

DEVELOPMENT SERVICES DEPARTMENT

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EL DORADO

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MEMORANDUM

DATE: May 7, 2007 Agenda of: May 10, 2007
TO: Planning Commission Item #: 13
FROM: Pierre Rivas, Principal Planner
SUBJECT: Site Plan Review SPR07-0009/Assessor's Parcel Number 109-470-23/Wise
Finding of General Plan Consistency with Policy 7.4.2.9
(Grading Permit #178958 and Building Permit #178959)

BACKGROUND:

The Interim Interpretive Guidelines for General Plan Policy 7.4.4.4 requires retention of 90 percent of the oak tree canopy on Assessor's Parcel Number 109-470-23 (owners: Mike and Christa Wise). Approximately 50 percent of the parcel is covered by oak canopy. The proposed residential development will cause a removal of approximately eight percent of canopy cover resulting in 80 percent canopy retention meeting the requirements of General Plan Policy 7.4.4.4 and the Interim Guidelines.

Pursuant to the Interim Guidelines, since the parcel is located within an Important Biological Corridor (IBC), as shown on the General Plan Land Use Map, a determination of consistency with General Plan Policy 7.4.2.9 is required. The Planning Commission may also consider higher oak canopy cover retention and mitigation standards for projects outside of an IBC.

The owners have submitted a Site Plan Review SPR07-0001 requesting a finding of consistency with the intent of General Plan Policy 7.4.2.9 concurrently with the submittal of the grading and building permit.

DISCUSSION:

The applicants propose to develop an existing five acre parcel (Lot 60) within the Royal Equestrian Estates, Unit 2. The majority of the lots in the subdivision have been developed. The proposed 4,111 square foot house with attached 1,215 square foot garage, driveway, and parking area are located towards the front (west) one-third portion of the property with the majority of

the property remaining undisturbed. The total disturbed ground surface area (loss of “woodland habitat”) is approximately 28,000 square feet.

Impact on Sensitive or Important Oak Habitat:

The applicant submitted a biological resources report (“Revised Final Biological Resources Study and Important Habitat Mitigation Program,” dated April 6, 2007), prepared by EN2 Resources, Inc. The report evaluated the impacts of the project on the Important Biological Corridor/Wildlife Movement/Migration Corridor, Oak Corridor Continuity, Landmark or Heritage Trees, and Sensitive or Important Oak Habitat. The report concluded that no impact to sensitive habitats, special-status species, or deer ranges or migration would result. No streams, ponds, or other wetlands areas occur on the parcel. No impact would occur to oak corridor continuity.

Three patches of blue elderberry are located on the parcel which is a potential habitat for the valley elderberry longhorn beetle, a federally listed threatened species. These patches are located greater than 20 feet from construction activity; and with implementation of proper flagging and avoidance, no impact would occur.

Tree Canopy Replacement:

Pursuant to the Interim Guidelines for Policy 7.4.4.4, the permit is subject to tree canopy replacement requirements. The biological resources report identified 22 trees which will be removed or severely impacted by development and subject to replacement. The applicant submitted an arborist report (Oak Tree Evaluation at Lot #60 Steeple Chase Drive, Shingle Springs) prepared by Rick Carpenter, Certified Arborist. The report evaluated the condition of the trees to determine health. Of these trees, 16 trees were determined to be of poor health or condition warranting removal. A total of six trees subject to replacement will be removed. These trees total 7,415 square feet of lost canopy. Pursuant to the replacement formula prescribed in the Interim Guidelines, a total of 34 trees will be required for replacement planting (based on a replacement standard of 200 trees per acre.). A total of 19 blue oaks and 15 interior live oaks would be planted (one-gallon size).

Prior to final occupancy, the applicant will be required to enter into a oak tree replacement and mitigation monitoring agreement with the County.

CONCLUSIONS:

It is staff’s opinion that the applicant has demonstrated that the proposed development is located to minimize impacts on oak trees and potential habitat for the valley elderberry longhorn beetle. Staff concludes that the requirements of the Interim Guidelines and General Plan Policy 7.4.2.9 have been met.

RECOMMENDATION: Staff recommends that the Planning Commission find that the proposed residential development plan and oak tree replanting plan is consistent with the intent of General Plan Policy 7.4.2.9, based on the above discussion

EXHIBITS:

- Exhibit A: Location
- Exhibit B: Assessor's Parcel Map
- Exhibit C: Letter from Michael Wise, Esq., dated April 10, 2007
- Exhibit D: Subdivision Map: Royal Equestrian Estates Unit No. 2
- Exhibit E: Site Plan
- Exhibit F: Proposed Tree Replanting Locations
- Exhibit G: General Plan Policy 7.4.2.9

EXHIBIT G

GENERAL PLAN POLICY 7.4.2.9

The Important Biological Corridor (-IBC) overlay shall apply to lands identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors. Lands located within the overlay district shall be subject to the following provisions except that where the overlay is applied to lands that are also subject to the Agricultural District (-A) overlay or that are within the Agricultural Lands (AL) designation, the land use restrictions associated with the -IBC policies will not apply to the extent that the agricultural practices do not interfere with the purposes of the -IBC overlay.

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Department of Fish and Game);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of “site review” to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

The standards listed above shall be included in the Zoning Ordinance.

Wildland Fire Safe measures are exempt from this policy, except that Fire Safe measures will be designed insofar as possible to be consistent with the objectives of the Important Biological Corridor