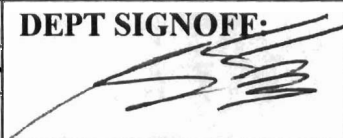


**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

Meeting of September 12, 2006

AGENDA TITLE: P01-0002R1/ Pine Hill Industrial Park		(District I)
DEPARTMENT: Planning Services	DEPT SIGNOFF: 	CAO USE ONLY:
CONTACT: Gregory L. Fuz/Lillian Mac Leod <i>psn</i>		
DATE: 08/23/06	PHONE: 5445/6583	
<p>DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION: Hearing to consider a request submitted by N. C. BROWN DEVELOPMENT, INC. to revise Tentative Parcel Map P01-0002/Pine Hill Industrial Park regarding the oak tree canopy retention plan by revising Exhibit H from what was previously approved by the Board of Supervisors on appeal. The properties, identified by Assessor's Parcel Numbers 109-230-09 and -10, are located on the east side of the Robin Lane terminus, approximately 1,000 feet east of the intersection with Cameron Park Drive, in the <u>Cameron Park area</u>.</p> <p>RECOMMENDATION: Planning staff recommends that the Board review the revision to Exhibit H for a finding of substantial consistency with its previous approval based on Policy 7.4.4.4 regarding oak tree canopy retention, subject to all other requirements under Mitigation Measure 3 of P01-0002, as approved by the Board on January 27, 2004.</p>		
CAO RECOMMENDATIONS:		
Financial impact? () Yes (X) No		Funding Source: () Gen Fund () Other
BUDGET SUMMARY:		Other:
Total Est. Cost	_____	CAO Office Use Only:
Funding		4/5's Vote Required () Yes () No
Budgeted	_____	Change in Policy () Yes () No
New Funding	_____	New Personnel () Yes () No
Savings	_____	CONCURRENCES:
Other	_____	Risk Management _____
Total Funding	_____	County Counsel _____
Change in Net County Cost	_____	Other _____
*Explain		
BOARD ACTIONS:		
Vote: Unanimous _____ Or _____ Ayes: _____ Noes: _____ Abstentions: _____ Absent: _____	<p>I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors</p> <p>Date: _____</p> <p>Attest: Cindy Keck, Board of Supervisors Clerk</p> <p>By: _____</p>	
Rev. 04/05		

**EL DORADO COUNTY
BOARD OF SUPERVISORS
AGENDA TRANSMITTAL
MEETING OF SEPTEMBER 12, 2006**

**Page 2, P01-0002R1
Pine Hill Industrial Park
Memo to Board of Supervisors
August 23, 2006**

DISCUSSION

The subject parcel map was reviewed under the 1996 General Plan, which subjected it to an 85 percent retention rate for existing oak tree canopy under Policy 7.4.4.4. In order to find consistency with this policy, Mitigation Measure 3 and its subsequent monitoring program were crafted and agreed to by the applicant. The project was conditioned accordingly and approved by the Planning Commission on November 13, 2003. The applicant appealed the decision, requesting to modify Mitigation Measure 3 by reducing the retention amount to 43 percent, or 1.77 acres of retained oak canopy. The revised retention plan was submitted by the applicant as Exhibit H, which also contained delineated building envelopes. The Board, in approving Exhibit H, granted the request to reduce oak tree canopy retention requirements established under Policy 7.4.4.4.

The applicant is now proposing a revision to Exhibit H demonstrating the removal of 28 additional oak trees on Parcels 1 through 7 for a 39 percent retention rate or 1.09 acres of retained oak canopy. The applicant proposes to mitigate the additional 0.68 acre canopy loss by planting replacement trees on Parcel 8, outside the delineated building envelope. The building envelope on Parcel 8 has been reduced under the proposed revision due to incorporation of the open space/wetland area within the parcel. The proposed replacement trees will be planted on this parcel as well, creating a contiguous oak tree habitat/wetland preserve area of 2.64 acres (3.06 acres minus approximately 0.42 acres of building envelope). Based on determination by a certified arborist, canopy replacement would require 54 trees at maturity, properly spaced, to equal the canopy loss of 0.68 acres. Mr. Brown has indicated his willingness to plant 20 percent more trees than required, for a total of 65 trees, subject to continued compliance with Mitigation Measure 3 for protection, replacement standards, and monitoring of all retained and replaced oak trees.

