

Prepared by: Derek Ogden, Associate Planner

**ITEM V-A:**     **DESIGN REVIEW PERMIT, TENTATIVE SUBDIVISION MAP, AND TREE PERMIT – 1995 ROCKY RIDGE ROAD – HIDDEN CREEK RESIDENTIAL HOMES – (FILE #'S: DRP-000051, SUB-000022, & TP-000063).**

### **REQUEST**

The applicant requests approval of the following entitlements:

- **Design Review Permit (DRP)** to allow the construction of a 9-unit medium density residential development;
- **Tentative Subdivision Map** to subdivide the property into 9 residential lots and two common area parcels; and
- **Tree Permit** to remove 8 native oak trees.

Applicant and Property Owner: Steve Lebastchi, D & S Development

### **SUMMARY RECOMMENDATION**

The Planning and Redevelopment Department recommends that the Planning Commission:

- A. Adopt the Mitigated Negative Declaration;
- B. Adopt the four (4) findings of fact for the Design Review Permit;
- C. Approve the Design Review Permit subject to the conditions of approval;
- D. Adopt the three (3) findings of fact for the Tentative Subdivision Map;
- E. Approve the Tentative Subdivision Map subject to the conditions of approval;
- F. Adopt the two (2) Findings of fact for the Tree Permit; and,
- G. Approve the Tree Permit subject to the conditions of approval.

### **SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval.

### **BACKGROUND**

The project site is a 1.2-acre parcel located at the intersection of Cirby Way and Rocky Ridge Drive in the infill area of the City. A vicinity map is provided as Attachment 1. The project is also within the Maidu Neighborhood Association. Staff and the project developer attended a neighborhood meeting to address questions and comments raised by the Neighborhood association. These comments will be discussed later in the evaluation section of the report.

The topography of the site ranges in elevation from 157 to 170 feet above mean sea level. The natural topography of the site slopes up from the street frontage along Cirby Way and Rocky Ridge Drive to the top of the parcel and then slopes significantly back down to Linda Creek. Lots 1-5 have been designed to drain to "A" street and run-off will be collected in drain inlets and underground storm drain lines. Lots 6-9 drain to the rear of the property and then into open space area. There are 11 native oak trees that are within the project area.

The request by the applicant is to subdivide the parcel into 9 residential lots and two common area parcels for a street and landscaping purposes. In addition, the applicant is requesting approval of a Design Review Permit to construct 9 for sale homes, and a Tree Permit to remove 8 native oak trees to construct these homes.

#### **ADJACENT ZONING AND LAND USE**

<b>LOCATION</b>	<b>ZONING</b>	<b>GENERAL PLAN LAND USE</b>	<b>CURRENT USE OF PROPERTY</b>
<b>Site</b>	Attached Housing (R3)	Medium Density Residential (MDR 10)	Vacant
<b>North</b>	Floodway (FW)	Floodplain (FP) / Open Space (OS) / Parks and Recreation (PR)	Open Space
<b>South</b>	Two Family Residential (R2)	Medium Density Residential (MDR 8)	Duplexes
<b>East</b>	Floodway (FW)	Floodplain (FP) / Open Space (OS) / Parks and Recreation (PR)	Open Space
<b>West</b>	Planned Development (PD 256)	Community Commercial (CC)	Rocky Ridge Professional Park

#### **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 Zoning Ordinance and Subdivision Ordinance. Analysis is provided for the Design Review Permit first and is followed by review of the Tentative Subdivision Map and Tree Permit.

#### **DESIGN REVIEW PERMIT**

The DRP for the residential project (DRP-000051) is to establish the development patterns for the construction of a 9-residential home development.

The evaluation of the Design Review Permit has been based on the applicable development patterns within the City's Zoning Ordinance and the design standards of the City's Community Design Guidelines. Section 19.78.060(B) of the Zoning Ordinance requires that four (4) findings be made in order to approve a Design Review Permit. The four findings for approval of the Design Review Permit are listed below.

- 1. The project as approved preserves and accentuates the natural features of the property, such as open space, topography, trees, wetlands, and water courses, provides adequate drainage for the project, and allows beneficial use to be made of the site for development.*
- 2. The project site design as approved provides open space, access, vehicle parking, vehicle, pedestrian and bicycle circulation, pedestrian walks and links to alternative modes of transportation, loading areas, landscaping and irrigation and lighting which results in a safe, efficient, and harmonious development and which is consistent with the applicable goals, policies and objectives set forth in the General Plan and the Community Design Guidelines.*
- 3. The building design, including the materials, colors, height, bulk, size and relief, and the arrangement of the structures on the site, as approved is harmonious with other development*

*and buildings in the vicinity and which is consistent with the applicable goals, policies and objectives set forth in the General Plan and the Community Design Guidelines.*

4. *The design of the public services, as approved, including, but not limited to trash enclosures and service equipment are located so as not to detract from the appearance of the site, and are screened appropriately and effectively using construction materials, colors and landscaping that are harmonious with the site and the building designs.*

As the Planning Commission will note upon review of the evaluation below, no changes are recommended to the project. This is in large part due to the modifications the applicant made in the review stages of their project with City staff. The following sections of the evaluation highlight the overall design of the project.

