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**AGENDA**  
**PLANNING COMMISSION MEETING**  
**JULY 28, 2011**

**7:00 PM – 311 VERNON STREET – CITY COUNCIL CHAMBERS**

**PLANNING COMMISSIONERS:**

Audrey Huisiking, Chair  
Gordon Hinkle, Vice-Chair  
Krista Bernasconi  
Don Brewer  
Sam Cannon  
Robert Dugan  
David Larson

**STAFF:**

Paul Richardson, Director  
Chris Burrows, Senior Planner  
Steve Lindbeck, Project Planner  
Wayne Wiley, Associate Planner  
Derek Ogden, Associate Planner  
Chris Kraft, Engineering Manager  
Bob Schmitt, Assistant City Attorney  
Carmen Bertola, Recording Secretary

**I. ROLL CALL**

**II. PLEDGE OF ALLEGIANCE**

**III. ORAL COMMUNICATIONS**

Note: Those addressing the Planning Commission on any item or under Oral Communications are limited to five (5) minutes, unless extended by the Chair. Comments from the audience without coming to the podium will be disregarded. Please address all comments/questions to the Chair, not to staff members.

**IV. CONSENT CALENDAR**

The consent calendar consists of routine items that are to be considered upon one motion for approval as recommended in the staff reports. However, since each routine item requires a public hearing, each and every one may be considered separately upon requests by the audience, the Planning Commission, or the staff. Any item removed will be considered following old business.

**A. MINUTES OF MAY 26, 2011.**

**V. NEW BUSINESS**

**A. NRSP PCL M-31 TEMPORARY CONSTRUCTION YARD – 9000 WOODCREEK OAKS BL – FILE #2010PL-008 (AP-000377)** The applicant requests approval of an Administrative Permit to continue to operate an existing temporary construction yard for an additional period of two years. Applicant/Property Owner: Daryle Hassler, JMC Homes. (Ogden)

**B. HOME OCCUPATION PERMIT – REVOCATION HEARING - SIGN OF LIGHT – 9499 HIGHLAND PARK DR – FILE #ZCC-000433** The Planning Department requests that the Planning Commission hold a public hearing to discuss violations of the Home Occupation Permit for Sign of Light sign business and the ongoing violations and code enforcement actions related to the storing of commercial vehicles and business related material in a residential neighborhood in conjunction with the home based business. Property Owner: William Batterman, Sign of Light. (Wiley)

**C. PHASED LARGE LOT TENTATIVE SUBDIVISION MAP – 6810 FIDDYMENT ROAD - SIERRA VISTA SPECIFIC PLAN – FILE # 2007PL-044 (SUB-000145)** The applicant requests approval of a Phased Large Lot Tentative Subdivision Map to subdivide the Sierra Vista Specific Plan property into 150 large lots conforming to the land use plan adopted May 5, 2010. The proposed map does not include the Computer Deductions parcel which was formerly a part of the application. Applicant: MacKay & Soms Civic Engineers – Scott Haskell, Owner: Sierra Vista Owners Group – Jeff Jones (Lindbeck)

**VI. REPORTS/COMMISSION/STAFF**

**A. ELECTION OF OFFICERS**

- 1. CHAIR**
- 2. VICE-CHAIR**
- 3. DESIGN COMMITTEE REPRESENTATIVE**
- 4. DESIGN COMMITTEE ALTERNATE**

**VII. ADJOURNMENT**

- Notes:**
- (1) The applicant or applicant's representative must be present at the hearing.
  - (2) Complete Agenda packets are available for review at the main library or in the Planning Department.
  - (3) All items acted on by the Planning Commission may be appealed to the City Council.
  - (4) No new items will be heard after 10:00 pm.
  - (5) No smoking permitted in Council Chambers.
  - (6) All public meetings are broadcast live on Roseville COMCAST Cable Channel 14 SUREWEST 73 and replayed the following morning beginning at 9:00 am. The Meeting will also replay at 1 p.m. Saturday and Sunday of the following weekend.
  - (7) If you plan to use audio/visual material during your presentation, it must be submitted to the Planning Department 72 hours in advance.
  - (8) The Commission Chair may establish time limits for testimony.

All material introduced at a public hearing or included with the project's staff report, including but not limited to exhibits, photographs, video or audio tapes, plan sets, architectural drawings, models, color and materials palettes, and maps must be retained by the Planning Department as a part of the public record for one year following the City's final action on the project. Official project file material will be kept in conformance with the Department's adopted retention schedule. Color renderings and material boards will be disposed of after the project is built and the project receives a certificate of occupancy or at the end of one year, whichever is later.



Planning Commissioners Present: Krista Bernasconi, Donald Brewer, Sam Cannon, Robert Dugan, Gordon Hinkle, Audrey Huisking, David Larson

Planning Commissioners Absent:

Staff Present: Paul Richardson, Director, Planning & Redevelopment  
Chris Burrows, Senior Planner  
Derek Ogden, Associate Planner  
Chris Kraft, Engineering Manager  
Robert Schmitt, Assistant City Attorney  
Carmen Bertola, Recording Secretary

## **WELCOME**

**PLEDGE OF ALLEGIANCE** - Led by Commissioner Bernasconi

## **ORAL COMMUNICATIONS**

Mr. Joey George addressed the Commission regarding the location of his shop (Lawn Crew Saw & Mower 8413 Washington Bl Suite 160) and his inability to use his professionally made A-Frame signs (illegal signs) to advertise the location of his shop. He said that he has found it very important to use the A-frame signs in order to direct people to his business. Without the signs, people often have trouble finding his location with the light industrial complex. Staff invited Mr. George to come to the Planning Department on Friday to review his advertising options.

## **CONSENT CALENDAR**

Chair Huisking asked if anyone wished to remove any of the items from the Consent Calendar for discussion.

Chair Huisking asked for a motion to approve the CONSENT CALENDAR as listed below:

### **IV-A. MINUTES OF APRIL 14, 2011.**

**IV-B. TENTATIVE SUBDIVISION MAP – 10090 CROCKER RANCH RD. – NRSP PARCEL 5 RE-SUBDIVISION – FILE # 2007PL-067 (SUB-000152).** The applicant requests approval of a Tentative Subdivision Map to modify the parcel lines of 50 single family lots within the Crocker Ranch North Lot 5 subdivision for the purpose of creating more unified lots within the subdivision. Applicant: Steve Schnable, John Mourier Construction. Owner: MLIC & John Mourier Construction. (LaTorra)

**MAJOR PROJECT PERMIT EXTENSION (STAGE 2) NERSP PARCEL 15, LOTS 6 & 7 – 1401 & 1421 EUREKA RD (1445 EUREKA ROAD) - FILE# 2006PL-053 (MPP-000033).** The applicant requests approval of a two (2) year extension of the Major Project Permit (MPP) Stage 2 that was originally approved March 8, 2007 under MPP-000005. The MPP Stage 2 entitlement permitted the development of two six-story office buildings on Lots 6 & 7 within the Stone Point Master Plan area. Owner: Stone Point Roseville, LLC., Dinesh Davar. Applicant: Steadfast Companies, Lance Emery. (Stewart)

MOTION

Commissioner Cannon made the motion, which was seconded by Commissioner Dugan, to approve the Consent Calendar as submitted.

The motion passed with the following vote:

Ayes: Cannon, Dugan, Brewer, Larson, Hinkle, Bernasconi, Huisking

Noes:

Abstain: Larson, Hinkle, Bernasconi

Commissioner Larson, Commissioner Hinkle, and Commissioner Bernasconi abstained from the minutes of April 14, 2011 due to their absence from the meeting.

## **OLD BUSINESS**

### **THIS ITEM HAS BEEN MOVED OFF-CALENDER.**

**V-A. PHASED LARGE LOT TENTATIVE MAP – SIERRA VISTA SPECIFIC PLAN – 6810 FIDDYMENT ROAD – FILE #2007PL-044; PROJECT #SUB-000145.** The applicant requests approval of a Phased Large Lot Tentative Map to subdivide the Sierra Vista Specific Plan property into 162 large lots conforming to the land use plan adopted May 5, 2010. Owner/Applicant: Sierra Vista Owners Group. (Lindbeck) **THIS ITEM IS CONTINUED FROM THE MEETING OF APRIL 14, 2011.**

## **NEW BUSINESS**

**VI-A. ADMINISTRATIVE VARIANCE – ADAIR SECOND UNIT – FILE # 2011PL-021 (V-000066).** The applicant requests an Administrative Variance to reduce the required rear yard setback for a new second unit from twenty (20) feet to thirteen (13) feet. The unit will replace a structure that was destroyed by fire. Applicant/Property Owner: John Adair. (Ogden)

Associate Planner, Derek Ogden, presented the staff report and responded to questions.

Chair Huisking opened the public hearing and invited comments from the applicant and/or audience.

Applicant, John Adair, Roseville, addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was in agreement with staff's recommendations.

Ed Alexander, resident and neighbor to applicant's proposed project, stated that he and his wife were in agreement with the staff report and appreciated the changes that had been incorporated into the project. He wished Mr. Adair well with this project.

There was discussion on the following:

- Average setbacks for existing units along the alley;
- Robert's question

Chair Huisking temporarily closed the public hearing and asked for a motion.

## **MOTION**

Commissioner Dugan made the motion, which was seconded by Commissioner Brewer, to Adopt the three (3) finding of facts for the Administrative Variance; and Approve the Administrative Variance subject to five (5) conditions of approval as submitted in the staff report.

The motion passed with the following vote:

Ayes: Dugan, Brewer, Bernasconi, Cannon, Hinkle, Larson, Huisking

Noes:

Abstain:

## **REPORTS/COMMENTS/COMMISSION/STAFF**

- A. REPORTS FROM PLANNER
- B. David asked for update on the sidewalk on Oak St
- C. Sam requested the grasses be mowed along Parkside actually thanked
- D. Audrey, property across from hospital (triangle) full of weeds, property on Oak Ridge next to
- E. Wee abate
- F. Car dealersjop alog Riverside update
- G. Marking addresses on buildings to make them more easily found, well marked. Plan Check in Building and Fire Dept...Who can people call? Fire Dept.
- H. Status of Automall new signage – light and color
- I. How often is the Sign Ordinance reviewed. Last review was 2009.

## **ADJOURNMENT**

Chair Huisking asked for a motion to adjourn the meeting.

### MOTION

Commissioner Cannon made the motion, which was seconded by Commissioner Bernasconi, to adjourn to the meeting of May 12, 2011. The motion passed unanimously at 7:33PM.

**ITEM V-A: ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY CONSTRUCTION YARD – FILE #2010PL-008 (PROJECT # AP-000377)**

**REQUEST**

The applicant requests approval of an Administrative Permit to continue to operate an existing temporary construction yard for an additional period of two years.

Applicant/Property Owner: Daryle Hassler, JMC Homes

**SUMMARY RECOMMENDATION**

The Planning Department has provided three options for the Commission to consider. The actions are summarized below:

- A. Adopt the 3 findings of fact, and approve the Administrative Permit for a period of two years as is requested by the applicant.
- B. Adopt the 3 findings of fact, and approve the Administrative Permit until the Longmeadow subdivision is completed.
- C. Deny the Administrative Permit and require the applicant to remove the structures on the property within a reasonable amount of time (i.e. 3 months).

**SUMMARY OF OUTSTANDING ISSUES**

Staff has sought to find a compromise between the applicant, who for business purposes wishes to continue using the site and residents who have concerns about the extended period of time the construction yard has been located at the site. Over the past year the applicant has made improvements to the property in order to reduce the visual impacts to the neighborhood and residents using the bike trail. Unfortunately we have been unable to find a solution that satisfies both parties.

**BACKGROUND**

The subject site is located at 9000 Woodcreek Oaks Boulevard. The temporary construction yard is approximately 13,000 square feet and is located within the North Roseville Specific Plan (NRSP). The site is zoned Community Commercial and is adjacent to the Hewlett Packard campus (North Industrial Plan Area) to the east (see Figure 1). JMC Homes initiated use of the site as a temporary construction yard with an onsite trailer in September of 2001. An Administrative Permit for the site was approved for a period of 18 months, and expired on June 3, 2003. Since 2003, JMC Homes has continued to operate the temporary construction yard. In January of 2010, staff received a complaint from a concerned resident in the area about the length of time the facility has existed on the property, the appearance, and activity at the site. In response to this complaint the applicant applied for an Administrative Permit to continue the use of the property as a temporary construction yard. Staff was able to work with the applicant and resident to agree on a one year timeframe for the Administrative Permit. That permit expired on April 14<sup>th</sup> of this year, and JMC has filed the current application requesting an additional two years.

The yard is primarily used for the storage of lumber, building supplies, and assembly of products for home construction (see Figure 2). Per Chapter 19.64.030.D of the City's Zoning Ordinance, Temporary Uses, the establishment of an on or off-site temporary contractor's construction yard in conjunction with an approved development project is subject to the issuance of an Administrative Permit. Originally the

construction yard was utilized to construct the Woodcreek North subdivisions (across Woodcreek Oaks Bl.). JMC is currently using the yard during the construction of the Crocker Ranch and Longmeadow subdivisions. Attachment 2 shows the location of the facility in relationship to the subdivision construction sites.

**Figure 1 - Land Use & Zoning Map**



## **FINDINGS & EVALUATION**

Section 19.78.060A of the City of Roseville Zoning Ordinance requires adoption of three (3) findings to approve an Administrative Permit. The findings address issues of 1) consistency with the General Plan; 2) consistency with the Zoning Ordinance; and 3) effect upon public health, safety and welfare. The original approval of the Administrative Permit and subsequent permits found that the temporary yard met the required findings listed in the Zoning Ordinance. The required findings are listed below followed by an evaluation of each finding.

