

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MARCH 28, 2018

REGULAR MEETING

TO: Shiva Frentzen, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Assistant Executive Officer

AGENDA ITEM #6: Bass Lake North Annexation to the El Dorado Irrigation
District (EID)

LAFCO Project No. 2017-05

PROPONENTS: N.C. Brown Development, Inc.
BL Road, LLC
Sequoia Investment Partners, LLC
Obed and Lynn Patty

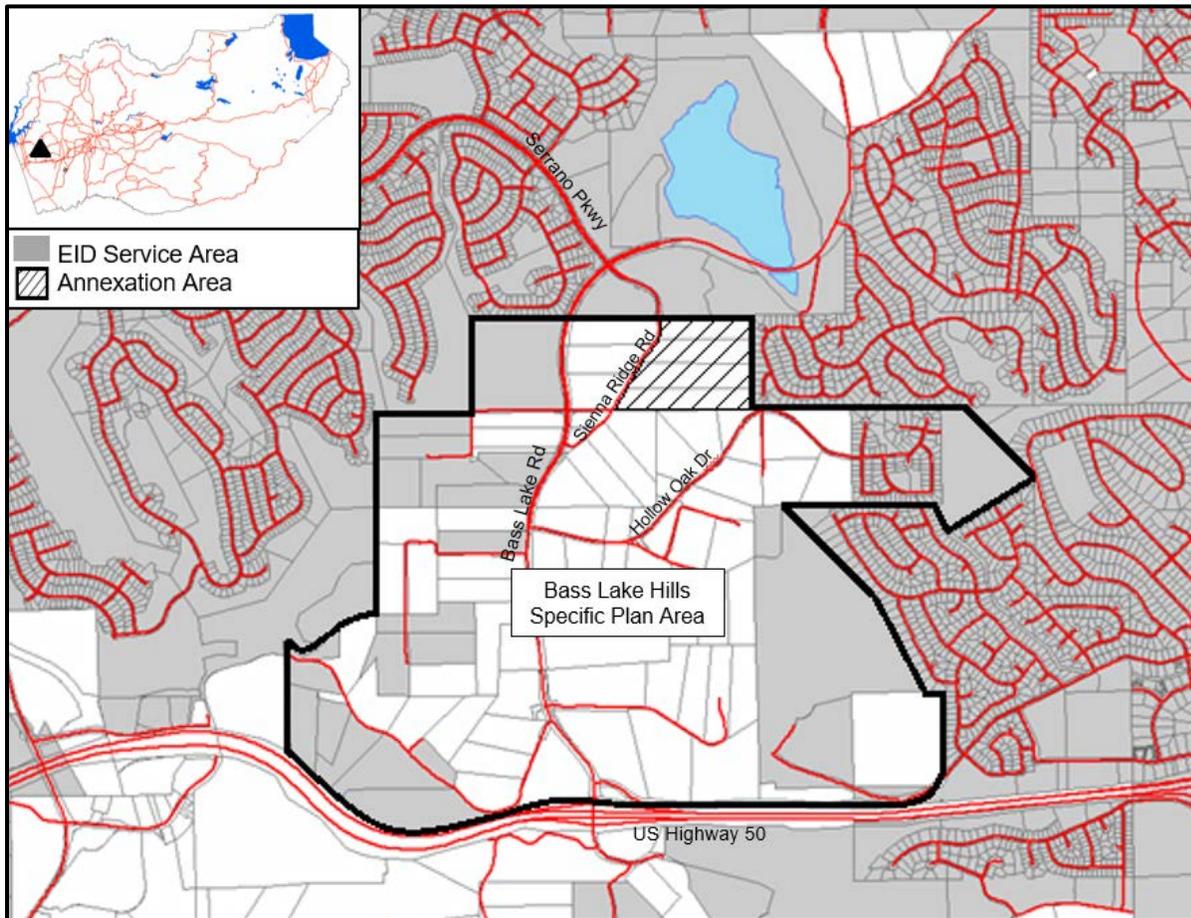
AGENT: Norm Brown, N.C. Brown Development, Inc.

DESCRIPTION OF PROJECT

This proposal is a landowner petition to annex four parcels (APNs 115-400-06, 115-400-07, 115-400-08, and 115-400-09), consisting of approximately 50 acres, into the El Dorado Irrigation District to obtain water and wastewater services. Bass Lake North is an approved 90-lot residential subdivision in the Bass Lake Hills Specific Plan.

LOCATION

The proposal territory is located within the Bass Lake Hills Specific Plan area, which is generally located between the communities of El Dorado Hills and Cameron Park, north of U.S. Highway 50 and south of Bass Lake. The 50.31-acre annexation site is located on the east side of Sienna Ridge Road, east of Bass Lake Road, approximately 1.1 miles north of the Bass Lake Road/U.S. Highway 50 Interchange.

