



**CITY OF ROSEVILLE
PLANNING DEPARTMENT STAFF REPORT
PLANNING COMMISSION MEETING MAY 12, 2005**

Prepared by: Wendy W. Hartman, Associate Planner

ITEM VII-B: GENERAL PLAN AMENDMENT, REZONE, TENTATIVE SUBDIVISION MAP, & TREE PERMIT –1412 WEST COLONIAL PARKWAY – WEST COLONIAL ESTATES – FILE #'S GPA 05-04, RZ 03-10, SUBD 03-13, & TP 03-67.

REQUEST

The applicant requests approval of the following entitlements:

- A **General Plan Amendment** to change the land use of the property from Low Density Residential and Low Density Residential/Floodplain to Low Density Residential, Open Space/Parks & Recreation/Floodplain and Open Space;
- A **Rezone** to change the zoning of the property from Single Family Residential/Floodway to Single Family Residential and Open Space
- A **Tentative Subdivision Map** to merge and resubdivide the property into 17 residential lots and two open space parcels; and
- A **Tree Permit** to remove eight (8) native oak trees and encroach into the protected zone of several others.

Applicant: Dick Morton, Morton & Pitalo
Property Owner: Rob Jensen, City of Roseville

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the Negative Declaration;
- B. Recommend that the City Council approve the General Plan Amendment;
- C. Recommend that the City Council adopt the two (2) findings of fact for the Rezone;
- D. Recommend that the City Council approve the Rezone;
- E. Adopt the three (3) findings of fact for the Tentative Subdivision Map;
- F. Approve the Tentative Subdivision Map subject to 49 conditions of approval;
- G. Adopt the two (2) findings of fact for the Tree Permit; and,
- H. Approve the Tree Permit subject to 21 conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval. In addition, the City has received a letter from the Maidu Neighborhood Association supporting the project (Attachment 3).

BACKGROUND

The project site is located along West Colonial Parkway in the infill area of the City of Roseville (See Attachment 1). The site is almost 8.5 acres in size and is comprised of four (4) lots. Linda Creek is to the west of the project site and residential uses are to the north, south, and east.

In July of 1979, the City approved a final map to subdivide the Lexington Greens Unit 3 Subdivision into 67 single-family lots. Subsequent to the approval of the subdivision and prior to construction of homes on several of the lots, the City's floodplain maps were revised based on flooding that occurred in 1983. As a result of that flood event, the City acquired the undeveloped lots (30 lots).

The City of Roseville recently completed a number of flood control projects which have resulted in the lowering of the 100-year water surface elevation. As a result of these improvements, the project site is entirely outside the 100-year floodplain. Therefore, the City is proposing to remove the floodplain/floodway overlay from a portion of the property and merge and resubdivide the site into 17 residential lots and two open space lots. The City intends to sell the tentative map and property in order to recover a portion of the cost of the flood control projects. The sale will require City Council approval.

EXISTING SITE CONDITIONS

A. Project Location: 1412 W. Colonial Parkway

B. Applicable Specific Plan: Infill

C. Roseville Coalition Of Neighborhood Associations (RCONA): The project is located in the Maidu Neighborhood. The City met with the Neighborhood Association and their subcommittee on several occasions. Below is a summary of the meetings:

- City staff presented the project to the Maidu Neighborhood Association on January 27, 2004. Their primary concerns were: flood impacts, traffic, maintaining a portion of the property as a passive park, neighborhood identification (sign), and development of the southern portion of the site due to site constraints such as trees and topography and the drainage improvements that would be required.
- The City sent an information packet (Exhibit C of Attachment 3) out to the residents on April 2, 2004 which addressed the concerns that were raised at the January 27, 2004 Neighborhood Meeting. City staff attended the Maidu Neighborhood's April 27, 2004 meeting to go over the information packet that was sent out and to address any additional concerns the neighbors had regarding the project.
- The Maidu Neighborhood Association created a four-member subcommittee to work with the City on addressing the neighborhood's concerns with the project. City staff met with the subcommittee on several occasions over the last year. These meetings resulted in several modifications to the original application including the reduction in the number of lots and development of a passive park area.
- The revised project was presented to the Maidu Neighborhood Association on February 22, 2005. The Neighborhood Association has submitted a letter (Attachment 3 page 18) indicating that they support the project as currently proposed.

D. Total Size: 8.5 acres

E. Topographical: The property generally slopes from east to west towards Linda Creek. There are clusters of native oak trees along the northern and eastern boundary of the site with a few trees located adjacent to West Colonial Parkway.