**1. The proposed use or development is consistent with the City of Roseville General Plan and the North Roseville Specific Plan.**

The General Plan land use designation for the subject parcel is Community Commercial. Permanent construction yards are not listed as an intended use for the Community Commercial land use designation. The Community Commercial land use designation is intended for retail, business professional, and other commercial types of uses. The General Plan and North Roseville Specific Plan rely on the Zoning Ordinance to regulate temporary uses.

**2. The proposed use or development conforms to all applicable standards and requirements of the City of Roseville Zoning Ordinance.**

The Zoning Ordinance allows temporary uses, in this case a temporary off-site construction yard, in a Community Commercial zone upon approval of an Administrative Permit. The intent of the Zoning Ordinance is to allow temporary construction yards while on-site or nearby

projects are under construction. Typically construction yards are on-site within the subdivision, and when construction has been completed the temporary yard is removed. At the time of the original approval for the JMC site this was the case, but at this time nearby construction has been completed (See Attachment 2). The subdivisions being served by this site are approximately  $\frac{3}{4}$  of a mile (Longmeadow) and 1  $\frac{1}{2}$  miles (Crocker Ranch North) from the yard.

The Zoning Ordinance allows the approving authority to attach conditions of approval to the project in order to ensure compatibility with surrounding land uses. These conditions are listed below along with a brief description as it relates to the project.

*A. Requirements for improved parking facilities, including vehicular ingress and egress;*

The parking ratio for equipment and material storage yards was used to determine the number of required parking spaces. The requirement is 1 per 300 square feet of office plus 1 per 10,000 square feet of yard area with a combined minimum of 4 parking spaces. The proposed construction trailer is 300 square feet in size (10' by 30') and the yard is approximately 13,000 square feet (see Figure 1). The applicant will therefore be required to provide at least four (4) parking spaces for this use. The applicant is proposing to provide an area for parking along the fence to the west of the yard adjacent to the trailer. Condition 5 requires all company vehicles to be stored behind the fenced area of the yard.

**Figure 2 - Construction yard**

In the past parking and vehicle ingress and egress for the site has not been a problem. There is sufficient area in front of the yard to provide space for vehicles to exit Woodcreek Oaks Bl. and park at the site. There is also a limited amount of traffic generated by the site from work crews visiting the yard and from the occasional delivery of wood and construction supplies to the site.



*B. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination on adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases, and heat;*

The yard generates a limited amount of noise, vibrations, odor, dust, and smoke. The majority of noise generated on site is the result of periodic precutting of lumber. Given the buffer from homes to the north of the site provided by Woodcreek Oaks Bl. and a 72 foot setback of the yard from the street, staff does not anticipate any noise or glare impacts to adjacent uses.

*C.Regulation of temporary structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;*

As was mentioned above, and discussed in detail later in this report there are sufficient buffers to protect adjacent uses.

*D.Provision for sanitary and medical facilities;*

The site uses a portable sanitation toilet to provide for these facilities.

*E.Provision for solid, hazardous and toxic waste collection and disposal;*

Solid waste is disposed of by a private construction debris recycling and hauling company.

*F.Provision for security and safety measures;*

The entire site is surrounded by fencing. A combination of wood, chain link, and wrought iron fencing surrounds the site, and is locked after hours. There are ample street lights to light the front of the site.

*G. Regulation of signs;*

JMC Homes does have a permit for the freestanding subdivision sign on the property.

*H.Submission of a performance bond or other surety devices, satisfactory to the City Attorney, to ensure that any temporary facilities or structures used will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition;*

Staff recommends adding Condition #6 to the project to ensure that the site will be returned to its former condition after the permit has expired.

*I. A requirement that approval of the temporary use permit is contingent upon compliance with applicable provisions of the Roseville Municipal Code; and*

If the project is approved, Condition #7 has been added to ensure that the project will comply with the Roseville Municipal Code.

*J. Any other conditions which will ensure the operation of the proposed temporary use, will protect public health and safety and in accordance with the intent and purpose of this Title.*

No other issue areas have been identified.

Based on the information above, the proposed use is consistent with the City of Roseville Zoning Ordinance.

**3. The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public, or private property or improvements.**

As was mentioned above in the background section of this report, Staff received complaints from a nearby resident regarding the yard prior to accepting an application for the Administrative Permit in 2010. The complaint focused on the storage of materials outside the fence, operating without a permit, and the aesthetics of the yard. Staff worked with the individuals who made the complaint and the applicant in order to resolve these issues. Given that the approval was for

one (1) year (so that the applicant can pursue another location for the storage yard) these individuals were satisfied with the project.

Since that permit expired earlier this year Staff has been in contact with the resident who made the original complaint. The resident agrees that the yard has been maintained in an acceptable condition the past year, but feels the yard is no longer a temporary use. Unfortunately the Zoning Ordinance does not define the length of time a temporary use can remain on a parcel. The original Administrative Permit approved in 2001 was approved for a period of eighteen (18) months. Since the time of the original approval JMC has utilized the site for approximately 10 years. To Staff's knowledge this is the first complaint we have received about the operation of the yard.

JMC has requested the yard remain in place for a period of twenty-four (24) months. They have stated that they believe this is the amount of time they will need to finish construction of the Crocker Ranch North and Longmeadow subdivisions. Staff researched the number of vacant lots within each subdivision. As of June 30<sup>th</sup> of this year, a total of twenty-eight (28) vacant lots exist within the Longmeadow subdivision and 289 vacant lots remain within the Crocker Ranch North subdivision. Staff also looked at the absorption rates of these two subdivisions during the past two years. During the two year period of June 2009 to June 2011 a total of 115 homes were constructed within Longmeadow and forty-two (42) homes were constructed within Crocker Ranch North. Given the number of lots left to build within the Crocker Ranch North subdivision staff is unsure if twenty-four (24) months will be enough time to complete construction. Because the Longmeadow subdivision is closer to the yard and closer to completion, staff has provided the Commission with the option to use the completion of the Longmeadow subdivision as a sunset date for the construction yard.

## **CONCLUSION**

Typically this type of request would be handled administratively at the staff level. However we received a request for a public hearing from a resident. Staff recognizes the merits of both the applicant's and resident's positions and has discussed the issue with them at length. It is not customary that any type of temporary use would continue for 10 years. However, staff has also received an email from JMC Homes which details the benefits of the yard to their operations. This email is included as Attachment 1. The applicant states the location of the yard, screening, and economic benefits all warrant the continued use of the yard. Given these facts Staff has provided 3 potential actions for the Commission's consideration. The proposed actions are listed below.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Guidelines Section 15304(e) pertaining to temporary use of the land and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

## **RECOMMENDATION**

The Planning Department recommends that the Planning Commission take one of the following actions.

If the Planning Commission determines that the applicants request warrants approval, the following action is provided:

- A. Adopt the three findings of fact as stated in the staff report for the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377); and

- B. Approve the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377), with seven (7) conditions of approval for a period of two years.

The Planning Commission may determine a shorter period for the temporary construction yard is warranted. Alternative 1 provides for approval of the Administrative Permit until the Longmeadow Subdivision is complete:

- C. Adopt the three findings of fact as stated in the staff report for the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377); and
- D. Approve the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377), with seven (7) conditions of approval until the Longmeadow subdivision is completed.

The Planning Commission may determine the Administrative Permit does not warrant approval. Alternative 2 provides for the denial of the permit:

- E. Adopt the finding of fact listed below for the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377); and
1. **The location, size, design and operating characteristics of the use or development is not compatible with and would adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public, or private property or improvements.**
- F. Deny the ADMINISTRATIVE PERMIT – 9000 WOODCREEK OAKS BL – NRSP PCL M-31 – TEMPORARY STORAGE YARD – FILE #2010PL-008 (PROJECT # AP-000377).

**CONDITIONS OF APPROVAL FOR ADMINISTRATIVE PERMIT (AP-000377)**

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning & Housing)
2. This permit shall be valid for a period of \_\_\_ year(s) from this date and shall expire on \_\_\_\_\_.  
*A. Or if recommendation #2 is approved the condition shall read...This permit shall be valid until 90 days after the last single family home building permit has been issued for the Longmeadow subdivision. (Planning & Housing)*
3. The storage of materials, equipment, and vehicles is limited to the inside of the fenced yard area. No debris including trash, landscape material, or other construction material, equipment, or vehicles, shall be kept outside the fenced construction yard. (Planning & Housing)
4. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Planning & Housing)

5. No signs shall be placed onsite without first obtaining a City of Roseville Sign Permit. (Planning & Housing)
6. After the expiration of this permit the site shall be returned to its former condition free of any debris, structures, or other materials within 30 days. (Planning & Housing)
7. Approval of the temporary use permit is contingent upon compliance with applicable provisions of the Roseville Municipal Code. (Planning & Housing)

### **ATTACHMENT**

1. Email from JMC Homes
2. Location Map – Site, Longmeadow and Crocker Ranch

### **EXHIBIT**

- A. Site Plan

**Note to Applicant and/or Developer:** Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.

**Ogden, Derek**

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**From:** Daryle Hassler <dhassler@jmc homes.com>  
**Sent:** Wednesday, March 24, 2010 4:18 PM  
**To:** Ogden, Derek  
**Cc:** 'BMcAlister'; 'Steve Schnable'; mfuerst@jmc homes.com  
**Subject:** Administrative Permit for Construction Yard.

Hi Derek,

JMC Homes would like to finalize the Administrative Permit for the construction yard, and with that, we are willing to accept the conditions outlined in your email of February 11, 2010.

We would however, request that the City take into consideration in the future the following benefits that we believe the construction yard brings not only to JMC Homes, but surrounding neighbors, and the City as well.

The original concept of the construction yard was a central location that would serve as a lumber recycling yard that would allow us to transport lumber that may be unusable from jobsites to the yard, to be cut down into smaller components. By recycling this lumber, it not only saves money from added lumber costs, but also saves on dump and fuel costs as well. In the yard, we not only recycle lumber from the jobsites, but construct a majority of the components that require more precise and accurate work for the homes.

As we are all aware, residential construction sites by their very nature are typically noisy, dusty, and hazardous not only to the workers constructing the homes but to curious neighbors and their children as well. It is never a desired activity for surrounding neighbors. By having the construction yard in an enclosed and controlled setting away from the jobsite, we have reduced these nuisances and increased our efficiency considerably.

It would be our desire to remain at the construction yard until our projects in the neighborhood are completed, but we understand that there has been pressure applied to the City staff by a neighbor in the community. While we understand how these pressures can influence action on behalf of the staff, we also believe that the pros far outweigh the cons for the yard to remain, and that this site is a practical site for the construction yard.

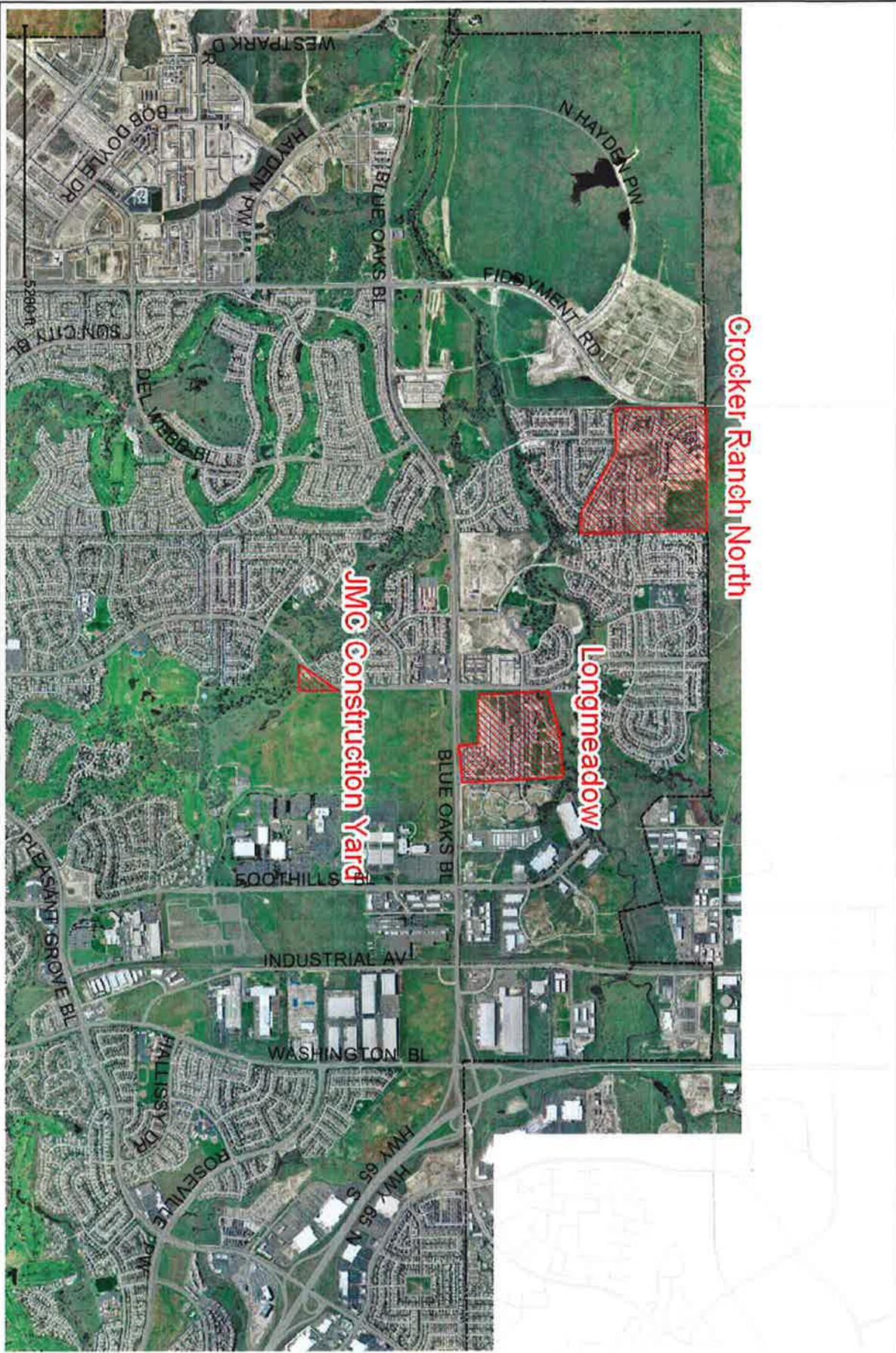
To summarize, outlined below is a list of what we believe to be advantages with the construction yard being operational:

- Recycling of building material
- Less material in the local landfill
- Reduction of noise and dust from the jobsites
- Reduction of hazards to workers
- Reduction of hazards to surrounding neighbors
- Reduction of job theft
- Increased productivity and accuracy

Thanks for all your efforts on this. Please contact me with any questions.