In conclusion, the proposed revision to Exhibit H consists of the aforementioned reduction in oak tree canopy from 0.43 percent to 0.39 percent and revisions of the building envelopes for Parcels 1 through 8.

GLF:LM:jcb

ATTACHMENTS

- Attachment 1 – Conditions of Approval from Board of Supervisors hearing on January 27, 2004
- Attachment 2 – Exhibit H, as approved
- Attachment 3 – Proposed revision to Exhibit H.

P01-02 – As approved by the Board of Supervisors January 27, 2004

Mitigation Measures

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

Mitigation Measure 1: The applicant shall create a 25-foot non-developable setback around each of the two existing populations of Pine Hill ceanothus. No building, grading or landscaping shall occur within this setback. The actual location of the plants, as indicated on a revised parcel map, will determine whether the Robin Lane extension will require relocation north of the “development setback” through Parcel 1. In addition, the applicant shall pay all commercial/industrial, ecological-preserve mitigation fees as assessed by the Planning Department before building permit issuance.

Mitigation Measure 2: The applicant shall submit a revised parcel map with defined building envelopes that indicates the delineated wetlands as verified by the U.S. Army Corps of Engineers. For wetlands to be preserved on the project site, the project proponent shall establish a 50-foot non-building and non-disturbance setback from the edge of the wetlands. The setback area shall be shown on the plans/recorded maps and shall be clearly marked in the field using brightly colored flagging or temporary construction fencing. Limited ground disturbance, grading (grade cuts or fills), impervious surfaces, or landscaping within the setback area shall be allowed only as shown on the approved grading and improvement plans. In no case shall activity result in the discharge of fill material to protected wetlands.

The wetland area to be permanently protected shall be delineated on the project site plan and shown as an area that will be permanently protected on the final development plan and/or in some other format as approved by the Planning Department (e.g., indicated as a permanent preserve or natural setback area). No grubbing, grading, filling, or other construction activities shall be allowed within the defined preservation area. Only dead, weakened, or diseased vegetation may be removed within the defined easement/setback area, and only after review and approval by a licensed arborist, El Dorado County, and/or the Property Owners Association. Formal CC&Rs shall be established for the subdivision to cover the protection and maintenance of the preserved wetlands.

Mitigation Measure 3: The applicant shall submit a Final Parcel Map with delineated building envelopes consistent with Exhibit H, January 27, 2004. Replacement oak trees shall conform to the standards and monitoring program described herein this document. All retained oak trees on the project site shall be preserved and protected as follows:

1. A circle having a radius measurement from the trunk of the tree to the tip of its longest limb plus one foot shall constitute the dripline protection area of each tree (Root Protection Zone, or RPZ). Limbs may not be removed or cut back to alter the RPZ. Removal of limbs for project purposes does not change the RPZ.