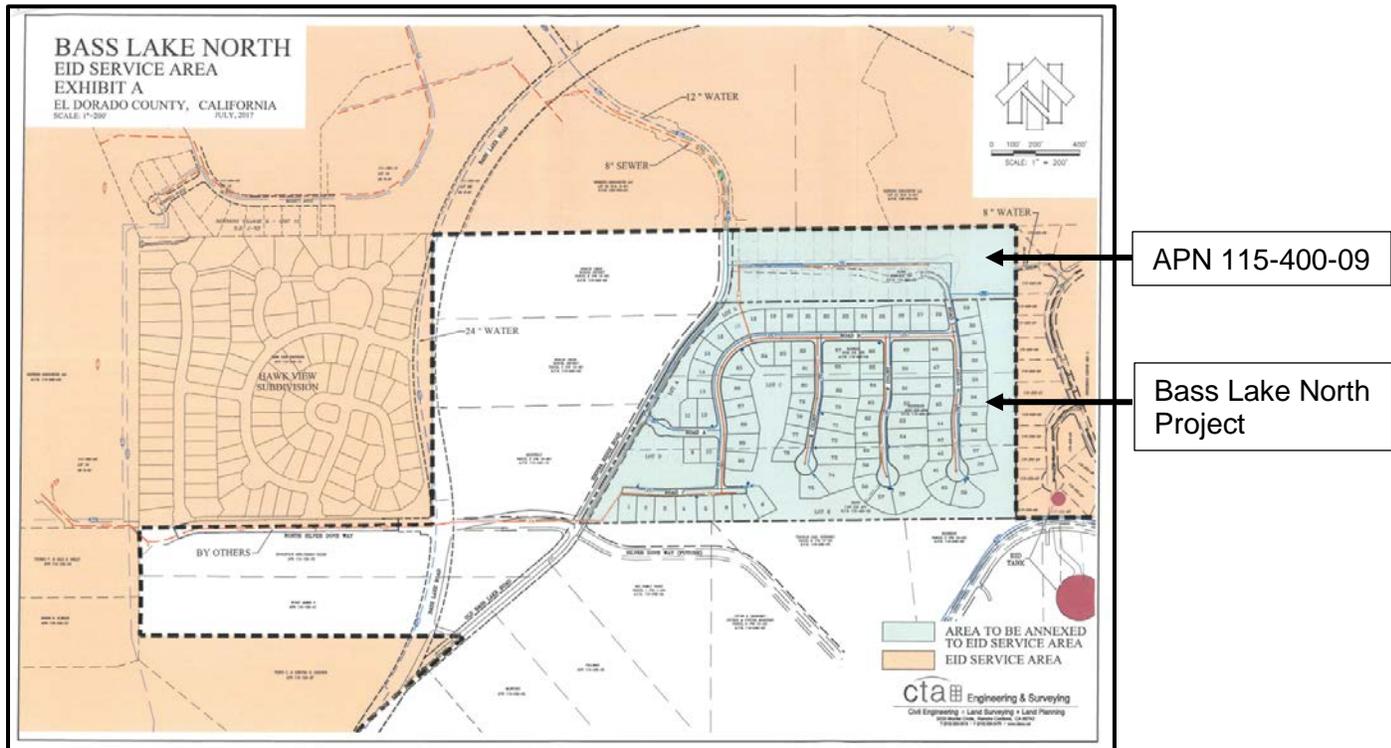


PURPOSE

The parcels are not currently within the El Dorado Irrigation District (EID) service area; annexation is required prior to receiving services from the District. The annexation will allow EID to extend water and wastewater services to the future residents of the Bass Lake North Subdivision and APN 115-400-19, when developed.

The approved Bass Lake North Project consists of three parcels (APNs 115-400-06, 115-400-07 and 115-400-08) totaling 38.74 acres. The project would subdivide the site into 90 single family residential lots, 7,204 to 23,975 square feet in size. Annexation into EID is requested in order to receive water service, wastewater service and fire hydrants for the proposed development. The subdivision was conditioned by the Board of Supervisors to include annexation into EID prior to filing the final map.

The parcel to the north of the site, APN 115-400-09 (11.57 acres), is included in the annexation proposal in order to avoid the creation of a “peninsula” property surrounded on three sides by EID’s service area. This parcel, identified in the Bass Lake Hills Specific Plan (BLHSP) as “Parcel 66”, will provide temporary emergency vehicle access for the Bass Lake North Subdivision. Although the parcel is within the BLHSP and designated for residential development with an allowable maximum of 24-30 dwelling units, specific development is not proposed at this time. For purposes of this annexation, the analysis of future service needs and environmental review assumes the parcel will eventually be developed into 30 residential lots. APN 115-400-09 was included in the County’s environmental review of the annexation (see the CEQA section below).



