

**COUNTY OF SACRAMENTO
CALIFORNIA**

Control No.: PLNP2009-00052
Type: PMR-EXR

TO: SUBDIVISION REVIEW COMMITTEE

FROM: PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT: DOS HERMANOS PARCEL MAP AND LOT SIZE AND LOT WIDTH
EXCEPTIONS**

CONTACT: *Sheryl Lenzie, Planner III, 874-6141; lenzies@saccounty.net*

PROJECT DESCRIPTION

ASSESSOR'S PARCEL NOS.: 126-0050-052, 091

LOCATION: The property is located at 7995 Sloughhouse Road, on the east and west sides of Sloughhouse Road, northeast of the Folsom South Canal, in the Cosumnes community. (Supervisor District 5: Don Nottoli)

APPLICANT:

Balanced Planning
855 Bordeaux Way, Suite 100
Napa, CA 94558
Attn: Beth Painter

ENGINEER:

RBF consulting
2101 Arena Boulevard, Suite 250
Sacramento, CA 95834
Attn: Fareed Pittalwala

OWNER:

Dos Hermanos, LLC
855 Bordeaux Way, Suite 100
Napa, CA 94558
Attn: Jim Verhey

REQUEST:

1. A **Parcel Map** to create three lots on 346 acres in the AG-80 (*Interim Agricultural*) zone.
2. An **Exception** from lot size and lot width to allow a parcel that is less than 80 acres in size (52 acres) and that is less than 1,000 feet in width (measured at midpoint) on the west side of Sloughhouse Road.

ENVIRONMENTAL DOCUMENT: **NEGATIVE DECLARATION**

Overview:

The proposed project consists of creating three lots in the AG-80 zone located at 7995 Sloughhouse Road in the Cosumnes Community area. Additionally, the lot on the west side of Sloughhouse Road is proposed at 52 acres, and the lot width measured at midpoint, is less than the required 1,000 feet; therefore, an exception from lot area and lot width is requested.

Summary of Significant Issues:

Regarding the lot area and lot width reductions, the location of the Folsom South Canal dictates the shape of the lot, and the location of Sloughhouse Road effectively separates this site for the remaining project to the east.

The majority of the site is actively farmed, and these farmed areas do not contain sensitive habitat. There are, however, several sensitive habitats within the project area. Although no development is proposed with the project, a home could be constructed on each of the three new lots. Therefore, mitigation measures are recommended to protect biological resources.

CPAC Recommendation:

