

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING SEPT. 22, 2005

Prepared by: Steve Lindbeck, Project Planner

ITEM V-B: TREE PERMIT – 1850 BLUE OAKS BL & 2251 HAYDEN PW – WRSP FIDDYMENT RANCH PARCEL F-88 – FILE #TP-000044

REQUEST

The applicant requests approval of a Tree Permit to remove five native oak trees in the Blue Oaks Boulevard right-of-way and one native oak tree adjacent to Fiddyment Ranch Village F-1B.

Applicant – Dennis Phillips, Wood Rodgers 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 the twenty-one (21) conditions listed below.

SUMMARY OF OUTSTANDING ISSUES

Five Interior Live Oak trees were planted adjacent to Blue Oaks Boulevard a few years ago as mitigation related to the Sun City development. The street is currently being widened from two lanes to six lanes with a median. The subject trees are located in what will be the median and the applicant proposes to remove them to plant new landscape in the median. Staff feels that only one tree would likely be impacted by the street project. We recommend approval with the condition that four trees will be retained in the median and one will be transplanted to a new location. Signature wants to remove all five so that by re-planting this section of the median it will match their design for the rest of Blue Oaks Boulevard. The applicant is in agreement with the other recommended conditions of approval.

BACKGROUND

West Roseville Specific Plan (WRSP) Fiddyment Ranch Village F-1 is located on the southwest corner of Fiddyment Road and future Hayden Parkway (Attachment 1). The Planning Commission approved a Tentative Map (SUBD 04-08) and Tree Permit (TP 04-04) for Village F-1 on September 23, 2004. Tree #1578 is located immediately adjacent to Village F-1 in open space Parcel F-88, between the future residential street and future bike trail (Attachment 2 and Exhibit A).

Blue Oaks Boulevard is being widened as a Phase 1 WRSP infrastructure improvement by Signature Properties. The project includes construction of three westbound lanes north of the existing street section. The existing two-way pavement will become three eastbound lanes. The improvement plans indicate the existing north shoulder landscape, where Trees #2377-2381 are located, will become the street median.

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.

Sierra Nevada Arborists inventoried five protected native oak trees on the north side of the existing Blue Oaks Boulevard and one tree in open space Parcel F-88. The reports dated March 11, 2005 and May 19, 2005 identify tree species, size, health and current condition, and describe impacts related to the proposed projects (Attachments 3 and 4). The reports are summarized in the table below.

Figure 1: Tree Summary

Tree	Туре	DBH	PZR	Condition		Impacts
#		(inches)	(feet)	Structure	Vigor	
1578	QL	28	27	Poor-Fair	Fair	Removed for Bike Trail
2377	QW	6	8	Fair	Fair	Removed for Street Widening
2378	QW	6	9	Fair	Fair	Removed for Street Widening
2379	QW	6	8	Fair	Fair	Removed for Street Widening
2380	QW	8	11	Fair	Fair	Removed for Street Widening
2381	QW	6	10	Fair	Fair	Removed for Street Widening

QL = Quercus Lobata - Valley Oak QW = Quercus Wislizenii - Interior Live Oak

Open Space Parcel F-88

The Tentative Map for Fiddyment Ranch Village F-1 indicated Tree #1578 would be located adjacent to a single-loaded street bordering open space Parcel F-88. At that time, the project arborist recommended the tree be removed due to existing structural defects and the potential impacts from development. As the sole tree in the vicinity, staff felt it had value for the open space. Staff recommended retaining the tree by meandering the bike trail around it and reducing the project impacts. The Tentative Map was approved with that site layout and the associated Tree Permit (TP 04-04) authorized only encroachment into the protected zone of Tree #1578, not its removal.

In the letter dated May 19, 2005 arborist Ed Stirtz reiterates his recommendation that Tree #1578 be removed (Attachment 5). He notes that the structural defects would pose a hazard in a developed environment, a risk for personal injury or property damage by the proximity to the bike trail and the street. The site plan indicates that by constructing the layout approved with the tentative map, the street curb would be about 22 feet from the tree trunk. The bike trail would be about 11 feet from the trunk and be pushed to the limit of the 50 foot buffer into the open space. Encroachment of about 25 percent into the Protected Zone Radius of Tree #1578 would include construction of the street curb and adjacent fill slope, and construction of the bike trail and open space fence.

Staff has reviewed the arborist's letter and the latest version of the improvement plans. Given the potential for risk to people or property, and the potential for impacts to the tree, we concur with the arborist's recommendation that Tree #1578 be removed.

Blue Oaks Boulevard

The improvement plans for the Blue Oaks Boulevard widening indicate all existing north shoulder trees, including the five protected native oaks, are located in what will become the street median. The arborist identified ten Interior Live Oak trees in the subject area. Five trees are 5 inch diameter or smaller and may be removed without mitigation, consistent with the Tree Preservation Ordinance. Trees #2377, 2378, 2379, 2380 and 2381 are 6 inch or larger, and are subject to mitigation. The trees are all of fair structural condition and fair vigor.

The improvement plans indicate that Tree #2378 will be impacted by the construction of the new median curb, but it appears the other four trees will not be impacted by the street widening project. However, the planned landscaping for the Blue Oaks median would not compatible with the native oaks

and Signature proposes to remove the existing trees from this area. Still, staff believes that of the five 6 inch and 8 inch trees, four are viable and could be retained in the median, with the new landscaping designed to accommodate them.

