

1. Policy 2.2.1.3:

TABLE 2-4 GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT CONSISTENCY MATRIX												
Zoning Districts*	Land Use Designations†											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR
RM & R2	•											
MP	•	•										
R1 & R20,000		•										
R1A			•									
R2A			•									
R3A		◊	•									
RE-5	◊	◊	◊	•								
RE-10	◊	◊	◊	•	•							
RA-20			◊	•	•	•						
RA-40+			◊	◊	•	•	•					
NS ¹	•	•	•									
CH ¹								•				•
C								•				
CPO, CP, CG								•				
R&D									•	•		
I										•		
IR ¹					•	•	•			•		
A & SA-10				•		•						
PA				•	•	•						
AE				•	•	•	•					
TPZ				◊	•	•	•					
FR ¹				◊	•	•	•					
MR					•	•	•	•		•		
RF	•	•	•	•	•		•	•			•	•
RT	•							•				
CN				•	•						•	
OS	•	•	•	•	•	•	•	•	•	•	•	
TC	•	•	•	•	•	•	•	•	•	•	•	•
LEGEND	• ² / ³ - Consistent					Inconsistent						
Notes:												
¹ Proposed new zone districts: CH - Highway Commercial; NS - Neighborhood Service; IR - Resource Industrial; and FR - Forest Resource												
² Zone district intensity/density of permitted uses within acceptable range of land use designation												
³ Zone district intensity/density of permitted uses below the acceptable range of land use designation												
* See table below for land use designations and zoning districts												

2. Policy 2.2.4.1:

“OBJECTIVE 2.2.4: DENSITY BONUS

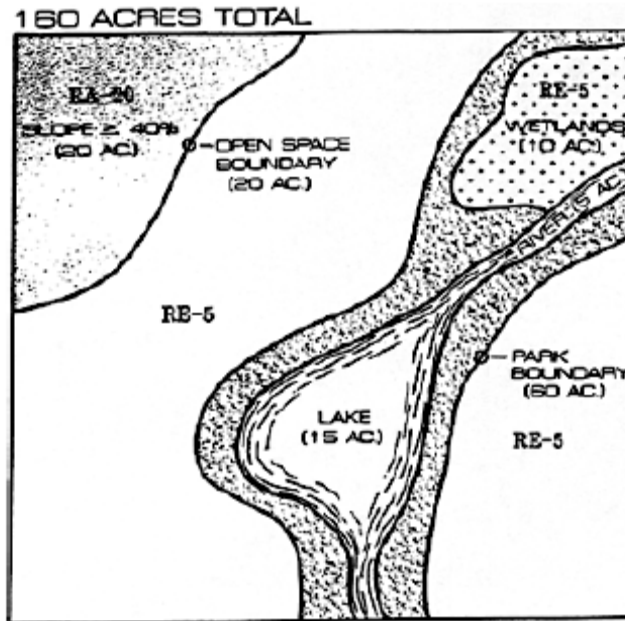
Provide for incentives which encourage the utilization of the Planned Development concept and further the provision of public benefits as a component of development.

Policy 2.2.4.1 Planned Developments shall be provided additional residential units (density bonus), in accordance with A through C, for the provision of otherwise developable lands set aside for public benefit including open space, wildlife habitat areas, parks (parkland provided

in excess of that required by the Quimby Act), ball fields, or other uses determined to provide a bona fide public benefit. (See example below.)

- A. Maximum Density: The maximum density created utilizing the density bonus provisions shall not exceed the maximum density permitted by the General Plan land use designation as calculated for the entire project area except as provided for by Section B.
- B. In addition to the number of base units, one and one half (1.5) dwelling units may be provided for Planned Developments within a planning concept area for each unit of developable land dedicated to public benefit. In calculating the maximum density permitted by the General Plan land use designation, the County shall include acreage of undevelopable land, except as excluded in Policy 2.2.3.2.
- C. Public Benefit: Lands set aside for public benefit, as used herein, shall be those lands made available to the general public including but not limited to open space areas, parks, and wildlife habitat areas.

