

El Dorado County General Plan Biological Resources Policy Update Project

**Planning Commission
September 28, 2017**



Purpose

- **Planning Commission to review minor revision to General Plan Measure CO-K and additional modifications to proposed Oak Resources Conservation Ordinance made after Planning Commission hearing on April 27, 2017**
- **Planning Commission to forward recommendation to the Board on the proposed modifications**



Background

- **Additional modifications to proposed General Plan Amendment and Ordinance not previously considered by the Planning Commission are required to be referred back to the Commission before final Board approval. (CA Government Code Sections 65356 and 65857)**
- **Planning Commission public hearing closed on 4/27/17. Board public hearing on proposed Project closed on 7/18/17.**
- **The public will have opportunity to comment only on limited proposed modifications to General Plan Measure CO-K and Ordinance presented to Planning Commission on this item.**



Proposed Changes to GP Measure CO-K

1. Delete reference to eliminated Objective 7.4.3.

MEASURE CO-K

Work cooperatively with the State Department of Fish and Game, U.S. Fish and Wildlife Service, and Bureau of Land Management to implement the gabbro soils rare plant ecological preserve and recovery program and to develop a long-term preserve strategy. Develop implementation measures to incorporate in County development standards for ministerial and discretionary projects, which may include:

- Identification of compatible land uses within preserve sites, which may include passive recreation, research and scientific study, and interpretive education; and
- Fuels management and fire protection plans to reduce fire hazards at the interface between rare plant preserve sites and residential land uses; ~~and~~.

[Policies 7.4.1.1, 7.4.1.2, and 7.4.1.3 ~~and Objective 7.4.3~~]



Additional Changes to Proposed Ordinance

No.	Section	Description	Attachment 2B
2.	130.39.030	Developed Parcel definition – refer to applicable Design Review Permit under Section 130.52.030	Page XX3
3.	130.39.050(J)	Clarify valley oaks are not exempt from mitigation	Page XX7
4.	130.30.060(B)	Clarify Code Compliance Certificate requirement	Page XX8
5.	130.30.060(E)	Clarify mitigation requirements for impacts to Heritage Trees	Page XX9
6.	130.30.070(E)	Add subsection for Code Compliance Certificate requirement	Page XX12



Additional Changes to Proposed Ordinance

No.	Section	Description	Attachment 2B
7.	130.39.070(G)	Add subsection for Security Deposit for on-site oak tree/ oak woodland replacement planting	Page XX12
8.	130.30.080	Add Section for In-Lieu Fee Appeals	Page XX13
9.	130.30.090	Add subsections A (Fines) and B (Other Penalties)	Pages XX13-14
10.	130.30.090 (A)(1)	Add subsection for fines associated with unpermitted oak woodland removal	Page XX13
11.	130.30.090 (A)(2)	Add subsection for fines associated with unpermitted individual oak tree removal	Page XX13

Additional Changes to Proposed Ordinance

No.	Section	Description	Attachment 2B
12.	130.30.090 (A)(3)	Add subsection for fines associated with unpermitted Heritage Tree removal	Page XX14
13.	130.30.090(B)	Add subsection to clarify other penalties associated with non-permitted oak resources removal	Page XX14
14.	130.39.100	Revise Section title to: <u>Mitigation Maintenance</u> , Monitoring and Reporting	Page XX14
15.	Various	Renumber various sections, correct typos & clarify referenced tables	

Staff Recommendation

- **Planning Commission forward recommendation of approval to the Board of proposed modification to General Plan Measure CO-K and the proposed Oak Resources Conservation Ordinance.**
- Staff will return to the Board on **October 24, 2017** with the Commission's recommendation on modifications to proposed Ordinance, and with final documents for Board to certify Environmental Impact Report, adopt General Plan Amendment, adopt Oak Resources Management Plan, approve establishing in-lieu fee, and approve the Ordinance.

