

File Number: TM-A26-0001

Receipt No.: R666 49 \$425.00
R666 50 \$69.00

Date Received: 5-20-26

Amount: _____

APPEAL FORM

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Dean Getz

ADDRESS [REDACTED] El Dorado Hills, CA 95762

DAYTIME TELEPHONE [REDACTED]

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT N/A

ADDRESS _____

DAYTIME TELEPHONE _____

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

See Attached Exhibit A.

RECEIVED

MAY 20 2026

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

DATE OF ACTION BEING APPEALED 5/14/2026

[Signature]
Signature

5-20-2026
Date

Sec. 130.52.090 - Appeals.

Any decision by the review authority of original jurisdiction may be appealed by the applicant or any other affected party, as follows:

- A. An appeal must be filed within 10 working days from the decision by the review authority by completing the appeal form and submitting said form together with the applicable fee, as established by resolution of the Board, to the Department. The appellant shall clearly identify on the appeal form the specific reasons for the appeal and the relief requested.
- B. The hearing body for the appeal shall consider all issues raised by the appellant and may consider other relevant issues related to the project being appealed. The hearing body for the appeal shall be as follows:
 1. All decisions of the Director are appealable to the Commission and then to the Board.
 2. All decisions of the Zoning Administrator and the Commission are appealable to the Board.
 3. All decisions of the Board are final.
- C. The hearing on an appeal shall be set no more than 30 days from receipt of a completed appeal form and fee. If the Board meeting is canceled for any reason on the date on which the appeal would normally be heard, the appeal shall be heard on the first available regularly-scheduled meeting following the canceled meeting date. The 30-day time limitation may be extended by mutual consent of the appellant(s), the applicant, if different from the appellant, and the appeals body. Once the date and time for the hearing is established the hearing may be continued only by such mutual consent.
- D. In any appeal action brought in compliance with this Section, the appellant(s) may withdraw the appeal, with prejudice, at any time prior to the commencement of the public hearing. For the purposes of this Section, the public hearing shall be deemed commenced upon the taking of any evidence, including reports from staff.
- E. Upon the filing of an appeal, the Commission or the Board shall render its decision on the appeal within 60 days.
- F. No person shall seek judicial review of a County decision on a planning permit or other matter in compliance with this Title until all appeals to the Commission and Board have been first exhausted in compliance with this Section.

EXHIBIT A

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EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Action Being Appealed:

The Planning Commission's approval of the Tentative Subdivision Map for Serrano Village M5 (10 lots) and its associated CEQA environmental findings.

Specific Reasons for Appeal:

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).

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.

Furthermore, 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.

Appellant reserves the right to submit additional evidence, testimony, and documentation in support of these stated grounds prior to the close of the Board of Supervisors' public hearing.

Relief Requested:

The Appellant requests that the Board of Supervisors uphold this appeal and grant one of the following remedies:

1. **Deny** the tentative map for Village M5 due to unmitigated CEQA impacts; OR
2. **Amend** the approval to include the following strict Condition of Approval: *"Prior to the recordation of the final map for Village M5, the County shall assign an independent auditor to verify the developer's compliance with the Specific Plan and Development Agreement. The auditor must confirm that all fee credits retained by the developer perfectly reconcile with the actual delivery of turnkey public mitigations. Any fee credits retained for unconstructed turnkey assets must be clawed back prior to map recordation"*



PLANNING AND BUILDING DEPARTMENT

PLANNING SERVICES

<http://www.edcgov.us/DevServices/>

PC 8/22/19

#3

17 pages

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

(530) 621-5315 / (530) 622-1708 Fax

bldgdept@edcgov.us

PLANNING

(530) 621-5355 / (530) 642-0508 Fax

planning@edcgov.us

LAKE TAHOE OFFICE:

924 B Emerald Bay Rd.

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

tahoebuild@edcgov.us

TO: Planning Commission
FROM: Aaron Mount, Senior Planner
DATE: August 19, 2019
RE: **Response to Planning Commission's Request for DA review
Revision to Condition of Approval #13
PD18-0005/TM18-1536/Serrano Village J7**

Response to the Planning Commission's request for review of the EDHSP Development Agreement

At the August 8, 2019 Planning Commission hearing, the Commissioners approved a motion to continue Agenda Item 3 (Legistar File: 19-1171) to the August 22, 2019 meeting. The Commissioners also requested that County staff review the El Dorado Hills Specific Plan Development Agreement (EDHSP DA) to ensure that all obligations have been met.