Density Bonus Calculation Example



Land Characteristic Summary	
110 acres:	Developable land, zoned Estate Residential Five-acre (RE-5)
20 acres:	Slope \geq 40 percent, zoned Residential Agricultural Twenty-acre (RA-20)
15 acres:	Lake
5 acres:	River
10 acres:	Wetland, zoned Estate Residential Five-acre (RE-5)
TOTAL:	160 acres

Standard Rural Subdivision

A standard subdivision may subdivide the hypothetical example consistent with zoning. The 20 acre portion comprising slope \geq 40 percent will yield one 20-acre parcel. The 110 acre portion considered developable will yield 22 5-acre parcels. The 15 acre lake and 5 acre river areas yield no developable parcels since these are bodies of water. It is assumed that the remaining 10 acre wetland area is set aside as impact mitigation yielding no developable parcels. Thus, subdivision of the property may yield a maximum of 23 developable parcels (6.95 ac/du average).

Planned Development Subdivision Utilizing Density Bonus Provisions

A planned development proposing to set aside the 20 acre portion comprising slope \geq 40 percent as open space and a set aside of 60 acres including the lake, river, wetlands, and 30 acres of developable land will yield a total of 38 2-acre developable parcels clustered on the remaining 80 acres (4.21 ac/du). Calculation of the yield is summarized as follows:

1. 20 acres open space density bonus yield = 20 acres at 1 dwelling unit/20 acres zoning = 1 dwelling unit x 2.5 density bonus = 2.5 dwelling units.
2. 60 acres park density bonus yield = 60 acres minus 15 acre lake minus 5 acre river = 40 acres at 1 dwelling unit/5 acre zoning = 8 dwelling units x 2.5 density = 20 dwelling units.
3. 80 acres developable area remaining = 80 acres at 1 dwelling unit/5 acre zoning = 16 dwelling units.
4. Total yield = 2.5 dwelling units + 20 dwelling units + 16 dwelling units = 38.5 dwelling units or 39 dwelling units.

Note: To achieve the maximum parcel creation, minimum development standards and public services must be met commensurate with the lot sizes and density proposed.”

3. Policy 2.2.5.4:

“All development applications which have the potential to create 50 parcels or more shall require the application of the Planned Development combining zone district. However, in no event shall a project require the application of the Planned Development combining zone district if all of the following are true: (1) the project does not require a General Plan amendment; (2) the project has an overall density of two units per acre or less; and (3) the project site is designated High-Density Residential.”

4. Policy 2.2.5.8:

“The Neighborhood Service zoning district shall be permitted in all residential designations within Community Regions, Rural Centers, Medium-Density and High-Density Residential Platted Lands. Uses within the Neighborhood Service Zone District should provide a direct

service to the family and/or community and may include educational facilities, day care services, places of worship, lodges, community or group meeting centers, fire stations, libraries, other public facilities, recreational facilities, and commercial uses. Development proposals shall include applications for pre-designating and zoning lands Neighborhood Service Zone at a ratio of up to two acres per 40 units within a new residential subdivision.”

5. Policy 2.5.1.3:

“The County shall develop a program that allows the maintenance of distinct separators between developed areas (Community Regions and Rural Centers). This program shall include the following elements:

Parcel Analysis: Areas between developed areas (Community Regions and Rural Centers) shall be analyzed to determine if they create inefficiencies for ongoing rural land uses. For instance, parcels that may be too small to support long-term agricultural production shall be identified for potential consolidation. Areas within Community Regions and Rural Centers shall also be analyzed to identify opportunity sites where clustering of development may be appropriate, including increases in the allowable floor-to-area building ratio (FAR) in Community Regions.

