

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING MAY 11, 2006

Prepared by: Steve Lindbeck, Project Planner

ITEM IV-C: TREE PERMIT – 5251 FIDDYMENT RD. & 1950 BLUE OAKS BL – WRSP FIDDYMENT RANCH F-22 & F-31 – FILE #2006PL-044, PROJECT# TP-000067

REQUEST

The applicant requests approval of a Tree Permit to remove four native oak trees and encroach into the protected zone of another three native oak trees, related to construction of off-site utilities infrastructure for residential Village F-17.

Applicant – Brian Stevenson, Signature Properties Property Owner – West Roseville Development Co.

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 (20) conditions listed below.

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

On May 12, 2005 the Planning Commission approved a Tentative Subdivision Map for WRSP Parcel F-17 which is located on the northeast corner of Blue Oaks Boulevard and old Fiddyment Road (see Attachment 1). The sewer and water mains for Village F-17 will connect to the backbone infrastructure being constructed in the new Fiddyment Road alignment, approximately 2,000 feet west of F-17. The construction of these sewer and water mains lies within Street A between Parcels F-22 and F-31 as required in the Fiddyment Ranch Development Agreement. The tree permit approved for F-17 (TP 04-50) already authorized removal of eight trees in the path of the Street A mains. As the backbone infrastructure plans and the F-17 Improvement Plans have progressed, it became apparent that the right-of-way grading and trenching for these mains will require removal of four additional native oak trees and encroachment into the protected zone of three others.

EVALUATION – TREE PERMIT

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 a total of nine trees in the vicinity of the proposed Street A grading and utility trenching (in addition to those assessed for the previous tree permit). Their report dated March 30, 2006 identifies tree species, size, condition, and describes impacts related to the project (Exhibit B). Seven trees will be impacted by the Street A work (in addition to the eight trees approved for removal by TP 04-50), as summarized in the table below. The other two trees are located outside the project construction zone and will not be impacted.

Tree	Туре	DBH	PZR	Condition		Impacts
#		(inches)	(feet)	Structure	Vigor	
1509	QL	4,8	13	Fair	Fair	None
1510	QD	23	28	Fair	Fair	Removed for hazardous defects
1511	QW	12	14	Poor-Fair	Fair	Removed for hazardous defects
1515	QW	5, 6	14	Fair	Fair	23.0 percent encroachment
1521	QD	12,14	29	Fair	Fair	None
1523	QD	23	33	Fair	Poor-Fair	5.8 percent encroachment
1528	QD	15	27	Fair	Fair	1.6 percent encroachment
1675	QL	13	15	Poor	Poor	Removed for street construction
1676	QL	4,4,5,5,6,6	15	Poor	Fair	Removed for street construction

In the evaluation of the tree impacts staff considered the Street A grading design. Given that the street alignment was already approved in the WRSP and the Fiddyment Ranch Development Agreement, there are limited grading alternatives.

Trees #1510 and 1511 will be removed because the arborist identified significant structural defects that make them hazardous in a developed setting. The arborist recommends they be removed.

Trees #1675 and 1676 will be removed due to roadway grading and trenching for the water main in Street A. Given the previously approved right-of-way alignment and the significant amount of grading that will occur in this location, there are no feasible alternatives for preservation.

Other than trees #1510 and 1511, the trees on the south side of Street A will not be considered for removal until a development plan for Parcel F-31 is submitted. In the meantime, Trees #1515, 1523, and 1528 will sustain minor to moderate encroachment by the south side cut slope for Street A. Trees # 1509 and 1521 are outside of the construction zone and will not be impacted. Tree protection and maintenance measures are included as conditions of approval.

Tree Mitigation

The four trees proposed for removal have a combined mitigation diameter of 54 inches. The Tree Ordinance requires that trees approved for removal be mitigated on an inch for inch basis either by planting/regeneration or through payment of an in-lieu fee into the City's Tree Mitigation Fund. The applicant proposes to mitigate these trees by including the 54 inches into the mitigation plan approved for the Fiddyment Ranch roadway infrastructure tree permit (TP 04-08) approved by the Planning Commission on September 9, 2004. That mitigation plan 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 this Tree Mitigation Plan, approximately 5,100 native and non-native trees will be planted.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review per Section 15182 of the California Environmental Quality Act (CEQA) Guidelines as a residential project pursuant to a Specific Plan for which an EIR has been certified. The West Roseville Specific Plan EIR (SCH# 2002082057) was certified by the City of Roseville on February 4, 2004.

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 WRSP Fiddyment Ranch F-22 & F-31 File# 2006PL-044, Application # TP-000069;
 - 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 WRSP Fiddyment Ranch F-22 & F-31 File# 2006PL-044, Application # TP-000069 subject to the twenty (20) conditions listed below.

CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000069

	CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PF	RIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCT	TION ON-SITE	
1.	All recommendations contained in the Arborist Reports (Exhibit B) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2.	Trees 1510, 1511, 1675 and 1676 are approved for removal with 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)		
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 54 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)		
5.	No activity shall be permitted within the protected zone of any native oak tree beyond those identified by this report. (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.	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)							
8.	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 &							
	Redevelopment Department prior to the placement of the							
	protective fencing. (Planning)							
9.	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							
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	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 &							
	Redevelopment Department". (Planning)							
10.	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)							
11	The applicant shall arrange with the arborist to perform, and certify							
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	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)							
12	A Site Planning Meeting shall be held with the applicant, the							
12.	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)							
DU	DURING CONSTRUCTION							
	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)							
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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. 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)	
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 & 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	
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 & 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)	
20. A copy of this completed Tree Permit Compliance	
Verification/Inspection form shall be submitted to the Planning &	
Redevelopment Department. (Planning)	

ATTACHMENTS

1. Vicinity Map

EXHIBITS

- A. Tree Removal Exhibit
- B. Arborist report dated March 30, 2006

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.