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Bass Lake North, February 28, 2017 Board of Supervisors, Agenda Item #30, File #17-0088, Comment by the Measure E Committee

Bass Lake North submitted a CEQA Addendum and Initial Study of Environmental Significance in September 2016. Measure E became effective July 29, 2016. Therefore, Measure E applies to Bass Lake North.

**Compliance with Measure E:**

To comply with Measure E, all roadway improvements required to prevent the worsening of level of service shall be completed **before** approval of a final map.

**LOS Determination:**

The CEQA Addendum and Initial Study of Environmental Significance does not include levels of service for the Bass Lake eastbound off ramp. However, the levels of service for the eastbound off ramp can be found in the table below, which is from the County's TIM Fee Nexus study completed by Kittelson & Associates in 2015:

**Table 1. Existing (2014) Conditions Level of Service**

Intersection	Control	AM		PM	
		LOS	Delay	LOS	Delay
Bass Lake Road/Westbound Ramp	SSSC	B	11.2	D	28.2
Bass Lake Road/Eastbound Ramp	SSSC	D	28.2	E	37.3

Note:  
SSSC = Side Street Stop Control  
Highlighted cells indicate that level of service exceeds County threshold  
Source: Kittelson & Associates, 2015

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*Kittelson & Associates, Inc.* *Sacramento, California*

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Since the project will worsen traffic on the eastbound off ramp which already exceeds the County's level of service threshold, the project must complete required roadway improvements **before** approval of a final map.

### **Error in Findings**

Simply providing a range of housing densities does not equate to affordable housing. There is nothing to guarantee that any of the houses in the Bass Lake North project will provide affordable housing as stated in Finding 3.10:

3.10 Policy 4.1.1.2. Specific plans need to address and provide for affordable housing.

The BLHSP provides for a wide range of housing types and densities. The proposed project is designated for both High Density and Medium Density housing within the BLHSP. The project is designed to be consistent with the BLHSP and is therefore, consistent with Policy 4.1.1.2.

### **Conflicting Statement:**

The project's analysis is internally conflicting. One document states that the TGPA/ZOU and Measure E do not apply, and then a different document states that the parcels were rezoned as part of the TGPA/ZOU. If the TGPA/ZOU applies to the project, then so does Measure E. The project either was deemed complete on September 30, 2014 or not - it cannot have it both ways.

### **From the January 26, 2017 Staff Report:**

The application for the proposed project 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 neither the 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.

### **From the CEQA Addendum and Initial Study of Environmental Significance, page 29 of 162: Changes in Information**

As mentioned above, the project area was previously zoned Agricultural (A) by the County. The project area has since been zoned RE-10 as part of the County's approval of the Targeted General Plan Amendment and Zoning Ordinance Update. As such, impacts related to conflicts with existing zoning for agricultural use would not occur with implementation of the proposed project. This rezone of the project site to RE-10 was evaluated in the EIR prepared for the Targeted GPA and ZOU and its appropriateness is supported by the BLRSA Program EIR's determination that prime agricultural soils do not exist in the study area.

**Other Issues:**

- The project relies on the County's CIP for level of service mitigation, which is not allowed due to voter-approved Measure E.
- The Conditions of Approval state that "prior to issuance of the first certificate of occupancy for any lot within that final map." This needs to be revised to state "prior to issuance of first building permit."
- The discussion of Policy 7.4.4.4 seems to be missing in regards to the Oak Woodlands protection and required retention of oaks based on Option A. It appears that the required amount of oak woodlands has not been retained, violating the Oak Woodlands Policy. There needs to be consideration for how the Oak Woodlands will be mitigated.
- This project is a moving target as to what applies based on the expired timelines. It is not clear to the public what policies apply to this project. The whole point of CEQA is to provide clear information for the public and decision makers. The use of CEQA is also intended to demonstrate to an apprehensive citizenry that the agency responsible for review has analyzed and considered the ecological implications of the proposed project. If CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees. This project has been very difficult to follow and not transparent to the public.
- The land use of these properties is AP, which is not compatible with R1-PD. It seems as if the zoning should remain in RE-10 to comply with the land use.

Respectfully,

Sue Taylor  
Measure E Committee

The Bass Lake North project is referenced as a " Specific Plan" is it a new specific plan or is it part of the Bass Lake Specific Plan?

The condition of approval for the Bass Lake North states, "the project shall comply with the Bass Lake Hills Specific Plan, the related Bass Lake Hills development agreement, and the Bass Lake Hills Public Facilities Financing Plan (PFFP)".

The staff report states the current project consists of three parcels, one of which is encumbered by a Development Agreement, which expired on September 2016. If the application for the proposed project was deemed complete on December 24, 2014, prior to the development Agreement expiring, then the two parcels without a development agreement should not be included. The 2004 PFFP phasing map listed parcels without a development agreement in phase 3. Why are the two parcels included in this project?

Do "clustered homes" belong in a rural setting in El Dorado Hills?

The Bass Lake North map obtained from the planning commission is not to scale.

Please show which existing water and sewer mains are to be utilized for the proposed development? Will water or sewer lines encroach on our properties (119-090-69, 119-090-53 and 119-090-55)?

The project if approved needs to install an impenetrable fence along the southern property boundary of the proposed Bass Lake North Development.

We have resided in a home on Hollow Oak for 38 years. We purchased the acreage with the plan to divide into lots for our children. The proposed subdivisions with EID water will surround our property but we have yet to obtain annexation even after giving an easement to EID for the water line and dedicating 1+ acre to the County for Hollow Oak. The Bass Lake Specific Plan, development agreements and the public financing plan was nothing more than a way to take from property owners residing in the Bass Lake Hills area for the developers.

The traffic at the intersection of Hollow Oak and Bass Lake Road is not at an acceptable level and should be addressed as it was in the original Bass Lake Hills PFFP. The continued modification of the PFFP to placate the developers is shameful.

Cynthia/Patrick Morrison

