

Michael J. Johnson, AICP
Agency Director

E. J. Ivaldi, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

By: E.J. Ivaldi, Deputy Planning Director

DATE: December 8, 2015

SUBJECT: Bickford Ranch Specific Plan – Amendments to the Specific Plan, Development Standards, and Design Guidelines / Rezone / Large lot Vesting Tentative Map / Amended and Restated Development Agreement (PSPA20140024) – Addendum to the 2004 Final Environmental Impact Report

ACTION REQUESTED

Conduct a Public Hearing to consider a recommendation from the Placer County Planning Commission to approve the Bickford Ranch Specific Plan Amendment, including the following actions:

1. Adopt the 2015 Addendum to the 2004 Bickford Ranch Final Environmental Impact Report (SCH# 1998082073);
2. Adopt an amendment to the Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program;
3. Adopt a Resolution approving amendments to the Bickford Ranch Specific Plan;
4. Adopt an Ordinance approving amendments to the 2004 Bickford Ranch Specific Plan Development Standards;
5. Adopt a Resolution approving amendments to the 2004 Bickford Ranch Specific Plan Design Guidelines;
6. Adopt an Ordinance to rezone 1927.9 acres (Bickford Ranch Specific Plan area) from F-B-X-DR 10 Acre Minimum (Farm, combining minimum Building Site of 10 acres, combining Development Reserve), F-B-X-DR 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres, combining Development Reserve), and F-B-X 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres) to SPL-BRSP (Specific Plan - Bickford Ranch);
7. Approve the Bickford Ranch Large Lot Vesting Tentative Subdivision Map and Recommended Conditions of Approval, as modified; and
8. Adopt an Ordinance approving the Amended and Restated Development Agreement, as modified, for the 2014 Bickford Ranch Specific Plan.

In association with the foregoing, the Board is being asked to consider the Public Facilities Financing Plan (Provided under separate cover) prepared for the project.

BACKGROUND

In the 1990s, Southwest Bickford Holdings, Inc. purchased the subject property and proposed the Bickford Ranch Specific Plan (BRSP) project. Placer County prepared the BRSP Draft Environmental Impact

Report (August 17, 1999) and BRSP Final EIR dated November 13, 2000. In 2001, a Draft EIR was prepared to reflect revisions made in the Final EIR. On December 18, 2001, the Board of Supervisors certified the Bickford Ranch Specific Plan EIR (referred to as the 2001 Revised EIR) and approved the entitlements related to the BRSP.

Subsequent to the Board's approval, the project as approved by the Board was challenged in court. The Court determined that the Board's approval of the Specific Plan, Design Guidelines, Development Standards, Development Agreement, adoption of mitigation measures, and the Mitigation Monitoring and Reporting Plan, and resolutions pertaining to Clark Tunnel Road were invalid and, consequently, ordered those actions be rescinded.

On August 10, 2004, the Board of Supervisors complied with the Court's writ by rescinding its 2001 approval of the Specific Plan, Design Guidelines, Development Standards, Development Agreement, adoption of mitigation measures, Mitigation Monitoring and Reporting Program, and the resolutions pertaining to Clark Tunnel Road.

On October 19, 2004, the Board of Supervisors reconsidered and approved the modified project. The Board considered the previously certified 2001 Revised EIR, together with an Addendum to the EIR (referred to collectively as the 2004 BRSP EIR) which addressed the changes between the project evaluated in the 2001 Revised EIR and the project described in the 2004 Bickford Ranch Specific Plan as well as other changes that occurred since 2001. The Board approved the Specific Plan, Design Guidelines, Development Standards, Development Agreement, adoption of mitigation measures, and the Mitigation Monitoring and Reporting Program, and resolutions pertaining to Clark Tunnel Road.

The 2004 Board approvals were again challenged in court. This litigation was eventually settled when the then-owners of Bickford Ranch agreed to pay \$6 million to preserve oak woodlands elsewhere in Placer County. The County was not a party to the financial settlement and did not take part in the decisions of allocation of the settlement funds. The settlement did not require the County to revise the 2004 plan approvals.

In early 2005, site development activities commenced, including mass grading, a portion of the tree removal and filling of wetlands. None of the site work was completed. Off-site construction of sewer and water infrastructure was also initiated but not completed.

In 2012, LV Bickford Ranch, LLC acquired the property and proposed revisions to the BRSP. Entitlement applications were filed with the County in January 2014.

PROJECT LOCATION

The Bickford Ranch Specific Plan area encompasses 1,927.9 acres and is located approximately four miles northwest of Interstate 80 and south of State Route 193 between the City of Lincoln, Penryn and Newcastle areas (Vicinity Map, Attachment A). The western boundary of the project site is defined by Sierra College Boulevard from State Route 193 on the north side to English Colony Road on the south, except for a parcel at the southwest corner of Sierra College Boulevard and Caperton Court. The Union Pacific Railroad (UPRR) is generally the southern boundary, except for a parcel south of the railroad tracks.

PROJECT DESCRIPTION

The applicant proposes to amend the previously-approved 2004 Bickford Ranch Specific Plan (Attachment B) by modifying the residential housing types and conceptual lotting of residential villages to reflect current market demands. The proposed amendment would eliminate the Village Commercial parcel, the high density residential sites and the golf course. Generally, the proposed project reduces the overall development footprint by increasing open space areas while maintaining the same 1,890 residential units originally approved. Access to the project site would also be modified.

Bickford Ranch Specific Plan Amendment (2014 BRSP)

The proposed changes to the approved 2004 Bickford Ranch Specific Plan are detailed below (2014 BRSP Proposed Land Use Plan, Attachment C):

Residential Land Uses

- Increase in the residential density (the actual residential development footprint) from 2.47 units per acre to 2.69 units per acre while maintaining the overall project density of approximately 0.98 units per acre. The area designated for residential uses is reduced by 63.6 acres, with offsetting increases in open space.
- Modification to the mix of residential housing types to shift units from the lowest and highest density ranges (High Density Residential and Rural Residential) to mid-range densities (Low Density and Medium Density).
- Increase in the number of age-restricted residential units by three units from 947 to 950 units, with a corresponding three-unit reduction in the number of conventional units from 943 to 940 units, thus maintaining the 1,890 residential unit cap established with the 2004 BRSP.
- Elimination of the 17.3-acre high density residential site (Village Residential site).

Commercial Land Use

- Elimination of the 9.7-acre commercial site (Village Commercial site).

Open Space and Recreation Areas

- Elimination of the golf course, driving range and golf course maintenance facility (316 acres), and conversion of the areas to passive open space.
- Reduction in overall parkland by 18.1 acres and shift of 15.2 acres of parkland from public parks to multiple smaller parks (maintained privately) within neighborhoods. Tower Park was removed.
- Increase in the overall acreage of open space preserves by 109.7 acres and creation of an open space transition area of 163.5 acres between residential and open space preserves uses.
- Increase in the acreage of open space parkways by 77.5 acres. A portion of the acreage previously located in open space parkways is now in Open Space Preserves.

Public Facilities

- Elimination of the 4.7-acre Public Facilities parcel on the east side of the Plan Area and addition of a 5.1-acre Public Facilities parcel adjacent to the school site.
- Increase in the acreage of the school site by 3.0 acres to a 15.0-acre site.
- Increase in the acreage of the fire station by 0.4 acres.

Public Utilities

- Increase in the size of the water tank site on the east side of the project site by 1.6 acres to accommodate Placer County Water Agency (PCWA)'s water facilities. Addition of a three-acre site on the west side of the site to accommodate a second water tank and pump station.
- Update to infrastructure and utility service plans to correspond to the revised land use plan and updated roadway network.
- Addition of water conservation measures (e.g., reduced turf, smart irrigation controls, recirculating hot water) that will result in a water savings of 24.5 percent.

Transportation

- Elimination of the Bickford Ranch Road intersection near English Colony Way and relocated main access of Bickford Ranch Road to intersect with Sierra College Boulevard across from Penny Lane.
- Shifted secondary access north on Sierra College Boulevard.
- Reduced the number of project entries from three to two.

- Realignment of trails to correspond to updated village design, open space constraints, and roadway network.
- Modification of street alignments and trail sections.
- Enhancements (paving, restriping) to the existing park and ride lot located on the west side of Sierra College Boulevard near State Route 193. The 2004 BRSP included a park-and-ride facility within the Village Commercial Site that was eliminated as part of the 2014 BRSP.

2014 BRSP – Requested Entitlements

Project entitlements requested with the proposed revisions to the 2004 BRSP include amendments to the BRSP Specific Plan, Development Standards, Design Guidelines, and Development Agreement, a Rezone, and a Large Lot Vesting Tentative Subdivision Map, as further described below:

Specific Plan

The Bickford Ranch Specific Plan approved in 2004, together with its implementing Development Standards and Design Guidelines, controls the planning and development in the plan area. The Specific Plan itself provides general guidance through goals and policies on how the BRSP area will be developed. All three documents ensure that the 2014 BRSP area will be developed as a master planned community rather than a project developed in an ad hoc manner under the County’s applicable zoning code.

The proposed amendments to the 2004 BRSP require that the Specific Plan, Development Standards, and Design Guidelines be updated. For the 2014 BRSP, all three documents have been incorporated into one combined document with a refreshed appearance and revisions that reflect the County’s updated standards and planning conventions (Attached - under separate cover). The Specific Plan describes the proposed project and defines the purpose and intent for all permitted land uses within the plan area. The Specific Plan also identifies the entitlements necessary to allow ultimate construction of the project, and defines the methods for administering and amending the plan. The Specific Plan also reflects changes to the project as it relates to the land use diagram, infrastructure service plans, roadway alignments, project phasing and implementation tools.

Development Standards

The purpose of the Development Standards is to ensure that development within the project area is consistent with Specific Plan goals and policies, as well as serving as the regulatory mechanism for all development in the Plan area. Development standards are provided for residential, commercial, and open space land uses, circulation, parking, noise, safety, site development/grading, utilities, signage, lighting, etc. The Development Standards have been revised to describe permitted and conditionally-permitted uses, as well as, adjustments to residential product types (i.e. setbacks, building orientations, etc.) and to ensure that development complies with all applicable County Code. The Development Standards are adopted by ordinance and would supersede the provisions of the Placer County Zoning Ordinance unless otherwise stated in the document.