RECOMMENDATIONS

Staff recommends the Commission approve the Bass Lake North Annexation into the El Dorado Irrigation District; LAFCO Project No. 2017-05, by taking the following actions:

1. Recognize that El Dorado County, as the lead agency for the project, has prepared an Addendum to the Bass Lake Road Study Area Program Environmental Impact Report and California Environmental Quality Act (CEQA) determinations which have been found to be adequate for the purposes of the annexation and direct staff to file a Notice of Exemption in compliance with CEQA and local ordinances implementing the same.
2. Adopt LAFCO Resolution L-2018-06 (**Attachment E**), adding any additional conditions the Commission finds appropriate and approve the Bass Lake North Annexation to the El Dorado Irrigation District.
3. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.
5. Determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

REASON FOR RECOMMENDATION

Following an analysis of the annexation with consideration of the factors listed in Government Code §56668 and LAFCO Policies, staff recommends the Commission approve the Bass Lake North Annexation into EID in order to provide water and wastewater services to the area.

Annexation of the Bass Lake North parcels into EID is necessary to allow EID to extend water and wastewater services to the pending residential development. Annexation of APN 115-400-09 directly north of the Bass Lake North site is requested by the applicant and supported by staff to avoid creating an irregular EID service boundary, which is discouraged by El Dorado LAFCO Policy 3.9.4.

BACKGROUND

The Bass Lake North Annexation to the El Dorado Irrigation District (EID) was initiated by landowner petition in July 2017. Applicant Norm Brown of N.C. Brown Development, Inc. is proposing annexation of four parcels, APNs 115-400-06, 115-400-07, 115-400-08, and 115-400-09 (50.31 acres), into EID to support the development of the approved Bass Lake North Project, a 90-lot residential subdivision in the Bass Lake Hills Specific Plan area.

The Bass Lake North Subdivision was approved on February 28, 2017 by the El Dorado County Board of Supervisors and consists of a request to rezone APNs 115-400-06, 115-400-07 and 115-400-08 from RE-10 to R1-PD, and for a Tentative Subdivision Map creating 90 single family residential lots ranging in size from 7,204 to 23,975 square feet in size.

APN 115-400-09 is not part of the Bass Lake North Project and no development is proposed for it at this time, but it is included in the annexation proposal to avoid the creation of a peninsula property in EID's service area. APN 115-400-09 will provide temporary emergency vehicle access to the Bass Lake North Subdivision.

CEQA

El Dorado County, as the Lead Agency for the project, adopted an Addendum to the 1992 Bass Lake Road Study Area Final Program Environmental Impact Report, dated September 2016 (2016 Addendum), for the proposed Bass Lake North project and for the parcel to the north of the site, APN 115-400-09 (identified within the Bass Lake Hills Specific Plan as Parcel 66). The 2016 Addendum was prepared by Raney Planning and Management and adopted by El Dorado County on February 28, 2017. The County filed a Notice of Exemption for the project under State CEQA Guidelines Section 15182 on March 7, 2017. The County's 2016 Addendum and Notice of Exemption can be reviewed as **Attachment D**. Based upon the 2016 Addendum and all other information in the record, El Dorado County found that there was no legal or evidentiary basis for the preparation of a supplemental or subsequent EIR pursuant to CEQA Guidelines Sections 15162 and 15163 and that the 2016 Addendum was the appropriate environmental document for the proposed project. Two CEQA documents relevant to the proposed project site were prepared prior to the 2016 Addendum and certified and adopted by El Dorado County and incorporated by reference into the 2016 Addendum:

- 1) The Bass Lake Road Study Area (BLRSA) Final Program Environmental Impact Report (Program EIR) was certified by the Board of Supervisors on March 17, 1992 (State Clearing House No. 1990020375). The densities evaluated in the Program EIR would have yielded development of a maximum of 2,847 dwelling units on approximately 1,223 acres and included mitigation measures to reduce impacts; however, impacts to the following areas were determined to remain significant and unavoidable, even after mitigation: vegetation and wildlife; land use; population

and housing; traffic; utilities (water); public services (fire and schools); and visual and aesthetic resources.

- 2) Three years after the BLRSA Program EIR was certified, an Addendum was prepared for the Bass Lake Hills Specific Plan (BLHSP), which covered a nearly identical geographic area. The BLHSP and Addendum to the BLRSA Final Program PEIR were adopted by the El Dorado County Board of Supervisors on November 7, 1995. The Addendum analyzed the new and/or more significant impacts of the BLHSP, with the reduced development of 1,458 dwelling units on approximately 1,196 acres, and identified any further mitigation necessary in relation to the BLRSA Program EIR. Based on the analysis within the Addendum, the determination was made that new or substantially more severe environmental impacts would not occur as a result of the BLHSP.