2. In order to avoid damage to the oak trees and their root systems, highly visible temporary fencing, or other similar protective barrier shall be installed around the RPZ's of the oak trees to be preserved within 50 feet of any ground disturbing activity prior to initiating any grading or construction activity on the site. Barriers may be temporarily moved during construction to accommodate site work in the RPZ's of oak trees to be retained.
3. All grading and construction activities shall be limited to the greatest extent possible to planned road and parking lot alignments and building envelopes. Limited ground disturbance, grading (grade cuts or fills), impervious surfaces, or landscaping under the canopy or within the defined RPZ of any preserved oak tree shall be allowed only as shown on the approved grading and improvement plans. In the case where grading or ground disturbances affect a preserved oak tree, and the tree weakens and dies within five years of the completion of construction, the affected tree shall be replaced on an inch-for-inch basis consistent with replacement standards as follows: Replacement trees shall be a minimum size of 1 inch in diameter, or a 15-gallon container, and shall be the same species as trees that are removed from the site. Replacement trees shall be planted within one year of removal of the original trees unless otherwise arranged with the Planning Department. A mitigation monitoring plan, prepared by a licensed arborist, shall be submitted and approved by the Planning Department before final map recordation. Replacement trees shall be monitored for a period of five years after the planting date, with yearly reports to the Planning Department. During this monitoring period, dead, damaged, or diseased replacement trees shall be replaced with healthy trees; any replacement trees shall be monitored only through the end of the originally defined monitoring period. The applicant shall present an estimate of costs associated with the application of the monitoring plan. The applicant shall deposit the amount of these estimated costs with the County.
4. No signs, ropes, cables, or other devices may be attached to preserved oak trees.
5. No vehicles, equipment, mobile home/temporary office facilities, or materials shall be placed under the canopy or within the RPZ of any preserved oak tree.
6. Construction shall not alter drainage patterns so that water collects or stands within the RPZ of any preserved oak tree.
7. No trenching shall be allowed within the RPZ of any preserved oak tree. In the case it is necessary to install underground utilities within the temporary fence, the utility trench shall be hand dug so as not to cut any roots over 2 inches in diameter, or a line may be bored or drilled.
8. The construction or placement of impervious materials within the RPZ's of oak trees in developed areas shall be minimized wherever possible. Where feasible, porous materials shall be used and/or a piped aeration system shall be installed under the supervision of a licensed arborist. In the case where impervious materials are placed under the RPZ of a preserved oak tree and that tree weakens and dies within five years of the completion of

construction, the affected tree shall be replaced on an inch-for-inch basis consistent with replacement standards above and become part of the five-year monitoring program.

9. Landscaping under the canopy or within the RPZ of preserved oak trees shall be limited to non-plant materials such as wood chips, organic mulch, non-compacted decomposed granite, or other acceptable material (including live vegetation) as approved by the Planning Department. No spray irrigation shall be permitted. Landscaped materials and irrigation shall be kept a minimum of two feet from the base of the trunk. If vegetation is to be included in landscaping under the canopy or within the RPZ of preserved oak trees, the project proponent must include on the project landscaping plan a list of species and a schematic of the irrigation system. The landscaping plan will be subject to review by the Planning Department.
10. To the extent that it is consistent with sound engineering practices and the need to provide proper drainage and roadway configuration, pad elevations shall be determined with the objective to preserve native trees having a trunk diameter of 6 inches 4.5 feet above the ground on the uphill side of the tree and that are generally in good health. {Volume II, Section 2(C)(1)(a-c) of the Design and Improvement Standards Manual (DISM)}.
11. Replacement Trees: A Tree Replacement and Mitigation Monitoring Plan, prepared by a licensed arborist, shall be submitted and approved by the Planning Department before final map recordation. Replacement trees shall be planted on-site in open space areas, tree preservation areas, and landscape corridors including landscape areas required by the Off-Street Parking and Loading Ordinance. Replacement trees shall be monitored for a period of five years after the planting date, with yearly reports to the Planning Department. During this monitoring period, dead, damaged, or diseased replacement trees shall be replaced with healthy trees; any replacement trees shall be monitored only through the end of the originally defined monitoring period. The applicant shall present an estimate of costs associated with the application of the monitoring plan. The applicant shall deposit the amount of these estimated costs with the County.

Mitigation Measure 4: Add a left-turn lane for eastbound Country Club Drive at Cameron Park Drive and modifications to the existing traffic signal, thereby reducing the PM peak hour delay from 111.3 seconds to 76.7 seconds, prior to the final map recording. An Improvement Agreement, in a form acceptable by the County, may be executed to guarantee the required improvements. Some or all of the improvements anticipated in this mitigation measure may be eligible for reimbursement for the County's West Slope Traffic Impact Mitigation (TIM) fee with a reimbursement agreement between the County and the developer.

