

**ITEM 6.1a:** **General Plan Amendment, Rezone, Tentative Subdivision Map, Tree Permit – 360 Diamond Oaks Road – INFILL PCL 3 & 100 – Sierra View Subdivision Map – File #PL21-0162 & #PL21-0161**

**REQUEST**

The project will allow the construction of 75 single-family homes on Infill Planning Parcels 3 and 100, located to the east of the Sierra View Country Club. The entitlements include a General Plan Amendment to change the land use designation of Parcel 100 from Medium Density Residential (MDR) to Low Density Residential (LDR) and a Rezone from Multi-Family Housing (R3) to Small Lot Residential (RS). Infill Planning Parcel 3 will be rezoned from Single-Family Residential (R1) to RS. A Tentative Subdivision Map is requested to subdivide the parcels into 75 single-family lots. Lastly, a Tree Permit is requested to remove native oak trees on the site in order to facilitate development of the lots. The remaining 93 units allocated to Infill Parcel 100 will be transferred to Sierra Vista Specific Plan (SVSP) Parcels WB-41 (+63 units) and WB-31 (+30 units).

Applicant – John Tallman, WP Sierra View LLC  
Property Owner – SVLC 23 LLC

**SUMMARY RECOMMENDATION**

The Planning Division recommends the Planning Commission take the following actions:

Adopt the Sierra View Country Club and Sierra Vista Specific Plan Redesignation and Rezone Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring & Reporting Program and Consider the 6<sup>th</sup> Addendum to the Sierra Vista Specific Plan Environmental Impact Report (EIR).

For the Sierra View Subdivision Map Project (File # PL21-0162):

- A. Recommend the City Council approve the General Plan Amendment (Land Use Map);
- B. Recommend the City Council approve the Rezone;
- C. Adopt the three (3) findings of fact and approve the Tentative Subdivision Map subject to sixty-five (65) conditions of approval; and
- D. Adopt the two (2) findings of fact and approve the Tree Permit subject to twenty (20) conditions of approval.

**SENATE BILL 330**

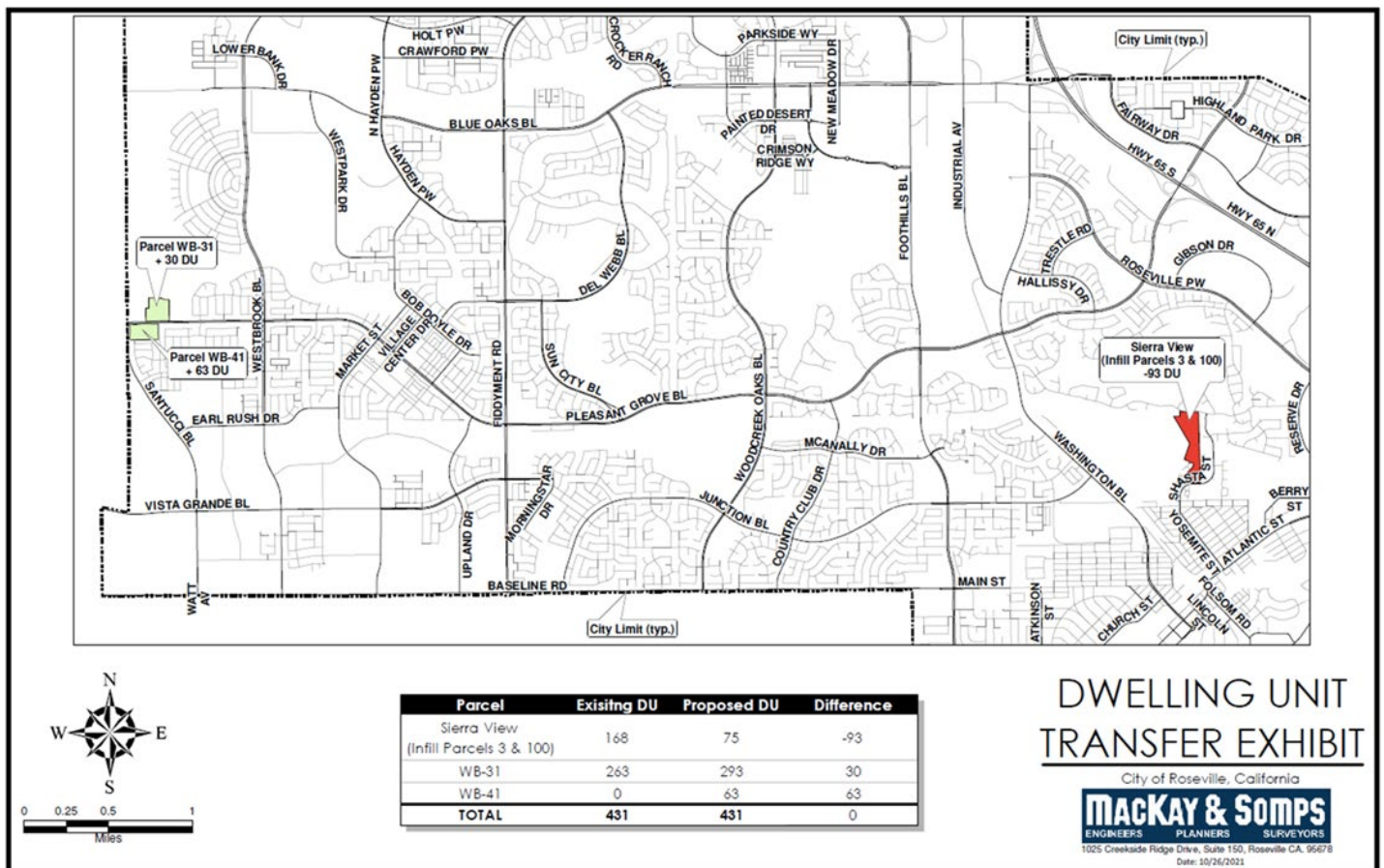
Projects #PL21-0162 (Sierra View Subdivision) and #PL21-0161 (SVSP Parcels WB-41 and WB-31) are linked to each other due to requirements in California State Housing Law. As described below, each project is evaluated independently in a separate staff report, however, The Planning Commission will be asked to take one action when considering the entitlements for both projects. The following is an explanation of why these projects are linked and how staff is recommending the proposed entitlements be acted upon.