Design Guidelines

The Bickford Ranch Design Guidelines contain design guidance for all land uses permitted in the Plan Area and have been revised to reflect adjustments to land uses and residential product types. The Guidelines also provide design concepts and intent for specific elements in the Plan area including architectural treatments, entrances, streetscapes, intersections, walls and fences, landscaping, and other common elements. Where no direction is given in the Bickford Ranch Design Guidelines, the Placer County Design Guidelines, Landscape Design Guidelines, and Rural Design Guidelines will apply.

Development Agreement

Development Agreements are approved by the County in accordance with applicable State and local codes, and as such, function as legal and binding contracts between Placer County, the property

owners, and their successors-in-interest. The Development Agreement outlines development rights, establishes obligations for infrastructure improvements and land dedications, secures the timing and methods for financing improvements, and specifies other performance obligations for development of the BRSP area. A Development Agreement was executed with the prior owner of property in 2004. Pursuant to Section 17.58.260 of the Placer County Zoning Ordinance, the applicant/property owner for the BRSP is proposing amendments to the executed development agreement with Placer County, including a “reset” of the development rights vesting time period for the project entitlements. A draft Amended and Restated Development Agreement is included as part of this report (Attachment G), and a detailed summary of proposed changes is included later in this report.

Rezone

The Bickford Ranch Specific Plan area, which encompasses 1,927.9 acres, is proposed to be rezoned from F-B-X-DR 10 Acre Minimum (Farm, combining minimum Building Site of 10 acres, combining Development Reserve), F-B-X-DR 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres, combining Development Reserve), and F-B-X 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres) to SPL-BRSP (Specific Plan - Bickford Ranch). The rezone is now proposed to render the zoning designation consistent with other specific plans in the County by identifying the area as SPL-BRSP (Specific Plan - Bickford Ranch) on the County’s Zoning Map.

Large Lot Vesting Tentative Subdivision Map

The Planning Commission previously approved a Large Lot Vesting Tentative Subdivision Map (SUB-441A) and Small Lot Vesting Tentative Subdivision Map (SUB-441B) back in 2003. A Final Map associated with the Large Lot Tentative Subdivision Map was recorded in July 2007. The Small Lot Tentative Subdivision Map did not record. The applicant is proposing a new Large Lot Vesting Tentative Subdivision Map (Attachment D) that would essentially merge and re-subdivide the existing Large Lot Tentative Subdivision Map, and create 38 residential large lots, 69 open space lots, two public park lots, two neighborhood park lots, two recreation center lots, five public facilities lots, and 15 landscape lots for the purpose of project financing. The lots created by filing of the Bickford Ranch Large Lot Final Map would carry no development rights. To obtain development rights for all lots, a subsequent Small Lot Final Map would need to be filed for any of the large Lots created by the Large Lot Final Map.

2014 BRSP - Phasing Plan

The 2014 BRSP proposal is anticipated to be built-out over 15 to 20 years, depending on a number of factors including shifts in economic conditions and demands for various housing types. Consistent with the 2004 BRSP project phasing plan, the phasing of the 2014 BRSP proposal would generally begin immediately east of Sierra College Boulevard and proceed in an easterly direction. Three phases are anticipated, and the boundaries of each phase are reflected in Attachment E. Portions of Phase 3 are located at both the east and west sides of the site. A portion of Phases 1 and 3 are located west of Sierra College Boulevard. The infrastructure requirements for each phase of development include all on-site backbone infrastructure and off-site facilities necessary for the build out of each phase as described in the Draft Amended and Restated Development Agreement. For the BRSP area, backbone infrastructure includes, but is not limited to, the following items:

- UPRR crossing: all utility and road improvements
- Collector roadways Bickford Ranch Road, and School Ranch Road, and Upper Ranch Road, including roundabouts, undergrounding a portion of PCWA’s Caperton Canal, underground utility extensions for water, public sewer, untreated water, storm drains, and electrical facilities/dry utilities
- Emergency Access Roads external to the project boundaries
- Detention facilities and access improvements
- Water Tank Site #1 and appurtenances
- 42-inch waterline

- Sierra College Boulevard Widening, including public sewer, Bickford Ranch Road and Sierra College Boulevard intersection, and State Route 193 and Sierra College Blvd intersection
- Off-site public sewer (Sierra College Boulevard to State Route 193)
- Off-site Butler Road waterline connection

In general, the phasing plan is structured to ensure the improvements in each phase can support its respective development in compliance with the BRSP, County policies and standards, and the development in each phase can support the costs of the required improvements. The Large Lot Vesting Tentative Subdivision Map is conditioned so that, concurrent with submittal of the first Small Lot Vesting Tentative Subdivision Map for any Phase of the BRSP, a Development Infrastructure Phasing Plan would need to be submitted to the County that would include roadway, potable water, sanitary sewer, grading, drainage, dry utility, parks and recreation, walls and fences, and landscaping improvements, that are required for the development of each individual residential parcel.

ENVIRONMENTAL COMPLIANCE

The Placer County Board of Supervisors approved the Bickford Ranch Specific Plan (BRSP) in 2004 after adoption of an Addendum to the previously certified 2001 Revised Draft Environmental Impact Report (2001 EIR) for the project (referred to as the 2004 BRSP EIR). Since its approval, a number of site development activities have occurred, but construction of the proposed land uses has not commenced.

Consistent with CEQA Guidelines section 15162, staff evaluated the proposed amendments to the approved 2004 BRSP (to determine what level of environmental review would be appropriate). Specifically, staff analyzed the proposed modifications to the layout of land uses within the project site, and elimination of the commercial site, high density residential site, and golf course uses of the 2004 BRSP, which reduced the development footprint by approximately 287.8 acres (including the area previously dedicated to golf course uses) with a corresponding increase of 273.2 acres in open space. Additionally, staff analyzed the shift of the Bickford Ranch Road/Sierra College Boulevard intersection to the north, elimination of the Lower Ranch Road/Sierra College Boulevard intersection, and the addition of a new intersection at Bickford Ranch Road/School Ranch Road to ascertain whether new impacts or a significant increase in impacts would result from the change. As necessary, staff required updated studies, including but not limited to traffic and air quality, to assist in this evaluation.

As the lead agency under the California Environmental Quality Act (CEQA), Placer County has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed amendments to the approved 2004 BRSP differ enough from the development scenario described in the 2004 BRSP EIR for the adopted 2004 BRSP to warrant preparation of an addendum, but do not represent substantial changes or involve new information of substantial importance that would warrant preparation of either a subsequent or supplemental EIR under Section 15162. The Addendum and Environmental Review Checklist, dated October 2015 (“2015 Addendum”), are provided under separate cover and made part of this staff report, and must be found adequate to satisfy the requirements of CEQA by the Board of Supervisors. Recommended findings are included at the conclusion of this report for this purpose.

Environmental Conclusions

The 2015 Addendum to the 2004 BRSP EIR concluded that with the incorporation of proposed revisions to the Mitigation Monitoring and Reporting Program (MMRP, Attachment F), the 2014 BRSP would not result in any new or substantially more severe direct or cumulative environmental impacts. The 2014 BRSP would reduce the development footprint by 287.8 acres (including the area previously dedicated to golf course uses), resulting in lesser impacts to biological and water resources, as well as reduced emissions, including GHG emissions. All approved mitigation in the 2004 MMRP and additional or revised mitigation identified in the 2015 Addendum would be implemented; with incorporation of these mitigation measures, no new impacts would occur and no impacts would increase in severity.

A summary of environmental topic areas discussed during public meetings at the Municipal Advisory Councils and Planning Commission is provided below. Not included is a detailed discussion of potential air quality impacts and school impacts, which are addressed in greater detail later in this report under "Discussion of Issues".

Land Use Compatibility

As noted above, the proposed 2014 BRSP proposal would reduce the overall development footprint by 287.8 acres, reduce residential land uses by 63.6 acres, increase open space preserves by 109.7 acres and increase open space transition areas by 163.5 acres. These shifts in acreage would further reduce this less-than-significant impact in areas where the development footprint is reduced. There are two areas of the development footprint (RR-03 and RR-04) that have expanded north, decreasing the buffers from the residential land uses adjacent to the northeastern ridges. Although these areas proposed for rural residential uses were not included for development within the 2004 BRSP, they were included in the scope of development analyzed within the 2001 EIR. Similar to the other Rural Residential parcels located around the perimeter of the BRSP area, the development of RR-03 and RR-04 would result in a less-than-significant impact to surrounding land uses. Additionally, mitigation measures would be in place so that project elements are designed to buffer the project from adjacent uses.

Traffic and Circulation

The primary roadways to the project site are Sierra College Boulevard, State Route 193, Clark Tunnel Road, English Colony Way, King Road, Taylor Road, and Interstate 80. The 2014 BRSP proposal includes shifting the main access road to the project site about 1.5 miles north of the currently approved location planned with the 2004 BRSP project. The main project entrance would be located at Sierra College Boulevard across from Penny Lane and would be signalized with the first phase of development. A secondary road connection would be located at the future intersection of School Ranch Road and Sierra College Boulevard, approximately 1,800 feet north of Penny Lane. This intersection may be signalized in the future when and if the school site is developed. The existing intersection of State Route 193 and Sierra College Boulevard would be signalized as part of the 2014 BRSP phased development.

The 2014 BRSP proposal analyzed a change in trip generation and trip distribution as a result of the changes in land use categories. The 2014 BRSP proposal results in a 5.6-percent reduction in daily external trips, an 8.4-percent reduction in AM peak hour trips, and a 10.9-percent increase in PM peak hour trips. The increase in PM peak hour trips is a result of the elimination of the commercial uses. Trip distribution altered as a result of the 2014 BRSP proposal's shift of the main site access and elimination of the 2004 BRSP project's third access roadway that was previously located further south on Sierra College Boulevard near English Colony Way. As a result, the Twelve Bridges Drive intersection with Sierra College Boulevard would be utilized more and Sierra College Boulevard to the south of English Colony Way would receive less use. The Twelve Bridges Drive intersection at Sierra College Boulevard would be signalized prior to issuance of the 750th residential building permit for the project, unless the signalization has already been constructed by others.

The 2014 BRSP proposal results in less traffic on English Colony Way and Sierra College Boulevard to the south primarily due to the project's main access being shifted on Sierra College Boulevard about 1.5 miles northward from the previous planned location in the 2004 BRSP project. Additionally, increased development within the City of Lincoln will attract a larger volume of project traffic that would utilize Sierra College Boulevard north to State Route 193. The elimination of commercial uses within the 2014 BRSP proposal would result in more trips directed north and west towards the former Highway 65 corridor for goods and services.

