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**EL DORADO HILLS**  
COMMUNITY SERVICES DISTRICT

August 05, 2024

El Dorado County Planning and Building Department  
2850 Fairlane Court, Building C  
Placerville, CA 95667  
[cameron.welch@edcgov.us](mailto:cameron.welch@edcgov.us)

**RE: A14-0004; Z14-0006; SP12-0003; DA14-0002; PD14-0005 / Village of Marble Valley  
Specific Plan Review**

The El Dorado Hills Community Services District ("District") appreciates this opportunity to respond to the request to review and comment on the above referenced project. The District has reviewed the information provided involving the applicant's request for a General Plan Amendment, Rezone, Specific Plan, Development Agreement, and Planned Development Permit to establish the proposed Village of Marble Valley Specific Plan (VMVSP). Below are the District's comments and conditions to be addressed in the project.

#### **PER PROJECT APPLICATION**

The VMVSP project proposes a General Plan Amendment, Rezone, Specific Plan, Development Agreement, and Planned Development Permit to establish the proposed Village of Marble Valley Specific Plan for the development of 3,236 dwelling units, 475,000 square foot of commercial use, 87 acres of public facility and recreational use, 1,281 acres of open space, and 41 acres of agricultural use. The property, identified by Assessor's Parcel Numbers 087-200-074; 119-020-057; 119-030-013-019; and 119-330-001, consists of 2,342 acres, and is located 1,000 feet southeast of the U.S. Highway 50/Bass Lake Road Interchange, in the El Dorado Hills area, Supervisorial District 2.

#### **PARKLAND DEDICATION & IMPACT FEE REQUIREMENTS**

##### El Dorado Hills District Policy 6110.10

Per District Policy 6110.10, all subdividers of land within the District's jurisdiction shall dedicate park land suitable for active recreation use, or pay fees in lieu thereof (Quimby), or by District Board authorization, follow a combination of these alternatives.

Application of all Parkland Dedication requirements shall follow the El Dorado County Subdivision Ordinance and be consistent with the project.

The District's policies below provide the requirements for project development related to parkland dedication formulas and in-lieu options, as well as details regarding land suitable for acceptable parklands dedication:

#### **PARKLAND DEDICATION AND DEVELOPMENT STANDARDS**

El Dorado Hills District Policy 6110.10

Park dedication amounts shall be determined as a result of a calculation based on the legislated rate of 5 acres per 1000 population project yield. The population is calculated at the rate of 3.3 persons for single family subdivisions and 2.1 for multi-family subdivisions on a per dwelling unit basis.

El Dorado Hills District Policy 6110.20

As an alternative to parkland dedication, where Quimby fees are paid in lieu of land dedication; the sum owed shall be determined by District staff by consulting with the County Assessor's Office, County Planning Department and/or an approved private appraiser, as authorized by ordinance.

El Dorado Hills District Policy 6110.30 and 6110.40

The amount of park land to be dedicated shall be calculated on the basis of the subdivision's dwelling unit yield as determined from the approved tentative map or the final map should the yield increase. Also, per District Policy 6110.40, staff shall inspect and evaluate all proposed park land dedications to determine the suitability of the subdivider's offering. **The District will confer jointly with the County to determine the amount of park land to be dedicated within the subdivision and its most suitable location. Please refer to District Policy 6110.60 regarding land suitability.**

The proposed tentative subdivision, as identified in the application materials creates 1,977 single family and 1,259 multi-family units that yields a population of 9,168 persons. **Using the 5 acres per 1,000 persons formula, the required park land dedication to the EDHCSD is 45.8 acres of land.** As currently stated, the project proposes 47 acres of public parks. When determining the land to dedicate to the District for parkland dedication, we ask that you review District Policy 6110.60, which references minimum size, topography requirements, easement limitations, park type (village versus neighborhood park), and drainage. The District is excited to work with the applicant on this Parkland Dedication process. Please reach out to me to initiate this process. Any parkland dedication agreements must **receive Board of Director's review and approval** prior to acceptance and processing by the General Manager.