Recent changes in state law preclude the City from reducing anticipated housing density in one portion of its jurisdiction without making up for the resulting reduction by increasing anticipated housing density in another area. As enacted in the 2019 legislative session, Senate Bill 330 (the Housing Crisis Act of 2019 or S.B. 330) created Government Code Section 65300. Subdivision (b)(1)(A) of that statute

generally prevents a city from changing the residential general plan, specific plan, and zoning designation to “a less intensive use” or to reduce the intensity of the designation below what was allowed on January 1, 2018. An exception to this prohibition exists, however, where the city “concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity” (Government Code § 65300 (h)(2)(i)(1), italics added).

The applicant is proposing a reduction in residential capacity on one site (Infill Parcel 100 – Sierra View Subdivision, file #PL21-0162) but proposing a modification in the designations on two other sites (Sierra Vista Specific Plan Parcel WB-41 and Parcel WB-31, file #PL21-0161), in order to make up for the lost residential capacity at Infill Parcel 100. Figure 1 below identifies the location of these parcels and the proposed unit transfers. Infill Parcel 100 has a current General Plan unit allocation of 168 units, however with the Sierra View Subdivision project (file #PL21-0162), the applicant is proposing to build only 75 of the units. As required by S.B. 330, the remaining 93 units must be transferred elsewhere in the City to avoid any net reduction in anticipated housing units. The remaining 93 units will be transferred to SVSP Parcels WB-41 and WB-31. The SVSP Parcel WB-41 Rezone project (file #PL21-0161) proposes amending the land use and zoning designation of Parcel WB-41 from its current Community Commercial (CC) designation to Medium Density Residential (MDR) with a zoning of Small Lot Residential/Development Standards (RS/DS), in order to accommodate 63 of the units being transferred from Infill Parcel 100. The remaining 30 units from Infill Parcel 100 are being transferred to High Density Residential Parcel WB-31. Since the Legislature, through S.B. 330, has required these consecutive actions, the Planning Commission will act on the two projects under one motion. However, staff has chosen to evaluate each project and the corresponding entitlements with separate staff reports for ease of readability.

**Figure 1: Dwelling Unit Transfer Exhibit**



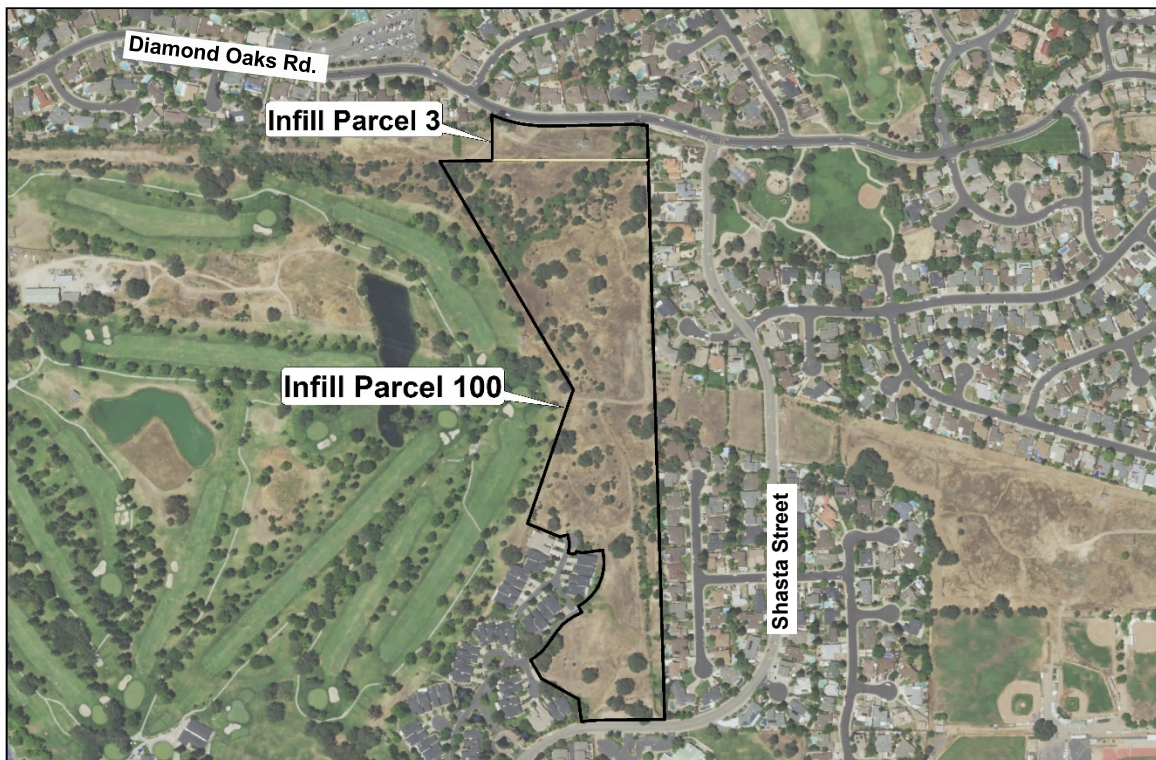
## **SUMMARY OF OUTSTANDING ISSUES**

As described in the Environmental Determination Section, below, there have been three public comment letters submitted in reference to the associated Initial Study/Mitigated Negative Declaration (IS/MND). One of these letters indicated opposition to the proposed approval of the IS/MND. Staff has provided comprehensive responses to these comments. The applicant has reviewed and is in agreement with all recommended conditions of approval.

## **PROJECT BACKGROUND**

The approximately 23-acre project site is located at 360 Diamond Oaks Road and consists of the majority of Infill Parcel 100 and a small, southern portion of Infill Parcel 3 (see Figure 1). Both parcels are located adjacent to and east of the Sierra View Country Club and just north of Shasta Street and south of Diamond Oaks Road. Infill Parcel 100 has a current zoning designation of Multi-Family Housing (R3) and a General Plan land use designation of Medium Density Residential (MDR) at 6.8 units per acre. Infill Parcel 3 has a current zoning designation of Single-Family Residential (R1) and a General Plan land use designation of Low Density Residential (LDR). The southwest portion of Infill Parcel 100 is developed with multi-family townhomes and the remainder is undeveloped and consists of some dirt roadways used for fire control and maintenance access. The majority of Infill Parcel 3 is developed with single-family homes save for the small portion included as part of this project. Overhead power lines cross the northern portion of the site and the central portion of the site in an east/west direction. Surrounding uses include single-family residences to the east and north across Diamond Oaks Road, Sierra View Country Club to the west, and Spanger Elementary School to the south across Shasta Street.

