



Staff Report

TO: Honorable Mayor and Members of the Town Council
FROM: Mary Beth Van Voorhis, Planning Director
DATE: January 7, 2020
RE: TREE MITIGATION MASTER PLAN
ADDITIONAL ARBORIST CONSULTING SERVICES

Recommendation

Staff recommends Council authorize the Town Manager to enter into a consulting contract to provide additional arborist/environmental consulting services for the Tree Mitigation Master Plan project with Helix Environmental Planning to provide suitable recommendations for tree planting and potential mitigation planting opportunities on public and private land within the Town of Loomis.

Issue Statement and Discussion

The Town of Loomis Municipal Code Chapter 13.54 "Tree Conservation" (Attachment 1), adopted in 2014, states the goal of a tree ordinance is to promote a healthy tree canopy needed for community enjoyment and vibrant, functioning ecosystems and states the Town's goal is to achieve an overall healthy tree canopy, and to the extent feasible, using the Sacramento Tree Foundation's Greenprint Program as a guideline.

Chapter 13.54.050(A) directs the Town Manager to determine and take inventory of suitable and desirable species of specified trees and the areas in which and the conditions under which such trees shall be planted, in consultation with a certified arborist.

In April 2019 the Town of Loomis entered into a Contract for Services with Helix Environmental Planning (formerly known as Foothill Associates) on how to best implement its' tree conservation program, including approximate costs, locations, planting procedures, and maintenance requirements. At that time, the Town approved proceeding with the Phase 2 proposal which provided for a Tree Mitigation Opportunity Assessment as a stand-alone project in the amount of \$6,340.

The Phase 2 work assessed the suitability of publicly-owned parcels within the Town of Loomis for tree mitigation planting and to determine the total tree mitigation capacity on Town-owned parcels (Attachment 2).

As described in the Phase 2 assessment, the Town of Loomis has eight (8) locations (9.39 acres) with a total potential of up to one hundred sixty-five (165) trees that may be acceptable for tree mitigation planting. Due to site constraints, of the 9.39 acres, the total plantable area is approximately 3.20 acres with the potential planting of six hundred seventeen (617) trees.

As shown in Table 1 (Page 2 of 5) of the August 13, 2019 report, the Cal-Trans right-of-ways at the off-ramps at Horseshoe Bar Road (I-80) could provide up to 478 plantings, however, due to clear zone setbacks, existing trees, drainage, overhead utilities, and availability of water supply limit the opportunity to plant this many trees in this location. Cal-Trans approved, under an encroachment permit, a total of twenty-six (26) new plantings in these locations in February 2016. Public Works

continues monitoring the trees and, while some appear to be stressed, they are still alive. A new encroachment permit from Cal-Trans should be easily attainable to add more trees to this location.

At this time, staff seeks Council approval for Helix Environmental Planning to provide additional arborist consulting services to further augment the Loomis Tree Mitigation Master Plan Project and Tree Conservation Program.

As outlined in the August 14, 2019 proposal (Attachment 3), the scope of services required to further this project are:

Task 2 - Master Tree List - To provide suitable recommendations for tree planting including preparation of general guidelines for tree placement and guidelines for adding/approving additional trees not already on the list. (\$4,315)

Task 3 – Tree Preservation Feasibility Study – This will provide the Town a complete Geographic Information System (GIS) analysis of the Town to determine areas that are suitable for oak tree preservation. (\$4,170)

Task 4 – Town Council Meeting – Upon completion of Tasks 2 and 3, the consultant will assist staff in presenting the results and answer Council questions at an upcoming meeting. (\$850)

In addition to Tasks 2 through 4 discussed above, staff recommends approval of Task 5, Additional Mitigation Planting Area Assessment, as described in Helix's December 23, 2019 proposal (Attachment 4). This will identify sites (not Town owned or CalTrans related) located within or adjacent to the Town of Loomis that may be opportunity sites for easements and/or conservation planting including the estimated number of trees that could be suitable for tree mitigation planting. (\$8,900)

CEQA Requirements

There are no CEQA implications associated with the recommended action.

Financial and/or Policy Implications

The existing balance in the Town's Tree Mitigation Fund at December 2019 is \$373,911. Approval of Tasks 2 through 5 as described above, would reduce this amount by \$18,235 for an ending balance of \$355,676.

Attachments

1. Town of Loomis Municipal Code Chapter 13.54 Tree Conservation
2. Helix Environmental Planning Tree Mitigation Planting Area Assessment (8/13/2019)
3. Helix Environmental Planning Additional Arborist Consulting Services
For the Tree Mitigation Master Plan Project – Tasks 2 through 4 (8/14/2019)
4. Helix Environmental Planning Additional Arborist Consulting Services
Task 5 (12/23/2019)

Chapter 13.54 - TREE CONSERVATION

13.54.010 - Purpose and intent.

The Town of Loomis is unique in the region in preserving the rural character of its Town core and outlying areas. The tree canopy of both native and introduced species contributes significantly to this character and offers residents environmental, social, financial (property values), and aesthetic benefits. Trees are, in effect, green infrastructure. The highest priority of our tree ordinance is to maximize the preservation of existing protected trees. Public safety is a primary benefit, as healthy trees are safe trees. The goal of a tree ordinance is to promote a healthy tree canopy needed for community enjoyment and vibrant, functioning ecosystems. This chapter covers tree management in both new development and established residential areas.

This chapter acknowledges the delicate balance between the rights of private citizens to develop their properties, and the public interest in preserving its tree canopy. Trees are a community asset needing protection, maintenance, and continued rejuvenation. A clearly defined, fair, and effective ordinance helps provide for the long-term benefits of the citizens as well as the Town's tree canopy. (Ord. 252 § 1, 2014)

13.54.020 - Goal.

The Town's goal is to achieve an overall healthy tree canopy, and to the extent feasible, using the Sacramento Tree Foundation's Greenprint Program as a guideline. (Ord. 252 § 1, 2014)

13.54.030 - Definitions.

As used in this chapter the following words and terms shall have the following meanings:

"Caliper" means a tree measurement for trees less than six inches DBH, by measuring the tree six inches above grade.

"Construction Activity" means the incorporation of labor and materials to build any structure requiring permanent or temporary location.

"Critical Root Zone (CRZ)" is the area to be protected around a tree where the radius of the circle around the Protected Tree is the longest horizontal branch plus one foot.

"Development Project" means any construction project undertaken for the purpose of development which requires discretionary approval from the Town, including, but not limited to, a conditional use permit, major use permit, or minor use permit. A project which only requires a ministerial permit, such as a building permit, is excluded from this definition.

"Diameter at Breast Height (DBH)" is the diameter of a tree trunk as measured at fifty-four inches (four feet six inches) above the ground at the base of the tree.

"Exempt Trees" are trees not identified in this chapter as protected.

"Heritage Tree" means any tree identified by Council resolution.

"Multi-Trunk/Multi-Stem" means a same species of tree that appears to originate from one general base location. The extrapolated diameter of a multi-trunk tree shall equal the combined aggregate cross section area measurements at fifty-four inches above grade.

"Native Tree" (for the purpose of this chapter) means a living tree, or hybrids thereof, of the Interior Live Oak (*Quercus wislizenii*), Valley Oak, Blue Oak (*Quercus douglasii*), and Oracle Oak (*Quercus x morehus*).