**Site Design:** The project is designed as a for sale residential development. There is one proposed driveway that will provide unrestricted access to the site from Rocky Ridge Drive (see Exhibit C). The main driveway will feature a gated entry and landscaping. An exit only driveway will allow right turns onto Cirby Way.

One unique feature of the site is that lots 2, 3, and 4 will feature a “Z” lot configuration. This will allow the garages to be placed adjacent to the side property lines without any special building construction methods. Each unit will have a small rear yard and front porch area that will allow the residents of the subdivision to place a patio, small garden, or barbeque in this area.

Another design feature of the subdivision is the garage design of plan 3. In the design of plan 3 the applicant has placed the garage at the rear of the unit, which demphasizes the garage at the street front. Plan 3 has been placed on lots 3, 5, and 6 in order to break up the streetscape and create visual interest at the street front. This is similar to the single story/two story residential mix requirement of the Small Lot residential zone district. Below is a graphic that depicts the streetscape. The recessed garage on Plan 3B is depicted in half tone.



**Architecture:** The project is proposing three different detached home elevations (see above). The buildings are all two-story designs that range in size from 1,800 to 2,100 square feet. The homes will have either a Spanish style stucco finish, or Craftsman style wood exterior. Both elevations will include stone, wood trim, shutters, and railings. The homes are a variety of colors (brown, tan, sage green, blue, and gray) with coordinating accent colors.

**Landscaping:** The project will be providing a 27-foot landscape setback along Rocky Ridge Drive in conformance with the R3 development standards. However the Transportation Department has requested a bus turnout be placed on this corner reducing the amount of actual landscaping provided for the project to 17 feet including, a 5-foot sidewalk. In addition, both the Design Review Permit and Tentative Map have been conditioned to require the applicant to landscape the City right of way at the southern end of the property up to the maintenance road that will be realigned as a result of the project. A private Homeowner's Association will maintain all frontage landscaping and all other site landscaping within the project.

**Neighborhood Meeting:** On October 25, 2005 Staff and the project developer attended the Maidu Neighborhood meeting. There were approximately 20 people in attendance that had various questions and concerns with the project. The issues focused on the following items:

- Vehicle Access
- Lighting and fencing adjacent to the open space
- Tree Removals
- Drainage into Linda Creek

City Staff responded to the concerns of the neighborhood and no additional concerns were raised. Since the neighborhood meeting staff has not received any correspondence from the neighborhood group. Staff did send out the notice of the project hearing to all property owners within 300 feet of the project, as well as an electronic mail notice to the neighbors who attended the meeting.

### **Design Review Permit Conclusion**

Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the proposed Design Review Permit.

### **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:** The Tentative Subdivision Map proposes to divide the parcel into 9 lots and 2 common area lots. The common area Lot A contains the street and entrance into the subdivision, and Lot B contains the landscape areas. Both areas will be maintained by a homeowners association (HOA). Lots 2, 3, and 4 feature a "Z" lot configuration, where the property line jogs between parcels in order to allow the construction of the garage for each unit (Exhibit B). This concept has been utilized on other subdivisions within the City and allows the home to be built on what appears to be the property line without any special building construction methods.

The individual residential lots are small in comparison to a typical single-family residential development. The lots include the building footprint and a small rear yard area. Instead, the project has been evaluated as a whole (similar to a condominium or town home project) through the Design Review Permit. The lotting pattern is consistent with the site plan layout for the medium density

home development evaluated in the DRP (DRP-000051). Therefore the lots are appropriately sized for development.

**Grading:** The project engineer has indicated that site grading will export 3,663 cubic yards of soil from the site. The applicant is proposing a retaining wall adjacent to the open space that will keep lots 6-9 outside the floodway (Exhibit D). In addition, the retaining wall will allow the developer to create a usable rear yard for these homes. The remainder of the parcel below the retaining wall will be dedicated to the City as open space. This design avoids any encroachment into the 100-year floodplain.

