



# EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I  
John MacCready..... District II  
Dave Machado..... District III  
Walter Mathews..... District IV  
Alan Tolhurst..... District V  
Jo Ann Brillisour..... Clerk of the Commission

2850 Fairlane Court • Placerville, CA 95667  
<http://www.co.el-dorado.ca.us/planning>  
Phone: (530) 621-5355  
Fax: (530) 642-0508

## MINUTES

### **Special Meeting of the Planning Commission February 9, 2007 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA**

#### **1. CALL TO ORDER**

Called to order at 8:47 a.m. Present: Commissioners Mac Cready, Machado, Mathews, Knight, and Tolhurst (after 9:00 a.m.); Paula F. Frantz, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

#### **2. ADOPTION OF AGENDA**

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED BY THOSE PERSENT, IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

#### **3. PLEDGE OF ALLEGIANCE**

A Pledge of Allegiance was given by the Commission and those persons in the audience.

**PUBLIC FORUM/PUBLIC COMMENT** - None

#### **4. GENERAL PLAN UPDATE**

**Oak Woodland Management Plan:** Project update including discussion on the following items: Key mapping assumptions; fee assumptions; preliminary mapping/fee outcomes; and General Plan Policy implications.

This item was continued from the meeting of January 25, 2007.

Staff: Steven Hust informed the Commission of another meeting on the Oak Woodlands Management Plan scheduled February 22, 2008, pertaining to policy issues.

Rick Lind introduced Derek Wong, Finance Consultant with Pacific Municipal Consultants. Mr. Lind commented this is a work in progress. He gave an overview of where they are with the project. Mr. Lind explained the organization of the presentation today. He gave a power point presentation and explained the display maps.

Commissioner Machado asked if they are going beyond the scope of the plan by including blue oak woodlands. Mr. Lind responded that is a possibility. This is one area where they are looking for direction. Commissioner Machado asked if there are acreages on the important oak woodlands, blue oaks, etc. Mr. Lind said there are and further explained. The study boundary is 4,000 feet.

Commissioner Mac Cready asked the elevations where the different species are located. Mr. Lind explained. Commissioner Mac Cready asked about the black and white oaks. Mr. Lind said black oaks are included in the definition but must meet other criteria.

Commissioner Machado asked if live oak and scrub oak are included in the numbers. Mr. Lind replied no species have been eliminated. Commissioner Machado feels it should be decided what species should be included in the plan early in the process. Mr. Hust said these policy issues will be brought forth on February 22.

Steve Hust went through five policy questions on mapping. Staff has interpreted, based on the General Plan, that conifers are not woodlands. He asked if Commissioners have any questions on the ranking criteria which were used.

Derek Wong went over Preliminary Option B (part of the power point presentation). Commissioner Machado asked if we have a goal for the acreage we want to acquire. Is there a percentage of the 164,000 acres that the government is trying to obtain and preserve in perpetuity? Mr. Lind explained the high priority conservation areas they have been mapping. The intent is to identify where oak woodlands should be preserved. Mr. Hust said the answer to Commissioner Machado's question at this time is unknown. He believes the acreage will be answered as a result of this plan.

Commissioner Tolhurst said there are quite a few programs like this in Tahoe. Originally they were set up for 100 percent. The programs were set up 20 years ago, and the cost of lots has increased substantially since that time. Mr. Wong said increased costs for acquisition have not been considered. That would be another discussion item.

Commissioner Tolhurst would like to see, rather than based on a ratio, something based on like-for-like. He spoke about direct replacement in place of a fee. Mr. Wong said that is another area that will have to be discussed.

David Pratt, Agricultural Commissioner, said it is painfully obvious there is no goal. The interim plan is the first step. The Important Biological Corridor (IBC) is the driver, because that is the type of woodlands we are talking about. There is nothing in the General Plan that states no net loss. That is an assumption. We might want to clarify why that is an assumption. Mr. Pratt gave the Commissioners a copy of a map from the General Plan. We have more oak woodlands today than we had in three 1960 studies. Policy 7.4.4.2 talks about development and review of discretionary projects. All we talk about is fees/violations. There are no incentives. We are only talking about trees, not meadows which provide water quality, habitat, etc. What we are

looking at is the layering of fees and how that impacts the business community. We are looking at a one size fits all program. There are different elevations, uses, etc.

Art Marinaccio agrees 100 percent with Mr. Pratt. He implored the commission to look at this. The fee structure shows how ridiculous this is. Valley oak is not is not a habitat oak. Black oak has to be dealt with differently; it is a regeneration problem. Then there are the habitat areas. We were to use one of the items, not all three. It is contrary to common sense to consider areas in Community Regions. Oak trees are not endangered in any form. You are taking the 48 percent of private land and reducing it based on nothing. No one has identified a reason why we are doing this.

