

# EL DORADO LAFCO

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LOCAL AGENCY FORMATION COMMISSION

## *AGENDA OF DECEMBER 6, 2017*

### *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, Policy Analyst

**AGENDA ITEM #4F:** APPROVAL OF A SECOND EXTENSION OF TIME FOR THE  
FINAL APPLICATION REQUIREMENTS FOR THE HOLLAND  
REORGANIZATION INTO THE CITY OF PLACERVILLE

**LAFCO Project No.** 2017-02

**PROPONENT:** Chuck Holland, Landowner

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#### **RECOMMENDATION**

Staff recommends the Commission receive the following update on the Holland Reorganization to the City of Placerville and approve a second extension of time to provide the City of Placerville additional time to complete and submit the final application requirement for this application. The time extension would be effective December 21, 2017 to January 31, 2018.

#### **REASON FOR RECOMMENDED ACTION**

Per El Dorado LAFCO Policies and Guidelines, all final application materials are required before an application can be deemed complete and a Certificate of Filing can be issued. If all final application requirements are not completed within six months following the property tax redistribution agreement, the project will be closed. (*Policies 3.1.3, 3.1.6 and 3.1.7*)

The final outstanding application requirement for the Holland Reorganization is environmental documentation that adequately addresses the requirements of the California Environmental Quality Act (CEQA). The City of Placerville is the lead agency for the Holland Reorganization and is responsible for preparing this documentation and submitting it to LAFCO.

The Applicant, Chuck Holland, is requesting the Commission grant a second extension of time to allow additional time for the City to complete this requirement. Approval of the extension would give the City until January 31, 2018 to complete the required CEQA documentation. Denial of the extension may result in the project being closed, if the requirement is not completed by the current December 21, 2017 deadline. The Applicant would be eligible to reapply for annexation one year after this date; however, the process would start over from the beginning.

Staff recommends approval of the extension request because the preparation and timing of the required CEQA documentation is entirely out of the Applicant's control, and it would be unfair to penalize the Applicant if the deadline were not met.

### **BACKGROUND**

On March 21, 2017, LAFCO staff notified the Applicant that the property tax redistribution agreements were finalized and that the final application requirements were due no later than September 21, 2017, six months from the date of the letter.

The City of Placerville, as lead agency for the Holland Reorganization, certified an Environmental Impact Report (EIR) for the City's 1990 General Plan and subsequent pre-zoning of parcels located within the City's sphere of influence, including Commercial pre-zoning of the Holland property. After review of the EIR and subsequent discussions with LAFCO legal counsel, the Executive Officer determined that the City needed to prepare a CEQA "substantial evidence test" under Guidelines Section 15162 to determine whether there have been substantial changes to the proposed project or circumstances surrounding the project, or whether new information is available which would require major revisions of the EIR. The substantial evidence test will ensure that the certified EIR remains adequate for the purpose of this annexation.

The City is currently preparing this document and, by every indication, it is expected to be completed by the December 21 deadline; however, the requested extension will provide a safeguard for the Applicant in case additional time becomes necessary.