**Drainage:** The natural drainage generally flows from the southeast corner of the site to the north into Linda Creek. The front portion of the property that fronts onto Rocky Ridge Drive flows onto this street, and eventually into Linda Creek. Lots 1 through 5 have been designed to drain to the street and run-off will be collected in drain inlets and underground storm drain lines. Lots 6 through 9 will drain directly to the open space. The City's Engineering Department has reviewed the proposed drainage plan for the subdivision and as conditioned the project will comply with the City's Improvement Standards.

**Utilities:** The project will connect to existing public utilities located in Rocky Ridge Drive. The Tentative Subdivision Map will provide Public Utility Easements over the front of the lots and street "A" to accommodate mains and laterals to the individual units.

Refuse service will be provided to the site from the City's refuse service. However, residents must bring their trash bins out to the private street in order to be picked up. This requirement has been included as a condition of the Codes, Covenants, and Restrictions (CC&R's) for the Subdivision (Condition #42c).

**Roadways, Circulation & Access:** As shown on the tentative map, primary access to the subdivision is proposed off of Rocky Ridge Drive. Residential "A" street will be aligned with Condor Court and will allow full turning movements onto Rocky Ridge Drive. There is an additional exit at the southern end of the subdivision onto South Cirby way. This exit will allow right turns out of the subdivision only.

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.***

Staff believes that the proposed parcels are suitable for development given the fact that the map corresponds to the development pattern established by the DRP.

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 Eirs. 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.

## **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**

There are 7 native oak trees on the property, 3 native oak trees that are within the City's Open Space, and 1 native oak tree that is within the City's right of way. Each of these trees are subject to the City's Tree Ordinance. The applicant is requesting to remove 7 native oak trees from the property and 1 oak tree from the City right of way to allow for pad grading, driveway locations, and construction of good neighbor fencing between lots. Tree #'s 1 and 2 will have significant encroachment into the protected zones due to grading and location of the retaining wall for lot 9. Tree #3 and #4 are also located in the open space and will not be impacted from the construction of the subdivision.

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.*

The applicant has submitted an arborist report (Exhibit H) identifying the size and health of native oak trees on the site. An arborist impact report (Exhibit I) was also submitted and includes recommendations to mitigate the impacts of construction activities on the trees. The recommendations of the arborist will be incorporated into the conditions for the tree permit. Below is a summary of the proposed tree impacts and arborists recommendations.

**Tree Removal:** Proposed grading activities needed to prepare the site for development will result in the removal of 8 native oak trees. The majority of the trees proposed for removal are located in the center of the lots. Tree number 11 is within the exit driveway of the subdivision and is considered a hazardous tree. Thus the impacts to many of the native oak trees are unavoidable without significant modifications to the site plan, a reduction in the number of units, or other significant project changes.

**Table 1:** Proposed Tree Removals

TREE #	Species <sup>1</sup>	DBH Inches <sup>2</sup>	Structure	Vigor	Reason for Removal
1	QL	6	Fair	Fair	Impacts from retaining wall
5	QL	6*	Fair	Fair	Impacts from roadway
6	QL	8	Fair	Fair	Within building footprint
7	QL	8	Fair	Fair	Fill for Pad
8	QL	8	Fair	Fair-Good	Fill for Pad
9	QL	9*	Fair	Fair-Good	Within building footprint
10	QL	9	Fair	Fair-Good	Within building footprint
11	QL	6*	Poor to Fair	Fair	Impacts from roadway

1. QL = Quercus lobata (Valley Oak); QW = Quercus douglasii (Blue Oak)

2. "\*" multi trunk tree that is cumulatively 6 inches or larger in diameter. Size of largest trunk listed (minimum mitigation is 6 inches).

**Tree Mitigation:** The project developer has proposed to mitigate for the removal of native oak trees through the payment of in-lieu fees and on-site planting. The project does include common areas such as the landscape frontage and common lots that could be replanted with oak trees. Payment of in-lieu fees 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:** One native oak tree (#2) will have encroachment into the protected zone radius in order to install a retaining wall in the rear of lot 9. A summary of the proposed impact and the arborist's recommendations are listed in Exhibit I. Overall, the arborist has indicated that impacts to this tree will be significant due to the fill placed within the PZR of tree #2. However, with the mitigation measure recommended by the arborist the tree will be able to be preserved and will be monitored in the future.

## **TREE PERMIT CONCLUSION**

After reviewing the proposed development plan, staff has been unable to identify opportunities to preserve the native oak trees that exist on the site. Given the fact that the trees being requested for removal are either directly within a roadway or building footprint, Staff recommends approval of the 8 removals.