**Daryle Hassler**  
**JMC Homes**

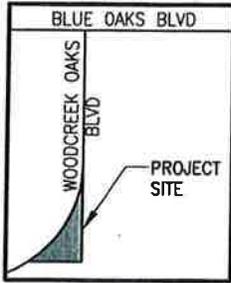
Architectural Department Manager  
1430 Blue Oaks Boulevard, Suite 190  
Roseville, CA 95747





# CONSTRUCTION YARD

JAN 14 2010  
Planning & Excavation Department

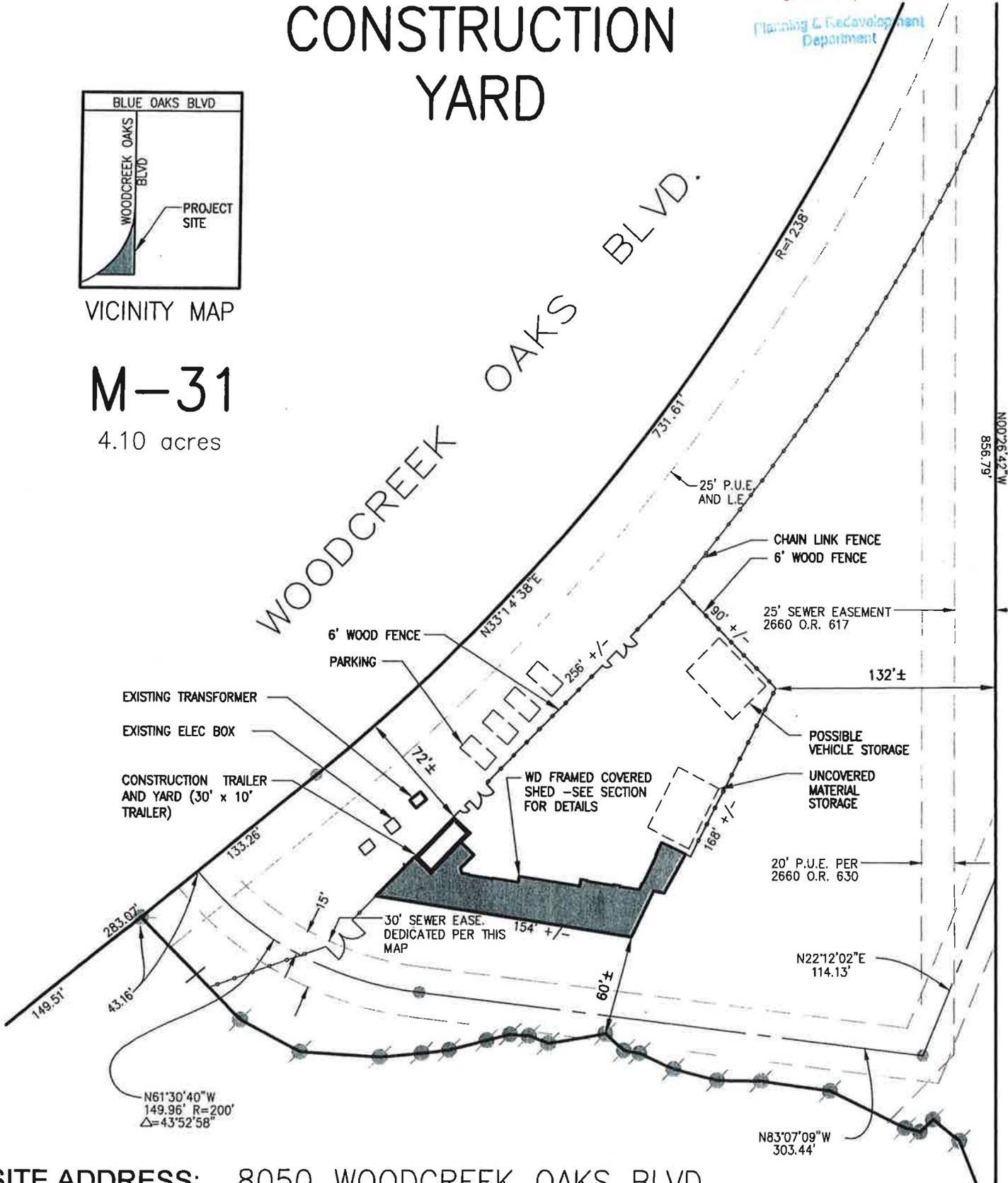


VICINITY MAP

## M-31

4.10 acres

WOODCREEK OAKS BLVD.



SITE ADDRESS: 8050 WOODCREEK OAKS BLVD

SCALE: 1"=80'

ZONING: COMMUNITY COMMERCIAL

JOHN MOURIER CONSTRUCTION INC.  
1430 Blue Oaks Blvd. Ste 190  
Roseville, Ca 95747-7143  
Office: 916-782-8879  
CALIFORNIA LIC. 613004 B

APN: .

M31-AP DH 01-14-10



**ITEM V-B: HOME OCCUPATION PERMIT REVOCATION HEARING (SIGN OF LIGHT) – 9499 HIGHLAND PARK DRIVE – FILE # ZCC-000433.**

**REQUEST**

The Planning Department requests that the Planning Commission hold a public hearing to discuss violations of the Home Occupation Permit for Sign of Light sign business and the ongoing violations and code enforcement actions related to the storing of commercial vehicles and business related material in a residential neighborhood in conjunction with the home based business.

Property Owner – William Batterman, Sign of Light

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the Finding of Fact; and
- B. Recommend that the City Council revoke the Home Occupation Permit for Sign of Light.

**SUMMARY OF OUTSTANDING ISSUES**

For 4 years there have been complaints, violations, and code enforcement actions associated with a Home Occupation. The property owner has dismissed staff's repeated requests to comply with the conditions of the Home Occupation Permit. Based on the history and lack of compliance and per the Zoning Ordinance, the Planning Department seeks to initiate the process to revoke the Sign of Light Home Occupation Permit.

**BACKGROUND**

In November of 2007, the Code Enforcement Division began receiving complaints from neighbors regarding two commercial vehicles and other business related material stored in the driveway in association with a home based business for a sign contractor (Sign of Light). To date, the City has received a total of nine complaints and issued 19 citations in association with violations related to the home business (see Attachment 1). Due to the repeated complaints, the Code Enforcement Division has been proactively monitoring the situation. In May 2011, after repeated efforts at enforcement did not achieve resolution, the issue was forwarded to the Planning Department to pursue permit revocation.



Photo Dated 4/22/11

Staff has since mailed out two letters and placed numerous phone calls to discuss the situation with Mr. Batterman. Staff was contacted on June 30<sup>th</sup> and was told by the property owner that the commercial vehicles were being stored at a commercial location and no longer at the residence (see Attachment 2).

At that time, staff asked for further verification through a lease or other formal form of written documentation and to date has not received any additional information. In addition, Code Enforcement officers have been out to the site several times since June 30<sup>th</sup> and observed one of the vehicles (a boom truck) parked at the home on a regular basis (see Attachment 3).

Figure 1: Vicinity Map



A Home Occupation is an accessory, nonresidential business activity carried on within a dwelling by its inhabitants, incidental to the residential use of the dwelling, that does not change the character of the surrounding residential area by generating more traffic, noise, or storage of material than would normally be expected in a residential zone. To ensure compatibility with the neighborhood, Home Occupations require approval of a permit that has corresponding conditions of approval. These conditions are designed to protect and maintain the residential character of neighborhoods while recognizing that certain professional and limited business activities have been traditionally carried on in the home. However, home occupations that are inconsistent with the conditions of the permit are prohibited.

**Grounds for Revocation:** Per the Zoning Ordinance, Chapter 19.88 (see Attachment 4), failure to comply with the conditions of approval of the permit place the homeowner at risk of losing the Home Occupation, as a Home Occupation is not permitted if the character of the neighborhood is changed due to work-related activities, vehicles, and/or storage. As previously stated, on-going violations have been occurring for 4 years with no sustained resolution and the following outlines the permit conditions that are currently being violated.



## **EVALUATION**

A Home Occupation shall be subject to the conditions and criteria outlined in Section 19.42.050 (see Attachment 5). As noted below, the following details the current performance standards/conditions that are being violated and a detailed description of the violation.

- **Not more than one (1) vehicle specifically designated to be used for a Home Occupation shall be parked at the subject residence at any time. Such allowed vehicle shall not be larger than a standard pickup or delivery van. No commercial vehicles or trailers shall be parked at the residence at any time.**

The commercial grade boom truck, approximately 7' x 10' violates the above-referenced Home Occupation standard pertaining to commercial vehicles. In addition, the vehicle is prohibited per the home occupation standards from parking on the adjacent residential street.

- **The Zoning Ordinance also states that no Home Occupation activity shall occur outside at any time, nor shall any equipment or material relating to the Home Occupation be parked or stored outside the residence.**

The miscellaneous construction materials (as seen in the previous photo taken on April 22, 2011) that are occasionally stored in the driveway violates this standard. The materials shall be stored inside and shall not alter or change the outside appearance of the premises with visible evidence of the conduct of the home occupation.

**Home/Business Owner's Response:** According to Mr. Batterman, the majority of the complaints are a result of a neighborly feud and are unwarranted. He claims he is no longer storing his vehicle at his residence and believes that he has the right to occasionally stop by his home throughout the day. He has stated that he has resolved the issues of storing outdoor material at his home and now keeps all work related supplies within his garage.

Mr. Batterman has had several conversations with representatives from the Police Department, Code Enforcement Division, and Planning Department regarding these complaints. City staff from these departments have attempted to work with Mr. Batterman over the years to resolve the issues; however, the violations continue to occur and are never fully resolved. As such, the home business is in violation of the conditions of the home occupation permit. According to the most recent site inspection on July 19, 2011, Mr. Batterman's home business is currently in violation of the conditions of the Home Occupation Permit and the outstanding issues noted within this staff report.

## **CONCLUSION**

Given the nature of the complaints, the pictures documenting the vehicles, and the length of time it has been occurring, the operation of the home based business is inconsistent with the conditions of the Home Occupation Permit and incompatible with the residential character of the neighborhood. As such, in absence of sustained corrective action by the property owner to resolve the violations and comply with the conditions of the permit, the Planning Department finds no other alternative than to recommend the revocation of the Home Occupation Permit for Sign of Light.

## **FINDINGS**

Section 19.88 of the City of Roseville Zoning Ordinance provides that a permit may be revoked upon a finding that one or more conditions have been violated or not complied with. Based on the evidence and the analysis contained in this staff report and with the project conditions, the required finding can be made for the Home Occupation Permit Revocation as follows:

1. **One (1) or more of the conditions upon which the permit was approved have been violated, or have not been complied with. Therefore, the revocation of the permit shall be initiated by order of the Planning Commission.**

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Guidelines Section 15301(e) pertaining to existing structures and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

## **RECOMMENDATION**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the Finding of Fact; and
- B. Recommend that the City Council revoke the Home Occupation Permit for Sign of Light.

## **ATTACHMENTS**

- 1. Complaint History
- 2. Letters to Home Owner/Home Owner's Response
- 3. Photos of Violations
- 4. Zoning Ordinance Section 19.88 (Revocation Procedure)
- 5. Zoning Ordinance Section 19.42.050 (Home Occupation Performance Standards)
- 6. Home Occupation Permit

**Note to Applicant and/or Developer:** Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.

William "Bill" J. Batterman, dba Sign of Light  
9499 Highland Park Drive  
Roseville, CA 95678

PREPARED BY: Bill Burke, City of Roseville Code Enforcement Inspector

OVERVIEW: 6 zoning complaints, 1 property nuisance complaint; 9 different complainants (5 residents, 2 police, 2 code enforcement); 19 citations issued (12 administrative, 7 notice to appear)

01/26/06 – Home Occupation Permit ZCC-000433 approved for property owner Bill Batterman to conduct a sign installation business from this residence.

11/25/07 – complaint CE-003741 received regarding two commercial sized vehicles parked at the residence.

11/28/07 – Inspector Bob Ransford (BR) confirmed two vehicles, both larger than a standard pickup truck, parked at the residence. BR contacted Bill Batterman in person advised of violation, requested compliance.

12/01/07 – BR re-inspected the property, noted one violation vehicle, left a Code Enforcement Notice with a copy of the approved Home Occupation Permit at the front door.