Parcel Consolidation/Transfer of Development Rights (TDR): A program to allow consolidation of parcels where appropriate shall be established. This shall include a TDR program that encourages transfer of development rights from the parcels to be consolidated to opportunity sites in Community Regions and Rural Centers. The TDR program shall also allow for consideration of increasing the FARs at specific sites in Community Regions, as deemed appropriate.”

6. Objective 2.9.1:

“Procedure for ongoing monitoring of the General Plan and periodic review and update if necessary.”

7. Policy 5.2.1.3 and 5.2.1.11:

“All medium-density residential, high-density residential, multifamily residential, commercial, industrial, and research and development projects shall be required to connect to public water systems when located within Community Regions and to either a public water system or to an approved private water systems in Rural Centers.”

“The County shall direct new development to areas where public water service already exists. In Community Regions, all new development shall connect to a public water system. In Rural

Centers, all new development shall connect either to a public water system or to an approved private water system.”

8. Policy 5.3.1.1:

“High-density and multifamily residential, commercial, and industrial projects shall be required to connect to public wastewater collection facilities as a condition of approval except in Rural Centers and areas designated as Platted Lands (-PL). In the Community Region of Camino/Pollock Pines, the long term development of public sewer service shall be encouraged; however, development projects will not be required to connect to wastewater collection facilities where such connection is infeasible, based on the scale of the project. (Res. No. 298-98; 12/8/98)”

9. Policy 5.6.1.4:

“Special use permits shall be required for the installation of community telecommunication facilities (e.g., microwave towers) in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses, and health and safety are considered.”

10. Policy 5.6.2.1:

“Require energy conserving landscaping plans for all projects requiring design review or other discretionary approval.”

11. Objective 6.5.1: Noise Policies and Tables.

OBJECTIVE 6.5.1: PROTECTION OF NOISE-SENSITIVE DEVELOPMENT

Protect existing noise-sensitive developments (e.g., hospitals, schools, churches and residential) from new uses that would generate noise levels incompatible with those uses and, conversely, discourage noise-sensitive uses from locating near sources of high noise levels.

Policy 6.5.1.1 Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 6-1 or the performance standards of Table 6-2, an acoustical analysis shall be

required as part of the environmental review process so that noise mitigation may be included in the project design.

- Policy 6.5.1.2 Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.
- Policy 6.5.1.3 Where noise mitigation measures are required to achieve the standards of Tables 6-1 and 6-2, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project and the noise barriers are not incompatible with the surroundings.
- Policy 6.5.1.4 Existing dwellings and new single-family dwellings on legal lots of record, as of the date of adoption of this General Plan, are not subject to County review with respect to satisfaction of the standards of the Public Health, Safety, and Noise Element except in areas governed by the Comprehensive Land Use Plans for applicable airports. (See Objective 6.5.2.) As a consequence, such dwellings may be constructed in other areas where noise levels exceed the standards of the Public Health, Safety, and Noise Element. It is not the responsibility of the County to ensure that such dwellings meet the noise standards of the Public Health, Safety, and Noise Element, or the noise standards imposed by lending agencies such as HUD, FHA and Cal Vet. If homes are located and constructed in accordance with the Public Health, Safety, and Noise Element, it is expected that the resulting exterior and interior noise levels will conform to the HUD/FHA/Cal Vet noise standards.
- Policy 6.5.1.5 Setbacks shall be the preferred method of noise abatement for residential projects located along U.S. Highway 50. Noise walls shall be discouraged within the foreground viewshed of U.S. Highway 50 and shall be discouraged in favor of less intrusive noise mitigation (e.g., landscaped berms, setbacks) along other high volume roadways.
- Policy 6.5.1.6 New noise-sensitive uses shall not be allowed where the noise level, due to non-transportation noise sources, will exceed the noise level standards of Table 6-2 unless effective noise mitigation measures have been incorporated into the development design to achieve those standards.
- Policy 6.5.1.7 Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.

