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TO: Board of Supervisors Agenda of: June 16, 2026

FROM: Cameron Welch, Senior Planner Legistar No.: 26-0960

RE: TM-A26-0001, TM-A26-0002, and TM-A26-0003 Appeal of Tentative Subdivision Map/Planned Development Permit TM25-0003/PD25-0005/Serrano Village M5

Recommendation

Based on the analysis of TM-A26-0001, TM-A26-0002, and TM-A26-0003, staff recommends the Board of Supervisors take the following action:

Uphold the Planning Commission approval of Tentative Subdivision Map/Planned Development Permit TM25-0003/PD25-0005/Serrano Village M5 (deny appeals TM-A26-0001, TM-A26-0002, TM-A26-0003), based on the Findings of Project Approval adopted by the Planning Commission, as may be modified by the Board.

Alternative Actions

Alternatively, the Board of Supervisors may reverse the Planning Commission's approval of Tentative Subdivision Map/Planned Development Permit TM25-0003/PD25-0005/Serrano Village M5 (approve one or more of the three (3) appeals TM-A26-0001, TM-A26-0002, and/or TM-A26-0003) with Findings of Project Denial based upon the Board of Supervisors direction.

Project Description

The proposed project is a request for a Tentative Subdivision Map for subdivision of an existing 8.42-acre lot into 10 residential lots ranging in size from 20,018 square feet to 73,063 square feet and four (4) landscaping lots ranging in size from 435 square feet to 3,484 square feet with multiple phases presented for Final Subdivision Map filing; and a Planned Development Permit to ensure consistency with El Dorado Hills Specific Plan (EDHSP), along with Design Waivers to the County Design and Improvement Standards Manual (DISM), as is typical for subdivisions within this Specific Plan.

Project History

The application for the Serrano M5 Subdivision for 10 new residential lots, TM25-0003/PD25-0005, was submitted to the County for review on September 24, 2025, and heard by the Planning Commission (PC) on May 14, 2026. A motion was made by Commissioner Spaur, seconded by Commissioner Costello, to approve the project with a modification to Condition 30. The PC moved to eliminate a Department of Transportation (DOT) requirement to construct an all-way stop at the Appian Way/Sangiovese Drive intersection and to instead commit to analyzing the intersection again sometime in the future and apply traffic calming measures. The motion passed with a 4-1 vote.

The PC report documentation, and written comments for this project are available here: [County of El Dorado - File #: 26-0785](#) and the recording of the public hearing is available here: https://eldorado.granicus.com/player/clip/2607?view_id=2&redirect=true These are part of the record on appeal.

The original M5 Subdivision for 10 residential lots was approved by the PC on July 12, 2007 (TM01-1381), but the applicant did not record the final map with the Board prior to the 2023 expiration date.

An interim M5 Subdivision proposal was received in 2024 for 20 lots (TM24-0001, PD24-0001, Z24-0001), which necessarily included a rezone request, and was recommended for denial by the PC based on the following findings: a. The project is not consistent with the specific plan, b. The requested increased density is not appropriate for the area, and c. There are concerns of compatibility between the project and the existing neighborhood. The PC determined these findings for denial at the March 13, 2025 public hearing, with a 3-1 vote (Legistar [25-0387](#)). At the Board of Supervisors, the Board deliberated the request but did not reach a consensus and the decision on the proposal was reverted to the recommendation made by the Planning Commission, which was project denial. Therefore, the 20-lot M5 Subdivision proposal was denied without prejudice on July 29, 2025 (Legistar [25-1214](#)).

General Overview of Appeals

Appellants' arguments from three (3) separate submittals; **A) TM-A26-0001** (Getz), **B) TM-A26-0002** (Kinghorn), and **3) TM-A26-0003** (McCann) roughly fall into the following four (4) categories:

- Approximately 40% are associated with a vacant property owned by El Dorado Hills Community Service District (EDHCSD): Lot H within Serrano Village J7.
- Approximately 30% express concerns about either the review process, prior approval, and/or state regulations.
- Approximately 20% relate to the DOT review process and/or Condition #30 for an all-way stop to be constructed prior to final map.

