

DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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TO: Planning Commission Agenda of: March 26, 2009
FROM: Michael C. Baron, Planning Services Item #: 11
DATE: March 5, 2009
RE: Z06-0005/TM06-1408/PD06-0006-Alto Subdivision Staff Report Changes

Planning Services staff requests that the Planning Commission incorporate the following changes into the staff report:

Oak Tree Canopy: In order to ensure consistency with General Plan **Policy 7.4.4.4** the applicant submitted a tree canopy analysis, which determined that existing oak tree canopy at the site is 84 percent, requiring 60 percent retention of existing oak canopy cover under “Option A” of General Plan Policy 7.4.4.4. The site contains a total of 68.4 acres of oak canopy. The proposed project estimates tree removal for lot development and onsite roadways to be 26.76 acres, 0.6 acres of oak woodland canopy is proposed to be removed during off-site road construction, 26.73 acres. The estimated tree canopy retention after road improvements and lot development is 60 percent, in compliance with the General Plan Policy requiring 60 percent retention. Thus, the total oak canopy loss of 27.36 26.73 acres of oak woodland that would be required to be either replaced on-site at a 1:1 canopy surface area ratio; or payment of the mitigation fee under “Option A” of the OWMP; or acquire an off-site conservation easement of oak woodlands at a 1:1 ratio, or a combination of the three requirements for the removal of 40 percent of the oak canopy for roads, infrastructure, and lot development. or the applicant would be required to pay into the conservation fund under “Option B” of Policy 7.4.4.4 (Table 3). Post Development Oak Tree Canopy shown on H1, H2, H3, & H4, prepared by CTA Engineering in conjunction with Sierra Nevada Arborists dated November 2008, confirms that the project would be consistent with General Plan tree canopy retention and replacement policies.

Table 3: Oak Tree Canopy Summary

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Project Site (acreage)	Oak Canopy Coverage (acreage)	Percentage Oak Coverage Required	Percentage of Required Retention	Proposed Oak Removal (Acreage)	Percentage Retention Proposed
81.61	68.4	60%	60%	<u>27.36</u> <u>26.73</u>	60%

As shown on Oak Tree Exhibits H1, H2, H3, & H4, the project would require the removal of 27.36 ~~26.73~~ acres of the onsite canopy. Development envelopes with potential driveway locations were required initially analyzed in order to determine the extent of oak impacts as a result of infrastructure improvements and due to future residential development of the project. The project would be required to participate in on-site replacement or a combination of offsite replacement or payment of the mitigation fee established by Option B. Board of Supervisors and OWMP.

Removal of oak canopy exceeding 40 percent would not comply with Policy 7.4.4.4 percentage canopy retention requirements under Option A. The individual lot developer would be required to participate in an on-site replacement monitoring plan at a 2:1 canopy surface area ratio, or payment of the mitigation fee under Option B of the OWMP, or acquire an off-site conservation easement of oak woodlands at a 2:1 ratio, or a combination of the three requirements for any removal beyond 1.5% canopy on individual lots (except for lots 1 and 12).

Chapter 17.72 of the Zoning Ordinance establishes requirements for the implementation of General Plan Policy 7.4.4.4. Section 17.72.100 of the Ordinance allows payment of the mitigation in-lieu fee prior to issuance of a grading permit for road and infrastructure improvements and prior to issuance of any building permits for future development of the project site. A breakdown of the oak canopy impacts have been included in Table 4.

Table 4: Oak Canopy Removal Summary		
Total Oak Canopy to Be Removed (acres)	Canopy Removed for Road Improvements (acres)	Canopy Removed for Residential Development (acres)
<u>27.36</u> 26.73	<u>5.87</u> 5.27	21.46

Conditions of approval have been included in Attachment 1 of the requiring payment of the mitigation in-lieu fee for the road improvement impacts prior to issuance of a grading permit and an in-lieu fee for the residential impacts prior to issuance of any building permits.