12/06/07 – BR spoke with Bill Batterman by phone and advised continued violations may result in citations starting at \$100 per violation, per day. Mr. Batterman stated he will continue parking his vehicle at his residence.

12/11/07 – BR issued admin citation #12274 for Home Occupation Permit violation (vehicle size) after confirming one large pickup parked on site.

12/13/07 – BR e-mailed a request for assistance to Roseville Police Lt. Stan Lumsten, requesting PD assistance.

12/22/07 – BR received a response from Roseville Police CSO Supervisor Traci Drake, advising the homeowner has been contacted and advised of the *Commercial Vehicle Parking Within Residential Neighborhoods*, and *72-Hour Parking* ordinances and the property was currently within compliance.

01/15/08 – BR re-checked the property, did not observe any violations, and closed this case.

01/16/08 – BR re-checked the property, observed a violation, proactively opened new complaint CE-003964, and issued admin citation #14255 for Home Occupation Permit violation (vehicle size).

02/12/08 – BR re-checked the property, did not observe any violations, and closed this case.

03/25/08 – BR contacted Bill Batterman, who was driving a commercial size vehicle, at his residence to discuss continued violations and citations. Mr. Batterman became argumentative, and BR opened new case CE-004184, and issued admin citation #14265 for Home Occupation Permit violation (vehicle size).

04/21/08 – BR re-checked the property and issued admin citation #13166 for Home Occupation Permit violation (material storage).

04/28/08 – BR re-checked the property and issued admin citation #13170 for Home Occupation Permit violations (material storage, vehicle size). While in the area, BR also received a 2<sup>nd</sup> complaint from a new complainant regarding this ongoing activity.

07/17/08 – BR re-checked the property periodically and after noting no violations, closed this case.

10/27/08 – BR proactively opened new complaint CE-005224 and issued admin citation #13759 for Home Occupation Permit violation (vehicle size).

12/04/08 – BR closed this case.

11/24/09 – complaint CE-006457 opened after Roseville Police Off. Andrew Palmore left a Code Enforcement Notice at this property regarding material storage in the driveway.

12/03/09 – Inspector Keith Bigbee (KB) closed this case after verifying compliance.

03/25/10 – New complaint CE-006752 from a new complainant, received via Roseville Police Parking Enforcement Off. Kyle Young.

03/31/10 – I confirmed a violation, issued citation #18921 for Home Occupation Permit violation (vehicle size, 2 counts) and Expired City Business License violation.

04/29/10 – I confirmed a violation and issued citation #19255 for Home Occupation Permit violation (vehicle size). I was also advised from the City Attorney's office that only one of the previous citations was paid by Mr. Batterman. The rest have been referred to collections.

05/26/11 – new complaint received from a previous complainant, via Roseville Police Parking Enforcement Off. Kyle Young, PD incident RO101450281. Off. Young contacted the homeowner who admitted both trucks are always parked at the residence.

05/27/11 – I confirmed a violation, and issued notice to appear citation #872032 for Home Occupation Permit violation (vehicle size, 2 counts).

06/04/10 – new complaint received from a new complainant.

07/21/10 – I confirmed a violation and issued notice to appear citation #872035

07/26/10 – new complaint received from a new complainant.

09/08/10, 09/15/11, 09/21/11, and 09/24/11 – after I did not observe any new violations, I closed this case.

10/20/10 – I confirmed a violation, proactively opened new complaint CE-007357, and issued notice to appear citation #872030 for Home Occupation Permit violation (vehicle size).

11/05/10 – I confirmed a violation and issued notice to appear citation #878101 for Home Occupation Permit violation (vehicle size).

12/01/10 – I confirmed a violation and issued notice to appear citation #878103 for Home Occupation Permit violation (vehicle size).

01/11/11 – I confirmed a violation and issued notice to appear citation #878104 for Home Occupation Permit violation (vehicle size).

01/21/11 – I confirmed a violation and issued notice to appear citation #878107 for Home Occupation Permit violation (vehicle size, 2 counts).

02/25/11 – I confirmed a violation and after being advised Mr. Batterman has been attending his mandatory court appearances and paying court costs, I issued admin citation #18935 for Home Occupation Permit violation (vehicle size).

04/22/11 – I confirmed a violation and issued admin citation #19053 for Home Occupation Permit violation (vehicle size).

05/05/11 – I confirmed a violation and issued admin citation #19063 for Home Occupation Permit violation (vehicle size).

05/13/11 – Associate Planner Wayne Wiley (WW) sent a final letter requesting compliance which referenced rescinding the Home Occupation Permit and City Business License for continued violations. Deadline for compliance was 06/01/11.

06/01/11 – I confirmed a violation and issued admin citation #19102 for Home Occupation Permit violation (vehicle size).

06/24/11 – A boat and trailer are parked in the driveway. No truck violations in view.

06/28/11 – Boat and trailer remain, truck not in view.

06/29/11 – Boat and trailer remain, truck not in view.

07/06/11 – I confirmed a violation, boat and trailer not in view.

07/07/11 – I confirmed a violation.

07/08/11 – I confirmed a violation, no photo taken.

07/13/11 – I observed a standard size pickup truck parked in the driveway were the boom truck has been previously located. No other violations.

07/15/11 – No violations noted. I took 1 photo.

07/19/11 – I confirmed two violations. The boom truck was parked on the roadway across the residence, and a large trailer with sign equipment/material was stored in the driveway.

07/20/11 – No violations observed.



Planning Department  
311 Vernon Street  
Roseville, California 95678-2649

May 13, 2011

Mr. Bill Batterman  
9499 Highland Park Drive  
Roseville CA 95678

**Re: Home Occupation Permit Violations (9499 Highland Park Drive)**

Dear Mr. Batterman:

The purpose of this letter is to inform you that the Planning Department has been made aware of on-going code enforcement actions regarding activities occurring at 9499 Highland Park Drive related to an existing Home Occupation Permit. Our records show that you are the property owner and operator of the home based business approved on January 2006 for off-site sign repair/installation (see Attachment 1).

A Home Occupation is a non-residential business activity carried on within a dwelling which is incidental to the residential use of the dwelling, and does not change the character of the surrounding residential area by generating more traffic, noise, or storage of material than would normally be expected in a residential zone. Home Occupations that are inconsistent with this definition are prohibited and can be revoked. The on-going violations that you have been repeatedly cited for show that your Home Occupation is inconsistent with this definition.

Because the violations and code enforcement action have been going on for so long (4 years), with no resolution, we are asking for your cooperation one last time before we initiate a process to revoke your Home Occupation Permit. The following outlines the permit conditions that are being violated and what you must do to avoid permit revocation.

- **Home Occupation Performance Standards within the Zoning Ordinance state that no more than one (1) vehicle specifically designated to be used for a Home Occupation shall be parked at the subject residence at any time. Such allowed vehicle shall not be larger than a standard pickup or delivery van. No commercial vehicles or trailers shall be parked at the residence at any time.**

The commercial grade boom truck, approximately 7' x 10' must be removed from the property, as it violates the above-referenced Home Occupation standard pertaining to commercial vehicles.

- **The Zoning Ordinance also states that no Home Occupation activity shall occur outside at any time, nor shall any equipment or material relating to the Home Occupation be parked or stored outside the residence.**

The miscellaneous construction materials that are occasionally stored in the driveway are prohibited.

- **Personal contact with any employees shall not be allowed at the residence at any time unless authorized through the approval of an Administrative Permit.**

It is not permissible for employees to drive to your location, leave a vehicle at the residence, and depart in a vehicle associated with your Home Occupation.

Per the Zoning Ordinance, Chapter 19.88 (see Attachment 2), failure to comply with the conditions of approval of your permit will place you at risk of losing your Home Occupation, as a Home Occupation is not permitted if the character of the neighborhood is changed due to work-related activities, vehicles, and/or storage.

In summary, to comply with the zoning standards it is necessary for you to, 1) ensure that the commercial grade boom truck is removed and no more than one business related pickup truck is stored at the site, 2) remove all construction related materials from your driveway, and 3) ensure that employees do not come to the site to pick up vehicles or conduct other Home Occupation-related activities.

Failure to correct the above-referenced issues by June 1, 2011, will result in your case being referred to the Planning Commission to begin the revocation process of your Home Occupation Permit. Please contact me directly with an update on the status of your compliance. I can be reached at (916) 774-5276 or via email at [wwiley@roseville.ca.us](mailto:wwiley@roseville.ca.us).

Thank you in advance for your immediate attention in addressing this issue.

Sincerely,

Wayne Wiley  
Associate Planner

Enclosures

1. Home Occupation Permit
2. Zoning Ordinance Section 19.88.



Planning Department  
311 Vernon Street  
Roseville, California 95678-2649

June 27, 2011

Mr. Bill Batterman  
9499 Highland Park Drive  
Roseville, CA 95678

**Re: Home Occupation Permit Violations (9499 Highland Park Drive)**

Dear Mr. Batterman:

The purpose of this letter is to inform you that the Planning Department is moving forward with the steps necessary to initiate the revocation of your Home Occupation Permit. Per the letter dated May 13, 2011, you had until June 1, 2011, to contact City staff to address the unresolved code enforcement issues regarding activities occurring at 9499 Highland Park Drive in association with your home based business.

As stated in the previous letter, the violations that you have been repeatedly cited for indicate that the operation of your home based business is inconsistent with the conditions of your permit and incompatible with the residential character of the neighborhood. Because the violations and code enforcement actions have been ongoing and you have not responded to our repeated requests to comply with the conditions of your permit, staff will schedule a public hearing before the Planning Commission on July 28, 2011, to begin the process to revoke your Home Occupation Permit.

Prior to the Planning Commission hearing, a notice will be mailed to you and to the residents located within 300 feet of your property. The hearing will be open to the public for comment and you will also have an opportunity to address the Commission. We strongly recommend that you be present at this meeting; however, if you are unable to attend and we do not hear from you by July 11, 2011, we will proceed with the hearing.

Should you have any questions or comments about the upcoming Planning Commission meeting please feel free to contact me. I can be reached at (916) 774-5276 or via email at [wwiley@roseville.ca.us](mailto:wwiley@roseville.ca.us).

Sincerely,

Wayne Wiley  
Associate Planner

Attachment

1. Previous letter Dated May 13, 2011



**916 652-4945**

**For All Your Sign Needs!**  
July 8, 2011

**Re: Bill Batterman / Sign of Light**

To Whom It May Concern:

This is to inform you that I, Robert C. McLemore dba Sign Masters have given permission to Bill Batterman of Sign of Light to park his service truck at my location.

Thank you,

Robert C. McLemore  
Sign Masters

RCM:gm

CE-007357

9499 Highland Park Drive, Sign of Light

07/05/11 @ 11:35, by BB

Desc: Overview of a commercial sized truck #6Z75877, parked on the roadway fronting directly across this residence.

Photo #1



**CE-007357**

**9499 Highland Park Dr, Sign of Light**

**07/06/11 @ 06:30, by BB**

**Desc: Close-up of a large boom truck parked in the driveway of this residence.**

**Photo #1**



**CE-007357**

**9499 Highland Park Dr, Sign of Light**

**07/07/11 @ 06:00, by BB**

**Desc: Close-up of a large boom truck parked in the driveway of this residence.**

**Photo #1**



CE-007357

9499 Highland Park Dr, Sign of Light

07/19/11 @ 06:10, by BB

Desc: Close-up of a trailer with signs, parked in the driveway.

Photo #2



CE-007357

9499 Highland Park Dr, Sign of Light

07/19/11 @ 06:10, by BB

Desc: Close-up of a large boom type truck with a damaged sign can, parked on the roadway fronting this residence.

Photo #1



## CHAPTER 19.88 - REVOCATION PROCEDURE

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### Section 19.88.010 - Purpose

This Chapter provides the process for the revocation or modification of any permit, or variance granted under this Chapter.

*(Ord. 3014 (part), 1996; Ord. 4662 (part), 2008)*

### Section 19.88.020 - Automatic Revocation of a Permit

Notwithstanding any other provisions of this Title to the contrary, a permit or variance shall cease to be valid, and all rights or privileges granted thereby shall lapse, whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of approval to be void or unenforceable, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions.

*(Ord. 3014 (part), 1996.)*

### Section 19.88.030 - Revocation or Modification of a Permit for Cause

A permit or variance may be revoked or modified for cause as provided by the provisions of this Section. For purposes of this Chapter, the modification of a permit or variance may include the modification of the terms of the permit or variance itself or the waiver, alteration or imposition of new conditions.

- A. Grounds for Revocation or Modification.** A permit may be revoked or modified upon a finding of any of the following grounds:
1. The permit was obtained or extended by false, misleading or incomplete information;
  2. One (1) or more of the conditions upon which the permit was approved have been violated, or have not been complied with.
- B. Initiation of Action.** The revocation of a permit or the modification of the conditions of approval of a permit shall be initiated by order of the Planning Commission. The order shall specify the basis upon which the action to revoke the permit or to modify the conditions is to be evaluated during the hearing to revoke or modify.

*(Ord. 3014 (part), 1996.)*

### Section 19.88.040 - Revocation Hearing

- A.** The City Council shall hold a public hearing on the revocation of a permit or the modification of the conditions of a permit on the grounds stated by the Planning Commission. The hearing shall be held in a timely manner after the issuance of an order of the Planning Commission. The hearing shall be noticed in the manner provided for a Type "B" notice as set forth in Section 19.78.020. The Council may grant a continuance of the hearing date upon a showing of reasonable cause or to allow the permittee additional time to adequately prepare for the hearing.