LAFCO is a Responsible Agency under CEQA, and in that capacity, is responsible for reviewing the lead agency's (i.e., El Dorado County's) CEQA documentation and conclusions as they pertain to the decision that is within LAFCO's jurisdiction. Staff has reviewed and considered the County's CEQA determination with respect to the 2016 Addendum that new or substantially more environmental impacts would not occur as a result of implementation of the BLHSP and that the 2016 Addendum is the appropriate environmental documentation for the project. Staff also has reviewed all supporting documentation and evidence relevant to LAFCO's environmental determination for this item. On that basis, it is appropriate for LAFCO, as a Responsible Agency, to find that all of the environmental impacts of the project have been analyzed in the Program EIR and 2016 Addendum, and LAFCO's adoption of this resolution does not present a substantial change from, or new information pertinent to, the Project evaluated in the Program EIR or the 2016 Addendum, and LAFCO concurs with El Dorado County's CEQA determination that no supplemental environmental review is required. As discussed below, none of the circumstances necessitating preparation of subsequent or supplemental EIR as specified in CEQA Section 21166 or CEQA Guidelines Sections 15162 or 15163 is present. As a separate and independent basis, as discussed below, the project is exempt from further CEQA review pursuant to Government Code Section 65457 and CEQA Guidelines Section 15182 (residential projects undertaken pursuant to, and in conformity with, a specific plan).

CEQA Exemption

The project is considered exempt from CEQA, pursuant to Government Code Section 65457 and Section 15182 of the State CEQA Guidelines, which exempts residential projects with an EIR pursuant to a specific plan (Title 14, Chapter 3, Section 15182 of the *California Code of Regulations*) because the record as a whole supports the following findings:

- 1) the project is part of a residential project undertaken pursuant to and in conformity with a specific plan for which an EIR was prepared after January 1, 1980 and

- (2) in light of the whole record, none of the events described in Public Resources Code Section 21166 or CEQA Guidelines Section 15162 are present in that there are (a) no substantial changes proposed in the project which will require major revisions to the Program EIR or the Addendum due to the involvement of a new significant environmental effect or a substantial increase in the severity of previously identified significant environmental effects; (b) no substantial changes in the circumstances under which the project is undertaken which will require major revisions of the Program EIR or the

Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects; or (c) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Program EIR was certified or the Addendum adopted that shows (i) the project will have one or more significant effects not discussed in the Program EIR or the Addendum; (ii) significant effects previously examined will be substantially more severe than shown in the Program EIR or Addendum; (iii) mitigation measures or alternatives that the project proponent declines to adopt and were previously found not to be feasible are in fact feasible and would substantially reduce one or more significant environmental effects; or (iv) mitigation measures or alternatives that the project proponent declines to adopt, which are significantly different from those analyzed in the Program EIR or the Addendum to be infeasible would in fact be feasible and would reduce one or more significant environmental effects.

As a separate and independent basis for CEQA compliance, reliance on the Program EIR and the Addendum is appropriate, and no further environmental review is required or authorized because, as described in the previous paragraph, none of the circumstances described in Public Resources Code Section 21166, CEQA Guidelines Section 15162 or 15163 is present. CEQA determinations supported by the Initial Study dated September 2016 in which El Dorado County concluded that none of the criteria identified in the CEQA Guidelines §15162 requiring the preparation of a Supplemental or Subsequent EIR have been met. These criteria are listed in the previous paragraph. Accordingly, the County prepared the 2016 Addendum to the 1992 Bass Lake Road Study Area (BLRSA) Final Program EIR pursuant to State CEQA Guidelines §15164 to analyze the proposed Bass Lake North Tentative Map and parcel to the north.

A Mitigation Monitoring and Reporting Plan has been prepared by El Dorado County, and a Mitigation Measure Agreement has been agreed to and signed by the Applicant to ensure measures adopted through the EIR and addendum process are implemented to lessen the potential significant effect that the project could have on the surrounding area. Any additional analysis LAFCO had as it pertains to the adequacy of the environmental documents were incorporated in the draft stage, and no new additional changes are requested.

Pursuant to State CEQA Guidelines §15062, the filing of the NOE starts a 35-day statute of limitations on challenges to the approval under CEQA.

DISCUSSION OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the Commission review 28 factors of consideration in the review of a reorganization proposal. Each of the factors is individually summarized in Table 1 (***Attachment A***), and fully addressed in the following sections: I. Services, II. Cost and Revenues, III. Boundaries, IV. Potential Effect on Others and Comments, and V. Land Use Population and Planning.

I. SERVICES

Need for Services

Annexation into EID is necessary in order to receive water and wastewater services for the approved Bass Lake North Subdivision. Bass Lake North is a planned

development within the Bass Lake Hills Specific Plan area, consisting of 90 single family lots, four open space lots and two right-of-way lots. The annexation will allow for the provision of essential development supporting services needed for the future residences. All lots within the BLHSP are required to be served by public water and sewer, and annexation into EID is one of the conditions of approval for the Bass Lake North Subdivision imposed by the County Board of Supervisors.

The parcel directly to the north of the site, APN 115-400-09 (11.57 acres), is also included for annexation in order to avoid the creation of a “peninsula” property in the EID service area. APN 115-400-09 is within the BLHSP (identified as BLHSP Parcel 66) and is designated for medium and high density residential development; however, there is no specific development project proposed for the parcel at this time. Future water and wastewater service needs for this parcel are estimated, based on the maximum density of development allowed under the zoning in the BLHSP. Based on the zoning, APN 115-400-09 could potentially be developed into an allowable maximum of 30 residential lots.