"Owner" means the legal owner of real property fronting upon any street as shown on the last equalized assessment roll.

"Protected Tree" means any native oak tree with a trunk that is a minimum of six inches in diameter as measured at breast height (DBH) for Interior Live Oak, Valley Oak, and Oracle Oak and four inches DBH for Blue Oak; any oak tree with multiple trunks that have an aggregate DBH of at least ten inches, or any heritage tree. This also includes

any trees preserved or replanted pursuant to Section 13.54.090, except for exempt trees and those classified as invasive species by the California Invasive Pest Council, Cal-IPC (cal.ipc.org) and non-native trees listed as not to be planted on Town-owned property in the Master Tree List.

“T4, T6, T8 Tree Pot” means a tree container with a square top. A T4 tree pot is 4" x 4" x 14", a T6 tree pot is 6" x 6" x 16" and a T8 tree pot is 8" x 8" x 18".

“Town Manager” means the Town Manager or designated representative.

“Tree Permit” means written authorization by the Town Manager, on an official tree permit application, to perform an activity identified in this chapter on a protected tree requiring a tree permit. (Ord. 252 § 1, 2014)

13.54.040 - Property owner responsibility.

- A. It is the responsibility of the property owner to maintain all trees on his or her property. The property owner must ensure that the trees on his or her property do not pose a danger to his or her own property or the property of others. Property owners have the burden of demonstrating compliance with this chapter.
- B. Property owners that do not maintain trees on their property and, as a result, create an emergency, will be subject to the provisions of Section 13.54.170. (Ord. 252 § 1, 2014)

13.54.050 - Town Manager duties.

The Town Manager shall perform the following duties:

- A. Determine and take inventory of suitable and desirable species of specified trees and the areas in which and the conditions under which such trees shall be planted, in consultation with a certified arborist. The Town Manager shall report the findings in writing to the Town Council. When approved by the Town Council, the report shall be known as the “Master Tree List,” and shall be placed on file with the Town Clerk and shall thereafter be the official determination of the Town Manager. Revisions or changes in the Master Tree List may be made from time to time by the Town Manager, in consultation with a certified arborist, with the approval of the Town Council.
- B. Perform other duties as set forth in this chapter. (Ord. 252 § 1, 2014)

13.54.060 - Exempt activities.

The following activities are considered exempt from the mitigation provisions of this chapter:

- A. Removal of protected trees from a residential parcel that is zoned with a minimum allowed lot size of 4.6 acres or less, provided the parcel can no longer be subdivided. Although exempt from the mitigation, the owner of any such parcel must still obtain a tree permit prior to the removal of a protected tree.
- B. **Pruning.** Pruning of trees covered under this chapter is exempt provided the pruning activity does not interfere with the condition of any protected tree.
- C. Emergency response and abatement as set forth in Section 13.54.170 of this chapter.
- D. **Traffic Visibility Obstructions.** Removal or relocation of trees necessary to maintain adequate line-of-sight distances as required or determined by the Town Manager or Town Engineer are exempt from the mitigation provisions of this chapter.
- E. The removal of dead, dying, or hazardous trees, as determined by the Town Manager, the Town Arborist, or an arborist approved by the Town Manager (rated a 0 “dead,” or 1 “dying or hazardous,” or 2 “major corrective care needed”) shall not require mitigation. Photographic evidence may be required.
- F. Nurseries, Christmas tree farms and orchards are exempt from the provisions of this chapter.
- G. Protected trees removed for construction of public infrastructure improvements (streets and sidewalks) required as a condition of development approval, shall be exempt from tree mitigation requirements provided all feasible alternatives to reduce the number of trees proposed for removal have been exhausted.
- H. Tree removal required by state law. (Ord. 252 § 1, 2014)

13.54.070 Protected trees, permit required.

It shall be unlawful to perform any of the following acts with respect to a protected tree within the Town limits without a tree permit issued by the Town Manager:

- A. Move, remove, cut down, poison, set fire to or permit fire to burn in proximity to, or perform or fail to perform any act which results in the unnatural death or destruction of a protected tree.
- B. Perform any activity that will interfere with the condition of any protected tree.
- C. Perform any work or permit any work to be performed within the critical root zone (CRZ) of a protected tree which would endanger the tree.

During construction activity on any property upon which a protected tree is located, it is unlawful for any person to perform any of the following acts without a tree permit issued by the Town Manager, which permit shall not be denied if the activities are deemed necessary for the project and proper care is taken to protect any protected tree:

- D. Trench, grade, pave or otherwise damage or disturb any exposed roots within the critical root zone (CRZ) of a protected tree.
- E. Park or operate any motor vehicle within the critical root zone (CRZ) of any protected tree.
- F. Place or store any equipment or construction materials within the critical root zone (CRZ) of any protected tree.
- G. Place, apply or attach any signs, ropes, cables or any other items to any protected tree.
- H. Place or allow to flow any oil, fuel, concrete mix or other deleterious substance into or over within the critical root zone (CRZ) of any protected tree.
- I. All work shall conform to the most current American National Standards Institute (ANSI) tree care standards.
- J. **Trenching - Pathway Standards.** The owner/developer will be required to submit a utility and/or irrigation trenching-pathway plan on the site plan:

1. The trenching pathway plan shall depict all of the following: easements, storm drains, sewers, water mains, area drains, and irrigation and underground utilities. Except in lot sale subdivisions, the trenching pathway plan must show all lateral lines serving buildings. The plan must also include an accurate plotting of the critical root zone (CRZ) of each protected tree within fifty feet of the soil disturbance activity.
 2. The trenching pathway plan must be developed to avoid going into the CRZ of any protected tree on its path from the street to the building.
 3. If the encroachment into the CRZ is avoidable, a certified arborist must assess the impact to determine the type of preservation device required. Boring under the root system of a protected tree may be required. Encroachments and mitigation measures must be addressed in a supplement arborist report. If no preservation device is implemented, mitigation shall be required for that protected tree.
 4. In order to minimize or avoid injury to the root system, trenching within the CRZ of a protected tree, when permitted, may only be conducted with hand tools, air spades, or other acceptable measures. Acceptable measures and said work shall be determined by and conducted under the supervision of a certified arborist. Boring machinery, boring pits, and spoils shall be set outside of the CRZ fencing.
 5. Utility corridors shall be under or adjacent to driveways where feasible, if needed for tree protection.
- (Ord. 252 § 1, 2014)

13.54.080 - Permit, application, process, decision.

A. Any person seeking to perform any activity for which a tree permit is required by this chapter shall fill out an application containing the following information:

1. Location, size and species of the tree(s) affected;
2. The type of activity for which the permit is sought;
3. A statement of the reasons for the activity;
4. A written evaluation of the health and status of the tree(s) affected prepared by a registered forester or an International Society of Arborists (I.S.A.) certified arborist and evaluating the following:

Overall rating of tree condition, by tree number, according to the following categories:

Rating #0: This indicates a tree that has no significant sign of life.

Rating #1: The problems are extreme. This rating is assigned to a tree that has a structural and/or health problems that no amount of work or effort can change. The issues may or may not be considered a dangerous situation.

Rating #2: The tree has major problems. If the option is taken to preserve the tree, its condition could be improved with corrective work including, but not limited to: pruning, cabling, bracing, bolting, guying, spraying, mistletoe removal, vertical mulching, fertilization, etc. If the recommended actions are completed correctly, hazard can be reduced and the rating can be elevated to a 3. If no action is taken the tree is considered a liability and should be removed.