- Policy 6.5.1.8 New development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 6-1 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 6-1.
- Policy 6.5.1.9 Noise created by new transportation noise sources, excluding airport expansion but including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 6-1 at existing noise-sensitive land uses.
- Policy 6.5.1.10 To provide a comprehensive approach to noise control, the County shall:
- A. Develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the project review process and, as may be determined necessary, through the building permit process.
 - B. Develop and employ procedures to monitor compliance with the standards of the Noise Element after completion of projects where noise mitigation measures were required.
 - C. The zoning ordinance shall be amended to provide that noise standards will be applied to ministerial projects with the exception of single-family residential building permits if not in areas governed by the Airports Comprehensive Land Use Plans. (See Objective 6.5.2.)

**TABLE 6-1
MAXIMUM ALLOWABLE NOISE EXPOSURE FOR TRANSPORTATION NOISE SOURCES**

Land Use	Outdoor Activity Areas ¹ L _{dn} /CNEL, dB	Interior Spaces	
		L _{dn} /CNEL, dB	L _{eq} dB ²
Residential	60 ³	45	--
Transient Lodging	60 ³	45	--
Hospitals, Nursing Homes	60 ³	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls, Schools	60 ³	--	40
Office Buildings	--	--	45
Libraries, Museums	--	--	45
Playgrounds, Neighborhood Parks	70	--	--

Notes:
¹ In Communities and Rural Centers, where the location of outdoor activity areas is not clearly defined, the exterior noise level standard shall be applied to the property line of the receiving land use. For residential uses with front yards facing the identified noise source, an exterior noise level criterion of 65 dB L_{dn} shall be applied at the building facade, in addition to a 60 dB L_{dn} criterion at the outdoor activity area. In Rural Regions, an exterior noise level criterion of 60 dB L_{dn} shall be applied at a 100 foot radius from the residence unless it is within Platted Lands where the underlying land use designation is consistent with Community Region densities in which case the 65 dB L_{dn} may apply. The 100-foot radius applies to properties which are five acres and larger; the balance will fall under the property line requirement.
² As determined for a typical worst-case hour during periods of use.
³ Where it is not possible to reduce noise in outdoor activity areas to 60 dB L_{dn}/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB L_{dn}/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

**TABLE 6-2
NOISE LEVEL PERFORMANCE PROTECTION STANDARDS FOR NOISE SENSITIVE LAND USES AFFECTED BY NON-TRANSPORTATION* SOURCES**

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly L _{eq} , dB	55	50	50	45	45	40
Maximum level, dB	70	60	60	55	55	50

Notes:
Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100' away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all effected property owners and approved by the County.

*Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from facilities of regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

Policy 6.5.1.11 The standards outlined in Tables 6-3, 6-4, and 6-5 shall apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends, and on federally-recognized holidays. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

Land Use Designation ¹	Time Period	Noise Level (dB)	
		L _{eq}	L _{max}
Higher-Density Residential (MFR, HDR, MDR)	7 am–7 pm	55	75
	7 pm–10 pm	50	65
	10 pm–7 am	45	60
Commercial and Public Facilities (C, R&D, PF)	7 am–7 pm	70	90
	7 pm–7 am	65	75
Industrial (I)	Any Time	80	90
Note: ¹ Adopted Plan areas should refer to those land use designations that most closely correspond to the similar General Plan land use designations for similar development.			

Land Use Designation	Time Period	Noise Level (dB)	
		L _{eq}	L _{max}
All Residential (MFR, HDR, MDR)	7 am–7 pm	55	75
	7 pm–10 pm	50	65
	10 pm–7 am	40	55
Commercial, Recreation, and Public Facilities (C, TR, PF)	7 am–7 pm	65	75
	7 pm–7 am	60	70
Industrial (I)	Any Time	70	80
Open Space (OS)	7 am–7 pm	55	75
	7 pm–7 am	50	65