**LAND SUITABLE FOR PARKLAND DEDICATION**

El Dorado Hills District Policy 6110.60

Land suitable for dedication as an active recreation site (park land) shall include the following important elements to take into consideration:

1. Minimum desirable park site size is normally three (3) acres for purposes of economical maintenance and procuring adequate land for the development of multi-purpose fields.
2. Active recreational pursuits, such as team field sports, game courts, and activity buildings require predominantly level land, 2% slope. Land with a greater slope, up to 20% of the site, may be acceptable where it has utility for picnicking or other passive recreation activities and when it complements usable park area (2% slope) or when it appears

consistent with uses proposed for a special purpose park site. All parks improved for active recreation purposes (i.e., ball fields, hard courts, etc.) shall be graded to a maximum 2% slope within areas proposed for such uses.

3. Site shall be free and clear of surface and overhead utility line easements which contain design, maintenance or operation constraints or place the public at unreasonable risk. Where easements unavoidably occur, only those compatible to the intended active recreation development, will be allowed for consideration as an acceptable dedication.
4. A neighborhood park, to the extent practicable, shall be centrally located within its residential service area and easily accessed by pedestrian or light vehicular traffic. Typical amenities include children's play apparatus, hard court, a multi-purpose turfed area and suitable landscaping.
5. Village/area parks shall generally provide recreation facilities needful by a larger community segment. These may be located on more significant transportation routes and shall furnish adequate parking. Ample hard courts, including tennis, larger field areas, group picnic facilities and a larger, more complex play apparatus for children, is customary.
6. Drainage courses, or dedications near or adjacent to hazardous or noxious material's sites are not acceptable. Flood plains are generally not accepted unless the site's potential risks are fully mitigated at the subdivider's risk and expense.

Private parks (neighborhood parks behind development gates) are eligible for a portion of parkland credit per County Subdivision Ordinance and District policy, and are not eligible for park impact fee reduction, as the park impact fee imposed is for public parks, not private parks.

#### **COMMUNITY FACILITIES DISTRICT (CFD)**

Additionally, as a Condition of Approval, prior to the approval of the project's Final Map, annexation into the following Community Facilities Districts (CFDs) is required:

#### **El Dorado Hills Community Services District Master CFD 2019-01**

Annexation into the District's Master CFD 2019-01 will satisfy the requirement for participating in the funding of the ongoing maintenance of future parks, trails and pathways, open space, landscaping, lighting and other common or public areas owned/maintained by the District within the District's service boundary. Once the District's boundary is expanded the District will require the developer to expand and annex into CFD 2019-01.

For complete District Policy guidelines, please see Policy Guide Services 6000 – Facility Development on our website at [www.eldoradohillscsd.org/about/administration-finance.html](http://www.eldoradohillscsd.org/about/administration-finance.html)

Please refer to the attached letter (**Attachment A**) the District submitted as part of the Draft EIR comment period for additional information and concerns related to aesthetics, air quality, and parkland concerns. Should you have any questions or comments regarding the concerns expressed in this letter, please contact me at (916) 614-3214.  
Best regards,

*Jeff Kernen*

Jeff Kernen  
Principal Planner  
El Dorado Hills Community Services District

**Attachments:**

- A. EDHCSD Draft EIR Comment Letter Dated 6.30.24

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**EL DORADO HILLS**  
COMMUNITY SERVICES DISTRICT

October 24, 2023

California Department of Real Estate

**RE: Serrano Master Plan Community, shell LLAD**

To whom it may concern,

The intent of this letter to the Department of Real Estate is clarification concerning the formation of a backup maintenance funding mechanism for specific landscape areas in the master plan community known as Serrano in El Dorado Hills.