- The remaining approximate 10% are associated with the California Environmental Quality Act (CEQA).

The 10 units associated with this proposal for Serrano Village M5 would decrease the total number of remaining undeveloped units for EDHSP to 199 future single-family lots. The full Serrano EDHSP buildout is anticipated to equal approximately 4,765 units, substantially less than was analyzed in the EDHSP Environmental Impact Report (EIR). Serrano Village M5 is in the northwest corner of EDHSP, is the last of the M Villages to be constructed and is approximately two (2) miles northwest of Serrano Village J7 (Attachment H4, Exhibit S).

Serrano Village J7 is a 65-lot, fully built subdivision that abuts the eastern edge of Bass Lake Regional Park property. The 2020 approval of Serrano Village J7 coincided with a condition to resolve plans for a 12.5-acre proposed park site (Lot H). The only way in which these Serrano Villages J7 and M5 are linked is that they were both included in the 1988 EDHSP. Because nearly half of the arguments raised among three (3) appeals are focused on this topic, following are details for the Serrano Village J7 timeline, with excerpts of Board direction and the subsequent 2020 three-party agreement:

Serrano Village J7 Review Timeline:

- 10/24/2019 Planning Commission approved TM18-1536/ PD18-0005 (Legistar 19-1171)
- 02/11/2020 Board of Supervisors denied appeal TM-A19-0001 (Legistar 19-1714)
- 05/04/2021 Board of Supervisors approved Final Map (Legistar 21-0695)

Serrano Village J7 Action Text of the 2/11/2020 Board Hearing:

Supervisor Veerkamp re-opened the public hearing from February 4, 2020 and after public and staff input closed the hearing. A motion was made by Supervisor Hidahl, seconded by Supervisor Novasel to Deny the Appeal thereby upholding the PD October 24, 2019 approval with the following additional conditions:

2) Item 50 - Prior to approval of the first final map for the Project, Developer shall enter into an agreement in a form and content acceptable to the County providing for dedication of the 12.5 acre Village J, Lot H park site to the EDHCSD and assignment to the EDHCSD of rights to CFD funds, up to the remaining amount available for park construction pursuant to the Public Improvement Financing Plan, for use by the EDHCSD toward construction of the 12.5 acre Village J, Lot H park.[...]

Excerpt from the Lot H Fully Executed Park Agreement:

Whereas, after discussions among the parties hereto, and in an effort to provide the EDHCSD the ability to acquire the Village J Park property earlier than would otherwise occur, to provide the EDHCSD with the ability to construct the Village J park itself, to provide the EDHCSD the opportunity to directly access CFD 1992-1 Funding for the Village J Park through the County, to determine the amount of CFD 1992-1 funding that will be made available therefor, to document Serrano's satisfaction of Condition 51 (*sic*) imposed upon its Village J7 tentative map and to memorialize Serrano's complete fulfillment of parkland dedication and park construction

obligations contained within the Specific Plan, Development Agreement and Public Improvements Financing Plan, and to secure the consent and cooperation of the County with respect to all of the above, the parties desire to enter into this Agreement. (Attachment H, Exhibit L).

A. Appeal Filed: TM-A26-0001 (Getz)

On May 20, 2026, appeal TM-A26-0001 (Attachment A) was submitted in a timely manner by Dean Getz. As stated in the appeal, the appellant is appealing the PC's approval of the Tentative Subdivision Map for Serrano Village M5 (10 lots) and its associated CEQA environmental findings.

The following are the appellant's list of five (5) considerations that the appellant included with their Appeal Form (Attachment A):

1. The Appellant believes the Planning Commission's approval violates the California Environmental Quality Act (CEQA)-specifically the mitigation oversight mandates of Public Resources Code § 21081.6 (AB 3180). The Commission approved this map based on a legally defective environmental baseline. The County has systematically failed to enforce the Specific Plan's statutory Mitigation Monitoring and Reporting Program regarding the Developer's acknowledged "turnkey park" obligation {as documented in the August 19, 2019, County Senior Planner memo entered into today's administrative record}.