A comprehensive annual review of the EDHSP DA was reviewed by the Board of Supervisors on December 16, 2008. (Agenda Item 20, Legistar File [08-1769](#)) prior to the expiration of the DA in February 2009.

On August 12, 2019, Serrano Associates provided the County with the Annual Review of the EDHSP dated May 1, 2008 updated August 2019 (see Attachment A). The updated EDHSP Review shows two outstanding obligations: 1) construction of the Serrano Village J Lot H park (see Section 3.2); and 2) dedication of the Serrano public open space (see Section 3.2.4). All other obligations have been met consistent with the requirements of the DA.

Serrano Village J Lot H Park: As detailed in Attachment C, while the EDHCSD and Serrano Associates are still in discussion over the final design of the park, the letter states that the EDHCSD anticipates direction for the construction of the park by November 15, 2019, subject to an executed Parkland Dedication Agreement.

Dedication of Serrano Open Space: Offer of the Serrano Open Space was rejected by the El Dorado Hills Community Services District (EDHCSD) on October 19, 2016 (see Attachment D) and also by the County on October 28, 2016 (see Attachment E). As detailed in Attachment A, the Serrano Home Owners Association (HOA) is in the process of preparing an open space management plan. A draft of the management plan is expected to be submitted for County review by the end of the year.

Other Obligations related to Village J: The Development Agreement specified that a fire station site should be offered within Village J. As detailed in Attachment A (Section 3.7), the El Dorado Hills Fire Department rejected the Village J site in favor of relocating Station 85 and constructing Station 86 at Bass Lake Road and Silver Dove Way. Additionally, the Rescue Union School District decided not to pursue a school site as reserved within Serrano Village J Lot H (Attachment A, Section 3.3).

The Department of Transportation has reviewed Attachment A and confirmed that the required right-of-way has been dedicated consistent with Section 3.5 of the DA.

Revision to Condition of Approval Number 13

At the August 8, 2019 Planning Commission hearing, Commissioners questioned the wording of “fair share” within the conditions of approval. The Department of Transportation (DOT) is requesting the following revision to Condition of Approval Number 13:

13. Bass Lake Road: Design the project grading and improvement plans consistent with the ultimate alignment of Bass Lake Road. Enter into a Deferred Frontage Agreement with the County, and deposit funds with the County representing the Village J7 ~~fair share portion of the future frontage improvements.~~ These funds are to be dedicated to future construction of the project's fair share frontage improvements, at such time as the ultimate alignment of Bass Lake Road is constructed.

It was determined by DOT that the words “fair share” do not exist in the County Code and therefore should be removed from the condition. The proposed revision would have no effect on the frontage improvement contribution amount or the County's process in acquiring these funds.

Attachments

- Attachment A: Annual Review of the El Dorado Hills Specific Plan Development Agreement dated May 1, 2008 updated August 2019, submitted by Serrano Associates
- Attachment B: Letter from Serrano Associates dated August 12, 2019
- Attachment C: Letter from the EDHCSD dated August 9, 2019
- Attachment D: Letter from the EDHCSD received October 19, 2016
- Attachment E: Letter from the County dated October 28, 2016 and letter from Serrano Associates dated July 13, 2016

Attachment A

Annual Review of the El Dorado Hills Specific Plan
 SERRANO ASSOCIATES, LLC
 May 1, 2008; Updated August 2019

EXHIBIT A
 Development Agreement - Section 3 ("Developer Obligations")