With the implementation of mitigation measures, as revised, the 2014 BRSP would not result in any new significant impacts or a substantial increase in the severity of impacts related to transportation and traffic impacts analyzed in the 2004 BRSP EIR and 2015 Addendum.

Storm Drainage and Water Quality

An updated Project Drainage Study was completed in April 2014 by Civil Engineering Solutions, Inc. to analyze the potential effects of development of the 2014 BRSP proposal resulting from the proposed land use changes and revised lot layout. The study concluded that the project meets the Placer County Storm Water Management Manual requirements to mitigate for downstream impacts. Drainage basins are provided on-site to handle peak flows for both the Auburn Ravine and the Clover Valley watersheds. The 2014 BRSP proposal result in a lower volume of runoff leaving the project site than previously estimated, reducing the volumetric impact to the Auburn Ravine watershed from 108 acre-feet to 52 acre-feet. With implementation of the revised mitigation measure to ensure that 52 acre-feet of storage is provided in the Auburn Ravine watershed, either through construction of on-site basins or purchasing of storage volume off-site in the City of Lincoln's Lakeview Farms Mitigation project, no new or increased impacts related to flooding would occur as a result of the 2014 BRSP proposal.

The most relevant change between the 2004 BRSP approval and the 2014 BRSP proposal is a result of the regulatory changes with the State's National Pollutant Discharge Elimination System (NPDES). The Phase II Municipal Separate Storm Sewer System (MS4) Permit (Phase II MS4 Permit) became effective on July 1, 2013. The Phase II MS4 Permit post-construction requirements include specific site design measures, source control measures, and Low Impact Development (LID) standards to be incorporated into regulated project designs. The 2014 BRSP proposal is a regulated project under the Phase II MS4 Permit and the applicable post-construction storm water mitigation measure was revised to include that the 2014 BRSP proposal implement site design measures and LID features to reduce runoff and manage increased flows from impervious surfaces.

With the implementation of mitigation measures, as revised, the 2014 BRSP would not result in any new significant impacts or a substantial increase in the severity of impacts related to hydrology and/or water quality impacts analyzed in the 2004 BRSP EIR and 2015 Addendum.

Water Supply

Treated water would be supplied to the BRSP area by the Placer County Water Agency. The 2004 BRSP EIR found that PCWA's available surface water supply is more than adequate to supply the treated water demands of the 2004 BRSP, and the proposed use is consistent with Placer County's policy to promote the use of surface water for suburban development (Policy 4.C.2).

The 2014 BRSP proposal would maintain the development of 1,890 residential units as established with the 2004 entitlements and would eliminate the commercial, high density residential, and golf course uses, which reduces the potable water demand of the BRSP area. As determined within the 2014 Water Master Plan and updated in the Water Conservation Plan dated October 2, 2015, the total average daily demand of the 2014 BRSP proposal (including Open Space Multi-Use Areas) is approximately 1.07 million gallons per day (1,195 acre-feet per year) based on the current construction water use factors identified in the PCWA 2010 Urban Water Management Plan. This represents an approximately 52 percent reduction from the water demand of the 2004 BRSP project. Additionally, the 2014 BRSP proposal includes water-saving measures aimed at reducing overall water demands for potable water to the extent feasible and practicable. As described in the Water Conservation Plan, these measures would further reduce the estimated total water demand by approximately 0.32 million gallons per day (or 364 acre-feet per year). This represents a 30.4 percent reduction from the estimated total average daily demand for the 2014 BRSP proposal. With the implementation of the water-saving measures, the 2014 BRSP proposal would result in an approximately 67 percent reduction from the water demand of the 2004 BRSP.

As described in the 2004 BRSP EIR, PCWA does not reserve potable water capacity for prospective customers. PCWA requires that all developers enter into a pipeline extension or service order agreement with PCWA and pay all fees and charges required by PCWA, prior to making a commitment

for service. As detailed in the 2004 Final Addendum, PCWA affirmed that sufficient water supplies existed to serve the 2004 BRSP project in 1999 and again in 2004. Additionally, the PCWA 2010 Urban Water Management Plan (UWMP) adopted by the PCWA on June 16, 2011 determined that for the planning horizon required for the Urban Water Management Planning Act (2030 for the 2010 Update), and even through 2035, PCWA would be able to fully meet the demands of all zones during multiple dry year periods. As with previous iterations of the UWMP, the 2010 UWMP includes the 2004 BRSP project within its demand projections by projecting demand based upon General Plan growth. Therefore, because the 2014 BRSP proposal would result in a reduced water demand compared to the 2004 BRSP project, no new or substantially more severe significant impacts related to treated water demand would occur.

Oak Woodlands/Significant Trees

The 2004 BRSP EIR concluded that impacts of the 2004 BRSP, in combination with impacts of past, present, and reasonably foreseeable projects resulted in a significant and unavoidable impact on biological resources, due to the net decrease in open space, grassland, oak woodland, and wetlands and an increase in developed area. As discussed above, the 2014 BRSP proposal would reduce the development footprint and decrease the number of significant oak trees removed and acreage of oak canopy removed; therefore, biological impacts associated with the 2014 BRSP proposal would not result in a more severe impact than those described in the 2004 BRSP.

Following approval of the 2004 BRSP, site development activities commenced, including initiation of mass grading on portions of the project site and removal of approximately 8,200 oak trees. As mitigation, approximately 21,000 oak seedlings were planted in the northwest portion of the site. Over time and because the project developer suspended site work, most of the oak seedlings planted failed due to the lack of irrigation.

Consistent with the draft PCCP, Placer County Oak Woodlands Management Plan (2009), and Draft Guidelines for Evaluating Development Impacts on Oak Woodlands (2008), the County is taking a different approach than with the 2004 BRSP project and is making a calculation on the acreage of tree canopy that would be impacted, versus number of trees (except for significant trees). Based on this approach, there would be a total of 216.7 acres of oak tree canopy impacted (oak woodland).

Compared to the 2004 BRSP project, the area of impacted oak tree canopy would be reduced by 149.7 acres (primarily because of the elimination of the golf course use). To mitigate impacts to oak woodland within the development footprint, the project is required to mitigate at a 2:1 ratio by either preserving in perpetuity 433.4 acres of oak woodland in Placer County (on-site or off-site), including funding an endowment for the long-term management of the oak woodland, or by making an in-lieu fee payment to the Placer County Tree Preservation Fund. As proposed, the 2014 BRSP proposal would preserve 542.8 acres of oak tree canopy on-site.

In addition, the BRSP project is required to mitigate for significant oak trees. As defined in the Draft Guidelines for Evaluating Development Impacts on Oak Woodlands, significant oak trees are trees that are 24-inch DBH or greater or 72 inches or greater in circumference measured at ground level (CGL). The original tree survey data was evaluated to determine the percentage of significant trees within the oak woodland canopy areas. Using a statistically significant sample size, it was determined that 718 significant trees would be removed as a result of the 2014 BRSP proposal, and that the average DBH for significant trees within the project site is 34.7 inches. The number of significant trees that would be removed as a result of the 2014 BRSP proposal would be less than what would occur under the 2004 BRSP due to the reduced development footprint. To address restoration and compensation for Significant Trees impacted by the 2014 Project, a new Mitigation Measure requires payment to Placer County mitigation totaling \$2,491,500, based on 24,915 inches of Significant Trees and mitigation of \$100 per inch.

Parks and Open Space

The County's General Plan policy requires five acres of *active* parkland for every 1,000 residents. The 2014 BRSP proposal would accommodate a population of approximately 4,154 persons; therefore, the project requires 20.8 acres of active parkland. The 2014 BRSP proposal includes 42.8 acres of parkland, including 27.6 acres of public community park (Bickford Ranch Community Park) and 15.2 acres of neighborhood parks (owned and maintained privately). The total acreage of private and public parks has decreased by 18.1 acres from the 2004 BRSP project. The decrease in park acreage is partially attributable to removing the wetland preserve easement (as area counting towards the active parkland) that was previously considered part of Bickford Ranch Community Park in the 2004 BRSP project, elimination of Tower Park on the east side of the project, and reconfiguration of parkland acreage into seventeen neighborhood parks.

When compared to the 2004 BRSP project, the 2014 BRSP proposal would transfer 15.2 acres of parkland to neighborhood parks to be privately owned and maintained. Although this would reduce the acreage owned and maintained publicly, the 2014 BRSP meets the General Plan acreage requirements for active parkland and the project is consistent with Placer County General Plan Policy 5.B.1 which states: the County shall encourage development of private recreation facilities to reduce demands on public agencies. In addition to active parkland, the 2014 BRSP proposal includes two recreation centers (one for the age-restricted community and one for the entire BRSP) totaling 17.2 acres with indoor and outdoor recreation facilities for residents. The 2004 BRSP project included only one recreation center for residents of age-restricted units.

The County's General Plan policy also requires five acres of *passive* recreation/open space for every 1,000 residents. The 2014 BRSP proposal would accommodate a population of approximately 4,154 persons; therefore, the project requires 20.8 acres of passive recreation/open space. As proposed, the 2014 BRSP provides a total of passive 1,070.8 acres of passive open space, including open space preserves, open space transition areas, and open space parkways. Open space areas provide natural amenities and passive recreation opportunities, including approximately 11.3 miles of a multi-purpose trail for use by equestrians, pedestrians and cyclists. The open space acreage and multi-purpose trails provided in the 2014 BRSP proposal meets the General Plan requirement of 20.8 acres for passive recreation/open space.

Visual Resources

A Visual Resources Evaluation was prepared for the 2014 BRSP proposal and provides a detailed analysis of the difference in impacts to visual resources between the 2004 BRSP project and the 2014 BRSP proposal. The 2014 BRSP proposal is designed to comply with, or exceed, the standards for visual resources/visibility by implementation of the following techniques:

- Reduction in overall development footprint – As described previously, the development footprint in the 2014 BRSP proposal is more compact, impacting approximately 287.8 acres fewer than the 2004 BRSP project. Although the geometric shape of the development footprint and the placement of new residences on the site is generally the same between both projects, the additional open space along the perimeter of the development footprint would further diminish the visibility of structures within the 2014 BRSP proposal.
- Refinements to the grading approach - The 2014 BRSP proposal does not propose to use either split pad lots or non-padded lots in the development edges identified in high visibility areas. Both of these grading practices allowed for under the 2004 BRSP would have increased the perceived height of residential structures when viewed from a distance.
- Tree removal restrictions - In addition to those areas with tree removal restrictions in the 2004 BRSP project, the 2014 BRSP proposal includes tree restrictions on additional Rural Residential villages (e.g., RR-03, RR-04, and lots in RR-05). Additionally, the 2014 BRSP Development Standards includes a requirement for some lots to obtain a Tree Permit to remove trees located outside of the

home site and requires screen trees to be planted in the rear yards of the lots along the southern edge of the LDR-16 village.