Existing and Necessary Infrastructure to Deliver Service

EID prepared *Facility Improvement Letter FIL EEO2017-1027* (FIL) for the Bass Lake North project on July 13, 2017. An FIL describes the existing infrastructure near the subject site, states the fire flow requirements from the local fire service provider and details the requirements for the landowner prior to receiving water service. This FIL was a time extension letter provided at the request of the applicant and it is valid for a period of one year. Prior to receiving service, the FIL identified the following requirements for the Bass Lake North applicant:

Water: In terms of water distribution facilities, a 24-inch water line exists in Bass Lake Road, as well as an 18-inch water line in Hollow Oak Drive, and a 12-inch water line in Sienna Ridge Drive. The proposed Bass Lake North project would connect to the existing 12-inch water line in Sienna Ridge Road. According to EID’s FIL, the existing system is capable of adequately delivering the required fire flow (1,000 gpm for a two-hour duration while maintaining 20-psi residual pressure) for the proposed project. Prior to receiving water service, any future project on the parcel to the north would also need to construct a water line extension to one of the surrounding water lines, to be determined by EID.

Wastewater: The Bass Lake Hills Specific Plan Facility Plan Report identified a new trunk gravity sewer line that is required in order to provide service to the proposed project site. The trunk sewer line will ultimately connect to the 18-inch South Uplands Trunk Sewer located near the proposed Serrano Village C-2 project. According to the EID’s FIL, this sewer line has adequate capacity to serve the proposed Bass Lake North project. In order to receive service from this line, an extension of facilities of adequate size must be constructed. As proposed, the Bass Lake North project would require 89 EDUs of sewer service. Although not proposed for development at this time, based on the maximum allowable dwelling units, the parcel to the north of the site could require up to approximately 30 EDUs of wastewater services demand.

Ability of Annexing District to Provide Service (Timely Availability of Water Supply)

EID has affirmed that it is currently able to provide the necessary water and wastewater services to the Bass Lake North Subdivision within the time frame anticipated by the applicant.

The estimated number of Equivalent Dwelling Units (EDUs) to serve the entire annexation area at full expected build-out is 121 EDUs. An EDU is the annual water requirement for a single-family residential dwelling served by a ¾ -inch water meter.

According to the FIL prepared for the Bass Lake North subdivision, an estimated 91 EDUs will be required to serve that project. Although no development has yet been proposed for APN 115-400-09 (and, therefore, EID has not prepared an FIL for the parcel), the site could require up to approximately 30 EDUs of water based on the maximum allowable dwelling units under the BLHSP.

The territory to be annexed is within EID's Western/Eastern Supply Area, which receives water supplies by gravity flow from eastern supply sources, Project 184 and Jenkinson Lake.¹ The supply for the Western/Eastern area consists of 15,080 acre-feet (AF) from Project 184 at Forebay and approximately 20,920 AF per year from Jenkinson Lake, totaling approximately 36,000 AF per year.

According to EID's most recent *2016 Water Resources and Service Reliability Report* adopted by the EID Board September 12, 2016, water meter availability in the Western/Eastern Supply Area is 12,537 EDU's, before accounting for the 321 EDUs of contractual commitments in this area. For calculating available supply, the report uses "single dry year" supply.

According to EID's 2015 Urban Water Management Plan, EID is projected to have surplus water supply in average, single-dry, and multiple-dry year scenarios through 2045, after accounting for buildout of the El Dorado County General Plan, which includes the Bass Lake Hills Specific Plan area. Given this, EID is expected to have sufficient water supply to adequately serve the proposed Bass Lake North project, as well as the potential future development on the parcel to the north of the site. According to the Master Facility Plan Report for the Bass Lake Hills Specific Plan Area, the combined estimated number of EDUs to serve the entire BLHSP at build out is 1,458 EDUs.

¹ *Although the project is within EID's Western/Eastern Service Area, which typically doesn't require United States Bureau of Reclamation (USBR) approval for annexation, according to EID staff, the area to be annexed is in EID's Central Valley Project area and may potentially utilize water resources from Folsom Lake at some point in the future if infrastructure allows. Based on this determination, inclusion approval will be required from USBR.*

² *The average EDU demand for single-family residential dwellings in the Western/Eastern Supply Area is 0.44. The total potential demand was calculated for each customer class using historical 2013 unit demands to determine an average unit demand. This is consistent with both what the State Water Resources Control Board used as a "base year" for determining mandatory conservation in 2015 and with EID's 2015 Urban Water Management Plan. The unit demands used in 2016 are lower than that used in the 2015 report given the overall trend of declining usage per customer. To convert acre-feet to EDUs, 0.44 acre-feet of use is assumed per EDU. $AF / 0.44 = EDUs$.*

Service Impacts to Existing District Customers

The annexation appears to be consistent with LAFCO and EID policies and is in the best interests of the future residents of the Bass Lake North Subdivision by providing essential services to the proposed residential development. The annexation is supported by the current landowners and EID, as the annexing agency.