F. Site Access: West Colonial Parkway currently goes through the center of the project site. The individual residential lots will front off this street.

ADJACENT ZONING AND LAND USE

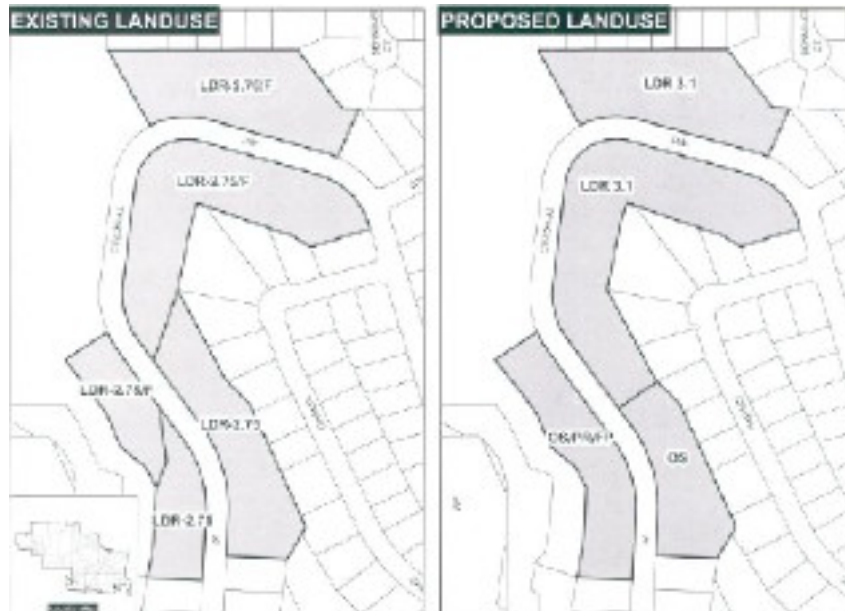
LOCATION	ZONING	GENERAL PLAN LAND USE	CURRENT USE OF PROPERTY
Site	Single Family Residential/Floodway (R1/FW)	Low Density Residential (LDR 2.75) & Low Density Residential/Floodplain (LDR/FP 2.75)	Vacant
North	Single Family Residential (R1)	LDR 4	Single Family Homes
South	R1	LDR 2.75	Single Family Homes
East	R1	LDR 2.75	Single Family Homes
West	Floodway (FW)	Open Space/Parks & Recreation/Floodplain (OS/PR/FP)	Open Space

EVALUATION

The evaluation section of this report includes an analysis of each of the requested entitlements. Each of the entitlements is analyzed for its consistency with the goals and policies of the applicable regulations, such as the General Plan, the Zoning Ordinance, and Subdivision Ordinance. Analysis is provided for the General Plan Amendment and Rezone first, and is followed by review of the Tentative Subdivision Map and Tree Permit.

GENERAL PLAN AMENDMENT

As shown in the figure below, the project site currently has a land use designation of Low Density Residential. However, after a flood event in 1983, the City revised its flood maps and the project site was given a Floodplain overlay. Since the property already has residential land use, the focus of this evaluation is on the removal of the floodplain overlay.



Since the 1983 flood, the City has constructed projects and implemented programs to help reduce flood impacts within Roseville. The City of Roseville's Flood Control Project was completed in 2000. The project reduced flood levels on Linda Creek by excavating the channel overbank and establishing a bypass channel between Rocky Ridge Drive and North Cirby Way. These improvements allowed more area for the water to flow and lowered the 100-year water surface elevation between Rocky Ridge Drive and Old Auburn Road by approximately 2 ½ feet from previous flood levels.

The hydraulic effects of the Flood Control Project were modeled using future flow rates that assumed total build out of the watershed. The model was submitted to the Federal Emergency Management Agency (FEMA) for review. FEMA approved the results of the model and updated its Flood Insurance Rate Maps (FIRMS) to reflect the change in the 100-year water surface elevation (see Attachment 4). The project site is included in the area that was removed from the 100-year floodplain. Based on this, the City is proposing to remove the floodplain/floodway designation from the property and subdivide the site into 17 residential lots and two open space lots.

The General Plan contains goals and policies intended to promote land use patterns that enhance quality of life and minimize conflicts between land uses. The project is located in the infill area of the City where there are residential land uses to the north, south and east of the site and open space/parkland to the west (including Linda Creek). The requested land use change from Low Density Residential/Floodplain to Low Density Residential, Open Space/Parks & Recreation/Floodplain, and Open Space is consistent with the existing development of the surrounding neighborhood and the City's General Plan.