Section	Description of Section or Obligation	Complete	Partially Complete	Not Initiated	Comments	Comments
2008 REVIEW						2019 REVIEW
3.1	PUBLIC IMPROVEMENTS FINANCING	-	-	-	See Exhibit B.	
3.2	PARKS AND OPEN SPACE					
	▶ Dedicate to the EDH CSD:					
	○ 10 acre community park (Village Green)	X				
	○ 10 acre and 8 acre district parks		X		5.5 acres for Alan Lindsay Park have been dedicated; 12.5 acres to be dedicated with construction of the Vig. J Park. The CSD approved a conceptual plan for the Vig. J Park in October 2006 and design is underway.	Partially Complete. The 12.5 acres in Village J Lot H remains to be developed and dedicated, largely because of uncertainty with Rescue Union School Site S-1 through 2015 (refer to Section 3.3 below). With RUSD's eventual purchase of 21 acres in the Bass Lake Hills Specific Plan in 2015, the Developer and the CSD began discussions to move the 12.5-acre park from Village J Lot H southeast to an undeveloped retail parcel in Village J5. Shortly after initiating discussions, Donahue Schriber expressed interest in the Village J5 parcel. Purchase and sale negotiations pursued in 2016 and Donahue Schriber closed escrow in July 2017. After the sale of Village J5, the Developer re-entitled Village J Lot H for 41 single family lots on the northern half of the site (a reduction from the prior approval of 83 clustered halfplexes) and the 12.5-acre public park on the southern half (a change from the "bar-bell" park configuration supported by the CSD.) The County approved the Village J Lot H land plan in May 2018. In March 2019, the CSD unveiled a conceptual plan for the Bass Lake Regional Park that includes "Phase 1" improvements on the 12.5 acres. The CSD is currently developing more detailed design drawings for the 12.5 acres to estimate probable costs and when ready to construct, the Developer acknowledges its obligation in the Specific Plan to deliver a turnkey park to the CSD, constructed with funds from the Mello Roos district.
	○ 1 to 2 acre park in each neighborhood with 200 or more D.U.s; 2 sites in each neighborhood with 500 or more D.U.s	X				No change. To date, 26.56 acres of neighborhood parks have been constructed and an additional 2.59 acres (Village J6) will be constructed summer of 2019. Total neighborhood park acreage will be 29.15 acres, a surplus of 4.15 acres required by the Specific Plan.
	○ 45 acre (+ or -) archery range	X			Dedicated to the CSD in 2007.	No change
	○ Public Natural Open Space			X	Requires definition of adjoining boundaries.	Complete. The ultimate boundaries of the open space remain undefined in some portions of the Specific Plan because of adjoining undeveloped parcels (such as Villages A14 and C2). Regardless, the Developer initiated informal dedication discussions with the CSD and the County in 2016. In a letter received 10/19/16, the CSD declined the informal offer to dedicate.

Section	Description of Section or Obligation	Complete	Partially Complete	Not Initiated	Comments	Comments
2008 REVIEW						2019 REVIEW
1	<u>Acceptance of Dedication</u> : If CSD rejects park and open space lands, Developer shall offer to dedicate to the County.			X	Offers to the County have not yet been necessary.	Complete . In a letter dated 10/28/18, the County declined the informal offer to dedicate.
2	<u>Reversion Clause</u> : Conveyance of lands shall contain a reversionary clause providing that should the CSD use lands for purposes other than public recreation or open space, the lands shall revert to the County. If County uses lands for any other purpose, then lands shall revert to Developer.	X				No change
3	<u>Maintenance and Control</u> : Lands shall remain under the control of the Developer until dedicated to the CSD or the County.	X				No change
4	<u>Restriction on Use of Public Open Space</u> : Instrument conveying public open space shall ensure compatibility of uses of the open space with adjacent residential uses.			X	Public open space has yet to be offered.	Initiated . The Serrano HOA has expressed interest in becoming the long-term owner and manager of the Public Open Space. In March 2019, the Developer and HOA jointly hired an environmental consulting firm to prepare a Final Open Space Management Plan (OSMP) for all open space lands (Public and Private) in the Specific Plan. The Final OSMP refines the Draft 1993 OSMP prepared shortly after Specific Plan adoption and is a condition precedent to dedication and parcel transfer. A draft of the Final OSMP is expected 4th quarter 2019 and a copy will be provided to the County for review and compliance with applicable Specific Plan policies.
5	<u>Park Land Obligation</u> : Provisions of the Specific Plan and Financing Plan shall completely satisfy park land obligations; no additional dedications or in-lieu fees shall be required.	-	-	-	No comment necessary.	No change
3.3	SCHOOLS ► School sites needed to satisfy State criteria shall be located and reserved as indicated in the Specific Plan.	X			Reserve Site S-1 is reserved but has not been constructed; all other sites have been constructed.	Complete . Rescue Union School District decided not to pursue a school site as reserved in Village J Lot H. Instead, they purchased 150 acres in and around Bass Lake from El Dorado Irrigation District in 2015, along with 21 acres south of Village J5 Retail in the Bass Lake Hills Specific Plan. A majority of the 150-acre Bass Lake purchase has subsequently been sold to the El Dorado Hills CSD for development of a regional park. To the best of our knowledge, RUSD still owns the 21 acres in BLHSP for a future school site.
3.4	COVENANTS, CONDITIONS AND RESTRICTIONS ► Create master property owners association.	X				No change
3.5	DEDICATION TO COUNTY OF RIGHT OF WAY					

