

PLANNING

CITY OF ROSEVILLE

TRADITION PRIDE ■ PROGRESS

316 VERNON STREET, 104 ■ ROSEVILLE, CA 95678 ■ PHONE (916) 774-5276 ■ FAX (916) 774-5129

September 24, 2001

Mr. Bruce Minton
Oak Creek BMX
1897 Dean Drive
Yuba City, CA 95993

Re: 648 Riverside Avenue -- Oak Creek BMX Track -- Wet and Dry Season Operation

Dear Mr. Minton:

On September 5, 2001, the City Council unanimously voted to uphold the appeal on Administrative Permit number AP 00-52 and deny the Administrative Permit for wet season storage of track related equipment. To clarify this action and prior permit approvals (Attachment 1), this letter restates conditions of approval relating to the timing, location, and future operation of the track during the wet and dry season.

1. Year round operation & maintenance

- The following items are permitted to be on the site year round:
 - Starter Shack (SEUP 92-2, Condition 1a);
 - Perimeter fence posts (SEUP 92-2, Condition 1a); and
 - The post and cable system that was installed in 1985, along Riverside Avenue as well as the traffic barriers installed around the parking areas shall remain year round to control traffic and access to the site (SEUP 92-2, Conditions 1c & 1d).
- Races are permitted to take place year round.
- All operations associated with the BMX Track must be confined to the area zoned for commercial uses (SEUP 92-2, Condition 2 and Site Plan, Attachment 2)
- Parking: Year round parking is limited to the gravel area adjacent to Riverside Avenue and a portion of the site north of the track as demonstrated on the Summer Site Plan for the BMX Track (Attachment 2). Barriers shall be placed around the perimeter of the parking area to prohibit traffic from parking under the oak trees on site. In addition, the parking area off of Vernon Street shall be mowed to reduce fire hazards (SEUP 92-2, Condition 1d & SUP 91-61, Condition 1). In accordance with the Fire Department's weed abatement program, mowing should be done by June 1st of each year.
- Maintenance of the track will be allowed, including re-grading (The track consists of 50 cubic yards of material). The grading permitted is for the redistribution of the

mounds and jumps for maintenance purposes, but does not allow for further expansion of the track or the import of fill (SEUP 92-2, Condition 1b).

- **Tree Maintenance:** Annual programs of light tilling, discing or deep water probing shall be performed in traffic areas within the protected zones of the native oak trees. A mulch padding or similar practice as approved by a certified arborist shall be installed to reduce compaction problems, provide weed control, and provide nutrient replenishment (TP 91-29, Condition 2). Tree maintenance shall be done by June 1st of each year. A letter indicating that the annual maintenance has been completed, including a description of the work that was done shall be submitted to the Planning Department within five days of completion.
- The track operator shall institute a dust minimization program. This may be done by keeping exposed soil wet or through other means determined acceptable and appropriate (SUP 91-61, Condition 4). ***Please provide the Planning Department with the name and phone number of a contact person responsible for maintaining the dust minimization program.***

2. Wet season operation (October 15th to April 15th)

- The following items shall be removed from the site by October 15th of each year (SEUP 92-2, Condition 1a):
 - track perimeter fence (with the exception of the fence posts);
 - sign-up booth;
 - bleachers;
 - fencing;
 - concession trailers;
 - track equipment trailer;
 - dumpster;
 - portable restrooms; and,
 - any other track related equipment or structures with the exception of the starter shack, which was approved as a permanent structure by the 1992 City Council action (SEUP 92-2, SUP 91-61, & TP 91-29).
- As per the 1992 approval, races will be permitted during the wet season and the equipment mentioned above may be temporarily installed for the period of the individual racing events, **but must be dismantled and removed from the property at the end of each day** (SEUP 92-2, Condition 1a).

3. Dry season operation (April 15th to October 15th)

- During the dry season the following items are allowed to remain on-site:
 - track perimeter fence;
 - sign-up booth;

- bleachers;
 - fencing;
 - concession trailers;
 - track equipment trailer;
 - dumpster;
 - portable restrooms;
 - starter shack; and,
 - any other track related equipment or structures approved by the Planning Department.
- The above referenced items shall be located as shown on the Summer Site Plan for the BMX Track (Attachment 2).

4. Special Events

- Parking shall be allowed under the trees during special events, a maximum of 3 times per year (TP 91-29). A letter of notification shall be provided from the track operator to the City of Roseville Planning Department at least 30 days prior to an event taking place which would utilize the temporary parking area.

A site inspection will be conducted on October 16, 2001 to verify that the project is in compliance with the wet season operation as described above.

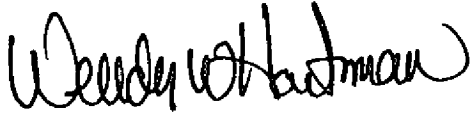
At the City Council meeting on September 5, 2001, some questions were raised regarding some possible permit violations at the track. These included a solid wood fence and an electrical outlet that is less than a foot from the ground (concern regarding the outlet not having a ground fault). Planning inspected the site on September 24, 2001 and concluded that the wooden fence was not a permanent structure, but was a temporary fence that had been used over the past several years to screen as well as limit access to various equipment that is left on site during the dry season (the fence will be removed from the site during the wet season). The electrical outlet was inspected by the Building Department on September 24, 2001. The Inspector concluded that the outlet in question was a smashed receptacle with no power running to it. To alleviate any potential issues with the outlet in the future the inspector has requested that the receptacle be removed.

Finally, we would like to inform you that the City Council recently adopted an ordinance (Ordinance No. 3722) which allows for administrative enforcement of the Roseville Municipal Code (Attachment 3). Under this ordinance administrative citations with fines (amount of fine determined by reference to the bail schedule) will be issued for one time, non-continuing code violations. Imposition of the fine will be automatic. This ordinance also contains a procedure for handling continuing violations, including provisions for criminal prosecution and daily penalties (\$25 to \$500 daily with a \$50,000 maximum for any set of related violations). Therefore, in order to avoid incurring any

finer, it is pertinent that you abide by all conditions of approval for the project (Attachment 1).

Please do not hesitate to call me if you have any questions regarding this letter.

Sincerely,



Wendy W. Hartman
Assistant Planner

Attachments:

1. Conditions of Approval (SUP 91-61, SEUP 92-2, & TP 91-29)
2. Summer Site Plan for the BMX Track
3. Administrative Enforcement Ordinance

CC: Jewelyn Williams, Code Enforcement
Patty Dunn, Community Development Director
Kevin Payne, Permits Manager
Michelle Scheidenberger, City Attorney's Office
Roseville City Council