Conditions

Correct numbering of conditions will occur with final paperwork.

Department Of Transportation

Standard Conditions of Approval

1. Where the subdivider is required to make improvements on lands which neither the subdivider nor the County has sufficient title or interest to make such improvements, prior to filing of any parcel map, the subdivider shall submit the following to the Department of Transportation Director for approval:
 - a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements;
 - b. Improvement plans prepared by a civil engineer of the required off-site improvements; and
 - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to filing of a parcel map, the subdivider shall enter into an agreement, pursuant to Government Code Section 66462.5, to complete the required off-site improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

2. The developer shall obtain approval of project improvement plans and costs estimate consistent with the *Subdivision Design and Improvement Standards Manual* from the Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.
3. The developer shall enter into a Subdivision Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance.
4. The final map shall show all utility, road and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. The County Engineer shall make final determination of the location of said easements. Said easements shall be irrevocable offered to the County.

5. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.
6. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
7. The location of fire hydrants, systems for fire flows, and fire accesses are to meet the requirements of the responsible Fire Protection District. The location of hydrants shall be shown on the improvement plans. The fire district shall submit a letter of compliance with this condition to the Surveyor's Office at the time of filing the parcel map.
8. An erosion, slope stabilization, and revegetation plan shall be prepared for review and approval by the El Dorado County Resource Conservation District and the County Department of Transportation prior to issuance of a grading permit. Letters stating said approval by said agencies shall be submitted to the Surveyor's Office prior to filing the parcel map.

Project-Specific Conditions of Approval

Traffic

9. The applicant shall be subject to the County's Impact Fee Programs. Said fees shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
10. A Road Improvement Agreement between the County and the Developer is required for the dedication of road improvements to the County-maintained road system.
11. The on-site and off-site portion of Robin Lane and Road A as shown on the tentative map shall be improved to Standard Plan 101A specifications of 40 feet wide from curb to curb, with curbs, gutters, and 5-foot sidewalks along both sides of Robin Lane. Road A shall have a sidewalk on the west side only.
12. A "Street" sign, in conformance with Standard Plan 105-C, shall be installed at the intersection of Robin Lane with Durock Road.
13. A "Stop" sign, per Standard Plan 105-A, shall be installed at the intersection of Durock Road and Robin Lane
14. The connection of Robin Lane with Durock Road shall be improved pursuant to El Dorado County Standard Plan 103-5.

15. An irrevocable offer of dedication for the on-site 60-foot right-of-way (R/W) shall be made, in fee, for the widths of the proposed roads, with slope easements where necessary.
16. Proof of an irrevocable offer of dedication for the off-site 60-foot R/W shall be submitted to the County Surveyor before Final Map approval. Said offer may be rejected at the time of the final map, in which case, a County Service Area Zone of Benefit (ZOB), or other entity deemed appropriate by the Department of Transportation, shall be established in order to provide for the long-term maintenance of the roads. The ZOB shall provide for maintenance of the off-site portion from the project boundary to Durock Road.
17. Provide easement for a 90-degree intersection with Robin Lane for the 60-foot road and public utility easement (purs. PM37-10).