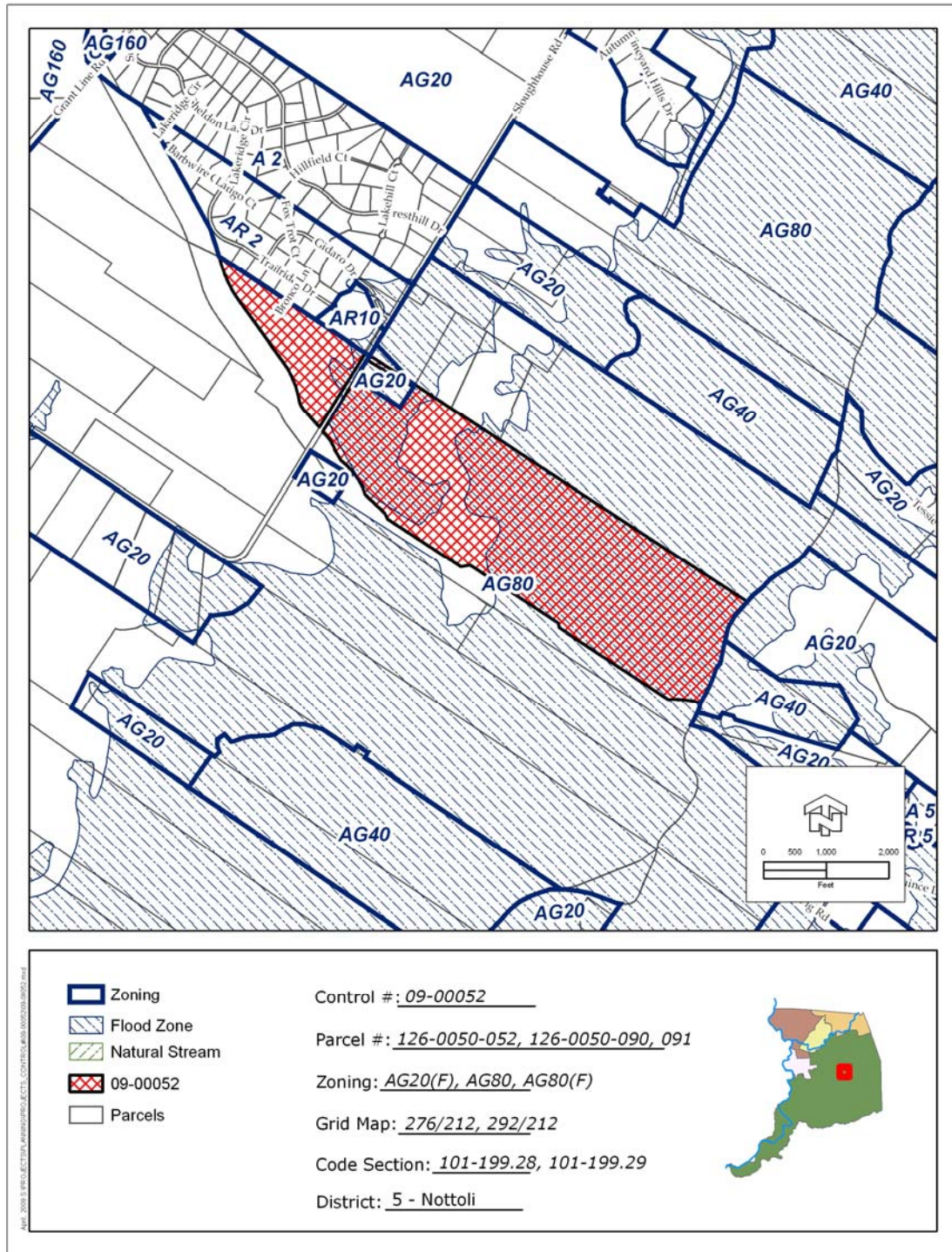
The Cosumnes Community Planning Advisory Council (CPAC) met on May 27, 2009 and recommended **APPROVAL** by a vote of 3-0. The referral indicated there were several questions, but the outcome was positive.

Recommendations:

Staff is recommending **APPROVAL** of the proposed project.

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I. LOCATION MAP



3. Exception from Lot Size: **APPROVE**, subject to the findings listed in Section III.B of this report. No conditions are recommended.
 4. Exception from Lot Width: **APPROVE**, subject to the findings listed in Section III.B of this report. No conditions are recommended.
 5. Mitigation Monitoring and Reporting Program: **ADOPT**.
- B. Recommended Findings: The staff recommendations are based upon the following considerations:
1. The request is consistent with the County General Plan Map {Agricultural-Residential, General Agricultural (20 acres), Agricultural Cropland, and Natural Preserve General Plan Designations} and Text in that there are no policy conflicts identified.
 2. Identified environmental effects and suggested mitigation measures have been taken into consideration in the recommended actions and conditions of approval.
 3. Staff has identified no effects from the proposal which would result in a significant detrimental impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.
 4. The proposed lots will conform to the Zoning Code as to size, frontage and width requirements, with the approval of the exceptions.
 5. The existing site improvements make adhering to the Zoning Code minimum lot size and width for Parcel 1 problematic.
 6. The proposed lots will be compatible with the predominant neighborhood pattern of development.
 7. All required findings as set forth in the State Map Act and the County Land Development Ordinance can be made in the affirmative.
- C. Recommended Conditions: Any approval of the Parcel Map shall be subject to the following conditions:
1. The development approved by this action is for 3 lots in substantial compliance with Exhibit 1.