- Slope restrictions - In the 2014 BRSP proposal, the land use plan and residential lotting concept are designed to significantly avoid and reduce the number of lots with areas of slopes greater than 30 percent. The 2014 BRSP proposal includes 12 lots with areas of slope greater than 30 percent compared to 63 lots under the 2004 BRSP project. The 12 lots would include a restriction in the 2014 BRSP Development Standards requiring that the building envelope be located outside the area of 30 percent slope.
- Height Restrictions - A building height restriction of 25 feet is imposed on lots in the 2014 BRSP proposal corresponding to the geographic areas with visual impacts and height restrictions in the 2004 BRSP project as well as all of the age-restricted units.

The Visual Resources Evaluation found that the visibility of the 2014 BRSP proposal is nearly unchanged compared to the 2004 BRSP project. All of the slope, height, and tree restrictions identified, including the reduced development footprint and incorporation of more sensitive grading techniques, would ensure that the 2014 BRSP proposal would not result in any additional impacts to visual resources beyond those identified in the 2004 BRSP EIR. Additionally, the 2014 BRSP Development Standards include standards for lighting streets, residential and non-residential uses. These standards incorporate dark sky principles by utilizing various techniques specified by the International Dark Sky Association and the Illuminating Engineering Society, further reducing visual impacts.

HORSESHOE BAR\PENRYN MUNICIPAL ADVISORY COUNCIL

On October 20, 2015, the proposed 2014 BRSP proposal was presented as an “Action” item at the Horseshoe Bar\Penryn MAC. After hearing information presented by County staff and the applicant, and after listening to public comment, the MAC discussed the proposal which included concerns about traffic, schools, visual impacts to surrounding areas, and impacts to the natural environment. After discussion, the MAC voted to recommend approval (6:0, Diane Nicholas absent) of the proposed revisions to the Bickford Ranch Specific Plan and asked that the Planning Commission pay special attention to traffic concerns on English Colony Way.

PLANNING COMMISSION ACTION

On November 5, 2015, the Planning Commission considered the proposed amendments to the 2004 Bickford Ranch Specific Plan. Twelve members of the public provided comments during the hearing, including representatives from the Placer County Air Pollution Control District and Loomis Union School District. Comments received at the hearing centered on the following topics:

- Water Quality Monitoring Wells
- Water Supply
- English Colony Way Traffic and Safety Concerns
- Trail System Access
- Elimination of Commercial Use
- Heritage Oak Tree Protection
- Impacts to Schools
- Air Quality Impacts

After receiving public comment and considering correspondence submitted into the record (including letters from the Placer County Air Pollution Control District dated October 30, 2015 (Attachment K) and Loomis Union School District dated November 4, 2015 (Attachment H), the Planning Commission unanimously adopted a motion (7-0) to recommend that the Board of Supervisors adopt the 2015 Addendum to the 2004 Bickford Ranch Final Environmental Impact Report, adopt amendments to the Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program, and approve the proposed amendments to the 2004 Bickford Ranch Specific Plan. The Planning Commission also included in its

motion a request to add a Condition of Approval to the Large-Lot Vesting Tentative Subdivision Map that requires future Small-Lot Tentative Subdivision Map approvals to prohibit construction vehicle use of English Colony Way during any future construction activities on the project site.

The Planning Commission expressed concern over the Placer County Air Pollution Control District's request to increase the project's payment obligation (Air Quality Mitigation Fee) to require annual payments of the single-season fee amount over the life of the project. As such, the Planning Commission did not recommend making any changes to the Bickford Ranch Amended and Restated Development Agreement (Paragraph 3.7 – Air Quality Mitigation Fee).

DISCUSSION OF ISSUES

As mentioned above, much of the discussion during the Planning Commission hearing was centered upon comments provided by the Placer County Air Pollution Control District (PCAPCD) regarding air quality impact mitigation. The Planning Commission also heard concerns from the Loomis Union School District related to the lack of financial resources to construct a school on the project site and challenging the adequacy of the Addendum's analysis of indirect traffic impacts that the District asserts will result if the school cannot be constructed. Both agencies submitted written comments into the record.

Subsequent to the Planning Commission hearing, the County's environmental consultant, Analytical Environmental Services (AES), prepared a formal response (Attachment L) to the substantive comment letters received from both the PCAPCD and the legal representative of the Loomis Unified School District (Attachment J). The conclusion reached by AES is that the analysis prepared and incorporated into the 2015 Addendum remains valid and adequate and no evidence was presented during the Planning Commission hearing or in the letters submitted to refute the conclusions of the 2015 Addendum as currently drafted and as recommended by the Planning Commission. These issues are discussed in greater detail below.

Air Quality

As discussed during the Planning Commission meeting, the proposed 2014 BRSP would eliminate the commercial, high density residential site, and golf course uses of the 2004 BRSP, resulting in the reduction of the development footprint by approximately 287.8 acres with a corresponding increase of 273.2 acres in open space. As the project has been reduced in scope, the environmental analysis prepared for this project has concluded the air quality emissions associated with the proposed project have correspondingly been reduced, contrary to what is stated in PCAPCD's letter dated October 30, 2015.

The PCAPCD asserts that use of the CalEEMod analysis in the 2015 Addendum necessitates that the County requires the Addendum to include PCAPCD recommended changes to mitigations; specifically a change in Mitigation Measure A-K from a one-time payment to payments for the life of the project. To provide some background, in the 2004 BRSP EIR, air quality impacts were evaluated using the California Air Resources Board (CARB's) Urban Emissions Model (URBEMIS) version 7G, which was the widely-accepted emissions modeling tool at that time. URBEMIS has since been superseded by the contemporary air quality modeling tool for use in CEQA analysis in California: the California Emissions Estimator Model (CalEEMod). As noted by the PCAPCD, the analysis within the 2015 Addendum utilizes CalEEMod to ascertain whether or not the proposed 2014 BRSP modifications would result in new or increased air quality impacts, and what changes might have arisen in the recommended methodologies and emissions factors since 2004. The PCAPCD did not identify any issues with this methodology, but did imply that the use of CalEEMod presents "new information".

AES explains in its response letter that the new model does not constitute "new information" as defined in CEQA Guidelines Section 15162, because the underlying impacts to be addressed by the new model were known at the time of the 2004 BRSP EIR (Section 3.4.2, Question B of the Addendum). AES

further explains that a Subsequent or Supplemental EIR (SEIR) is required only when substantial changes in the project or the circumstances surrounding the project, result in:

- New or substantially increased significant impacts;
- New information of substantial importance discloses a new or substantially increased significant impact; or
- Considerably different mitigation measures, or mitigation measures previously found infeasible but that would in fact be feasible, would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the measures.

Air quality impacts were known in 2001 and 2004 and were analyzed utilizing the then- accepted air emissions modeling. No legal challenges were lodged to the 2004 BRSP EIR air quality analysis (the legal challenges brought in 2004 were to biological resources, not air quality). The County could have relied on the original modeling but in the abundance of caution required the project applicant to re-analyze the air quality utilizing the current CALEEMod emissions modeling. This analysis concluded with the exception of CO, that air emissions from the project were reduced.

Construction Emissions

With the exception of Carbon Monoxide (CO) emissions, construction emissions resulting from the 2014 BRSP would be reduced when compared to the 2004 BRSP because of the reduced development footprint requiring less site grading and preparation work, the smaller envelope of building construction resulting from the elimination of commercial uses, and reductions in emission factors resulting from regulatory and technological advances in fuel efficiency for vehicles and construction equipment. According to the air quality analysis prepared by AES for the proposed 2014 BRSP, the increase in CO emissions was due to differences in the calculation methodology between CalEEMod and Urbemis, and was not a result of any changed circumstances. Although there are no new circumstances resulting in new impacts or new information of substantial importance that would result in new or substantially more severe significant impacts, Mitigation Measure A-N (Implement construction measures to reduce emissions) has been added to the 2014 BRSP to include updated practices of the PCAPCD and the construction-related components of Mitigation Measure A-G.

Operational Emissions

The 2004 BRSP EIR concluded that the BRSP would exceed PCAPCD operational thresholds for Reactive Organic Gasses (ROG), Nitrogen Oxides (NO_x), Carbon Monoxide (CO), and Particulate Matter of 10 microns or less in size (PM₁₀), resulting in a potentially significant impact. Operation of the 2014 BRSP would continue to exceed the PCAPCD significance thresholds, although the levels would be significantly reduced.

Mitigation Measure A-K was included within the 2000 FEIR to reduce the project's long term NO_x emissions. Originally this measure required the project to reduce the long term NO_x by 40 percent for one ozone season. The then- project applicant volunteered to increase that mitigation to 105 percent for one ozone season and A-K was subsequently amended to reflect that decision. Further, as this was considered above and beyond the mitigation required, the dollar amount of the 105% mitigation was included in the Development Agreement. Consistent with the common practice for the PCAPCD Off-site Mitigation Program noted in PCAPCD's letter, Mitigation Measure A-K requires that the Applicant either develop an off-site mitigation program which shall be approved by the PCAPCD or pay air quality mitigation fees to the District for the PCAPCD's Offsite Mitigation Program. For the fee payment option to the PCAPCD Off-site Mitigation Program, the methodology for calculating mitigating fees is described in the 2000 FEIR (Page. MR-5) and is based on reducing 105 percent of total summertime NO_x emissions rather than reducing 105 percent of NO_x emissions in excess of a specific threshold (e.g., 82 pound per day). Therefore, contrary to PCAPCD's comments, Mitigation Measure A-K had already been revised in the 2000 FEIR to reflect the Applicant's voluntary agreement to increase participation in Placer County's off-site mitigation program to reduce the project's long term air pollutant emissions by 105 percent instead of the 40 percent reduction determined by the PCAPCD to be the

project-specific reduction necessary (2000 FEIR, Master Response A-2, pp MR-4 to MR-5). The Addendum merely corrects two references in the text of the mitigation measure from 40 percent to 105 percent, consistent with the title of the mitigation measure and the discussion contained in the 2000 FEIR.

