

The required findings in the Interim Guidelines focus on demonstrating that the proposed development is located to minimize impacts on oak trees. Staff has reviewed the recommended findings and concludes that the proposed development meets the intent of the guidelines to allow reasonable use of the property. The rationale for the findings is contained in Attachment 1.

Tree Canopy Replacement:

Although not depicted on the plans, pursuant to the Interim Guidelines for Policy 7.4.4.4, the permit is subject to tree canopy replacement requirements. During the building permit process, the plans will be amended to incorporate the required tree planting in accordance with the Interim Guidelines. Staff estimates that this project removes approximately 2,000 square feet of tree canopy, resulting in a requirement to plant ten oak trees (one-gallon size). This is based on the Interim Guidelines standard of 200 trees per acre. Since there are 43,560 square feet in an acre, this results in one tree per 217.8 square feet.

Recommendation: Staff recommends that the Planning Commission find that the proposed development plan demonstrates consistency with the intent of General Plan Policy 7.4.4.4, and that strict compliance with Policy 7.4.4.4 would deny the property owners reasonable use of the property, based on the findings in Attachment 1.

Exhibits:

- Exhibit A: Location
- Exhibit B: Assessors Parcel Map
- Exhibit C: Application Narrative/Request
- Exhibit D: Subdivision Map: Vista del Lago (AKA Southpointe) (two sheets)
- Exhibit E: Full Size Site Plan (1" = 10' scale)
- Exhibit F: Interim Interpretive Guidelines for General Plan Policy 7.4.4.4

Attachment 1: Findings

ATTACHMENT 1
FINDINGS

Site Plan review SPR07-0001

Findings

1. “The applicant demonstrates that the project is designed to maximize use of parcel area unconstrained by oak trees, unless precluded by other significant constraints such as steep slopes, streams, creeks, wetlands, or other sensitive environmental resources.”

Finding: The residence is designed to fit into the topography on the uphill side of the lot preserving 50 percent of the lot as undisturbed. Reconfiguring the residence would likely result in additional grading and tree removal.

2. “The proposed project is limited to development and site disturbance that is typical and prevalent for the general area surrounding the project site.”

Finding: The proposed size and scope of residential development is similar to that in the neighborhood. The residence is proposed to be approximately 5,168 square feet with a 1,373 square foot garage.

The Vista Del Lago subdivision consists of 24 lots zoned One-acre Residential (R1A). The lots range from 1.00 acres to 2.2 acres, but most lots are 1 to 1.5 acres in size. Twelve lots in the subdivision have residences built or proposed with the following sizes (in square feet):

	APN	Permit	Residence Size	Garage Size	Notes
1	067-761-02	161770	6,527	929	
2	067-761-05	154468	3,055	2,809	
3	067-761-06	161594	5,495	1,262	
4	067-761-08	171675	4,179	1,205	
5	067-761-13	163964	5,365	1,307	Includes 1,400 square feet basement charged at the same value as residential.
6	110-633-02	175195	6,913	1,096	Planning Commission Reasonable Use hearing July 27, 2006.
7	110-633-05	178432	6,015	1,295	
8	110-633-10	174410	6,582	705	
9	067-763-03	166052	5,522	1,157	
10	067-763-06	167068	6,516	1,096	
11	067-763-08	143438	3,991	1,106	
12	067-764-04	152466	5,343	1,256	
	Total:	12 permits	65,503	15,223	
	Average:		5,459	1,269	
	Proposed on 110-631-04		5,168	1,373	Proposed residence is 290 square feet less than average. Proposed garage is 104 square feet larger than average.

3. “Soil disturbance and tree removal is minimized through the incorporation of some or all of the following measures into the project design:

a. “Stepped foundations are used on sloping areas rather than graded pads.”

Finding: The building is designed as a three story building and utilizes some stepped foundation design, thus minimizing onsite grading.

b. “Depth of excavation and/or fill outside of the building footprint is limited to no more than five feet measured vertically from the natural ground surface, except for grading necessary to install retaining walls designed to reduce the total area of tree canopy that will be removed and/or damaged.”

Finding: Due to the steep slope of the property, additional retaining walls are used in order to minimize the disturbance area of the lot pursuant to Policy 7.1.2.1 that also minimizes potential impact on oak trees along the lower portions of the lot.

c. “Structures and the configuration of the area of disturbance are designed to parallel the natural topographic contours to the greatest extent feasible.”

Finding: The residence and garage are designed on the upper portion of the property and parallel to the topographic contours as shown on Sheet G1.

d. “Patio decks are included in the design of dwellings to minimize the need for graded yard areas.”

Finding: Decks and small patios are incorporated into the residence design. One area in the back yard is designed as a flat pad area for a future pool or other outdoor activity area. This area results in the loss of a pine tree, but no additional oak trees would be removed because of this outdoor yard area.

e. “Design techniques such as clustering of buildings are proposed to take advantage of the portions of the property which are least constrained by oaks.”

Finding: The residence and garage are designed in the upper portion of the property near the access road. The largest, 38-inch, oak located in this area is being preserved. The residence is also designed to follow the natural topography. There are a few oak trees that will be removed because of the location of the residence, but the trees need to be removed in order to provide access and minimize tree removal on the remainder of the lot.

f. “The project is designed to maximize consistency with all applicable policies of the El Dorado County General Plan. *It is recognized that more than one policy may have to be considered in the determination of reasonable use of a particular parcel.*”

Finding: The proposed residence is designed as a multistory building and utilizes retaining walls to minimize grading in order to be consistent with the Interim Guidelines for Policy 7.1.2.1:

The property is 1.2 acres in size; 85 percent of the property contains 30 percent or steeper slopes. Pursuant to the Interim Interpretive Guidelines for Policy 7.1.2.1, only 17,000 square feet of the site can be disturbed under the “staff authority threshold.” The proposed development shown on Sheet G1 is consistent with the 30 percent development policy because only 15,713 square feet are disturbed. This amount excludes the areas disturbed for driveway access.