

ITEM 6.1: Tentative Subdivision Map and Tree Permit – 1010 Main Street – INFILL PCL 13 – Oakleaf Estates Subdivision – File #PL23-0198

REQUEST

The applicant requests a Tentative Subdivision Map to subdivide Infill Parcel 13 into 17 residential lots. Additionally, a Tree Permit is requested to allow removal of one-hundred ten (110) native oak trees and encroach within the protected zone of ten (10) native oak trees to accommodate the future subdivision.

Applicant – Sean Minard, MHM Incorporated
Property Owner – Patrick Laughlin & David Lanza, LENDCO LLC

SUMMARY RECOMMENDATION

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

1. Adopt the Oakleaf Estates 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 sixty-six (66) conditions of approval; and
3. Adopt the two (2) findings of fact and approve the Tree Permit subject to twenty (20) conditions of approval.

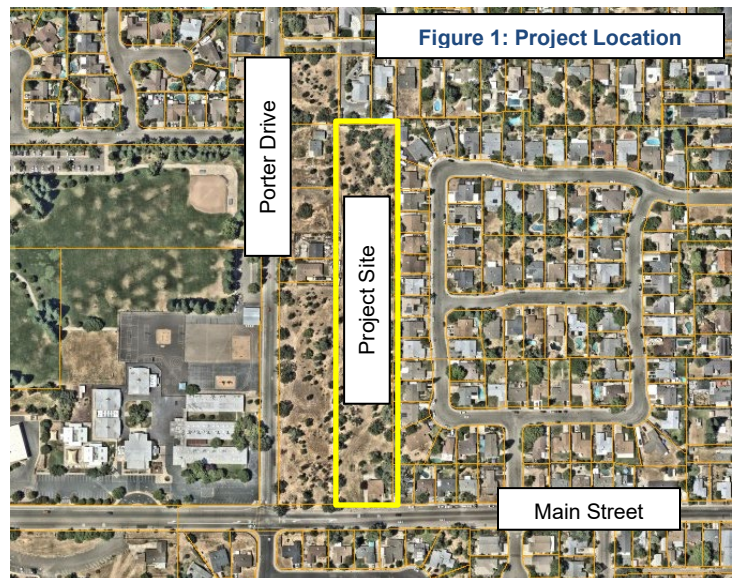
SUMMARY OF OUTSTANDING ISSUES

The project has generated significant community interest and involvement throughout the entitlement process. A summary of the neighborhood concerns and of the neighborhood meetings held on June 26 and July 24, 2024 is located in the Public Outreach section of this report. Letters that were received by City staff prior to the publication of this report on September 9th, 2024 are included in Attachment 5.

There are no outstanding concerns related to City departmental review or with the applicant at this time. The applicant has reviewed and is in agreement with all of the recommended conditions of approval.

BACKGROUND

The project site is a single parcel approximately 4.24 acres in size, located at 1010 Main Street on Parcel 13 of the City's Infill area (see Figure 1). The site is occupied by a single-family dwelling unit at the southern end fronting Main Street, with most of the site undeveloped. The site contains scattered non-native trees interspersed within a valley oak woodland with an understory of annual grassland. An intermittent drainage channel that runs north to south is present along the western property line, as well as seasonal swales and wetlands. 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 single-family dwelling units to the north, west and east, and single-family dwelling units to the south across Main Street. The 1028 Main Street property to the west is actively under construction with a single-family subdivision of 10 units.

