

ITEM 6.1: **Tentative Subdivision Map and Tree Permit – 1028 Main Street – INFILL PCL 13 – 1028 Main St. Subdivision – File #PL21-0372**

REQUEST

The applicant requests a Tentative Subdivision Map to subdivide Infill Parcel 13 into 10 residential lots. Further, a Tree Permit is requested to allow removal of five (5) native oak trees and encroach within the protected zone of two (2) native oak trees to accommodate the future subdivision.

Applicant – Jack C. Scroggs, KASL Consulting Engineers
Property Owner – Kasha T. & Chad Phillips

SUMMARY RECOMMENDATION

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

1. Adopt the 1028 Main Street Subdivision Initial Study Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
2. Adopt the three (3) findings of fact and approve the Tentative Subdivision Map subject to fifty-eight (58) conditions of approval; and
3. Adopt the two (2) findings of fact and approve the Tree Permit subject to twenty (20) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

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

BACKGROUND

The project site is located within the City's Infill area, specifically on Parcel 13. The project site is a single parcel approximately 2.5-acres in size, located at the northeast corner of Main Street and Porter Drive (see Figure 1). The site is currently vacant with scattered almond trees (*Prunus dulcis*), native oak trees, and annual grassland. The project site has a General Plan land use designation of Low Density Residential (LDR-4) and a zoning designation of Single-Family Residential (R1). Surrounding uses include a single-family dwelling unit to the north and east, single family dwelling units to the south across Main Street, and William Kaseberg Elementary School to the east, across Porter Drive.



Proposed Project

The proposed project is to subdivide the existing 2.5-acre parcel into 10 residential lots. The lots would range in size between 9,900 square-feet and 11,000 square-feet, with one parcel proposed to be 12,300 square-feet. All of the parcels will have street frontage along Porter Drive. In addition, the applicant requests a Tree Permit to remove five (5) native oak trees and encroach within the protected zone of two (2) native oak trees to accommodate the future subdivision.

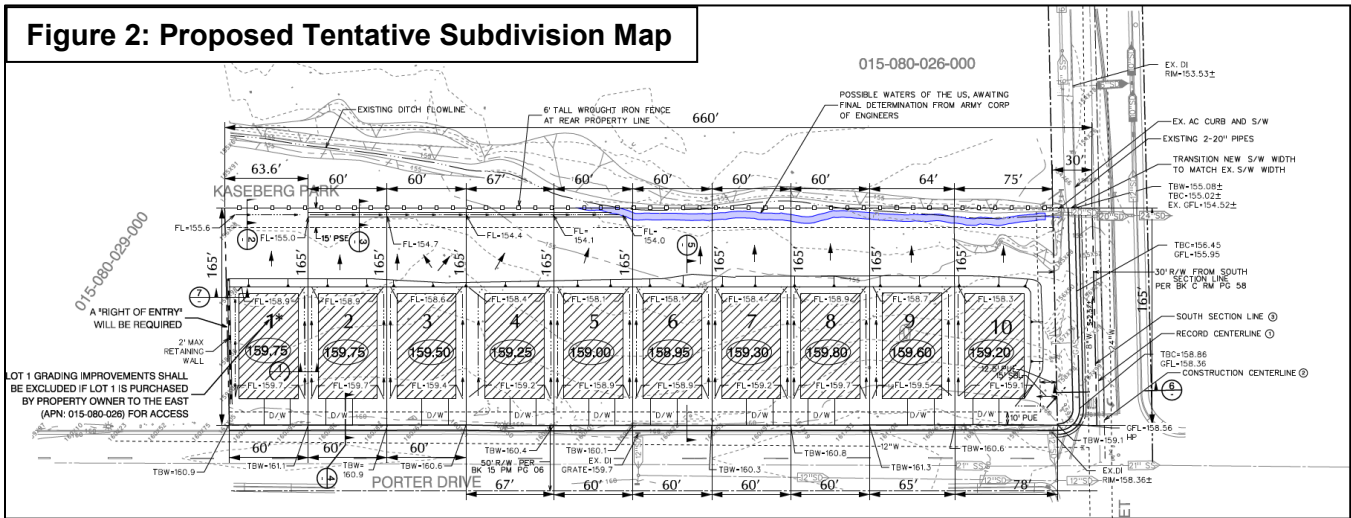
EVALUATION: TENTATIVE SUBDIVISION MAP

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 ***italicized, bold*** text 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 or any applicable Specific Plan for the area, whichever is more restrictive, and the design standards of the Subdivision Ordinance.***

As mentioned above, the applicant proposes to subdivide an existing parcel totaling approximately 2.5 acres into 10 residential lots. Consistent with other lots in the City, the proposed subdivision configuration will create practical lots for the development of residential uses. Access to each lot will be provided along Porter Drive. The subdivision layout and street design was reviewed by the City's Engineering Division and the Fire Department to ensure there are adequate street widths for circulation and emergency response.