Drainage

18. Drainage improvements, including individual parcel onsite detention, as recommended in the Hydrology Report titled "*Drainage Study for Pine Hill Tentative Map*" dated April 10, 2002 by Cooper, Thorne & Associates, Inc., and an engineered dike to enhance the existing wetlands area/detention basin, shall be designed and constructed to insure that the increased rainfall runoff from the site for the 100-year design storm is adequately handled and will meet the standards of the County of El Dorado Drainage Manual. Said improvements shall address on-site storm flows so that the on-site development will not increase peak flows downstream of the project, and will allow the flows from the build out of the upper, off-site portion of the drainage basin to pass through the project. An Improvement Agreement, in a form acceptable by the County, may be executed to guarantee the required improvements. A ZOB or Property Owner Association (POA) for maintenance of the drainage facilities must be formed prior to the final map recording.
19. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan. The developer shall install said drainage facilities with the respective phase of construction, or as specified in the final drainage plan.
20. Applicant shall coordinate the new intersection of Robin Lane/Durock Road with the local school district and the Transit Authority with regards to accommodating any need for a bus stop on this portion of Durock Road prior to Department of Transportation approval of the improvement plans.
21. Cross-lot drainage shall be avoided wherever possible. When cross-lot drainage does occur, it shall be contained within dedicated drainage easements. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.

22. The subdivider shall be required to form a County Service Area Zone of Benefit, or other entity deemed appropriate to the Department of Transportation, to fund drainage facilities maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.
23. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans. The subdivider will irrevocably offer to dedicate the drainage easements to the County of El Dorado, who will, in turn, reject said offer.

Grading

24. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permit until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.
25. The timing of construction and method of revegetation shall be coordinated with the RCD. If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.

Cameron Park Fire District

26. A minimum 1500-gallon per minute fire flow for commercial buildings shall be available for all parcels. An 8-inch main is required.
27. A fire safe management plan, acceptable to the fire district and the California Department of Forestry, shall be implemented. The fire district shall submit a letter of compliance with this condition to the Surveyor's Office at the time of filing the parcel map.

Planning Department

28. Domestic water shall be supplied by a public entity with a minimum six-inch water line to the property being divided, and a water meter award letter or similar assurance from

the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to the County Surveyor at the time of filing the parcel map.

29. Prior to receiving service from the El Dorado Irrigation District, an offsite sewer line extension connecting the project site to the existing 6-inch sewer line located in Robin Lane approximately 60 feet west of the project site, must be completed. In addition, the applicant shall replace and upsize approximately 800 feet of 10-inch sewer line in the Cameron Park Golf Course, west of Fairway Drive.
30. In the event that any prehistoric or historic subsurface cultural resources are discovered during construction-related earthmoving activities, all work within 20 meters of the resources shall be halted and the project applicant shall consult with a qualified archaeologist to assess the significance of the find. If any find were determined to be significant by the qualified archaeologist, then representatives of the project applicant, El Dorado County, and the qualified archaeologist would meet to determine the appropriate course of action. If the discovery includes human remains, Section VIII of CEQA Guidelines Appendix K would be followed, requiring coordination with the Native American Heritage Commission if the human remains are of Native American origin. All significant cultural materials recovered would be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.
31. The approved parcel map is not a phased project. All mitigation measures and improvements shall be completed before any building permits are to be issued. Should the applicant wish to proceed with phased development of the project site, a new parcel map application shall be processed that reflects the revised development plan.
32. The requested abandonment of easement is not approved with this parcel map, and shall be shown on the parcel map unless the Surveyor's Office receives approval to remove it from the Department of Transportation and the Planning Department.