Proposed Project

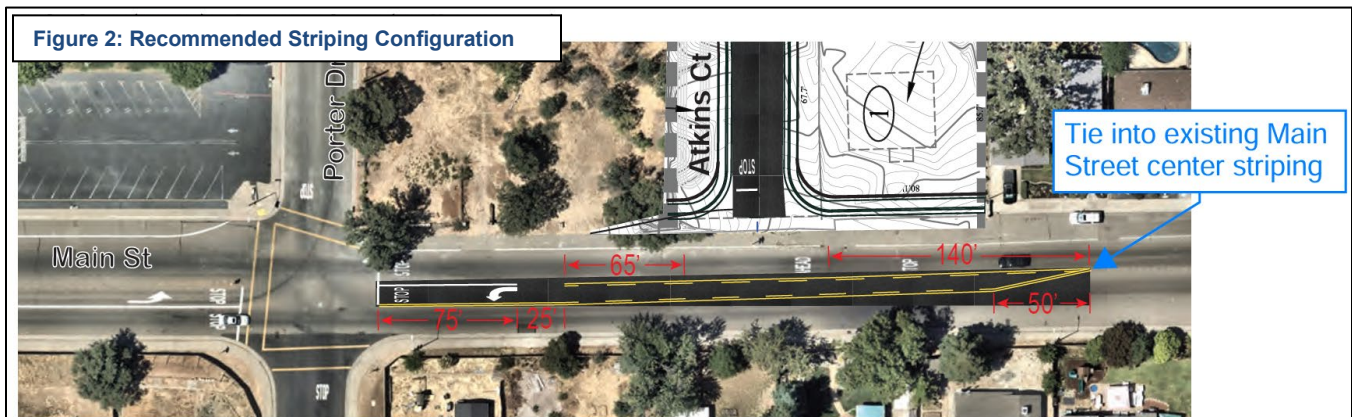
The proposed project is to subdivide the existing 4.24-acre parcel into 17 residential lots. The land use designation of LDR-4 allows for 4 units per acre, which means a maximum of 17 units is allowed based on the size of the parcel. The lots average in size between 6,500 square feet and 7,000 square feet, with the lot on the Main Street frontage (Lot 1) exceeding 8,000 square feet. All of the parcels will have frontage along a newly created street that will be accessed via Main Street at the southern end of the site. In addition, the applicant requests a Tree Permit to remove one-hundred ten (110) native oak trees and encroach within the protected zone of an additional ten (10) native oak trees to accommodate the future subdivision.

EVALUATION: TENTATIVE SUBDIVISION MAP

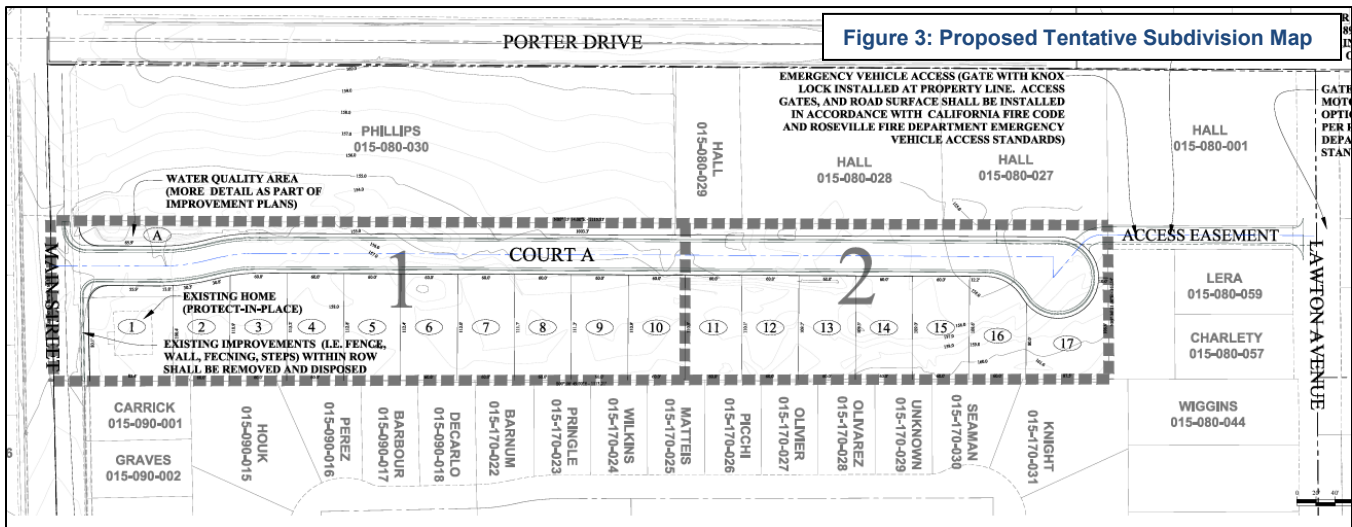
Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a tentative subdivision map. The three findings are listed below in *italicized, bold* text and are followed by an evaluation of the map in relation to each 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 4.24 acres into 17 residential lots. Consistent with other lots in the City, the proposed subdivision configuration will create practical lots for the development of residential uses. The subdivision layout and street design was reviewed by the City’s Engineering Division and Fire Department to ensure adequate street widths for circulation and emergency response. Access to each lot will be provided along a newly created drive accessed from Main Street at the southern end. Per the Fire Department’s requirements, an emergency vehicle access easement has been provided at the northern end of the site. The City also commissioned a transportation analysis by Kimley Horn to evaluate traffic impacts of the proposed subdivision on Main Street and Porter Drive (see Attachment 4). The study concluded that adjacent intersection would operate at acceptable levels during peak hours and proposed a new striping configuration for access to the subdivision along Main Street (see Figure 2 below). The applicant incorporated this striping configuration as part of their revised plans (see Sheet 7 of Exhibit B). The Engineering Division reviewed and confirmed that the proposed layout is adequate to provide access to the site.