**Figure 1: Project Location**



The General Plan allocated a total of 223 units to Infill Parcel 100. In 1982, a Tentative Subdivision Map (file #UP 81-77) creating 55 lots was approved for the Sierra View Townhomes, located on the southwest portion of Infill Parcel 100. The Townhomes were expected to be built out to include the 23 acres which comprise the property in this application. However, subsequent phases of the Townhomes did not proceed forward and the remaining 168 units allocated to Infill Parcel 100 are unbuilt. The project is

proposing to build 75 of the 168 units on the remaining undeveloped portion of Infill Parcel 100. Consistent with S.B. 330, the remaining 93 units will be transferred elsewhere in the City, to Sierra Vista Specific Plan (SVSP) Parcels WB-41 and WB-31, to avoid any net reduction in anticipated housing units. Of the 93 units being transferred from Infill Parcel 100, 63 units will be transferred to SVSP Parcel WB-41 and 30 units will be transferred to SVSP Parcel WB-31. The developer is proposing a reduced density on Infill Parcel 100 in response to community requests that future development on this site more closely align with the existing community immediately to the east, which is a single-family Low Density Residential subdivision, to promote community cohesion and continuity. The proposed LDR designation will facilitate the development of larger lots which will better accommodate a variety of single-story and two-story home plans consistent with the adjacent subdivision.

### ***Project Entitlements***

**General Plan Amendment (GPA) and Rezone** – The project includes a GPA to amend the land use designation of Parcel 100 from Medium Density Residential (MDR) to Low Density Residential (LDR) at a density of approximately 4.9 units per acre. A Rezone is included to amend the existing zoning designation of Parcel 100 from Multi-Family Housing (R3) to Small Lot Residential (RS) to be consistent with the proposed land use designation. A small portion of Infill Parcel 3 will also be amended from Single-Family Residential (R1) to RS. Exhibit A includes the General Plan Amendment exhibit, Exhibit B includes the General Plan land use map reflecting the land use change, and Exhibit C includes the Rezone exhibit.

**Tentative Subdivision Map** – The approximately 23-acre project site will be subdivided into a new gated subdivision consisting of 75 LDR lots, four (4) landscape/detention lots, five (5) landscape lots, one (1) open space lot, and one (1) private park lot, for a total of 86 lots. Exhibit D includes the proposed Tentative Subdivision Map.

**Tree Permit** – A Tree Permit is requested to allow the removal of several native oak trees on the site in order to facilitate development of the subdivision. Exhibit E includes the project arborist report and Exhibit F includes the tree removal exhibit.

### **EVALUATION: GENERAL PLAN AMENDMENT AND REZONE**

Proposed amendments to the General Plan are analyzed for consistency with the goals and policies of the respective plan. Zoning Ordinance Section 19.86.050 specifies that recommendations for approval or denial of a rezone shall include consideration of the proposed amendment's consistency with:

- 1. The public interest, health, safety, or welfare of the City, and***
- 2. The General Plan and any applicable Specific Plan.***

Table 1 identifies the proposed unit transfers occurring with this project. As mentioned, the applicant is proposing to build 75 of the 168 allocated units on Parcel 100. The remaining 93 units will be transferred to SVSP Parcels WB-41 (+63 units) and WB-31 (+30 units). The unit transfers result in a change in land use for Parcel 100, from Medium Density Residential (MDR) to Low Density Residential (LDR), with a density of approximately 4.9 units per acre. Approval of the land use amendment would require updates to the City's General Plan land use map, included as Exhibit B. As mentioned, the land use amendment proposed for SVSP Parcel WB-41 is being processed under a separate project (file #PL21-0161).

**Table 1: Unit Transfers**

Parcel	Existing Land Use	Proposed Land Use	Existing Unit Allocation	Proposed Units	Difference	% Change
Infill Parcel 100	Medium Density Residential (MDR)	Low Density Residential (LDR)	168	75	-93	-55.4%
SVSP Parcel WB-41	Community Commercial (CC)	MDR	0	63	+63	-
SVSP Parcel WB-31	High Density Residential (HDR)	Unchanged	263	293	+30	+11.4%
<b>TOTAL</b>			<b>431</b>	<b>431</b>		

**Land Use Compatibility:** Table II-9 of the General Plan contains a table addressing the compatibility of adjacent land uses. For purposes of the table, “adjacent” includes land uses separated by collectors and local streets (e.g., Diamond Oaks Road and Shasta Street). The proposed LDR land use is considered to be compatible with the adjacent LDR land use to the east of the site and to the north across Shasta Street, compatible with the adjacent Park and Recreation (PR) parcel to the east, and compatible with the adjacent MDR and the Public/Quasi-Public (P/QP – Spanger Elementary) site to the south across Shasta Street. The City of Roseville General Plan provides a list of compatible “Implementing Zones” for each land use designation (General Plan Table II-10), which establishes what zoning designations are considered compatible with the applicable General Plan land use designation. The proposed RS zone is listed as an implementing zone for the LDR land use; therefore, the proposed zoning designation is compatible with the proposed General Plan land use.

**Traffic:** A transportation impact study was prepared by Fehr & Peers, an engineering consultant, to analyze the potential traffic impacts from the project. The study is included as Attachment 12 to the Initial Study/Mitigated Negative Declaration prepared for the project (see Exhibits G and H). Consistent with General Plan policies, the traffic study included an estimated trip generation and analysis of Vehicle Miles Traveled (VMT). Each item is discussed below.

- **Trip Generation:** The traffic study included an estimated trip generation, which was calculated based on trip rates and methodologies published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10<sup>th</sup> Edition* (2017). Using the trip generation rate for “Single-Family Detached Housing”, the project would generate approximately 710 daily trips, with 56 occurring during the a.m. peak hour and 75 occurring during the p.m. peak hour. The project is reducing the density on the site and building less than the number of units anticipated and analyzed in the General Plan. Therefore, with the fewer number of units, the project’s trip generation is less than what was anticipated for the site. The City’s Engineering Division reviewed the traffic study and determined there is sufficient capacity to accommodate the trips generated by the project.
- **Vehicle Miles Traveled (VMT):** VMT is a measurement of travel demand, representing the number of miles traveled by vehicles in some amount of time (e.g., VMT per day or annual VMT). Consistent with state law, the General Plan has adopted VMT standards and requires land use amendments to be evaluated for consistency with these standards. Given the project proposes a reduced density with a lesser amount of units when compared to the current General Plan

allocation, the traffic study determined the project would generate less VMT than what was assumed in the General Plan. As such, the project would have a less than significant impact to the transportation system on the basis of project-generated VMT.