## **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 Mitigated Negative Declaration. The Mitigated Negative Declaration was posted for a 20-day public review and comment period, which closes on March 9, 2006. To date, no comments on the document have been received.

The project mitigation measures all pertain to road noise attenuation, and each measure is listed below. In addition, the mitigation measures have been added as conditions of approval for the project. With these mitigation measures the project will not have significant noise impacts.

- The project shall provide a solid masonry wall for noise attenuation with a height as identified in Appendix A-1 of the Noise Study conducted by BBA, Inc., and dated October 27, 2005.
- The project shall provide an air ventilation system as required by the noise analysis.
- Windows and doors facing Rocky Ridge Drive and South Cirby Way shall provide a laboratory measured sound transmission class (STC) rating of 30 or better.

## **RECOMMENDATION**

The Planning and Redevelopment Department recommends that the Planning Commission take the following actions (A-G):

- A. Adopt the Mitigated Negative Declaration, as shown in **Exhibit A**;
- B. Adopt the four (4) findings of fact as stated in the staff report for the DESIGN REVIEW PERMIT – 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES) – FILE # DRP-000051;
- C. Approve the DESIGN REVIEW PERMIT – 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES) – FILE # DRP-000051 with the seventy-one (71) conditions listed below;
- D. Adopt the three (3) findings of fact as stated in the staff report for the TENTATIVE SUBDIVISION MAP – 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES)– FILE # SUB-000022;

- E. Approve the TENTATIVE SUBDIVISION MAP – 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES)– FILE # SUB-000022 with the sixty (60) conditions listed below.
- F. Adopt the two (2) findings of fact as stated in the staff report for the TREE PERMIT -- 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES)– FILE # TP-000063; and,
- G. Approve the TREE PERMIT -- 1995 ROCKY RIDGE DRIVE (HIDDEN CREEK RESIDENTIAL HOMES)– FILE # TP-000063 with the nineteen (19) conditions listed below.

<b>Conditions of Approval for Design Review Permit DRP- 000051</b>
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- 1. This design review permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **March 9, 2008**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from **March 9, 2008**. (Planning)
- 2. The project is approved as a for sale home project as shown in Exhibits A - I and as conditioned or modified below. (Planning)
- 3. Exhibit D shall govern the design of the project and all other exhibits shall be revised to match this exhibit. (Planning)
- 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. City costs will be billed against deposited fees on a monthly basis. Any funds remaining in the deposit account at the completion of the project will be refunded. (Engineering, Environmental Utilities, Finance, Parks)
- 5. 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)
- 6. The applicant 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)
- 7. The approval of this project does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 8. The private gated entrance off of Rocky Ridge Drive will need to be constructed per current Public Works Standards. The centerline of this entrance shall be aligned directly across from Condor Court in order to allow full turn movements into and out of the subdivision. If the centerlines cannot be aligned, the City may have to restrict turn movements. (Engineering)
- 9. Lots 6-9 shall drain to the rear of the lot and directly sheet flow into the open space. Lots 1-5 shall be class 1 drainage and drain to "A" Street. (Engineering)
- 10. A 10-foot right turn lane shall be constructed on South Cirby Way. This turn lane shall include 5-foot sidewalk, curb and gutter, and additional pavement to accommodate a 10-foot turn lane. The turn lane shall be 120 feet in length and have a 40 foot taper that ties back in with the existing sidewalk, curb and gutter along South Cirby Way. The developer may enter into a reimbursement agreement with the City of Roseville to receive reimbursement for the additional pavement required to

accommodate the right turn lane. The driveway access on South Cirby Way shall be right turn egress only. A raised concrete median curb shall be constructed within South Cirby Way to prevent left turn egress. (Engineering)

11. The signal at the northeast corner of Rocky Ridge Drive and South Cirby Way will need to be modified to accommodate the proposed right turn lane on South Cirby Way. The developer may enter into a reimbursement agreement with the City of Roseville to receive reimbursement for the signal modification. (Engineering)
12. A bus turn out, pad and shelter shall be constructed along the Rocky Ridge frontage with this project. A sixty-foot taper shall start at the curb return of the Rocky Ridge Drive/South Cirby Way intersection and the bus turnout shall extend northerly to the entrance of the subdivision. (Shelter number 05-212) (Engineering, Transit)
13. The existing maintenance road off of South Cirby Way shall be realigned to be perpendicular with South Cirby Way. (Engineering)
14. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than 4 feet in height. All retaining walls shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment. Prior to plan approval, the project proponent shall acknowledge, in writing, that he understands that all retaining walls are installed at his risk, and alterations may be required upon the review of the final improvement plans. (Engineering)

