

CITY OF ROSEVILLE PLANNING DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING February 10, 2005

Prepared by: Michael Isom, Associate Planner

ITEM IV-B: TREE PERMIT - 1757 PARK OAK DRIVE -- (SRSP PARCEL 33/38 - LOT 27) - FILE#

TP 04-51

REQUEST

The applicant requests approval to remove two (2) additional native oak trees within the building envelope of Lot 27 that were overlooked during review of the Master Tree Permit for Whispering Canyon. A total of fifteen (15) trees are proposed for removal, thirteen (13) of which have been conditionally approved for removal subject to approval of an Administrative Tree Permit. The Administrative Tree Permit process provides an opportunity for the City to review building plans for individual homes within the subdivision, collect required mitigation payments for removed trees, and notify surrounding property owners of the tree removals.

Applicant: E. Robert Statham, Interlynk Management

Owner: Maria Andrichuk

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 eighteen (18) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this project. The applicant is in agreement with all recommended conditions of approval.

BACKGROUND

The project site is located at 1757 Park Oak Drive, which is within Parcel 33 of the Stoneridge Specific Plan (SRSP) (Attachment 1). On May 8, 2003, the Planning Commission approved a "Master" Tree Permit for the Whispering Canyon subdivision. The Master Tree Permit conditionally authorized tree removals within building envelopes defined for each of the 52 affected lots within the subdivision. The Master Tree Permit included tree removals on Lot 27, which are reflected on Attachment 2.

Consistent with the Whispering Canyon Master Tree Permit procedures, the applicant applied for an Administrative Tree Permit (ATP). During review of the ATP, staff discovered two trees (2511 & 2544) on the lot that were omitted from the Master Tree Permit documents. Trees #2511 & 2544 are located within the "building envelope" defined for Lot 27 in the Master Tree Permit and are situated within the footprint of the structure proposed for the lot.

Since Trees 2511 & 2544 were not conditionally approved for removal in the Master Tree Permit, staff cannot approve the removals administratively. As a result, the subject tree permit has been forwarded to the Commission for action.

EVALUATION

The Tree Preservation Chapter of the City of Roseville Zoning Ordinance 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. An arborist report has been prepared for Lot 27 (Exhibit B) that identifies tree species, size, health and current condition of all trees. The arborist report also addresses impacts to native oaks that are proposed for preservation.

Tree Removals

The plot plan for Lot 27 showing the location of the proposed structure and trees has been included as Exhibit A. Overall, fifteen (15) trees are proposed for removal in order to construct the home. Thirteen (13) of the fifteen (15) have been conditionally approved for removal in the Master Tree Permit (#2193, 2194, 2195, 2196, 2197, 2198, 2229, 2230, 2501, 2502, 2503, 2504, & 2505).

The additional two (2) trees proposed for removal are as follows:

- **Tree #2511** Blue Oak totaling 10 inches in diameter at breast height (DBH). This tree is listed in fair structure and fair vigor, with an above average amount of deadwood.
- Tree #2544 Blue Oak totaling 7 inches DBH. This tree is listed in fair structure and vigor.

Avoidance of these two trees would be difficult due to their location in the center of the lot. Had staff been aware of their existence, Trees 2511 and 2544 would have been recommended for removal with the Master Tree Permit. The proposed structure is similar to the anticipated building footprint shown for Lot 27 in the Master Tree Permit (see Attachment 2). The anticipated footprint would have also necessitated removal of these trees. As such, staff recommends that the Planning Commission approve the removal of Trees 2511 and 2544.

