



## Legislation Details (With Text)

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<b>Title:</b>	Community Development Agency, Development Services Division, returning to the Board with the Findings for Denial for the Dixon Ranch Project (General Plan Amendment A11-0006/Rezone Z11-0008/Planned Development PD11-0006/Tentative Map TM11-1505/Development Agreement DA14-0001), as directed on February 14, 2017; and staff recommending the Board adopt the Findings for Denial for the Dixon Ranch Project as presented. (Supervisory District 1) (Cont. 2/14/17, Item 26)		
<b>Sponsors:</b>			
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<b>Attachments:</b>	1. 7A - Findings for Denial BOS 02-28-17, 2. Public Comment Rcvd 2-28-17 BOS 2-28-17, 3. Public Comment Rcvd 2-27-17 BOS 2-28-17, 4. FINAL Findings for Denial, 5. 6A - Blue Routes and Ordinance and Development Agreement BOS 02-14-17, 6. 6B - Staff Memo 06-07-16 BOS 02-14-17, 7. 6C - Addendum to the Final EIR BOS 02-14-17, 8. 6D - Proof of Publication-Mountain Democrat BOS 02-14-17, 9. 6E - Staff Memo 02-08-17 (Amendments to Development Agreement), 10. 6F - Fiscal Impact Analysis 09-04-15 BOS 02-14-17, 11. 6G - Responses to Additional Comments-EIR_LSA Memo 02-06-17 BOS 02-14-17, 12. 6H - Staff Memo 02-09-17 (Proposed Revisions) BOS 02-14-17, 13. Staff Memo BOS Rcvd 2-14-17, 14. Presentation BOS Rcvd 2-14-17, 15. Auditor Comments Rcvd 2-14-17, 16. Auditor Comments Rcvd 2-10-17, 17. Public Comment Rcvd 2-14-17 BOS 2-14-17, 18. Public Comment Rcvd 2-13-17 BOS 2-14-17, 19. Public Comment Rcvd 2-10-17 BOS 2-14-17, 20. Public Comment Rcvd 2-9-17 BOS 2-14-17, 21. Public Comment Rcvd 2-8-17 BOS 2-14-17, 22. Presentation from Applicant 2-14-17, 23. 5A - Blue Route-Certifying EIR Resolution BOS 03-08-16, 24. 5B - Blue Route-General Plan Resolution BOS 03-08-16, 25. 5C - Blue Route-Rezone Ordinance BOS 03-08-16, 26. 5D - Blue Route-Development Agreement Ordinance BOS 03-08-16, 27. 5E - Resolution-Certifying EIR BOS 03-08-16, 28. 5F - Resolution-General Plan BOS 03-08-16, 29. 5G - Ordinance-Rezone BOS 03-08-16, 30. 5H - Ordinance-Development Agreement BOS 03-08-16, 31. 5I - Planning Commission Minutes 01-14-16 BOS 03-08-16, 32. 5J - Findings BOS 03-08-16, 33. 5K - Conditions of Approval BOS 03-08-16, 34. 5L - CEQA Findings_Statement of Overriding Considerations BOS 03-08-16, 35. 5M - MMRP BOS 03-08-16, 36. 5N - Exhibit G2-REVISED BOS 03-08-16, 37. 5O - Proof of Publication BOS 03-08-16.pdf, 38. Applicant Request for Continuance BOS 030816.pdf, 39. Public Comment Rcvd 3-18-16, 40. Public Comment Rcvd 03-10-16 BOS 03-08-16.pdf, 41. Public Comment Rcvd 3-8-16 BOS 3-8-16, 42. Public Comment Rcvd 3-7-16 BOS 3-8-16, 43. Public Comment Rcvd 3-3-16 BOS 3-8-16, 44. Public Comment Rcvd 3-2-16 BOS 3-8-16, 45. Public Comment Rcvd 3-1-16 BOS 3-8-16, 46. Public Comment Rcvd 2-29-16 BOS 3-8-16, 47. Public Comment Rcvd 2-26-16 BOS 3-8-16, 48. Public Comment Rcvd 2-23-16 BOS 3-8-16, 49. Public Comment Rcvd 2-22-16 BOS 3-8-16, 50. Public Comment Rcvd 02-12-16 to 02-17-16 BOS 03-08-16.pdf, 51. Public Comment Rcvd 01-26-16 to 01-27-16 BOS 03-08-16.pdf, 52. 4A - Planning Commission Minutes 12-10-15 PC 01-14-16.pdf, 53. 4B - Staff Memo 12-14-15 HYD-1 Revision PC 01-14-16.pdf, 54. 4C - Staff Memo 1-12-16 - Project Documents Revisions PC 01-14-16.pdf, 55. 4D - Applicant's PowerPoint Presentation PC 01-14-16.pdf, 56. Public Comment Rcvd 01-14-16 PC 01-14-16.pdf, 57. Public Comment Rcvd 01-13-16 PC 01-14-16.pdf, 58. Public Comment Rcvd 01-11-16 PC 01-14-16.pdf, 59. 3A - Staff Report PC 12-10-15.pdf, 60. 3B - Findings PC 12-10-15.pdf, 61. 3C - Conditions of Approval PC 12-10-15.pdf, 62. 3D - EIR CEQA Findings of Fact and Statement of Overriding Considerations PC 12-10-15.pdf, 63. 3E - Staff Report Exhibits A-I PC 12-10-15.pdf, 64. 3F - Staff Report Exhibits K-W PC 12-10-15.pdf, 65. 3G - Proof of Publication PC 12-10-15.pdf, 66. 3H - Final Response to Comments (FRTC) PC 12-10-15.pdf, 67. 3I - FRTC-Appendix A - Green Valley		

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Date	Ver.	Action By	Action	Result
2/14/2017	6	Board of Supervisors	Denied	Pass
3/8/2016	5	Board of Supervisors	Continued	Pass
3/8/2016	5	Board of Supervisors	Continued	Pass
1/14/2016	4	Planning Commission	Approved	Fail
12/10/2015	3	Planning Commission	Continued	Pass
2/26/2015	2	Planning Commission	No Action Taken.	
12/9/2014	1	Board of Supervisors	Approved	Pass

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(Supervisory District 1) (Cont. 2/14/17, Item 26)

### **DISCUSSION / BACKGROUND**

The Dixon Ranch Project (General Plan Amendment A11-0006/Rezone Z11-0008/Planned Development PD11-0006/Tentative Map TM11-1505/Development Agreement DA14-0001) came before the Board at a duly noticed public hearing on February 14, 2017. Upon conclusion of the public hearing, the Board voted to conceptually deny the Dixon Ranch Project, subject to the adoption of Findings of Fact.

The Dixon Ranch Project consisted of three legislative acts including a General Plan Amendment, Rezone, and Development Agreement and two adjudicatory acts (Tentative Map and Planned Development).

Legislative acts do not require findings for denial unless a statute or local ordinance requires Findings. In the case of El Dorado County and the Dixon Ranch Project, there are no state or local requirements that would compel the Board to make Findings of Denial for the legislative acts. Although not required, having Findings is a practical tool to document the Board's decision on the

Dixon Ranch Project applications.

Adjudicatory acts require Findings. However, the denial of the associated legislative acts subsequently results in the denial of the adjudicatory acts. The adjudicatory acts required the approval of the General Plan Amendment and Rezone in order to make the statutory and local ordinance required Findings of General Plan consistency.

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