#### **PRIOR TO BUILDING PERMITS:**

15. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by the Commission including all conditions of approval. (Building)
  - a. The applicant shall landscape the project frontage that is within the City right of way along South Cirby Way between the southern property line of the project and the maintenance road that will be realigned with this project. This landscaping shall match the project frontage landscaping along Rocky Ridge Drive and shall be maintained by the project HOA.
16. The Landscape plan shall comply with the City of Roseville Water Efficient Landscape Requirements Resolution No. 93-55. (Planning)
17. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (2") bark (no shredded bark) or (2") mulch covering. (Planning)

#### **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

18. At the time of building permit application and plan submittal, the project applicant shall submit a proposed plan which shows the suite addressing plan for individual tenant spaces within the building. The Chief Building Official, or the designate, shall approve said plan prior to building permit approval. (Building)
19. Building permit plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
20. Maintenance of copy of building plans. Health and Safety Code section 19850 requires the building department of every city or county to maintain an official copy of the building plans for the life of the

building. As such, each individual building shall be submitted as a separate submittal package. Building plan review, permit issuance and archiving is based on each individual building address.

21. 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)
22. 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 Engineering prior to approval of the improvement plans.
  - d. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
23. 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)
24. Prior to the approval of the improvement plans, it will be the project proponents responsible to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
25. 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)
26. "Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water, sewer and recycled water utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures. The developer shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer and recycled water utilities to the satisfaction of the Environmental Utilities Director. (Environmental Utilities)"
27. The applicant shall pay for all applicable water, and sewer fees. (Environmental Utilities)
28. Water and sewer infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards and shall include:
  - a. 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.

- b. Water, sewer and reclaimed mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions of approval.
  - c. All sewer manholes shall have all weather 10-ton vehicle access unless authorized by these conditions of approval. (Environmental Utilities)
29. Recycled water infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. The applicant shall pay all applicable recycled water fees. Easements shall be provided as necessary for recycled water infrastructure. (Environmental Utilities)
30. Fire apparatus access roads shall be provided to within 150 feet of all structures and combustible storage piles. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Fire)
31. Vertical clearances or widths shall be increased when, in the opinion of the Fire Chief, vertical clearances or widths are not adequate to provide fire apparatus access. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (32 tons) and shall be provided with a surface so as to provide all-weather driving capabilities. Said access shall be provided prior to any construction or storage of combustible materials on site. (Fire)
32. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved provision for the turning around of fire apparatus. A minimum back of curb radii of not less than 48 feet shall be provided. (Fire)
33. A minimum clearance of 3-feet shall be provided between trees, shrubs and other landscape materials and all fire protection equipment (hydrants, fire sprinkler system connections, valves). Fire protection equipment shall not be located behind parking stalls or other obstructions to access. (Fire)
34. When the proposed project is to be provided with perimeter security fencing, fire apparatus access and occupant exiting shall be considered. All vehicular access gates shall comply with the Uniform Fire Code requirements and shall be equipped with approved Knox and Opticom emergency vehicle access devices. If pedestrian gates are designed as part of the overall exiting system, they shall comply with the exiting provisions of the Uniform Building Code. Plans shall be submitted to the Fire Department for review and approval prior to installation. (Fire)
35. The Electric Department requires the submittal of the following information in order to complete the final electric design for the project:
- a. One (1) set of improvement plans
  - b. Load calculations
  - c. Electrical panel one-line drawings
36. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

**DURING CONSTRUCTION & PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:**

37. 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 only be installed on 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. (Planning, Environmental Utilities)
38. The following easements, if not existing, shall be provided by separate instrument and shown on the site plan, unless otherwise provided for in these conditions:
- a. A 12.5-foot wide public utilities easement along Rocky Ridge Drive;
  - b. Water and sewer easements; and,
  - c. A 10-foot wide public utilities easement along the southern property line of lot 6.
39. 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. (Engineering, Environmental Utilities, Electric)
40. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
41. Inspection of the potable water supply system on new commercial/ industrial/ office projects shall be as follows:
- a. The Environmental Utilities Inspector will inspect all potable water supply up to the downstream side of the backflow preventor.
  - b. The property owner/applicant shall be responsible for that portion of the water supply system from the backflow preventor to the building. The builder/contractor shall engage a qualified inspector to approve the installation of this portion of the water supply. The Building Division will require from the builder/ contractor, a written document certifying that this portion of the potable water supply has been installed per improvement plans and in accordance with the Uniform Plumbing Code. This certificate of compliance shall be submitted to the Building Division before a temporary occupancy or a building final is approved.
  - c. The building inspectors will exclusively inspect all potable water supply systems for the building from the shutoff valve at the building and downstream within the building. (Building, Environmental Utilities)
42. The following note shall be added to the 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 throughout the day to minimize dust.