- B.** At the hearing, the Planning Department shall present evidence showing the cause for revocation of the permit or modification of the conditions of the permit. The permittee shall be entitled to present additional or rebuttal evidence as he or she may desire regarding the issues in question. The City Council shall consider all of the evidence, and may revoke the permit or modify a condition of a permit if it finds by a preponderance of the evidence that:
1. The permit was obtained or extended based upon false, misleading, or incomplete information submitted with the application for the permit, or;
  2. One (or more) of the conditions upon which the permit was approved has been violated, or has not been fully complied with in a timely manner.
- C.** In its discretion, the City Council may modify or delete the conditions of approval or add new conditions of approval in lieu of revoking a permit in order to address the issues raised by the revocation hearing. The decision of the City Council shall be final.

*(Ord. 3014 (part), 1996.)*

**Section 19.42.050 - Performance Standards**

A Home Occupation shall be subject to the following conditions and criteria:

- A. All Activities Indoors.** All Home Occupation activities shall occur within the dwelling or accessory structures. No Home Occupation activity shall occur outside at any time, nor shall any equipment or material relating to the Home Occupation be parked or stored outside the residence at any time.
- B. Customers.** Personal contact with customers at the residence is prohibited except when authorized by the Approving Authority through approval of an Administrative Permit. A maximum of one (1) student at a time is permitted for home occupations involving private instruction.
- C. Deliveries.** No delivery shall be by vehicles larger than an automobile, pickup, or typical delivery van.
- D. Employees.** A Home Occupation shall be operated by no more than two (2) individuals, both of whom shall be residents of the dwelling. Both residents shall be listed on the application for Home Occupation. No other person shall operate, or perform any function of the business at the residence. Personal contact with any employees shall not be allowed at the residence at any time unless authorized through the approval of an Administrative Permit.
- E. Flammable or Hazardous Materials.** A Home Occupation involving the storage of flammable or hazardous materials shall not be allowed unless the Fire Department approves, in writing, the amount and method of such storage of materials.
- F. Inspection Required.** The City of Roseville may, at all reasonable times during normal business hours, enter the premises for the purpose of inspecting to determine whether or not the conditions of this chapter are being complied with.
- G. Maximum Area.** The Home Occupation shall not require the use of more than fifteen (15) percent of the total floor area of the dwelling (including garage and detached accessory buildings). The Home Occupation shall not result in any addition to, alteration of, or exterior remodeling of, the dwelling, garage or accessory structures.
- H. Merchandise for Sale.** The making of merchandise for sale is permitted providing that the storage of such merchandise does not exceed total allowable area for Home Occupations and does not require the transporting of material or finished product by means other than an automobile, pickup or typical delivery van.
- I. Parking.** No Home Occupation shall result in the elimination of required off-street parking spaces.
- J. Signs.** No signs advertising the Home Occupation shall be allowed, except one vehicle used for the Home Occupation may display the business name.
- K. Vehicles.** Not more than one (1) vehicle specifically designated to be used for a Home Occupation shall be parked at the subject residence at any time. Such allowed vehicle shall not be larger than a standard pickup or delivery van. No commercial vehicles or trailers shall be parked at the residence at any time.
- L. Noise, Odors.** A Home Occupation shall not create adverse levels of noise or odors above the ambient levels in the surrounding neighborhood.

## **CHAPTER 19.42 - HOME OCCUPATION**

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### **Section 19.42.010 - Purpose**

The purpose of these regulations is to permit and regulate nonresidential activities to be performed within a structure in residential zones as Home Occupations.

*(Ord. 3088 § 8, 1997; Ord. 3014 (part), 1996)*

### **Section 19.42.020 - Home Occupation Defined**

A Home Occupation is an accessory, nonresidential business activity carried on within a dwelling by its inhabitants, incidental to the residential use of the dwelling, that does not change the character of the surrounding residential area by generating more traffic, noise, or storage of material than would normally be expected in a residential zone.

*(Ord. 3014 (part), 1996; Ord. 4662 (part), 2008.)*

### **Section 19.42.030 - Limitation on Use**

Home Occupations shall be permitted in a dwelling, so long as the maximum cumulative impact of all such businesses shall not exceed the limits set forth in this Section for a single Home Occupation. The following uses or activities are prohibited as Home Occupations:

- A. Fire arms and ammunition sales;
- B. Kennel services;
- C. Retail or wholesale sales with transfer of products to the buyer at the residential site. The operation of a Home Occupation shall not necessitate the rendering of services, merchandise sales, or distribution of merchandise to customers or clients on the premises, with the exception of private instruction;
- D. Vehicle or vehicle body, repair or painting; or
- E. Any use or activity that affects the character of the surrounding residential neighborhood by generating more noise, odors, vehicles, storage, or traffic than would be normally expected in a residential zone.

*(Ord. 3014 (part), 1996; Ord. 4662 (part), 2008.)*

### **Section 19.42.040 - Permit Requirements**

- A. A home occupation shall not be conducted prior to approval of a Zoning Clearance Certification in accordance with Chapter 19.72. Renters shall provide written evidence of owner approval of a Home Occupation with their application for a zoning clearance certification.
- B. If a Home Occupation does not conform to the performance standards of this chapter, approval of an Administrative Permit is required. The operation of a Home Occupation which requires personal contact with customers or employees at the subject site requires approval of an Administrative Permit pursuant to Chapter 19.74.

*(Ord. 3014 (part), 1996; Ord. 4662 (part), 2008.)*

Roseville Municipal Code – Title 19, Zoning

Article IV – Home Occupation

19.42

**M. Equipment.** No equipment (other than a permitted vehicle) or material relating to a Home Occupation shall be parked or stored outside the subject residence.

*(Ord. 3014 (part), 1996; Ord. 4662 (part), 2008.)*



# HOME OCCUPATION CLEARANCE FORM

ORIGINAL INK SIGNATURES ARE REQUIRED FOR PROPERTY OWNER and APPLICANT

BUSINESS NAME: Sign of Light

Address: 9499 Highland Park Dr ZipCode 95628

Description of Business (describe services/products in detail)  
Electrical Sign + Lighting Service

APPROVED BY  
 PLANNING DEPARTMENT  
 CITY OF ROSEVILLE

JAN 24 2006

Name Bill Batterman Date 1-24-06

Phone 916-416-1212 E-mail address bill-batterman71@Hotmail.com

Please answer YES or NO to the following:		YES	NO
1)	Will there be more than one (1) home occupation conducted from the home?		X
2)	Will the home occupation be operated by more than two (2) individuals?		X
3)	Are the applicant/applicants occupants of the home?	X	
4)	Will the home occupation require the use of more than 15% of the total floor area of the dwelling unit (including garage and detached accessory buildings)?		X
5)	Will the home occupation require any addition, alteration, or exterior remodeling?		X
6)	Will the home occupation result in the elimination of any required off-street parking?		X
7)	Are any signs advertising the home occupation proposed?		X

Please answer YES or NO to the following:		YES	NO
8)	Will the home occupation involve the storage of flammable or hazardous materials? (If yes, the Fire Department must approve, in writing, the amount and method of such storage of materials).		X
9)	Will any business related vehicle be stored at the home? I If yes, is it larger than a standard pick-up or van?	X	X
10)	Will any equipment or material relating to the home occupation, other than the permitted vehicles, be stored outside of the home?		X
11)	Will there be personal contact with customers/employees at the applicant's residence? (If yes, a Conditional Use Permit must first be secured from the Planning Commission)		X
12)	Will there be delivery of materials to the residence? If yes, will the frequency of delivery exceed two (2) times per month?		X
13)	Will the home occupation create adverse levels of noise or odors above the ambient levels in the surrounding neighborhood?		X
14)	Have you ever had another home occupation within the City of Roseville? If it is active, what address is it under?		X
15)	Do you own your home where the home occupation will be conducted?	X	

**OWNER'S AUTHORIZATION:** (If the applicant is not the owner of record), I authorize the Applicant to file this application and to represent me on all matters concerning the application.

**PROPERTY OWNER** (print or type) Bill Batterman

Address 9494 Highland Park Dr Day Phone 777-9445

Signature [Signature] Date 1-24-06

**CERTIFICATION**

I hereby certify under penalty of perjury that the above information is true and correct to the best of my knowledge, and further agree to uphold the conditions and limitations as set forth in Chapter 19.42 of the City of Roseville Zoning Ordinance.

Applicant's Signature [Signature] Date 1-24-06

**Business License must be obtained from the Finance Department .**

<b>FOR OFFICE USE ONLY</b>	
Approved By <u>V. Price</u>	Date <u>1/24/06</u>
Denied By: _____	Date: _____
A Conditional Use Permit is required _____	Date: _____

Home Occupations which do not comply with these Standards are required to apply for and receive approval of a Conditional Use Permit.

**ITEM V-C:**      **PHASED LARGE LOT TENTATIVE SUBDIVISION MAP – 6810 FIDDYMENT ROAD - SIERRA VISTA SPECIFIC PLAN – FILE # 2007PL-044 (SUB-000145)**

**REQUEST**

The applicant requests approval of a Phased Large Lot Tentative Subdivision Map to subdivide the Sierra Vista Specific Plan property into 150 large lots conforming to the land use plan adopted May 5, 2010. The proposed map does not include the Computer Deductions parcel which was formerly a part of the application.

Applicant – MacKay & Soms  
Property Owner – Sierra Vista Owners Group

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact as listed in the staff report and approve the Phased Large Lot Tentative Subdivision Map.

**BACKGROUND**

The Sierra Vista Specific Plan (SVSP) area is located in the southwest corner of the City, bounded by Fiddymment Road on the east, Baseline Road on the south, unincorporated Placer County on the west and the West Roseville Specific Plan on the north (Figure 1).

**Figure 1:**  
**Location Map**



The SVSP was approved by the City on May 5, 2010 and established the land use designations and zoning standards for the specific plan area. The SVSP was approved for development of 6,650 residential units in four phases. Currently an application to annex the land is being processed with the Placer County Local Agency Formation Commission (LAFCO). Map Act Section 66454 provides for pre-annexation filing of tentative maps; condition #41 assures consistency with Section 66454.

### **EVALUATION – LARGE LOT TENTATIVE MAP**

Currently the SVSP property consists of separate fee parcels, which the applicant seeks to merge and re-subdivide into 150 large lots conforming to the adopted land use plan, SVSP Figure 4-1 (Attachment 1).

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a tentative subdivision map. The three findings are listed below in ***bold italics*** and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan or any applicable specific plan for the area, whichever is more restrictive, and the design standards of this Title.***

The map indicates the 150 large lots will conform to the SVSP land use plan. The land use plan was evaluated for consistency with the finding necessary to approve the large lot map. The arterial, collector and primary residential street geometries depicted on the large lot map are consistent with the SVSP circulation plan and City requirements. All public facility sites and landscape easements are consistent with the SVSP and are shown as Irrevocable Offers of Dedication.

The SVSP property is a large area and will likely develop in smaller phases. Accordingly, the SVSP provides a phasing plan for a comprehensively planned infrastructure system and to ensure that improvements in each phase can support its development. The terms of the Development Agreements include provisions to address required infrastructure improvements, including on-site backbone infrastructure and off-site facilities necessary for build-out of each phase. The proposed map is consistent with the Development Agreements and the City's policies and standards.

The omission of the Computer Deductions parcel from this tentative map does not affect the ability of the other properties to proceed with obtaining a Phased Large Lot Tentative Subdivision Map. The SVSP shows multiple points of street and utility connections which provide alternative ways for project phases to develop, even if the CDI parcel is not part of the subdivision at this time.

- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.***

The proposed subdivision configuration will create practical large lots for the development of residential, commercial and public facility uses. Adequate frontage or access is provided to each large lot for orderly development. Land which is constrained by wetlands and watercourse is designated as Open Space preserve. Overhead power line easements are designated as Open Space or compatible uses. As depicted on the map, all of the large lots designated for development are practical for development.

**3. *The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.***

The proposed map is consistent with the land use plan which was evaluated in the Sierra Vista Specific Plan EIR for water quality and wastewater impacts. Mitigation measures incorporated into the project will reduce water quality and wastewater impacts to a less than significant level. The proposed wastewater system for the project and the treatment capacity at the City's wastewater treatment plant have adequate conveyance and capacity to accommodate the future development on all of the large lot parcels.

**CONCLUSION**

Staff has reviewed the proposed Phased Large Lot Tentative Subdivision Map, and also forwarded the application to all affected departments and service providers. As discussed above, the requested Phased Large Lot Tentative Map meets the required findings and staff recommends its approval.

**ENVIRONMENTAL DETERMINATION**

Pursuant to City of Roseville CEQA Implementing Procedures and the California Environmental Quality Act (CEQA) this project is consistent with the Sierra Vista Specific Plan FEIR certified by the City of Roseville on May 5, 2010 (SCH#2008032115). The FEIR provides project level environmental analyses of community infrastructure and facilities such as arterial roads and utilities, and for the grading to prepare the site for development. Therefore, no additional environmental documentation is required.

**RECOMMENDATION**

The Planning Department recommends the Planning Commission take the following actions:

- A. Adopt the three findings of fact as listed in the staff report; and
- B. Approve the Phased Large Lot Tentative Subdivision Map - File # SUB-000145 - subject to thirty-nine (39) conditions of approval.