Tree Mitigation

The six trees proposed for removal have a combined diameter of 60 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 Fiddyment Ranch Villages F-1, F-4, F-5 and F-17, Signature Properties could be allowed to mitigate all six of these trees by including the 60 inches into the mitigation plan approved for its roadway infrastructure tree permit (TP 04-08). However, when the proposed street tree removals were first discussed with staff, we asked that the developer explore relocating the trees. We believe the trees are still small enough that transplanting is feasible.

In the letter dated May 19, 2005, arborist Ed Stirtz expresses a different opinion, that "transplantation of native oak trees is not a viable option" (see Attachment 5). As an example, he points to the transplanted trees at Foothills/Junction, which he describes as suffering from retarded growth. Photos of transplanted native oaks at Foothills/Junction and Douglas/Roseville Parkway are included as Attachment 6, as well as a photo of the subject street trees.

We respect Mr. Stirtz's opinion and agree that transplanted trees may suffer from retarded growth or even early death, the worst-case scenario. We would also note that all planted trees are actually transplanted trees, some from nursery stock grown in buckets or boxes, some grown in the ground. An important factor for viability is the size of the tree, chiefly the size of the root ball. The larger the root ball, the more likely the transplant will suffer. In general, smaller transplanted trees do survive and thrive.

Another consideration for transplanting is the additional cost involved. The cost of moving Tree #2378 with a tree spade to a nearby, viable growing location in Fiddyment Ranch is \$1,500. In comparison, the in-lieu mitigation fee for Tree #2378 is \$708 (\$118 x 6 inches). We feel that the immediate visual benefit given by using larger trees is worth the additional cost.

The zoning ordinance explicitly provides for transplanting native oaks as mitigation and the Planning Commission has approved this option on more than one occasion (see Attachment 6). Staff believes that this is another case where transplanting is a reasonable mitigation.

In conclusion, our recommendation on the native oak tree mitigation is as follows:

- Tree #2378 shall be transplanted to a nearby location in Fiddyment Ranch, whereby the mitigation of its 6 inches shall be satisfied;
- Trees #2377, 2379, 2380 and 2381 shall be retained in the street median with the new landscape and irrigation modified to accommodate the existing native oaks; and
- Tree #1578 shall be mitigated by planting 28 inches of new trees as part of the Fiddyment Ranch Tree Mitigation Plan.

¹ That mitigation plan approved by the Planning Commission on September 9, 2004 provides for the planting of native oak trees and non-native oak trees within the landscape corridors, and the planting of native oak trees and seedlings in a designated tree mitigation zone along Pleasant Grove Creek in the Fiddyment Ranch open space. The plan includes mitigation monitoring over five years, with a measurement of the seedlings at five years and payment for any shortfall in mitigation inches. It is projected that, through Signature Properties' Tree Mitigation Plan, approximately 5,100 native and non-native trees will be planted.

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 project level environmental analyses of community infrastructure and facilities such as arterial roads and bike trails. CEQA analysis beyond that presented in the EIR is not required for implementation of these 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 1850 Blue Oaks Bl. and 2251 Hayden Pw. FILE# TP000044;
 - 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 1850 Blue Oaks Bl. and 2251 Hayden Pw. FILE# TP000044 subject to the twenty-one (21) conditions listed below.

CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000044

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCT	TION ON-SITE	
1. All recommendations contained in the Arborist Reports (Attachment 6) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree #1578 is approved for removal by this tree permit. Tree #2378 is approved for transplanting by this permit, with the new location to be approved by Planning & Redevelopment Staff. 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)		
3. 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, or include the project mitigation with the agreement required of tree permit TP 04-08. This agreement shall be in a form acceptable to the City Attorney. (Planning)		
4. The developer shall be responsible for the replacement of 34 mitigation inches proposed for removal. Mitigation must be provided prior to tree removal unless otherwise included in the tree replacement plan approved for TP 04-08. (Planning)		

Redevelopment. (Planning) 6. No activity shall be permitted within the protected zone of any native oak tree beyond those identified by this report. (Planning) 7. 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) 8. The tree bond for TP 04-08 shall be posted or a \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning & 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) 9. 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 eviewed and approved by the Planning & Redevelopment Department prior to the placement of the protective fencing. (Planning) 10. 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 asigns 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 sha	5.	The entire mitigation requirement for Tree #2378 shall be met	
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appointment with the Planning Department to inspect and			
approve the temporary fencing before beginning any			
construction. (Planning)		construction. (Planning)	

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12. 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)	
13. A Site Planning Meeting shall be held with the applicant, the	
applicant's primary contractor, the Planning & Redevelopment	
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 & Redevelopment Department and	
Engineering Division two weeks prior to the start of grading	
work to schedule the meeting and fencing inspection.	
(Planning)	
DURING CONSTRUCTION	Γ
14. 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)	
15. 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)	
16. 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)	
17. 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)	
18. Where recommended by the arborist, storm drain 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)	
19. 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)	
PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT	

20. 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)	
21. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning & Redevelopment Department. (Planning)	

ATTACHMENTS

- 1. Vicinity Maps
- 2. Aerial Photos
- 3. Arborist Report dated March 11, 2005 regarding Blue Oaks Boulevard trees
- 4. Arborist Report dated May 19, 2005 regarding Tree #1578
- 5. Letter dated May 19, 2005 regarding viability of transplanting native oaks
- 6. Photos of Blue Oaks Boulevard trees and examples of transplanted native oaks

EXHIBITS

- A. Tree #1578 Map
- B. Tree #2379 Map
- C. Trees #2377, 2378, 2380, 2381 Map

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.