- b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
  - c. Sweep the adjacent street frontages 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 or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
43. This project falls within the residential land use category of the Dry Creek Watershed Flood Control Plan as determined by the Placer County Flood Control District and adopted by the City of Roseville. The project is therefore subject to a fee based on gross developed acres. (Engineering)
44. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During plan check of the improvement plans and/or during inspection, Engineering will designate the exact areas to be reconstructed. (Engineering)
45. 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)
46. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
47. 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)
48. Water and sewer systems shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
49. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
50. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address, as approved by the City of Roseville. Such signs shall be clearly visible and legible from the street fronting the project. (Fire)
51. All shrubbery, trees and signs located within center medians adjacent to site access points shall be seven feet (7') in height or lower to allow access to the site by fire apparatus. (Fire)
52. The applicant shall properly identify all required fire lanes in accordance with the Fire Department Fire Lane Standard. (Fire)
53. Additional internal easements may be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
54. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching." (Electric)
55. The City of Roseville Electric Department has electrical construction charges which are to be paid by the developer and which are explained in the City of Roseville "Specification for Residential Construction." These charges will be determined upon completion of the final electrical design. (Electric)

56. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
57. 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)
58. All landscaping in areas containing electrical service equipment shall conform to the Electric Department's Landscape Requirements and Work Clearances as outlined in Section 10.00 of the Department's "Specification for Residential Trenching." (Electric)
59. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)
60. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. This includes grading activities around the existing overhead electric pole guy wires. (Electric)

**OTHER CONDITIONS OF APPROVAL:**

61. The applicant shall pay City's actual cost for providing plan check, installation, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities)
62. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Electric, Engineering, Environmental Utilities)
63. The project shall comply with all required environmental mitigation identified in the Hidden Creek Mitigated Negative Declaration. This includes:
  - The project shall provide a solid masonry wall for noise attenuation with a height as identified in Appendix A-1 of the Noise Study conducted by BBA, Inc., and dated October 27, 2005.
  - The project shall provide a ventilation system as required by the noise analysis.
  - Windows and doors facing Rocky Ridge Drive and South Cirby Way shall provide a laboratory measured sound transmission class (STC) rating of 30 or better. (Planning, Building)
64. Following the installation of the landscaping, all landscape material shall be maintained in a healthy and weed free condition; dead plant material shall be replaced immediately. All trees shall be maintained and pruned in accordance with the accepted practices of the International Society of Arboriculture (ISA). (Planning)
65. The City reserves the right to restrict vehicle turning movements within the public right-of-way in the future if deemed necessary by the City Engineer. (Engineering)
66. The required width of fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Minimum required widths and vertical clearances established by the Fire Code shall be maintained at all times during construction. Closure of accesses for fire apparatus by gates, barricades and other devices shall be prohibited unless approved by the Fire Chief. (Fire)

67. Temporary aboveground storage tanks may be used at construction sites for diesel fuel only and shall not exceed 1,000 gallon capacity. Tanks shall comply with all provisions found within the Fire Code. A Fire Department Permit shall be obtained prior to tank installation. The permit shall expire after 90 days from the date of issuance, unless extended by the Fire Chief. (Fire)
68. 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 or person responsible for the building permit must 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. (Fire)
69. The location and design of the gas service shall be determined by PG&E. The design of the 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)
70. 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. (Building)
71. The developer (or designated consultant) shall certify that the building foundation location has been placed according to all approved setback requirements shown on the approved site plan. The developer shall prepare a written statement confirming building placement and provide an original copy to the City Building Department Field Inspector at the time of or prior to the foundation inspection. (Building)

<b>Conditions of Approval for Tentative Subdivision Map SUB-000022</b>
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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 (2-1/2) percent of the value of the public improvements, or \$2,500, whichever is greater, shall be provided at the time plans are submitted to the City for review. Prior to plan approval, the applicant shall provide an additional deposit of two and one half (2-1/2) percent of the value of the public improvements, or \$2,500, whichever is greater. City costs will be billed against the deposited amount on a monthly basis. All funds remaining in the deposit account will be refunded upon completion of the project. (Engineering, Environmental Utilities, Finance)