**Conditions of Approval for Phased Large Lot Tentative Map SUB-000145**

- 1. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 2. The applicant shall pay City's actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities, Finance)
- 3. Prior to the recordation of any Final Maps the backbone infrastructure easements shall have been recorded, as required by the Development Agreement. (Public Works)
- 4. This map shall comply with the provisions set forth in the Sierra Vista Specific Plan and as specified in the applicable Development Agreement with each property owner. (Engineering)
- 5. Right of way shall be offered as an irrevocable offer of dedication (IOD) for all arterial and collector roadways as required by Public Works and as specified in the Development

Agreements. The right of way shall be widened adjacent to Low Density Residential and Medium Density Residential parcels to incorporate the required Landscape Corridors and Public Utility Easements consistent with the Specific Plan. Paseo easements fronting collector and primary residential roadways will be granted with the Large Lot Map and dedicated as right of way with future Small Lot Tentative Maps. Where the right of way is not widened, Public Utility Easements shall be offered adjacent to the right of ways. (Engineering)

#### **PRIOR TO ISSUANCE OF A GRADING PERMIT AND/OR IMPROVEMENT PLANS**

6. The applicant shall submit to the Planning and Engineering Departments the appropriate Army Corps of Engineers permit or clearance, the California Department of Fish and Game Stream Bed Alteration Agreement, and/or the Regional Water Quality Control Board Water Quality Certificate. (Planning)
7. An Irrevocable Offer of Dedication (IOD) shall be identified on any Final Map for all Open Space, well sites, and park parcels on that map. (Engineering, Parks)
8. Easement widths shall comply with the City's Improvement Standards and Construction Standards except as modified by the Sierra Vista Specific Plan. (Engineering, Environmental Utilities, Electric)
9. It shall be the land owner's responsibility to ensure all existing access and utility easements be abandoned or modified prior to the recordation of any Final Map that would restrict the intended use of these easements. This shall be done to the satisfaction of the City. (Engineering, Environmental Utilities, Electric)
10. Each Final Map shall include an information sheet that clearly depicts all prior recordings, including the proposed Final Map, within the bounds of the Sierra Vista Phased Large Lot Tentative Subdivision Map. This sheet will not require recordation, but will be a master exhibit held by the City to keep track of all recordings within the Sierra Vista Specific Plan area. To allow the City to maintain this exhibit, prior to Final Map recordation the City shall be supplied with a digital copy of this informational sheet. (Engineering)
11. Because the project is adjacent to a wetland/vernal pool preserve area, any outfall structure extending into the preserve must be either a design pre-approved by the U.S. Army Corps of Engineers (i.e. included in an approved Operation and Management Plan for the Preserve Area), or if the Corps-approved design for any such outfall is different from City standards, such outfall shall be subject to City approval. (Development Operations, Engineering)
12. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
  - a) Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter.
  - b) Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12 feet unless approved by Environmental Utilities. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.
  - c) All sewer manholes shall have all weather 10-ton vehicular access unless authorized by Environmental Utilities. (Environmental Utilities)

13. Recycled water infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. The applicant shall pay all applicable recycled water fees. Easements shall be provided as necessary for recycled water infrastructure. (Environmental Utilities)
14. Fire Hydrants shall be located as required by the City Design and Construction Standards. (Fire)
15. Minimum fire flow shall be as required by the City Design and Construction Standards. (Fire)
16. The location and design of the gas distribution service shall be determined by PG&E. The design of gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)
17. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

**PRIOR TO OR UPON RECORDATION OF FINAL/PARCEL MAP**

18. The following easements shall be provided and shown on the applicable Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions: (Note that roadside PUE widths cited herein are reduced for tapers and flares, auxiliary lanes, bus pull outs, etc., and PUE widths are less at open spaces as provided for in the specific plan.)
  - a) A 40' wide public utilities easement shall be dedicated along the frontages of Santucci Boulevard;
  - b) The P.U.E. located on Center Unified School District Parcel FD-65 shall read as follows: "Public Utility Easement (P.U.E.) for installation and maintenance of water, sewer, gas pipes, electroliers, traffic control appurtenances, and for poles and underground wires and conduits for electric power that is limited by this easement to a maximum of 13,000 volts, and television and telephone services together with all appurtenances pertaining thereto, on, under and across those strips lying between the sidelines of the rights of way and the lines delineated P.U.E.";
  - c) Water, sewer, and recycled water easements;
  - d) A 50' wide City of Roseville utilities/landscape easement shall be dedicated along the northern frontage of Baseline Road;
  - e) A 35' or 50' wide City of Roseville utilities/landscape easement shall be dedicated along the western frontage of Fiddyment Road, width dependent on adjacent land uses per specific plan;
  - f) A 35' or 50' wide public utilities easement shall be dedicated along the frontages of Westbrook Boulevard and Vista Grande Boulevard, width dependent on adjacent land uses per specific plan;
  - g) Public utility easements shall be granted along the frontages of the following roadways:

Federico Drive:

    - Minimum 25' on each side except for reductions at open space parcels per specific plan.

Sierra Glen Drive:

- North side, west of Market Street: 15'
- North side, east of Market Street: 12.5', except 15' at open space parcels
- South side, 15', except 25' at FD-53 and 12.5' at FD-9

Sierra Village Drive:

- North side, west of Westbrook Blvd.: 25'
- North side, east of Westbrook Blvd.: 12.5' except 25' at CG-50 and 20' at CG-20.
- South side, west of Westbrook Blvd.: 25'
- South side, east of Westbrook Blvd.: 12.5'

Silver Spruce Drive:

- East side: 12.5', except 25' at KT-52 and KT-61
- West side: 12.5', except 15' at open space.

Vista Park Drive:

- East side: 15' at FD-65, 25' at FD-53, and 12.5' at KT-4
- West side: 12.5'

Sierra Trail Drive:

- East side: 12.5'
- West side: 12.5'

Upland Drive:

- 25' on each side except for reductions at open space parcels per specific plan.

Market Street:

- 25' on each side except 15' at FD-41 and JM-40, and for reductions at open space parcels per specific plan.

- h) Per the Development Agreement and Specific Plan, an irrevocable offer of dedication for roadway and public utility/landscape easements shall be provided for the future transit transfer station from Market Street through Parcel CG-70. The extension and dedication of bus transfer station access through Parcel DF-40 will be provided with the future Major Project Permit for DF-40.

Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering, Alternative Transportation)

19. All existing easements shall be maintained, unless otherwise provided for in these conditions. This shall include the existing 35' and 50' electric easements covering the existing 60kV high voltage line within the project. (Environmental Utilities, Electric, Engineering)
20. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed Land Surveyor. (Environmental Utilities, Electric, Engineering)
21. The transit stop turnout on northbound Santucci Boulevard shall be located adjacent to Parcel KT-41A and the future park-and-ride lot. The exact location and an irrevocable offer of dedication for the right-of-way required for this transit stop shall be provided with the future Major Project Permit for Parcel KT-41A. (Engineering, Alternative Transportation)

22. The applicable Final Map shall include an irrevocable offer of dedication for the right-of-way required for a transit stop on northbound Market Street at Parcel CG-82, as determined by Engineering. This transit stop is complementary to and shall be in close proximity to the future transit transfer station that will be located on Parcel DF-40. (Engineering, Alternative Transportation)
23. Open space parcels will not be accepted by the City, either in fee or easement, until after the subdivider has fulfilled the terms of the Development Agreement regarding the Permit from the Army Corps of Engineers. Upon completion of the monitoring period, the owner shall notify the City of Roseville Planning Department. (Planning, Development Operations)
24. The street names shall be approved by the City of Roseville. (Engineering)
25. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)
26. The Final/Parcel Map shall be submitted per "The Digital Submittal of Cadastral Surveys." A plot or print of the submittal shall accompany the electronic copy. The complete submittal shall occur after the Engineering Department approval, but prior to City Council approval of the Final/Parcel Map. (Engineering)
27. Participating Owners, including Landowner, shall pay, as their fair share on a City-wide basis for the update of the City's Long Range Transit Master Plan, Short Range Transit Plan Update, and Bicycle Master Plan Update, the amounts of \$12,500, \$15,000, and \$12,500, respectively, prior to the recordation of any Large Lot Final Map, apportioned to Participating Owners on a pro-rata basis based on acreage. In the event these fees have already been paid, Participating Owners shall provide proof of payment of their fair share of these fees prior to the recordation of subsequent Large Lot Final Maps. (Engineering, Alternative Transportation)
28. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
29. Additional internal easements may be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
30. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
31. The City of Roseville Electric Department has electrical construction charges which are to be paid by the developer and which are explained in the City of Roseville "Specification for Commercial Construction." These charges will be determined upon completion of the final electrical design. (Electric)
32. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

#### **OTHER CONDITIONS OF APPROVAL**

33. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Environmental Utilities, Engineering)

34. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
35. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
36. No grading shall take place within the existing 35' and 50' electric easements covering Roseville Electric's 60kV overhead lines without prior written approval from Roseville Electric. (Electric)
37. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable or not and if site remediation is required. Non-emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)
38. The project shall comply with all applicable environmental mitigation measures identified in the Sierra Vista Specific Plan Environmental Impact Report. (Planning)
39. Consistent with Government Code 66454, this Large Lot Tentative Subdivision Map approval shall not be deemed in effect until the actions on the Sierra Vista Annexation are approved and become effective. If the Annexation is not completed within two (2) years of the date of this map approval, this approval shall be null and void. (Planning)

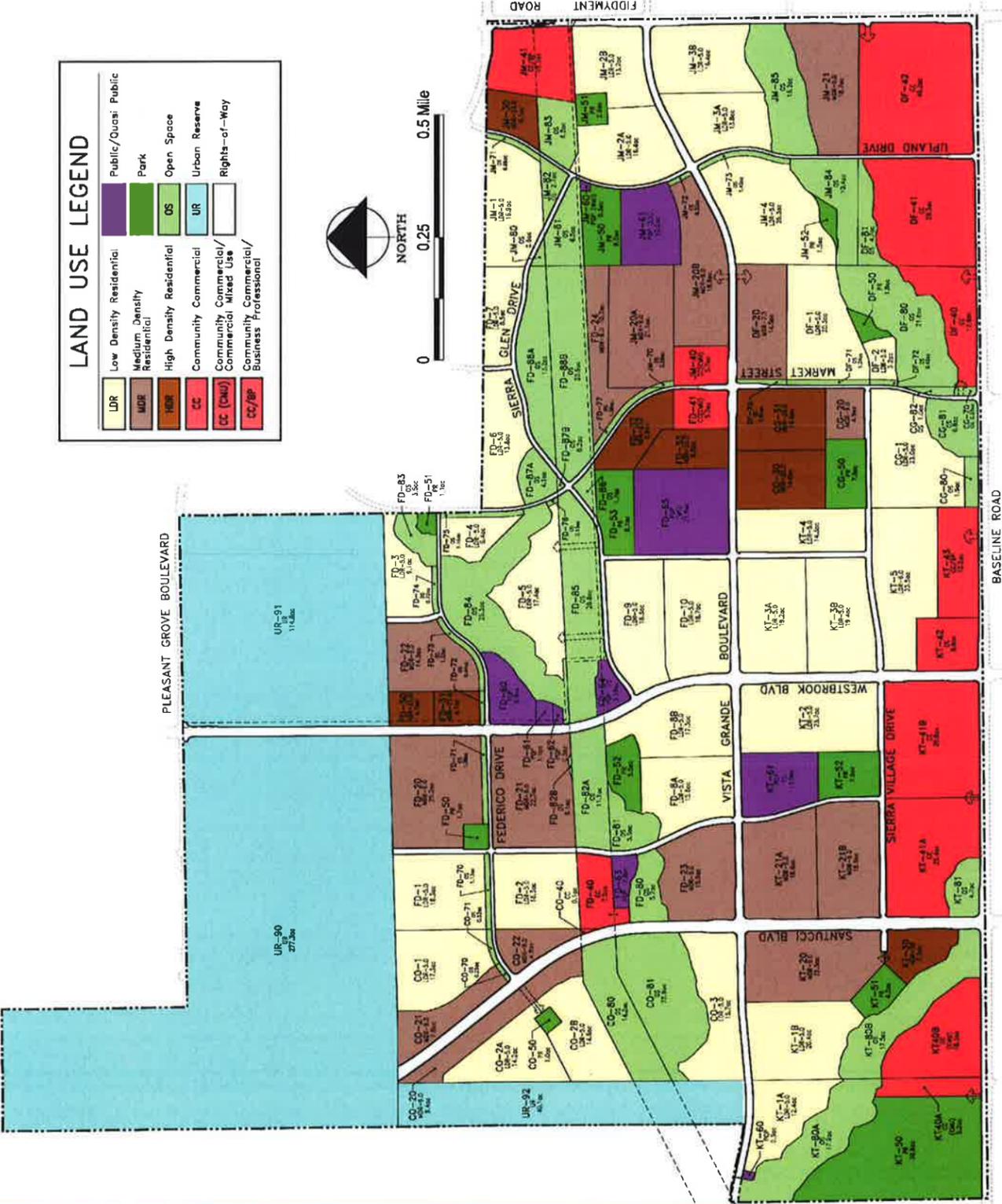
#### **ATTACHMENTS**

1. SVSP Land Use Plan

#### **EXHIBITS**

- A. Phased Large Lot Tentative Subdivision Map
- B. Ownership & Easements Exhibit

**Note to Applicant and/or Developer:** Please contact the Planning & Housing Department staff at (916) 774-5276 prior to the Planning Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Planning Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Housing Director at, or prior to, the public hearing.