Rating #3: The tree is in fair condition. There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated.

Rating #4: The tree is in good condition and there are no apparent problems that an arborist can see from a visual ground inspection. If potential structural or health problems are tended to at this stage future hazard can be reduced and more serious health problems can be averted.

Rating #5: No problems found from a visual ground inspection. Structurally, these trees have properly spaced branches and near perfect characteristics for the species. Highly rated trees are not common in natural or developed landscapes. No tree is ever perfect, especially with the unpredictability of nature, but with this highest rating, the condition should be considered excellent.

Note: Ratings are dependent upon the condition of the tree. There is a very important line drawn between a tree rated a 3 and a 2. A tree rated 3, 4, or 5 is a tree to be preserved, and a tree rated 0, 1, or 2 is recommended for removal. Trees rated a 2 may be retained and rated a 3, but only if the recommendations are followed, otherwise the tree should be removed;

5. The certified arborist or registered forester preparing the report shall not be from the tree company retained to remove the trees;
 6. For a development project, the tree plan as provided by Section 13.54.120;
 7. Such other information as the Town Manager may require to effectuate the intent of this chapter; and
 8. If the site is subject to CC&Rs that address tree removal and are administered by an active homeowner's association (HOA), the application shall include written approval from the association.
- B. In reaching a decision to grant or deny a tree permit, the Town Manager shall take into account the following:
1. The condition of the tree with respect to disease, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services;
 2. The number of existing trees in the area and the effect of any proposed removal upon the public health and safety, or the prosperity, beauty and general welfare of the area;
 3. Mitigation measures as proposed or replacement measures; and
 4. Steps to avoid or minimize removal and destruction of trees.
- C. The Town Manager shall render a decision granting or denying an application for a tree permit within thirty days from the date the completed application is received. As a condition of granting a tree permit, the Town Manager may require that the work be performed by a person who is qualified by education or experience to perform the work and who holds a valid business license issued by the Town for such purpose.
- D. Each application and each appeal shall be accompanied by fees as prescribed by a resolution of the Town Council. Such fees shall in no event exceed the actual cost to the Town to conduct the services required to satisfy the requirements of this chapter. No fee shall be required for a tree permit issued for the removal of a protected tree if removal of the tree is exempt from compliance with the mitigation provisions of this chapter pursuant to Section 13.54.060(A).
- E. The Town Manager shall periodically present a summation of his or her actions to the Town Council for its review.
- F. The property owner removing a protected tree will make every effort to replace the tree on the property, in accordance with Section 13.54.090.
- G. All hired work shall conform to the most current ANSI tree care standards. (Ord. 252 § 1, 2014)

13.54.090 - Removal of trees, mitigation and replacement.

When the Town Manager has granted a tree permit to remove a protected tree, said permit shall require the applicant to replace the tree with a living tree (or trees) of the same species on the property or within the Town of Loomis, in a location approved by the Town Manager. Said location will be specified in the tree permit. The replacement requirement shall be calculated as provided by Table 5-3. The property owner will replace the tree(s) and continue to replace the replacement tree(s) if the tree(s) die(s) any time within five years of the initial planting. Annual arborist monitoring with a written response is required to ensure survival of the trees. The removal of dead, dying, or hazardous trees, as determined by the Town Manager, the Town Arborist, or an arborist approved by the Town Manager (rated a 0 “dead,” or 1 “dying or hazardous,” or 2 “major corrective care needed”) shall not require mitigation. Photographic evidence may be required.

Table 5-3: Tree Removal Mitigation Table

Species of Trees to be Removed	Size of Trees DBH in Inches	T4, T6 or T8 Tree Pots or #5/5 Gal.	Or	#15 (15 Gal.) Mitigation Trees to be Planted	Or	In-Lieu Fee Amount \$ Per Inch of Tree Removed
Blue Oak (Q. Douglasii)	4 - 9.9	x 4		x 2		x \$100
	10 - 24.9	x 6		x 3		x \$110
	25 - 29.9	x 8		x 4		x \$120
	30 - 34.9	x 10		x 5		x \$130
	> 35	x 12		x 6		x \$140
Valley Oak (Q. Jobata)	6 - 9.9	x 3		x 1		x \$ 90
	10 - 24.9	x 4		x 2		x \$100
	25 - 29.9	x 5		x 3		x \$110
	30 - 34.9	x 6		x 4		x \$120
	> 35	x 8		x 5		x \$130
Interior Live Oak (Q. wislizenii)	6 - 9.9	x 3		x 1		x \$ 80
	10 - 24.9	x 4		x 2		x \$ 90
Oracle Oak (Quercus x morehus)	25 - 29.9	x 5		x 3		x \$100
	30 - 34.9	x 6		x 4		x \$110
	> 35	x 8		x 5		x \$120

For each species and size class, one or a combination of columns may be used to determine total mitigation. Up to fifty percent of the required replacement trees may have T4, T6, T8 tree pots (oaks) container size, where the Town Manager determines that long term tree health and survival will be improved by starting with a smaller container size, and that each tree with a container size less than #15 will not be in a location where it will be more subject to damage while it is becoming established than a larger tree. If the property owner is unable to replace the tree on his or her property or within an area approved by the Town Manager, the Town Manager shall require the property owner to pay an in-lieu fee to the Town.

A. Small Tree and Native Tree Preservation Credits (TPC). The Town may consider the preservation of seedling and sapling native oak trees that are smaller than six inches DBH (four inches DBH for Blue Oaks) as a credit toward the total removed inches. For example, a one-inch sapling (caliper) would equal one inch of mitigation. These smaller trees are valuable because they are already established. Trees with calipers of less than one inch shall not be eligible for credit under this provision. Retention of small Blue Oaks is especially encouraged. Any tree that is to be considered for preservation credit shall be evaluated, included in the arborist report, rated a 3, 4, or 5 and located in a suitable site with adequate spacing. They must be marked as protected mitigation trees (e.g., tagged or staked), and fenced during construction just as protected trees are required to be fenced. TPC shall not count if they are in a poor growing space due to position within the CRZ of another protected tree to be preserved, or

are likely to be adversely impacted by the proposed development or they are located in a non-development zone. They shall be included as protected trees in all required monitoring as stated in this section.

B. Large Parcel Ten Percent Allowance. On residentially zoned parcels zoned larger than RS-10 and having at least ten protected trees, ten percent of protected trees may be removed over a ten-year period without mitigation being required. Trees within conservation easements may be counted but not removed under this provision. A dated site map, subject to staff verification, to be kept on file at Town Hall, showing size, number, and species of all protected trees is required to verify the ten percent. The large parcel ten percent allowance is subject to Town approval.

C. Woodland Enhancement. Removal of protected trees to thin canopy density, improve overall health and spacing of remaining trees, improve species diversity, and improve habitat value shall not require mitigation. This requires a registered forester or certified arborist to provide a written recommendation and justification and is subject to review by the Town Arborist and subject to Town Manager approval. (Ord. 252 § 1, 2014)

13.54.100 - Use of in-lieu fees.