REZONE

Section 19.86.050 of the Zoning Ordinance requires that two findings be made in order for the Planning Commission to recommend that the City Council approve a Rezone. The two findings are listed below.

1. *The proposed rezone is consistent with the General Plan; and*
2. *The proposed rezone is consistent with the public interest, health, safety, and welfare of the City.*

The proposed zoning of the site is Single Family Residential (R1) and Open Space (OS). The rezone will remove the Floodway overlay from the property and allow the site to be developed with single-family homes. As discussed above, the property is no longer within the 100-year floodplain.

The properties to the north, south, and east of the project site are zoned Single-family Residential. The proposed residential lots will be subject to the same development standards as the adjacent properties. To the west of the project site is an open space corridor that includes Linda Creek. The City is proposing to rezone the 1.69-acre parcel located on the west side of West Colonial Parkway from Single-Family Residential/Floodway (R1/FW) to Open Space (OS) as a continuation of the adjacent opens space corridor.

Based on the above information, staff finds the proposed zoning of the site to be consistent with the General Plan and the public interest, health, safety, and welfare of the City.

TENTATIVE SUBDIVISION MAP

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a tentative subdivision map. The three findings are listed below in ***bold italics*** and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation, and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

PARCEL SIZE, DESIGN, CONFIGURATION, LOCATION, ORIENTATION, AND CHARACTER

Overall, the design of the project (lotting and street pattern) is consistent with the Lexington Greens Subdivision map that was approved in 1979 with the exception of the number of lots being proposed. The existing four parcels were original divided into 30 residential lots. The City is proposing to divide the property into 17 residential lots and two open space parcels.

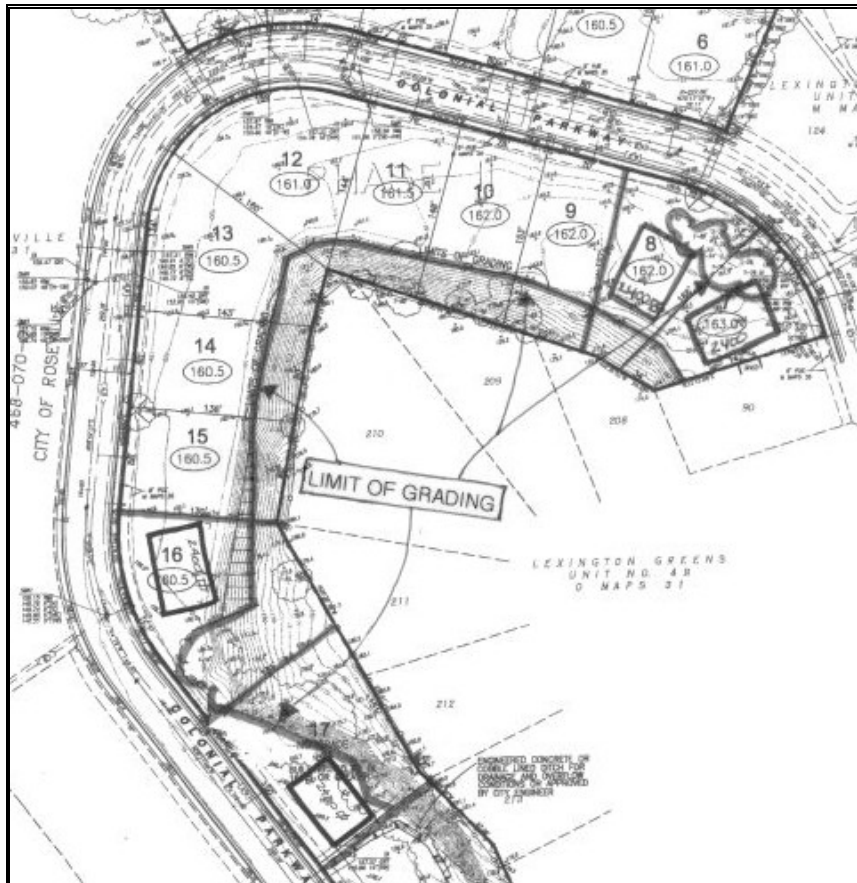
The proposed residential lots range from 10,743 to 19,891 square feet in size and therefore exceed the minimum lot size requirements of the R1 zone district (6,000 s.f. interior lots and 6,500 s.f. corner lots). In addition, the size and design of the lots is consistent with the character of the surrounding neighborhood. Therefore, staff believes that the map design will create lots that are developable.

GRADING

The subject property generally slopes from the east to the west with a high point of approximately 184 feet above mean sea level and a low point of approximately 156 feet above mean sea level.

