

# CITY OF ROSEVILLE PLANNING DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING JANUARY 27, 2005

Prepared by: Wendy W. Hartman, Associate Planner

ITEM V-A:

GENERAL PLAN AMENDMENT, REZONE, DEVELOPMENT AGREEMENT, TENTATIVE SUBDIVISION MAP, & TREE PERMIT – 1470 BLUE OAKS BOULEVARD – FIDDYMENT 44 (AKA WALAIRE) – FILE#S: GPA 03-11, RZ 03-09, DA 03-10, SUBD 04-07, & TP 04-49.

## **REQUEST**

The applicant requests approval of the following entitlements:

- A General Plan Amendment to change the land use from Light Industrial (LI) to Low Density Residential (LDR 4.6), Parks and Recreation (PR), and Open Space (OS);
- A Rezone to change the zoning from Light Industrial (M1) to Small Lot Residential with Development Standards (RS/DS), Parks and Recreation (PR), and Open Space (OS);
- A Development Agreement to specify the terms of developing the property;
- A *Tentative Subdivision Map* to divide a 44.53 acre site into 148 residential lots and eight (8) lettered lots (open space, landscaping, & access easements); and,
- A Tree Permit to remove up to 50 native oak trees and encroach into the protected zone of others.

Applicant: J. Cleve Livingston; Boyden, Colluris, Livingston, & Sax Property Owner: John Fiddyment, Walaire, Inc

# **SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission:

- A. Adopt the Mitigated Negative Declaration;
- B. Adopt the three (3) findings of fact for the Tentative Subdivision Map;
- C. Approve the Tentative Subdivision Map subject to eighty-two (82) conditions of approval;
- D. Adopt the two (2) findings of fact for the Tree Permit;
- E. Approve the Tree Permit subject to twenty-one (21) conditions of approval.
- F. Recommend that the City Council approve the General Plan Amendment;
- G. Recommend that the City Council adopt the findings of fact for the Rezone;
- H. Recommend that the City Council approve the Rezone;
- I. Recommend that the City Council adopt the findings of fact for the Development Agreement; and
- J. Recommend that the City Council approve the Development Agreement.

# **SUMMARY OF OUTSTANDING ISSUES**

The Planning Department has discussed the recommended conditions of approval with the applicant. The applicant is not in agreement with staff's recommendations regarding the restriction on grading within the 100 year floodplain and restricting the amount of grading on certain lots in order to preserve native oak trees. Each of these items is discussed in greater detail in the evaluation section of the staff report.

# **AREAS OF CONCERN**

In addition to the outstanding issues discussed above, the following items represent key topics of concern associated with the proposed project:

- Conversion of Industrial land to Residential and the resulting diminution of developable industrial land, 20 acres or larger; and
- The long-term fiscal impacts upon the City's General Fund.

These items will be discussed further in the General Plan Amendment section of the staff report.

## **STAFF REPORT FORMAT**

Due to the number of entitlements associated with the request, the staff report has been organized in a manner that is intended to assist the Planning Commission with its review. The first part of the report will provide general background information on the project. The second part of the report focuses on the evaluation of the different entitlements associated with the project. The third part of the report includes the environmental determination, recommendation, and conditions of approval.

## **BACKGROUND**

The existing zoning and land use designation of the project site and surrounding properties are shown in the following table:

Location	Zoning	General Plan Land Use	Actual Use Of Property
Site	Light Industrial (M1)	Light Industrial (LI)	Single family residence and several out buildings
North	M1	LI	Pride Industries and other light industrial uses
South (across Blue Oaks Blvd.)	M1/SA	LI	Hewlett Packard Campus
East	M1	LI	Self storage facility and an office building
West	Small Lot Residential/Development Standards, (RS/DS) and Single Family Residential/Development Standards (R1/DS)	Low Density Residential (LDR-3.7) and Medium Density Residential (MDR-8.7)	Longmeadow project under construction

#### **EVALUATION**

The evaluation section of this report includes an analysis of each of the requested entitlements. Each of the entitlements is analyzed for its consistency with the goals and policies of the General Plan. Analysis is provided for the General Plan Amendment and Rezone first, followed by review of the Development Agreement, Tentative Subdivision Map, and Tree Permit. The review of the land use and zoning changes focuses on two key issues: the policy issue regarding the conversion of industrial land; and, the land use issue regarding the conversion of land from non-residential to residential.

# GENERAL PLAN AMENDMENT

The City of Roseville General Plan includes goals and policies to promote land use patterns that enhance quality of life and minimize conflicts between land uses. In addition, the City Council has adopted policies for the conversion of land from non-residential to residential. These policies include evaluating fiscal impacts, noise, air quality, parks and recreation, affordable housing, schools, water, and traffic when contemplating residential land use allocations. The General Plan land use designation as well as the zoning for the subject property is Light Industrial. The applicant intends to develop most of the site as a residential subdivision with 148 new units on 31.95 acres of the 44.53 acre parcel. The remainder of the property is proposed to have a 6.51 acre private park with a large pond feature and 6.07 acres of open space associated with a tributary of Pleasant Grove Creek located along the northern and eastern portions of the site. The proposal is not consistent with the existing General Plan and Zoning designation on the property. Therefore, the applicant has requested approval to change the land use and zoning designations to allow for a residential subdivision with associated park and open space areas.

Staff has identified and analyzed several issues with the proposed land use and zoning changes that are the focus of this section of the report. These include:

- Loss of industrial land;
- Market Study evaluating the proposed project's impact on the City's ability to attract future large industrial or major employment users in the future;
- Fiscal analysis;
- Unit allocation:
- Land use compatibility;
- Noise:
- Traffic:
- Utility service demand;
- Public services:
- Park Dedication;
- School Impacts, and,
- Affordable Housing.

These issues are discussed below.

# **Conversion Of Industrial Zoned Land**

Loss of Developable Industrial Land to Meet Future Demand - A principal issue associated with the proposed land use change is the cumulative impact that this proposal has upon the City's supply of available industrial land. In 2003, when the City updated the General Plan, the City had 1,564 acres of land zoned for industrial use in the North Industrial Planning Area (NIPA). While there are other smaller parcels within the City zoned for industrial use, the majority of industrial land use is located in the NIPA.

In April of 2004, the City approved a Rezone and General Plan Amendment for the Longmeadow project to change the land use and zoning of the 99-acre property from Light Industrial to a low and medium density residential development with open space, three (3) acre public park, a ten (10) acre Business Professional parcel, and an eight (8) acre school site option (School District may purchase the site based on the terms of the School District Agreement). This property is located immediately to the west of the project site. With the exception of the undeveloped portion of the Hewlett Packard Campus (HP), the

Longmeadow site was the largest piece of undeveloped Light Industrial land within the NIPA. Staff has also been working with representatives from HP and John Mourier Construction (future property owner) on potential development plans for the undeveloped portion of the HP campus and expects a formal application to be submitted to the City in the near future.

The proposal to change the land use designation on the subject property to primarily residential, thereby contributing to the overall reduction of industrial land, raises significant policy issues. These include:

- Maintenance of a land use mix that provides for a long-term positive fiscal balance for the City as required by the *Economic Development* strategy in the *Community Form* and *Growth Management* sections of the General Plan.
- How the overall reduction in the availability of industrial land in Roseville affects the City's Economic Development Strategy.
- How the proposed land use change may impact the City's ability to accommodate expansion of
  existing industries and to compete for large-scale industrial development and/or major employment
  users in the future.
- How the City is affected if industrial uses shift to adjacent areas in the County, and would the
  conversion to residential still have an adverse effect on the City's fiscal balance (i.e. will the cost of
  supporting residential development be offset by property tax, sales tax, and service district
  revenues?).

To address some of the above issues, the applicant was required to hire a consultant to prepare a Market Analysis to analyze the impact of the proposed land use change on the City's ability to accommodate new, large industrial/major employer development in the future. A copy of the executive summary from the analysis is provided in Attachment 2. A detailed discussion regarding the conclusions of the analysis is provided below.

**Market Analysis** – The Market Analysis evaluated the impact of converting both this property and the adjacent Longmeadow property. In addition, the report included an alternative analysis which included the conversion of the undeveloped portion of the Hewlett Packard property to the south of the project site. Identified below are some of the more important conclusions reached in the study:

- The proposed change in land use and zoning will not impact Roseville's ability to attract new users
  due to current market trends and the availability of lower priced land and infrastructure costs in other
  areas of Placer County and the Greater Sacramento Region. In addition, the large pond and other
  wetland areas may impact the amount of developable land. Therefore this particular property is not
  deemed prime industrial land.
- There are approximately 763 acres of vacant industrial land in Roseville of 20 acres or more. Of this
  figure, only 196 acres would be considered prime industrial land available for purchase and future
  development. The other 567 acres are either already owned by major users, are in the process of
  being rezoned, or are not suitable for a major user due to their location. As discussed above, this
  site is not deemed prime industrial land.
- Necessary characteristics for industrial and high-tech users include: located in major growth areas; are readily accessible; have frontage on, or close to major roadways and freeways; generally larger than 20 acres; level topography; roadway frontage; infrastructure and major utilities in place; good

visibility; have a good source of water and electricity; available sewer and natural gas; nearby housing and transportation facilities; and reasonably competitive development fees. The project site meets most of the necessary criteria as listed above.