In-lieu fees shall not be used for any other purposes other than for tree planting or propagation, purchasing, maintenance, preservation programs (including, but not limited to, land purchase and/or conservation easements), public education programs regarding trees which support the purposes of this chapter (e.g., workshops on proper pruning), and activities in support of the administration of this chapter. Fees collected pursuant to this chapter may be directed by the Town Council to non-profit organizations for the implementation of programs consistent with the purposes of this chapter within the Town of Loomis. (Ord. 252 § 1, 2014)

13.54.110 - Agricultural exemptions.

A tree permit may be granted to allow tree removal within the RA zoning district for an active agricultural use without mitigation and subject to the following conditions:

- A. The agricultural use, as proposed and ultimately established, shall be limited to crop production, horticulture, orchards or vineyards, but shall not include grazing or other animal uses;
- B. Only that area that will be utilized for active agriculture shall be exempt;
- C. The tree permit shall be exercised within one year;
- D. Once tree removal is commenced, the proposed replacement agricultural use shall be in place within twenty-four months of the removal of the first tree, or mitigation shall be required in compliance with Section 13.54.090, an extension of one year may be granted;
- E. Once the replacement agricultural use is established, it shall be maintained for a minimum of ten years. If the agricultural use is terminated before ten years, and/or if a subdivision application for nonagricultural development (other than an application for a minor land division) is approved with the Town within that period, mitigation shall be required in compliance with Sections 13.54.090;
- F. The approved tree removal and subsequent agricultural use shall retain existing trees:
 1. Surrounding existing buildings,
 2. Within one hundred feet from a perennial stream,
 3. Within ten feet of any property line or neighboring dwelling, and
 4. In significant groves, as determined by the Town Manager. (Ord. 252 § 1, 2014)

13.54.120 - Development projects, tree plan required.

An application for a development project shall be accompanied by a tree plan, prepared by a certified arborist, containing the following information:

- A. Contour map showing the extent of grading within any part of the CRZ, plus existing and proposed grades and the location, size, species and condition of all existing trees which are located upon the property proposed for development.
- B. Identification of those trees which the applicant proposes to preserve and those trees which are proposed to be removed and the reason for such removal, including identification of all on-site protected trees.
- C. A description of measures to be followed to insure survival of protected trees during construction.

- D. A program for the preservation of protected trees and other trees not proposed for removal during and after completion of the project, which shall include the following:
1. Each tree or group of trees to be preserved shall be enclosed with a fence prior to any grading, movement of heavy equipment, approval of improvement plans or the issuance of any permits and such fence shall be removed following construction, but prior to installation of landscaping material;
 2. Fencing shall be located at the CRZ of the tree or trees and shall be a minimum of four feet in height;
 3. Signs shall be posted on all sides of fences surrounding each tree stating that each tree is to be preserved;
 4. Any and all exposed roots shall be covered with a protective material during construction.
- E. A program for the replacement of any protected trees proposed to be removed.
- F. All of the tree preservation measures required by the conditions of a discretionary project approval (the arborist's report and the tree permit, as applicable) shall be completed and certified by staff or the developer's arborist prior to issuance of a certificate of occupancy.
- G. The property owner will be required to submit a utility and/or irrigation trenching-pathway plan on the site plan:
1. The trenching pathway plan shall depict all of the following: easements, storm drains, sewers, water mains, area drains, and irrigation and underground utilities. Except in lot sale subdivisions, the trenching-pathway plan must show all lateral lines serving buildings. The plan must also include an accurate plotting of the CRZ of each protected tree within fifty feet of the soil disturbance activity.
 2. The trenching pathway plan must be developed to avoid going into the CRZ of any protected tree on its path from the street to the building.
 3. If the encroachment into the CRZ is unavoidable, a certified arborist must assess the impact to determine the type of preservation device required. Boring under the root system of a protected tree may be required. Encroachments and mitigation measures must be addressed in a Supplemental Arborist Report. If no preservation device is implemented, mitigation shall be required for that protected tree.
 4. In order to minimize or avoid injury to the root system, trenching within the CRZ of a protected tree, when permitted, may only be conducted with hand tools, air spades, or other acceptable measures. Acceptable measures and said work shall be determined by and conducted under the supervision of a certified arborist. Boring machinery, boring pits, and spoils shall be set outside of the CRZ fencing.
 5. Utility corridors shall be under or adjacent to driveways where feasible, if needed for tree protection.
- H. Tree permits for development projects will be granted for trees impacted by the construction of streets, utility installation, grading and other infrastructure improvements. A tree permit shall only be issued in conjunction with a grading or building permit. (Ord. 252 § 1, 2014)

13.54.130 Mitigation of other trees.

When mitigation is required by the California Environmental Quality Act or any other regulation for the removal of any tree, such mitigation shall be provided consistent with this chapter. (Ord. 252 § 1, 2014)

13.54.140 - Implementing regulations.

The Town Council may adopt implementing regulations to effectuate the intent of this chapter. (Ord. 252 § 1, 2014)

13.54.150 - Liability—Responsibility.

This chapter shall not be construed to impose any liability upon the Town, its officers or employees for the performance of any act or the failure to perform any act under this chapter, and shall not relieve the owner from the duty to keep any tree upon his or her property in such condition as to prevent it from causing damage or constituting a nuisance. Any enactment of this chapter, the Town is not assuming responsibility for the maintenance of protected trees, nor relieving the property owner of the duty to maintain such trees at his or her own expense. Furthermore, it shall be the obligation and duty of each owner to demonstrate compliance with this chapter. (Ord. 252 § 1, 2014)

13.54.160 - Emergency response and abatement.

- A. An owner is not precluded by this chapter from taking action, in the event of an emergency, which would otherwise violate the terms of this chapter, if such action is necessary to minimize danger. In the event such emergency action is taken, the owner shall notify the Town Manager or representative by the next working day. The burden is on the owner to demonstrate that any action taken complies with this section. For purposes of this section, “emergency” means imminent threat to life or property.
- B. In the event that an owner has not maintained trees for which the owner is responsible and the trees pose an imminent danger to persons and/or property, constituting an emergency, the Town Manager may commence abatement proceeding pursuant to Section 7.04.020 of the municipal code. At the owner’s expense, the tree shall be removed or have the dangerous condition otherwise rectified.
- C. In the event that an owner has not maintained trees for which the owner is responsible and the trees and the condition does not pose an imminent threat to persons and/or property, but has the potential to pose such a threat, the Town Manager shall give the owner thirty days to eliminate the potentially dangerous condition. If the condition has not changed in thirty days the Town Manager may commence abatement proceedings pursuant to Section 7.04.020 of the municipal code. (Ord. 252 § 1, 2014)

13.54.170 - Stop-work order.

Whenever the Town Manager determines that an action being taken is in conflict with this chapter, he or she shall cause to be issued a stop work order which shall prohibit such action. Such stop work order shall set forth the alleged violations and may list remedies to be taken to correct the violations. The person receiving the stop work order shall report in writing to the Town Manager within forty-eight hours regarding the steps to be taken to correct the violations or to appeal the posting of the stop work order. The stop work order shall remain in effect until a finding is made that the circumstances giving rise to its order no longer exist. Any party receiving a stop work order may appeal through the process outlined in Section 13.54.190. (Ord. 252 § 1, 2014)

13.54.180 - Appeals.

Any person dissatisfied with the decision of the Town Manager made under this chapter may appeal such decision to the Town Council. Such appeal shall be in writing, stating the reasons therefor, and, except as otherwise provided herein, shall be filed with the Town Clerk not later than fifteen days after the date of the Town Manager’s decision. All appeals shall be conducted in accordance with this chapter. The decision of the Town Council shall be final. (Ord. 252 § 1, 2014)

13.54.190 - Violation—Penalty.