Revisions have been made to Mitigation Measure A-K to update language and to clarify methodology. Mitigation Measure A-K previously stated that air quality mitigation fees would be based on \$10,000 per ton which was a relevant rate when the 2000 FEIR was prepared. Because the effective rate per ton for mitigation increases over time, Mitigation Measure A-K has been revised to state that mitigation fees will be based on the current CARB Carl Moyer Effective Rate, which is presently \$18,050 per ton (effective July 1, 2015). The measure has also been revised to clarify that mitigation is for a single season because the calculation of mitigation fees described in the 2000 FEIR (Page MR-5) utilizes a single season. After implementation of Mitigation Measure A-K, impacts resulting from 2014 BRSP operational NO_x emissions would be reduced by 105 percent, resulting in a less-than-significant impact, similar to the 2004 BRSP.

Regarding whether Mitigation Measure A-K is sufficient to reduce impacts of long-term air pollutant emissions, this conclusion was established on October 19, 2004 when the Board of Supervisors certified the 2004 BRSP EIR and associated statement of findings (Resolution Number 2004-296). As demonstrated in the Addendum, the circumstances set forth in CEQA Guidelines Section 15162 are not present and thus the effectiveness of Mitigation Measure A-K to mitigate operational air quality impacts must be presumed. Given that the PCAPCD thresholds remain the same and the operational emissions for the 2014 BRSP would be lower than the 2004 BRSP, and with Mitigation Measure A-K being revised to state that mitigation fees will be based on the current CARB Carl Moyer Effective Rate rather than the relevant rate when the 2000 FEIR was adopted, the Planning Commission concluded after considering all written and oral testimony provided during the hearing that Mitigation Measure A-K as currently drafted, remains sufficient to reduce impacts from operational air pollutant emissions to a less-than-significant level.

Other mitigation measures were revised to update language in order to reflect minor changes in the project. Mitigation Measure A-M (planting of trees in parking lots in order to achieve 50 percent shading of surface areas within 15 years of planting) was added to off-set the elimination of electric outlets for electric vehicles at the on-site park-and-ride lot that was previously included in the 2004 BRSP. Given that the operational emissions for the 2014 BRSP would be lower than the 2004 BRSP, and mitigation measures remain sufficient to reduce impacts to a less-than-significant level, no new or substantially more severe significant impacts related to operational emissions would occur as a result of the 2014 BRSP proposal. On this basis, the Planning Commission concluded the conclusions regarding the air quality impacts contained in the 2015 Addendum remain adequate and valid as currently drafted.

Cumulative Impacts

The 2004 BRSP EIR determined that the 2004 BRSP's contribution to emissions associated with cumulative development would result in a significant and unavoidable impact. While mitigation measures adopted in the project's Mitigation and Monitoring Reporting Program would reduce operational emissions, emissions from operation of 2014 BRSP would continue to exceed the cumulative thresholds of 10 pounds per day of NO_x and ROG. However, no new or substantially more severe significant cumulative impacts related to operational emissions would occur as a result of the 2014 BRSP proposal. On this basis, the Planning Commission concluded the conclusions regarding these impacts contained in the 2004 BRSP EIR remain valid.

In summary, the Planning Commission found that the proposed 2014 BRSP project would be within the scope of impacts addressed in the previously certified 2004 BRSP EIR and the 2015 Addendum. Because the scope of the project has been reduced, the proposed 2014 BRSP would result in less air quality impacts than the BRSP project approved in 2004. Potentially significant impacts and mitigation

measures were adequately addressed in the earlier document and are described in the Air Quality Section of the 2004 BRSP EIR, listed in the Mitigation Monitoring and Reporting Program and are included with the proposed 2014 BRSP proposal by this reference. As discussed above and based on AES' further evaluation, which is considered expert opinion under CEQA, the conclusions regarding impacts to Air Quality contained in the 2004 BRSP EIR and as discussed in the 2014 Addendum, remain valid and no additional analysis or further revisions to mitigation measures are required under CEQA Guidelines section 15162.

Greenhouse Gas Emissions

Similar to the 2004 BRSP, development of the 2014 BRSP would result in short-term Greenhouse Gas (GHG) emissions associated with construction and long-term GHG emissions primarily associated with an increase in vehicle traffic and power usage. Like many EIRs prepared and certified before the effective date of Senate Bill 97, the 2001 EIR and 2004 Final Addendum did not contain a separate assessment of the GHG impacts associated with the BRSP. However, the potential effects of GHG emissions on climate change have been known since as early as the 1970s and thus do not constitute new information or new circumstances not known at the time the EIR was certified.

To date, although the PCAPCD has not adopted significance thresholds for GHG emissions, the agency has recommended that significance thresholds for GHG emissions be related to compliance with Assembly Bill 32. The PCAPCD has recommended using a reduction target of 21.7 percent, compared to what would be allowed under a "Business as Usual" (BAU) scenario. Consequently, if the proposed 2014 BRSP proposal reduces GHG emissions by 21.7 percent compared to the 2004 BRSP BAU levels, then the 2014 BRSP would be considered to meet AB 32 and would have a less-than-significant cumulative impact associated with GHG emissions. Construction and operational GHG emissions were estimated for both the 2004 BRSP and 2014 BRSP using the 2010 CalEEMod air quality model.

The 2004 BRSP would be considered the BAU model, since it is an approved project. The 2014 project was compared to the 2004 BRSP to determine whether or not there would be at least a 21.7 percent reduction in emissions. Because of the reduction in the scope and scale of the project, and because of reductions achieved through adherence to stricter regulatory standards (including those included in the 2013 California Green Building Standards), construction and operational GHG emissions were reduced by 22 percent and 23 percent, respectively. Therefore, construction and operation of the 2014 BRSP would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. No new significant environmental impacts would occur.

Schools

Public school districts that serve the project site include the Loomis Union School District (LUSD) (grades K-8) and the Placer Union High School District (PUHD) (grades 9-12). As with the 2004 BRSP project, the 2014 BRSP proposal reserves a school site within the LUSD boundaries for a K-8 school. The school site would be reserved for a period of ten years pursuant to Government Code 66480. In the 2004 BRSP project, the school site was 12.0 acres, and the school site has been increased to 15 acres in the 2014 BRSP proposal. Until such time as a school is constructed on the site, K-8 students would attend other schools within the LUSD.

The 2004 BRSP EIR projected that up to a total of 675 new students would result from the 2004 BRSP project. The 2004 BRSP EIR concluded that regardless of the construction of new public school facilities at the project site, the increased demand for public schools as a result of the BRSP would require the implementation of Mitigation Measure PS-I (Pay statutory fees to existing school districts) to reduce the impact of increased demand for schools to a less-than-significant impact in the long-term.

The 2014 BRSP proposal would result in fewer students as a result of the change in the mix of conventional and age-restricted residential units. The estimated number of new students generated from the 2014 BRSP proposal is 622, an approximately eight percent decrease from the 2004 BRSP project. Therefore, impacts that may occur as a result of the students generated by the 2014 BRSP proposal would be reduced from what was analyzed in the 2004 BRSP EIR. There are no new circumstances resulting in new impacts or new information requiring new analysis related to schools. Mitigation Measure PS-I from the 2004 BRSP EIR would continue to apply and would reduce potential impacts under the 2014 BRSP proposal to less than significant in the long term.

Lozano Smith, Attorneys at Law, submitted written comments on behalf of the Loomis Union School District (Attachment J). In its comments regarding the adequacy of the 2015 Addendum, the commenter accurately quotes PRC Section 21166; however, the commenter failed to cite Section 15162 in its determination on whether a Subsequent EIR should be prepared to consider the 2014 BRSP. As included within the 2015 Addendum, Section 15162 of the CEQA Guidelines states that when an EIR has been certified for a project, no Subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) 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 previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a SEIR; and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

An addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

Based on the thorough evaluation included within the 2015 Addendum, it was determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed amendments to the approved 2004 BRSP, including adjusting the designation of the school site from Rural Residential to Public Facilities and increasing the size of the school site (which was done at the request of the LUSD), differ enough from the development scenario described in the 2004 BRSP EIR for the adopted 2004 BRSP to warrant preparation of an addendum, but do not represent substantial changes or involve new information of substantial importance that would warrant preparation of either a subsequent or supplemental EIR under Section 15162.

The 2004 BRSP EIR acknowledged overcrowding in all of the school districts that would potentially serve the BRSP; therefore, the additional information provided by LUSD about its current capacity is not considered new information or a substantial change with respect to the circumstances under Section 15162.

Contrary to the commenter's assertion, the school site was previously considered part of Phase II not Phase I. However, infrastructure requirements for each phase of development, including the school site, would be developed as described in the BRSP Development Agreement. The LUSD has indicated that they continue to meet with the Applicant regarding the timing for inclusion of the school site within the BRSP area, and conditions that will enable the LUSD to acquire the site and construct the school facilities.

In regards to the provision of interim facilities, the 2004 BRSP EIR identifies a potentially significant impact in the short term from the increased demand for public schools generated by the BRSP. It is acknowledged that Mitigation Measure PS-I may not provide enough funding to practically address this impact in the short-term because of the complexity of issues requiring solutions (which are not within the County or Applicant's control). The issues identified in the EIR include the construction lead time for new facilities and the unknown requirements for school facilities within the short term, which is partially dependent on how many buyers will bring school-age children with them in the early phases of the project. Although it is anticipated that the 2014 BRSP will generate less students than the 2004 BRSP, the uncertainty regarding the ability for Mitigation Measure PS-I to fully mitigate short-term impacts remains; therefore, the conclusions in the 2004 BRSP EIR remain valid.

Impacts relating to the potential provision of interim facilities to serve students generated by the BRSP prior to the school being developed are not a new issue and were known to be a possible impact from residential construction at the time the 2004 BRSP EIR was certified; therefore, the identification of these potential impacts by the commenter does not constitute "new information" as defined in Section 15162 and preparation of either a subsequent or supplemental EIR under Section 15162 is not warranted.

The Planning Commission found through the certification of the 2004 BRSP EIR and confirmed through the analysis within the 2015 Addendum that no other mitigation beyond payment of school fees is necessary to comply with CEQA.