LAND USE PLA

Figure 4-1: Land Use Map

# SIERRA VISTA COMMUNITIES

## TENTATIVE MAP INFORMATION

APPLICANT:	PROJECT NO.:	DATE:
WEST INVESTMENTS, INC.	017-150-009	04/16/2010
7700 College Town Dr., #101	017-150-001	(916) 774-6622
Sacramento, CA 95826	017-150-002	
	017-150-003	
	017-150-004	
	017-150-005	
	017-150-006	
	017-150-007	
	017-150-008	
	017-150-009	
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	017-150-042	
	017-150-043	
	017-150-044	
	017-150-045	
	017-150-046	
	017-150-047	
	017-150-048	
	017-150-049	
	017-150-050	

ENGINEER: MACKAY & SOMPS CIVIL ENGINEERS, INC.  
1552 Turrell Road, Suite 100  
Roseville, CA 95661  
(916) 773-1189

TOTAL ACRES: 1545.5 ± AC.

DEVELOPING GENERAL PLAN AND ZONE: 884 Land Use & Zoning Table 4-2 of the Sierra Vista Specific Plan

NUMBER OF LOTS: 150 TOTAL LOTS

32	150' LOTS
16	MOR LOTS
7	MEP LOTS
7	COMMUNITY COMMERCIAL/SHOP LOTS
4	COMMUNITY COMMERCIAL/SHOP LOTS
12	PARK/RECREATION LOTS
1	COMMUNITY COMMERCIAL/SHOP LOTS
27	OPEN SPACE (PASEO) LOTS
1	LANDSCAPE CORRIDOR (LC) LOTS
34	PUBLIC OPEN-SPACE LOTS
1	CHURCH LOT
1	ELECTRIC SUBSTATION LOT
1	FIRE STATION LOT
1	SEWER LIFT STATION LOT
1	RECTORY CENTER LOT
1	SCHOOL LOT
1	WATER STORAGE FACILITY LOT

SERVICE PROVIDERS:

SCHOOL DISTRICTS: Center Joint Unified School District  
Roseville City School District  
Roseville Joint Union High School District

PARKS & RECREATION: City of Roseville

SANITARY SEWER: City of Roseville

DOMESTIC WATER: City of Roseville

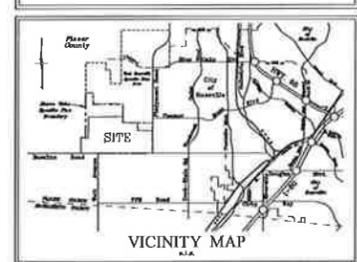
STORM DRAIN: City of Roseville

ELECTRICITY: City of Roseville

TELEPHONE: Roseville Telephone Co.

GAS: Pacific Gas & Electric Co.

CABLE: Comcast



- NOTES:
1. All lot areas shown on this map are approximate.
  2. All lot areas on this map are approximate.
  3. All lot areas on this map are approximate.
  4. The Final Large Lot Map and subsequent development of lots and subdivision of streets may be phased pursuant to the provisions of the applicable Development Agreement. Areas that match the property boundaries of "Participating Owners" as identified in the separate Development Agreement approved by the City are shown on this Large Lot Tentative Map. Each of the "Participating Owners" herein has entered a separate Large Lot Final Map(s) as a portion of their respective property. Each participating owner's individual Development Agreement area is identified on the map of the City of Roseville.
  5. Pursuant to Government Code Section 66406.1, the individual property owners herein may each file multiple Final Maps based upon this Large Lot Tentative Map. The filing of a Final Map on a portion of this Large Lot Tentative Map shall not constitute any part of the Large Lot Tentative Map.
  6. 100% for access, utility, easements, etc. for this Large Lot Tentative Map will be offered to the City of Roseville to accommodate phased project development as provided for in the Development Agreement. The City of Roseville may proceed with the project as provided in the Development Agreement.
  7. Additional easements to accommodate any public utility improvements, access required for lot development, or other similar easements required to accommodate the lot development shall be shown on this Large Lot Tentative Map.
  8. Numbered lots listed below are to be offered as 100% to the City of Roseville as provided for in the Development Agreement:  
Lot 100 (150' x 150')  
Lot 101 (150' x 150')  
Lot 102 (150' x 150')  
Lot 103 (150' x 150')  
Lot 104 (150' x 150')  
Lot 105 (150' x 150')  
Lot 106 (150' x 150')  
Lot 107 (150' x 150')  
Lot 108 (150' x 150')  
Lot 109 (150' x 150')  
Lot 110 (150' x 150')  
Lot 111 (150' x 150')  
Lot 112 (150' x 150')  
Lot 113 (150' x 150')  
Lot 114 (150' x 150')  
Lot 115 (150' x 150')  
Lot 116 (150' x 150')  
Lot 117 (150' x 150')  
Lot 118 (150' x 150')  
Lot 119 (150' x 150')  
Lot 120 (150' x 150')
  9. Collector Street and Primary Residential Street easements are provided herein and to be dedicated as Right-of-Way with Subdivided Small Lot Final Map, consistent with the Sierra Vista Specific Plan, except for the portions of the easements that are shown on this Large Lot Tentative Map as lots for the purposes of the City of Roseville's General Plan and Zoning Code.
  10. Collector Street easements are to be granted with subdivided Small Lot Final Map, consistent with the Sierra Vista Specific Plan.
  11. Landscape Divider widths may be reduced for secondary right-of-way lanes, roadway lanes, bus turn-outs, and shoulder lanes, per the provisions in the Sierra Vista Specific Plan.
  12. Intersection geometry for Arroyo & Collector streets are consistent with the City of Roseville Design Standards. Intersection geometry depicted herein is subject to modification based on traffic study review of the Large Lot Tentative Map(s) or improvement plans and could result in additional right of way dedication.
  13. Landscape Divider (LD) lots adjacent to LDR, MOR, and Open Space (OS) parcels shall be offered as 100% to the City of Roseville with the dedication of each phased Large Lot Final Map. (Note: LD Lots are not to be counted as "Lots" for any future RIA report.)
  14. The Final Map for this project shall be subject to the following conditions: Public Utilities (P.U.) for installation and maintenance of water, sewer, and gas lines, easements, utility easements and other public utility easements shall be provided for this project. The final map shall be subject to the following conditions: Public Utilities (P.U.) for installation and maintenance of water, sewer, and gas lines, easements, utility easements and other public utility easements shall be provided for this project. The final map shall be subject to the following conditions: Public Utilities (P.U.) for installation and maintenance of water, sewer, and gas lines, easements, utility easements and other public utility easements shall be provided for this project.



# PHASED LARGE LOT TENTATIVE SUBDIVISION MAP

## Sierra Vista

for a portion of the West Roseville Specific Plan Area

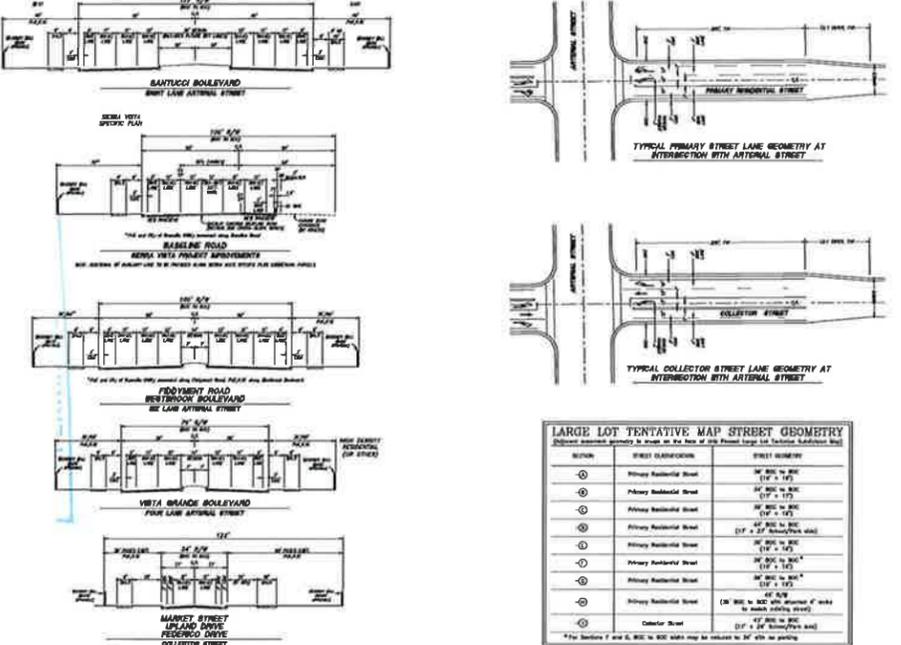
Scale: 1" = 300'

Roseville, California  
**Mackay & Sumps**  
ENGINEERS PLANNERS SURVEYORS

April 26, 2010

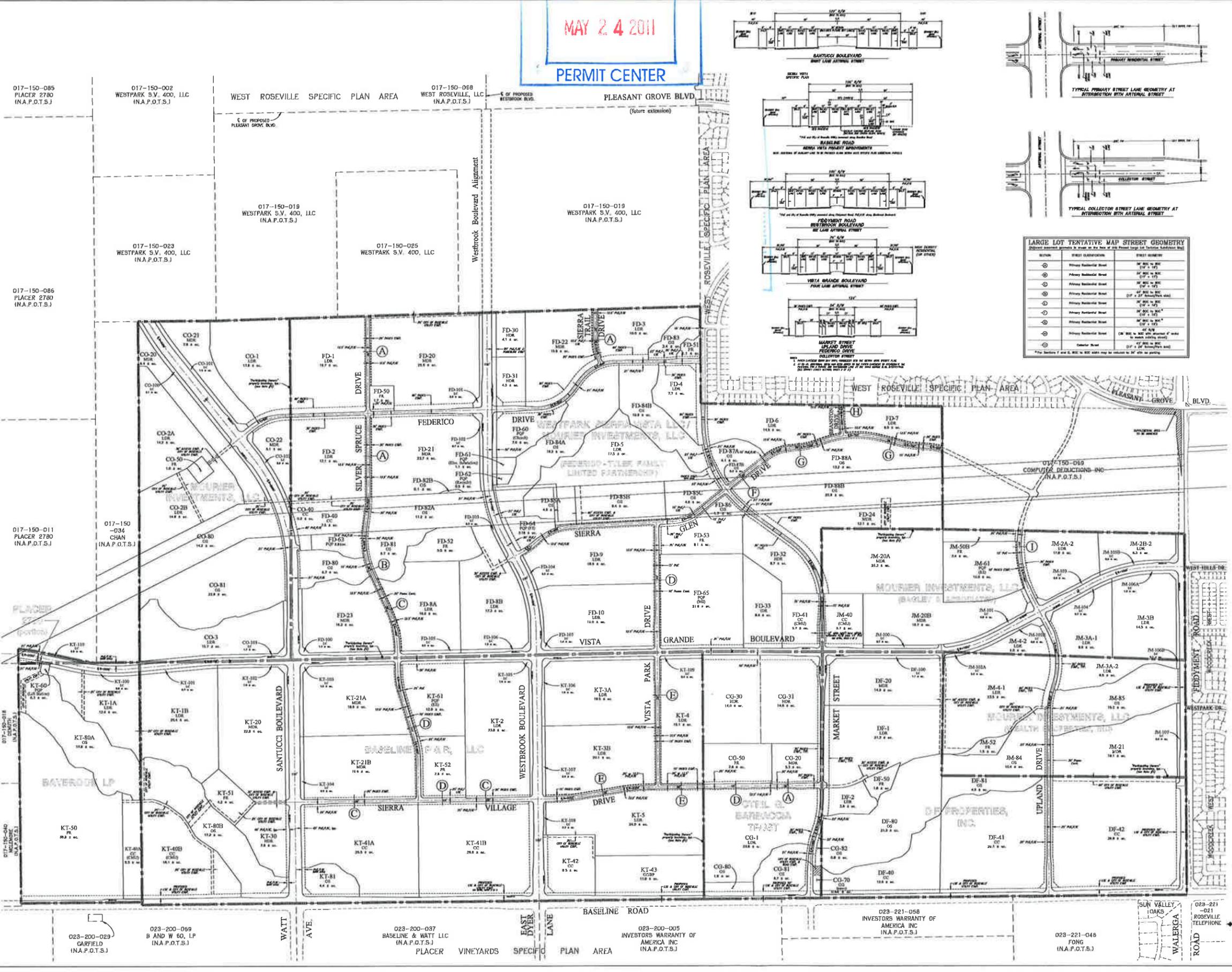
Sheet 1 of 2

RECEIVED  
MAY 24 2011  
PERMIT CENTER



LARGE LOT TENTATIVE MAP STREET GEOMETRY

SECTION	STREET SUBDIVISION	STREET GEOMETRY
1	Primary Residential Street	15' SIDE WALK
2	Primary Residential Street	15' SIDE WALK
3	Primary Residential Street	15' SIDE WALK
4	Primary Residential Street	15' SIDE WALK
5	Primary Residential Street	15' SIDE WALK
6	Primary Residential Street	15' SIDE WALK
7	Primary Residential Street	15' SIDE WALK
8	Primary Residential Street	15' SIDE WALK
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97	Primary Residential Street	15' SIDE WALK
98	Primary Residential Street	15' SIDE WALK
99	Primary Residential Street	15' SIDE WALK
100	Primary Residential Street	15' SIDE WALK



017-150-085  
PLACER 2780  
(INA.P.O.T.S.)

017-150-002  
WESTPARK S.V. 400, LLC  
(INA.P.O.T.S.)

017-150-068  
WEST ROSEVILLE, LLC  
(INA.P.O.T.S.)

017-150-019  
WESTPARK S.V. 400, LLC  
(INA.P.O.T.S.)

017-150-023  
WESTPARK S.V. 400, LLC  
(INA.P.O.T.S.)