- Industrial land in Roseville will compete with available land in Rocklin, Lincoln, and the Sunset Industrial Area for future development of industrial and high-tech users. Although most of the more competitive industrial land is located in the Sunset Industrial Area (approximately 4,400 acres), only about 1,800 acres is currently zoned for industrial uses. Furthermore, much of this area lacks convenient access and major infrastructure improvements.
- Overall the industrial/high tech market in the Greater Sacramento Region is considered to be "soft"
  due to economic conditions and limited demand for large tenant/user spaces. Although the office
  market is considered to be average to good in the Roseville/South Placer Region, there are no signs
  of the industrial/high tech market improving in the near future.
- If the undeveloped portion of the Hewlett Packard site were to be converted from Industrial to other land uses, the City will lose a 240-acre industrial parcel within the City. Short term impacts to loss of this parcel as industrial land was categorized by the study as negligible. However, if market trends change, the conversion could have a long-term negative impact on the City's ability to attract new industrial or other large employment users.

In addition to the above findings, the study concludes that Roseville is running out of well located industrial land with utilities and infrastructure in place that are suitable for major users. As the supply of industrial land is depleted and parcels for potential large users are eliminated, prospective developers and users will likely locate in the Rocklin or other Sacramento area industrial sub-markets (North Natomas, West Sacramento, Hwy 50/Folsom/El Dorado Hills).

Based on current market demand, the Fiddyment 44 property would develop sooner as a residential property versus an industrial property. This is consistent with other recent absorption studies and has been the case in Roseville for many years. The market analysis would lead to the conclusion that the property will ultimately compete with the Sunset Industrial Area and other areas as better located industrial sites are absorbed. If the desire is to retain the property for industrial use, the property would remain essentially unused until market demand makes the property more competitive and marketable to industrial users. According to the study, the anticipated absorption rate of this site would be 2-5 years before an industrial user purchased the property and 5-10 years before build-out. As is often the case with land use change requests of this nature, the decision is how much weight should be given to the short-term versus long-term market.

In summary, there are other industrial sites that are better situated that have not absorbed to date. In addition, with the pond located in the middle of this site (requires a wetland permit), the Fiddyment 44 property has additional challenges when compared to other vacant industrial land.

**Fiscal Impact -** A second concern related to the loss of developable industrial land is the impact of the conversion from Light Industrial to Residential land use and its effect on the fiscal health of the City. The City's General Plan calls for a mix of land uses that provide amenities, jobs, and recreational opportunities for our residents. Of equal significance, the General Plan land use mix provides for a long term, Citywide positive fiscal balance. This allows the City to not only maintain existing and planned facilities, but also allows the City to expend general fund monies on a variety of projects and programs that benefit the community.

Generally speaking, residential development costs the City more to serve than the revenues generated by such development. Conversely, commercial, office and industrial development generate more revenues than it costs the City to serve them. The City's current land use mix is roughly 47% residential and 27% non-residential (remaining 26% is public lands). This balance and mix of land uses results in a positive fiscal future for the City. Significant changes to this land use mix could impact this positive margin. Therefore, a Fiscal Analysis was prepared to evaluate the fiscal impact of the project on the City (See Attachment 3).

The proposed Development Agreement for the Fiddyment 44 project includes provisions for the payment of fees for park maintenance, police and fire services and a Community Benefit Contribution which are intended to off-set the increased costs associated with additional residential units. In addition, the project will have privately maintained streets, which according to the Fiscal Analysis help reduce the fiscal impact to the City. With these provisions, the development of the property with the proposed project results in a net positive fiscal impact on the City.

**Unit Allocation** - The proposal to establish residential land use on the subject property represents the introduction of new residential units upon a parcel in the NIPA that is currently not assigned any residential units. Therefore, in order to designate the property residential, "new" units must be allocated to the property by the City Council. The applicant has requested the allocation of 148 units for the portion of the property which is planned for the residential subdivision. Based on the area of land designated for the residential subdivision (31.95  $\pm$  acres), the proposed density would equate to 4.64 units per acre (see Attachment 2: General Plan Exhibit). The difference in impacts and demand for services between industrial development and residential development is discussed below.

Land Use Compatibility - Table II-12 of the City of Roseville General Plan has compatibility guidelines designed to minimize conflicts between land uses. Table II-12 identifies the compatibility of adjacent land uses as either "compatible," "conditionally compatible" or "not compatible." As listed in the table, low-density land uses are conditionally compatible with light industrial uses. Where land uses are conditionally compatible, it is then incumbent on the City to review the special characteristics of the affected parcels to determine whether or not the proposed land uses are compatible in each case.

The proposed project consists of converting a majority of the 44.53-acre site from light industrial to residential. To the west of the site are residential uses. To the north (across from the proposed open space area) are light industrial uses. Although the land to the east is zoned light industrial, the property is developed with a self-storage facility and an office building. Both of these types of uses are frequently found adjacent to residential neighborhoods and are generally separated by a six-foot masonry wall, a minimum of 10 feet of landscaping between the wall and the parking, and a large setback between the wall and the building. The building setback in this case is 65 feet from the property line. However, the North Industrial Area Design Guidelines require a 35-foot wide buffer between residential and industrial land uses. The open space area proposed along the northern and a portion of the eastern boundary of the site provides an adequate buffer from the light industrial uses to the north and east. The side yard setbacks of lots 71, 84, and 85 have been increased in order to provide a 35-foot buffer between the proposed home footprints and the adjacent parking lot of the office project. A six-foot masonry wall will be constructed along this property line by the residential development and the office project already includes a 10-foot landscape buffer along this portion of their project. Therefore, adequate buffering between the two land uses will be provided.

**Traffic -** A long-term traffic analysis has been prepared for the project by DKS Associates, Inc dated November 19, 2003 (See Attachment 4). The traffic study analyzed the long-term and short-term impacts associated with the project under several different scenarios. The study also included the land use changes of the adjacent Longmeadow property, which was recently approved by the City. The study

compared the trip generation of the proposed project against the trip generation of developing the site under its current Light Industrial land use and zoning. The study concluded that the proposed project would generate significantly fewer daily trips than a light industrial project (1,296 daily residential trips vs. 3,685 daily light industrial trips). Given the results of the traffic study, no new traffic impacts will result from the land use change or residential development.

**Noise** – Since the project proposes to place residential land use (single family homes) adjacent to a major arterial (Blue Oaks Boulevard) a Noise Impact Study was prepared for the project by Bollard & Brennan Inc. (Attachment 5). The report analyzed the noise impact on the proposed project from Blue Oaks Boulevard. The City of Roseville General Plan establishes interior and exterior noise level standards that must be complied with when allocating residential land use. The exterior noise level standard for sensitive receptors, such as the proposed residential development, is 60 ldn. Noise levels up to 65 ldn may be allowed if all feasible mitigation measures are implemented (i.e. sound walls) and the noise level still exceeds 60 ldn. The noise analysis indicates that the impact on the lots adjacent to Blue Oaks Boulevard will be significant because the sound level is anticipated to exceed 60 ldn. The noise analysis indicates that nine (9) foot tall barriers would be required in order to reduce noise levels to 60 dB. To maintain a pedestrian scale and to allow for adequate light and air space, walls in excess of 8 feet in height are generally discouraged. The developer is proposing an 8 foot tall sound barrier which will reduce noise impacts to 61 dB at the residential land use boundary. This is consistent with other projects in the City including the adjacent Longmeadow project.

The noise impact study also calculated anticipated interior sound levels for rooms of the homes adjacent to Blue Oaks Boulevard. The interior sound level standard established by the City of Roseville General Plan is 45 ldn. The noise analysis indicates that standard construction materials and techniques will be adequate to meet the City's interior noise level standards.

**Utility Service Demand** - The various utility departments have reviewed the proposed project to ensure that it would not impact the City's ability to provide services. If the site were developed with a light industrial use the water demand would expected to be approximately 115,689 gallons per day (2,598 g/d/ac by 44.53 acres) and the wastewater generation would be 46,311 gallons per day (1,040 g/d/ac by 44.53 acres). The proposed residential land use generates a much lower water demand and wastewater output (88,800 g/d and 38,480 g/d respectfully). According to the City's Environmental Utilities and Electric departments, there is adequate capacity regarding planned water, wastewater, and electric infrastructure improvements to accommodate the proposed changes in the land use and zoning designations. To further conserve on water usage, the project has been conditioned to utilize recycled water to irrigate the landscape corridors along the street frontages.

**Public Services** – As discussed earlier, to address the increased costs of providing fire and police services to the site, the Development Agreement requires that the developer form and fund a Public Services CFD. This requirement is consistent with other recent requests to convert commercial/industrial properties to residential uses. The Development Agreement also requires the developer to pay a Fire Station In-Lieu fee to assist the City in financing a new fire station site in the general vicinity of the project. This fee will be added to other Fire Station In-Lieu fees collected from projects in the North Roseville Specific Plan and North Industrial Planning areas.