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 Zoning Ordinance specifies that newly created interior lots in the R1 zone be a minimum of 6,000 square feet in area with a width of 60 feet, and 7,500 square feet in area with a width of 75 feet when located on a corner. All of the lots within the subdivision will exceed these minimum lot area standards and will have an average lot area of 9,000 square feet, with the exception of Lot 10 which is proposed to be 12,300 square feet. As illustrated in Figure 2, Lots 1-3 and Lots 5-8 all have a lot width of 60 feet and Lots 4, 9, and 10 will have a slightly larger lot width. The applicant intends to provide a single-family home product that will be similar in design with the existing community. As no building footprints are included with this application, consistency with other standards such as height and setbacks will be evaluated at the time plot plans are submitted for building permit review. Based on the parcels design, size, location, orientation, and the lots consistency with the General Plan Land Use Density, the proposed project is consistent with the applicable development standards.



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 lots are of sufficient size and shape to accommodate development that is consistent with the applicable zoning and design requirements. As mentioned above, the lots meet the minimum lot size standards for R1 designated parcels. The R1 standards have been determined to be of adequate size and shape to support development consistent with the Zoning Ordinance.

The subdivision is located on vacant land that slightly slopes from Main Street and Porter Drive towards the northeast corner of the parcel. The site is relatively flat with the highest point of the property being the southwest corner, which is approximately 5-feet higher than the rest of the property. Additionally, an intermittent drainage that runs north to south is present along the eastern property line. In accordance with U.S. Army Corps of Engineers protocol, an Aquatic Resources Delineation report, provided by Gallaway Enterprises, dated June 2022 (Attachment 2) was completed for the project. Additionally, a Biological Resources Assessment (Attachment 3) was completed at the same time for the project.

In short, both reports found no wetlands or sensitive habitats on the site, but did identify one feature on the site to be a possible “other waters of the United States” (OW). OW are seasonal or perennial water bodies, including lakes, stream channels, ephemeral and intermittent drainages, ponds, and other surface water features that exhibit an ordinary highwater mark, but lack positive indicators for one or more of the three wetland parameters (i.e., hydrophytic vegetation, hydric soil, and wetland hydrology). This OW feature was identified as an intermittent drainage which could potentially be subject to both State and Federal wetland regulations. Condition #10 of the Tentative Subdivision Map requires the applicant to receive all necessary permits from the US Army Corps and Regional Water Quality Control Board prior to any grading or construction on the site.

A preliminary grading and utility plan were reviewed by the City’s Engineering Division and no conflicts with the proposed grading and utility plan have been identified.

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.

Anticipated water quality impacts and discharge of waste are not affected by the proposed map. The Tentative Subdivision Map is consistent with the 2035 General Plan Update Environmental Impact

Report, which anticipated the required infrastructure necessary to support a development of this intensity on the project site. The project has been reviewed by the Engineering division to ensure that adequate facilities will be provided. The City’s Dry Creek Wastewater Treatment Plant has adequate conveyance and capacity to accommodate development on the parcels created by the Tentative Subdivision Map.

Based on the evaluation above, staff believes that the required findings can be made to approve the Tentative Subdivision Map for the proposed residential lots.

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 of five (5) native oak trees and encroachment within the protected zone of two (2) native oak trees in preparation of future development of the site. 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 BrightView Tree Care Services, dated March 13, 2023 (see Attachment 1). A total of 11 protected valley oak trees were found on the project site (see Table 1). According to the arborist report, the health of each tree varies but overall the trees are in fair health. Removal of five (5) native oak trees is requested in order to accommodate the future development of the site.

