



PLANNING & REDEVELOPMENT STAFF REPORT
PLANNING COMMISSION MEETING April 13, 2006

Prepared by: Chris Dougherty, Assistant Planner

ITEM IV-B: TREE PERMIT – 2200 HAYDEN PW – WRSP VILLAGE F-4 – FILE # TP-000064
(2005 PL-122)

REQUEST

The applicant requests approval of a tree permit to encroach into the protective zone radius of native oak trees for the construction of a driveway for an existing single family home.

Applicant and Property Owner: Brian Stevenson, Signature Properties, Inc.

SUMMARY RECOMMENDATION

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

- A. Adopt the two (2) findings of fact for the Tree Permit; and
- B. Approve the Tree Permit subject to the eighteen (18) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues with this request. The applicant has reviewed the conditions of approval for the project and is in agreement with those conditions.

BACKGROUND

The project site is located at 2200 Hayden Parkway, which is within the West Roseville Specific Plan (WRSP) Parcel F-4. On February 4, 2004, the City Council approved the West Roseville Specific Plan (WRSP), which granted land use entitlements for new development to the west of Fiddymont Road.

The tree permit is for construction of a driveway through Parcel F-4 of the (WRSP) to the existing Corin residence. The Corin residence sits on the adjacent parcel to the north but utilizes Parcel F-4 for access.

EVALUATION

The Tree Preservation Chapter of the City of Roseville Zoning Ordinance requires the City to consider the appropriateness of and alternatives to proposed encroachments. An arborist report (tree inventory) has been prepared for 2200 Hayden Pw. that identifies tree species, size, health, current condition, and the amount of proposed encroachment of the trees. The report is provided as Exhibit B and a summary is provided below.

Tree #	Type	DBH (inches)	Condition		Encroachment	Impacts
			Structure	Vigor		
2273	Blue Oak	28	Fair	Fair	2.52%	Minor Impacts
2274	Blue Oak	28	Fair	Fair	11.09%	Moderate Impacts
2368	Blue Oak	16	Fair	Fair	3.75%	Minor Impacts
2369	Blue Oak	11	Fair	Fair	3.03%	Minor Impacts
2370	Blue Oak	12	Fair	Fair	6.41%	Minor Impacts
2371	Blue Oak	13	Fair	Fair	11.21%	Minor Impacts
2373	Blue Oak	14	Fair	Fair	.66%	Minor Impacts
2374	Blue Oak	29	Fair	Fair	21.18%	Moderate Impacts
2375	Blue Oak	29	Fair	Fair	28.79%	Moderate Impacts
2376	Live Oak	18	Fair	Fair	11.75%	Minor Impacts

Construction of the proposed driveway will encroach into the protected zone radius (PZR) of 10 native oak trees but only two of the trees will have encroachment over 20 percent. Because the driveway encroaches over 20% into the PZR, the Tree Ordinance requires Planning Commission review and approval of a tree permit.

The applicant has consulted the project arborist to ensure that the encroachment of the driveway would not affect the health of the oak trees. The arborist has determined that the impacts on the native oak trees range from minor to moderate. The arborist has included recommendations (Exhibit B) including clearance pruning, crown clean out, and subsurface fertilization to minimize the impact from construction of the driveway.

Conclusion

The Planning Department has determined that the proposed tree encroachments are necessary to allow for construction of a driveway to the existing home. Staff recommends that the Planning Commission approve the requested encroachments, as conditioned.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15303(e) and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- A. Adopt the two (2) findings of fact for the TREE PERMIT – 2200 Hayden Pw – FILE# TP-000064:

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 permit to minimize impacts to encroached native oak trees.*

B. Approve the TREE PERMIT – 2200 Hayden Pw – FILE# TP-000064 with the eighteen (18) conditions listed below.

TREE PERMIT- 000064 CONDITIONS AND COMPLIANCE VERIFICATION / INSPECTION CHECKLIST
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CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1. All recommendations contained in the Arborist Report(s) (Exhibits B) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. All trees as shown on Exhibit A, are approved for encroachment with this tree permit. The remaining native oak trees listed on the site plan shall be preserved. The encroachment required to provide a driveway shall be limited to what is listed on the arborist's report (Exhibit B). All other native oak trees shall remain in place. Trees to be encroached shall be clearly marked in the field and inspected by Planning Staff prior to construction. (Planning)		
3. No activity shall be permitted within the protected zone of any native oak tree beyond those identified by this report. (Planning)		
4. A \$10,000 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)		
5. 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)		
6. 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)		

<p>7. 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)</p>		
<p>8. 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)</p>		
<p>9. The applicant shall arrange with the arborist to perform, and certify in writing, the completion of dead wooding, 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)</p>		
<p>10. 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)</p>		
<p>DURING CONSTRUCTION</p>		
<p>11. 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)</p>		
<p>12. 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)</p>		
<p>13. 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)</p>		
<p>14. 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)</p>		
<p>15. Where recommended by the arborist, portions of the driveway 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)</p>		

<p>16. 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)</p>		
<p>PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT</p>		
<p>17. 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)</p>		
<p>18. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning Department. (Planning)</p>		

ATTACHMENTS

1. Vicinity Map

EXHIBITS

- A. Plot Plan
- B. Arborist Report/Tree Inventory (Sierra Nevada Arborists, January 30, 2006)

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.