DEVELOPMENT SERVICES DEPARTMENT

County of EL DORADO

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PLANNING SERVICES



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MEMORANDUM

DATE:

July 26, 2006

Agenda of:

August 10, 2006

TO:

Planning Commission

Item #:

8.a.

FROM:

Jason R. Hade, AICP, Senior Planner

SUBJECT:

TM05-1398/Thousand Oaks, Unit 3 Revised Conditions and Findings

REQUEST: At the Planning Commission hearing of July 13, 2006, the Commission directed staff to revise the conditions of approval and findings, as necessary, to allow for the approval of the tentative subdivision map with a minimum setback of 25 feet from the ponds and wetlands at the subject site. The requested revisions are discussed below with revised conditions of approval attached as Attachment 1 and revised findings attached as Attachment 2. An addendum to the prepared mitigated negative declaration (MND) is also attached.

DISCUSSION: Based upon biological information submitted by the applicant (Exhibit I in original staff report), the Planning Commission determined that the requested 25-foot minimum setback from the ponds and wetlands would be sufficient to protect the wetland and riparian area at the subject site as required under General Plan Policy 7.3.3.4. The Commission further directed staff to require a 100-foot septic system septic from the water features. Condition 22 (previously Condition 23) has been modified to reflect these setback requirements. Environmental Management staff reviewed the revised tentative subdivision map and determined that the applicant has satisfied Condition 19, as outlined in the attached memorandum dated July 18, 2006 (Attachment 4). As such, staff recommends Condition 19 be deleted. Deletions are indicated as strikethrough-while additions are indicated as underlined.

An addendum to the mitigated negative declaration has also been prepared and is attached as Attachment 3. The addendum modifies the discussion concerning "Land Use Planning" previously discussed on page 16 of the environmental document. As the prepared mitigated negative declaration fully analyzed all potential impacts for the three proposed lots, no further mitigation measures are necessary.

RECOMMENDATION: Conditional approval

Attachment 3 - MND Addendum

Attachment 4 - Environmental Management Memorandum, July 18, 2006

ATTACHMENT 3 MITGATED NEGATIVE DECLARATION ADDENDUM

TM05-1398 / Thousand Oaks Unit No. 3 Environmental Checklist/Discussion of Impacts

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. LAND USE PLANNING. Would the project:				
a,	Physically divide an established community?		1	
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	,		
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	~		

Discussion:

A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
- Result in conversion of land that either contains choice soils or which the County Agricultural Commission has
 identified as suitable for sustained grazing, provided that such lands were not assigned urban or other
 nonagricultural use in the Land Use Map;
- Result in conversion of undeveloped open space to more intensive land uses;
- Result in a use substantially incompatible with the existing surrounding land uses, or
- Conflict with adopted environmental plans, policies, and goals of the community.
- a) The project will not result in the physical division of an established community.
- As proposed, the project is consistent with the development standards contained within the El Dorado County Zoning Ordinance with the approval of the two design waiver requests. However, the project conflicts with General Plan Policy 7.3.3.4 which requires that the County apply a minimum setback of 100 feet from all perennial attentions, lakes and 50 feet from intermittent streams and wetlands. The applicant has proposed a 25-foot setback from the ponds and wetlands at the subject site. A letter submitted by the applicant from Sycamore Environmental Consultants dated December 21, 2005 concludes that "we believe a building setback of 25 feet for the construction of a home on the northern end of the parcel is sufficient to protect the water quality and habitat value of the man-made ponds and wetlands in this ephemeral drainage." (Building setbacks to ponds and wetlands on APN 070-300-15, Sycamore Environmental Consultants, December 21, 2005) The Planning Commission has reviewed the submitted biological documentation and concurs with the report's findings that the proposed 25-foot non-building setback from the ponds and wetlands is sufficient to protect the water features and habitat area. Therefore, the proposed tentative subdivision map is consistent with the applicable General Plan policies, including Policy 7.3.3.4. As no conflict exists between the project and applicable land use policies, potential environmental impacts are considered to be less than significant.
- c) As discussed in Section IV Biological Resources, parts a, b and f, the submitted biological resources evaluation concluded that the proposal will not conflict with any applicable habitat conservation plan or natural community conservation plan.

FINDING: For the "Land Use Planning" section, the project will not exceed the identified thresholds of significance.

ATTACHMENT 4



EL DORADO COUNTY
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Interoffice Memorandum

7/18/06

To: Jason Hade, Project Planner EDC Development Services Department

From: Cathy Keeling, Environmental Management Dept.

Subject: TM 05-1398/Thousand Oaks, Unit 3

Environmental Health:

The applicant has submitted the sewage disposal map showing adequate sewage disposal for each parcel. Water supply for each parcel is EID.

Environmental Health has no conditions for the final map.

If you have any questions regarding this response, please contact Cathy Keeling at extension 6621.