TABLE 6-5 MAXIMUM ALLOWABLE NOISE EXPOSURE FOR NONTRANSPORTATION NOISE SOURCES IN RURAL REGIONS—CONSTRUCTION NOISE			
Land Use Designation	Time Period	Noise Level (dB)	
		L _{eq}	L _{max}
All Residential (LDR)	7 am–7 pm	50	60
	7 pm–10 pm	45	55
	10 pm–7 am	40	50
Commercial, Recreation, and Public Facilities (C, TR, PF)	7 am–7 pm	65	75
	7 pm–7 am	60	70
Rural Land, Natural Resources, Open Space, and Agricultural Lands (RR, NR, OS, AL)	7 am–7 pm	65	75
	7 pm–7 am	60	70

Policy 6.5.1.12 When determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration.

- A. Where existing or projected future traffic noise levels are less than 60 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 5 dBA L_{dn} caused by a new transportation noise source will be considered significant;
- B. Where existing or projected future traffic noise levels range between 60 and 65 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 3 dBA L_{dn} caused by a new transportation noise source will be considered significant; and
- C. Where existing or projected future traffic noise levels are greater than 65 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 1.5 dBA L_{dn} caused by a new transportation noise will be considered significant.

Policy 6.5.1.13 When determining the significance of impacts and appropriate mitigation to reduce those impacts for new development projects, including ministerial development, the following criteria shall be taken into consideration:

- A. In areas in which ambient noise levels are in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 5 dBA shall be considered significant; and
- B. In areas in which ambient noise levels are not in accordance with the standards in Table 6-2, increases in ambient noise levels caused by new nontransportation noise sources that exceed 3 dBA shall be considered significant.

Policy 6.5.1.14 The County will adopt a noise ordinance to resolve neighborhood conflicts and to control unnecessary noise in the County. Examples of the types of noise sources that can be controlled through the use of a quantitative noise ordinance include noisy mechanical equipment (e.g., swimming pool pumps, HVAC units), and amplified music in commercial establishments.

Policy 6.5.1.15 The County will establish and maintain coordination among city, county, and state agencies involved in noise abatement and other agencies to reduce noise generated from sources outside the County's jurisdiction.

12. Policy 7.1.2.1:

“Development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access. The County may consider and allow development or disturbance on slopes 30 percent and greater when:

- Reasonable use of the property would otherwise be denied.
- The project is necessary for the repair of existing infrastructure to avoid and mitigate hazards to the public, as determined by a California registered civil engineer or a registered engineering geologist.
- The project is necessary for the repair of existing infrastructure to avoid and mitigate hazards to the public, as determined by a California-registered civil engineer or an engineering geologist.
- Replacement or repair of existing structures would occur in substantially the same footprint.
- The use is a horticultural or grazing use that utilizes “best management practices (BMPs)” recommended by the County Agricultural Commission and adopted by the Board of Supervisors.

Access corridors on slopes 30 percent and greater shall have a site specific review of soil type, vegetation, drainage contour, and site placement to encourage proper site selection and mitigation. Septic systems may only be located on slopes under 30 percent. Roads needed to complete circulation/access and for emergency access may be constructed on such cross slopes if all other standards are met.”

13. Policy 7.2.2.1:

“The minimum parcel size within, or adjacent to, areas subject to the -MR overlay shall be twenty (20) acres unless the applicant can demonstrate to the approving authority that there are no economically significant mineral deposits on or adjacent to the project site and that the

proposed project will have no adverse effect on existing or potential mining operations. The minimum parcel size adjacent to active mining operations which are outside of the -MR overlay shall also be twenty (20) acres.”

14. Objective 7.3.3:

“Protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life.”

15. Policy 7.4.4.4:

“For all new development projects (not including agricultural cultivation and actions pursuant to an approved Fire Safe Plan necessary to protect existing structures, both of which are exempt from this policy) that would result in soil disturbance on parcels that (1) are over an acre and have at least 1 percent total canopy cover or (2) are less than an acre and have at least 10 percent total canopy cover by woodlands habitats as defined in this General Plan and determined from base line aerial photography or by site survey performed by a qualified biologist or licensed arborist, the County shall require one of two mitigation options: (1) the project applicant shall adhere to the tree canopy retention and replacement standards described below; or (2) the project applicant shall contribute to the County’s Integrated Natural Resources Management Plan (INRMP) conservation fund described in Policy 7.4.2.8.