2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.
3. The Improvement Requirement Certificate shall contain an indication that private septic systems/private wells are allowed.
4. Environmental Management Department approval will be required for any on-site waste disposal facilities.
5. An onsite sewage disposal system is required for each proposed parcel. The minimum of a test and design for each parcel must be approved by EMD prior to the issuance of a building permit.
6. Individual water wells must be drilled under permit from EMD as the water source for each parcel.
7. Grant the County right-of-way for Sloughhouse Road, based upon a 60-foot standard, and install public street improvements pursuant to the Sacramento County Improvement Standards.
8. Advisory Comment: If a permit is pulled for a production home, mobile home, moved building, accessory dwelling unit, commercial building, or any building in which traffic will be generated through the intersection of Grantline Road/Sloughhouse Road, then the property owner must pay a fair share toward the traffic signal at the intersection of Grantline Road/Sloughhouse Road per the Board of Supervisors direction on Sheldon Hills (Planning Control No. 2002-0661). Please contact Pete Kokkinis at 874-6291 for more information.
9. Dedicate a 12.5-foot public utility easement for underground and overhead facilities and appurtenances adjacent to all public street rights-of-way.

NOTE: NONE OF THE MITIGATION MEASURES BELOW APPLY TO AGRICULTURAL ACTIVITIES.

10. **Mitigation Measure A: Swainson's Hawk Nesting Survey.** If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees, within ½ mile of the site, shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game (CDFG) shall be contacted to determine appropriate protective measures. If no active

nests are found during the focused survey, no further mitigation will be required.

11. **Mitigation Measure B: Nesting Swallow Protection.** In order to avoid any impacts to cliff or barn swallows, no construction shall be permitted within 100 feet of the barn near the Folsom Canal on the site unless authorized by Department of Environmental Review and Assessment staff.
12. **Mitigation Measure C: Sensitive Habitats and Species.** In order to avoid impacts to sensitive natural habitats and associated species, no construction activities shall take place within 200 feet of any riparian zone, pond, creek, or other surface water on the project site.
13. **Mitigation Measure D: Oak Tree Protection.** All native oak trees that are 6 inches dbh or larger on the project site, all portions of adjacent off-site native oak trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:
 - a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
 - b. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the oak trees prior to initiating project construction, in order to avoid damage to the trees and their root system.
 - c. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
 - d. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the oak trees.
 - e. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the driplines of the oak trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.

- f. All underground utilities and drain or irrigation lines shall be routed outside the driplines of oak trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
 - g. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the oak trees.
 - h. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the oak trees.
 - i. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".
 - j. Landscaping beneath the oak trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
 - k. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.
14. **Mitigation Measure E: Archaeological Monitor.** In the event of any construction activity on the project site within the defined "Sensitivity Area" a qualified archaeologist shall monitor all ground-disturbing activities occurring in native sediments/soils. A qualified archaeologist is one who meets the Secretary of the Interior's standards (National Park Service 1983). The "Sensitivity Area" is defined in Plate IS-12 of the Initial Study, and can be described as extending from the northernmost arm of Deer Creek to the Cosumnes River.

During monitoring, if the archaeologist notes unusual amounts of bone, stone, shell, burned soils, or other possible indications of buried intact archaeological

resources, construction in the vicinity shall be halted until the find can be assessed. The archaeologist shall conduct a field investigation of the specific site and shall, if necessary, recommend mitigation deemed necessary for the protection or recovery of any cultural resource concluded by the archaeologist to represent historical resources or unique archaeological resources. The Department of Environmental Review and Assessment shall be responsible for approving recommended mitigation. The project proponent shall implement the approved mitigation before the resumption of construction activities in the vicinity of the archaeological site.

15. **Mitigation Measure F: Blodgett Hops Barn.** The Blodgett hops barn shall be retained in situ. Any reconstruction, additions, modifications, or remodeling to the Blodgett hops barn shall be executed in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*. Modifications, if any, must not obscure, radically change, damage, or destroy character-defining features of the Blodgett hops barn, which in turn would impact the integrity of the historic building.
16. **Mitigation Measure G: Cultural Resources Protection.** Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

17. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:
 - a. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the

MMRP. The MMRP fee for this project is \$3,200. This fee includes administrative costs of \$600.00.

- b. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

IV. ATTACHMENTS

- A. Aerial
- B. Context Photos (8)

V. EXHIBITS

- 1. Parcel Map
- 2. Parcel Map Details (3)

VI. CPAC REFERRAL

This staff report was prepared on June 25, 2009.