In addition to compliance with the appropriate mitigation as required by this chapter, any person, corporation or other legal entity who violates or fails to comply with any chapter of this provision shall be subject to a fine of one hundred dollars for the first offense, two hundred dollars for the second offense, and five hundred dollars for the third offense and each subsequent offense thereafter. Each person, corporation or other legal entity is guilty of a separate offense for each and every tree each and/or every day the violation exists, during any portion of which violation of this chapter is committed, continued or permitted by any such person, corporation or legal entity, and such person, corporation or legal entity shall be punished accordingly.

In addition to the general penalty set forth above, any condition caused or permitted to exist in violation of this chapter shall be deemed a public nuisance and may be summarily abated by the Town in accordance with Section 7.04.020, Nuisance abatement, and other applicable provisions of law. (Ord. 252 § 1, 2014)

View the [mobile version](#).

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August 13, 2019

Project # TLM-03

Mary Beth van Voorhis
Town of Loomis
3665 Taylor Road
P.O. Box 1130
Loomis, CA 95650

Subject: Tree Mitigation Planting Area Assessment

Dear Mary Beth:

The purpose of this project was to assess the suitability of publicly-owned parcels within the Town of Loomis for tree mitigation planting and to determine the total tree mitigation capacity on City-owned parcels.

METHODOLOGY

To determine the parcels available for tree mitigation planting, HELIX Environmental Planning, Inc. (HELIX) staff first overlaid town-owned parcels or easements over publicly-available aerial photographs. Parcels that are developed or otherwise in use, already have dense tree canopy cover, are less than eight feet wide, or have significant known overhead or underground utilities were eliminated from further consideration. Twenty-seven locations were initially identified as potentially able to accommodate tree mitigation planting (Figure 1). After town review, 13 parcels were removed from this analysis due to potential conflicts with future development, road widening, or other use. This resulted in 14 potential mitigation planting locations. HELIX staff then visited each identified site to assess the suitability for tree mitigation planting and the percent of plantable area on the site. The conditions that were assessed included:

- Existing tree cover and future tree cover of planted immature on-site trees;
- Presence of overhead utility lines or visible underground utilities;
- Presence of built improvements such as paths and sidewalks that limit plantable area;
- Presence of natural features such as streams and rock outcroppings that limit plantable area; and
- Steep slopes that limit plantable area.

RESULTS

After the on-site assessment, eight locations totaling 9.39 acres were deemed acceptable for tree mitigation planting. Due to site constraints, the total plantable area available on these eight sites is ~3.20 acres. To calculate the tree planting capacity of each site, it is assumed that the trees will be planted at 15 feet on-center. This results in the available parcels being able to accommodate a maximum of 617 trees. However, the majority of this potential planting area is within the Caltrans right of way (ROW) at the Horseshoe Bar – Interstate 80 Interchange. Previously, Caltrans issued a permit for the Town to plant 26 trees in this area. Planting additional trees within the ROW would a new encroachment permit from Caltrans. Therefore, the estimated available tree planting capacity is actually 165 trees.

The locations, plantable area percentage, limitations on planting, and estimate of tree planting capacity of each suitable area are shown in Table 1, below. The other seven parcels that were examined and determined to be unsuitable for planting are identified in Table 2, below. Table 3 lists the 13 parcels, totaling 22.70 acres, that were eliminated from further consideration due to other planned uses. The potential planting area and tree capacity of each parcel are shown, should the proposed use of the parcel change. Representative site photos of the potential planting areas are shown in Attachment A.

Table 1
TREE MITIGATION PLANTING OPPORTUNITIES

Area ID	Location	Total Acres	Percent Plantable	Planting Limitation	Tree Capacity at 15' On-Center
3	Between Taylor Road and UPRR tracks between Shawn Way and Circle Drive	2.78	5	Overhead utility lines and existing trees; Planned future development	26
6	North of Brace Road, west of Interstate 80	0.46	20	Steep slope and existing trees	18
7	Barton Road at intersection of Brace Road	0.23	90	Existing trees	40
14	Northeast corner of intersection of King Road with Sierra College Boulevard	0.12	40	Steep slope	9
22	Bankhead Road north of Sierra College Boulevard	0.21	50	Existing trees	20
23	Between Onramp and Offramp at Horseshoe Bar Road and Interstate 80 (In Caltrans ROW)	0.54	25	Clear zone setback and existing trees	26
24 ¹	Within Offramp at Horseshoe Bar Road and Interstate 80	2.04	40	Clear zone setback and existing trees and drainage; Within Caltrans ROW	10 approved 158 max
25 ¹	Within Offramp at Horseshoe Bar Road and Interstate 80	3.01	55	Clear zone setback, existing trees, and overhead utilities; Within Caltrans ROW	16 approved 320 max

¹ Planting of 26 trees previously approved by Caltrans at Horseshoe Bar interchange. Additional tree planting will require Caltrans encroachment permit.

Table 2
PARCELS NOT SUITABLE FOR MITIGATION PLANTING

Area ID	Location	Total Acres	Reason not Suitable for Planting
4	East of Sierra College Boulevard south of Brace Road	0.44	Overhead power lines and limited vehicular visibility
5	South of Brace Road, west of Interstate 80	0.19	Very narrow parcel, overhead power lines and existing trees
13	Northwest corner of intersection of Sierra College Boulevard with King Road	0.09	Steep slope, existing trees, limited vehicular visibility
15	North side of King Road	0.06	Very small area with existing drainage swale
16	North side of King Road	0.07	Very small area with existing drainage swale and sidewalk
21	North side of King Road	0.54	Sidewalk in center of area, power lines on one side, overhanging trees on other

Table 3
PARCELS ELIMINATED FROM FURTHER CONSIDERATION

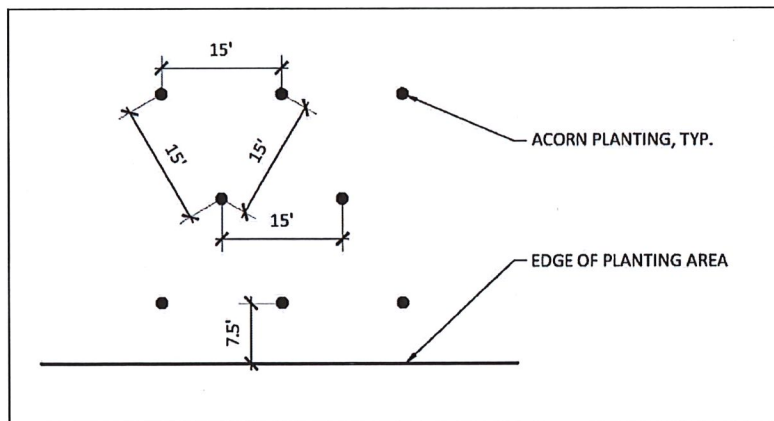
Area ID	Location	Total Acres	Percent Plantable	Planting Limitation	Tree Capacity at 15' On-Center	Reason for Exclusion
1	North of Interstate 80 between Stonegate Court and Walnut Street	14.90	45	Existing pond, drainage, and trees	1,298	Planned for other purposes
2	Off Mandarin Court	0.19	90	Existing drainage	33	Planned for other purposes
8	Off Mandarin Court	0.80	80	Existing trees	99	Planned for other purposes
9	Off Mandarin Court	1.26	80	Existing trees	195	Planned for other purposes
10	Off Mandarin Court	1.02	50	Existing trees	99	Planned for other purposes
11	North side of Sierra College Boulevard, west of Bankhead Road	1.80	95	Existing trees	331	Planned future road widening and some existing tree canopy
12	North side of Sierra College Boulevard, west of Bankhead Road	0.53	55	Existing trees	56	Planned future road widening and existing tree canopy