**Affordable Housing -** The applicant is required to provide 15 of the 148 units as affordable to very low, low and middle income households. This figure represents ten (10) percent of the total units which is consistent with the General Plan *Housing Element* requirements. In compliance with this requirement, the applicant is proposing to reserve three (3) units affordable to middle income households and six (6) units affordable to low income households. To provide the balance of their affordable housing obligation

(6 units), the applicant is proposing to pay an in-lieu fee that will be used to expand affordable housing opportunities for very low income households. The amount of the in-lieu fee will be \$50,000 per unit for a total of \$300,000. The in-lieu fund will be generated through a fee of \$2,027 per market rate unit to be paid prior to the issuance of a building permit. However, the Development Agreement also provides the ability for the City to require that the applicant advance fund those fees in the event an affordable housing project is identified for use of those funds. An Affordable Housing Development Agreement (AHDA) is required to detail the affordability requirements for the 15 affordable units to insure that they are maintained as affordable units.

**Parks** - The General Plan requires the dedication of 9 acres of parkland per 1,000 people when allocating new residential land use. The request for an allocation of 148 new units results in the addition of ±376 people, based on 2.54 persons per household. With the additional units, the project is required to dedicate 3.39 acres of parkland (1.3 acres citywide, 1.3 acres neighborhood, and 1.3 acres passive/open space). In addition to this requirement, the applicant is also required to pay the Neighborhood and Citywide park fees.

The applicant and the City have agreed that a credit of .61 acres will be given for the dedication of the 6.1± acres of open space (open space typically receives credit at a ratio of 10:1). The remainder of the passive parkland dedication requirement (.52 acres) will be satisfied through the construction of walking trails and a tot lot adjacent to the private park/pond feature. The 6.51 acre private park facility will be owned and maintained by the homeowners association.

Due to the design of the project (gated community with 28% of the site dedicated to open space and private park) and location of other park facilities in close proximity to the project site (Longmeadow park site and Woodcreek East park site) the City agreed that the remainder of the parkland dedication requirements could be satisfied through the payment of in-lieu fees. These fees will help construct improvements and help off-set maintenance costs of public parks in the vicinity of the project. Specific performance dates and finance options are included in the Development Agreement.

**Schools** – The developer has entered into separate written agreements with the Roseville School District and the Roseville Joint Union High School District to mitigate the impacts of development of the property. Based on the number of residential units proposed (148) the project will generate 62 elementary school students and 35 high school students. The agreement between the Roseville School District and the adjacent Longmeadow project included an option for the District to purchase an 8-acre portion of the property for the purposes of constructing an elementary school that would also accommodate the students from the Fiddyment 44 project. The High School District has requested that the developer pay an in-lieu fee to mitigate the impacts of additional high school students within the school district.

Conclusion - The applicant is requesting an allocation of 148 new residential units and to change the Land Use and Zoning designations from Light Industrial to Low Density Residential, Parks & Recreation, and Open Space. The Commission's evaluation of the project should consider the appropriateness of the land use change proposal against the potential impacts and design issues. At this time, the applicant is meeting the minimum requirements for the additional units (e.g. park fees, affordable housing, and infrastructure improvements). With the implementation of the Community Services District, Public Services CFD, and Community Benefit Contribution the project will reduce fiscal contributions to the City but will remain positive. In addition, a long-term traffic study indicates that the proposed land uses generate fewer daily and pm peak hour trips than a light industrial project would. Based on the preceding discussion the proposed project can be deemed consistent with the General Plan.



The applicant is requesting to change the zoning of the property from Light Industrial to Small Lot Residential with Development Standards (RS/DS), Parks & Recreation (PR), and Open Space (OS). Although the depths of the lots (range from 110 to 156 feet deep) and therefore the overall size of the lots exceed the minimum standards required by the RS zone district, it was chosen because it allows for a higher density than would result from the standard Single Family (R1) zone district. The physical and natural constraints of the property preclude achieving an even higher density, but higher density projects such as this one yield more affordable housing units and are consistent with the SACOG Blue Print project and the City's smart growth development goals.

In order to take advantage of the amount of common areas proposed within the project and maximize development on each lot the applicant has requested several exceptions to the RS development standards. The Development Standards of the RS zone district along with the applicant's request are listed in the following table (requested deviations to the RS standards are highlighted in **bold italic** text):

	RS	Proposed RS/DS Standards	Proposed RS/DS Standards for Halfplexes
Area, interior lot	4,500 sf	Unchanged	3,000 sf
Area, corner lot	5,500 sf	Unchanged	3,750 sf
Width, interior	45 ft	Unchanged with the exception of Lots 27-34, 38-42, 71-72, 102-104, and 127 which shall meet the minimum 45 foot lot width at 18 feet from the front property line. These lots shall maintain all required side and front yard setback requirements.	30 ft
Width, corner	55 ft	Unchanged	40 ft
Residential Density (maximum per lot)	1 dwelling unit plus 1 second unit	Unchanged	1 dwelling unit (due to lot size)
Front setback	15 ft front; 20 ft minimum driveway depth (18 ft for roll- up doors)	Unchanged	Unchanged
Side setback	5 ft interior; 12.5 ft street side on corner	Unchanged with exception of Lots 71, 84, & 85 which shall have a side yard setback of no less than 25 feet from the eastern property line. No habitable structures may be located in the setback.	Oft on side with shared wall; 5 feet other side; 12.5 ft street side on corner
Rear setback	15 ft minimum with minimum usable open space provided (1,000 s.f. for 2 bedrooms & 200 sf for each additional bedroom)	15 ft minimum rear setback; 1,000 sf minimum usable open space	15 ft minimum rear setback; <b>750 sf</b> <b>minimum usable open</b> <b>space</b>
Site Coverage	None *	Unchanged	Unchanged

	RS	Proposed RS/DS Standards	Proposed RS/DS Standards for Halfplexes
Height Limits	35 ft	Unchanged	Unchanged
Separation between 2 story elements	20 ft	10 feet	10 ft detached 0 ft attached
2 story unit mix	No more than 3 two-story units in a row	Maximum of 4 two-story units in a row, including cul de sac bulbs or going around a corner; 1 story units with lofts will be classified as 1 story units provided they are no more than 3 feet taller than a 1-story unit without a loft.	Maximum of 4 two-story units in a row, not including cul de sac bulbs or going around a corner; attached units count as a single 2-story unit.
Front yard stagger	2 ft	Unchanged	Unchanged
Stagger for 3 <sup>rd</sup> car garages	2 ft between 3 <sup>rd</sup> car bay and 2 car garage	Unchanged	Unchanged

Background On Small Lot Standards -- The Small Lot Residential (RS) zone designation was created in 1996 to provide a smaller lot alternative to the R1 zone development standards. Prior to 1996, the City adopted small lot guidelines that contained development standards that ultimately formed the basis for the RS zone district. The intent was to produce a detached single-family dwelling on a smaller lot that would be more affordable, but still meet the City's land use policies and design goals for single-family dwellings. The Supplemental Design Standards were incorporated to ensure a more varied streetscape appearance and avoid the undesirable appearance of long stretches of two-story homes that lead to a tunnel effect. The intent was also to ensure adequate air/open space between units given the reduced lot sizes and widths. This is accomplished by limiting the number of two-story units in a row, varying the front yard setback (2 foot stagger), and requiring additional separation between two-story elements on adjacent lots. These standards were developed to address a wide range of subdivision designs including projects with varied topography, natural features, and curved street patterns.

As part of the proposed Rezone, the applicant is requesting a zoning designation of RS with a Development Standard (DS) overlay. The DS overlay is being requested to modify the development standards of the RS district as listed in the table above. The proposed DS overlay would involve the following deviations:

- Reduced lot size from 4,500 and 5,500 square feet (interior and corner lot, respectively) to a minimum of 3,000 and 3,750 square feet (interior and corner lots, respectively) for halfplex lots (affordable housing units);
- Modify the rear yard usable open space requirement of 1,000 square feet for the first two (2) bedrooms, plus 200 square feet for each additional bedroom to 1,000 square feet regardless of the number of bedrooms;
- Eliminate the 20 foot separation requirement between two-story elements (standard side yard setbacks equating to a separation of 10 feet is proposed); and,
- Allow up to four (4) two-story homes in a row rather than the current maximum of three (3) two-story units in a row. In addition, they are requesting that attached units count as one 2-story unit and that 1-story units with lofts are classified as 1-story units.

Each of the requested deviations and staff's evaluation of the request are discussed below.

<u>Lot Size</u> - The proposed DS standards establish a smaller lot size for the halfplex lots. Several of the City's Specific Plans allow deviations to lot sizes for halfplexes that are located on corner lots. There are a total of 8 halfplex lots proposed within this project. All of the halfplexes will be located on corner lots. Therefore staff supports the requested deviation to the lot size for the halfplex lots.