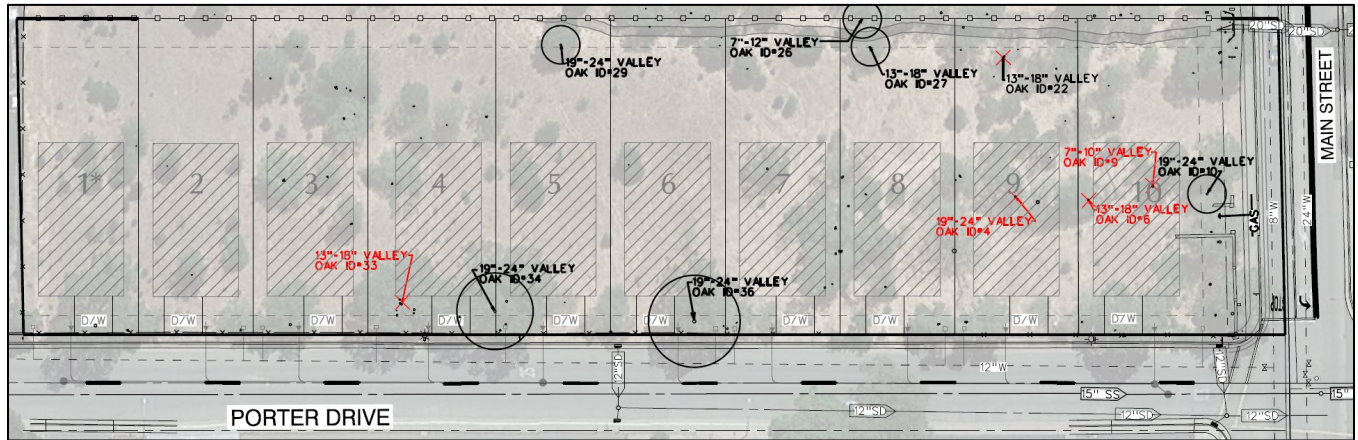
Table 1: Protected Oak Trees Located Onsite

Tree #	Common Name	Diameter at Breast Height (DBH)	Tree Condition	Proposed for Removal
4	Valley Oak	19”	Over 60% of the tree canopy is in decline.	Yes
6	Valley Oak	14”	Tree is in final stages of decline.	Yes
9	Valley Oak	8”	Good health	Yes
10	Valley Oak	18”	Good health	No
22	Valley Oak	12”	Tree is in final stages of decline.	Yes
26	Valley Oak	10”	Good health. Tree could benefit from structure pruning.	No
27	Valley Oak	13”	Tree is in final stages of decline.	No
29	Valley Oak	18”	Good health	No
33	Valley Oak	12”	Tree health is declining, potential candidate for removal.	Yes

34	Valley Oak	21"	Good health	No
36	Valley Oak	19"	Good health	No

The applicant proposes to comply with the compensation requirements of the City’s Tree Preservation Ordinance. The applicant proposes to remove oak trees #4, #6, #9, #22, and #33 (see Figure 3). The total number of mitigation inches for this project is 65. Further, based on the design of the future single family homes on Lots 4-6, it is anticipated that encroachment within the protected zone of oak trees #26 and #10 will occur. According to the Arborist Report (see Attachment 1) and the Tree Removal Plan (see Exhibit C), the construction of the wrought iron fence along the norther property line and the development of Lot 10 will result in a 32% encroachment within the protected zone of oak tree #26 and a 20% encroachment within the protected zone of oak tree #10. Mitigation can be completed with a combination of on-site planting and payment into the City’s in-lieu fee program. The funds in the City’s in-lieu fee program are used for the replanting and preservation of trees throughout the City and are calculated at a rate of \$118 per inch of tree removed when measured at the tree’s diameter at breast height (DBH). The tree mitigation fee is required to be paid prior to the removal of the tree and prior to issuance of any permits.

Figure 3: Oak Tree Location



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 the 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. A notice of the public hearing was published in the Roseville Press Tribune on February 10, 2023 and a notice of the hearing was also distributed to all property owners within 300 feet of the site and posted on the RCONA website. The City received two (2) inquiries from nearby residents related to the project location and scope of work. As of this writing, there are no outstanding issues associated with this request. No comments have been received as of publication of the staff report.

ENVIRONMENTAL DETERMINATION

As required by the California Environmental Quality Act (CEQA), the City of Roseville, acting as Lead Agency, prepared an Initial Study Mitigated Negative Declaration (IS/MND) to evaluate the environmental effects of the project. The document was released for a 20-day public comment period, which began on January 26, 2023 and ended February 15, 2023. The document analyzed the potential for environmental impacts due to project implementation and determined that potentially significant impacts related to Biological Resources could be reduced to less than significant levels with mitigation. The Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program are included as Exhibit A.

RECOMMENDATION

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

1. Adopt the 1028 Main Street Subdivision Initial Study Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
2. Adopt the three (3) findings of fact and approve the **TENTATIVE SUBDIVISION MAP – 1028 MAIN STREET – INFILL PCL 13 – 1028 MAIN ST. SUBDIVISION – FILE #PL21-0372** subject to fifty-eight (58) conditions of approval; and
3. Adopt the two (2) findings of fact and approve the **TREE PERMIT – 1028 MAIN STREET – INFILL PCL 13 – 1028 MAIN ST. SUBDIVISION – FILE #PL21-0372** subject to twenty (20) conditions of approval.