Option A

The County shall apply the following tree canopy retention standards:

Percent Existing Canopy Cover	Canopy Cover to be Retained
80-100	60% of existing canopy
60-79	70% of existing canopy
40-59	80% of existing canopy
20-39	85% of existing canopy
10-19	90% of existing canopy
1-9 for parcels > 1 acre	90% of existing canopy

Under Option A, the project applicant shall also replace woodland habitat removed at 1:1 ratio. Impacts on woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Policy 7.4.2.8. Woodland replacement shall be based on a formula, developed by the County, that accounts for the number of trees and acreage affected.

Option B

The project applicant shall provide sufficient funding to the County's INRMP conservation fund, described in Policy 7.4.2.8, to fully compensate for the impact to oak woodland habitat. To compensate for fragmentation as well as habitat loss, the preservation mitigation ratio shall

be 2:1 and based on the total woodland acreage onsite directly impacted by habitat loss and indirectly impacted by habitat fragmentation. The costs associated with acquisition, restoration, and management of the habitat protected shall be included in the mitigation fee. Impacts on woodland habitat and mitigation requirements shall be addressed in a Biological Resources Study and Important Habitat Mitigation Plan as described in Policy 7.4.2.8.”

16. Policy 7.4.5.2:

“It shall be the policy of the County to preserve native oaks wherever feasible, through the review of all proposed development activities where such trees are present on either public or private property, while at the same time recognizing individual rights to develop private property in a reasonable manner. To ensure that oak tree loss is reduced to reasonable acceptable levels, the County shall develop and implement an Oak Tree Preservation Ordinance that includes the following components:

- A. Oak Tree Removal Permit Process. Except under special exemptions, a tree removal permit shall be required by the County for removal of any native oak tree with a single main trunk of at least 6 inches diameter at breast height (dbh), or a multiple trunk with an aggregate of at least 10 inches dbh. Special exemptions when a tree removal permit is not needed shall include removal of trees less than 36 inches dbh on 1) lands in Williamson Act Contracts, Farmland Security Zone Programs, Timber Production Zones, Agricultural Districts, designated Agricultural Land (AL), and actions pursuant to a Fire Safe plan; 2) all single family residential lots of one acre or less that cannot be further subdivided; 3) when a native oak tree is cut down on the owner’s property for the owner’s personal use; and 4) when written approval has been received from the County Planning Department. In passing judgment upon tree removal permit applications, the County may impose such reasonable conditions of approval as are necessary to protect the health of existing oak trees, the public and the surrounding property, or sensitive habitats. The County Planning Department may condition any removal of native oaks upon the replacement of trees in kind. The replacement requirement shall be calculated based upon an inch for inch replacement of removed oaks. The total of replacement trees shall have a combined diameter of the tree(s) removed. Replacement trees may be planted onsite or in other areas to the satisfaction of the County Planning Department. The County may also condition any tree removal permit that would affect sensitive habitat (e.g., valley oak woodland), on preparation of a Biological Resources Study and an Important Habitat Mitigation Program as described in Policy 7.4.1.6. If an application is denied, the County shall provide written notification, including the reasons for denial, to the applicant.
- B. Tree Removal Associated with Discretionary Project. Any person desiring to remove a native oak shall provide the County with the following as part of the project application:
- A written statement by the applicant or an arborist stating the justification for the development activity, identifying how trees in the vicinity of the project or

construction site will be protected and stating that all construction activity will follow approved preservation methods;

- A site map plan that identifies all native oaks on the project site; and
- A report by a certified arborist that provides specific information for all native oak trees on the project site.