A.1. Staff Response: The Appellant references a memo focused on an outdated Serrano obligation to construct a park at the Serrano Village J Lot H location. The memo describes the then-anticipated Serrano construction of the park and discussion with El Dorado Hills Community Service District (EDHCSD). Subsequently, an agreement was signed on August 4, 2020 at the request of EDHCSD, and signed by Serrano Associates, and El Dorado County to dedicate the 12.5 acre Village J, Lot H park site to EDHCSD (Attachment H2, Exhibit L). This agreement was imposed as a condition upon the Village J7 tentative map approval at the Board of Supervisors on appeal February 11, 2020.

2. The Appellant believes because of this failure in statutory oversight, the Commission unlawfully allowed the Developer to retain unearned impact fee credits for a turnkey park they failed to construct. To justify this missing mitigation, the Commission relied upon a 2020 agreement between the Developer and the EDHCSD. This reliance is legally void; the CSD is not the CEQA Lead Agency and lacks the authority to unilaterally waive or alter a County-mandated mitigation.

A.2. Staff Response: The County is a party to the three-party signed agreement signed on August 4, 2020. The 2020 Agreement was signed by EDHCSD, Serrano Associates, and El Dorado County to dedicate the 12.5-acre Village J, Lot H park site to the EDHCSD (Attachment A). The Agreement satisfied the parkland obligations of the Specific Plan and has not been ruled legally void.

3. The Appellant believes, substituting a permanent, fully funded turnkey park for a dirt lot encumbered by a reversionary clause violates CEQA's mandate that mitigations be permanent and enforceable. The 2020 agreement constitutes "illusory mitigation" because it lacks full construction funding, lacks completion triggers, and after six years, has resulted in zero park construction. The County cannot legally rely on an underfunded, historically failed agreement to mitigate the environmental impacts of 10 new lots today.

A.3. Staff Response: This statement and position do not appear relevant to the Serrano Village M5 project approved by the Planning Commission on May 14, 2026. The EDHCSO has the obligation to construction the Village J, Lot H park.

B. Appeal Filed: TM-A26-0002 (Kingham)

On May 21, 2026, appeal TM-A26-0002 (Attachment B) was submitted in a timely manner by Gary Kinghorn. As stated in the appeal, the Appellant states this is a protest and appeal regarding the May 14, 2026 approval by the El Dorado County Planning Commission of Tentative Subdivision Map TM25-0003 and Planned Development Permit PD25-0005 for Serrano Village M5. This appeal is based upon procedural defects, inadequate environmental review, unresolved development agreement compliance issues, and improper modification of mitigation and traffic conditions during the hearing process.

The following are the appellant's list of six (6) considerations that the appellant included with their Appeal Form (Attachment B):

1. The Appellant states failure to ensure compliance with the El Dorado Hills Specific Plan and development agreement. Further, the Appellant states that "The Planning Commission lacked substantial evidence to conclude that the developer remains in compliance with all applicable obligations tied to continued density transfers and subdivision approvals."

B.1. Staff Response: Staff maintains that the analysis and material provided for Planning Commission consideration thoroughly contemplated all relevant and legally required points. Staff maintains that the applicant request is consistent with the EDHSP, County's zoning, County's General Plan requirements, and that it meets all CEQA obligations, without exception. This appeal submittal includes no new evidence to the contrary.

As stated in the staff report (Attachment E), and as contemplated and approved as a function of the EDHSP, recent Tentative Maps for Village M increased the number of residential lots from 37 estate parcels to 156 custom and production lots in five (5) phases. The proposed project would create 10 residential lots resulting in a total of 166 custom and production residential lots in Village M. The resulting Village M dwelling units (166) and net density (1.82 dwelling units per acre) are within the total residential units (6,162 dwelling units) originally projected for the entire EDHSP and do not exceed the net (3.05

dwelling units per acre) density of the total EDHSP. Therefore, the proposed Tentative Subdivision Map is found to be consistent with the EDHSP.

