

Public Comment #41

BOS RCVD 6/11/2026

From: [Bob Williams](#)
To: [Karen L. Garner](#); [BOS-Clerk of the Board](#)
Cc: [Robert J. Peters](#); [Ande Flower](#); [Cameron W. Welch](#); [Kim Dawson](#)
Subject: Planning Commission Minority Report Submittal-Serrano M5
Date: Thursday, June 11, 2026 9:48:16 AM

Dear Executive Secretary, El Dorado County Planning Commission:

Pursuant to Planning Commission By-Laws §5(e), and as a member voting in the minority on Item #26-0960 (TM25-0003 / PD25-0005 / Serrano Village M5), I respectfully request that the following rationale be entered into the Commission minutes, transmitted to the Board of Supervisors for consideration, and published in the Board of Supervisors' June 16, 2026, meeting agenda Item 41 as an exhibit.

Rationale for Dissenting Vote

1. Reliance on a Morphed Specific Plan, a 46-Year-Old EIR, and an Expired Development Agreement

a. Evolution of the EDHSP

The 1988 El Dorado Hills Specific Plan (EDHSP) predates the County General Plan by fourteen years. While senior Planning Department staff have characterized the General Plan as outdated, the Staff Report simultaneously relies on a Specific Plan that has undergone decades of incremental modifications. Village M is a clear example: originally planned for 37 lots, it is now proposed for 166. This cumulative morphing undermines the integrity of the original land-use structure and the conditions under which the EDHSP was approved.

b. Reliance on a 1980 Environmental Impact Review (EIR)

Staff asserted CEQA exemption based on a 46-year-old EIR prepared in 1980. I could not concur with the premise that no substantial changes have occurred in nearly five decades. Traffic patterns, population, commercial development, and environmental conditions in El Dorado Hills have changed dramatically. Reliance on such an outdated document does not satisfy CEQA's requirement for meaningful environmental review when new impacts are reasonably foreseeable. A CEQA exception should not be granted when based on a facially flawed and outdated EIR.

c. Expired Development Agreement and Density Transfers

Staff further relied on Section 2.1.1 of the EDHSP Development Agreement—an agreement that expired decades ago—to justify transferring density from other villages into Village M. While Staff argues that total EDHSP lot counts have not been exceeded, this does not override Village M's expressly stated purpose. The EDHSP itself acknowledges that Village M contains sensitive tree cover, wildlife habitat, and steep topography, and therefore was “reserved for the largest lots within the Specific Plan

area.” The expired DA cannot be used to justify a density increase that contradicts the Specific Plan’s own stated intent. Overriding well-established environmental and topographical conditions is not justified by the developer’s mere desire to increase the density of saleable lots.

2. Potential Litigation Exposure and Unresolved Parkland Obligations

a. Village J Lot H (Bass Lake) Park Obligation

The Staff Report asserts that Serrano Associates has fulfilled all EDHSP parkland requirements. However, documentation provided by the applicant in response to my request shows that the deed transferring Village J Lot H to EDHCSD contains a reversion clause allowing Serrano to rescind the transfer if the park is not constructed. No park has been built. Thus, the EDHSP park obligation remains unfulfilled. EDHCSD’s inaction does not extinguish Serrano’s obligation, nor does it relieve the County of its duty to enforce Specific Plan requirements. Declaring the obligation satisfied exposes the County to unnecessary legal risk.

b. Park Impact Fee Discount

Serrano Associates has historically received a 50% Park Impact Fee discount not available to any other new development within EDHCSD. Recent court decisions—including *Sheetz v. County of El Dorado* and *Austin v. County of Alameda*—underscore the legal vulnerability of disproportionate or unsupported fee structures. By collecting and administering these fees, the County becomes a participant in a preferential arrangement that may not withstand legal scrutiny. While the M5 proposal involves only ten lots (approximately \$75,000 in discounted fees), other pending EDHSP proposals would magnify this exposure. Historically, it takes a single disgruntled taxpayer to effectively change the administration of disparate mitigation fees. An analysis by County Counsel to evaluate potential exposure may be prudent regarding the EDHCSD/Serrano disproportionate PIF mitigation fee structure and EDC’s role in fund collection and oversight.

c. Additional Disparities

Other preferential arrangements—such as taxpayer-funded maintenance of Village Green Park and the absence of LLAD assessments for Serrano—further illustrate inequities embedded within the EDHSP framework. These disparities are increasingly difficult to justify.

3. Traffic Mitigation and Insufficient Analysis

Staff determined that no full traffic impact analysis was required, although the line-of-sight review was helpful. The Commission lacked adequate information to evaluate the proposed four-way stop mitigation. Public testimony reflected significant disagreement regarding the appropriateness of the four-way stop. The Commission majority ultimately

removed DOT's recommended mitigation from the Conditions of Approval without any alternative analysis. Given the known traffic challenges in this area, I believe a more robust traffic evaluation is necessary before approving the project.

4. Procedural Deficiencies and Concerns Regarding Neutrality

a. Staff Analysis

The analysis of *design waivers* did not reflect a neutral evaluation of the merits. While the Staff Report acknowledged Village M's unique environmental characteristics, it nonetheless recommended approval of a proposal that substantially increases density in direct conflict with those characteristics.

b. July 29, 2025 Board of Supervisors Hearing

The Staff Report did not disclose that, during the July 29, 2025 Board hearing on TM24-0001 / Z24-0001 / PD24-0001, an alternative proposal—developed between Staff and the applicant—was introduced for the first time at the Board level. This proposal was not presented to or considered by the Planning Commission. Government Code §65356 mandates that any substantial modification not previously considered by the Commission must be referred back to the Commission for recommendation. Allowing an unvetted alternative to reach a vote appears inconsistent with this statutory requirement. This should have been disclosed to the Planning Commission during the hearing for the current proposal.

Conclusion

My dissenting vote reflects concerns regarding legal exposure, procedural integrity, environmental review adequacy, and fairness to the broader El Dorado Hills community. The record does not support the staff's conclusion that all EDHSP obligations have been fulfilled, nor does it justify reliance on outdated or expired documents to support substantial changes to Village M.

I respectfully request that this rationale be entered into the Planning Commission minutes, transmitted to the Board of Supervisors, and included as an exhibit for the appeal proceedings.

Robert Williams Planning Commissioner, District 2