<u>Lot Width</u> – Lots 27-34, 38-42, 71, 72, 102-104, and 127 are narrower at the front than at the rear of the lot due to their location at cul-de sacs or elbows in the street. These lots do not meet the required 45 foot lot width at the 15 foot front yard setback. Therefore, the applicant is requesting that the lot width be measured at 18 feet for these particular lots. Since the homes will be required to maintain a minimum of a five (5) foot side yard setback staff does not have an issue with the requested deviation.

<u>Usable Rear Yard Open Space</u> – The RS district requires a minimum usable rear yard area of 1,000 square feet for the first two bedrooms and 200 square feet for each additional bedroom. The applicant is proposing 1,000 square feet regardless of the number of bedrooms. The applicant has indicated that they believe this project is unique in the amount of common areas being proposed. There is a large pond feature at the center of the site with walking trails, benches, and a tot lot. There is also a large open space area along the northern and eastern portions of the project.

The usable rear yard standard has been deviated from in the past for projects that were attempting to achieve a higher density level or some other objective such as increased affordability or a unique design. In many cases, the amount of usable yard area provided will be greater due to variations in lot and unit size. Given the amount of common area provided within the project (28% of the entire site) staff does not object to the applicant's request to deviate from the usable rear yard open space requirement.

<u>Separation Between Units and Two-Story Mix</u> – The applicant has requested that standard side yard setbacks apply between units regardless of whether they are single or two-story units. The City has approved a similar deviation for the adjacent Longmeadow project.

In addition, the applicant has requested that the number of two-story units permitted in a row be increased from three units to four. The adjacent Longmeadow project was permitted a similar deviation (Village 1 provided a minimum of 25% units as single story & Village 2 permitted to have up to 4 two-story units in a row). Given the size of the lots (larger than typical RS lots), amount of common area provided, and the curvilinear street design of the project; staff believes that increasing the number of two-story units in a row to a maximum of four will still provide adequate air and open space between units as well as provide a varied streetscape when combined with the two (2) foot stagger between units.

The applicant has also requested that two-story halfplexes and single-story units with lofts be counted as single story units rather than as two story units. Since the halfplexes will be attached they will look like a single unit. Therefore, staff does not have an issue with counting the two-story halfplex units as one unit.

Another purpose of the two story unit mix requirement is to ensure that the height and mass of units along the street frontage is varied and maintains a pedestrian scale. The applicant has submitted a typical elevation and plot plan for a single story unit with and without the loft option (See Attachment 8). The difference in roof heights between a single story unit with and with out a loft is three feet. Architecturally, the two units look the same, with the exception that the unit with a loft has a window above the first floor area. Based on this, staff finds the height, mass, and architectural design of the loft units to be consistent with a typical single story home. In order for staff to administer and differentiate between single story units with lofts and two story units, at Building Permit submittal the applicant will be required to submit elevations along with their plot plans. As proposed, staff finds that the applicant's request to count units with lofts as a single story unit meets the intent of the RS Development Standards.

## **Rezone Conclusion**

Staff believes the project as proposed meets the intent of the RS zone district and Supplemental Design Standards. In addition, the project is consistent with the City's Smart Growth goals by providing a higher density and thus more affordable housing project.

## DEVELOPMENT AGREEMENT

The Development Agreement corresponds with the applicant's request in terms of the General Plan Amendment and Rezone as discussed above. In addition, the DA reflects the obligations of the property owner and the City for development of the property. A draft of the proposed agreement is provided in Exhibit E for the Commission's review (the final document will be sent to the City Council for action). Provided below is a summary of the more critical provisions of the proposed agreement that were not already discussed in the General Plan evaluation:

- Community Benefit Contribution As another means of off-setting the increased service cost associated with the proposed project, the applicant will contribute \$1,430 per unit towards City improvements.
- Public Services CFD As a means of off-setting the increased costs of providing police and fire service to the project, a CFD Services Fee of \$285 per year (per unit) will be paid.
- Water Conservation Recycled water shall be used to irrigate landscape corridors in the public right
  of way. All landscaping in common areas and within the public right of way shall meet the
  requirements of the City's Water Efficient Landscape Ordinance. Lastly, every residential unit shall
  include a recirculating hot water system or similar technology.
- Lot K With the creation of Lot K, the continuation of the access road shall be constructed to the parcel being served (Parcel 1 of Woodcreek East), including the construction of the creek crossing.

# TENTATIVE SUBDIVISION MAP

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, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.

# PARCEL SIZE, DESIGN, CONFIGURATION, LOCATION, ORIENTATION, AND CHARACTER

Overall, the design of the project (lotting and street pattern) has been predetermined by the location of natural features on the site (native oak trees, 100 year floodplain, pond, and topography). The project is characterized by lots that are an average of 45 feet wide by 113 feet deep. The street pattern is curvilinear with the majority of the streets terminating at cul de sacs.

If the requested Rezone described above is approved the project would meet the minimum lot size requirements established for the project. The Subdivision Ordinance also states that subdivisions must be designed so that the lots "can be used or built upon." The applicant has provided a lot geometry and house fit exhibit that demonstrates that all the lots can be developed.

#### **GRADING**

The subject property is comprised of gently rolling topography which reaches a highpoint of approximately 120 feet above mean sea level and a low point of approximately 92 feet above mean sea level.

The Grading Plan (Exhibit F) indicates that a portion of the residential subdivision and some off-site improvements (drive way access to Parcel 1 of the Woodcreek East Subdivision) are proposed within the 100-year floodplain. General Plan policy states that no development is permitted within the 100 year floodplain. However, in accordance with the policies of the General Plan, encroachment into the floodplain may be permitted on a case-by-case basis if the improvement is deemed to be an essential service (roads and infrastructure), no feasible alternatives exist that would eliminate the need to fill, and no upstream or downstream flooding impacts occur as a result of the encroachment. The applicant has submitted a HEC/RAS Study prepared by Mackay & Somps (See Attachment 7) which demonstrates that the planned encroachment and fill into the floodplain for the development of several residential lots and a year round (wet weather) driveway access to Parcel 1 (From Lot K through a portion of the Longmeadow site to Parcel 1) will not have a significant impact on either upstream or downstream properties. Consistent with General Plan policies, the land use and zoning boundaries for the residential portion of the project will be outside the 100 year water surface elevation. The floodplain area is incorporated into the proposed open space area of the project. The improvements associated with the driveway include fill, new culverts, and a bridge to allow for a year round high water access road to Parcel 1. In this instance, the owner of Parcel 1 does not have access to his property during periods of high water flow. The property owner is planning on developing the property with a single family residence in the near future. Since encroachment is needed to provide necessary year round access to a property and there are no impacts to either upstream or downstream properties, staff can support the proposed encroachment into the floodplain for the driveway access.

The applicant is also proposing fill within the open space/floodway area behind several lots (Lots 12-15) in order to reduce the need for retaining walls and to provide for larger developable (flatter) lots. As previously discussed, the General Plan prohibits filling in the floodplain where feasible alternatives exist. Generally the types of essential services permitted to encroach into the floodplain are roads, utilities, and other necessary infrastructure improvements. Although the HEC/RAS study indicated the fill will not have an impact on other properties, there are alternative designs that allow development of these lots (Lots 12-15) without placing fill within the floodplain. Therefore staff does not believe placing fill in the floodplain in order to create larger flatter lots is consistent with the City's General Plan policies.

The applicant submitted a grading modification exhibit (Attachment 6) for Lots 12 through 15. This exhibit demonstrates that grading activities can be removed from the floodplain without impacting the developability of the lots. The changes to the grading will result in retaining walls ranging from two (2) to six and half (6.5) feet in height at the rear property lines of these lots. The northwest corner of Lot 12 will require a four (4) foot retaining wall at the property line. In addition a five (5) foot retaining wall will need to be located within the open space at the back of the waterline easement (the HOA is required to maintain the open space and any improvements). The applicant believes that the placement of fill within the floodplain is preferable and more aesthetically pleasing than the construction of retaining walls along the edge of the open space. Staff and the Planning Commission have consistently recommended

against placing fill in the floodplain. Because of the inconsistency with General Plan Policy and that an acceptable alternative exists, staff is recommending Condition 9a, which requires that grading on Lots 12-15 be modified as shown on Attachment 6. The applicant is not in agreement with staff's recommendation.

#### DRAINAGE

The drainage improvements proposed by this Tentative Map include curbs, drain inlets, overland releases, and underground drain lines. All of the lots have been designed with Class 1 drainage with the exception of those lots which are adjacent to the Open Space and may drain towards the rear.

#### **UTILITIES**

Infrastructure, such as water, sewer, electric, and other utilities, will be installed as the subdivision is constructed and as discussed below:

**Water** - Local water improvements servicing the subdivision will connect to the existing water main. The landowner will provide on-site improvements necessary to service their property. All improvements will be designed to the City's Improvement Standards.

**Sewer** - Sewer services to the site are available. The developer will be responsible for providing on-site improvements necessary to service their property. The developers are responsible for paying sewer connection fees for off-site treatment facilities, as well as constructing all required on-site improvements.