Each of the lots will be pad graded or partially pad graded a minimum of two feet above the 100-year water surface elevation. In addition, due to the location of native oak trees along the eastern and northern boundary of the site, grading has been restricted to the front portions of the lots. Lots 7, 8, 16, and 17 also have a small area in the front of the lots that will not be pad graded due to the location of native oak trees.

As shown in the figure below, Lots 16 and 17 are of a sufficient size to accommodate the development of a home in the area outside of the grading restriction ((2400 s.f. building footprint was used). Depending on the design and size of the homes on Lots 7 and 8, additional grading and impacts to native oak trees may be necessary to construct homes on these lots. The project has been conditioned (Condition 7) to require approval of a separate Tree Permit and/or Grading Plan for the development of any lot if there are any impacts to native oak trees beyond those discussed in this staff report and as shown on the tentative map.



Each building footprint is 2,400 s.f. in size

DRAINAGE

The drainage improvements proposed by this Tentative Map include replacing existing curbs, drain inlets, and underground drain lines that do not meet current City standards. All of the lots have been designed with Class 1 drainage. In addition, Open Space Parcel A has been conditioned to include a natural drainage channel.

UTILITIES

Although utilities were installed with the original subdivision improvements for the Lexington Greens subdivision, the utility services to the individual lots have either been capped and abandoned, been damaged, or need to be upgraded to current standards. Therefore, infrastructure, such as water, sewer, electric, and other utilities, will be installed or repaired as discussed below:

Water - Local water improvements servicing the subdivision will connect to the existing water main. The developer will provide on-site improvements necessary to service the individual lots. All improvements will be designed to the City's Improvement Standards.

Sewer - Sewer services to the site are available. The developer will be responsible for providing on-site improvements necessary to service their property. The developers are responsible for paying sewer connection fees for off-site treatment facilities, as well as constructing all required on-site improvements.

Electric –The developer will be required to construct or pay for the on-site electric distribution facilities required to service their property. The design for the facilities within the subdivision are required to comply with the City’s design specifications, which will be incorporated into the improvement plans and approved by the Electric Utility Director.

The project plans have been forwarded to City departments and utility companies for review and comment. The project has been conditioned to comply with applicable utility and engineering improvement standards.

ROADWAYS, CIRCULATION & ACCESS

As shown on the tentative map, primary access to the subdivision is proposed off of West Colonial Parkway. The map has been conditioned to require that failed and/or damaged street sections including curb, gutter, and sidewalk be repaired or replaced by the ultimate developer per current City standards.

FENCING

The project has been conditioned to require that post and cable fencing be installed adjacent to the open space parcels to prevent vehicles from accessing the area.

OPEN SPACE IMPROVEMENTS

In addition to post and cable fencing, the open space area to the west of West Colonial Parkway will include minor improvements. These improvements will be installed by the developer and may include decomposed walking trails, benches, and signage as approved by the Parks and Recreation Department. A conceptual plan of the open space improvements is included as Exhibit E.

PHASING

The City intends to sell the 17 residential lots as one project that will be constructed in one phase.

- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or some other physical condition of the area.***

As discussed previously, the lots are large enough that natural features can be preserved while accommodating homes that are similar to those in the neighborhood. The map design, including the grading treatment, is consistent with the standards and required findings of the Subdivision Ordinance. Therefore, staff believes the design, layout, configuration, and size of the 17 proposed residential lots are sufficient to allow for development of single-family homes consistent with the R1 zoning district (as proposed and conditioned).

- 3. The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.***

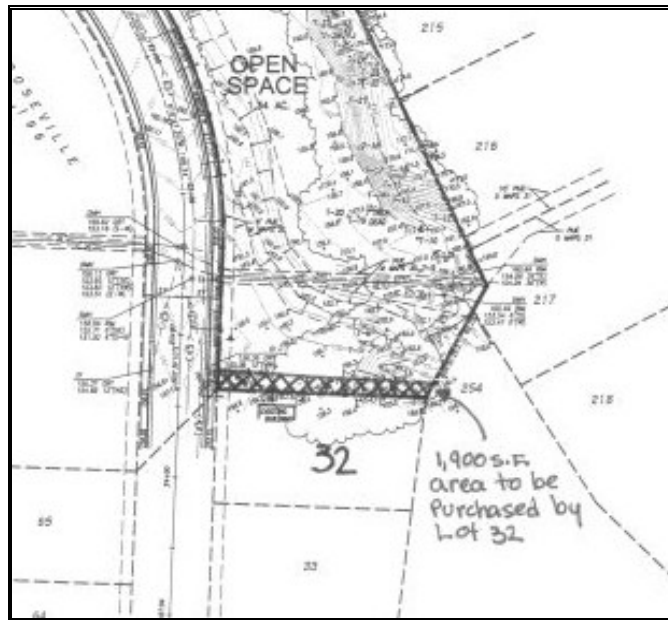
The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan EIR. In addition, the design of the

sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the existing and future development on the parcels proposed by the tentative subdivision map.