Table 3 (cont.)
PARCELS ELIMINATED FROM FURTHER CONSIDERATION

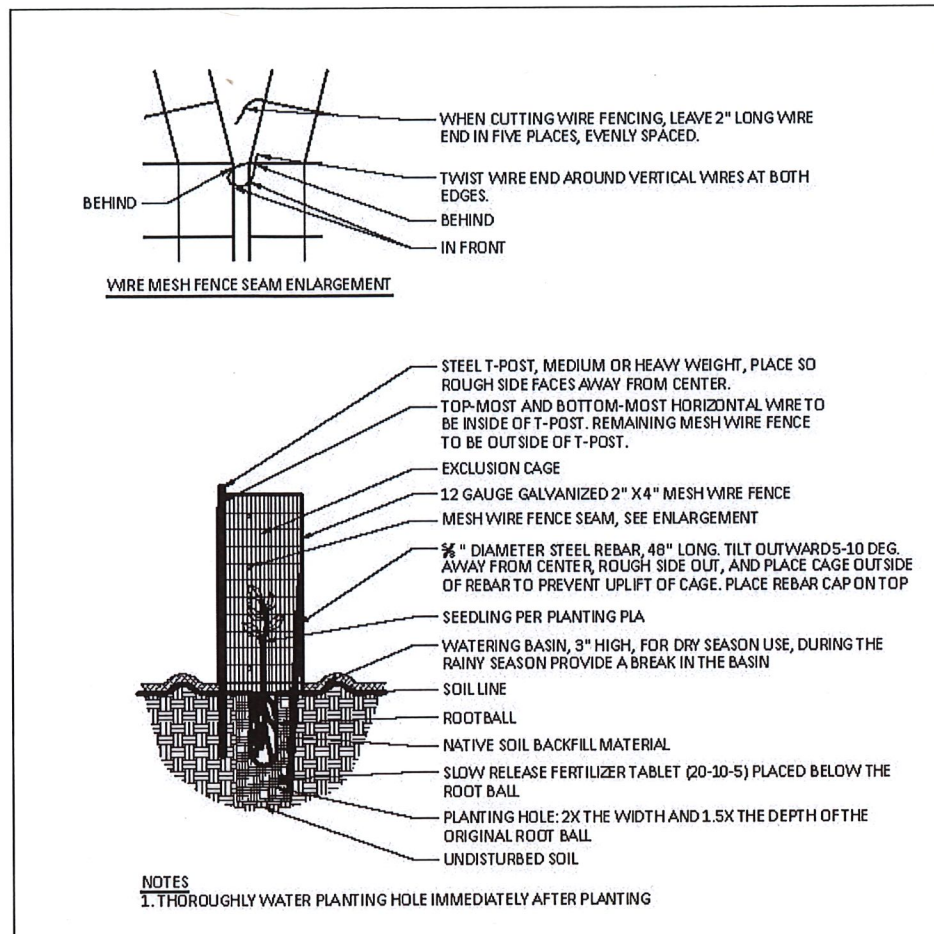
Area ID	Location	Total Acres	Percent Plantable	Planting Limitation	Tree Capacity at 15' On-Center	Reason for Exclusion
17	East of Sierra College Boulevard, north of King Road	0.31	95	Existing trees	57	Planned future road widening and some existing tree canopy
18	East of Sierra College Boulevard, north of King Road	0.11	100	N/A	21	Planned future road widening
19	East of Sierra College Boulevard, north of King Road	0.55	85	Existing trees	90	Planned future road widening and some existing tree canopy
20	East of Sierra College Boulevard, north of King Road	0.15	80	Existing trees	23	Planned future road widening and some existing tree canopy
26	Between Taylor Road and UPRR tracks at Circle Drive	0.37	0	Overhead utility lines	N/A	Overhead Utility lines and future road improvements
27	Between Taylor Road and UPRR tracks at Circle Drive	0.71	None currently, could be included in redevelopment	Existing buildings and site development	N/A	Planned for other purposes and

PLANTING RECOMMENDATIONS

Oak trees should be planted in accordance with the Town of Loomis Tree Ordinance (Chapter 13.54 of the Municipal Code) and any additional applicable regulations. In the absence of other planting requirements, plant trees 15' on center, in a triangular spacing pattern, per Detail 1 below. Trees may be planted as seedlings with tree cages, as shown in Detail 2 below, or as 15-gallon trees per industry standards.



Tree Planting Detail 1



Tree Planting Detail 2

Please do not hesitate to call me at (916) 435-1202 or e-mail me at MeredithB@helixepi.com if you have any questions about this report.