**Electric** –With the construction of all adjacent roadway(s), the applicant will be required to construct or pay for the on-site electric distribution facilities required to service their property. The design for the facilities within the subdivision are required to comply with the City's design specifications, which will be incorporated into the improvement plans and approved by the Electric Utility Director.

**PG&E** – There is a PG&E gas line that runs along the western boundary of the project site and a portion of the southern boundary. The developer will be responsible for any necessary relocations of the gas line with the exception of the area needed to accommodate a signal at the intersection of Blue Oaks Boulevard and New Meadow Drive. A portion of any relocation costs associated with the signal will be reimbursed by the City as outlined in the Development Agreement.

The project plans have been forwarded to City departments and utility companies for review and comment. As evidenced above, there have been no other significant utility concerns identified for this project. The project has been conditioned to comply with applicable utility and engineering improvement standards.

#### ROADWAYS, CIRCULATION & ACCESS

As shown on the tentative map, primary access to the subdivision is proposed off of New Meadow Drive which is located off of Blue Oaks Boulevard to the south and Parkland Drive to the west. In addition, the applicant will be required to widen Blue Oaks Boulevard to its ultimate right of way. A traffic signal will also be required at the intersection of Blue Oaks Boulevard and New Meadow Drive (the City will reimburse the applicant for a portion of the cost of installing the signal). All of the internal subdivision streets and sidewalks have been designed to meet the standards for a typical minor residential street. These streets will be privately maintained.

#### **FENCING**

The fencing improvements for the project include a combination of enhanced masonry wall, enhanced wood fence, and open style fencing. The masonry wall will be located along the southern boundaries (adjacent to Blue Oaks Boulevard) of the project for noise attenuation. Masonry walls are also required between the residential lots and the mini storage and office project along the eastern boundary of the project. A masonry wall or enhanced wood fence will be located along New Meadow Drive, and open style fencing will occur adjacent to the park and open space areas.

## <u>LANDSCAPING</u>

The applicant is proposing to landscape the street frontages of Blue Oaks Boulevard (50 ft) and New Meadow Drive (25 ft) consistent with the landscaping requirements of the North Roseville Specific Plan. In addition, the landscape lots at the gated entrances and the perimeter of the pond will be required to be landscaped (See Exhibit H).

#### **PHASING**

The applicant does not plan on phasing the project.

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; and

As discussed previously, staff has determined that the design, layout, configuration, and size of the proposed lots are sufficient to allow for development of single family homes consistent with the RS/DS zoning district (as proposed and conditioned).

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 water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan EIR. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the existing and future development on the parcels proposed by the tentative subdivision map.

# TREE PERMIT

There are a large number of native oak trees (over 300) located on the subject property. The City's Tree Preservation Ordinance regulates activities affecting native oak trees with a diameter at breast height (DBH) of six inches or greater. An arborist report has been prepared that identifies tree species, size, health and current condition of all trees (Exhibit I). The arborist report indicates that the proposed development of the site will result in the removal of up to 50 native oak trees and encroachment into the protected zone radius of several others. In addition there are 20 native oak trees that the arborist has certified as "dead" that will also be removed with this project. The report also addresses impacts to native oaks that are proposed for preservation.

The Tree Preservation Chapter of the Roseville Zoning Ordinance requires the City to consider the appropriateness of, and alternatives to, proposed tree removals and encroachments. In addition, when tree removal is requested, the City is required to review the proposed mitigation plan.

<u>Tree Removal</u> -- A total of 50 trees totaling 584 inches are proposed for removal. A summary of the proposed tree removals which includes the tree number, tree species, diameter at breast height, overall health of the tree and reason for removal is included as Attachment 9 (Table 1 – Proposed Tree Removals).

Several trees are proposed as conditional removals. Trees 130, 131, 373, & 374 are located within close proximity to improvements. Although efforts will be made to save these trees, if the project arborist deems that the encroachments are too significant and that the tree will pose a hazard or ultimately fail the tree may be removed. If removal is necessary, the applicant shall mitigate for the tree.

There are several trees proposed for removal due to pad grading. Where removals occur within a lot, staff reviews the health of the trees proposed for removal as well as alternative lot or grading designs that would reduce impacts to the trees. Trees 116, 126, and 127 located on Lots 21 and 23 (Sheet 5 of Exhibit K) are in poor health and could pose a potential hazard to future residents. Therefore the arborist recommends removal of the trees at this time. Based on this information, staff is in support of removing Trees 116, 126, and 127.

Lots 27 through 31 have several native oak trees located towards the rear of the lots (Sheets 6-8 of Exhibit K). These lots also abut the open space area. The lotting pattern has been designed to accommodate the location of the open space and other natural features on the site (the pond and other oak trees) to the extent possible. The majority of the trees are in fair to good health and range from six (6) to twenty-eight (28) inches in diameter. Given the overall good health and size of the trees, staff believes alternatives to the grading design will allow the trees to be saved at this time. The applicant claims that none of the proposed house designs for the subdivision will fit on the lots without requiring encroachment or removal of these trees. The applicant has not submitted proposed house models or exact plotting for these lots for staff to review. Therefore, staff recommends that Lots 27 through 31 be partial grade lots (see Subdivision Map Condition 9 and Tree Permit Condition 2). The City has typically restricted removals and excessive grading on lots with native oak trees at the tentative map stage of a project. As with other projects (including the adjacent Longmeadow project) additional grading and removals will be considered with submittal of a separate Tree Permit at the time a specific house model is chosen for a lot. This allows the City to reduce impact and removals to native oak trees to the extent possible. The applicant is not in agreement with staff's recommendation and is requesting to pad grade the entire area of Lots 27 through 31 resulting in the removal of 10 oak trees.

<u>Tree Mitigation</u> -- The applicant is proposing to mitigate for the removal of native oak trees through on-site plantings within the landscape corridors and the perimeter of the pond and payment of in-lieu fees. This is consistent with the provisions of Section 19.66.070 of the tree ordinance. Condition 3 of the Tree Permit addresses the mitigation requirement.

<u>Proposed Encroachments</u> -- The proposed site improvements will result in encroachment into the PZR of up to 38 native oak trees. The majority of the encroachment will be from the construction of road improvements, retaining walls or lot grading. According to the arborist, most of these trees will receive minor impact from the proposed improvements with the exception of Trees 157, 164, 210, 295, 297, and 299 which will receive moderate to significant impacts. A summary of the proposed impacts and mitigation measures for each of the impacted trees is provided in Table 2 (See Attachment 10).

As conditioned, the proposed Tree Permit complies with the City's Tree Preservation Chapter of the Zoning Ordinance. Separate Tree Permits will be required for the development of each lot if there are any impacts to the native oak trees beyond that shown in Attachments 9 and 10 and Exhibits F and I herein.

# **ENVIRONMENTAL DETERMINATION**

An Initial Study and Mitigated Negative Declaration (Exhibit A) have been prepared for this project. In accordance with the CEQA Guidelines, the Initial Study and Mitigated Negative Declaration were prepared using previous environmental documents such as the General Plan EIR, plus new project-specific noise and traffic reports. Based on the results of the Initial Study, the appropriate environmental document for the project is a Mitigated Negative Declaration. The Mitigated Negative Declaration was posted for a 30-day public review and comment period, which closes on January 27, 2005. To date, no comments on the document have been received.

#### RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions (A-J):

- A. Adopt the Mitigated Negative Declaration;
- B. Adopt the three (3) findings of fact as stated within the staff report for the TENTATIVE SUBDIVISION MAP for 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) – File # SUBD 04-07;
- C. Approve the TENTATIVE SUBDIVISION MAP for 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44)— File # SUBD04-07, as shown in **Exhibit F** and subject to the eighty-two (82) conditions of approval listed below;
- D. Adopt the two (2) findings of fact for the TREE PERMIT –1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) FILE# TP 04-49:
  - 1. Approval of the Tree Permit will not be detrimental to the public health, safety, or welfare, and approval of the Tree Permit is consistent with the provisions of Chapter 19.66 of the Roseville Zoning Ordinance.
  - 2. Measures have been incorporated in the project or permits to mitigate impacts to remaining trees and to provide replacement for trees removed.
- E. Approve the TREE PERMIT 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) FILE# TP 04-49 with the twenty-one (21) conditions listed below.
- F. Recommend that the City Council approve the GENERAL PLAN AMENDMENT 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44)— File # GPA 03-11, as shown in **Exhibit B**;
- G. Recommend that the City Council adopt the two findings of fact as stated below for the REZONE 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) FILE# RZ 03-09:
  - 1. The proposed rezone is consistent with the General Plan; and
  - 2. The proposed rezone is consistent with the public interest, health, safety, and welfare of the City.
- H. Recommend that the City Council approve the REZONE 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) File # RZ 03-09, as shown in **Exhibits C & D**;
- I. Recommend that the City Council adopt the five findings of fact for the DEVELOPMENT AGREEMENT for 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) FILE# DA 03-10; and,
  - 1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan;
  - 2. The Development Agreement is consistent with the City of Roseville Zoning Ordinance:

- 3. The Development Agreement is in conformance with the public health, safety and welfare;
- 4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
- 5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement;
- J. Recommend that the City Council approve the DEVELOPMENT AGREEMENT for 1470 BLUE OAKS BOULEVARD (FIDDYMENT 44) -- FILE # DA 03-10 as shown in **Exhibit E.**

#### **CONDITIONS OF APPROVAL for TENTATIVE SUBDIVISION MAP - SUBD 04-07**

- 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 design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
- The developer shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works. (Engineering)
- 4. 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. A deposit in the amount of two and one half percent (2-1/2%) of the value of the public improvements shall be provided at the time plans are submitted to the City for review and an additional deposit in the amount of two and one half percent (2-1/2%) of the value of the public improvements shall be provided at the time that the plans are approved and an encroachment permit is issued. (Engineering, Environmental Utilities, Finance)
- 5. All those conditions as depicted within the "Development Agreement by and Among the City of Roseville, Walaire, Inc. and Meritage Homes Relative to the Fiddyment 44 Property" shall be made part of these conditions of approval. (Engineering, Planning)

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

- 6. The Improvement Plans shall include Landscape Plans for all landscape corridors and all landscaped common areas. Landscaping shall be installed prior to approval of the Notice of Completion for the subdivision improvements. The landscape plan shall comply with the North Roseville Specific Plan Landscape Guidelines and the City of Roseville Water Efficient Landscape Requirements (Resolution 93-55). All landscaping and irrigation shall be inspected and approved prior to Notice of Completion. (Planning, Engineering, Parks, Fire Environmental Utilities)
- 7. The project is subject to the noise standards established in the City's General Plan. In accordance with these noise policies the project shall comply with the following:

- a. The developer shall construct a two-foot tall berm with a six-foot tall sound wall along the southern property line of Lots 85 through 104. The wall shall be engineered to accommodate an eight-foot tall wall.
- b. Final grading and improvement plans shall be reviewed by an acoustical engineer to insure the noise reduction levels will be achieved. (Planning, Engineering)
- 8. Grading around the native oak trees shall be as shown on the tentative map or as approved in these conditions and Tree Permit 04-49. (Planning)
- 9. The Grading Plan shall be modified as follows:
  - a. Grading on Lots 12 through 15 shall be modified as shown on Attachment 6. All grading activities shall occur outside of the 100 year floodplain;
  - b. On Lots 27 and 28 grading is limited to the first 60 feet of the lot and must remain outside the PZR of Trees 124 & 125;
  - c. On Lots 29 and 30 grading is limited to the first 65 feet of the lot and must remain outside the PZR of Trees 196, 197, 205 & 385; and,
  - d. On Lot 31 grading shall be limited to the first 94 feet of the lot with the exception of the area adjacent to Tree 205. Grading shall not occur within the PZR of this tree (Tree 205).

Additional grading and/or impacts to native oak trees on Lots 27 through 31 will require approval of a separate Tree Permit and/or Grading Plan. (Planning)

- 10. The applicant shall submit to the Engineering Department 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, Engineering)
- 11. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
  - a. Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
  - b. Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
  - c. A rough grading permit may be approved by the Engineering Department prior to approval of the improvement plans.
  - d. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
- 12. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)

- 13. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
- 14. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During site inspection Engineering will designate the exact areas to be reconstructed. (Engineering)
- 15. All Lots/Parcels shall conform to Class 1 drainage, pursuant to the adopted City of Roseville Improvement Standards, except as shown on the tentative map or as approved in these conditions. (Engineering)
- 16. The following note shall be added to the Grading and/or Improvement Plans:

To minimize dust/grading impacts during construction the applicant shall:

- a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities through out the day.
- b. Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.
- c. Sweep the adjacent streets frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
- d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off site.
- e. The City shall have the authority to stop all grading operations, if in the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
- 17. All cud-de-sacs with lengths in excess of 200 feet, as measured from the center of the bulb to the center line of the intersecting street, shall be constructed with increased bulb radii of 50 feet to the back of the curb. The length of Court 7 is in excess of 200' and as such requires a 50-foot bulb radii. (Engineering, Fire)
- 18. Prior to the approval of the improvement plans, it will be the project proponent's responsibility to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
- 19. **Prior to the approval of the Improvement Plans**, the project proponent shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. The SWPPP shall be submitted in a single three ring binder. Upon approval, the SWPPP will be returned to the project proponent during the pre-construction meeting. (Engineering)
- 20. The north side of Blue Oaks Blvd. shall be improved to its ultimate location with curb, gutter, 28-feet of pavement, median, an 8-foot wide meandering pedestrian path, landscaping within the corridor and a sound wall. The pavement and base for the existing transition lanes in Blue Oaks Blvd shall be removed and replaced with median barrier curbs. At the intersection of Blue Oaks and New Meadow a traffic signal shall be installed. To accommodate the installation of the new signal both right turn and left turn lanes shall be constructed in Blue Oaks Blvd. Utility stubs shall be provided to the median for drainage, and future electric and irrigation needs. The sound wall shall be a 6-foot high, enhanced masonry wall and shall be constructed on top of a two-foot high berm within the RoW adjacent to the project site. The City will reimburse the developer for the cost associated with the completion of the center 10-foot wide westbound lane of Blue Oaks Blvd. and the installation of the signal. The reimbursement agreement shall

have been made complete **PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLANS.** (Engineering)

- 21. In the case that the improvements associated with the frontage of Blue Oaks Blvd adjacent to this site have been completed by another developing entity and the City has reimbursed that developing entity for those improvements, it will be an obligation of this project proponent to reimburse the City for those costs so incurred. (Engineering)
- 22. **PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLANS**, the project proponent shall enter into a Deferred Improvement Agreement (DIA) with the City for the cost associated with ½ the landscaping of the median of Blue Oaks Blvd. (Engineering)
- 23. New Meadow Drive shall be constructed as a public collector roadway. In an effort to coordinate with the existing PG&E gas line that will be running parallel with the roadway, the back of curb to back of curb dimension shall be 50-feet and shall include 5-foot bike lanes, 11-foot drive lanes, and a 12-foot wide landscaped median. The landscaping of the median shall be installed with the construction of the road. At the intersection with Blue Oaks Blvd., the roadway shall be widened to accommodate a southbound right turn lane, a through lane and left turn lane onto Blue Oaks with a back of curb to back of curb dimension of 60-feet. A turn pocket shall be constructed to access the southerly access into the Longmeadow Subdivision. A median break shall be constructed to access the northerly access into the Longmeadow Subdivision. At the option of the developer, at the intersection with Parkside, a round about can be constructed to City Standards. The centerline of the street shall be located on the property line. The City will use its best efforts to acquire the RoW on the west side of the property line for the construction of the street. The developer has the ability to enter into a reimbursement agreement with the adjacent property owner for their fair share of the costs of construction. Along the frontage of New Meadow and within the landscape set back, a 5-foot sidewalk shall be constructed on the east side of the street. The minimum of an enhanced wooden fence shall be constructed behind the landscape set back and the landscaping shall be installed and completed. (Engineering)
- 24. In the event that the traffic circle (Roundabout) is constructed, the outside perimeter curb face shall be vertical with attached 4-foot wide sidewalk. The private driveway access on the north side of the circle shall be a similar to a standard commercial driveway. A sign shall be permanently mounted at the driveway entrance that states "Private Access Driveway". (Engineering)
- 25. Lot "K" shall be improved with a paved driveway and landscaping to the satisfaction of the Engineering and Planning Department. At minimum, the driveway shall be 2-inches of asphalt concrete over 6-inches of aggregate base for a width of 14-feet with 2-foot shoulders. The landscaping shall either be a formal landscape treatment (irrigated trees, shrubs and ground cover) or a non irrigated natural hydroseed mix. If a natural landscape treatment is utilized it shall be mowed annually and/or as required by the Fire Department. A gated entry shall be installed at the entrance until such time as the serving parcel is developed. The driveway shall extend to the serving parcel (APN 017 115 066) and the crossing of the flood plain shall be designed and constructed per the Development Agreement. Lot "K" shall be conveyed to the owner of the serving parcel with the recordation of the Final Map. (Engineering, Planning)
- 26. The Subdivision is a private gated community with private roads. A homeowners association shall be formed and will be responsible for the maintenance of the roadways, private park, open space, and all drainage facilities. The roadway sections shall be built to city standards and shall have sidewalk on one side of the road or as shown on the approved Tentative Map. (Engineering)
- 27. The entryways shall be designed as standard gated entryways with adequate turn arounds per typical City design. The gates shall be left open between the hours of 4 PM and 7 PM during weekdays. (Engineering)

- 28. Post and cable fencing shall be installed on all roadway frontages adjacent to open space areas. (Engineering)
- 29. The developer shall be responsible for any necessary relocation of signal interconnect cables that may require re-location as a result of the construction of turn lanes and/or driveways. (Engineering)
- 30. Along the frontage of the residential properties, additional RoW shall be dedicated to the City to include the entire width of the landscape corridor. (Engineering)
- 31. A note shall be added to the grading plans that states:

"Prior to the commencement of grading operations, the contractor shall identify the site where the deficit earthen material shall be borrowed. A report issued by a geotechnical engineer shall be submitted to verify that the imported materials are suitable for fill. If the borrow site is within the City of Roseville, the contractor shall show proof of all approved grading plans. Haul routes to be used shall be specified." (Engineering)

32. The following statement shall be added to the cover sheet of the plan set:

"Unless otherwise approved by Engineering, the final grading of the project site shall be constructed to accommodate a maximum driveway slope of 14% for each residential lot, as measured from the back of the sidewalk to the garage (20-ft set back). It will remain the responsibility of the Builders/Developer to design a house which provides suitable access to the parcel." (Engineering, Building)

- 33. With the approval of construction plans, a Master Drainage Plan for the entire project site shall have been completed and approved by the City Engineering Department. The plan shall identify anticipated flows, pipe sizes, overland release points, all drainage sheds that may be tributary to the site, out fall locations, and path of storm water to ultimate discharge into the Pleasant Grove Creek. (Engineering)
- 34. Careful attention shall be made to the design of all storm drain outlets. Outlets shall be designed to minimize velocities and erosion and shall comply with the intentions of Attachment 4 of the City's Clean Water permit. Developer shall be responsible for discharge to the receiving waters of Pleasant Grove Creek. Prior to Plan approval, the Army Corp of Engineers shall review all discharges. (Engineering)
- 35. With the submittal of Improvement Plans, verification and study source used to determine the 100-year floodplain elevation as shown on the plans shall be submitted. The plans shall include 100-year flood contour lines. (Engineering)
- 36. Residential lots developed in or adjacent to a floodplain shall have freeboard pad elevations a minimum of two feet above the 100-year flood elevation. In areas where the 100-year flood depths are less than 6', the freeboard requirements will be increased to a minimum of three feet. A Letter Of Map Amendment (LOMA) or a Letter Of Map Revision (LOMR) is required for any residential lot in or adjacent to a regulatory floodplain. Elevations Certificates are required for all such non-residential structures adjacent to other flood plains. (Engineering)
- 37. Hydraulic calculations shall be provided to determine that the spillway for the pond is designed to handle 150% of the 100-year flow. The spillway shall be constructed of concrete to the satisfaction of the City Engineer. A LOMR (F) will be required for the fill within the pond area. (Engineering)
- 38. Where overland storm drain releases are within easements across private lots they shall be designed as 6-inch concrete pads, 10-feet wide. Where the release points cross open space areas, they shall be constructed within defined channels and fortified with cobbles, concrete or geo-fabrics that will minimize future erosion potential. Releases shall be wholly on one parcel and within a drainage easement dedicated to the homeowners association. (Engineering)

- 39. Improvement plans shall show the Preserve boundary (AKA Lot D) and label it as a protected area. The Pre-Construction meeting shall address the presence of the Preserve, the sensitive habitats present and minimization of disturbance to the Preserve. During grading and construction the preserve area shall be avoided and shall not be used for parking, storage, or project staging. The contractor shall remove all trash blown into the preserve from adjacent construction on a daily basis. After construction is complete, the temporary fencing shall be removed from the preserve, along with all temporary erosion control measures (e.g., straw bales, straw waddles and stakes, silt fencing). (Engineering, CDD, Planning)
- 40. Prior to construction within any phase of the project, high visibility temporary construction fencing shall be installed along the parcel adjacent to the Preserve. Fencing shall be maintained daily until permanent fencing is installed, at which time the temporary fencing shall be removed from the project site. (Engineering, CDD, Planning)
- 41. With the exception of access required for maintenance and/or emergency vehicles, the project shall be designed to prevent vehicle access into the Preserve. Post and cable fencing or other improvements shall be utilized to meet this requirement. (Engineering, CDD, Planning)
- 42. Landscaping adjacent to the Preserve shall be California native, drought-tolerant groundcover, shrubs, plants and trees. (CDD, Planning)
- 43. 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' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.
  - c. Water and sewer mains shall not exceed a depth of 6' and 12' respectively, below finished grade, unless authorized in these conditions.
  - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions.
  - e. The project shall not use potable water for make-up water for the pond
  - f. No trees or permanent structures shall be allowed within water or sewer easements except with the approval of the Environmental Utilities Director.
  - g. Applicant shall submit a recycled water landscape plan for review and approval. Plans shall include the point of connection for the recycled water line across Blue Oaks Blvd. (Environmental Utilities)
- 44. 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)
- 45. Any backflow preventors visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventors shall be screened with landscaping and shall comply with the following criteria:

- a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventor to the landscaping.
- b. For maintenance purposes, the landscaping shall be installed on a maximum of three sides and the plant material shall not have thorns.
- c. The control valves and the water meter shall be physically unobstructed.
- d. The backflow preventor shall be covered with a green cover that will provide insulation. (Environmental Utilities)
- 46. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
- 47. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
- 48. Minimum fire flow is 1,500 gallons per minute with 20 lbs. residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshall, where the project utility lines will serve non-residential uses. (Fire)
- 49. All vehicular access gates shall comply with the Uniform Fire Code and shall be equipped with an approved KNOX key switch and Opticom or Tomar emergency vehicle access device. Plan specifications for all gated entries shall be submitted to the fire department for review and approval. A function test of all access control devices shall be witnessed by the Fire Department prior to gate operation. (Fire)
- 50. A 30-foot firebreak is required to the rear of the homes that back up to Open Space Lot D. The firebreak is required annually and shall be completed prior to June 1st of each year. The required firebreak shall be cut and maintained by the HOA. (Fire)
- 51. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paving, signs, trees, walls, and structures of any type. (Electric)
- 52. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". Street lighting shall only be provided for on Blue Oaks Blvd. and New Meadows Drive. Since the subdivision is a "private gated community", Roseville Electric will not design or provide for roadway lighting within the gated community. (Electric)
- 53. The design for electrical service for this project will begin when the Electric Department has received a full set of signed improvement plans for the project. (Electric)
- 54. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching" Landscaping plans shall be revised to include roadway stationing on Blue Oaks Blvd. and New Meadows Drive. The landscape plans shall also include all existing and any proposed electrical facilities and reflect the minimum working clearances around such equipment to comply with Section 7.00. Upon completion of Roseville Electric's infrastructure design, landscape plans shall be modified to comply with Section 7.00, in particular, the street light lighting cone on page 7.5. (Electric)

- 55. The location and design of the gas 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)
- 56. 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

- 57. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
  - a. A 12.5 foot wide public utilities easement along all road frontages;
  - b. Water and sewer easements; and,
  - c. The public utility easement on the east side of Street "A" (New Meadow Drive) shall be a minimum of 25' (twenty five feet) from back of curb. (Electric)
- 58. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
- 59. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
- 60. 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)
- 61. Prior to recordation of the final map the developer shall enter into and the City Council shall approve an Affordable Housing Development Agreement identifying 10% of residential units to be affordable to middle, low, and very low-income households. Of the 10% affordable units, 20% affordable to middle income, 40% affordable to low income and 40% affordable to very low income. Typically low and very low income units are developed as rental product. However in contemplation of development as purchase product, the very low income housing units necessary for this development may be credited at an in lieu fee, estimated at \$50,000 per very low income unit required, based on actual units developed within this project. The process for undertaking the Affordable Purchase Housing Development Agreement takes approximately 12 weeks, as the agreement will need to be heard at both Planning Commission and adopted by City Council at 2 meetings, with adoption of the ordinance 30 days after 2<sup>nd</sup> City Council meeting. (Housing)
- 62. Lot D shall be dedicated in fee to the City for the purposes of open space. However, the lot will not be accepted by the City, until after the subdivider has fulfilled the terms of the Permit from the Department of Fish and Game or Army Corps of Engineers. Upon completion of the monitoring period, the owner shall notify the City of Roseville Planning Department. (Engineering, Planning, City Attorney)
- 63. The City shall not approve the Final Map for recordation until either:
  - a. A subdivision agreement is entered into along with the necessary bonds and insurance as required by the City. Said agreement shall be in a form acceptable to the City Attorney.