Other Considerations

The southern 1.34 acres of the property currently has a land use designation of Low Density Residential and zoning of Single Family Residential/Floodway. To address concerns from the Maidu Neighborhood Association relating to the natural features on the site (trees, topography, & wildlife habitat) and the improvements that would be required to develop this area into single family lots (drainage canal and paved access road for public utilities) the area is proposed to be an open space parcel.

The property owner just to the south of the project site (Lot 32 of the Lexington Greens Subdivision) would like to construct an addition to the north side of his home which is currently seven (7) feet from the side property line. Therefore, the property owner has approached the City to purchase a 10-foot wide swath of the project site that abuts his property to allow room for an addition to his house. The following figure shows the location of Lot 32 and the area proposed for purchase.



The City has had the property appraised and the adjacent landowner has agreed to pay the fair market value of the property. The project has been conditioned to require the adjacent landowner to enter into a sales agreement with the City to outline the details of purchasing the property. In the event that the adjacent landowner does not purchase the property, the land will revert back to the open space parcel when the final map is recorded. Since the request will not impact the design or development of the rest of the project, staff is in support of the request.

TENTATIVE SUBDIVISION MAP CONCLUSION

Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the proposed Tentative Subdivision Map.

TREE PERMIT

The project site has a large number of native oak trees (100 trees over 6 inches in diameter) primarily located along the eastern and northern boundary of the site. The City’s Tree Preservation Ordinance regulates activities affecting native oak trees with a diameter at breast height (DBH) of six inches or greater. An arborist report has been prepared that identifies tree species, size, health and current condition of all trees (Exhibit F). The arborist report also addresses impacts to native oaks that are proposed for preservation. The proposed development of the site will result in the removal of up to eight (8) native oak trees (including conditional removals) and encroachment into the protected zone radius of ten (10) others. The following table summarizes the proposed tree removals and encroachments:

Tree #	Type	DBH (inches)	Condition		PZR (feet)	Encroachment Impact	Nature of Encroachment
			Structure	Vigor			
45	QD	23	Fair	Good-Fair	31	Minimal	Pad Grading
46	QD	10	Good-Fair	Fair-Poor	7	Minimal	Pad Grading
47	QD	40	Fair	Fair	34	Minimal	Pad Grading
48	QD	17	Fair	Fair	26	Minimal	Pad Grading
49	QW	6	Fair-Poor	Fair	13	Minimal	Pad Grading
50	QD	21	Fair-Poor	Fair	27	Minimal	Pad Grading
51	QL	6	Fair-Poor	Fair	Remove – within PUE		
52	QD	19	Fair	Fair	30	Minimal	Pad Grading
53	QD	15	Fair	Fair	24	Minimal	Pad Grading
54	QL	16	Fair	Fair	23	Minimal	Pad Grading
56	QL	9	Fair	Good-Fair		Remove – within PUE	
70	QL	6	Fair	Fair		Remove – within PUE	
77	QL	6	Fair	Fair		Remove – within PUE	
81	QL	10	Fair-Poor	Fair		Remove – within PUE	
82	QL	6	Fair	Fair		Remove – within PUE	
99	QL	13	Fair	Good-Fair	18	Conditional Removal due to location of underground utilities	
100	QL	7	Poor	Fair		Remove due to poor structure and location adjacent to West Colonial Parkway and within 8’ PUE	

QD = Quercus douglasii (Blue oak) QL = Quercus lobata (Valley oak) QW = Quercus wislizenii (Interior live oak)

The Tree Preservation Chapter of the Roseville Zoning Ordinance requires two findings to be made in order to approve a Tree Permit. The two findings are listed below.

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.*
2. *Measures have been incorporated in the project or permits to mitigate impacts to remaining trees and to provide replacement for trees removed.*

Tree Removal: Six (6) of the native oak trees (Trees 51, 56, 70, 77, 81, & 82) proposed for removal are located within a 12.5 foot public utility easement (PUE) that runs parallel to West Colonial Parkway. These trees will need to be removed due to utility trenching within the easement.