DEVELOPMENT AGREEMENT

The County and Bickford Holdings LLC entered into a Development Agreement (DA) for the 2004 Bickford Ranch Specific Plan (BRSP) project. The applicant is proposing to modify the DA to reflect proposed amendments to the 2004 BRSP. The DA submitted to the County includes the revised land use plan, updated approaches to infrastructure and services delivery and financing, project phasing, adjustments to triggers and timing of Development Agreement obligations, and adjustment to the term of the Agreement consistent with projected build out of the development.

The DA is proposed to be amended to reflect the above-referenced changes to the Specific Plan as well as changes to the following key sections in the DA:

Reset the DA Term to 20 Years (Section 1.5)

The current Development Agreement recorded March 24, 2005 has a term of 15 years. When the Riolo Vineyard Specific Plan Amendment was approved by the Board on March 24, 2015, the DA term (or clock) was reset for 20 years from the effective date of the Agreement. Consistent with that prior action, staff is supportive of re-setting the term for this proposed Development Agreement to 20 years as well. In addition, the proposed Development Agreement includes language for two, five-year extensions that are subject to County approval. The extension language is also consistent with prior approved amended Development Agreements for Placer Vineyards.

Addition of a Residential Unit Transfer Process (Section 2.5)

The amended Development Agreement memorializes language in the Specific Plan for a residential unit transfer program. The intent of the transfer program is to permit flexibility in adjusting the residential allocation within each residential land use category. This density transfer process does not increase the overall unit count of the Specific Plan.

Addition of Specific Plan Fees (Section 2.7.6)

- Sierra College Boulevard Widening Fee (Section 3.1.1)
- Parkland and Trail Fee (Section 3.4.2)
- Fire Protection Facility Fee (Section 3.5.1.2)

Specific plans may have fees specified for payment only within the Specific Plan area to provide the developer a mechanism to collect a reserve of funds that will be used to reimburse the developer at a later date for the costs associated with the construction of certain agreed upon facilities. These fees are due at building permit issuance and are subject only to the Specific Plan area and are not considered Countywide fees. Since the County will be administering these fee programs on behalf of the developer, the County will charge an administrative fee to cover the cost of annual reports and processing reimbursement requests.

Elimination of Inclusionary Affordable Housing and Replacement with an Affordable Housing In-Lieu Fee (Section 2.8)

The 2004 project required construction of affordable housing on-site. Despite the passage of time, there continues to be no public transport or support service in the vicinity of the project site that are considered necessary to support affordable housing. With the proposed elimination of the commercial and high density residential designations staff concurred with the Developer that the siting of affordable housing within the development was not reasonable due to the lack of amenities and access to transportation and services. Staff negotiated with the Developer to instead pay an in-lieu fee of \$4,000 per residential unit that will support the construction of off-site affordable units.

Elimination of the Following Fee Programs

Special Contribution to Supplement Traffic Impact Fees– The 2004 Development Agreement required the payment of \$1,719.45 per market rate unit as adjusted annually as a special contribution for roadway improvements in the vicinity of the project, split 57 percent to 43 percent for the County's Central Traffic Fee Zone account and as a supplement to regional improvement to Sierra College Boulevard respectively. Elimination of this fee reduced fee revenues by approximately \$3 million (\$2004).

Special Transportation Fund – The 2004 Development Agreement required the payment of \$2 million to the County to be applied to additional improvements to roadways in the vicinity of the project. Elimination of this fee reduced fee revenues by \$2 million.

Supplemental Public Facilities Contribution – The 2004 Development Agreement required the payment of a Supplemental public facilities contribution of \$498.97 per market rate residential unit above and beyond the payment of the County’s Capital Facility Fee. Elimination of the fee equates to a net reduction in fee income of \$875,193 (\$2004).

Contribution for Additional Community Facilities – The 2004 Development Agreement required the payment of an Additional Community Facilities Fee in the amount of \$1,457.40 per market rate unit to fund community facilities in the communities of Lincoln, Loomis, Penryn, and Newcastle. The funds may be used to support improvements to existing community facilities, acquisition of parkland, improvements to parkland, construction of recreation facilities, trail construction improvements, construction of community meeting areas or acquisition of or improvements to historical sites. Elimination of this fee equates to a net reduction in fee income of approximately \$2.5 million as adjusted by inflation indexes since the original approval (\$2004).

Staff supports Developer’s request to eliminate the aforementioned fees. The region and County has set up various fee programs to fund regional transportation improvements that were contemplated when the project was first approved. Elimination of the fee also facilitates a reduction in the overall cost of developing the project to ensure a financially feasible project and reduces the County’s obligation to support additional maintenance and operation costs with additional facilities.

Amendments to Phasing and Triggers for Roadway Improvements (Section 3.1).

The phasing of roadway improvements has changed to time the construction and completion of certain improvements to when the need for those improvements arise versus requiring the construction of the improvements at the onset of development. Staff was supportive of this change as it ensured the improvements will be completed before the need arises and the phasing assists in the spreading of costs commensurate with development to provide for a more economically feasible project.

Amendment to Park Facilities to Reflect a Reduction in Park Acreage and Changes to Phasing of Parks, Trails and Open Space to Reflect Conditions of the 404 Permit and Operations and Management Plan for Open Space (Section 3.4)

- Deletion of Tower Park
- Deletion of Park Maintenance building obligation.

The active and passive parkland provisions meet the General Plan standard consistent with other recently approved specific plan amendments in West Placer County. As mentioned above, the open space acreage is proposed to increase. The Tower Park was not needed by the County nor was the park maintenance building; therefore, staff supported the removal of these facilities.

Addition of a Tree Mitigation Fee (Section 3.8)

The tree mitigation fee memorializes in the amended Development Agreement, obligations to compensate for impacts due to removal of significant trees. The fee is calculated at \$100 per inch of significant trees removed amortized over 1,890 residential units.

Deletion of Construction and Noise Hours and Incorporation into the Specific Plan Documents.

This section was removed and incorporated within the amended Specific Plan documents.

Reduction in the Contribution to Public Open Space (Section 3.13)

The 2004 Development Agreement required the payment of \$2,000 per market rate residential unit for acquisition and/or maintenance of public open space. This fee was considered of significant regional public benefit. As ascertained through various conversations with other County staff that were present at the time of the original project approval, the fee revenues were slated to support such endeavors like the Placer Legacy program and the Placer County Conversation Program (“PCCP”). The purpose of the

fee, which has not changed, is to allow for open space acquisition and maintenance and leverage for grant matching funds to support acquisition of open space lands and easements.

Since the project, as proposed to be amended, would eliminate the golf course and increase on-site open space dedication, staff was supportive of reducing the fee commensurate with the benefit received from the increased onsite preservation. The Developer originally requested that the fee be eliminated in its entirety. In recognition of both the increased on-site open space preservation and in recognition of benefits the County residents received indirectly from the use of the settlement funds (\$6 million) for the purpose of acquisition, conversion and management of open space within Placer County, staff was supportive and proposed a 50% reduction in the fee amount. Staff did not support elimination of the fee because the goal of providing funds to support, in particular, the PCCP program has become even more important as the PCCP fee structure is being analyzed.

After extensive negotiations with the developer, staff countered with a final offer prior to the Planning Commission hearing to reduce the Open Space Fee to \$529 per residential unit, due at issuance of each building permit. Staff identified this fee amount because over the life of the project, would generate approximately \$1 million that would support other County open space efforts such as Placer Legacy and, in particular, the PCCP. The Developer rejected this offer in an e-mail dated October 29, 2015.

At the November 5, 2015 Planning Commission hearing, the Commissioners contemplated the Developers request to eliminate the open space fee and rejected the same. The Planning Commissioners encouraged County staff and the applicant to continue conversations to foster an agreement to the payment of the open space fee prior to the Board hearing.

Subsequent to the Planning Commission hearing on this project, the project applicant has agreed to pay an open space fee of \$265 per residential unit. This fee amount would generate approximately \$500,000 to support open space efforts. This fee recognizes both the increased on-site preservation and also provides recognition of the indirect benefit County residents received from the use of litigation settlement funds in support of open space efforts. This fee amount is still considered to be a viable amount to leverage for future grant matching funds and could result in between \$1 million and \$2.5 million in grant funds to support open space efforts. This fee amount can also provide financial support to balance out the significant costs of starting up the PCCP program. As the proposed fee is consistent with the general direction provided by the Planning Commission, staff supports the applicant's proposal of an open space fee of \$265 per residential unit.

Changes to Fire Facility Requirements and Triggers (Section 3.5)

The original 2004 Development Agreement required the developer to dedicate a site for a fire station and to construct and furnish/equip the fire facility at its sole cost and expense. Construction of the fire facility was to begin with the Small-Lot Tentative Subdivision Map that creates the 250th residential building permit was approved and completed by the time the map that creates the 500th residential building permit was approved.

Section 3.5 of the proposed Amended Development Agreement outlines staff's recommendation for the provision of fire facilities and service. Staff and Developer have engaged in an extensive process to negotiate amendments to the Development Agreement that preserve the integrity of the development, while providing for a cost effective project that meets both the Developer's and County's objectives.

Staff is supportive of reducing the fire facility needs to blend within the surrounding development while not impeding upon the County's ability to deliver fire services. Exhibit S of the proposed amended DA details staff's requirements for facility and equipment needs. The requirements include living space comprised of four bedrooms, two full baths, living area, kitchen and dining area. In addition, space for a public office is needed with commercial style doors for public access. Lastly, a public training room and

apparatus bay at least 80 feet in length with equipment storage capacity is required. An appropriately sized exhaust system and emergency generator in a protected building for emergency power and fuel convault with both gasoline and diesel with a separate gas house for storage of flammable liquids and oils is required since this an emergency facility.

The Developer has agreed to dedicate the 1.4-acre site at no cost and construct a production-style single-family residence to house the firefighters with accommodations to include 3 to 4 bedrooms and two bathrooms, living area, and kitchen area. The garage would be used as a public reception area. The Developer has also agreed to construct an apparatus bay as well to house the fire truck and equipment. County staff has worked with the developer acknowledging the cost burdens to construct such a critical facility, but also cognizant of the health and safety need of ensuring this facility be constructed to provide for functionality and backup resources in case of power failure. The Developer desires to have a fire facility fee due at each residential building permit issuance to reimburse Developer for the cost of said facility. A fee of \$1,387.63 per residential building permit has been identified and includes funds to reimburse the developer for the construction of the fire facility.