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 lots within the subdivision will exceed these minimum lot area standards and will have an average lot area of 6,700 square feet, with the corner lot fronting Main Street over 8,000 square feet in size. As illustrated in Figure 3, Lots 2-16 all have a lot width of 60 feet and Lots 1 and 17 will have a lot width exceeding 80 feet.



The applicant intends to provide a single-family home product that will be similar in design and profile to the existing community. Exact building footprints are not included with this application, but preliminary pad locations were shown that meet the setback standards for the R1 district. Staff will evaluate standards such as final building heights and setbacks at the time plot plans are submitted for building permit review. Additionally, pad locations may be revised to preserve as many protected trees on site as possible. Based on the lot design, size, location, orientation, and 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 exceed 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 proposed on a primarily vacant parcel occupied by a single-family home at the southern end that slopes gently upward from Main Street towards the northeast corner of the site. The highest point of the property is the northeast corner, which is approximately 5-feet higher than the lowest point of the property, the southwest corner. Additionally, an intermittent drainage feature that runs north to south is present along the western property line. In accordance with U.S. Army Corps of Engineers protocol, an Aquatic Resources Delineation Report, provided by Gallaway Enterprises, dated July 2022 (Attachment 2) was completed for the project. Additionally, a Biological Resources Assessment completed by the same firm, dated August 2022 (Attachment 3) was also provided for the project.

In short, the reports found five total wetland features on the site, including three seasonal swales and two seasonal wetlands (totaling 0.037 acres in size), and one 0.075 acre “other waters of the United States” (OW), for a total of 0.112 acres of aquatic resources on the site. Of the five wetlands identified within the Project site, only two meet the criteria to be considered jurisdictional features. To confirm the jurisdictional status of Waters of the United States (WOTUS) within the Project site, a significant nexus determination will need to be conducted by the Corps. Condition #10 of the Tentative Subdivision Map, as well as Mitigation Measure BIO-2 as listed in the Initial Study/Mitigated Negative Declaration, 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 and Environmental Utilities Department 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 one-hundred ten (110) native oak trees and encroachment within the protected zone of ten (10) 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 Gallaway Enterprises, dated April 17, 2023 (see Attachment 1). A total of 186 protected oak trees were found on the project site. According to the arborist report, the health of each tree varies. Per the tree removal plan (see Sheet 4 of Exhibit B), the applicant is requesting removal of one-hundred ten (110) native oak trees totaling 1,629 inches in diameter at breast height (DBH) with possible encroachment into the protected zone of ten (10) additional native oak trees to accommodate the future development of the site. Seventy-two (72) of the trees proposed for removal were identified as being in critical or poor health. The majority of trees being removed on the western property line are due to the alignment of the proposed road. The applicant is proposing to retain as many trees as possible along the property lines to the north and east, immediately adjacent to single family homes.

The applicant proposes to comply with the replanting and compensation requirements of the City's Tree Preservation Ordinance. Additionally, the applicant has agreed to work with the City on adjusting pad locations of the proposed homes in order to preserve as many trees on site as possible. 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 DBH. The tree mitigation fee is required to be paid prior to the removal of the tree and prior to issuance of any permits.

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 August 30, 2024 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, as well as interested parties who requested to be added to the mailing list. The following section includes summaries of the comments received through the entitlement process, up until the date of publication of this staff report on September 9th, 2024. The comment letters, including City staff responses to comments, are included as Attachment 5 of this report.

The applicant hosted two separate neighborhood meetings. The first was held on June 26, 2024 at First United Methodist Church. Approximately fifteen (15) neighbors to the project site were in attendance, not including City staff and the applicant's representatives. After the applicant, Rick Kraushar, gave a presentation and answered questions from the community, City staff determined a second neighborhood meeting should be held to address outstanding questions.