5. The private gated entrance off of Rocky Ridge Drive will need to be constructed per current Public Works Standards. The centerline of this entrance shall be aligned directly across from Condor Court in order to allow full turn movements into and out of the subdivision. If the centerlines cannot be aligned, the City may have to restrict turn movements. (Engineering)
6. Lots 6-9 shall drain to the rear of the lot and directly sheet flow into the open space. Lots 1-5 shall be class 1 drainage and drain to Court A. (Engineering)
7. A 10-foot right turn lane shall be constructed on South Cirby Way. This turn lane shall include 5-foot sidewalk, curb and gutter, and additional pavement to accommodate a 10-foot turn lane. The turn lane shall be 120 feet in length and have a 40 foot taper that ties back in with the existing sidewalk, curb and gutter along South Cirby Way. The developer may enter into a reimbursement agreement with the City of Roseville to receive reimbursement for the additional pavement required to accommodate the right turn lane. The driveway access on South Cirby Way shall be right turn egress only. A raised concrete median curb shall be constructed within South Cirby Way to prevent left turn egress. (Engineering)
8. The signal at the northeast corner of Rocky Ridge Drive and South Cirby Way will need to be modified to accommodate the proposed right turn lane on South Cirby Way. The developer may enter into a reimbursement agreement with the City of Roseville to receive reimbursement for the signal modification. (Engineering)
9. A bus turn out, pad and shelter shall be constructed along the Rocky Ridge frontage with this project. A sixty-foot taper shall start at the curb return of the Rocky Ridge Drive/South Cirby Way intersection and the bus turnout shall extend northerly to the entrance of the subdivision. (Shelter number 05-212) (Engineering, Transit)
10. The existing maintenance road off of South Cirby Way shall be realigned to be perpendicular with South Cirby Way. (Engineering)
11. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than 4 feet in height. All retaining walls shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment. Prior to plan approval, the project proponent shall acknowledge, in writing, that he understands that all retaining walls are installed at his risk, and alterations may be required upon the review of the final improvement plans. (Engineering)

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

12. 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. (Planning, Engineering, Parks, Fire Environmental Utilities)
13. Grading around the native oak trees shall be as shown on the tentative map or as approved in these conditions. (Planning)
14. The applicant shall landscape the project frontage that is within the City right of way along South Cirby Way between the southern property line of the project and the maintenance road that will be realigned with this project. This landscaping shall match the project frontage landscaping along Rocky Ridge Drive and shall be maintained by the project HOA. (Planning)

15. The project shall provide a solid masonry wall for noise attenuation with a height as identified in Appendix A-1 of the Noise Study conducted by BBA, Inc., and dated October 27, 2005. (Planning)
16. 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. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
17. Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water, sewer and recycled water utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures. The developer shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer and recycled water utilities to the satisfaction of the Environmental Utilities Director. (Environmental Utilities)
18. 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 an 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 12' 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)
19. 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)
20. 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)
21. 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 streets frontages 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)
22. Prior to the approval of the improvement plans, it will be the project proponents responsible to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
23. 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)
24. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system. The storm drain system shall be a private system and shall be maintained by the property owner. Onsite storm water shall be treated with a minimum of a sand/oil separator prior to discharge from the site. (Engineering)
25. To ensure that the design for any necessary widening, construction, or modifications of Public Streets does not conflict with existing dry utilities generally located behind the curb and gutter, and prior to the submittal of design drawings for those frontage improvements, the project proponent shall have the existing dry utilities pot holed for verification of location and depth. (Engineering)
26. Sight distances for all driveways shall be clearly shown on the improvement plans to verify that minimum standards are achieved. It will be the responsibility of the project proponent to provide

appropriate landscaping and improvement plans, and to relocate and/or modify existing facilities as needed to meet these design objectives. (Engineering)

27. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
28. All street designs shall meet the Fire Departments turning radius requirements for emergency vehicle apparatus. (48' outside – 34' inside) (Fire)
29. 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 Marshal, where the project utility lines will serve non-residential uses. (Fire)
30. This project shall not reduce the responsibilities of the homeowners of this project from maintaining all on-site fire systems including all common adjoining fire sprinkler-piping penetrations. If a homeowner association is formed, there shall be a clear language regarding maintenance and common easements agreement for service. A service company shall be obtained to maintain all on-site. (Fire)
31. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an *AC pavement surface* so as to provide all-weather driving capabilities. (Fire)
32. When the proposed project is to be provided with perimeter security fencing, fire apparatus access and occupant exiting shall be considered. All vehicular access gates shall comply with the Uniform Fire Code requirements and shall be equipped with approved Knox and Opticom emergency vehicle access devices. If pedestrian gates are designed as part of the overall exiting system, they shall comply with the exiting provisions of the Uniform Building Code. Plans shall be submitted to the Fire Department for review and approval prior to installation. A functional test of the gates shall be witnessed by the Fire Department prior to placing the gates into operation. (Fire)
33. 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)
34. All Electrical Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
35. 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)
36. 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)
37. 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)
38. 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**

39. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
  - a. A 12.5 foot wide public utilities easement along Rocky Ridge Drive;
  - b. Water and sewer easements; and,
  - c. A 10' wide public utilities easement along the southern property line of lot 6.
40. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
41. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
42. 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)
43. A declaration of Conditions, Covenants and Restrictions (CC&Rs), in a form approved by the City Attorney, shall be recorded on the entire property concurrently with the Final/Parcel Map. The CC&Rs shall include the following items:
  - a) Creation of a Homeowners Association. (Attorney)
  - b) Homeowners Association shall be responsible for maintenance of all common areas including all landscaping (both internal and along the frontages of South Cirby Way and Rocky Ridge Drive), parking areas, drive aisles and easements. (Attorney)
  - c) The project CC&Rs shall require that all trash bins be placed on the West side of "A" street for pickup. (Environmental Utilities).
  - d) Maintenance of the irrigation system within the project will be the responsibility of the Homeowners Association. City's responsibility will end at the City right-of-way and meter at backflow assembly. (Environmental Utilities)
  - e) The common areas provide shared access and parking for the mutual benefit of all numbered parcels (town home units). (Attorney)
  - f) Provisions for outdoor common areas to be held in common. (Attorney)
  - g) A provision that it shall be the responsibility of the individual residents to make their trash bins available for servicing on trash pickup days. (Environmental Utilities, Attorney)
44. 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)

45. The Parcel adjacent to the eastern boundary of lots 6-9 shall be dedicated as in fee to the City for the purposes of floodplain. (Engineering)
46. The street names shall be approved by the City of Roseville. (Engineering)
47. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. Lettered Lot/Parcel along major roads shall be dedicated as landscape/pedestrian/public utility easements and in fee to the City as open space. (Engineering)
48. 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)
49. 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)
50. The cost of any facilities that are identified in the CIP and are beyond those needed for this project may be reimbursed to the developer. In accordance with §66485 and §66486 of the Subdivision Map Act, any improvements constructed by the subdivider which contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision and which improvements are to be dedicated to the public, the subdivider shall be entitled to reimbursement for that portion of the cost of the improvements which is in excess of the construction required for the subdivision. (Engineering)
51. 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)
52. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)
53. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

#### **OTHER CONDITIONS OF APPROVAL**

54. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services (Environmental Utilities, Engineering)
55. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
56. 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)
57. 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)
58. 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)

59. 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)
60. The project shall comply with all applicable environmental mitigation measures identified in the Hidden Creek Initial Study and Mitigated Negative Declaration and include the following mitigation measures:
  - A) The project shall provide a solid masonry wall for noise attenuation with a height as identified in Appendix A-1 of the Noise Study conducted by BBA, Inc., and dated October 27, 2005. (Planning)

**TREE PERMIT- 000063 CONDITIONS AND COMPLIANCE VERIFICATION / INSPECTION CHECKLIST**

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
<b>PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE</b>		
1. All recommendations contained in the Arborist Report(s) (Exhibits H & I) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree #'s 1, 5, 6, 7, 8, 9, 10, and 11 as shown on Exhibit D, are approved for removal with this tree permit. The remaining native oak trees listed on the grading plan shall be preserved. The encroachment into the PZR of tree #2 to provide a retaining wall in the rear of lots 6 - 9 shall be limited to 40%. 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 direct supervision of a certified arborist. (Planning)		
3. Before the removal of any native oak tree and prior to any site grading the developer shall mitigate for the removal of trees on an inch-for-inch basis (\$118/inch). The developer shall be responsible for the replacement of sixty inches (60") prior to any tree removal. 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. (Planning)		
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)		
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 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)		

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)		
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)		
10. The applicant shall arrange with the arborist to perform, and certify in writing, the completion of dead wooding, 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)		
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)		
<b><u>DURING CONSTRUCTION</u></b>		
12. 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)		
13. 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)		
14. 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)		
15. 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)		
16. Where recommended by the arborist, portions of the foundation and patio 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)		

17. 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)		
<b>PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT</b>		
18. 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)		
19. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning Department. (Planning)		

### **ATTACHMENTS**

1. Vicinity Map
2. Color Elevations

### **EXHIBITS**

- A. Mitigated Negative Declaration
- B. Tentative Parcel Map
- C. Site Plan
- D. Grading Plan
- E. Utility Plan
- F. Landscape Plan
- G. Residential Elevations
- H. Arborist Inventory
- I. Arborist Impact Assessment

**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.