The Developer has proposed a budget of \$940,000 to purchase an engine apparatus, engine equipment, and furniture, fixtures and equipment for the living quarters and office. Staff is supportive of this amount to provide sufficient funds for the aforementioned, as well as, purchase equipment for advanced life support, and provide an allowance for a utility vehicle.

The Developer proposed moving the triggers to construct the fire facility to prior to the issuance of the 1,000th building permit to time the commencement of construction of the facility to the accumulation of sufficient fee income to cover the costs to construct with the Fire Facility Fee. While staff can support developer's request, it is with caution that there may be periods of time when residents reside at the development and the fire station has not yet been constructed. Similarly, when the Placer Vineyards Specific Plan Amendment was approved and the County was to assume the responsibility of constructing the fire facilities, staff cautioned that the need for the facility may arise before funds have been collected to construct said facility.

Reduction in Sheriff Service Center Space and Equipment Contributions (Section 3.6)

The 2004 Development Agreement required the reservation of 600 square feet in the fire station for a Sheriff Service Center and the payment of \$104,000 toward equipping the service center. The Developer worked with the Sheriff's Department to reduce the need for a service center to 400 square feet and provided flexibility to include the service center in either the fire station or recreation center. In addition, the Sheriff's Department was supportive of reducing the capital contribution toward equipping the service center from \$104,000 to \$30,000.

FISCAL IMPACT ANALYSIS

Placer County General Plan Policy 4.B.3 states that the County shall require, to the extent legally possible, that new development pay the cost of providing public services that are needed to serve new development. Goodwin Consulting Group was retained by the County to perform a fiscal impact analysis to determine the projected revenues and expenses, both Countywide and project specific, anticipated to occur at full build out of the development to determine any fiscal impacts that would require mitigation to meet the intent of General Plan Policy 4.B.3. Fiscal year 14/15 provided the base budget information with which expenditures were calculated due to the timing of the project submission.

Fiscal assumptions similar to those used for the Placer Vineyards Specific Plan Amendment and the Riolo Vineyard Specific Plan Amendment were used. One deviation from these assumptions was in the way in which Proposition 172 Public Safety sales taxes were calculated. The approach was revised to reflect a case study method because the case study method is generally more accurate compared to the average revenue, or multiplier, method used. Public Safety sales tax revenues are based on anticipated taxable sales generated by the proposed project; the same methodology is used to estimate

base sales tax revenues. Unlike previously approved specific plan amendments, Bickford Ranch proposes no commercial development and is situated in an area with regional and neighborhood serving commercial and retail centers in surrounding jurisdictions such as Lincoln, Rocklin, Loomis and Roseville. The fiscal report indicated a projected average combined Countywide and municipal service gross annual deficit of \$639. This figure does not take into account the roadway and drainage County Service Area assessment which is assumed to cover the cost of public road maintenance. This figure also excludes maintenance costs associated with neighborhood parks, open space, landscaping corridors and medians that are assumed to be maintained by the homeowners association.

There currently exist four Zones of Benefit within County Service Area 28 that were established with the original project approval. Zones of Benefit 183, 184, 188, and 189 provide assessments to fund roadways and drainage, parks and trail maintenance, emergency services and sewer, respectively. The Engineer's Report for the roadway and drainage zone of benefit will require updating to reflect the proposed specific plan amendments. The proposed DA requires the dissolution of the parks and trails and emergency services CSAs and formation of a Services Community Facilities District instead to cover the cost of maintenance and operations of said facilities. The existing sewer CSA will remain in place.

One area in which there was significant discussion with the Developer was the proposed costs to provide emergency services to the project area. As the Board is aware, fire service in the western slope is provided through a legacy system built in the middle of the last century that has not kept pace with societal changes and is generally underfunded, especially when factors such as drought and escalating costs are factored into the equation. Funding for fire services varies across the County and is further complicated by state legislature actions and voter initiatives over decades. Different fire districts fund fire service differently.

When the Bickford Ranch Specific Plan was originally approved, the County operated Fire Station 70 out of the County's Lincoln Missile Site on Oak Tree Lane near the City of Lincoln. The facility consisted of a manufactured home that served as firefighter housing. If Bickford Ranch developed, it was staff's intent to consolidate the Oak Tree Lane facility into the Bickford Ranch fire facility. However, with the recession and subsequent bankruptcy filing of the Bickford Ranch developer, the Bickford Ranch development stalled. In 2009, the Oak Tree Lane facility was in dire need of replacement and its septic system was failing. It was determined that the Bickford Ranch station would not be developed in the foreseeable future. To address the immediate health and safety issues with the facility associated with the facility, the County embarked on a process to address these immediate needs and determined that the facility should be moved to its current location off Wise Road.

The relocation of Station 70 to Wise Road attributed to significant discussions between County staff and the Developer when the Developer proposed to amend the Specific Plan's Development Agreement. Staff acknowledges that Bickford Ranch is an approved Specific Plan with an executed Development Agreement. Therefore, it is not a traditional "new development". However, no development (except for some site preparation and limited infrastructure construction) has occurred on the site, and the developer has requested revisions to both the approved Specific Plan and the executed Development Agreement. In order to recommend approval of amendments to the executed Development Agreement, Section 17.58.250 of the Zoning Ordinance requires findings of consistency with "the objectives, policies, general land uses and programs specified in the general plan" as well as a finding that the revisions will not be "detrimental to the health, safety and general welfare of persons residing in the County." (Section 17.58.250(A)(3)(a) & 3(d)).

The proposed amendments to the project and requested changes to the Development Agreement necessitated the preparation of a new fiscal analysis. Staff also analyzed the current cost of providing emergency services to the development. The provision for fire services was an area in which the

County has experienced increases in costs and has limited options to offset increased costs with outside revenues.

The current costs for providing emergency services were projected at \$540 per residential unit after accounting for increased revenues in the fire control fund due to the projected buildout of the development. The current CSA for emergency services provides for an assessment of \$463 per lot which is not sufficient to fully cover the cost of providing emergency services based upon today's cost structure. Staff was faced with the dilemma of keeping the existing CSA in place, but not generating enough revenues to cover costs since an alternative revenue source could not be identified to offset the remaining service costs.

In order for staff to make a finding of General Plan consistency for the above policies that the revised Bickford Ranch project is paying the cost of providing public services that are needed to serve that development, staff recommends the dissolution of the existing CSA and reformation of a services Community Facilities District to fund the fire services at current levels. While staff does acknowledge that different assumptions may have been used to establish the original fiscal basis for the CSA in place, with the revisions that the developer has requested, staff must ensure that those changes in light of present day costs and structure can still support a findings of consistency with General Plan Policies for fire facilities. To that end, staff recommends the formation of a new services Community Facilities District and the generation of sufficient funds to cover the entire cost of services for this development.

Staff has indicated to the developer that it will continue to seek alternatives for the provision of emergency services. The Parties acknowledge that the County is performing a fire service study. If the County changes its service delivery model as a result of the study prior to the recordation of the first final small lot subdivision map and prior to the formation of the Community Facilities District for emergency services, staff has agreed to review the service delivery costs to determine if any costs savings may be realized. In addition, staff has met with the City of Lincoln to ascertain its desire to provide either interim or permanent fire services to the Bickford Ranch Specific Plan from its station located adjacent to McBean Park. Staff will continue to meet with the City of Lincoln and / or the Penryn Fire District to discuss alternative options for the provision of fire services to serve the project area. If no such alternative service contract is entered into, the Placer County Fire will be the fire service provider and the project shall bear the full cost of providing emergency services.

PUBLIC FACILITIES FINANCING PLAN

The purpose of the Financing Plan is to describe the financing strategy for backbone infrastructure, public facilities, and other capital facilities needed to serve the new development. The Finance Plan identifies potential funding sources to pay for backbone infrastructure, and includes discussion regarding future fee programs or financing districts to pay for parks and capital facilities. The Developer and its consultant, Economic and Planning Systems, Inc. (EPS), updated the Public Infrastructure and Facilities Financing Plan to reflect the proposed 2014 Bickford Ranch Specific Plan amendment (EPS originally prepared the Fiscal Impact Study for the BRSP project in July 1999). The following summarizes areas that staff and developer are in agreement.

There are approximately 15 acres of schools, 23 acres of public parks, 15 acres of privately funded and maintained neighborhood parks, four acres of equestrian staging area, 17 acres of recreation centers, 1,071 acres of open space, 13 acres of public facilities, 17 acres of landscaped corridors and 51 acres of right-of-way.

The total cost for backbone infrastructure and public facilities is estimated at \$134.7 million at buildout. These costs include \$94.7 million for infrastructure, \$27.3 million for public facility costs, and \$12.8 million for other costs and as further defined below:

- Backbone infrastructure costs are estimated at \$94.7 million at buildout. These costs cover improvements for select roads, water, sewer, and stormwater retention. Subdivision specific infrastructure improvements are excluded from this figure. These costs will be funded privately by the individual specific plan developers.
- Public facility costs are estimated at \$27.3 million at buildout and include costs for Placer County Capital Facility Fees, Public Parks and Trails, Fire Station, and School (costs for school are assumed to equal the estimated fee revenue generated from the project.)
- Other costs are estimated at \$12.8 million and include fees for affordable housing, Placer County Transportation CIP program fees, Placer County Traffic Fees, and SPRTA Regional Transportation and Air Quality Fees.

The Developer will be responsible for funding and constructing all or a portion of the facilities noted in the Finance Plan and as may be required in the DA. The Developer anticipates the need to utilize a Community Facilities District to fund facilities as long as such funding is consistent with county's Bond Screening Committee Rules and Procedures.

Public Fee Burden Analysis

The Finance Plan outlines the public fee burden placed on the specific plan development, as well as the total infrastructure burden on the development, on a per-unit basis. Residential per-unit fees range from roughly \$50,900 to \$67,600 per unit depending on density.

Typically, for a project to be considered feasible, total fee revenue and infrastructure costs should be no greater than 15 percent to 20 percent of total sales revenue. The Finance Plan depicts the infrastructure costs as a percentage of total sales revenue ranging from 6.2 percent to 15.4 percent, indicating at the assumed finished homes sales values that the project's infrastructure burdens are feasible.

Capital Facility and Infrastructure Financing Strategy

Development of the Specific Plan will be contingent on the construction of Backbone Infrastructure and Public Facilities necessary to support the development. The Finance Plan outlines the various funding sources that distribute costs equitably but also achieve project financial feasibility requirements. The developer outlines a variety of existing and proposed financing methods to fund required Backbone Infrastructure and Public Facilities including:

- Utilization of existing fee programs;
- Utilization of land-secured debt financing, subject to County Bond Screening Rules and Procedures; and
- Pay-as you-go strategy.