C. Commercial Firewood Cutting. Fuel wood production is considered commercial when a party cuts firewood for sale or profit. An oak tree removal permit shall be required for commercial firewood cutting of any native oak tree. In reviewing a permit application, the Planning Department shall consider the following:

- Whether the trees to be removed would have a significant negative environmental impact;
- Whether the proposed removal would not result in clear-cutting, but will result in thinning or stand improvement;
- Whether replanting would be necessary to ensure adequate regeneration;
- Whether the removal would create the potential for soil erosion;
- Whether any other limitations or conditions should be imposed in accordance with sound tree management practices; and
- What the extent of the resulting canopy cover would be.

D. Penalties. Fines will be issued to any person, firm, or corporation that is not exempt from the ordinance who damages or destroys an oak tree without first obtaining an oak tree removal permit. Fines may be as high as three times the current market value of replacement trees as well as the cost of replacement, and/or replacement of up to three times the number of trees required by the ordinance. If oak trees are removed without a tree removal permit, the County Planning Department may choose to deny or defer approval of any application for development of that property for a period of up to 5 years. All monies received for replacement of illegally removed or damaged trees shall be deposited in the County's Integrated Natural Resources Management Plan (INRMP) conservation fund."

17. Policy 7.5.1.1:

"The County shall establish a Cultural Resources Ordinance. This ordinance shall provide a broad regulatory framework for the mitigation of impacts on cultural resources (including historic, prehistoric and paleontological resources) by discretionary projects. This Ordinance should include (but not be limited to) and provide for the following:

- A. Appropriate (as per guidance from the Native American Heritage Commission) Native American monitors to be notified regarding projects involving significant ground-disturbing activities that could affect significant resources.
- B. A 100-foot development setback in sensitive areas as a study threshold when deemed appropriate.
- C. Identification of appropriate buffers, given the nature of the resources within which ground-disturbing activities should be limited.
- D. A definition of cultural resources that are significant to the County. This definition shall conform to (but not necessarily be limited to) the significance criteria used for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) and Society of Vertebrate Paleontology.
- E. Formulation of project review guidelines for all development projects.
- F. Development of a cultural resources sensitivity map of the County.”

Policy 7.5.1.3:

“Cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects. Studies may include, but are not limited to, record searches through the North Central Information Center at California State University, Sacramento, the Museum of Paleontology, University of California, Berkeley, field surveys, subsurface testing, and/or salvage excavations. The avoidance and protection of sites shall be encouraged.”

Policy 7.5.1.5:

“A Cultural Resources Preservation Commission shall be formed to aid in the protection and preservation of the County’s important cultural resources. The Commission’s duties shall include, but are not limited to:

- A. Assisting in the formulation of policies for the identification, treatment, and protection of cultural resources (including historic cemeteries) and the curation of any artifacts collected during field collection/excavation;
- B. Assisting in preparation of a cultural resources inventory (to include prehistoric sites and historic sites and structures of local importance);
- C. Reviewing all projects with identified cultural resources and making recommendations on appropriate forms of protection and mitigation; and

- D. Reviewing sites for possible inclusion in the National Register of Historic Places, California Register, and other State and local lists of cultural properties.

The County shall request to become a Certified Local Government (CLG) through the State Office of Historic Preservation. Certification would qualify the County for grants to aid in historic preservation projects. The Cultural Resources Preservation Commission could serve as the Commission required for the CLG program.”

Policy 10.2.1.5:

“A public facilities and services financing plan that assures that costs burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal, as defined below, are adequately financed to assure no net cost burden to existing residents shall be submitted with the following development applications:

- A. Specific plans; and
- B. All residential, commercial, and industrial projects located within a Community Region or Rural Center which exceed the following thresholds:
 - 1. Residential.....50 units
 - 2. Commercial.....20 acres or 100,000 square feet
 - 3. Industrial.....20 acres or 250,000 square feet”