Sincerely,

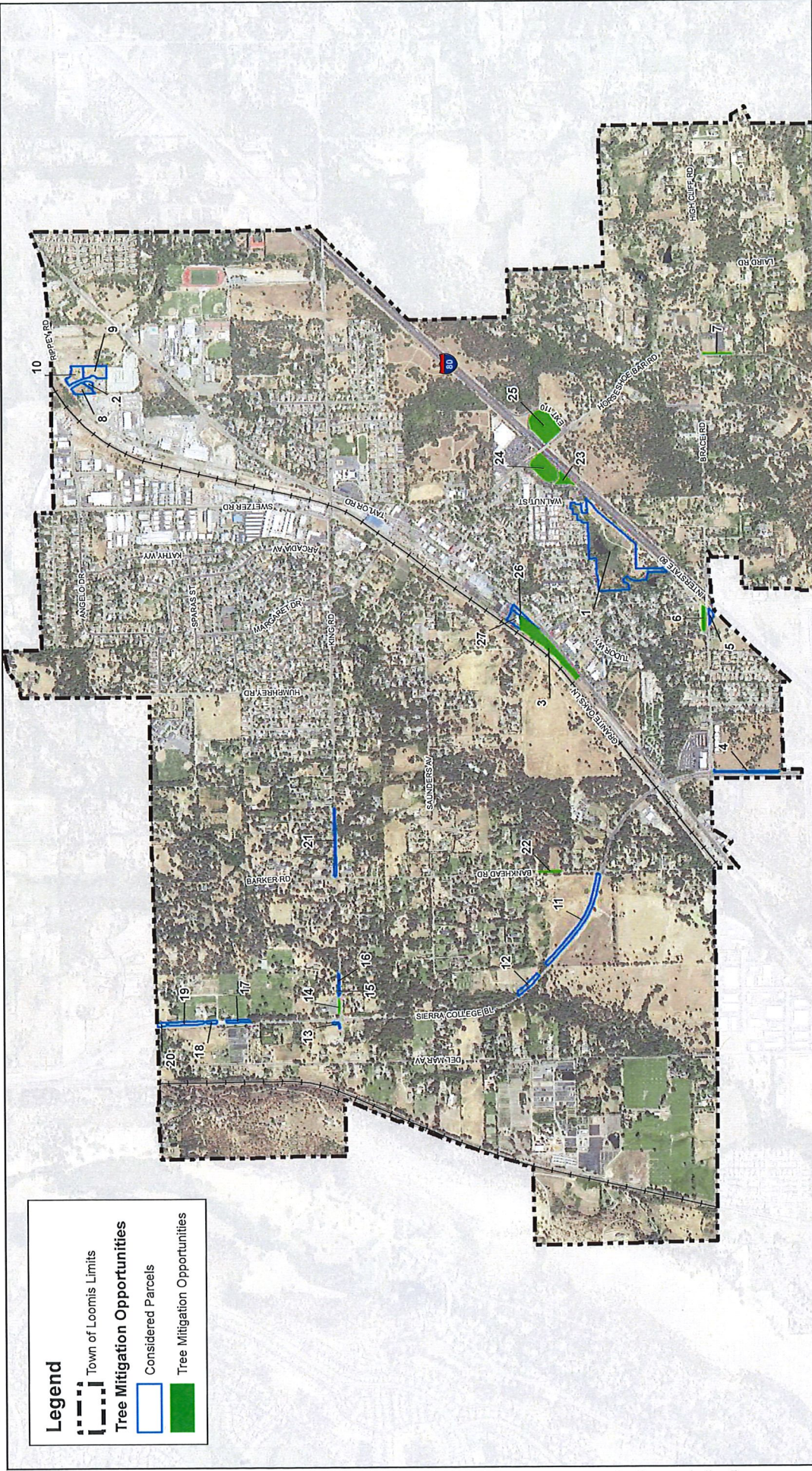
Meredith Branstad

Attachments:

Figure 1: Tree Mitigation Opportunity Assessment
Attachment A: Representative Site Photos

Figure 1

Tree Mitigation Opportunity
Assessment



Legend

- Town of Loomis Limits
- Tree Mitigation Opportunities
- Considered Parcels
- Tree Mitigation Opportunities



HELIX
Environmental Planning

**TREE MITIGATION
OPPORTUNITY ASSESSMENT**

Drawn By: JCD, MMB
QA/QC: CTG
Date: 7/19/2019

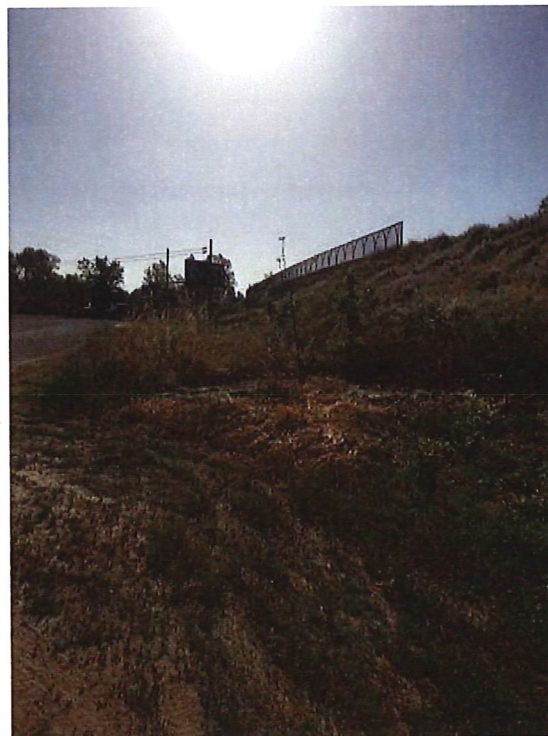
FIGURE 1

Attachment A

Representative Site Photos



Parcel 3 – Planting limited by overhead utility lines and existing trees.



Parcel 6 – Steep slopes limit planting area.

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Parcel 7 – Along Barton Road.



Parcel 14 – Existing sidewalk limits planting area.

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Parcel 22 – Along Bankhead Road.

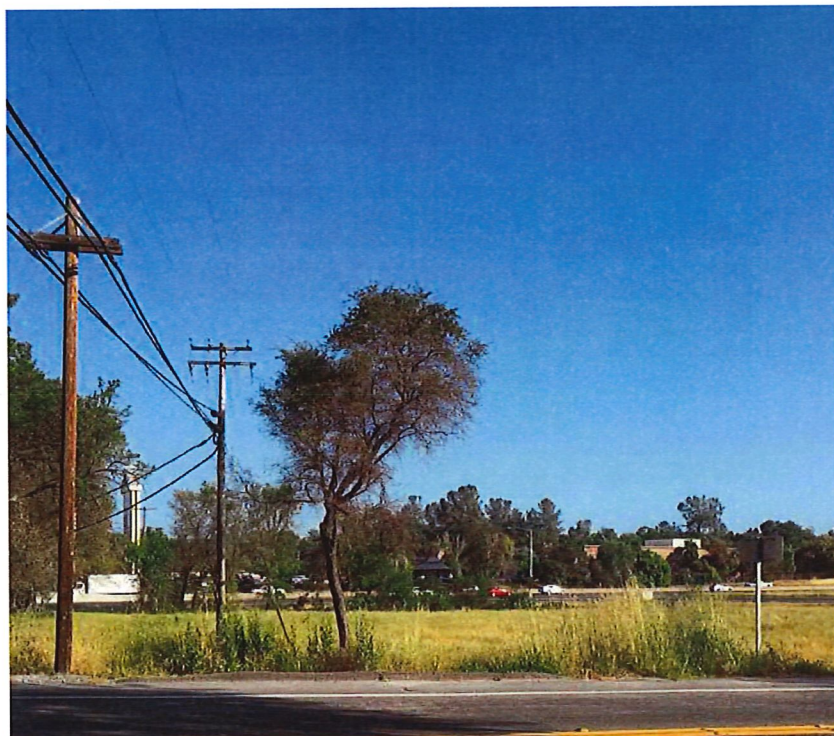


Parcel 23 - Planting limited by existing drainage, trees, and location in Caltrans ROW.

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Parcel 24 – Planting limited by existing drainage, trees, and location in Caltrans ROW.

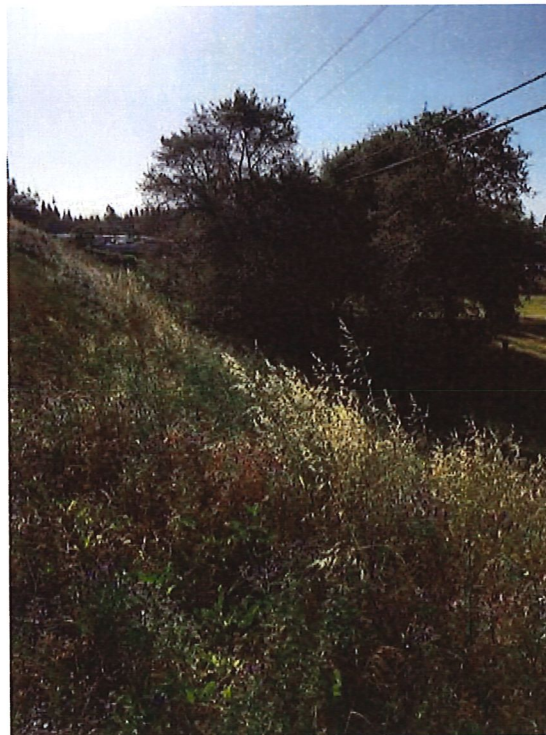


Parcel 25 – Planting limited by existing trees, overhead utilities, and location in Caltrans ROW.