RECOMMENDATION

Staff forwards the Planning Commission's recommendations to the Board of Supervisors and based on those recommendations and the analysis and information provided in this report, as supported by the attachments, studies and expert opinion, recommends the Board take the following actions, subject to the attached recommended Conditions of Approval, as modified, and following Findings:

1. Adopt the 2015 Addendum to the 2004 Bickford Ranch Final Environmental Impact Report (SCH# 1998082073);
2. Adopt an amendment to the Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program;
3. Adopt a Resolution approving amendments to the Bickford Ranch Specific Plan;
4. Adopt an Ordinance approving amendments to the 2004 Bickford Ranch Specific Plan Development Standards;

5. Adopt a Resolution approving amendments to the 2004 Bickford Ranch Specific Plan Design Guidelines;
6. Adopt an Ordinance to rezone 1927.9 acres (Bickford Ranch Specific Plan area) from F-B-X-DR 10 Acre Minimum (Farm, combining minimum Building Site of 10 acres, combining Development Reserve), F-B-X-DR 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres, combining Development Reserve), and F-B-X 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres) to SPL-BRSP (Specific Plan - Bickford Ranch);
7. Approve the Bickford Ranch Large Lot Vesting Tentative Map and Recommended Conditions of Approval; and
8. Adopt an Ordinance approving the Amended and Restated Development Agreement for the 2014 Bickford Ranch Specific Plan.

FINDINGS

CEQA

The Board of Supervisors has considered the 2015 Addendum to the 2004 Bickford Ranch Final Environmental Impact Report (prepared pursuant to the California Environmental Quality Act) for the 2014 Bickford Ranch Specific Plan amendment ("2014 BRSP"), the staff report and all comments thereto, the testimony and all evidence and testimony presented in the record ("Administrative Record") and hereby adopts the 2015 Addendum to the 2004 Bickford Ranch Final Environmental Impact Report and amendments to the Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program, based upon the following findings:

1. The Administrative Record as a whole contains substantial evidence to support the determination that the changes proposed to the 2014 BRSP are not so substantial as to require major modifications of the 2004 Bickford Ranch Environmental Impact Report for the Bickford Ranch Specific Plan ("2004 BRSP EIR").
2. The Administrative Record as a whole establishes that the proposed 2014 BRSP does not constitute a "new project" and does not require a supplemental or subsequent EIR under Public Recourses Code section 21166 or CEQA Guidelines section 15162.
3. The adoption of the 2015 Addendum to the 2004 BRSP EIR is appropriate under CEQA Guidelines section 15162, because substantial evidence in the Administrative Record supports a conclusion that the 2014 BRSP will not result in any new significant impacts that are substantially different than those described in the 2004 BRSP EIR.
4. The adoption of the 2015 Addendum to the 2004 BRSP EIR is appropriate under CEQA Guidelines section 15162, because the proposed 2014 BRSP will not result in substantial changes that would lead to the identification of new or previously unidentified significant environmental effects that would require major revisions of the previously certified 2004 BRSP EIR.
5. No 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 2004 BRSP EIR was certified, has been discovered, or entered into the Administrative Record up to and including the date of the Board's consideration of the 2014 BRSP, which would require major revisions of the previously certified 2004 BRSP EIR.
6. With the incorporation of all previously approved mitigation measures and amendments thereto, as identified and analyzed in the 2015 Addendum, the Amended Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program is consistent with the 2015 Addendum and 2004 BRSP EIR and adequate and complete.

- 7 The 2015 Addendum to the 2004 BRSP EIR has been prepared as required by law and in accordance with all requirements of CEQA and the CEQA Guidelines and the document as adopted reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of the preparation of the 2015 Addendum.
8. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

SPECIFIC PLAN AMENDMENTS

1. The proposed 2014 Bickford Ranch Specific Plan amendments, including amendments to the Design Guidelines and Development Standards (hereinafter “2014 BRSP Specific Plan Amendments”) are consistent with the objectives, policies, general land uses and programs specified in the Placer County General Plan.
2. The 2014 BRSP Specific Plan Amendments are consistent with the remaining provisions of the Bickford Ranch Specific Plan approved in 2004.
3. The 2014 BRSP Specific Plan Amendments are in compliance with Government Code Section 65451.

REZONE

1. The proposed rezone of 1,927.9 acres from F-B-X-DR 10 Acre Minimum (Farm, combining minimum Building Site of 10 acres, combining Development Reserve), F-B-X-DR 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres, combining Development Reserve), and F-B-X 20 Acre Minimum (Farm, combining minimum Building Site of 20 acres) to SPL-BRSP (Specific Plan - Bickford Ranch) is consistent with applicable policies and requirements of the Placer County General Plan, is consistent with land uses in the immediate area, and is consistent with the proposed zoning to implement both the 2004 Bickford Ranch Specific Plan and the proposed 2014 Bickford Ranch Specific Plan Amendments.

LARGE LOT VESTING TENTATIVE MAP

1. The proposed Large Lot Vesting Tentative Map (“LLVTP”), together with the provisions for its design and improvements, is consistent with the Placer County General Plan, the proposed 2014 Bickford Ranch Specific Plan Amendments, and with applicable provisions of County Code.
2. The site of the LLVTP is physically suitable for the type and proposed density of development.
3. The design of the LLVTP is not likely to cause substantial environmental damage or public health problems.
4. The LLVTP is in compliance with Senate Bill 1241, as it relates to projects located in State Responsibility Areas (SRA), as follows:
 - A. The design, location, and associated improvements of each proposed lot resulting from approval of the LLVTP as a whole are consistent with regulations adopted by the State of California pursuant to PRC 4290 & 4291 (clearance requirements).
 - B. Structural fire protection and suppression services will be available to the proposed lots.
 - C. To the extent practicable, ingress and egress onto the proposed lots meet the regulations for road standards for fire equipment access adopted per PRC 4290 and any local ordinance.

- D. Approval of the LLVTP RC 4290 & 4291 (clearance requirements).

DEVELOPMENT AGREEMENT

1. The Amended and Restated Development Agreement relative to the 2014 Bickford Ranch Specific Plan is consistent with the objectives, policies, general land uses and programs specified in the Placer County General Plan and the Bickford Ranch Specific Plan, as approved in 2004 and as herein amended.
2. The Amended and Restated Development Agreement relative to the 2014 Bickford Ranch Specific Plan is compatible with the uses authorized in and the regulations prescribed for the Bickford Ranch Specific Plan, as approved in 2004 and as herein amended.
3. The Amended and Restated Development Agreement relative to the 2014 Bickford Ranch Specific Plan is in conformity with public convenience, general welfare and good land use practice;
4. The Amended and Restated Development Agreement relative to the 2014 Bickford Ranch Specific Plan will not be detrimental to the health, safety and general welfare of persons residing in the County; and
5. The Amended and Restated Development Agreement relative to the 2014 Bickford Ranch Specific Plan will not adversely affect the orderly development of property or the preservation of property values in the Bickford Ranch Specific Plan area.

ATTACHMENTS

- Attachment A – Vicinity Map
- Attachment B – 2004 BRSP Approved Land Use Diagram
- Attachment C – 2014 BRSP Proposed Land Use Diagram
- Attachment D – Large Lot Vesting Tentative Map
- Attachment E – 2014 BRSP Phasing Plan
- Attachment F – Mitigation Monitoring and Reporting Program
- Attachment G – Draft Amended and Restated Development Agreement
- Attachment H – Loomis Union School District Letter Dated September 3, 2015
- Attachment I – Planning Commission Staff Report, November 5, 2015 (Attachments incorporated with December 8, 2015 BOS Staff Report)
- Attachment J – Loomis Union School District Letter (Lozano Smith, Attorneys at Law) Dated November 4, 2015
- Attachment K – Placer County Air Pollution Control District Letter, October 30, 2015
- Attachment L – Response to Comments on 2015 Addendum, Analytical Environmental Service; excerpts from 2000 FEIR (Pgs. MR-4 to MR-5)
- Attachment M – Loomis Basin Horsemen's Association Dated July 7, 2015
- Attachment N – Horseshoe Bar/Penryn MAC Recommendation Letter Dated October 23, 2015
- Attachment O – Recommended Modified Conditions of Approval (Large Lot Vesting Tentative Map)
- Attachment P – Resolution Adopting an Addendum to the Certified Final Environmental Impact Report for the Bickford Ranch Specific Plan and Amending the Bickford Ranch Specific Plan Mitigation Monitoring and Reporting Program.
- Attachment Q – Resolution Amending the Bickford Ranch Specific Plan
- Attachment R – Ordinance Amending the Development Standards for the Bickford Ranch Specific Plan
- Attachment S – Resolution Amending the Bickford Ranch Specific Plan Design Guidelines
- Attachment T – Ordinance Approving the Amended and Restated Development Agreement for the Bickford Ranch Specific Plan

Attachment U – Ordinance Rezoning Properties within the Bickford Ranch Specific Plan
Attachment V – Correspondence

Provided Under Separate Cover

- 2001 BRSP Environmental Impact Report (2001 EIR) and 2004 Addendum
- 2015 Addendum to the 2004 BRSP Environmental Impact Report and Environmental Review Checklist
- Bickford Ranch Specific Plan, Development Standards, and Design Guidelines
- Public Facilities Financing Plan

(The above documents are available at the Clerk of the Board, 175 Fulweiler Ave., Auburn, CA 95603 and online at:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/bickford%20ranch>)

cc: Rebecca Taber - Engineering and Surveying Division
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Flood Control District
Air Pollution Control District
Andy Fisher - Parks Department
Mike DiMaggio - CalFire
Karin Schwab – County Counsel
Michael Johnson - CDRA Director
EJ Ivaldi – Deputy Director
Holly Heinzen – CEO Office
Horseshoe Bar/Penryn MAC
Newcastle\Ophir MAC
Rural Lincoln MAC
Loomis Union School District
Placer Union High School District
Town of Loomis
City of Lincoln
City of Rocklin
PCWA
Penryn Fire
Terry Davis – Sierra Club
Loomis Basin Horseman’s Association
Army Corps of Engineers
State Department of Fish and Wildlife
US Fish and Wildlife Service
California Oaks Foundation
Audubon Society