The service impacts to other EID customers are expected to be minor. Before each FIL is generated, EID staff conducts an analysis of the infrastructure capacity and compares it to the total expected demand from existing and projected customer use. This is done to ensure that neighboring EID customers will not have any negative impacts to their current level of service. EID regulations provide safeguards to ensure that new development does not result in the over-allocation of water. The developer is responsible for construction and financing of all water transmission lines and distribution facilities to receive EID service. EID does not appear to have any current service deficiencies that indicate annexation of the Bass Lake North Subdivision would result in any negative cost or service impacts to present customers.

Alternatives to Service

The proposed annexation into EID's service area is the most logical alternative to provide necessary water, wastewater services to the Bass Lake North Subdivision and parcel to the north. EID is the only public water service provider in this area; there are no other public alternatives for the provision of water service to the Bass Lake Hills Specific Plan area. All lots within the BLHSP are required to be served by public water and sewer.

Coordination of Applications

There are no other services required by the Bass Lake North project which will require LAFCO action. APN 115-400-09 was included in the annexation application in order to prevent the creation of a peninsula in the EID service area.

II. COST AND REVENUES

Cost to Provide Service

The applicant has submitted a project-specific Facility Plan Report to EID that addresses the expansion of facilities to serve the Bass Lake North Subdivision. It will be the applicant's responsibility for covering the cost of extending necessary infrastructure.

The annexation is expected to provide revenue that will offset the short- and long-term costs to the District. In addition to property tax revenue, facility connection charges, and user charges and other charges will support the cost of services.

Assessed Value / Property Tax Exchange Agreements

The subject parcels are current assessed as primarily unimproved, vacant land. The assessed value of the subject parcels is currently \$402,796. A significant increase in the overall assessed value is expected to occur after the four parcels are subdivided into the proposed 90-120 lots and residences are constructed.

In December 2017, EID and the County negotiated a property tax increment for the proposed annexation area of 2.6667% for EID. The County and EID both adopted property tax redistribution resolutions approving this increment for the annexation; the County's resolution is included as **Attachment C**.

Sufficiency of Revenues

The total assessed value of the subject area is expected to increase as a result of the annexation, subdivision and proposed development. Annexation of the subject area

is expected to provide sufficient revenue to EID to cover the short- and long-term costs of providing services to the proposed subdivision. EID will collect revenue through property taxes based upon the property tax agreement, user charges, and District connection fees, which are projected to be consistent with services provided, long-term agency operations and infrastructure costs. Collected revenue will offset the cost of providing water and wastewater services to the subdivision but is not expected to exceed those costs.

III. BOUNDARIES

Proximity to District Boundaries / Sphere of Influence

Government Code §56375.5 requires LAFCO actions regarding changes of district boundaries be consistent with the affected district's sphere of influence. The annexation area is within the EID sphere of influence and is adjacent to the current EID service area on two sides. Inclusion of APN 115-400-09 in the annexation proposal will eliminate the creation of a peninsula in the EID service area.

Creation of Irregular Boundaries

Per El Dorado LAFCO Policies, the creation of irregular boundaries shall be strongly discouraged. Policy 3.9.4 states, "Islands, peninsulas, flags, "pin point contiguity," "cherry stems," and other irregular boundary lines are inconsistent with the formation of orderly and logical boundaries and may be amended, modified or disapproved by LAFCO (§56744, §56741, §56742)."

APN 115-400-09 was included in the petition to avoid the creation of a peninsula surrounded on three sides by the EID service area. As proposed, the annexation will not create an irregular boundary, island, peninsula, cherry stem or flag configuration. Inclusion of all four proposed parcels will represent an orderly and logical expansion of the EID service area.

The boundaries of the proposed annexation conform to the existing lines of assessment and ownership of APNs 115-400-06, 115-400-07, 115-400-08, and 115-400-09. The proposal map has been reviewed by the County Surveyor and has been found to be definite and certain.

Topographical Information

The property sits at approximately 1,300 feet in elevation with annual grassland on the western slope and open oak woodland along the ridgeline. The proposed project site is undeveloped and consists of open grassland scattered with various rock outcroppings and oak woodland habitat, particularly along the eastern boundary of the site. A drainage feature crosses the southwestern corner of the project site. The site consists of moderately sloping terrain, increasing in elevation from west to east.

According to the FEMA Flood Information Rate Maps, the Bass Lake North project site is within Flood Zone X, which is the flood insurance rate zone used for areas outside the 0.2-percent-annual-chance floodplain. Flood insurance purchase is not required in this zone.

IV. POTENTIAL EFFECT ON OTHERS AND COMMENTS

Effect on Adjacent Areas

The proposed project is located within the El Dorado Hills Community Region and within the Bass Lake Hills Specific Plan. Adjacent areas are similarly developed or approved for similar residential development under the BLHSP.

