

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING OCTOBER 26, 2006

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ITEM IV-B: TREE PERMIT – 2201 CORIN DR. – WRSP FIDDYMENT RANCH VILLAGE F-4 TREE PERMIT – FILE #2006PL-132 (TP-000078)

REQUEST

The applicant requests approval of a Tree Permit to remove two native oak trees related to development of West Roseville Specific Plan Fiddyment Ranch Village F-4.

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 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

West Roseville Specific Plan (WRSP) Fiddyment Ranch Village F-4 is on the north side of Hayden Parkway approximately 1,100 feet west of Fiddyment Road (Attachment 1). On October 14, 2004 the Planning Commission approved a Tentative Subdivision Map (SUBD 04-11) for Village F-4 to divide the 32.17-acre site into 77 single-family residential lots, and a Tree Permit (TP 04-05) to authorize removal of nine native oak trees and encroachment into the Protected Zone Radius of an additional nine trees for the project. Subsequently the subdivision improvement plans have been approved, and the Final Map has been recorded. The subdivision improvements have not been completed, and no lots have been built upon.

Two clusters of native oaks, totaling approximately 43 trees, were retained on large landscape lots flanking the main entrance into Village F-4 (Attachment 2). The Corin Drive street alignment took advantage of a natural opening through the center of the existing grove, and required no tree removals, but resulted in eight PZR encroachments. Tree #2152, a 39-inch Blue Oak, had an encroachment of 37.5 percent and tree #2356, a 14-inch Blue Oak, had an encroachment of 14.1 percent. Tree #2152 also had an encroachment of 21 percent related to the Hayden Parkway improvements.

Although all required mitigation measures (proper care for cut roots, canopy pruning, deep root fertilization, and supplemental irrigation) were followed, the two trees are in an irreversible decline and both are now 90 percent dead. Rather than wait for the trees to fall onto the street, Signature asks to remove them now.

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 inspected trees #2152 and #2356 on May 10, 2006, and provided the report dated June 15, 2006 to describe their current condition (Exhibit B). The report notes that both trees were in fair condition when inspected in 2004, but the trees have been in declining condition due to construction impacts. Remedial efforts over the past year to save the trees were unsuccessful, and now both trees are 90 percent dead.

Typically, dead trees that are not located in a developed setting can be left to decay and fall naturally. However, trees #2152 and #2356 are large enough that falling limbs may present a hazard to people or the adjacent street. Accordingly, the developer has requested to remove the trees now, before they become hazardous.

Tree Mitigation

The two trees proposed for removal have a combined diameter of 53 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, Signature Properties proposes to mitigate these trees by adding the 53 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 Fiddyment Ranch. In the event that the entire 53 mitigation inches for the present tree permit cannot be factored into the infrastructure mitigation planting plan, the remainder will be satisfied with the in-lieu fee.

ENVIRONMENTAL DETERMINATION

Pursuant to City of Roseville CEQA Implementing Procedures and California Environmental Quality Act (CEQA) Guidelines 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 2201 Corin Drive, WRSP Village F-4 File # 2006PL-132, TP-000078;
 - 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 -- 2201 Corin Drive, WRSP Village F-4 – File # 2006PL-132, TP-000078 subject to the twenty (20) conditions listed below.

CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000078

	CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS			
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE						
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 #2152 and 2356 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)					
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 53 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)					
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)					
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)					

 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) 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)	
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)	
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)	
DURING CONSTRUCTION	
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)	
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
- 2. Portion of Village F-4 Tentative Map

EXHIBITS

- A. Tree Permit Map dated July 24, 2006
- B. Arborist Report dated June 15, 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.