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Parcel 4 - Planting limited by overhead utility lines.



Parcel 5 - Planting limited by steep slopes and overhead utility lines.

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Parcel 13 – Planting limited by steep slopes and existing tree.



Parcel 15 – Planting limited by existing drainage swale.

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Parcel 16 - Planting limited by existing drainage swale and sidewalk.



Parcel 21 - Planting limited by sidewalk and overhead utility lines.

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Parcel 1.



Parcels 9 and 10.

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August 14, 2019

Project # TLM-03

Mary Beth Van Voorhis
Town of Loomis
3665 Taylor Road
P.O. Box 1130
Loomis, CA 95650

Subject: Contract Augment to Provide Additional Arborist Consulting Services for the Tree Mitigation Master Plan Project

Dear Mary Beth:

HELIX Environmental Planning, Inc. (HELIX) is submitting this contract augment (Augment) to Town of Loomis (Client) to provide additional Arborist consulting services for the Tree Mitigation Master Plan project. Under our original contract dated April 2, 2019 with Foothill Associates, which was later transferred to HELIX, HELIX outlined its services to prepare a tree mitigation opportunity assessment (Task 1). The following scope of services provides additional tasks for this project.

SCOPE OF SERVICES

Task 2 – Master Tree List

HELIX will prepare a Master Tree List for the Town of Loomis to provide suitable recommendations for tree planting. The list will be prepared in an excel database and include tree scientific and common name, information on tree size at maturity, minimum planting area/ setbacks from infrastructure required, water needs, growth rate, native or non-native status, water use according to WUCOLS, and common uses (e.g., shade, screening, or colorful flowers, foliage, or fruit), and other cultural notes. HELIX will also prepare general guidelines for tree placement, such as minimum root areas and soil preparation needs for successful planting, and guidelines for adding/approving additional trees not already on the list.

The draft Master Tree List will be provided in PDF and Microsoft Excel format for review by City staff. One round of staff comments will be addressed to prepare the final Master Tree List, which will be provided in PDF and Microsoft Excel format.

Task 3 – Tree Preservation Feasibility Study

HELIX will complete a GIS analysis of the Town of Loomis to determine areas that are suitable for oak tree preservation. Factors used in this analysis will include tree canopy cover, zoning code, flood zones,

ownership, continuity with existing parks, open space, or preserves, and a minimum contiguous canopy area. Prior to the analysis, HELIX will review the evaluation model with Town staff over e-mail and conference call. Parcels will be ranked as highly suitable, somewhat suitable, or not suitable for oak tree preservation.

The draft results of the analysis, consisting of a graphic illustrating the areas suitable for oak tree preservation and an accompanying memo documenting the model evaluation criteria used to determine suitability, will be provided in PDF format for review by Town Staff. One round of staff comments will be addressed to prepare the final analysis. The final analysis will be provided in PDF and as a GIS geodatabase for Town use.

Task 4 – Town Council Meeting

HELIX staff will attend one town council meeting to assist Town staff in presenting the results of the Tree Planting and Tree Preservation Feasibility Studies and the Master Tree List and answer questions from Council.

ASSUMPTIONS AND ADDITIONAL LIMITATIONS ON SCOPE OF SERVICES

Costs associated with meetings, focused species surveys, permit preparation and processing, California Environmental Quality Act processing, and/or technical studies and reports (“additional work”) are not included within the scope of services required of HELIX under this Augment.

Town staff-requested changes to the results of Tree Preservation Analysis model for individual parcels will be minimal, to ensure the results remain defensible.

COST ESTIMATE

HELIX submits this cost estimate not to exceed \$9,335 (a breakdown of which is provided below), which brings our currently authorized amount from \$6,340 to \$15,675. All work shall continue to be invoiced on a time and materials basis.

<u>Task Number</u>	<u>Task Name</u>	<u>Cost</u>
2	Master Tree List	\$4,315
3	Tree Preservation Feasibility Study	\$4,170
4	Town Council Meeting	<u>\$850</u>
TOTAL		\$9,335

We look forward to continuing our work with you on this project. If you have any questions concerning this Augment, please call Meredith Branstad at (916) 435-1202 or me at (916) 365-8700.

Sincerely,



David W. Claycomb, AICP
Northern California Regional Manager

HELIX Environmental Planning, Inc.
590 Menlo Drive, Suite 5
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ATTACHMENT 4
HELIX
Environmental Planning

December 23, 2019

Project # TLM-03

Mary Beth Van Voorhis
Town of Loomis
3665 Taylor Road
P.O. Box 1130
Loomis, CA 95650

Subject: Contract Augment to Provide Additional Arborist Consulting Services for the Tree Mitigation Master Plan Project

Dear Mary Beth:

HELIX Environmental Planning, Inc. (HELIX) is submitting this contract augment (Augment) to Town of Loomis (Client) to provide additional Arborist consulting services for the Tree Mitigation Master Plan project. Under our original contract dated April 2, 2019 with Foothill Associates, which was later transferred to HELIX, HELIX outlined its services to prepare a tree mitigation opportunity assessment (Task 1). Augment #1, dated August 14, 2019 included Tasks 2-4. The following scope of services provides additional tasks for this project.

SCOPE OF SERVICES

Task 5 – Additional Mitigation Planting Area Assessment

HELIX will identify parcels located within or adjacent to the Town of Loomis that are suitable for tree mitigation planting. Parcels owned by the Town and Caltrans have already been examined in Task 1. Following a kick-off meeting to discuss priority areas and known limitations (e.g., City of Rocklin boundaries), HELIX will begin the analysis by identifying parcels within the analysis boundary (Town limits and up to approximately ½-mile surrounding them) that have significant open land. Parcels will be identified by public or private ownership and zoning designation. This map of potential parcels will be provided for review by Town staff, who will provide direction to identify which parcels should be further considered. A site assessment will be conducted on parcels identified by City staff for inclusion in the final assessment to determine planting capacity, current site conditions such as utility lines, and to photo-document the site, as accessible from public roads. The results of the assessment will be compiled into a revised tree Mitigation Planting Area Assessment letter report, updating the existing report dated August 13, 2019. The data will also be provided in a GIS geodatabase.

ASSUMPTIONS AND ADDITIONAL LIMITATIONS ON SCOPE OF SERVICES

Field site assessment will be conducted from public roads or with site access arranged by Town of Loomis staff and will take up to two field days.

Costs associated with meetings, focused species surveys, permit preparation and processing, California Environmental Quality Act processing, and/or technical studies and reports ("additional work") are not included within the scope of services required of HELIX under this Augment.

COST ESTIMATE

HELIX submits this cost estimate not to exceed \$8,900, shown below as Task 5, which brings our currently authorized amount from \$6,340 to \$24,575 (inclusive of Augment #1). All work shall continue to be invoiced on a time and materials basis.

<u>Task Number</u>	<u>Task Name</u>	<u>Cost</u>
5	Additional Mitigation Planting Area Assessment	\$8,900
	TOTAL	\$8,900

We look forward to continuing our work with you on this project. If you have any questions concerning this Augment, please call Meredith Branstad at (916) 435-1202 or me at (916) 365-8700.

Sincerely,



David W. Claycomb, AICP
Northern California Regional Manager