CONDITIONS OF APPROVAL FOR THE TENTATIVE SUBDIVISION MAP – FILE #PL21-0372

1. This Tentative Subdivision Map approval shall be effectuated within a period of two (2) years from March 23, 2023 and if not effectuated shall expire on March 23, 2025. Prior to said expiration date, the applicant may apply for an extension of time. (Planning)
2. The project is approved as shown in Exhibits A-E and as conditioned or modified below. (Planning)
3. The approval of this Tentative Map or tentative site 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)
4. 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)
5. 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)
6. 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, Electric, Finance)

7. The project shall comply with all required environmental mitigation identified in the 1028 Main Street Subdivision Initial Study Mitigated Negative Declaration, 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

8. 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 City of Roseville Water Efficient Landscape Ordinance. (Planning, Engineering, Parks, Fire, Environmental Utilities)
9. 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)
10. The applicant shall submit to the Engineering Division the appropriate Army Corps of Engineers permit or clearance, the California Department of Fish and Game Stream Bed Alteration Agreement, and/or the Regional Water Quality Control Board Water Quality Certificate. (Planning)
11. 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)
12. 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)
13. 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)
14. 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)
15. 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)

16. 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)*

17. 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)

18. The applicant shall provide 4' concrete sidewalk at the back of the existing curb for the length of the project along Porter Drive. (Engineering)

19. The applicant shall provide City standard 3' curb-gutter, 4' concrete sidewalk and paving along Main Street consistent with the Tentative Map Grading and Site Plan as part of this entitlement. (Engineering)

20. 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)*

21. The applicant shall dedicate all necessary rights-of-way for the widening of any streets required with this entitlement. A separate document shall be drafted for approval and acceptance by the City of Roseville, and recorded at the County Recorder's Office. (Engineering)

22. 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 coarse. (Engineering)

23. All storm drainage, including roof drains, shall be collected on site and treated with Best Management Practices (BMP's) per the City's Stormwater Quality Design Manual. All storm water shall be routed to the nearest existing storm drain system or natural drainage facility. Drain outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. The grading/improvement plans for the site shall be accompanied with a shed map that defines that area tributary to this site and all drainage facilities shall be designed to accommodate the tributary flow. If located within a private subdivision, the storm drain system and proposed BMP's shall be privately owned and maintained by the property owner, unless otherwise identified on the approved tentative

map. Prior to the issuance of any permits, the owner shall provide a plan for the maintenance of the proposed BMP's. (Engineering)

24. 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. (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. **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 onsite and available for viewing by City inspection staff upon request. (Engineering)
27. 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)
28. 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)
29. 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)
30. 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)
31. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
32. 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)
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 street lights 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 to 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 Map or by separate instrument, unless otherwise provided for in these conditions:
- a. A 12.5 foot wide public utilities easement along all road frontages;
 - b. The applicant shall provide a 15' wide private storm drain easement between the owners of Lots 1-10 for the transfer of storm water through rear portion of 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.

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)

40. 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. (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. (Alternative Transportation, Environmental Utilities, Electric, Engineering)
43. 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)
44. Street names shall be approved by the City of Roseville. (Engineering)
45. The subject property shall be annexed into Community Facilities District No. 4 – Public Services (CFD 4), or form a new CFD, prior to approval of the Final/Parcel Map. This property is being added into this district in order to fund the ongoing maintenance for the public improvements that require maintenance or servicing. 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)
46. 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)
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. 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)
49. 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)
50. 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)
51. 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)
52. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

53. 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)
54. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
55. 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)
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. 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)
58. 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)

CONDITIONS OF APPROVAL FOR THE TREE PERMIT – FILE #PL21-0372

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

1. All recommendations contained in the Arborist Report (Attachment 1) are incorporated by reference into these conditions, except as modified herein. (Planning)
2. Tree(s) # 4, #6, #9, #22, and #33 (or as listed in Exhibit C) 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 65. Mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan or in these conditions. (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 Tree(s) #10 and #26 as shown in Exhibit C 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 run with the Tentative Subdivision Map and expire on the same date as the Map. (Planning)

ATTACHMENT

1. Arborist Report
2. Aquatic Resources Delineation Report
3. Biological Resources Assessment

EXHIBITS

- A. Initial Study Mitigated Negative Declaration
- B. Tentative Subdivision Map and Grading Plan
- C. Tree Removal Plan
- D. Water and Sewer Plan
- E. DMA Pervious and Impervious Areas

<p>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.</p>