The El Dorado Hills Community Services District (CSD) formed a backup maintenance funding mechanism in the form of a Landscaping and Lighting Assessment District (LLAD) in 1995. This LLAD formation was conducted in coordination with the El Dorado Hills Development Company. The LLAD is provided as an attachment, relevant points found within the formation documents have been outlined below:

“No annual levy assessment is permitted until such time as the Serrano Master Owner’s Association or the El Dorado Hills Development Company fails to maintain the landscape.”

“The district is established to provide a backup funding source for landscape maintenance should the Serrano Master Owners Association for some reason in the future determine to terminate its responsibility for landscape maintenance. Should the time ever come for the District to be formally activated then the District would be responsible for the maintenance of landscape medians, landscape corridors, street lights, irrigation systems, plant replacement and similar duties. The District would spread the cost of maintenance over the homes and businesses within the district as described in the Method of Spread diagram.”

“II. AREAS OF COST DETERMINATION... i) Landscape: These improvements include landscape, irrigation, and sidewalk improvements within the median and adjacent to the Silva Valley Parkway from Harvard Way to Serrano Parkway and on the Serrano Parkway from the east edge of the existing El Dorado Hills Golf Course to the Current terminous of the Serrano Parkway just east of the entry to the Serrano Golf and Country Club. The area is further identified on the improvement area diagram. ii) Entries: The entry monuments located within the

median and adjacent to the roadway on Serrano Parkway and Silva Valley Parkway.”

“The work contemplated herein is that which is necessary or convenient for maintaining and servicing the common landscape areas and street lighting located within the public places in the territory described as follows: All that certain real property situated in the County of El Dorado, State of California, being more particularly described as follows: Lots 1, 2, 3, 4, 5, 6, 8, and nine of the subdivision entitled El Dorado Hills Specific Plan, Unit No. 1, and Lots 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 of the subdivision entitled El Dorado Hills Specific Plan, Unit No. 2, which subdivisions are recorded in the office of the El Dorado County Recorder.”

“IV. DIAGRAM OF THE MAINTENANCE DISTRICT...The lines and dimensions of each lot within the assessment district are those lines and dimensions shown on the recorded maps (attached hereto) entitled El Dorado hills Specific Plan, Unit No. 1, recorded in Book H, page 78 document No. 69968, recorded November 22, 1993; and, El Dorado Hills Specific Plan recorded in Book H, page 81, document no. 12711 on February 25, 1994. These recorded maps, as they may be modified by subsequent recorded maps, shall govern for all details concerning the lines and dimensions.”

From those outlined sections of the formation document, along with the diagram depicting the areas that would be maintained in the event of the HOA's failure to maintain, and the diagram depicting the parcels that would pay for such maintenance, the following facts are provided:

- The LLAD was formed for the future potential need to continue maintenance of specific areas, but the LLAD would remain inactive until such a time. In other words, it would be a “shell” of an LLAD, empty of any funding or transactions until it was made active.
- The assets to be maintained are limited to the areas described, and do not include any of the parks - private or public - within the specific plan, and do not include the vast open space land of the specific plan.
- The parcels which would be assessed are clearly indicated and counted at 2,069 lots, or assessment units.

Sometime after LLAD formation, Serrano LLC took the place of El Dorado Hills Development Company as the developer of the Serrano Master Plan. In ensuing years, the developer further mapped out the Serrano specific plan. As those maps were finalized, the developer sought to have similar common landscape areas, as described in the “shell” LLAD, annexed into the shell LLAD. For instance, CSD records indicate that such an annexation into the LLAD was sought after in 2006, to add Villages G and J of the Serrano Master Plan Area (see attached). The staff report from 2006 indicates that the CSD had accepted other annexations and seeks to further add these Villages (G and J). However, and importantly, it appears as though the intent by the parties seeking to add assets and parcels to the LLAD has historically lacked specific actions required to be taken for a legitimate annexation to occur.

To support this, the governing laws related to LLADs is cited below, as it pertains to annexations:

Streets and Highways Code section 22605:

The legislative body, either in a single proceeding or by separate proceedings, may order one or any combination of the following changes of organization:

(a) *The annexation of territory to an existing assessment district formed under this part.*

(b) The detachment of territory from an existing assessment district formed under this part.

