

**ITEM IV-D: TREE PERMIT – 4701 FIDDYMENT RD. – WRSP FIDDYMENT RANCH PARCEL F-83 – FILE #2006PL-149 (TP-000093)**

**REQUEST**

The applicant requests approval of a Tree Permit to remove up to seven native oak trees and to encroach into the Protected Zone of up to five trees for the construction of an 18-inch sewer trunk for Fiddyment Ranch Phase 2, associated with the infrastructure plan of the West Roseville Specific Plan.

Applicant – Steve Hicks, Signature Properties  
Property Owner – Signature Properties

**SUMMARY RECOMMENDATION**

The Planning & Redevelopment 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 twenty-two (22) conditions.

**SUMMARY OF OUTSTANDING ISSUES**

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

**BACKGROUND**

West Roseville Specific Plan (WRSP) Fiddyment Ranch Open Space Parcel F-83 encompasses Pleasant Grove Creek between Crocker Ranch on the east and Fiddyment Road on the west (Attachment 1). The Phase 2 WRSP infrastructure being constructed by Signature Properties include an 18-inch sewer trunk crossing from west to east adjacent to Parcel F-83 (Tree Permit Exhibit A). The pipe will connect with a larger north-south trunk being constructed along the eastern edge of Fiddyment Ranch, before that crosses under Pleasant Grove Creek.

On September 14, 2006 the Planning Commission approved a request to remove 14 native oak trees and encroach into the Protected Zone Radius of another 9 native oak trees for the sewer trunk project (TP-000079). In its approval, the Commission asked for the east-west sewer trunk to be shifted northward to avoid removal of some trees.

The present design indicates that the 18-inch pipe has been shifted northward approximately 10 feet. Exhibit A also depicts a typical excavation trench, which given the required depth of the pipe (up to 30 feet deep) will be 65-75 feet wide. According to the contractor (Teichert), if the soils conditions are good, all of the subject trees can be saved (Attachment 2). However, if the soils conditions are not favorable, a shallower trench slope will be needed, and some or all of the subject trees will be removed, depending on the specific conditions present in the vicinity of each tree. To be prepared for the worst case, Signature has filed this present application.

**EVALUATION**

The Tree Preservation Ordinance (Chapter 19.66) 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.

On March 6, 2007, Sierra Nevada Arborists performed a visual assessment of native oak trees in the vicinity of the proposed sewer trunk. The report dated April 4, 2007 identifies tree species, size, health and current condition, and describes impacts related to the proposed project (Exhibit B). The report also corrects the previous mapping error that mislabeled Trees #2462 and #2464 on the approved exhibit for Tree Permit TP-000079. (The report also discusses Tree #2415, which was the subject of Tree Permit TP-000092, approved by the Planning Commission on May 10, 2007.) The assessment of the ten trees is summarized in the table below.

Tree #	Type	DBH (inches)	PZR (feet)	Condition		Project Impacts
				Structure	Vigor	
2462	QD	9	22	Fair	Fair	<i>Remove for Sewer Construction</i>
2463	QW	13	26	Poor-Fair	Fair	<i>Remove for Sewer Construction</i>
2465	QW	10	27	Poor-Fair	Poor-Fair	6% Encroachment
2515	QD	29	33	Fair	Fair	15% Encroachment <i>or Conditional Removal</i>
2516	QW	7	13	Fair	Poor-Fair	1% Encroachment <i>or Conditional Removal</i>
2517	QW	9	23	Poor	Poor-Fair	<i>Remove for Sewer Construction</i>
2518	QL	33	36	Fair	Fair	<i>Remove for Sewer Construction</i>
2520	QD	12	23	Fair	Fair	5% Encroachment
2521	QW	21	38	Poor	Fair	<i>Remove for Sewer Construction</i>
2522	QL	34	37	Poor-Fair	Fair	8% Encroachment

QD = Quercus douglasii – Blue Oak    QL = Quercus Lobata – Valley Oak    QW = Quercus Wislizenii – Interior Live Oak

**Tree Impacts**

As depicted on the Tree Permit Exhibit, the new 18-inch sewer trunk will cross from west to east in the general vicinity of the existing Fiddymment Road pavement. The required trench cut skirts the edge of Open Space Parcel W-83, which may require removal of up to five trees, and encroach into the Protected Zone of another five trees. As noted above, if the soils conditions are favorable for a narrower trench cut, some or all of these trees could be saved. Staff has included Condition #3 to require a detailed geo-technical report on the soils conditions prior to trenching, and consensus between Public Works, Planning and the project arborist about any trench cut designed to save trees.

In addition, Trees #2515 and 2516 have been identified as conditional removals. As proposed, these trees will be retained, but need some clearance pruning for the excavation, which will be monitored by the arborist. Staff has included Condition #4 to stipulate that if Planning staff and the project arborist agree that the impacts due to pruning and other activities would prove too severe for these trees to be retained, the trees are authorized to be removed.

**Tree Mitigation**

The five trees proposed for removal have a combined diameter of 85 inches. The Tree Ordinance requires that trees approved for removal be mitigated on an inch for inch basis either by: 1) replacement, 2) relocation, 3) regeneration, or 4) through payment of an in-lieu fee into the City's Tree Mitigation Fund.