**Utilities:** As part of the environmental review of the project, a technical memo was prepared by MacKay & Soms (see Attachment 1) that evaluated the water and sewer demands based on the proposed land use designations and unit allocations proposed with the WB-41 Rezone project (file #PL21-0161) and the Sierra View Subdivision Map project (file #PL21-0162). The memo evaluated the two projects together given that the units proposed on SVSP Parcel WB-41 and WB-31 are being transferred from Infill Parcel 100. The memo concluded the proposed changes to the land use designations and unit allocations will result in less water demand and less sanitary sewer flows. The City’s Environmental Utilities staff reviewed the project and concluded the project as a whole will have a lower demand on City utilities than the previously anticipated land uses.

### General Plan Amendment and Rezone Conclusion

In conclusion, as discussed above, the proposed GPA and Rezone of the property is consistent with the goals and policies of the General Plan, and the proposed land use and zoning designation are appropriate and compatible with the surrounding area.

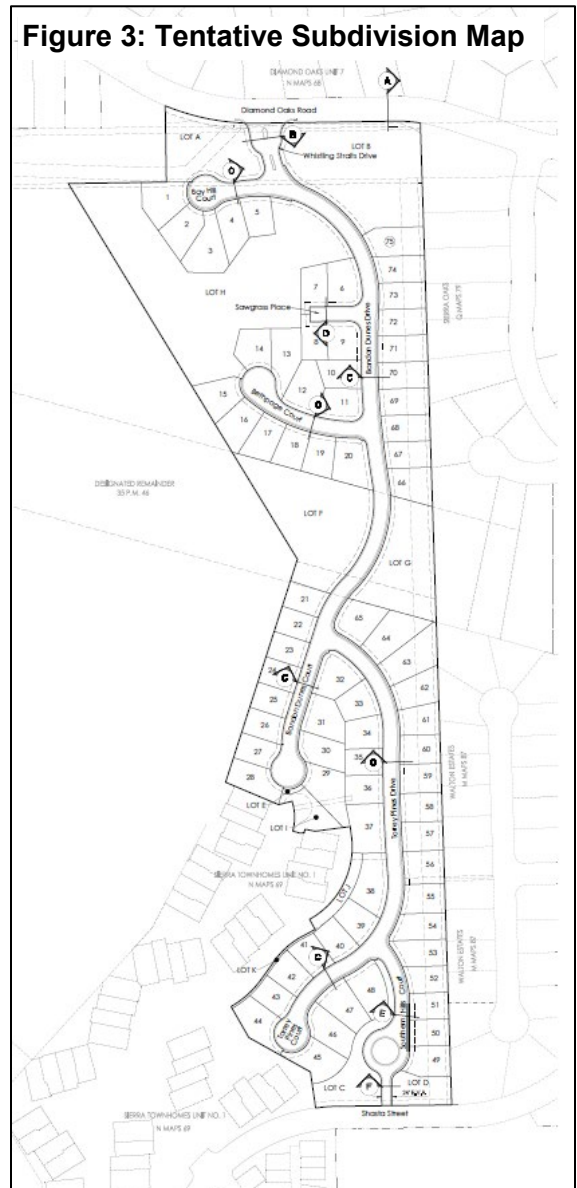
### EVALUATION: TENTATIVE SUBDIVISION MAP

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 Community Design Guidelines, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

The applicant is proposing a new gated subdivision on Parcel 3 and 100 that will consist of 75 low density residential lots, four (4) landscape/detention lots, five (5) landscape lots, one (1) open space lot, and one (1) private park lot (see Figure 3). Adequate access and circulation is provided to each parcel to facilitate development of the small lots and all single-family lots are oriented with frontage on the private streets. Gated access to the subdivision will be provided via Diamond Oaks Road, on the northern boundary of the site. A 24-foot wide emergency vehicle access road will be provided via Shasta Street, on the southern boundary of the site.

The proposed access and circulation design was evaluated in the Transportation Impact Study prepared by Fehr & Peers (Attachment 12 of Exhibit I). The study

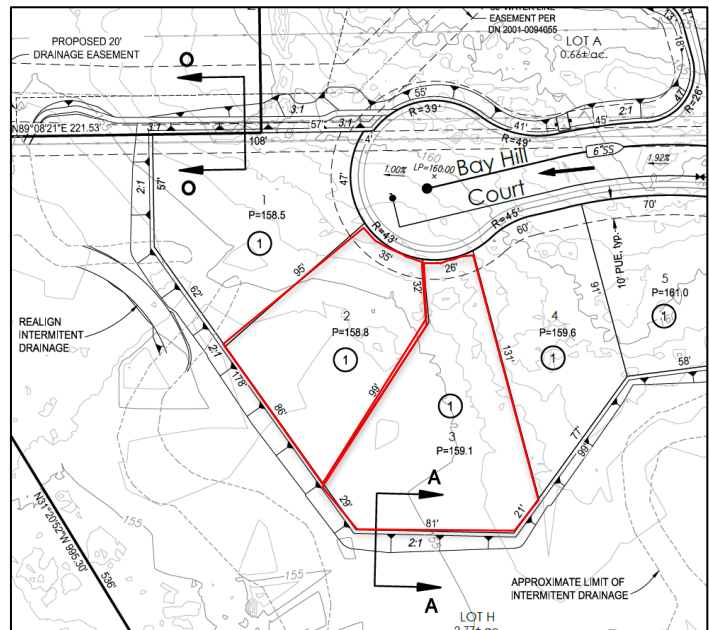


evaluated four access scenarios. Two of the four scenarios consisted of full access onto Shasta Street with varying levels of access on Diamond Oaks Road. These two options were removed from further consideration because they would have substantially increased vehicular conflicts with Spanger Elementary School and would have introduced a sight distance constraint (i.e., horizontal curvature of Shasta Street) that may have proven difficult to solve. A third option consisting of full access on Diamond Oaks Road and partial access on Shasta Street, allowing for exiting movements only (along with an EVA) was also considered. This was also rejected because of the potential for wrong-way travel as well as continued conflicts with school traffic. The fourth option, which is the proposed project, provides full access on Diamond Oaks Road and EVA access only on Shasta Street. This was determined to be the most optimal design based on sight distance, traffic volumes, and safety. The project was reviewed by the City Engineering and City Fire Department staff and was found to comply with refuse service standards and with emergency circulation requirements.