(c) The dissolution of an existing assessment district formed under this part.

(d) The consolidation into a single assessment district formed under this part of any combination of two or more of any of the following:

(1) An existing assessment district formed pursuant to this part.

(2) An existing lighting, street lighting, maintenance, or tree planting district formed pursuant to Chapter 26 (commencing with Section 5820) of Part 3 of Division 7, Part 1 (commencing with Section 18000), Part 2 (commencing with Section 18300), Part 3 (commencing with Section 18600), or Part 4 (commencing with Section 19000) of Division 14, or Part 1 (commencing with Section 22000) of this division, or pursuant to any procedural ordinance adopted by a charter city.

Section 22606:

Proceedings for a change of organization may be:

(a) Undertaken subsequent to or concurrently with proceedings for the formation of an assessment district under this chapter. Any or all such proceedings may be conditioned on the completion of any other or all such proceedings.

(b) Combined with proceedings for the formation of an assessment district under this chapter. In such case, any of the several resolutions, reports, notices, or other instruments provided for in this part may be combined into single documents.

Section 22607:

Except as otherwise provided in this article, proceedings for a change of organization shall be initiated, conducted, and completed in substantial accordance with the procedure provided in Article 1 (commencing with Section 22585) of this chapter for the formation of an assessment district.

(Added by Stats. 1972, Ch. 630.)

Streets and Highways Code Section 22608:

In annexation proceedings, the resolutions, report, notices of hearing, and right of majority protest shall be limited to the territory proposed to be annexed and shall be waived with the written consent of all of the owners of property within the territory to be annexed. Notice of hearing on the proposed annexation shall be published, posted, and mailed. Mailed notice may be dispensed with as to all

property owners who shall have filed a written request for the annexation of their property.

Upon an inspection and review of the CSD's records related to additional maps of the Serrano Master Plan, and for adding and/or annexing landscape areas and assessable parcels, it appears as though many irrevocable offers of dedication were transacted but the waiver & consent and necessary resolutions did not occur to effectuate annexations into the shell LLAD. As such, and without additional review material becoming available, the original shell LLAD remains intact as formed without any annexed landscape areas or assessable parcels. Thus, there is no backup funding mechanism (i.e., LLAD) for landscape areas beyond the original assets indicated in the formation of the LLAD.

Should you have any questions or concerns, please feel free to contact me directly through email ([kloewen@edhcsd.org](mailto:kloewen@edhcsd.org)) or by phone (916) 614-3212.

Sincerely,

Kevin A. Loewen  
*General Manager*  
El Dorado Hills Community Services District

### **Supplemental Privately Funded Services**

Similar to other projects in the County, the Developer intends to establish a Homeowners' Association (HOA) to fund additional maintenance services in MVSP:

- Private street maintenance.
- Private park maintenance.
- Front yard maintenance for residential production units.
- Open space management, including the vineyard.<sup>10</sup>
- Private lighting.
- 24-hour security patrol.

### **Appendices**

This Financing Plan contains the following technical appendices, which provides detailed information to support this Financing Plan.

- **Appendix A** provides the detailed cost estimates prepared by R.E.Y. Engineering Inc., dated December 2016, which are escalated to 2024\$ for this analysis.
- **Appendix B** provides estimated fee revenues generated by Project development through existing fee programs.

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<sup>10</sup> The Developer proposes to enter into a Landscape Agreement and Grant of Easement with the proposed HOA and the El Dorado Hills Community Services District (EDHCSD) to (1) establish public ownership through the EDHCSD and (2) to establish funding and maintenance obligations through the HOA. An easement over the affected properties for the installation, ownership and maintenance of the facilities will be granted to either the EDHCSD or the County. If this arrangement changes, the costs associated with the vineyard improvements may be funded privately instead of through the CFD.