

DRAFT
SADDLE CREEK AND SADDLE CREST PROJECTS
ZONE CHANGE FOOTHILL / TRABUCO SPECIFIC PLAN
AMENDMENT REQUEST

~~January 2000~~

July 2002

REQUEST TO AMEND: Section V to add:

Appendix F = Legal description of the Saddle Creek and Saddle Crest Area Plan areas.

REQUEST TO AMEND INTRODUCTION: SECTION I

Request to amend F/TSP Section I.F. (F/TSP p I-13) to be redesignated as Section I.G. and to add a new Section I.F. to read as follows:

I.F. PROCEDURE FOR ANALYZING DEVELOPMENT APPLICATIONS WITH THE SPECIFIC PLAN

In analyzing and considering applications for development and use within the Specific Plan area, the Director of Planning and Development Services, Planning Commission and Board of Supervisors shall not give precedence to one provision of the Specific Plan over another but shall balance consideration of Specific Plan development goals and policies so as to further overall Specific Plan goals and policies while not hindering their attainment.

REQUEST TO AMEND RESOURCE OVERLAY - OAK WOODLANDS: SECTION II

REQUEST TO AMEND F/TSP Section II.C.3. (starts on F/TSP page II-15) to add:

II.C.3.5 Saddle Creek and Saddle Crest - Oak Woodlands

For the Saddle Creek and Saddle Crest Area Plan areas as described in Appendix F, the following shall apply:

- a) The Site Specific studies shall be prepared by a qualified biologist and shall map both regionally significant oak woodlands and individual oak trees consistent with the following:*

Oak Woodlands are defined generally and conceptually on Exhibit II-4. As Exhibit II-4 reflects resource data collected and analyzed on a very cursory level, a site specific oak woodland analysis shall be prepared prior to, and adopted concurrent with any future Area Plan. The site specific study shall address the entire Area Plan study area.

- 1) The site specific analysis shall provide precise mapping of all oak woodlands at a minimum 1" = 100' scale. All oak trees within the area of proposed grading which are greater than five inches in diameter at 4.5 feet above the existing grade shall be precisely mapped with data provided regarding actual trunk size, canopy*

dimensions, health and transplantability characteristics of each tree. Oak woodlands outside of the proposed limits of grading shall also be mapped at 1" = 100' scale with data provided regarding the approximate number of oaks with a greater than 5" diameter trunk at 4.5' above existing grade, oak woodland characteristics and the condition of the oak woodland. Precise mapping of each oak tree is not required in the area to remain as natural open space.

2) Oak woodlands will be preserved in an undisturbed state to the greatest extent possible *consistent with best available native tree establishment and reforestation practices* while still allowing for reasonable development. *The Specific Plan bases reasonable development on, among other things, development densities coordinated with a planned circulation system which, at a maximum, would allow 148 and 65 residential units respectively for the Saddle Creek and Saddle Crest Area Plan areas. Concise formulation of this information is set forth in Table 1, p.8 of the Project Initial Study. The site-specific analysis shall identify the level of impact of the proposed project and methods of reducing or avoiding adverse impacts of the project.* The impact analysis shall consider all forms of disturbance resulting from the development, including changes in runoff, impacts within the dripline of trees, etc. If oak trees are proposed to be transplanted, the analysis shall identify suitable locations for the transplantation of oak trees.

3) Prior to the recordation of a final tract / parcel map, ~~or the issuance of grading permits, whichever comes first, each affected applicant~~ *the applicant of the affected area within the Area Plan area shall offer for dedication in fee or preservation easements to the County of Orange or its designee those areas containing oak woodlands, as identified for preservation in an approved Tree Management/Preservation Plan, in a manner meeting the approval of the Manager, Harbors, Beaches and Parks Planning Director, Planning and Development Services Department. Fuel Modification areas and smaller discontinuous areas of oak woodlands may be retained in HOA or individual home ownership should it be determined appropriate. Management and maintenance responsibility for such areas will be established at the vesting tentative tract map.*

b) Tree Management / Preservation Plan- any oak tree exceeding 5 inches in diameter (measured 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan. ~~site development permit or use permit for the site and approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. For existing development, a Tree Management/Preservation Plan shall be required to remove any trees; however, an area plan or site plan shall be not be required.~~ Since they play a major role in providing nesting or breeding habitat for wildlife, the removal of dead or dying *oak trees of a size exceeding 5 inches in diameter (measured 4.5 feet above the existing grade) shall also require approval of a Tree Management / Preservation Plan unless that oak tree has fallen or has the potential to fall and create a hazardous situation.*