Environmental Utilities will require residents within Sawgrass Court to bring their trash bins to a designated trash pickup area on the main street (Bandon Dunes), as refuse trucks are unable to make turning movements in this dead end street. This requirement will only affect four lots and is consistent with other subdivisions in the City that have short dead end streets. Designated pickup areas will be established to the satisfaction of Environmental Utilities and will be memorialized in the CC&Rs (Condition #48c of the Tentative Subdivision Map).

The Map Act and Subdivision Ordinance do not contain any maximum or minimum lot sizes. Instead these standards are contained within the Zoning Ordinance. The project parcel will have a zoning designation of Small Lot Residential (RS), which has a minimum lot area of 4,275 square feet for separated sidewalks and 4,500 square feet for attached sidewalks. A majority of the lots within the subdivision will exceed these minimum lot area standards and will have an average lot area of 6,800 square feet. The RS development standard for lot width is a minimum of 45 feet, which is measured at the front setback line (15 feet for attached sidewalks and 10 feet for detached sidewalks). However, Lots 2 and 3 of the proposed subdivision map do not meet this minimum lot width; Lot 2 has a lot width of 35 feet and Lot 3 has a lot width of 26 feet. As shown in Figure 4, Lots 2 and 3 are located on the inside of the street curve, which results in a condition where the lot is narrow on the frontage, but then widens so that each lot is at least 45 feet wide, which is sufficient to accommodate development and meet the applicable RS development standards. As such, staff supports the widths as proposed.

Figure 4: Lots 2 and 3



**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.**

The proposed parcels are of sufficient size and shape to accommodate development that is consistent with the applicable zoning and design requirements. As mentioned above, the lots are consistent with the applicable development standards, with the exception of Lots 2 and 3 identified above. However, these lots are still of sufficient size and shape to accommodate development. The proposed parcel configurations preserve the location of watercourses and do not create a physical condition that would be impractical for the proposed improvements.

**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.***

As part of the adoption of the General Plan, an assessment of wastewater demands was completed for the entire plan area. The proposed subdivision map will build fewer units than what the General Plan anticipated for this site, and therefore will not increase planned demands on sewage services; there will be no impacts to the existing requirements established by the Regional Water Quality Control Board.

**EVALUATION: TREE PERMIT**

Pursuant to Zoning Ordinance Section 19.66.030, a Tree Permit is required for any removal of native oak trees or for more than 20% encroachment into the dripline of a native oak tree. The proposed project will result in the removal and encroachment of several native oak trees. The required findings to approve a Tree Permit 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.***
- 2. *Measures have been incorporated into the project or permit to mitigate impacts to remaining trees or to provide replacement for trees removed.***

An arborist report including a tree inventory summary was provided by California Tree and Landscape Consulting, Inc., dated June 18, 2020 (see Exhibit E). A total of 323 protected oak trees were identified on the property. Staff worked with the applicant to preserve as many of the trees to the extent feasible; however, approximately 49% of the trees will require removal because they conflict with the proposed improvements. Of the 323 trees, 158 trees with a total aggregate diameter of 2,423 inches are proposed for removal to facilitate development of the site (see Exhibit F). Nine (9) of the trees proposed for removal were identified as having health problems and one was identified as a dead tree. The remaining 165 trees on the site are proposed to be retained, accounting for more than half of the total trees, and are primarily located within the power line corridors that will remain as open space. The project will encroach into the protected zone of 30 of the trees to remain due to proposed development activities, such as grading and construction of retaining walls.

The applicant has proposed to comply with the compensation requirements of the City's Tree Preservation Ordinance. Mitigation may be completed with a combination of on-site planting and payment into the City's in-lieu fee program. The in-lieu fee program funds are used for the replanting and preservation of trees throughout the City. The total number of mitigation inches for this project is 721. Mitigation fees are calculated at \$118 per inch of tree removed when measured at the tree's diameter at breast height (DBH). The tree mitigation fees for the project equate to \$285,914 and are required to be paid prior to the removal of the trees.

The Tree Permit contains all of the standard conditions of approval, which includes a requirement to follow all of the recommendations of the Arborist Report. The removal of these trees will not be detrimental to the public health, safety, or welfare, and measures have been incorporated to mitigate impacts.

**PUBLIC OUTREACH**

The proposed project was distributed to all internal and external agencies and departments who have requested such notice, and all comments or recommended conditions of approval have been incorporated into the project, as appropriate. Early notification of the project was posted on the Roseville Coalition of Neighborhood Associations (RCONA)'s website. City staff included the project on the Planning Division's Projects of Interest website, which included a project description, a link to the project plans, and was routinely updated with project updates. The developer also installed a sign on the project

site for the purpose of notifying the public of the intended land use change. A notice of the public hearing was published in the Sacramento Bee on December 3, 2021 and a notice of the hearing was also distributed to all property owners within 300 feet of the site, interested persons, and posted on the RCONA website. As of publication of this staff report, staff has received one phone call and one email in response to the public hearing notice. The call was from a resident within the Diamond Oaks neighborhood who was concerned with the project's removal of oak trees. The email was from Kat Fiorentino, a resident of the Diamond Oaks neighborhood, who asked for information on which oak trees are proposed for removal and stated she was concerned with the adverse impact of removing wildlife habitat (see Attachment 2). Staff responded with a copy of the project plans, including the tree removal exhibit, as well as a link to the CEQA document for information on the project's impacts to biological resources. Staff's response is included with Attachment 2. Staff also received three comment letters regarding the CEQA document prepared for the proposed project, which are discussed in the Environmental Determination section below.

Prior to submitting a formal project application to the City, the property owner, Sierra View Land Company ("SVLC"), and the developer, Westpark Communities, held a total of three informational meetings with residents in the surrounding area in November 2020 and in March 2021. The purpose of those meetings was to provide information on the project and for residents to provide input on the initial plans. The initial plan for the site proposed smaller lot sizes with a greater number of units. However, residents expressed concerns with the density and lot sizes. As a result of this community feedback, the plans were revised to the current proposal of 75 units, with a lesser number of units and larger lots. The larger lots allow future builders the opportunity to bring forward a variety of single-story and two-story home plans, with lots adjacent to existing homes to the east of the project having additional depth to more closely conform to the lots of those existing homes.