Effect on Other Community Services

There are no negative impacts expected for other public service providers to the proposal area. Other public service providers to the affected territory include: El Dorado Hills County Water District (fire protection and emergency medical services), El Dorado Hills Community Services District (park and recreation services), Rescue Union School District and El Dorado Union High School District (schools), and the El Dorado County Sheriff's Department (law enforcement).

Comments and/or Objections from Other Agencies and the Landowner(s)

The following agencies were provided an opportunity to comment on this proposal:

- El Dorado County Assessor's Office
- El Dorado County Auditor's Office
- El Dorado County Chief Administrative Office
- El Dorado County Department of Agriculture
- El Dorado County Elections Department
- El Dorado County Emergency Services Authority
- El Dorado County Farm Bureau
- El Dorado County Office of Education
- El Dorado County Planning Department
- El Dorado County Representing County Service Areas 7, 9, 10, and 10 Zone E
- El Dorado County Resource Conservation District
- El Dorado County Sheriff's Department
- El Dorado County Surveyor's Office
- El Dorado County Water Agency
- El Dorado Hills Community Services District
- El Dorado Hills County Water District
- El Dorado Irrigation District
- El Dorado Union High School District
- Los Rios Community College District
- Rescue Union School District
- U.S. Bureau of Reclamation

As part of the standard notification process, LAFCO sent a project notice requesting agency comments to all affected agencies in August 2017 and a project hearing notice in February 2018. As of the date of this report, LAFCO has not received any comments from the above affected agencies in response to the proposed annexation.

The annexation petition was initiated by the landowners, who are in full support of the change of organization. The petition was signed by 100% of the affected landowners.

Public Notice

A notice of public hearing was published in the Mountain Democrat 21 days in advance of this hearing (March 7, 2018). As of the date of this report, LAFCO has not received any comments from the public in response to the proposed annexation.

V. LAND USE, POPULATION AND PLANNING

Zoning and Land Use Designations, Consistency with General / Specific Plans

The proposed project is located within the El Dorado Hills Community Region and provides lot types consistent with the land uses, densities, and intensities consistent with the El Dorado County General Plan's policies for the County's Community Regions and the Bass Lake Hills Specific Plan.

On February 28, 2017, the Board of Supervisors approved a rezone of the Bass Lake North site from Residential Estate Ten Acres (RE-10) to Single-Unit Residential-Planned Development (R1-PD) and a Development Plan for the proposed subdivision to permit clustering and create open space in compliance with the Bass Lake Hills Specific Plan.

The annexation and proposed development are consistent with the current R1-PD zoning under the Bass Lake Hills Specific Plan. The Single-Unit Residential (R1) Zone District permits minimum parcel sizes of 6,000 square feet when the lot is served with public water and sewer; all lots within the BLHSP are required to be served by public water and sewer. Each parcel meets or exceeds the minimum requirement for the R1 Zone District as well as the provisions outlined within the BLHSP. The BLHSP anticipated approximately 92 dwelling units for the project site; therefore, the currently proposed 90-unit total is consistent with the density planned for the project site in the BLHSP.

The 2004 El Dorado County General Plan designates the project site as Adopted Plan (AP), a designation that pertains to areas where specific plans have been adopted; in this case, the BLHSP. The proposed project is consistent with the policies, land use designations, and maximum allowable density identified in the BLHSP; therefore, the project is consistent with the General Plan.

Surrounding Land Uses

The proposed development is consistent with both the land use contemplated in the BLHSP and the surrounding land use. The BLHSP established maximum residential land use densities for the land within the Plan area, specified how those lands would be developed, described the public facilities and services necessary to support the allowed development, and described the funding mechanisms necessary for implementation. The BLHSP provides for distinct residential villages that allow a range of housing types and densities as well as open space, parks, schools, and a fire station. Of the 1,458 dwelling units anticipated for the Plan area, 380 units have been entitled through the Tentative Map process.³ Of the 380 units entitled, 99 have been constructed to date, as part of the Hollow Oaks Subdivision.

The proposed subdivision has an approximate density of 2.3 dwelling units per acre, which is consistent with the surrounding density and falls below the maximum allowed density in the BLHSP of 2.6 dwelling units per acre for this site.

³ Bell Ranch-113 units, Bell Woods-54 units, Hawk View-114 units, Hollow Oaks-99 units.

Impact to Agriculture / Open Space

Agriculture: The proposed project site is not located within or adjacent to agriculturally-zoned lands, including any Williamson Act Contract properties. The project site is not identified by the California Department of Conservation as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

The general area has historically been used for seasonal grazing, but currently there are not any agricultural activities within the project area. The project site and neighboring properties within the BLHSP are designated for high density and medium density residential development. Neighboring properties outside of the BLHSP immediately to the east are within Bridlewood Canyon, a high-density residential development.