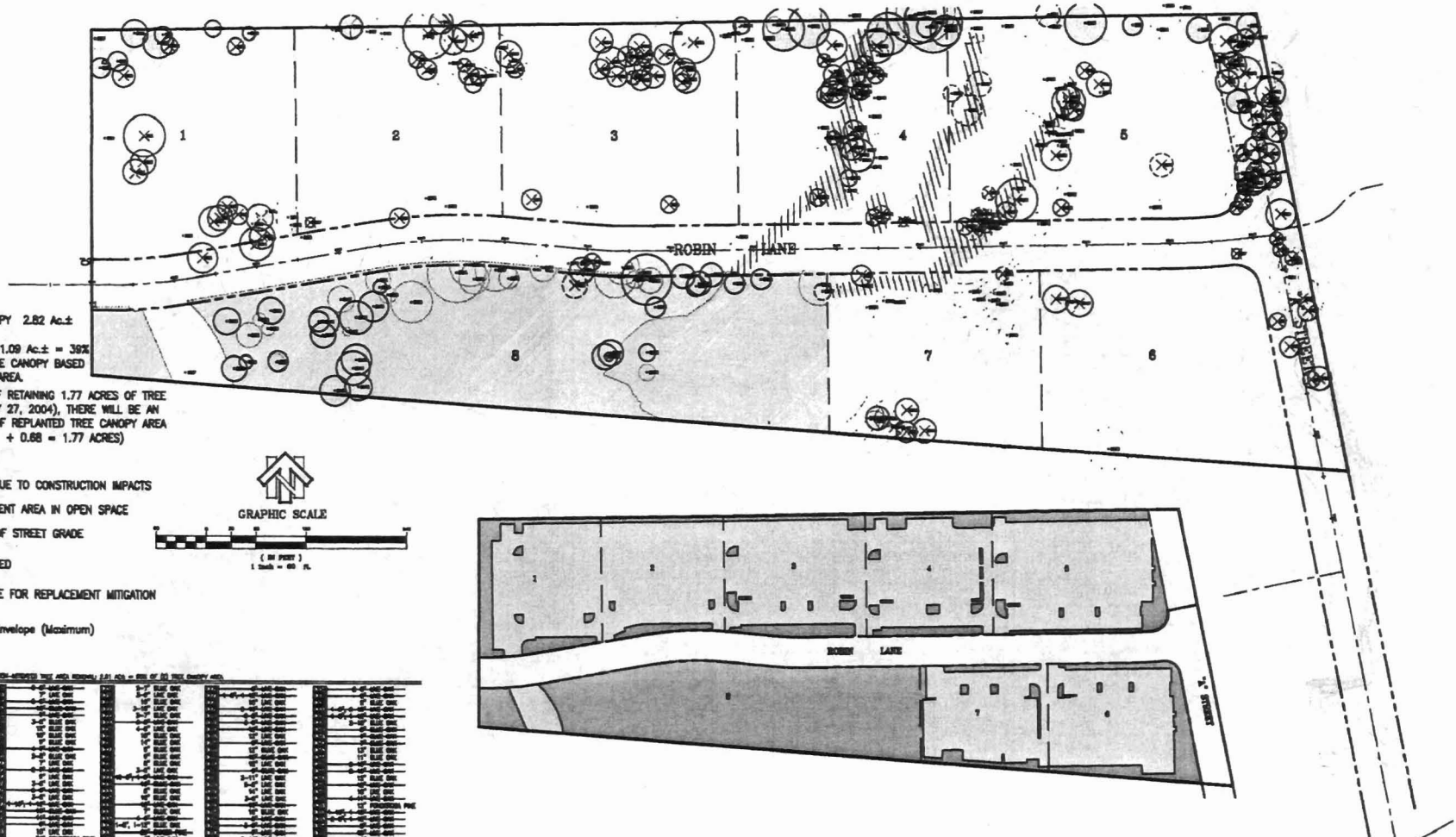
Environmental Management

33. The applicant shall maintain daily diesel fuel usage records during the construction phase of the parcel map, and shall submit to the Environmental Management department by no later than the 15th day of each month, these diesel fuel usage records. This condition shall be noted on the improvement plans.
34. The applicant shall implement "fugitive dust mitigation measures" as listed in Appendix C-1 *Construction Emission Factors and Dust Mitigation Measures*, §C.6 *Fugitive Dust Mitigation Measures* taken from Rule 403 of the South Coast Air Quality Management District.