Judy Ehergott, Lakehills area, said they have over 50 percent oak tree coverage. She informed the Commission of what they had to go through when submitting an application on their 13 acres. They have been told they should not plant more trees on their property. They should have less, more healthy trees.

Valerie Zetner, Farm Bureau, said there are some exemptions for agriculture. We have to get policies that work. These policies do not work. We started with encouraging conservation. Now we are talking about preserving. The mapping is critical. Planting of under story does not make sense. It is not consistent with the fire safe plans. There is another conflict with fencing. The biological corridor does not allow fencing. We need to amend these policies. We need direction and clarification and go back and get something that makes sense.

Thalia Georgiadis said this is an impossible dream. It is obvious the General Plan in this instance is poorly written. We need to stop spending money until we know what we want to do. She does not want to see adding blue oak; that is not in the General Plan. The live oaks are choking out the blue oaks, and that is why they are not growing. We need to recommend to the Board that we revisit these policies and not go beyond what is necessary. As Mr. Marinaccio stated there is a state law regarding oak woodlands.

Camille Courtney is not sure what the consultant has done with regard to what the General Plan requires. We are supposed to be looking at how we mitigate the loss of oaks with discretionary projects. We have gone way beyond that. What are we trying to mitigate the loss of? We have more oaks today than we had 20 years ago. Start with the inventory, and see where we are in three years. If there is a reduction, start with preservation. Other counties have fee studies. There are existing studies that indicate how much it costs to replace oaks. If you can mitigate all within your site, do you also have to pay? She did not hear any discussion regarding that issue.

Jim Brunello spoke about setting up land trusts.

Kim Beal, real estate broker and 40 year resident of the County, agrees with everything that has been stated. Policy 7.4.4.4 is in direct conflict with the Housing Element and other portions of the General Plan. You need to look at this policy again to see if there are some possible exemptions. We are not thinking about this very clearly. We need to look back and say what are we trying to accomplish?

Robert Campbell said if he cleared 100 feet around his home he would have to cut down 150 trees. He would have to cut another 100 to widen his driveway. We need to have someone local take over this project. According to Measure Y the developer was to pay for road improvements. That did not happen. The land owners paid. This County is full of oaks.

Bill Fisher spoke about obtaining grants that could be directed to the Sierra Foothills to accomplish what we are talking about today. Policy 7.4.2.8 speaks about what oak woodlands are to be mapped. Blue oaks are not in the special species. Identifying blue oaks is going beyond the scope of the existing General Plan.

Cindy Schaffer is concerned about using parcel size and General Plan designations for determining oak habitat. We need to focus on what we want to conserve. The retention in the General Plan will take care of a large amount of oak tree preservation. The maps are inadequate for project specific review. It is hard to assess the maps without a document in front of you.

There was no further input.

Commissioner Machado referred to Measure CO-p. Have we developed mitigation measures for Policy 7.4.4.4? Mr. Hust said that is in process. Commissioner Machado asked about the second bulleted item. Mr. Hust said that is also in process. Commissioner Machado asked about no net loss. Mr. Hust replied that information is in the background information but not in the policy itself. The General Plan EIR makes the conclusion that there will be a direct loss with residential development. The mitigation on this plan does not address the full loss.

Commissioner Machado said there have been comments today about the problems with the mapping. Mr. Hust said one of the next steps is how to address the problems this proposal creates. Commissioner Machado said the types of trees to be protected will change the mapping. So will changing Community Regions. Commissioner Machado asked our goal. How many trees are we going to save? What we are doing is just coming up with a fee. If you can mitigate under Option A, Option B does not affect you at all. Ms. Frantz concurred.

Commissioner Machado asked, on the percentage chart, what if you want to remove more trees. Mr. Hust said there are some options under reasonable use where you can mitigate off-site.

Commissioner Machado said the Commission should request the Board to initiate a General Plan amendment, using the Kuhl bill, and bring our policies into line with the Kuhl bill. This goes against being able to do affordable housing. Chair Knight would like to see the Board take a look at doing a General Plan amendment. Mr. Fuz said the next steps will lead the Commission and Board to that question. The next step is to look at all the policy issues and ask the Board for direction. What we have to do is compile background information that would be used no matter what direction we go.

Commissioner Tolhurst said we need to identify all the problems first.

No action was taken.

**5.     ADJOURNMENT**

Meeting adjourned at 12:18 p.m.

APPROVED BY THE COMMISSION  
Authenticated and Certified:

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John Knight