A second meeting was held on July 24, 2026 at the Public Meeting Room at City Hall with approximately twenty (20) people in attendance, not including City staff and applicant representatives. The applicant answered outstanding questions from community members and City staff answered City process questions. The issues presented at the neighborhood meetings and in subsequent calls and e-mails are summarized in the categories below:

Tree Removal and Sensitive Species Habitat

One of the most common sentiments expressed by the neighbors to the project is concern over the removal of so many trees from the site and disruption to sensitive species habitat identified in the Arborist Report and Biological Resources Assessment. They asserted that the number of trees proposed for removal was excessive, and that the health condition of the trees was not an accurate reflection of their actual health as the survey was conducted during a "snapshot in time" so close to recent drought conditions. The neighbors also stated concern over the loss of habitat for threatened species such as the Swainsons Hawk, White Tailed Kite, and Pallid Bat as well as non-threatened species such as squirrels, opossums, songbirds, turkeys, amphibians, and migratory bird species such as ducks.

The removal of trees and the effect on the habitat for Sensitive Species has been addressed in the IS/MND as well as Attachment 5. As stated in the IS/MND, a pre-construction nesting survey is required to ensure that nesting birds are not harmed during construction. Additionally, ground disturbing activities are not to occur during the active nesting season. If it is necessary to conduct such activities during the

nesting season, pre-construction surveys would be required. Compliance with the Mitigation Measure outlined in the IS/MND will ensure that potential impacts to nesting birds are less than significant.

Wetland Features and Drainage: Another common concern was regarding the disruption to the five wetland features identified in the Aquatic Resources Delineation Report. Neighbors noted that in times of heavy rainfall, the site was prone to minor flooding events and that neighboring parcels were commonly affected. They asserted that development of the property would only increase the amount of runoff from these heavy rainfall events and create more adverse flood conditions for surrounding properties. The Hall family, which owns the properties to the west of the site, were most concerned about how drainage from the site would be handled to mitigate the potential for flooding.

The Engineering Division has confirmed that the proposed drainage improvements will provide for conveyance of water from the site, and greatly reduce the potential for future flooding from 10-year storm events according to City of Roseville Design Standards.

Fencing: The Hall family also expressed concerns over their shared property line with the project site and asked that some type of fencing be provided for additional privacy. The applicant agreed to construction of an enhanced wood fence, which will be maintained by the City as part of CFD #4 (see Conditional of Approval #53).

Traffic: Several comments mentioned potential traffic impacts due to the increased number of houses on the site, including an increase of vehicle traffic, patrons trying to access the site via the Main Street, and the proximity to Kaseberg Elementary School causing problems during peak traffic hours around drop-off and pick-up times. A traffic study was prepared by Kimley-Horn and Associates. Data collection was completed during the weekday AM (7-9), School PM (2-4) and the PM peak (4-6). These trips are consistent with what is accounted for within the City's traffic Demand Model. Therefore, further analysis of roadway and/or intersection capacity improvements of the existing infrastructure was not required. The project's traffic study did analyze site access requirements and recommended pavement striping improvements on Main Street to provide adequate stacking for west bound lefts onto Porter Drive and provide a left ingress into the proposed subdivision.

Noise and Air Quality: Some comments from neighbors cited noise and air quality during construction as potential concerns. The recent grading and infrastructure work on the adjacent 1028 Main Street subdivision have amplified concerns over potential construction impacts of this type of development. While there will be impacts from construction, these are temporary in nature and standard construction monitoring measures will be in place to reduce these impacts as much as possible.

Notification Process: Some neighbors expressed concern with the notification process, stating that the 300 foot mailing radius was not enough to include everyone in the neighborhood, or that they had never received notification of the meetings as notice had been sent to an incorrect mailing address. In the meetings, City staff indicated that 300 feet is the standard noticing radius for projects within the City of Roseville and by state law, and any individuals who requested to be added to the mailing list were also included in future mailings and e-mail notifications. To ensure all interested parties were included in future communications, City staff provided sign-in sheets at both meetings.

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 30-day public comment period, which began on May 30, 2024 and ended June 30, 2024. At the request of a neighbor to the proposed project, staff extended the review period by another 30 days, ending on July 30, 2024. 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 Oakleaf Estates 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 – 1010 MAIN STREET – INFILL PCL 13 – OAKLEAF ESTATES SUBDIVISION – FILE #PL23-0198** subject to sixty-six (66) conditions of approval; and
3. Adopt the two (2) findings of fact and approve the **TREE PERMIT – 1010 MAIN STREET – INFILL PCL 13 – OAKLEAF ESTATES SUBDIVISION – FILE #PL23-0198** subject to twenty (20) conditions of approval.

