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## MEMORANDUM

<b>DATE:</b>	July 18, 2007	<b>Agenda of:</b>	August 9, 2007
<b>TO:</b>	Planning Commission	<b>Item #:</b>	Consent - 6
<b>FROM:</b>	Larry Appel, Deputy Director		
<b>SUBJECT:</b>	Site Plan Review SPR07-0019/Assessor's Parcel Number 102-060-35/Lungren Finding of General Plan Consistency with Policy 7.4.2.9 (Building Permit #176123)		

**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 102-060-35 (owners: Aaron and Leslie Lungren). Approximately 45 percent of the parcel is covered by oak canopy. The proposed residential development will cause a removal of approximately five percent of canopy cover resulting in 95 percent canopy retention meeting the requirements of General Plan Policy 7.4.4.4 and the Interim Guidelines. The property is zoned Estate Residential Ten-acre (RE-10) and has a General Plan designation of Rural Residential with the IBC overlay.

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 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 building permit.

**DISCUSSION:**

The applicants propose to develop an existing 10-acre parcel (created as Lot 1 of P06-0004). The proposed 3,203 square foot house with attached 1,196 square foot garage, driveway, and parking area are located approximately 55 feet from the western property line with the majority of the property remaining undisturbed. The development of the home and garage would

encompass a footprint of approximately 5,300 square feet. A temporary trailer has been located on site until the permanent home has been constructed.

#### **Impact on Sensitive or Important Oak Habitat:**

The applicant submitted a biological resources report ("Biological Resource Study," dated May 16, 2007), prepared by Annie Barron Walker, Consulting Botanist. 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 would result. The report also identified no impact would occur to oak corridor continuity. An intermittent stream crosses the property over 300 feet south of the proposed residence. The report concludes that no impacts would occur as a result of the proposed construction. The oak woodlands on site are not critical to the maintenance of sensitive or important botanical species, according to the report. Finally, the report concludes that the minimal impacts of the proposed removals should not adversely affect the continuity of the IBC.

#### **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 19 blue oak trees (consisting of 3,957 square feet of canopy) which will be removed or severely impacted by development and subject to replacement. Pursuant to the replacement formula prescribed in the Interim Guidelines, a total of 18 trees will be required for replacement planting (based on a replacement standard of 200 trees per acre.). Two areas have been identified by the botanist as suitable for replanting. 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. 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 and oak tree replanting and maintenance 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: Site Plan with oak replacement area
- Exhibit D: IBC Overlay, regional
- Exhibit E: IBC Overlay, local