Two (2) additional native oak trees (Trees 99 & 100) located at the front of Lot 1 are also proposed for removal. The arborist has indicated that Tree 100, which leans to the southwest over West Colonial Parkway, has a poor structure rating and could be a potential hazard if not removed. Adjacent to Tree 100 is Tree 99. This tree is

located within an 8' PUE. Depending on the type of encroachment resulting from installation of utilities, this tree may receive minor to sever encroachment. Due to its location within the PUE, staff recommends that this Tree be conditionally approved for removal.

Tree Mitigation: The project developer will be required to mitigate for the removal of native oak trees through the payment of in-lieu fees. This is consistent with the provisions of Section 19.66.070 of the tree ordinance. Condition 3 of the Tree Permit addresses the mitigation requirement.

Proposed Encroachments: As previously mentioned, the majority of the trees are located along the northern and eastern boundary of the site. To reduce impacts to trees, the project has been designed to limit pad grading to the front portion of the lots and outside the protected zone radius of the native oak trees with the exception of Lots 7, 8, 16, and 17. These lots have native oak trees located towards the front of the lots. However, the arborist has indicated that impacts to these trees will be very minimal due to pad grading.

Lots 7, 8, 16, and 17 may require additional grading or encroachments/removals of native oak trees in order to construct homes on these lots. Separate Tree Permits will be required for the development of each lot if there are any impacts to the native oak trees beyond those discussed in this staff report and as shown in Exhibits D and F herein.

TREE PERMIT CONCLUSION

Staff believes the project design has minimized impacts to native oak trees to the extent possible. As conditioned, the proposed Tree Permit complies with the City's Tree Preservation Chapter of the Zoning Ordinance.

ENVIRONMENTAL DETERMINATION

An Initial Study and Negative Declaration (Exhibit A) have been prepared for this project. In accordance with the CEQA Guidelines, the Initial Study and Negative Declaration were prepared using previous environmental documents such as the General Plan EIR, plus new project-specific reports. Based on the results of the Initial Study, the appropriate environmental document for the project is a Negative Declaration. The Negative Declaration was posted for a 20-day public review and comment period, which closes on May 12, 2005. To date, no comments on the document have been received.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions (A-H):

- A. Adopt the Negative Declaration;
- B. Recommend that the City Council approve the GENERAL PLAN AMENDMENT – 1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # GPA 05-04, as shown in **Exhibit B**;
- C. Recommend that the City Council adopt the two findings of fact as stated in the staff report for the REZONE –1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # RZ 03-10;
- D. Recommend that the City Council approve the REZONE–1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # RZ 03-10, as shown in **Exhibit C**;
- E. Adopt the three (3) findings of fact as stated in the staff report for the TENTATIVE SUBDIVISION MAP – 1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # SUBD 03-13;

- F. Approve the TENTATIVE SUBDIVISION MAP – 1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # SUBD 03-13 with the 49 conditions listed below;
- G. Adopt the two (2) findings of fact as stated in the staff report for the TREE PERMIT – 1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) –FILE # TP 03-67;
- H. Approve the TREE PERMIT – 1412 W. COLONIAL PARKWAY (WEST COLONIAL ESTATES) – FILE # TP 03-67 with the 21 conditions listed below;

Conditions of Approval for SUBD 03-13

- 1. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 2. The design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
- 3. The developer shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works. (Engineering)
- 4. The applicant shall pay City's actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. A deposit in the amount of two and one half percent (2-1/2%) of the value of the public improvements shall be provided at the time plans are submitted to the City for review and an additional deposit in the amount of two and one half percent (2-1/2%) of the value of the public improvements shall be provided at the time that the plans are approved and an encroachment permit is issued. (Engineering, Environmental Utilities, Finance)
- 5. The property owner of Lot 32 located to the south of the project site shall enter into a purchase agreement with the City within 30 day of Planning Commission approval of the Tentative Subdivision Map for the purchase of 1,900 square feet of the project site. The agreement shall include a good faith deposit of \$3,770 that will be forfeited if the property owner of Lot 32 does not proceed with purchasing the property. Upon sale of the property and prior to final map approval the Tentative Subdivision Map shall be modified to transfer a maximum of 1,900 square feet of land from the southern portion of West Colonial Estates to Lot 32. If the property is not purchased by the property owner of Lot 32, the land will revert back to Lot A (Open Space Parcel).