County Surveyor

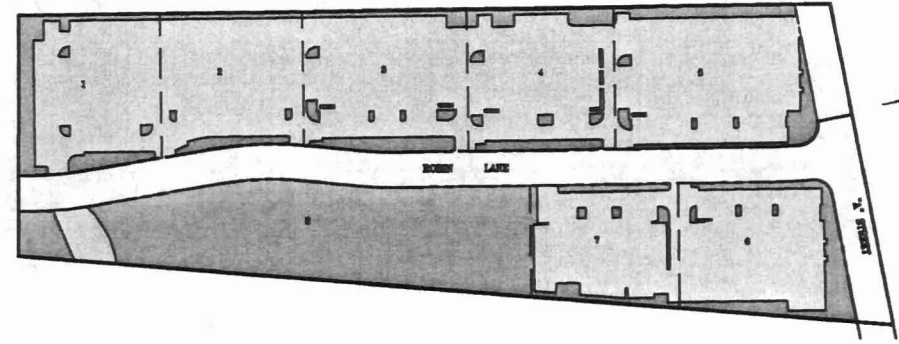
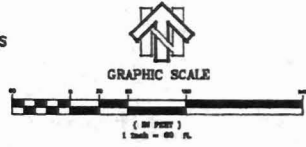
35. The applicant shall provide proof of access to a State- or County-maintained road as defined by Section 16.44.120(B)(2) with the legal right to improve that access as required by the County Design Manual. A Guarantee of Record provided by a title company shall be presented to the County Surveyor's Office prior to filing the final or parcel map.
36. A 25-foot non-building landscape easement shall be recorded along the western boundary of Parcels 1 and 8. Prior to parcel map recordation, a preliminary landscape plan shall be submitted to the Planning Department for review and approval. A Notice of Restriction shall be recorded on Parcels 1 and 8 stating that the approved landscape plan, demonstrating improvements and maintenance, will be a requirement for the issuance of any permits on said parcels.
37. Prior to grading permit approval of any improvement plans, a current letter of compliance from the Regional Water Quality Control District, the Army Corps of Engineers, the California State Department of Fish and Game, and the U.S. Fish and Wildlife Service shall be submitted to the Planning Director for review and confirmation that all applicable State and Federal laws are complied with.
38. A Notice of Restriction shall be recorded, limiting Parcel 1 to commercial use only.

DEAD OR DYING TREES
 NOT TO BE REPLACED, ETC.



Legend

- EXISTING (E) TREE CANOPY 2.82 Ac.±
- RETAINED TREE CANOPY 1.09 Ac.± = 39% OF (E) MITIGATABLE TREE CANOPY BASED ON TABULATED CANOPY AREA.
- NOTE: PER APPROVAL OF RETAINING 1.77 ACRES OF TREE CANOPY (DATED JANUARY 27, 2004), THERE WILL BE AN ADDITIONAL 0.68 ACRE OF REPLANTED TREE CANOPY AREA WITHIN PARCEL B (1.09 + 0.68 = 1.77 ACRES)
- NON-OAK TREE (PINE)
- ⊗ TREE TO BE REMOVED DUE TO CONSTRUCTION IMPACTS
- ▨ TREE CANOPY REPLACEMENT AREA IN OPEN SPACE
- 0.5% DIRECTION & PERCENT OF STREET GRADE
- ▨ WETLANDS TO BE REMOVED
- ▨ TREES "NOT" ACCEPTABLE FOR REPLACEMENT MITIGATION
- ▭ Proposed Development Envelope (Maximum)



Parcel	Area	Tree Canopy	Notes
1	0.15	0.05	...
2	0.25	0.10	...
3	0.35	0.15	...
4	0.45	0.20	...
5	0.55	0.25	...
6	0.65	0.30	...
7	0.75	0.35	...
8	0.85	0.40	...

DEVELOPMENT AREA 8.54 Ac. ±
 OPEN SPACE AREA 4.66 Ac. ±

PINE HILL

Revised EXHIBIT 'H'

MAXIMUM DEVELOPMENT ENVELOPE

CTA Engineering - Surveying
 2820 Mendocino Circle
 Redwood City, CA 94061
 (415) 881-8810
 (415) 881-8479 Fax

JANUARY 27, 2004
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