Reference is made to an expired Development Agreement (DA) and Public Facilities Financing Plan (PFFP). The term for the County's DA's allows for a maximum of 20 years (130.58.050(A)(6)). A PFFP acts as an implementation tool for a Specific Plan. The EDHSP *Public Improvements Financing Plan* provided a "means for funding construction of specific basic public improvements required to serve full development of the Specific Plan area, including traffic and circulation, water, sewer, drainage, parks, public natural open space, certain Village Green improvements, landscaped corridors and medians, and schools." EDHSP (Serrano) is at approximately 96% build-out. As detailed above, the 2020 Park Agreement was signed by all three parties to meet the Board conditions for Serrano Village J to dedicate Lot H to the EDHCSD, and that park construction be funded with CFD 1992-1, as requested by the EDHCSD. The County has no further obligation.

2. The Appellant states flawed fee mitigation act regulations:

B.2. Staff Response: The fees are consistent with the Mitigation Fee Act. In 2019 the CSD sought to eliminate fee credits for Parker Development. The County retained a third party to analyze the fees, which have been upheld (Legistar [19-1085](#)).

3. The Appellant states improper reliance on CEQA statutory exemption:

B.3. Staff Response: The original EIR, prepared for the EDHSP (State Clearing House Number 86122912) states that mitigation required to balance the projected "Increased demand for recreational facilities and possible conflict with CSD standards" reads: "Coordinate park land acreage and facilities with Community Service District." Subsequent subdivisions that have become Serrano neighborhoods have relied on this CEQA determination and mitigation for the development of 4,086 acres of land that originally envisioned 6,162 dwelling units. No substantial changes are proposed in the project or to the circumstances under which the project is being undertaken or new information was discovered that would require the County to consider that a subsequent or supplemental EIR would be necessary according to Public Resources Code § 21166.

4. Appellant states improper modification of traffic and circulation conditions during deliberations. Specifically, the appellant cites that: "During the public hearing, the Planning Commission modified or removed a proposed four-way stop-control condition at an intersection serving the subdivision after nearby residents objected to the traffic-control measure."

B.4. Staff Response: The Planning Commission acted within their appointed discretion when they declined guidance supplied by DOT representatives by choosing to modify Condition 30 and temporarily eliminate a requirement for an all-way stop at the Appian Way/Sangiovese Drive intersection and gave direction to analyze and apply traffic calming

measures sometime in the future. In response to public concern about traffic counts and site distance expressed at the March 13, 2025 Interim Serrano Village M5 Planning Commission meeting, DOT provided a technical memo, *Serrano Village M5 – Access and Local Circulation Analysis* (Attachment I). The Board has similar discretion with a de novo appeal hearing to reestablish DOT's Condition #30, as concluded with the technical memo, to require the applicant construct an all-way stop prior to final map.

5. Appellant states potential conflict of interest and failure to consider recusal:

B.5. Staff Response: Recusal is a personal responsibility of individual Planning Commission members, guided by regulations of the California Fair Political Practices Commission (FPPC).

6. Appellant conclusions and requested actions:

For the reasons set forth herein, the Planning Commission's approval of TM25-0003 / PD25-0005 was not supported by substantial evidence and was procedurally deficient in several material respects.

B.6. Staff Response: Staff has considered and addressed each of the above Appellant B assertions and finds that this project remains in compliance and suitable for approval based on the Findings and subject to the Conditions of Approval (Attachments F and G).

C. Appeal Filed: TM-A26-0003 (McCann)

On May 29, 2026, appeal CUP-A25-0003 (Attachment C) was submitted in a timely manner by Tara McCann. The appellant references their exhibit to describe their appeal focus.