Once a formal submittal was made to the City and staff had an opportunity to review the project, Westpark Communities presented the project at the Sierra View Neighborhood Association meeting on October 6, 2021. Residents of the Diamond Oaks neighborhood were also present. Approximately 50 people total were in attendance. City staff attended to answer questions related to the entitlement process. Residents asked questions on impacts to traffic, whether environmental review would be conducted, and what types of home plans would be offered.

## **ENVIRONMENTAL DETERMINATION**

Because the Sierra View Subdivision project (file #PL21-0162) is related to the SVSP Parcels WB-41 and WB-31 project (file #PL21-0161), the two projects are presented in a combined CEQA document (see Exhibit G). However, each action requires a different type of CEQA analysis based on its site location and the previous planning conducted for that site, and each requires different City approvals and entitlements. The Sierra View Subdivision project site is analyzed pursuant to CEQA Guidelines Sections 15060 et seq. and 15070 et seq., as an Initial Study with accompanying environmental checklist leading to a Mitigated Negative Declaration. As a result, the Sierra View Subdivision project will require site-specific mitigation measures not previously contemplated in any other planning or environmental documents. Consistent with CEQA Guidelines Section 15164, regarding a previously certified and adopted Environmental Impact Report (EIR), an Addendum to the Sierra Vista Specific Plan EIR (SCH #2008032115, certified May 5, 2010) was prepared for Parcels WB-31 and WB-41 to cover the minor technical changes and additions necessary to describe the impacts of the proposed project. The Addendum did not identify any new environmental impacts from the project. The CEQA document includes a Cumulative Considerations analysis, which looks at the combined effects of the two projects in order to set forth the total combined level of environmental impact from both the Sierra View Subdivision project and the SVSP Parcels WB-41 & WB-31 project. This analysis provides additional consideration of the projects' combined cumulative impacts by looking at the two actions together in the context of the approved full buildout of the General Plan area as contemplated in the certified 2020 General Plan EIR for the 2035 General Plan Update. Staff recommends the Planning Commission adopt the Initial Study/Mitigated Negative Declaration prior to taking action on this project. The documents were circulated for a 30-day public review that ended on December 6, 2021.

Staff received three comment letters during the public review period of the CEQA document (see Attachment 2). The first comment letter was from Kat Fiorentino, a resident of the Diamond Oaks neighborhood, seeking clarification on the project description contained in the public notice since it referenced both the Sierra View Subdivision project and the SVSP Parcel WB-41 & WB-31 project. Staff provided an explanation of the projects and how they were linked. Staff's response is included with Attachment 2.

The second comment letter was from Derek Pell, a Roseville resident. To summarize, Mr. Pell has concerns with the reduced density on Infill Parcels 3 and 100 because it is taking potential housing from a centralized, infill location and moving it to the edge of the City (i.e., SVSP Parcels WB-41 & WB-31). In terms of VMT, Mr. Pell claims that the combined effect of the rezoning will be that there will be fewer people close to amenities where it is possible to not drive, leading to more people in cars traveling longer distances. As documented in the traffic study prepared for the WB-41 Rezone project, the proposed rezone would generate 3,283 fewer daily site trips, 1,666 fewer daily trips entering/exiting the SVSP area, and a reduction of 11,599 VMT for the SVSP area and a reduction of 17,581 VMT for the City as a whole. In addition, the Sierra View Subdivision project was found to generate less VMT than what was assumed in the General Plan, because it is reducing the density and number of units on the site. As a result, the combined impacts on the basis of project-generated VMT for both projects would not exceed any transportation and traffic impacts analyzed in the General Plan EIR.

The third comment letter was submitted by Robert and Jane Maccione, owners of 1004 Shasta Street, stating that they object to the proposed Mitigated Negative Declaration. The letter claims that a more detailed and independent study of the environmental impacts of the proposed development of Parcels 3 and 100 is necessary and additional mitigation measures beyond those proposed in the MND are required. Staff has included a response to these comments in Attachment 3.

## **RECOMMENDATION**

The Planning Division recommends the Planning Commission take the following actions:

Adopt the Sierra View Country Club and Sierra Vista Specific Plan Redesignation and Rezone Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring & Reporting Program and Consider the 6<sup>th</sup> Addendum to the Sierra Vista Specific Plan Environmental Impact Report (EIR).

For the Sierra View Subdivision Map Project (File # PL21-0162):

- A. Recommend the City Council approve the **GENERAL PLAN AMENDMENT (LAND USE MAP) – 360 DIAMOND OAKS ROAD – INFILL PCL 3 & 100 – SIERRA VIEW SUBDIVISION MAP – FILE #PL21-0162;**
- B. Recommend the City Council approve the **REZONE – 360 DIAMOND OAKS ROAD – INFILL PCL 3 & 100 – SIERRA VIEW SUBDIVISION MAP – FILE #PL21-0162;**
- C. Adopt the three (3) findings of fact and approve the **TENTATIVE SUBDIVISION MAP – 360 DIAMOND OAKS ROAD – INFILL PCL 3 & 100 – SIERRA VIEW SUBDIVISION MAP – FILE #PL21-0162** subject to sixty-five (65) conditions of approval; and
- D. Adopt the two (2) findings of fact and approve the **TREE PERMIT – 360 DIAMOND OAKS ROAD – INFILL PCL 3 & 100 – SIERRA VIEW SUBDIVISION MAP – FILE #PL21-0162** subject to twenty (20) conditions of approval.