The project area was previously zoned Agricultural (A) at the time the BLHSP and associated CEQA documents were prepared. In 2015, the County updated the zoning ordinance to rezone select parcels in the County to be consistent with the General Plan. The project area was rezoned Residential Estate, Ten Acre (RE-10) as part of the County's approval of the Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU). The rezone of the project site to RE-10 was evaluated in the EIR prepared for the TGPA-ZOU and its appropriateness was supported by the BLRSA Program EIR's determination that prime agricultural soils do not exist in the study area.

Open Space: The proposed design allows for the perimeter to be predominantly maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and higher residential densities. The Bass Lake North site is large enough to provide approximately 29 percent (11.37 acres) as open space, which would include landscaping, open spaces, and trails.

A funding mechanism shall be in place for the maintenance of all open space and common areas, and their related improvements and facilities, prior to recordation of the first Small-Lot final map. An open space management plan shall be approved by the El Dorado Hills Community Services District prior to recordation of the first Small-Lot final map. The open space management plan shall include a comprehensive funding plan for all open space within the development.

Population and Growth in the Area

There are currently two voters registered in the proposal area; both are registered at 3351 Sienna Ridge Road (APN 115-400-09). APN 115-400-09 is partially developed with an existing barn structure and loft; the parcel also used to contain an associated residence; however, that residence was donated to the El Dorado Hills Fire Department and deliberately burnt down in 2014 as part of a controlled "Live Fire Training Burn" exercise.

The subject territory is considered uninhabited per Government Code §56046, which states, "*Inhabited territory*" means territory within which there reside 12 or more registered voters...All other territory shall be deemed "*uninhabited*."

Upon completion of the Bass Lake North Subdivision development, there will be 90 new residential units. In addition, APN 115-400-09 to the north of the Bass Lake North site could conceivably be developed into 30 additional residential units under the zoning of the BLHSP. The potential 120 new residential units in the annexation area

could result in approximately 319 new residents to the area, accounting for an average of 2.66 persons per home, which is the assumption the County used in the BLHSP. Accounting for an average three persons per home, the growth in population could be closer to 360 new residents.

At full buildout, the Bass Lake Hills Specific Plan is expected to include 1,457 new housing units, resulting in approximately 3,876 new residents, including those of the Bass Lake North project.

Regional Housing Needs Considerations

In September 2012, the Sacramento Area Council of Governments (SACOG) Board of Directors adopted their 2013-2021 Regional Housing Needs Plan (RHNP), a state requirement which allocates to SACOG cities and counties their "fair share" of the region's projected housing needs. Each city and county in the RHNP receives a Regional Housing Needs Allocation (RHNA) of total number of housing units that it must plan for within a 7.5-year time period through their General Plan Housing Elements. Allocations are distributed within four economic income categories; very low, low, moderate and above moderate. Allocation goals for the unincorporated portion of El Dorado County, are as follows:

	SACOG 2013-2021 Total RHNA Allocation				
Total Units	Extremely Low <50% of MFI	Very Low <50% of MFI	Low 50-80% of MFI	Moderate 80-120% of MFI	Above Moderate 120+% of MFI
3,948 (100%)	477 (12.1%)	477 (12.1%)	669 (16.9%)	734 (18.6%)	1,591 (40.3%)

MFI = Median Family Income

The BLHSP provides for a wide range of housing types and densities. The proposed project area is designated for both High Density and Medium Density housing within the BLHSP. Use of the Planned Development (PD) Zone District allows greater flexibility in development standards to encourage developers to include low and moderate-income housing within residential developments.

Development of the Bass Lake North Subdivision will contribute to the County in meeting its Regional Housing Needs Assessment goals, presumably for moderate to above moderate-income levels. The project will increase available market rate housing for the Bass Lake Specific Plan Area and will contribute to a decrease in the total available land for lower income housing categories. The County, however, may be able to meet these lower income regional housing needs allocations elsewhere.

DETERMINATIONS

After reviewing the factors of consideration, the Commission should make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is "uninhabited" per Government Code §54046. Application for this annexation is made subject to Government Code §56650 et. seq. by landowner petition.

2. The territory proposed for annexation is within the sphere of influence of the El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.
3. The September 2016 Addendum to the 1992 Bass Lake Road Study Area Final Program Environmental Impact Report adopted for this project by El Dorado County, and the subsequent Notice of Exemption under Title 14, Chapter 3, Section 15182 of the *California Code of Regulations* satisfies the requirements of the California Environmental Quality Act.
4. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
5. The annexation will not have an adverse effect on agriculture and open space lands.
6. The annexation will result in a decrease in water supply available for the buildout of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

ATTACHMENTS

- Attachment A: Table 1: Summary of 28 Factors to be Considered
- Attachment B: EID Infrastructure Map
- Attachment C: BOS AB-8 Resolution
- Attachment D: El Dorado County 2016 Addendum to the 1992 Bass Lake Road Study Area Program EIR and Notice of Exemption
- Attachment E: LAFCO Draft Resolution L-2018-06 and Exhibit A Map