Encroachments

Construction of the home will result in encroachment into the protected zone of six additional trees as follows:

Table 1

Tree #	Туре	DBH (inches)	PZR (feet)	Condition	Encroachment	Type Of Encroachment	Mitigation Measures
2192	Blue Oak	12	11	Fair	17%	Excavation / footing construction	Monitor excavation, mulch, clearance prune
2228	Blue Oak	9	11	Fair	20%	Excavation / footing construction.	Monitor excavation, clean crown, mulch
2510	Blue Oak	6	14	Poor	3%	Excavation / footing construction.	Monitor excavation, construct porch on piers to minimize root damage.
2506	Blue Oak	13	18	Fair	16%	Footing / Stairwell	Monitor excavation, construct porch on piers to minimize root damage.
2507	Blue Oak	8	15	Poor	15%	Excavation /	Monitor excavation,

						footing construction	clean crown, mulch
2575	Blue Oak	14	29	Fair	20%	Excavation / footing construction	Monitor excavation, clean crown, mulch

As indicated in Table 1 above, the six trees will incur encroachment at or below 20 percent as a result of footing excavation and construction. The encroachments are consistent with those anticipated by the Master Tree Permit. The arborist assesses the impact to these trees as minimal.

Tree Mitigation

The mitigation requirement for the removal of Trees 2193, 2194, 2195, 2196, 2197, 2198, 2229, 2230, 2501, 2502, 2503, 2504, 2505, 2511 & 2544 is 153 inches. The applicant is proposing to mitigate for the removals through on-site plantings and payment of in-lieu fees. Condition 2 addresses the mitigation requirement.

Conclusion

With the exception of Trees 2511 and 2544, the remaining trees proposed for removal have been previously considered during review of the Master Tree Permit. The Planning Department has determined that the removal of Trees 2511 and 2544 is necessary to allow for development of the lot. As such, staff recommends approval of the requested removals.

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 (construction of single-family residence).

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 1757 PARK OAK DRIVE -- (SRSP PARCEL 33 LOT 27) FILE# TP 04-51:
 - 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 mitigate impacts to remaining trees and to provide replacement for trees removed.
- B. Approve the TREE PERMIT 1757 PARK OAK DRIVE -- (SRSP PARCEL 33 LOT 27) FILE# TP 04-51 with the eighteen (18) conditions listed below.

СО	NDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PR	OR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		1
	All recommendations contained in the Arborist Report (Exhibits B) shall be		
	incorporated as part of these conditions except as modified herein.		
	(Planning)		
2.	Tree(s) #2193, 2194, 2195, 2196, 2197, 2198, 2229, 2230, 2501, 2502,		
	2503, 2504, 2505, 2511 & 2544 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 Staff prior to		
	removal. Removal of the trees shall be performed by or under the supervision		
	of a certified arborist. (Planning)		
3.	The developer shall be responsible for the replacement of the total number of		
	inches proposed for removal prior to any tree removal. The total number of		
	inches for this project is 153. Mitigation shall be provided through a		
	combination of on-site plantings and payment of in-lieu fees to the satisfaction		
	of the Planning Department. In-lieu fees shall be paid prior to tree removal.		
	On-site plantings shall be verified in the field by Planning staff prior to		
	issuance of an occupancy permit. It is the applicant's responsibility to		
	schedule an inspection prior to occupancy. (Planning)		
4.	No activity shall be permitted within the protected zone of any native oak tree		
	beyond those identified by this report. Encroachment into the protected zone		
	of Trees 2192, 2228, 2510, 2506, 2507, & 2575 as shown in Exhibit A and		
_	described in the staff report is permitted. (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		
0.	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)		
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)		
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)		

9.	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) 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) RING CONSTRUCTION		
		1	
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)		
12	All preservation devices (aeration systems, oak tree wells, drains, special		
12.			
	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)		
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)		
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.		
4.5	(Planning)		
15.	Where recommended by the arborist, portions of the foundation 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)		
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)		
DD			
	IOR TO ISSUANCE OF AN OCCUPANCY PERMIT		
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)		
18.	A copy of this completed Tree Permit Compliance Verification/Inspection		
	form shall be submitted to the Planning Department. (Planning)		

ATTACHMENTS

- 1. Vicinity Map
- 2. Master Tree Permit (Lot 27) Approved Tree Removals

EXHIBITS

- A. Grading Plan & Plot Plan
- B. Arborist Report (Poulson Arborists, Inc. December 15, 2004)

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.