1) Any oak tree removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted, *however, if any oak tree over 5 inches in diameter is in poor health or would not likely survive transplantation, or is determined to be infeasible for transplantation as certified by an arborist, said oak tree shall be replaced according to the replacement scale indicated below. If any oak tree dies within five years of the initial transplantation, it shall also be replaced according to the replacement scale indicated below.*

TREE REPLACEMENT SCALE

Trunk diameter (in inches) of Tree Removed at 4.5 Feet <u>Above Ground Level</u>	Minimum Number of Replacement <u>Trees Required</u>
5 to 11	5
12 to 17	8
18 to 23	10
24 to 35	12
36 and above	15

b. 2) The Tree Management / Preservation Plan shall identify those oak trees exceeding five (5) inches in diameter which are proposed for removal and the proposed location of transplanted or replacement trees.

c. 3) In the event that all transplanted or replacement trees cannot be feasibly located on the property, an off-site mitigation program may be permitted; however, all replacement and transplanted trees shall be located within the Specific Plan Area.

d. 4) Said plan shall be signed and certified by a biologist or arborist. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall then care for the tree for a minimum period of six (6) months.

5) The Tree Management / Preservation Plan may identify optional oak and sycamore tree mitigation methods, sizes, locations or ratios (which range from that identified in the Tree Replacement Scale above). The Planning Commission may adopt such an optional mitigation program provided that findings are made that the optional mitigation program results in an environmentally superior approach. If such an optional mitigation program is proposed, the program must be prepared by a certified arborist who will submit a statement of certification that the optional mitigation program represents a more feasible mitigation program whose probability for long term success and biological viability exceeds that of the base Tree Replacement Scale and requirements.

3.4c) Uses Within and Adjacent to Oak Woodlands - The following apply to oak woodlands which are identified for Preservation through an approved Tree Management / Preservation Plan:

~~a~~-1) During all grading and construction operations, all oak trees on the site, located adjacent to the approved limits of grading and identified in an approved Tree Management / Preservation Plan as trees to be preserved, shall be adequately fenced and protected from encroachment by grading and construction equipment. Grading, placement of fill, and storage of building materials and heavy equipment shall be prohibited within the dripline of any tree identified for preservation as part of an approved Tree Management / Preservation Plan.

~~b~~-2) Retaining walls shall be used to protect the existing grades of oaks identified for preservation from surrounding cut and fill. However, these walls should not alter established drainage from around trees.

~~c~~-3) No type of surface, whether pervious or impervious, shall be placed within a six-foot radius of oak tree trunks. Where surfacing cannot be avoided, alternative types of paving should be utilized, such as gravel or porous brick with sand joints.

~~d~~-4) Oak trees shall not be subjected to increased run-off from irrigation systems, impermeable surfaces, storm drain discharge, etc.

~~e~~-5) Natural drainage courses and natural grades in proximity to and providing seasonal irrigation to oak trees shall not be altered.

~~f~~-6) In proximity to oak trees, only one trench should be dug to accommodate all utility lines. Where necessary, the impacted trees should be carefully pruned by an arborist in proportion to the total amount of root zone lost.

7) *The Director of PDSD may approve modifications to the TMPP as follows: Occasional circumstances may occur where it is necessary to perform grading or install improvements which would conflict with an absolute interpretation of II.C.3. above. Where an arborist certifies that an existing oak tree may survive despite such circumstances, the oak tree may be retained and specific unique management practices as set forth by the arborist shall be adhered to. In this circumstance, the mitigation for impacts to the tree shall be the same as if the tree were to be removed.*

8) *The Director of PDSD may approve minor adjustments to the TMPP.*

Consistency with section, II.C.3.5, shall exempt the Saddle Creek and Saddle Crest Area Plan areas from Sections II.C.3.1 thru 3.4 (F/TSP pages 11 -15 thru 19) herein and shall be regarded as satisfactorily preserving and protecting the oak woodlands on the subject properties.