## **CONDITIONS OF APPROVAL FOR THE TENTATIVE SUBDIVISION MAP – FILE #PL21-0162**

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. The Developer shall submit civil drawings to the Department of Development Services – Engineering Division for review and approval. (Engineering)

2. The design and construction of all improvements shall conform to the Design 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 applicant shall not commence with any on-site improvements or improvements within the right-of-way until such time as grading and/or improvement plans have been submitted for review and are approved with grading and/or encroachment permits issued by the Department of Development Services – Engineering Division. (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. Project billing may occur up to two (2) months after the end of warranty or the Notice of Termination date for the SWPPP, whichever occurs later. (Engineering, Environmental Utilities, Finance)
5. The project shall comply with all required environmental mitigation identified in the Sierra View Country Club and Sierra Vista Specific Plan Redesignation and Rezone Initial Study/Mitigated Negative Declaration (SCH #2021110118), and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)

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

6. Landscape Plans for all landscape corridors and all landscaped common areas shall be approved with the improvement plans. Landscaping shall be installed for Substantial Completion of the subdivision improvements. Landscape corridors shall also successfully complete the required establishment period. The landscape plan shall comply with the Community Design Guidelines and the City of Roseville Water Efficient Landscape Ordinance. (Planning, Engineering, Parks, Fire, Environmental Utilities)
7. 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)
8. The applicant shall submit to the Engineering Division the appropriate Army Corps of Engineers permit or clearance, the California Department of Fish and Wildlife Stream Bed Alteration Agreement, and/or the Regional Water Quality Control Board Water Quality Certificate. (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 Accessible ramps shall be installed at all curb returns per City Standards. (Engineering)
10. The Improvement Plans shall include a complete set of Landscape Plans. The Landscape Plans shall be approved with the Improvement Plans. (Planning, Engineering, Fire, Environmental Utilities, Electric)
11. 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 the Engineering Division prior to approval of any plans. (Engineering)
12. 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)
13. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During site inspection Engineering will designate the exact areas to be reconstructed. (Engineering)
14. 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)
15. 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 throughout 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 the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)*
16. Prior to the approval of the improvement plans, it will be the project proponent's responsibility 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)
17. A note shall be added to the grading plans that states:
- "Prior to the commencement of grading operations, the contractor shall identify the site where the **excess/borrow** earthen material shall be imported/deposited. If the **borrow/deposit** site is within the City of Roseville, the contractor shall produce a report issued by a geotechnical engineer to verify that the exported materials are suitable for the intended fill, and shall show proof of all approved grading plans. Haul routes to be used shall be specified." (Engineering)*
18. The applicant shall dedicate a separate drainage easement to the City of Roseville for the storm drain facility required to transfer public storm waters through the site. The easement document shall be drafted for approval and acceptance by the City of Roseville, and recorded at the County Recorder's Office. (Engineering)

19. The grading plans for the site shall be accompanied with a shed map that defines that area tributary to this site. All drainage facilities shall be designed to accommodate the tributary flow. All on-site storm drainage shall be collected on site and shall be routed to the nearest existing storm drain stub of natural drainage course. (Engineering)
20. Prior to approval of improvement plans, drainage calculations must be submitted that are consistent with the City of Roseville storm drain standards. (Engineering)
21. All private subdivision entrances shall be design and constructed per City Standards. The entrances shall be owned and maintained by the HOA. (Engineering)
22. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system or natural drainage facility. Prior to discharge from the site, the storm water shall be treated with appropriate storm water pollution treatment device(s). Any drainage outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. All drainage facilities on site shall be privately owned and maintained (by the Home Owners Association). The City has no responsibility in the maintenance of the drainage facilities and will not assume any responsibilities for maintenance in the future. (Engineering)
23. 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, rockery, keystone type construction, or cast in place concrete with fascia treatment. (Engineering)
24. The developer shall be responsible for any necessary relocation of signal interconnect cables that may require re-location as a result of the construction of turn lanes and/or driveways. (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. Improvement plans shall show the Preserve boundary and label it as a protected area. The Pre-Construction meeting shall address the presence of the Preserve, the sensitive habitats present and minimization of disturbance to the Preserve. During grading and construction the preserve area shall be avoided and shall not be used for parking, storage, or project staging. The contractor shall remove all trash blown into the preserve from adjacent construction on a daily basis. After construction is complete, the temporary fencing shall be removed from the preserve, along with all temporary erosion control measures (e.g., straw bales, straw waddles and stakes, silt fencing). (Engineering, Development Services, Planning)
28. Prior to construction within any phase of the project, high visibility temporary construction fencing shall be installed along the parcel adjacent to the Preserve. Fencing shall be maintained daily until permanent fencing is installed, at which time the temporary fencing shall be removed from the project site. (Engineering, Development Services, Planning)
29. With the exception of access required for maintenance and/or emergency vehicles, the project shall be designed to prevent vehicle access into the Preserve. Post and cable fencing or other improvements shall be utilized to meet this requirement. (Engineering, Development Services, Planning)

30. Landscaping adjacent to the Preserve shall be California native, drought-tolerant groundcover, shrubs, plants, and trees. (Development Services, Planning)
31. **Prior to the approval of the Improvement Plans**, the project proponent shall provide proof of preparation and submittal of a Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Quality Control Board (RWQCB). Proof shall be in the form of the Waste Discharge Identification Number (WDID#), provided to the applicant from RWQCB, placed on the coversheet of the improvement plans. Upon approval of the improvement plans, a copy of the SWPPP shall be required
32. 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)
33. 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.
  - 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 feet 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.
  - c. Water and sewer mains shall not exceed a depth of 12 feet below finished grade, unless authorized in these conditions.
  - d. All sewer manholes shall have all-weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
34. Any backflow preventers visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventers 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 preventer 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 preventer shall be covered with a green cover that will provide insulation. (Environmental Utilities)
35. 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)

36. Residents in dead end alleys (Sawgrass Court) are required to bring their trash bins to a designated pick up area on the main street (Bandon Dunes). Wording to this effect shall be included in the CC&Rs. (Environmental Utilities)
37. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
38. Minimum fire flow is 1,500 gallons per minute with 20 pounds of 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)
39. 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)
40. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
41. 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)
42. All landscaping in areas containing electrical service equipment shall conform to the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching." (Electric)
43. 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)
44. 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**

45. The following easements shall be provided and shown on the Final Map or by separate instrument, unless otherwise provided for in these conditions:
  - a. A 10' (12.5' for Diamond Oaks) foot wide public utilities easement along all road frontages;
  - b. Storm Drain easements;

Easement widths shall comply with the City's Improvement Standards and Construction Standards. The easement documents shall be drafted for approval and acceptance by the City of Roseville and recorded at the Placer County Recorder's Office. (Environmental Utilities, Electric, Engineering)
46. All existing easements shall be maintained, or shown to be abandoned on tentative subdivision map, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
47. 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. (Alternative Transportation, Environmental Utilities, Electric, Engineering)
48. 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: (Attorney, Planning)