017-150-025  
WESTPARK S.V. 400, LLC  
(INA.P.O.T.S.)

017-150-086  
PLACER 2780  
(INA.P.O.T.S.)

017-150-011  
PLACER 2780  
(INA.P.O.T.S.)

017-150-034  
CHAN  
(INA.P.O.T.S.)

017-150-029  
GARFIELD  
(INA.P.O.T.S.)

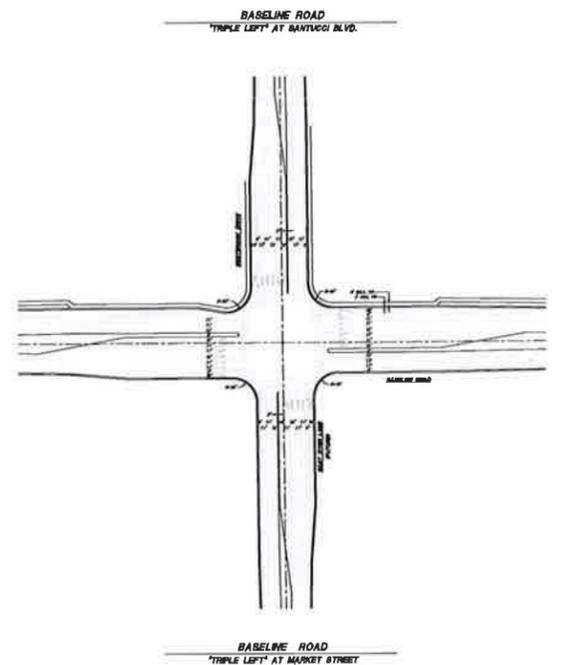
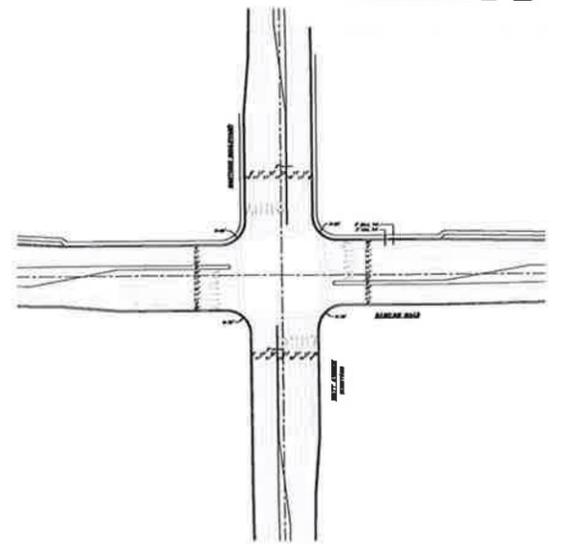
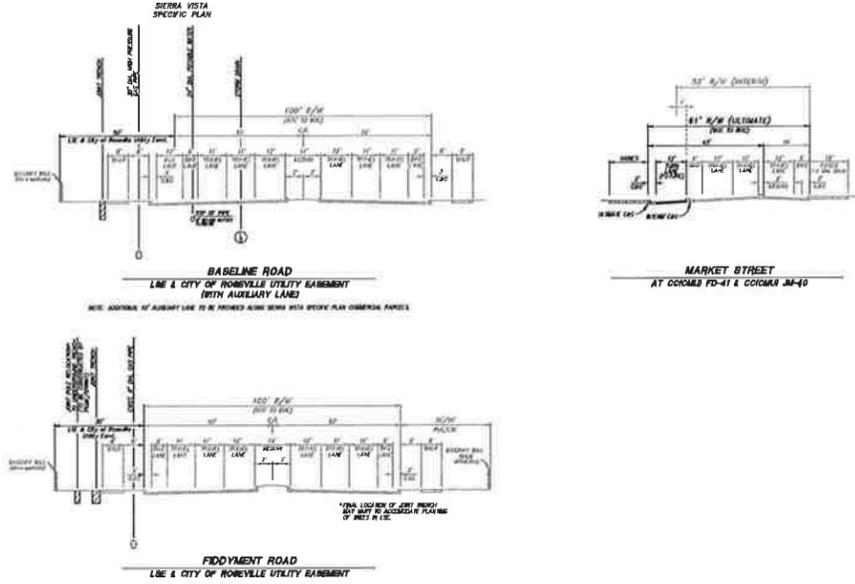
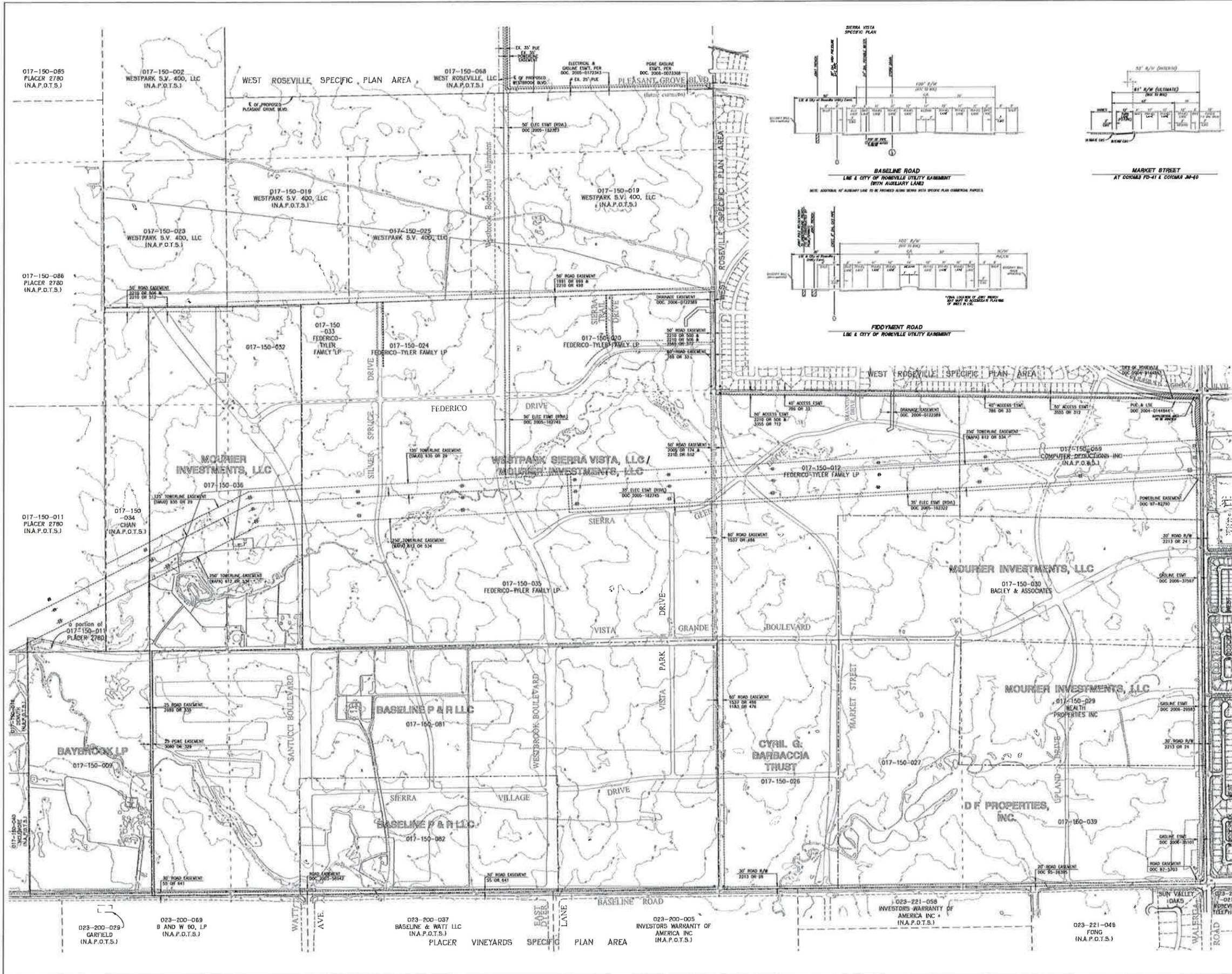
023-200-099  
B AND W 60, LP  
(INA.P.O.T.S.)

023-200-097  
BASELINE & WATT LLC  
(INA.P.O.T.S.)

023-200-005  
INVESTORS WARRANTY OF AMERICA INC  
(INA.P.O.T.S.)

023-200-046  
FONG  
(INA.P.O.T.S.)

023-221-058  
INVESTORS WARRANTY OF AMERICA INC  
(INA.P.O.T.S.)



**ATTACHMENT A**  
**Ownerships and Existing Easements Exhibit**  
 for the  
**PHASED LARGE LOT TENTATIVE SUBDIVISION MAP**  
 for a portion of the  

# Sierra Vista

  
*Specific Plan Area*

Scale: 1" = 300'  
 Roseville, California  
**Mackay & Somp**  
 ENGINEERS PLANNERS SURVEYORS

April 26, 2010  
 Revised October 15, 2010  
 Revised February 21, 2011  
 Revised March 28, 2011  
 Revised April 20, 2011  
 Revised May 21, 2011  
 Sheet 2 of 3

**PLANNING COMMISSION MEETING OF JULY 28, 2011**  
**REPORTS FROM PLANNER**

Prepared by Chris Burrows, Senior Planner

**A. REPORTS**

**Weed Abatement** – Each Spring the Fire Dept. sends out notices to the owners of vacant properties that they are required to mow a 30 foot wide fire break between their property and adjacent occupied properties. The property owner then has until the deadline (this year it was mid-June due to the late wet weather) to mow the fire break. If they do not create the fire break the Fire Dept. contracts to have it done and bills the property owner. Some property owners choose to mow their whole site, but the direction from the Fire Dept. is for a minimum 30 foot fire break.

**Nuisance Weed Abatement** – Separate from Fire's weed abatement program is the nuisance weed abatement program coordinated by Code Enforcement. The nuisance weed abatement program addresses weeds at developed sites, at sites that have an active building permit, and at abandoned building sites.

**400 Sunrise Ave. Weeds** – The code enforcement action on the site has resulted in the weeds being mowed down.

**Oakridge Dr. Vacant Lot Weeds** – The weeds on this vacant lot were mowed down on July 20, 2011.

**Adora Project at Junction Blvd. and Barbara Way** – Cresleigh Homes has re-started construction on the 103 unit attached single family project and the weeds along the project frontage have been removed.

**901 Riverside Ave. – Parking/Displaying Cars in Landscape Setback** – Code enforcement continues to cite the owner of the property for repeatedly violating the conditions of the CUP and displaying vehicles for sale in the landscape setback. The property owner has appealed several of the citations and a hearing before the Appeals Board is scheduled for early August.

**Status of I-80 Widening Project** – Please see the attached information sheet from Public Works with an update on the status of the I-80 widening project.

**B. CITY COUNCIL ACTIONS**

At the City Council meeting of July 20<sup>th</sup>, 2011 the Council took the following actions:

Approved a funding agreement for full cost reimbursement for the costs associated with the processing and environmental review of the Amoruso Ranch (formerly called Brookfield) Specific Plan.

**C. DESIGN COMMITTEE ACTIONS**

The next regularly scheduled meeting of the Design Committee is on August 18, 2011.

At the July 6<sup>th</sup> Council meeting the Council appointed Mike Motroni to the Design Committee to replace Anna Robertson who termed out.



City of Auburn  
 City of Colfax  
 City of Lincoln  
 Town of Loomis  
 City of Rocklin  
 City of Roseville  
 Placer County

## I-80 Capacity and Operational Improvements Fixing "The Bottleneck" at the Placer/Sacramento County Line

### Overview

The Interstate 80 (I-80) Capacity and Operational Improvements project will widen the freeway from the Placer/Sacramento County line (approximately Riverside Ave/Auburn Blvd) all the way to Highway 65. The existing carpool lanes in Sacramento County will be extended to Highway 65 in both eastbound and westbound directions, and auxiliary lanes will be added between the interchanges to allow a smoother entrance and exit from the freeway.



This project is near the top of all resident priorities in terms of transportation improvements.

### Partners

**Caltrans** – I-80 is a state highway and more than 50 percent of the funding will come from state and federal funds. As a result, Caltrans is taking the lead on the design and construction of the project.

**PCTPA** – As the Regional Transportation Planning Agency (RTPA) for Placer County, the PCTPA Board determines and manages Placer's priorities for the regional transportation system. The Agency is also the lead for amassing and administering funding for this project.

**City of Roseville** – The City has been an important advocate for the project and helped secure federal funding. The City is also working to make sure local growth plans are compatible with these improvements.

**Placer County** – The County has been a staunch advocate for the project and has helped secure federal funding.

**Former Congressman John Doolittle** – Former Congressman Doolittle led a coalition of advocates to secure \$71.6 million for the I-80 widening project in a Federal transportation bill that was passed in Washington D.C. in 2005.

Project Snapshot	
<b>PHASE 1 (completed)</b>	
Adds auxiliary lane EB from Auburn to Douglas	
Cost \$8.8 million	
Fully funded	
<b>PHASE 2 (construction start May 2008)</b>	
Adds HOV and auxiliary lanes EB and WB from County line to Miners Ravine	
Cost \$48 million (revised)	
Fully funded	
<b>PHASE 3 (construction September 2009)</b>	
Adds HOV and auxiliary lanes EB and WB from Miners Ravine past SR 65	
Cost \$34 million	
Fully funded	

*Phase 1 - Complete*

*Phase 2 - Completion expected Sept. 2011*

*Phase 3 - Completion expected Nov./Dec. 2011*

*weather has caused delays!*