- b. The improvement plans are approved, and the improvements are constructed and accepted as complete. In this case, the subdivider shall enter into a one-year maintenance agreement concurrent with the recordation of the Final Map. (Engineering)
- 64. All existing structures crossing lot/parcel lines created by the Final/Parcel map shall be removed. (Engineering)
- 65. The street names shall be approved by the City of Roseville. (Engineering)
- 66. A Landscape and Lighting District or CFD Services District shall be formed for the subject property (or the subject property shall be annexed into such a district) prior to approval of the Final/Parcel Map. This district is being formed in order to maintain landscaping along the public street frontages. It is the applicant's responsibility to prepare the appropriate documentation for the creation of this LLD. In order to allow the LLD to be in place at the beginning of the fiscal year, the documentation shall be provided to the Finance Department not later than March 15 of the year preceding the fiscal year in which this annexation will become effective. (Finance, Engineering)
- 67. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. Lettered Lot//Parcel along major roads shall be dedicated as landscape/pedestrian/public utility easements to the City as right-of-way. (Engineering)
- 68. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUE's) located along public roadways. (Engineering)
- 69. The Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys". Submittal shall occur after Engineering approval but prior to Council approval (Engineering)
- 70. The cost of any facilities, which are identified in the CIP and are beyond those needed for this project may be reimbursed to the developer. In accordance with §66485 and §66486 of the Subdivision Map Act, any improvements constructed by the subdivider which contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision and which improvements are to be dedicated to the public, the subdivider shall be entitled to reimbursement for that portion of the cost of the improvements which is in excess of the construction required for the subdivision. (Engineering)
- 71. 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)
- 72. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)
- 73. A declaration of restrictions shall be recorded, either in conjunction with the CC&R's or separately, which states that the sewer service to each lot may be conditioned upon the installation of a backwater valve to comply with City of Roseville Improvement Standards. In the event a backwater valve is called out on City approved plan, it shall be the responsibility of the owner of the residence to maintain the valve and prevent damage from occurring to any such residence, or its contents, due to the failure of the valve for any reason what-so-ever. (Environmental Utilities)
- 74. The applicant shall pay all applicable water and sewer fees, including the North Industrial Reimbursement fee to the North Central Roseville Specific Plan for water line upsizing. (Environmental Utilities)

## OTHER CONDITIONS OF APPROVAL

- 75. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 76. 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)
- 77. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
- 78. 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. (Engineering)
- 79. 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)
- 80. Landscape Lots A through C: All plant material shall be maintained under a 90 calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warranty for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warranty period shall be replaced one month prior to the end of the warranty period. Tree or shrub replacement made necessary due to acts of God, neglect, or vandalism shall be exempt from the warrantee. (Engineering, Parks)
- 81. The project shall comply with all applicable environmental mitigation measures identified in the Fiddyment 44 Initial Study and Mitigated Negative Declaration. (Planning)
- 82. The Tentative Subdivision/Parcel Map application shall not be deemed approved until the actions on the Rezoning and Development Agreement are approved and become effective. (Planning)

#### TREE PERMIT CONDITIONS AND COMPLIANCE VERIFICATION/INSPECTION CHECKLIST (TP 04-49)

CC	DNDITION	COMPLIANCE VERIFIED/	COMMENTS
		INSPECTED	
PF	RIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1.	All recommendations contained in the Arborist Report(s) (Exhibit I) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2.	Tree(s) as listed in Table 1 (Attachment 9) with the exception of Trees 124, 125, 130, 131, 195, 196, 197, 205, 366, 367, 368, 385, 373, & 374 are approved for removal with this tree permit. Trees 130, 131, 373, & 374 are conditionally approved for removal. Efforts shall be made to save these four trees. All other native oak trees shall remain in place. Trees to be removed shall be clearly marked in the field and inspected by Planning Staff prior to removal. Removal of the trees shall be performed by or under the supervision of a certified arborist. (Planning)		

3.	The developer shall be responsible for the replacement of the total number of inches proposed for removal prior to any tree removal. The total number of inches for this project is 584. As required by Section 19.66.070 of the Tree Ordinance, mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan or in these conditions. (Planning)	
4.	No activity shall be permitted within the protected zone of any native oak tree beyond those identified by this report. Encroachment into the protected zone of Tree(s) listed in Table 2 (Attachment 10)as shown in Exhibit F and described in the staff report is permitted. (Planning)	
5.	A \$20,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning Department) shall be posted to insure the preservation of all remaining trees during construction. The cash deposit or bond shall be posted in a form approved by the City Attorney. Each occurrence of a violation on any condition regarding tree preservation shall result in forfeiture of all or a portion of the cash deposit or bond. (Planning)	
6.	A violation of any of the conditions of this Tree Permit is a violation of the Roseville Municipal Code, the Zoning Ordinance (Chapter 19.74) and the Tree Preservation Ordinance (Chapter 19.66). Penalties for violation of any of the conditions of approval may include forfeiture of the bond, suspension or revocation of the permit, payment of restitution, and criminal penalties. (Planning)	
7.	A fencing plan shall be shown on the approved site plan and/or improvement plans demonstrating the Protected Zone for the affected trees. A maximum of three feet beyond the edge of the walls, driveway, or walkways will be allowed for construction activity and shall be shown on the fencing plan. The fencing plan shall be reviewed and approved by the Planning Department prior to the placement of the protective fencing. (Planning)	
	The applicant shall install a minimum of a five-foot high chain link fence (or acceptable alternative) at the outermost edge of the Protected Zone of the oak tree. The fencing for encroachments shall be installed at the limit of construction activity. The applicant shall install signs at two equidistant locations on the temporary fence that are clearly visible from the front of the lot and where construction activity will occur. The size of each sign shall be a minimum of two feet (2') by two feet (2') and must contain the following language: "WARNING THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE PLANNING DEPARTMENT". (Planning)	
	Once the fencing is installed, the applicant shall schedule an appointment with the Planning Department to inspect and approve the temporary fencing before beginning any construction. (Planning)	
10.	The applicant shall arrange with the arborist to perform, and certify in writing, the completion of deadwooding, fertilization, and all other work recommended for completion prior to the approval of improvement plans. Pruning shall be done by an Arborist or under the direct supervision of a Certified Arborist, in conformance with International Society of Arboriculturalists (I.S.A.) standards. Any watering and deep root fertilization which the arborist deems necessary to protect the health of the trees as noted in the arborist report or as otherwise required by the arborist shall be completed by the applicant. (Planning)	
11.	A utility trenching pathway plan shall be submitted depicting all of the following systems: storm drains, sewers, water mains, and underground utilities. The trenching pathway plan shall show the proposed locations of all lateral lines. (Planning)	
12.	A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning Department and the Engineering Department to review this permit, the approved grading or improvement plans, and the tree fencing prior to any grading on-site. The Developer shall call the Planning Department and Engineering Division two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)	

DURING CONSTRUCTION	
13. The following information must be located on-site during construction activities:	
Arborist Report; Approved site plan/improvement plans including fencing plan;	
and, Conditions of approval for the Tree Permit. All construction must follow the	
approved plans for this tree permit without exception. (Planning)	
14. All preservation devices (aeration systems, oak tree wells, drains, special	
paving, etc.) shall be designed and installed as required by these conditions	
and the arborist's recommendations, and shall be shown on the improvement	
plans or grading plans. (Planning)	
15. If any native ground surface fabric within the Protected Zone must be removed	
for any reason, it shall be replaced within forty-eight (48) hours. (Planning)	
16. Storage or parking of materials, equipment and vehicles is not permitted within	
the protected zone of any oak tree. Vehicles and other heavy equipment shall	
not be operated within the Protected Zone of any oak tree. (Planning)	
17. All work within the PZR of native oak trees shall be conducted under the	
supervision of a certified arborist. Where recommended by the arborist,	
portions of the foundation shall be hand dug under the direct supervision of the	
project arborist. The certified arborist shall immediately treat any severed or	
damaged roots. Minor roots less than one (1) inch in diameter may be cut, but	
damaged roots shall be traced back and cleanly cut behind any split, cracked or	
damaged area. Major roots over one (1) inch in diameter may not be cut	
without approval of an arborist and any arborist recommendations shall be	
implemented. (Planning)	
18. The temporary fencing shall remain in place throughout the entire construction	
period and shall not be removed without obtaining written authorization from the	
Planning Department. In no event shall the fencing be removed before the	
written authorization is received from the Planning Department. (Planning)	
PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT	1
19. Within 5 days of the completion of construction, a Certification Letter from a	
certified arborist shall be submitted to and approved by the Planning	
Department. The certification letter shall attest to all of the work (regulated	
activity) that was conducted in the protected zone of the tree, either being in	
conformance with this permit or of the required mitigation still needing to be	
performed. (Planning)	
20. A copy of this completed Tree Permit Compliance Verification/Inspection	
form shall be submitted to the Planning Department. (Planning)	
21. The approval of this Tree Permit shall expire on the same date as the (insert the Project or Subdivision name if the TP is associated with one).	
the Project of Subdivision name if the TP is associated with one).	

# <u>ATTACHMENTS</u>

- 1. Vicinity Map
- 2. Market Analysis Executive Summary (Full report available at the Planning Department)
- 3. Fiscal Analysis
- 4. Traffic Study
- 5. Noise Analysis
- 6. Grading Alternative for Lots 112-115
- 7. HEC/RAS Study
- 8. House design with and without loft option
- 9. Table 1: Proposed Tree Removal Table
- 10. Table 2: Proposed Tree Encroachments & Mitigation Measures

# **EXHIBITS**

- A. Mitigated Negative Declaration
- B. General Plan Amendment

- C. Rezone
- D. RS/DS Development Standards
- E. Draft Development Agreement
- F. Tentative Subdivision Map (Sheets 1-3)
- G. Landscape Plans (Sheets 1-4)
- H. Lot Geometry and House Fit Exhibit
- I. Arborist Reports Impact Summary (Complete reports available at the Planning Department)
- J. Oak Tree Summary Exhibit
- K. Plot Plans for Tree Removals (Sheets 1-13)

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.