- a. A clause prohibiting the amendment, revision or deletion of any sections in the CC&Rs required by these conditions of approval without the prior written consent of the City Attorney.
  - b. A clause excluding any property owned by the City from the terms of the CC&Rs.
  - c. Residents in courts or other dead-end areas (Sawgrass Court) shall be required to bring their trash bins to a designated trash pickup area on the main street (Brandon Dunes), because refuse trucks are not able to turn around in dead end streets. Designated pick-up areas shall be established to Environmental Utilities satisfaction, and shall be memorialized in the CC&Rs. (Environmental Utilities).
  - d. There shall be clear language regarding maintenance and common easements agreement for servicing all fire protection systems and gates used by the first responders. A service company shall be obtained to maintain all on-site fire protection systems including all common interior adjoining fire sprinkler-piping penetrations and private fire hydrants. An agreement between owners and tenants shall be made to allow permission to enter the premises to inspect all apparatuses associated with fire protection. Draft documents shall be provided to the Fire Department for review. (Fire)
49. 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.
    - i. 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)
50. Street names shall be approved by the City of Roseville. (Engineering)
51. The subject property shall be annexed into Infill, CFD No. 4 prior to approval of the Final/Parcel Map. This property is being added into this district in order to fund the ongoing City maintenance brought on by the subdivision. It is the applicant's responsibility to prepare the appropriate documentation for the annexation of this property into the CFD. In order to allow the CFD to be in place at the beginning of the fiscal year, the documentation shall be provided to the Finance Department not later than March 15 of the year preceding the fiscal year in which this annexation will become effective. (Finance, Engineering)
52. 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. (Engineering)
53. 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)
54. 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)
55. The cost of any facilities which 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)
56. 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)

57. A 10' electrical easement shall be required for lots 37 and lot 38.

58. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

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

59. 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)

60. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)

61. 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)

62. 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)

63. 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)

64. 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)

65. The Tentative Subdivision Map shall not be deemed approved until the actions on the Rezoning and General Plan Amendment are approved and become effective. (Planning)

#### **CONDITIONS OF APPROVAL FOR THE TREE PERMIT – FILE #PL21-0162**

#### **PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE**

1. All recommendations contained in the Arborist Report (Exhibit E) are incorporated by reference into these conditions, except as modified herein. (Planning)

2. Trees #424, 6501, 6503, 6504, 6508 to 6549, 6555 to 6568, 6573 to 6575, 6578 to 6581, 6584, 6591 to 6598, 6603 to 6617, 6619 to 6620, 6624 to 6639, 6659, 6665, 6670, 6702 to 6710, 6736 to 6742, 6749, 6750, 6753 to 6757, 6760 to 6762, 6764, 6765, 6771, 6773, 6775 to 6777, 6779, 6787 to 6805, 6807, 6808, 6810, 6811, and 6824 (or as listed in Exhibits E and F) are approved for removal with this tree permit. All other native oak trees shall remain in place. Trees to be removed shall be clearly marked in the field and inspected by Planning Staff prior to removal. Removal of the trees shall be performed by or under the supervision of a certified arborist. (Planning)

3. The developer shall be responsible for the replacement of the total number of inches proposed for removal prior to any tree removal. The total number of inches for this project is 2,423. Mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan or in these

conditions. Mitigation may be provided in the form of payment in the amount of \$285,914 (\$118 per inch), or in combination with plantings of non-native and native trees on site. (Planning)

4. No activity shall be permitted within the protected zone of any native oak tree beyond those identified by this report. Encroachment into the protected zone of Trees #6506, 6507, 6550, 6554, 6572, 6583, 6585, 6588, 6589, 6599, 6600, 6602, 6618, 6621, 6623, 6652, 6701, 6711 to 6715, 6743, 6748, 6772, 6774, 6778, 6781 to 6784, 6786, 6806, and 6809 (or as listed in Exhibit E) as shown in Exhibit F and described in the staff report is permitted. (Planning)
5. A \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning Division) shall be posted to ensure 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, driveways, 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 Division 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. Where encroachment is permitted pursuant to Condition 4, above, 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 DIVISION". (Planning)
9. Once the fencing is installed, the applicant shall schedule an appointment with the Planning Division 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 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 Arboriculture (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)

12. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning Division and the Engineering Division 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 Division and Engineering Division two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)
13. The following information must be located on-site during construction activities: Arborist Report, approved site plan/improvement plans including fencing plan, and conditions of approval for the Tree Permit. All construction must follow the approved plans for this tree permit without exception. (Planning)
14. All preservation devices (aeration systems, oak tree wells, drains, special paving, etc.) shall be designed and installed as required by these conditions and the arborist's recommendations, and shall be shown on the improvement plans or grading plans. (Planning)
15. If any native ground surface fabric within the Protected Zone must be removed for any reason, it shall be replaced within forty-eight (48) hours. (Planning)
16. Storage or parking of materials, equipment, or vehicles is not permitted within the Protected Zone of any oak tree. Vehicles and other heavy equipment shall not be operated within the Protected Zone of any oak tree. (Planning)
17. Where recommended by the arborist, 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)
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 Division. In no event shall the fencing be removed before the written authorization is received from the Planning Division. (Planning)

#### **PRIOR TO ISSUANCE OF FINAL**

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 Division. The certification letter shall attest to all of the work (regulated activity) that was conducted in the protected zone of the tree, either being in conformance with this permit or of the required mitigation still needing to be performed. (Planning)
20. The approval of this Tree Permit shall expire on the same expiration date as the Tentative Subdivision Map. (Planning)

#### **ATTACHMENTS**

1. Water and Sewer Demands Memo, MacKay & Somps, October 2021
2. Public Comments
3. Staff's Response to Robert and Jane Maccione's Comments

#### **EXHIBITS**

- A. GPA Exhibit
- B. General Plan Land Use Map
- C. Rezone Exhibit
- D. Plans

- E. Arborist Report
- F. Tree Removal Exhibit
- G. Combined CEQA Document
- H. Initial Study/Mitigated Negative Declaration Attachments 1-5
- I. Initial Study/Mitigated Negative Declaration Attachments 6-7
- J. Initial Study/Mitigated Negative Declaration Attachments 8-11
- K. Initial Study/Mitigated Negative Declaration Attachments 12-15

**Note to Applicant and/or Developer:** Please contact Planning Division 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 Manager at, or prior to, the public hearing.