PRIOR TO ISSUANCE OF A GRADING PERMIT AND/OR IMPROVEMENT PLANS

- 6. The Improvement Plans shall include Landscape Plans for all landscape corridors and all landscaped common areas. Landscaping shall be installed prior to approval of the Notice of Completion for the subdivision improvements. The landscape plan shall comply with the City of Roseville Water Efficient Landscape Requirements (Resolution 93-55). All landscaping and irrigation shall be inspected and approved prior to Notice of Completion. (Parks, Fire, Environmental Utilities)
- 7. All open space/passive park improvements shall be installed by the developer as a condition of the map. These improvements shall include post and cable fencing along the back of curb the entire length of the park/open space parcels, benches, decomposed granite trails and other improvements as shown on

Exhibit E. All Work shall comply with the Public Works and Parks Construction Standards. (Parks, Engineering)

8. Grading around the native oak trees or other natural features shall be as shown on the tentative map or as approved in these conditions. (Planning)
9. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a. Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b. Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
 - c. A rough grading permit may be approved by the Engineering Department prior to approval of the improvement plans.
 - d. Access to the floodplain as required by Engineering and the Streets Department.
 - e. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
10. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)
11. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
12. There are multiple areas of cracked curb, gutter, and sidewalk as well as several areas of failed street sections that will be required to be removed, repaired and replaced. PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLANS, the location of these areas shall be identified on the plan sets and in the field. The City Public Works Department shall field verify those areas indicated both on the plans and in the field. It will be the project proponents responsibility to make all necessary repairs to these existing failed areas which may include but is not limited to the removal of curb, gutter, and sidewalk, raising sub grades, adding fill to failed utility trenches, readjusting utility boxes, and digging out sections of road way for replacement with built up and compacted street sections. Upon repairing the failed street sections, the entire roadway from approximate Station 7+00 to Station 20+50 shall be edge grinded and overlaid with a minimum of 2-inches of asphalt on top of a geo-fabric to City specifications. (Engineering)
13. All Lots/Parcels shall conform to class 1 drainage, pursuant to the adopted City of Roseville Improvement Standards, except as shown on the tentative map or as approved in these conditions. (Engineering)
14. All finished pad grades shall have a minimum pad grade elevation of 161.1. A Letter Of Map Amendment (LOMA) or a Letter Of Map Revision (LOMR) is required for any residential lot in or adjacent to the FEMA regulatory floodplain. (Engineering)

15. The Open Space Lot south of lot 17 shall be dedicated to the City. A defined natural channel shall be designed and constructed to transfer the 100-year flood volumes through the site. A post and cable fence shall be installed adjacent to all open spaces areas on either side of West Colonial Drive. (Engineering)
16. Any debris in the storm drain inlets, manholes, and pipes shall be removed prior to the acceptance of the subdivision improvements. (Engineering)
17. The project proponent shall construct a "Welcome to Roseville" feature on South Cirby Way near the City Limits with a not-to-exceed cost limit of \$15,000. Prior to the installation of the sign, the City shall approve the design. (Planning, Engineering)
18. The following note shall be added to the Grading and/or Improvement Plans:

To minimize dust/grading impacts during construction the applicant shall:

 - a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities through out the day.
 - b. Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.
 - c. Sweep the adjacent street frontage of West Colonial Parkway at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
 - d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off site.
 - e. The City shall have the authority to stop all grading operations, if in opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
19. **Prior to the approval of the Improvement Plans**, the project proponent shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. The SWPPP shall be submitted in a single three ring binder. Upon approval, the SWPPP will be returned to the project proponent during the pre-construction meeting. (Engineering)
20. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
 - a. Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter. (Environmental Utilities)
 - b. Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes. (Environmental Utilities)
 - c. Water and sewer mains shall not exceed a depth of 6' and 12' respectively below finished grade, unless authorized in these conditions. (Environmental Utilities)
 - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)

- e. With the exception of the main water and sewer lines in W. Colonial Parkway, all existing water and sewer services to the individual lots within the project area shall be considered as new with regards to pressure test, TV inspection and vacuum test. All services shall be brought to current City specifications. Any or all repairs to the system shall be at the expense of the developer.
 - f. At the request of the applicant City forces may TV the existing sewer services and make any or all repairs on a time and materials basis. Also at the request of the applicant, City forces may conduct repairs on all existing water services on a time and materials basis. Please contact the Environmental Utilities Department at (916) 774-5773 to schedule work. (Environmental Utilities)
21. Any backflow preventors visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventors shall be screened with landscaping and shall comply with the following criteria:
- a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventor to the landscaping.
 - b. For maintenance purposes, the landscaping shall be installed on a maximum of three sides and the plant material shall not have thorns.
 - c. The control valves and the water meter shall be physically unobstructed.
 - d. The backflow preventor shall be covered with a green cover that will provide insulation. (Environmental Utilities)
22. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
23. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
24. Minimum fire flow is 1,500 gallons per minute with 20 lbs. residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshall, where the project utility lines will serve non-residential uses. (Fire)
25. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paving, signs, trees, walls, and structures of any type. (Electric)
26. All Electrical Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching." (Electric)
27. The design for electrical service for this project will begin when the Electric Department has received a full set of improvement plans for the project. (Electric)
28. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching" (Electric)
29. The location and design of the gas service shall be determined by PG&E. The design of gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)

30. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

PRIOR TO OR UPON RECORDATION OF FINAL/PARCEL MAP

31. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
32. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
33. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville." All legal descriptions shall be prepared by a licensed land Surveyor (Environmental Utilities, Electric, Engineering)
34. The City shall not approve the Final Map for recordation until either:
- a. A subdivision agreement is entered into along with the necessary bonds and insurance as required by the City. Said agreement shall be in a form acceptable to the City Attorney;
- OR
- b. The improvement plans are approved, and the improvements are constructed and accepted as complete. In this case, the subdivider shall enter into a one-year maintenance agreement concurrent with the recordation of the Final Map. (Engineering)
35. Any structures crossing Lot/Parcel lines created by the Final/Parcel map shall be removed. (Engineering)
36. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUE's) located along public roadways. (Engineering)
37. The Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys". Submittal shall occur after Engineering approval but prior to Council approval (Engineering)
38. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
39. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
40. A declaration of restrictions shall be recorded, either in conjunction with the CC&R's or separately, which states that the sewer service to each lot may be conditioned upon the installation of a backwater valve to comply with City of Roseville Improvement Standards. In the event a backwater valve is called out on City approved plan, it shall be the responsibility of the owner of the residence to maintain the valve and prevent damage from occurring to any such residence, or its contents, due to the failure of the valve for any reason what so ever. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

41. Prior to map recordation, the developer shall pay school fees in accordance with the current adopted rates. (Planning, Building)
42. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)

43. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
44. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
45. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Engineering)
46. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable or not and if site remediation is required. Non-emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)
47. All plant material shall be maintained under a 90-calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warranty for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warranty period shall be replaced one month prior to the end of the warranty period. Tree or shrub replacement made necessary due to acts of God, neglect or vandalism shall be exempt from the warranty. (Parks)
48. The project shall comply with all applicable environmental mitigation measures identified in the West Colonial Estates Initial Study and Negative Declaration. (Planning)
49. The Tentative Subdivision/Parcel Map application shall not be deemed approved until the action on the General Plan Amendment and Rezone are approved and become effective. (Planning)

Conditions of Approval for TP 03-67

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1. All recommendations contained in the Arborist Report(s) (Exhibit A) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree(s) # 51, 56, 70, 77, 81, & 82 are approved for removal with this tree permit. Trees 99 & 100 are conditionally approved for removal and shall only be removed if the project arborist determines that construction impacts will be detrimental to the survival of the tree or will create a potential hazardous situation if the tree is not removed. 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)		

<p>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 43 (63 inches with Trees 99 & 100). Mitigation must be provided prior to tree removal. (Planning)</p>		
<p>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 Tree(s) 45, 46, 47, 48, 49, 50, 52, 53, & 54 <u>as shown in Exhibits D & F</u> and described in the staff report is permitted. (Planning)</p>		
<p>5. A \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning 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>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>		
<p>7. 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 Department prior to the placement of the protective fencing. (Planning)</p>		
<p>8. 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)</p>		
<p>9. 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)</p>		
<p>10. 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>11. 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)</p>		
<p>12. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning 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 Department and Engineering Division two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)</p>		
<p><u>DURING CONSTRUCTION</u></p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>17. 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)</p>		
<p>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 Department. In no event shall the fencing be removed before the written authorization is received from the Planning Department. (Planning)</p>		
<p><u>PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT</u></p>		
<p>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 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)</p>		
<p>20. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning Department. (Planning)</p>		
<p>21. The approval of this Tree Permit shall expire on the same date as the (insert the Project or Subdivision name if the TP is associated with one).</p>		

ATTACHMENTS

1. Vicinity Map
2. Aerial of the Site
3. Letter from Maidu Neighborhood Association
4. LOMR Letter from FEMA

EXHIBITS

- A. Negative Declaration
- B. General Plan Amendment Exhibit
- C. Rezone Exhibit
- D. Tentative Map
- E. Conceptual Plan for the Passive Park area
- F. Arborist Report

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.