



## Legislation Details (With Text)

**File #:** 20-1564      **Version:** 1

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**File created:** 11/16/2020      **In control:** Board of Supervisors

**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** HEARING - To consider a request by N.C. Brown Development, Inc. appealing the Planning Commission's November 12, 2020 denial of Tentative Subdivision Map Revision TM-R19-0002/Bass Lake North requesting a revision to approved Bass Lake North Phased Tentative Subdivision Map (TM14-1522) amending Condition of Approval No. 66, reducing the required constructed quantity of park-and-ride parking spaces from 100 to 50, adding the ability to utilize an in-lieu fee, and phasing the remaining 50 spaces as a condition of approval for future subdivision(s) within the Bass Lake Hills Specific Plan area on property identified by Assessor's Parcel Numbers 115-400-006, 115-400-007, and 115-400-008, consisting of 38.57 acres, in the El Dorado Hills area; and staff recommending the Board take the following actions:  
 1) Find the project Statutorily Exempt pursuant to Section 21080(b) of the CEQA Guidelines (Projects Which a Public Agency Rejects or Disapproves); and  
 2) Deny the appeal and uphold the Planning Commission recommendation to deny Tentative Subdivision Map Revision TM-R19-0002/Bass Lake North based on the Planning Commission reasons for denial as expressed in the Planning Commission Minutes for Agenda Item No. 2 on November 12, 2020 (Attachment B).  
 (Supervisory District 1)

FUNDING: Developer Funded.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Appeal Form, 2. B - Planning Commission 11-12-20 Draft Minute Order, 3. C - Planning Commission 11-12-20 Staff Report, 4. D - Planning Commission 11-12-20 Staff Report Exhibits A-L, 5. E - Planning Commission 11-12-20 Staff Memo 11-09-20, 6. F - Applicant Response to Planning Commission Motion 11-16-20, 7. G - Applicant Park & Ride Demand Analysis, 8. H - Applicant PFFP Table 2 Current Status, 9. I - 2017 El Dorado Transit Authority Park and Ride Master Plan, 10. Proof of Publication-Mt. Democrat, 11. Public Comment BOS Rcvd 12-2-20, 12. Public Comment BOS Rcvd 12-3-20, 13. Public Comment BOS Rcvd 12-4-2020, 14. Public Comment BOS Rcvd 12-7-2020

Date	Ver.	Action By	Action	Result
12/8/2020	1	Board of Supervisors	Approved	Pass

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## **DISCUSSION / BACKGROUND**

At the final Board of Supervisors (Board) project approval of 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 Bass Lake Hills Specific Plan (BLHSP) Circulation Plan Map (For details, refer to Planning Commission Staff Report (Attachment C) and Planning Commission Staff Report Exhibit G (Attachment D)). 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, approximately 47 percent of the entire trail. 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 or payment of an in-lieu fee for only 50 parking spaces as part of this project, and thus defer construction or funding of the remaining 50 spaces to future subdividers in accordance with BLHSP. According to the established BLHSP Public Facilities Financing Plan (PFFP) (Refer to Planning Commission staff memo dated November 9, 2020 [Attachment E]), construction of 100 park-and-ride spaces is 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, including the Bass Lake North subdivision, leaving 130 units to be approved before the 600-unit threshold and the requirement for the 100 park-and-ride spaces under the PFFP.

On November 12, 2020, the Planning Commission (Commission) heard this item and conducted significant deliberation before taking final action on the project. The Commission's actions consisted of two motions: a first motion was made to approve the item as presented, but with an amendment to COA #66 removing the option for an in-lieu fee. However, that motion failed due to lack of a final vote. A second motion to deny the project was approved on a vote of 3-2. As part of their action, the Commission also provided seven specific reasons for denial. For details, refer to the Planning Commission Minutes for November 12 (Attachment B). Reasons for denial included lack of technical analysis to support the applicant's request, lack of vetting by the full El Dorado County Transit Authority board, inconsistency with the intent of the BLHSP PFFP and the fact that the applicant previously agreed to COAs requiring construction of 100 park and ride spaces (COA #66) and construction of the southern portion of the Bass Lake Road bicycle trail (COA #67). On November 16 2020, the applicant submitted a detailed response to each of the Commission's reasons for denial (Attachment F) and requested this response be forwarded to the Board for review. The applicant also submitted two additional exhibits and requested staff forward a copy of each for Board consideration: 1) the applicant's park-and-ride demand analysis previously presented to the Planning Commission (Attachment G); and 2) the applicant's updated status of BLHSP PFFP projects affecting Bass Lake North (Attachment H).

Based on the deliberations, public testimony, and concerns expressed by the El Dorado Hills

Community Services District and Planning Commissioners at the November 12, 2020 Planning Commission hearing, along with post hearing discussions with the El Dorado County Transit Authority (Transit), Planning staff supports the Commission's decision to deny the applicants request and therefore recommends that the Board deny the appeal from the applicant. Planning has verified with Transit the need for 240 additional park-and-ride spaces within the El Dorado Hills and Cameron Park areas as identified within the 2017 Park-and-Ride Master Plan (Attachment I). Transit's lack of preference to deliver a 50 space park-and-ride facility over a 100-space park-and-ride facility, and concern that a 50-space in-lieu fee would not meet Transit's goals for providing adequate park-and-ride facilities within the El Dorado Hills and Cameron Park areas of the County in the near term.

## **ALTERNATIVES**

As an alternative to adopting the Planning Commission recommendation, the Board may elect to take additional actions including the following:

1) Approve the appeal, reversing the Planning Commission denial of Tentative Subdivision Map Revision TM-R19-0002/Bass Lake North, and approving the proposed revisions to Condition of Approval No. 66 as recommended by staff on November 12, 2020 based on the Findings and subject to the Conditions of Approval as presented to the Planning Commission on November 12, 2020 (Attachment C); or

2) Approve the appeal, reversing the Planning Commission denial of Tentative Subdivision Map Revision TM-R19-0002/Bass Lake North, and approving the project with potential revisions to Condition of Approval No. 66 as may be proposed by the Board of Supervisors.

## **PRIOR BOARD ACTION**

Legistar File #17-0088, 2/28/2017, Agenda Item #33 (BOS original approval of Bass Lake North project)

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

El Dorado County Transit Authority  
El Dorado County Transportation Commission  
El Dorado County Department of Transportation.

## **FINANCIAL IMPACT**

No net County cost (developer-funded improvements).

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

## **STRATEGIC PLAN COMPONENT**

N/A

## **CONTACT**

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