Other Issues:

Access/Circulation: The project proposes to provide gated access from Malcolm Dixon Road across property to the south also including a new connection to Green Valley Road. An emergency access easement would be provided to tie into the adjacent existing subdivision to the east. Another future connection would be provided via an access road to the southwest corner of the project. This access road would also be gated and tie into Malcolm Dixon Road. The Department of Transportation has required a Standard Plan 101B Road, not including curb, gutter, and sidewalks for Courts A, B, & C and a Standard Plan 101C for emergency access roads. The property owner has secured appropriate access across the adjacent parcel to the south through a court enforceable settlement and recorded easements.

Conditions of Approval Changes as Follows:

(Table Located Within Project Description)

The oak removal as part of construction of the on-site access road and future residential development of the site shall comply with Table 3 below:

Table 3: Oak Tree Canopy Removal Summary		
Total Oak Canopy to Be Removed (acres)	Canopy Removed for Road Improvements (acres)	Proposed Canopy Removed for Residential Development (acres)
27.36 26.73	5.87-5.27	21.46

Project Conditions of Approval

Planning Services

3. The developer shall pay the mitigation in-lieu fee or provide a replacement plan for all oak canopy removed as part of road and infrastructure improvements (Total 27.36 26.73 acres). The mitigation fee shall be paid at a 1:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services proof of payment of the mitigation in-lieu fee or replacement plan, prepared by a licensed arborist, prior to issuance of a grading permit or removal of any oak trees. (Reference PD06-0006)
4. The Final Subdivision Map shall include the following notes:
 1. A total of 1 acre or 1.5 percent of oak canopy shall be available to each lot within the subdivision for removal during individual lot development. Individual property owners shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 1:1 ratio as required by the Oak woodland Conservation Ordinance and fee shall be based on the amount fee established by the Board of Supervisors, excluding lots 2 1 & 12. (Reference PD06-0006)
 2. Any oak canopy removal beyond 1 acre or 1.5 percent for any individual lot within the subdivision, including any removal on Lots 2 1 & 12, shall pay the mitigation fee or provide a replacement plan. Replacement plans shall be prepared by a licensed arborist at a 2:1 ratio as required by the Oak woodland Conservation Ordinance and fee shall be based on the amount fee established by the Board of Supervisors. (Reference PD06-0006)
32. The proposed 40 foot easement dedicated to the Fire Department shall create a four way intersection at B Drive and C Court. The roadway easement shall be 20 feet wide with a 15 foot vertical clearance and improved to an all weather surface per the 2007 California Fire Code. The roadway shall continue to the eastern property line and line up with an

the adjoining roadway from the Arroyo Vista Subdivision. The Department shall review and approve all plans prior to issuance of a grading permit, filing the final map.

Department of Transportation

34. Upon the applicant's request, the County will form and implement, at the applicant's expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements to be constructed as identified in the Exhibit X entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County's approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required off-site land acquisitions, widening and (re-) construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer's Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the off-site public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.

~~The applicant shall form an Area of Benefit and prepare an Engineers Report for the purpose of financing and reimbursement of the required off-site widening and reconstruction public improvements. The Area of Benefit shall include but not be limited to APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit shall be formed prior to the filing of the Final Map.~~

36. The applicant shall provide at least two connections with an existing, improved public street, not to include the Emergency Access road, for the project. The accesses shall adhere to the provisions described in Table 1. In the alternative, the second connection with an existing, improved public street may be provided by way of the Salmon Falls connector road in accordance with County approved design standards as shown on the Malcolm Dixon Area Traffic Circulation Plan. The improvements shall be substantially completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the final map.

37. The applicant shall set funds aside for construction of the Emergency Vehicle Access as shown on the TM and described in Table 1. The amount of funds shall be determined by an Engineer's Estimate subject to review and approval by DOT. Once approved, the funds shall be placed into a restricted interest bearing account for a period not to exceed 5-10 years from the filing of the Final Map. The funds will be available to the Arroyo Vista CSD if and when the CSD installs an emergency access on lands within their

jurisdiction that will line up with the EVA easement proposed by the ALTO LLC TM06-1408. If the Arroyo Vista CSD fails to install an emergency access on their lands within the 5 10-year time frame, the funds including interest will be returned to the applicant. The EVA easement will be granted to the El Dorado Hills County Water District (Fire Department) prior to the filing of the Final Map.

38. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel final map.
39. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the parcel final map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.