CONDITIONS OF APPROVAL FOR THE TENTATIVE SUBDIVISION MAP – FILE #PL23-0198

1. This Tentative Subdivision Map approval shall be effectuated within a period of two (2) years from September 12, 2024 and if not effectuated shall expire on **September 12, 2026**. Prior to said expiration date, the applicant may apply for an extension of time. (Planning)
2. The project is approved as shown in Exhibit B 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 Oakleaf Estates 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 and Planning 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 applicant shall include the striping recommendations for full access entrance, as included in the Oak Leaf Subdivision Access Evaluation prepared by Kimley-Horn, dated 12/12/2023. (Engineering)
23. The applicant shall provide a letter(s) from adjacent neighbors to address the use of the emergency vehicle access (EVA) out to Lawton Avenue as well as any other encroachments. A right of entry will be required. (Engineering)
24. The applicant shall provide 15'-10" of pavement along Main Street, measured from the edge of the existing left turn lane stripe, and taper back to existing pavement per the City of Roseville standards. In addition, the applicant shall provide 3 feet of Type 2 vertical curb and gutter with a 5 foot wide concrete sidewalk. (Engineering)
25. The applicant shall demolish all existing improvements within the Main Street right-of-way along Lot 1 of the proposed subdivision. A new driveway cut shall be provided for access to parcel 1. (Engineering)
26. 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, which includes trash capture requirements. 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. Vehicular access to each outfall swale shall be provided for swale maintenance and be constructed within the 50 ft. open space buffer. 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. Prior to the issuance of any permits, the owner shall provide a plan for the maintenance of the proposed BMP's. (Engineering)

27. 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)
28. 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)
29. 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)
30. 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)
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 onsite and available for viewing by City inspection staff upon request. (Engineering)
32. The applicant shall install a concrete lined ditch along the west property line of the project, this will include the entire length of the property addressed as 941 to 951 Porter Drive. Once past the southeastern corner of property addressed as 951 Porter Drive, the ditch shall transition to become soil lined. (Engineering)
33. The applicant shall provide an enhanced wood fence along the entire length of the western property line from 941 to 951 Porter Drive. This will be publicly maintained along with the adjacent Lot A. (Engineering)
34. 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)
35. 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)
36. 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)
37. 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)
38. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
39. 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)
40. The applicant shall provide emergency access gate(s) with Knox box access and improve the emergency vehicle access road to the satisfaction of Roseville Fire Department. (Engineering and Fire)
41. 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)
42. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
43. 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)
44. 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)
45. 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)

46. 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

47. 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.

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)

48. 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)

49. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)

50. 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)

51. 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. 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)

52. Lot A will not be accepted by the City, either in fee or as an easement, until after the subdivider has fulfilled the terms of any required Permits from the Department of Fish and Wildlife or Army Corps of Engineers. Upon completion of the monitoring period, the owner shall notify the City of Roseville Planning Division. (Planning, City Attorney)

53. 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)

54. Street names shall be approved by the City of Roseville. (Engineering)

55. 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)
56. 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)
57. 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)
58. 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)
59. 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)
60. 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)
61. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

62. 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)
63. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
64. 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)
65. 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)
66. 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)
67. 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)

68. All plant material shall be maintained under a 30-calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warrantee for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warrantee period shall be replaced one month prior to the end of the warrantee period. Tree or shrub replacement made necessary due to acts of God, neglect or vandalism shall be exempt from the warrantee. (Parks, Recreation, and Libraries)

CONDITIONS OF APPROVAL FOR THE TREE PERMIT – FILE #PL23-0198

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. Trees as listed in Exhibit B 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 1,629. Mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan or in these conditions. The applicant shall submit a tree replacement plan for review and approval by the Planning Division. The replacement plan will include re-vegetation of Lot A with native oak trees. (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 as shown in Exhibit B and described in this 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
4. Transportation Analysis
5. Public Comments and Staff Responses

EXHIBITS

- A. Initial Study / Mitigated Negative Declaration and Mitigation Monitoring Reporting Program
- B. Oakleaf Estates Plans (dated July 19, 2024)

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.