As with previous tree permits for Fiddymment Ranch, Signature Properties proposes to mitigate this removal by adding 85 inches into the mitigation planting plan for its roadway infrastructure tree permit (TP 04-08). The mitigation planting plan, currently being reviewed by the City, proposes to plant native oaks and other native tree species in open space parcels and along landscape corridors throughout Fiddymment Ranch. In the event that all of the required mitigation inches for these tree permits is not fully satisfied by the mitigation planting plan, the remainder will be satisfied through payment of an in-lieu fee.

**ENVIRONMENTAL DETERMINATION**

Pursuant to City of Roseville CEQA Implementing Procedures and California Environmental Quality Act (CEQA) Guidelines this project is exempt as a project consistent with the Environmental Impact Report (EIR) prepared for the West Roseville Specific Plan (WRSP) and certified by the City of Roseville on February 4, 2004 (SCH#2002082057). The WRSP EIR provides environmental analyses of community infrastructure and facilities such as sewer trunks. Mitigation measures for the removal of native oak trees were included in the Final EIR. CEQA analysis beyond that presented in the EIR is not required for implementation of these infrastructure facilities.

**RECOMMENDATION**

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

- A. Adopt the two findings of fact as stated below for the Tree Permit – 4701 Fiddymment Road, WRSP Parcel F-83 – File # 2006PL-149, TP-000093;
  - 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; and*
  - 2. *Measures have been incorporated in the project or permit to mitigate impacts to remaining trees and to provide replacement for trees removed.*
- B. Approve the Tree Permit -- 4701 Fiddymment Road, WRSP Parcel F-83 – File # 2006PL-149, TP-000093 subject to the twenty-two (22) conditions listed below.

**CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000093**

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
<b>PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE</b>		
1. All recommendations contained in the Arborist Report (Exhibit B) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Trees #2462, 2463, 2517, 2518, and 2521 are approved for removal by this tree permit. All other native oak trees shall remain in place. Trees to be removed shall be clearly marked in the field and inspected by Planning & Redevelopment staff prior to removal. Removal of the trees shall be performed by or under the supervision of a certified arborist. (Planning)		

<p>3. The developer shall provide a geo-technical report with sufficient detail about the soils conditions in proximity of the subject trees to determine whether the trench cut can be designed to save any or all of the subject trees. The Public Works Department shall determine whether the trench cut is practical, and consult with Planning &amp; Redevelopment staff and the project arborist about whether the trench cut design will result in trees saved. Consensus between PWD, PRD &amp; the project arborist shall be required to authorize a trench cut designed to save trees. (Public Works, Planning)</p>		
<p>4. Trees #2515 and 2516 are conditionally approved for removal. Efforts shall be made to retain the trees as feasible. A certified arborist shall monitor the work done within the protected root zone of conditional trees, to minimize project impacts on the trees. If the arborist believes that a conditional tree may not survive the severity of project impacts, the arborist, the developer, and Planning &amp; Redevelopment staff shall without delay meet on-site to discuss options. If the consensus is that the conditional tree will not survive, it shall be clearly marked for removal, and Planning &amp; Redevelopment will provide written notice to the developer authorizing that tree to be removed. (Planning)</p>		
<p>5. Prior to the removal of any native oak trees and prior to any site grading, the developer shall execute an agreement to mitigate the oak trees removed for the project. This agreement shall be in a form acceptable to the City Attorney. (Planning)</p>		
<p>6. The developer shall be responsible for the replacement of 85 mitigation inches proposed for removal, not including conditional trees. Conditional tree inches shall be added when a conditional tree is removed. Mitigation must be provided prior to tree removal unless otherwise approved in these conditions. (Planning)</p>		
<p>7. No activity shall be permitted within the protected zone of any native oak tree beyond those identified in the arborist report or these conditions. (Planning)</p>		
<p>8. 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)</p>		
<p>9. A \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning &amp; Redevelopment 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)</p>		

<p>10. 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 excavation 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 &amp; Redevelopment Department prior to the placement of the protective fencing. (Planning)</p>		
<p>11. 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 &amp; Redevelopment Department". (Planning)</p>		
<p>12. Once the fencing is installed, the applicant shall schedule an appointment with the Planning &amp; Redevelopment Department to inspect and approve the temporary fencing before beginning any construction. (Planning)</p>		
<p>13. 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)</p>		
<p>14. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning &amp; Redevelopment Department, Engineering Department and the Environmental Utilities 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 &amp; Redevelopment Department, Engineering and EU two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)</p>		
<p><b>DURING CONSTRUCTION</b></p>		
<p>15. 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>		

16. 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)		
17. 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)		
18. 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)		
19. Where recommended by the arborist, trench excavation 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)		
20. The temporary fencing shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Planning & Redevelopment Department. In no event shall the fencing be removed before the written authorization is received from the Planning & Redevelopment Department. (Planning)		
<b>PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT</b>		
21. Within 5 days of the completion of construction, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning & Redevelopment 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)		
22. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning & Redevelopment Department. (Planning)		

**ATTACHMENTS**

1. Vicinity Map
2. Applicant's 5/31/07 email

**EXHIBITS**

- A. Tree Permit Map dated April 4, 2007
- B. Arborist Report dated April 4, 2007

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