

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: April 24, 2014

Staff: Roger Trout

DEVELOPMENT AGREEMENT

FILE NUMBER: DA13-0001/Alto LLC Tentative Map DA

APPLICANT: Alto LLC

REQUEST: Development Agreement to establish contractual obligation to maintain Alto LLC Tentative Map approval of 23 residential lots for a minimum period of 10 years from the date of execution, with possible extension term of 5 years.

LOCATION: Approximately 3,000 feet north of Malcolm Dixon Road, in the El Dorado Hills area, Supervisorial District 4 (Exhibit A)

APN: 126-100-19

ACREAGE: 81.6 acres

GENERAL PLAN: Low Density Residential (LDR)

ZONING: Estate Residential 5-Acre/Planned Development (RE-5-PD)

ENVIRONMENTAL DOCUMENT: Negative Declaration certified with approval of the tentative map on May 5, 2009.

RECOMMENDATION: Staff recommends the Planning Commission recommend that the Board of Supervisors take the following actions:

1. Find that the negative declaration prepared for action on the zone change and tentative map, Z06-0005/TM06-1408 (Alto LLC) sufficiently analyzed the environmental impacts of the project and approval of the proposed development agreement does not raise any new or increased environmental effects; and

2. Execute the proposed Development Agreement.

STAFF ANALYSIS

Project Description: The proposed development agreement would effectively extend the term of the approved tentative subdivision map for an initial period of ten years from the date of execution (signature), with an additional extension of five years upon a written request by the developer. In consideration of this additional time in which the approved tentative map may be recorded, the developer will provide \$30,000 to be utilized by the Transportation Division of the Community Development Agency for design work, studies, road improvements, or other similar uses for the Green Valley Road corridor.

Background: Tentative Map TM06-1408, creating 23 residential lots on 81.6 acres, and zone change Z06-0005 were approved by the Board of Supervisors on May 5, 2009. The typical life of an approved tentative map is three years from the approval date, with the possibility of up to six years of discretionary extensions. Due to the economy, the State Legislature has enacted legislation to extend all tentative maps in California. AB208 and AB116 each added two-year time extensions to the map, extending it from 2012 to 2016. The present expiration date for this map is May 5, 2016.

The conditions of approval require coordination with other subdivision maps in the area to construct a looped road system and off-site improvements straightening curves on Malcolm Dixon Road and making a new connection between Malcolm Dixon Road and Green Valley Road. (Exhibit B)

Due to the complexity of developing the road circulation required for the subdivision, additional time is needed for the applicant to record the map. There are three other property owners with separate tentative map approvals that need to be coordinated: Alto LLC TM06-1408 (23 lots), Diamante TM06-1421 (24 lots), Malcolm Dixon TM05-1401 (8 lots), and La Canada TM08-1463 (47 lots). Based on the need to coordinate efforts on the road improvements and with the current demand for rural residential development, additional time is needed for the applicant to record the map.

The Development Agreement is a contractual arrangement and offers the County an opportunity to request something in return for the extension of time. Completion of the road system serving the four projects and the connection from Malcolm Dixon to Green Valley Road is itself a community benefit. However, these improvements are already required as conditions on each of the associated maps. The offer of \$30,000 is intended to go beyond the minimum requirements of the map. That amount is based upon an engineer's estimate of design costs for improvements to the Loch Way/Green Valley Road intersection. While there are safety concerns with that intersection, it is not a part of the County's Capital Improvement Program or other plans for safety improvements at this time.

The Transportation Division has identified that a specific project need not be designated at this time. Depending on schedule and need, the Division argues that the County should reserve the option to

expend these funds on projects on the Green Valley corridor, such as the Green Valley Road Corridor Traffic Analysis, the Class II Bikeway - Green Valley Road project (CIP#72309), or the Green Valley Road Traffic Signal Interconnect Project (CIP#73151). Since the offer is unrestricted, the County could use those funds towards any of these projects at its discretion.

County Counsel has reviewed the proposed development agreement and found that the form is approvable. The terms of the development agreement are negotiable. The Development Services Division Director, Transportation Division Director, and County Counsel have negotiated the terms included in the proposed Development Agreement attached.

ENVIRONMENTAL REVIEW

A mitigated negative declaration was adopted for the original approval of the Alto LLC subdivision map on May 5, 2009. There are no significant changes in circumstances and the proposed development agreement does not raise any new potential environmental effects. The impacts of the project were adequately analyzed in the previously adopted mitigated negative declaration.

SUPPORT INFORMATION

Attachments:

Exhibit A	Vicinity Map
Exhibit B	Salmon Falls/Green Valley Circulation Plan
Exhibit C	Zone District Map
Exhibit D	General Plan Land Use Map
Exhibit E.....	Tentative Subdivision Map
Exhibit F.....	Draft Development Agreement
Exhibit G	Alto LLC (Z06-0005/TM06-1408/PD06-0006) Final Conditions of Approval; Board of Supervisors May 5, 2009