Following are the appellant's list of nine (9) considerations that the appellant included with their Appeal Form (Attachment C):

1. Zoning and General Plan Amendment as part of the Project was Not Identified, Was not included in Hearing description, was not included in the Staff Report, was not included in the Staff Report, was not included in the Staff Presentation, was not included in the Notice to Public, was not included in Legistar.

C.1. Staff Response: Staff's email is quoted within the Appellant's Exhibit that "For the current Serrano Village M5 project, the applicant, in addition to the Tentative Subdivision Map application (TM25-0003) and the Planned Development application (PD25-0005), initially filed for a rezone, Z25-0006, in September 2025 to add the Planned Development (PD) overlay to the site. However, after the rezone filing, but before formal project consideration, it was determined that the PD overlay already existed on-site, making the

Z25-0006 application redundant and not needed. Therefore, Z25-0006 was voided and removed from project consideration (but, since it was previously filed, must be kept as part of the record) while the Tentative Map and Planned Development applications continued to move forward. Furthermore, there was never a General Plan Amendment (GPA) filed for any iteration of the M5 project, including the current M5 project; the same application template is used when applying for a GPA and/or rezone, as one could file for a rezone without needing a GPA. The rezone and the requested Design Waivers are unrelated.

2. For the Conditions of Approval - Deviations from Project Description Further Environmental Review Warranted due to perceived deviations from the project description, exhibits, or conditions. Specifically, the Appellant alleges that changes were made to the project related to the following: Drainage, Use of Allegheny Creek for runoff release from Project without a Drainage and Watershed study, Project is assuming tiered Fish & Game Permitting from 1988 El Dorado Hills Specific Plan. This was never studied nor considered, Watershed Entitlements from Highland View subdivision adjacent to the project, Wetland identified and mapped, Creation of a 4 Way Intersection (Controlled or Uncontrolled), Zoning 225-0006 (Add PD overlay to R20K).

C.2. Staff Response: The US Army Corps of Engineers issued a master developer Individual Permit in 1991 (9000625), which covered the entirety of the Serrano development, and authorized impact to certain wetlands prior to the 2004 Permit expiration. Special Condition #8 of the Permit required wetland habitat dedication in perpetuity to be recorded on title as CC&Rs. The developer recorded a series of Declaration of Restrictions for wetland preserve and wildlife habitat in 2016. The preserved wetlands ("Protected Area") on Lots 1 and 2 of the Village M5 tentative subdivision map can be found within the Area 23 of recorded Doc. 2016-0028319.

Grading and improvement plans were approved in 2022, following the 2007 original approval of the Serrano Village M5 approval, and prior to the 2023 tentative map expiration. The site was subsequently rough graded and stabilized in the same year. The remaining improvements have not been constructed to date. If approved again, Village M5 will be subject to the County's current Phase II NPDES permit (2013-0001-DWQ) Post Construction requirements including Storm Water Treatment and Baseline Hydromodification Measures.

A Technical Memorandum by R.E.Y. Engineers, Inc. (Serrano Village M5 - Tentative Map Drainage Facilities Technical Memorandum) (Attachment H2, Exhibit L), provided analysis to determine the preliminary size and layout of the project's drainage facilities and show they meet the current permit requirements. Attenuation for the 10-year and 100-year storm events is addressed regionally as part of the Carson Creek Regional Drainage Study, dated January 1996 and updated as of December 2005 (Regional Study). The proposed on-site basin and its outlet structure has been designed to address water quality and hydromodification requirements for the Serrano Village M5 project.

3. For the reasons The Zoning Change - 2.2.5.3 of the General Plan. The County Planning Department went on record stating no Zoning Change is needed in an email, after the project was approved Planning Commission and County Staff verified a Zoning Change was approved as part of the Project.

C.3. Staff Response: See *C.1 Staff Response*. The Planned Development Overlay was implemented soon after adoption of the 1988 EDHSP. Therefore, a zoning change was not required to request a repeat subdivision determination.

