



## Legislation Details (With Text)

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<b>Type:</b>	Agenda Item	<b>Status:</b>	Agenda Item
<b>File created:</b>	8/19/2019	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	9/12/2019	<b>Final action:</b>	
<b>Title:</b>	<p>Planning and Building Department, Planning Services Division-Long Range Planning recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:</p> <ol style="list-style-type: none"><li>1) Determine that pursuant to the California Environmental Quality Act Guidelines Section 15168, there is no substantial evidence requiring the preparation of a subsequent Negative Declaration or an Addendum to the Program Environmental Impact Report (EIR) for the General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance per Resolution 127-2017 adopted by the Board on October 24, 2017;</li><li>2) Adopt Resolution approving the boundaries of the Weber Creek Canyon Important Biological Corridor (IBC) as shown on the attached map (Resolution-Exhibit A); and</li><li>3) Approve amending the Zoning Map to delineate the parcels located in the Weber Creek Canyon IBC (as listed on Resolution-Exhibit B) and to add the Weber Creek Canyon IBC to the IBC Overlay.</li></ol>		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. A - Staff Memo 08-12-19, 2. B - Staff Memo Attachment A-Resolution, 3. C - Staff Memo Attachment B-General Plan Policy 7.4.2.9, 4. D - Staff Memo Attachment C-Resolution 127-2017, 5. E - Staff Memo Attachment D-Sample Letter, 6. F - Proof of Publication-Mountain Democrat, 7. G - Staff's PowerPoint Presentation, 8. Public Comment Rcvd 09-12-19, 9. Public Comment Rcvd 09-03-19		

Date	Ver.	Action By	Action	Result
9/12/2019	1	Planning Commission	Continued	Pass

Planning and Building Department, Planning Services Division-Long Range Planning recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

- 1) Determine that pursuant to the California Environmental Quality Act Guidelines Section 15168, there is no substantial evidence requiring the preparation of a subsequent Negative Declaration or an Addendum to the Program Environmental Impact Report (EIR) for the General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance per Resolution 127-2017 adopted by the Board on October 24, 2017;
- 2) Adopt Resolution approving the boundaries of the Weber Creek Canyon Important Biological Corridor (IBC) as shown on the attached map (Resolution-Exhibit A); and
- 3) Approve amending the Zoning Map to delineate the parcels located in the Weber Creek Canyon IBC (as listed on Resolution-Exhibit B) and to add the Weber Creek Canyon IBC to the IBC Overlay.

### DISCUSSION / BACKGROUND

On October 24, 2017, the Board of Supervisors approved the General Plan Biological Resources Policy Update project (Agenda Item 34, Legistar File 12-1203). This project included a comprehensive update of the biological resources policies, objectives, and implementation measures in the General Plan. General Plan Policy 7.4.2.9 in the Conservation and Open Space Element was one of the updated policies. This policy pertains to the Important Biological Corridor (-IBC) overlay. Policy 7.4.2.9 states that the "Important Biological Corridor (-IBC) overlay shall apply to lands

identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors.”

This policy also includes a new requirement for development projects within the Weber Creek Canyon IBC as follows:

“In order to evaluate project-specific compatibility with the -IBC overlay, applicants for discretionary projects (and applicants for ministerial projects within the Weber Creek Canyon IBC) shall be required to provide to the County a biological resources technical report (meeting the requirements identified in Section A of Policy 7.4.2.8 above). The site-specific biological resources technical report will determine the presence of special-status species or habitat for such species (as defined in Section B of Policy 7.4.2.8 above) that may be affected by a proposed project as well as the presence of wildlife corridors particularly those used by large mammals such as mountain lion, bobcat, mule deer, American black bear, and coyote. Properties within the -IBC overlay that are found to support wildlife movement shall provide mitigation to ensure there is no net loss of wildlife movement function and value for special-status species, as well as large mammals such as mountain lion, bobcat, mule deer, American black bear, and coyote. Mitigation measures may include land use siting and design tools.”

While Policy 7.4.2.9 identifies the Weber Creek Canyon IBC, it does not specify the boundaries. For clarification, a map which delineates the parcels contained within the Weber Creek Canyon IBC was presented to the Board on July 18, 2017 (Legistar File 12-1203, Attachment 24E). During the Board’s discussion of this item, some Board members expressed concern that the property owners of the parcels within the Weber Creek Canyon IBC had not been notified of the revision to Policy 7.4.2.9 that requires applicants for discretionary projects (and applicants for ministerial projects within the Weber Creek Canyon IBC) to provide to the County a biological resources technical report. The Board directed staff to return to the Board with a separate item regarding the Weber Creek Canyon IBC (7/18/2017 Board agenda Minutes, Item 44, Legistar File 12-1203).

A Staff Memo dated August 12, 2019 is attached.

## **CONTACT**

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