recommend that the conditions of approval require **proactive, defined public outreach** for any future projects in the Program Study Area, as the current process relies on the public to monitor for future, undefined applications.

7. Water and Sewer Infrastructure Funding and Capacity Assessment

To address our concerns and ensure the project moves forward responsibly, we recommend the following mitigation measures be adopted:

- A. **Updated Water and Wastewater Capacity Assessment** The County should encourage the El Dorado Irrigation District (EID) to either update its **Urban Water Management Plan (UWMP)** or complete a new, regional-scale Water and Wastewater Capacity Assessment. This assessment must specifically analyze the cumulative impacts of the Town & Country Village El Dorado project, the Village of Marble Valley Specific Plan, and the Lime Rock Valley Specific Plan on the existing water delivery and wastewater treatment infrastructure. The findings should be used to confirm that adequate physical infrastructure exists to serve all three projects concurrently and identify any necessary capital improvements.
- B. **Annexation and Service Timeline** A clear and binding timeline for the LAFCO annexation of the project parcels into the EID service area shall be outlined and made public as part of the project conditions of approval. The annexation process must be completed, and the project must be connected to the EID's water and sewer systems **prior to the issuance of any building permits or certificates of occupancy**.

* A cautionary reminder - the original 1996 Bass Lake Hills Specific Plan was composed of multiple properties that required annexation into the EID service area - it took nearly a decade for these annexations to be completed. The first BLHSP project, the Phase 1 Hollow Oaks, began construction in 2004/05. The next set of projects in Phase 1A, Hawk View, Bell Ranch, and Bell Woods, and Phase 2 Bass Lake North, didn't begin construction until after the original twenty year development agreement was expiring in 2016, and required a development agreement extension, a ten year tentative map extension, an update to the PFFP, an amended FEIR, and a Specific Plan amendment.

- C. **Prohibition of Temporary Septic Solutions** The use of any temporary or interim septic systems, including but not limited to on-site wastewater treatment plants, shall be **strictly prohibited**. The EDH APAC strongly advocates that the project be designed and conditioned to rely exclusively on a direct, permanent connection to the El Dorado Irrigation District's wastewater treatment facilities from the outset. This will prevent potential long-term issues and uphold our community's standards for responsible development.

EDH APAC appreciates the opportunity to discuss, review, and provide findings on proposed development projects in El Dorado Hills.

Respectfully,

John Davey
Chair

El Dorado Hills Area Planning Advisory Committee
"Non-Partisan Volunteers Planning Our Future Since 1981"