4. The Project violates the Design Exception Process by the Applicant incorrectly requesting a Waiver for a Modification of the standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median for the Primary Easement/ Access to Project at Appian Way/ Sangeovese Drive.

C.4. Staff Response: The Design Waivers requested from the DISM were consistent with waivers approved for multiple Serrano Villages and subdivisions. The process was applied for and reviewed appropriately, according to the County regulations, policies and standards.

5. Violations of the California Environmental Quality Act (CEQA) and Plan Inconsistency. Project failed to follow the process as set in Public Resources Code § 21166 and CEQA Guidelines §15162, a project is not exempt if it introduces new, unconsidered, or substantially more severe environmental impacts due to changed circumstances, conditions of the project not well defined and by not providing clear defining conditions of project significant impacts are minimized.

C. 5. Staff Response: Staff has considered and addressed the above assertions and finds that this project remains consistent with the General Plan and CEQA Statute and Guidelines. In accordance with CEQA §21166 (Subsequent or Supplemental Impact Report; Conditions): No subsequent or supplemental environmental impact report was determined necessary because none of the following occurred for the Serrano Village M5 proposal:

(a) Substantial changes the proposed project which would require major revisions of the environmental impact report.

(b) Substantial changes with respect to the circumstances under which the project is being undertaken which would require major revisions in the environmental impact report.

(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

6. Complete Failure to Address Traffic & Circulation Impacts. The current project creates a brand-new subdivision outside the historical gates of Serrano, establishing an entirely new (controlled or uncontrolled) 4 way intersection.

C.6. Staff Response: The subdivision is within the boundaries of the initial 1988 approval of the EDHSP and EIR. A memo by Fehr and Peers was drafted to provide *Access and Local Circulation Analysis*, which subsequently concluded the following: "Appian Way/Sangiovese Drive – All-way stop control is recommended for the Village M5 access, which will create the fourth (i.e., west) leg of the intersection, due to the sight distance constraints created by the geometry of Appian Way" (Attachment I).

7. Significant Downstream Environmental Impacts (CEQA Required) Because this parcel was not historically or functionally integrated into the 1988 EDHSP EIR, its localized environmental impacts have never been evaluated. The project creates new, severe impacts that require site specific analysis as well as cumulative impacts.

C.7. Staff Response: This parcel was historically and functionally integrated into the 1988 EDHSP EIR. Therefore, this assertion is not applicable.

8. Failure to Address Onsite Wetlands. If an active wetland exists on the project site that wasn't delineated or fully mitigated in the 1988 master plan, using a blanket exemption bypasses modern regulatory protections. Impacts waters of the State require Clean Water Act section 401/404 permits, which trigger modern environmental reviews independent of a 40 year-old EIR document.

C.8. Staff Response: A 2016 recorded easement document exists for the protected, non-buildable area (Doc #2016-0028319). See Staff Response C.2. for further information.

9. General Plan Consistency: The project must align with the entire El Dorado County General Plan, which mandates acceptable Levels of Service (LOS) and traffic safety protocols on county-maintained neighborhood roads.

C.9. Staff Response: A Transportation Impact Study (TIS) was required to evaluate traffic operations at the Silva Valley Parkway/Appian Way intersection and stop control and the sight distance at the Appian Way/Sangiovese Drive intersection. The project is anticipated to generate 95 new daily trips, and approximately 7 AM peak hour, and 10 PM peak hour trips. The TIS identified sight distance constraints at the Village M5 access and recommend that all-way stop control for the intersection at Appian Way/Sangiovese Drive. While the TIS did show that the intersection volumes at Silva Valley Parkway/Appian Way meet the criteria (at 70%) of the 8-hour, 4-hour, and peak hour signal warrants, LOS is not projected to reach failing levels with the addition of project traffic. DOT will continue to monitor the intersection and add a future signalization project to the Capital Improvement Program (CIP) when appropriate.