

**ITEM IV-B: TREE PERMIT – 5201 FIDDYMENT RD. – WRSP FIDDYMENT RANCH PARCEL F-83
TRUNK SEWER – FILE #2006PL-149 (TP-000092)**

REQUEST

The applicant requests approval of a Tree Permit to remove one native oak tree for the construction of a sewer trunk under Pleasant Grove Creek, associated with the infrastructure plan of the West Roseville Specific Plan. The subject tree, #2415, was missed in the inventory submitted with the application for Tree Permit TP-000079, which the Planning Commission approved September 14, 2006.

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 (20) 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 sewer trunk is being constructed as a Phase 2 WRSP infrastructure improvement by Signature Properties. The new sewer trunk will go along the eastern edge of Fiddyment Ranch, cross under Pleasant Grove Creek and connect at an existing stub to the existing 72-inch sewer trunk on the south side of the creek. The excavation through Pleasant Grove Creek at the eastern end of Parcel F-83 is located within the 50-foot wide edge buffer of the open space easement where such work is allowed by the Corps of Engineers' Operations and Management Plan (O & M Plan).

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.

While subsequently marking the trees approved for removal, the arborist discovered that one 7-inch Blue Oak, located on the south side of the creek and directly in the path of the proposed trench cut, had been missed in the original tree inventory. As a result, the tree had not been included in the previous application to remove trees. That tree, #2415, must be removed for the sewer trunk project and so it is the subject of this 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 Phase 2 trunk sewer crossing of Pleasant Grove Creek in open space Parcel F-83. Based on the required depth of the sewer trunk crossing, and the resulting width of the trench cut, Tree #2415 was determined to need removal. 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 discusses several other trees that are not included in this present request.) The assessment of Tree #2415 is summarized in the table below.

Tree #	Type	DBH (inches)	PZR (feet)	Condition		Project Impacts
				Structure	Vigor	
2415	QD	7	12	Fair	Fair	<i>Remove for Sewer Construction</i>

QD = Blue Oak (Quercus Douglasii)

Tree Impacts

As depicted on the Tree Permit Exhibit, the south end of the new sewer trunk will connect with an existing stub to the existing 72-inch sewer trunk on the south side of Pleasant Grove Creek, at a depth of about 18 feet below grade. Safe excavation practices have trench cuts twice as wide as they are deep, so in this case the trench would be 36 feet wide. Because the new sewer trunk passes within 15 feet of Tree #2415, the trench cut would require removal of the tree.

Tree Mitigation

Tree #2415 has a diameter of 7 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 Fiddymont Ranch, Signature Properties proposes to mitigate this removal by adding 7 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 and non-native trees in open space parcels and along landscape corridors throughout Fiddymont 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 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 – 5201 Fiddymont Road, WRSP Parcel F-83 – File # 2006PL-149, TP-000092;
 - 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 -- 5201 Fiddymont Road, WRSP Parcel F-83 – File # 2006PL-149, TP-000092 subject to the twenty (20) conditions listed below.

CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000092

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
<u>PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE</u>		
1. All recommendations contained in the Arborist Report (Exhibit B) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree #2415 is 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)		
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. This agreement shall be in a form acceptable to the City Attorney. (Planning)		
4. The developer shall be responsible for the replacement of 7 mitigation inches proposed for removal. Mitigation must be provided prior to tree removal unless otherwise approved in these conditions. (Planning)		
5. 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)		
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)		

<p>7. 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)</p>		
<p>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 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 & Redevelopment Department prior to the placement of the protective fencing. (Planning)</p>		
<p>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 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)</p>		
<p>10. Once the fencing is installed, the applicant shall schedule an appointment with the Planning & Redevelopment Department to inspect and approve the temporary fencing before beginning any construction. (Planning)</p>		
<p>11. 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>12. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning & 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 & Redevelopment Department, Engineering and EU two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)</p>		

<u>DURING CONSTRUCTION</u>		
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. 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)		
<u>PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT</u>		
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 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.