Section	Description of Section or Obligation	Complete	Partially Complete	Not Initiated	Comments	Comments
2008 REVIEW					2019 REVIEW	
	▶ Dedicate all rights of way needed to implement the Specific Plan.		X		All project roadways have been constructed and dedicated, with exception of the extension of Serrano Parkway through Village J5 to the north boundary of the Bass Lake Hills Specific Plan (being a portion of Sienna Ridge Road). Improvement plans are in plan check with DOT. Final road alignment is subject to approval of P 07-03 (Village J5 Retail Center), which was submitted to Planning on March 29, 2007.	<u>Complete.</u> The County approved P 07-0013 in August 2008 and the extension of Serrano Parkway through Village J5 (Sienna Ridge Road) was constructed during the 2013-2014 construction seasons. The County accepted the improvements as complete in July 2014 and accept Irrevocable Offer of Dedication # 2014-03.
3.6	VILLAGE GREEN PUBLIC IMPROVEMENTS					
	▶ Dedicate 4 acres, within the Village Green, to the County within 10 years of Agreement's execution.	X				No change
3.7	FIRE STATION SITE					
	▶ Dedicate at least 1/2 acre site for station in Village J.	X			The Fire Department rejected the Village J Site in favor of relocating Station 85 to EDH Blvd. and Wilson Way and constructing Station 86 at Bass Lake Road and Silver Dove Way.	No change

Attachment B



SERRANO

August 12, 2019

Ms. Tiffany Schmid
Planning and Building Director
El Dorado County
2850 Fairlane Ct.
Placerville, CA 95667

Subject: Planning Commission Request of August 8, 2019

Dear Tiffany:

During the public hearing for the Serrano Village J7 tentative map application on August 8, the Planning Commission continued the item to August 22, asking for a status of the applicant's Development Agreement (DA) requirements. Attached please find our response to your Commission's request.

On December 16, 2008, a comprehensive review of the Development Agreement was sent to the Board of Supervisors. The review included a matrix of the various DA and Financing Plan requirements and progress as of 2008 (blue-shaded cells). We have added to the matrix a column on the right (green-shaded cells), which updates the status as of 2019 for those certain items not complete in 2008 or changed since that time. Regarding the dedication of the public open space, which required offers to the County and the CSD, I am also enclosing Serrano's informal letter to dedicate dated July 13, 2016, and the CSD's and County's rejection letters dated October 19, 2016 and October 28, 2016, respectively.

Please contact me at (916) 939-4060 if you have any questions or need additional information.

Best regards,

A handwritten signature in blue ink, appearing to read 'Kirk Bone'.

Kirk Bone
Director of Government Relations

KB/dmc

Enclosures: Serrano Open Space CSD Offer
Letter from K Loewen re: Open Space Dedication
County's Declining Interest in Open Space

cc w/ enclosures: Mel Pabalinas, Principal Planner
Aaron Mount, Senior Planner
Anne Novotny, Deputy Director of Planning
Breann M. Moebius, Deputy County Counsel



Cash Register Receipt
County of El Dorado

Receipt Number
R66650

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$69.00
TM-A26-0001 Address: APN:			\$69.00
APPEALS FEES			\$69.00
ALL APPEALS	3720200 0240	0	\$69.00
TOTAL FEES PAID BY RECEIPT: R66650			\$69.00

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EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT



Date Paid: Wednesday, May 20, 2026

Paid By: dean getz

Cashier: SCO

Pay Method: EMV visa

You can check status of your Permit/Project/Case using e-TRAKIT at <https://edc-trk.aspgov.com/etrakit/> or using the above QR code. You must create an account to see reviews and inspections.

Your local Fire District may have its' own series of inspection requirements for your permit/project. Please contact them for further information. Fire District inspections (where required) must be approved prior to calling for a frame and final inspection through the building department.

Printed: Wednesday, May 20, 2026 2:07 PM





Cash Register Receipt

County of El Dorado

Receipt Number
R66649

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$425.00
TM-A26-0001 Address: APN:			\$425.00
APPEALS FEES			\$425.00
ALL APPEALS	3720200 0240	0	\$425.00
TOTAL FEES PAID BY RECEIPT: R66649			\$425.00

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PLANNING AND BUILDING DEPARTMENT

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MAY 20 2026

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Date Paid: Wednesday, May 20, 2026

Paid By: dean getz

Cashier: SCO

Pay Method: CHK-PLACERVILLE [REDACTED]



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