

**ITEM 6.2: Tree Permit – 260 S. Harding Bl. – DHCS PCL DH-48 – Clear Channel Tree Permit – PL24-0890**

**REQUEST**

The applicant requests a Tree Permit to allow the removal of two valley oak trees at 260 S. Harding Bl., for a total of 28 inches diameter at breast height (DBH).

Owner- Candice Stephenson Trust Et. Al.  
Applicant- Lori Murphy, Davey Resource Group, Inc.

**SUMMARY RECOMMENDATION**

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

1. Consider the Addendum to the Roseville Digital Billboard Project Initial Study/ Mitigated Negative Declaration (SCH #2021110283, adopted January 19, 2022); and
2. Adopt the two (2) findings of fact and approve the Tree Permit subject to five (5) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

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

**BACKGROUND**

The project site is located at 260 S. Harding Bl., which is southwest of the intersection of Interstate 80 and Douglas Bl., beyond the terminus of S. Harding Bl. The project site is vacant with the exception of the Clear Channel digital billboard sign, which was approved by City Council on January 19, 2022. The northern portion of the site is seasonally used as a Christmas tree lot, and the parcel has been used as a construction staging area. Surrounding land uses include single-family residence to the west and southwest, a commercial area to the north, and Interstate 80 and associated on ramp to the east and southeast. The project site is approximately 2.86 acres in size has a General Plan land use designation of CC (Community Commercial) and zoning designation of CC/SA-DH (Community Commercial/ Special Area- Douglas Harding).

The project proposes the removal of two (2) protected Valley oak trees, including Tree #1 (16 inches DBH) and Tree #2 (12 inches DBH). According to the applicant, these trees obstruct views of the digital billboard and present an on-going maintenance problem that will result in the continual decline of the trees. Three (3) additional trees are proposed for removal, including a 5.5-inch DBH Valley oak which does not meet the criteria for protection under the Tree Preservation Ordinance, a 10.5-inch DBH catalpa (*Catalpa bignoides*), and a eucalyptus tree on a neighboring property.

**Figure 1: Project Location**



## **EVALUATION**

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-percent encroachment into the dripline of a native oak tree. The required findings to approve a Tree Permit are in ***italicized, bold*** text and are followed by an evaluation.

- 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 replacements for trees removed.***

Lori Murphy, ISA certified arborist for Davey Resource Group, Inc., prepared an arborist report and tree inventory for the project on April 3, 2024, with an updated report dated September 6, 2024 (Exhibit A). The report includes a tree inventory summary that identifies two (2) protected oak trees, with 28 aggregate diameter inches, in the project area. Both trees, described by the arborist as in fair condition, are proposed for removal. Tree #1, which is 16-inches DBH and approximately 40 feet tall, was found to be in fair health with no damage or decay observed. The tree has an unbalanced canopy which leans eastward toward the freeway. Tree #2 is 12-inches DBH and approximately 30 feet tall. This tree was also found to be “significantly unbalanced” by the arborist, and therefore in overall a poor condition due to the form (Figure 3).

**Figure 2: Tree Location**



**Figure 3: Arborist Photograph**



In the September 6, 2024 letter provided to staff, the arborist provided additional justification for the removal of the trees. The letter states that the two Valley oak trees are relatively young, and will eventually be nearly 60 feet tall with a 60-foot-wide canopy. This will require continual pruning of the trees, causing consistent stress to the trees and ultimately damaging their natural shape and size. In addition, the trees are limited in their ability to grow, constrained by their proximity to the freeway soundwall and residential fencing.

The Zoning Ordinance provides criteria for evaluating a Tree Permit request, including identification of unique topography or other property features, overall health and age of the trees, whether or not any alternative locations for the work are available, and the soil stability/erosion potential of the work area. The project proposes the removal of the two protected trees in order to maintain visual clearance for the Clear Channel digital billboard. No other work is included with the project. As previously stated, the trees are young and currently in fair health, and would be negatively impacted by the continued maintenance that would be required to keep the billboard unobstructed. No concerns related to soil stability or erosion have been identified.

According to the Oak Tree Planting and Replacement Program outlined in Section 19.66.070 of the Zoning Ordinance, there are four (4) methods of mitigation for the removal of protected oak trees. While on-site replacement planting is the preferred method, the Ordinance allows for the payment of an in-lieu mitigation fee when it is found that the other provided remedies are not feasible or desirable. As replacement planting would ultimately result in new trees that would obscure the billboard, the applicant requests payment of the in-lieu mitigation fee. The mitigation fee will contribute to funds that will propagate, purchase, plant, protect, and maintain native trees within the City of Roseville.

This Tree Permit includes the standard conditions of approval for tree removal. With the required conditions of approval and proposed payment of the in-lieu mitigation fee, the requested removal will not be detrimental to the public health, safety, or welfare.

### **PUBLIC OUTREACH**

The proposed project was distributed to the various agencies and departments which have requested notice of City applications, and all comments were considered and incorporated into the Conditions of Approval, as appropriate. Notice of the application was also distributed to the Roseville Coalition of Neighborhood Associations. No comments were received. A public notice of the Planning Commission hearing was published on November 29, 2024, and was distributed to all property owners within 300 feet of the project site. To date, no comments have been received. One neighbor requested a copy of the plans to see the location of the proposed tree removal.

The applicant completed additional outreach with the adjacent neighbors to ensure they were aware of the request, per the September 2024 letter to staff. As a result of this outreach, the applicant will be removing a eucalyptus tree from a neighboring yard. No other concerns were presented as a part of this outreach effort.

### **CONCLUSION**

Staff recommends approval of the Tree Permit based on the analysis included in this report.

### **ENVIRONMENTAL DETERMINATION**

Consistent with CEQA Guidelines Section 15164, regarding previously adopted Mitigated Negative Declarations, an Addendum to the Roseville Digital Billboard Project Initial Study/ Mitigated Negative Declaration (SCH #2021110283, adopted on January 19, 2022) has been prepared to cover the minor

technical changes and additions necessary to describe the impacts of the proposed project. The Addendum (Exhibit A) did not identify any new environmental impacts from the project. As such, staff recommends the Planning Commission consider the Addendum prior to taking action on this project.

## **RECOMMENDATION**

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

1. Consider the Addendum to the Roseville Digital Billboard Project Initial Study/ Mitigated Negative Declaration (SCH #2021110283, adopted January 19, 2022); and
2. Adopt the findings of fact as stated in the staff report and approve the **TREE PERMIT – 260 S. HARDING BL.– DHCSP DH-48 – CLEAR CHANNEL TREE PERMIT – PL24-0890** subject to five (5) conditions of approval.

### **CONDITIONS OF APPROVAL FOR TREE PERMIT, FILE # PL24-0890**

1. The approval of this Tree Permit shall expire on **June 12, 2025**. (Planning)
2. All recommendations contained in the Arborist Report (Exhibit B) are incorporated by reference into these conditions, except as modified herein. (Planning)

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

3. Trees #1 and #2 are approved for removal with this tree permit. 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)
4. 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 28 inches DBH. Mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan or in these conditions. (Planning)
5. 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)

## **Exhibits**

- A. Addendum to the Roseville Digital Billboard Project Initial Study/ Mitigated Negative Declaration (SCH #2021110283, adopted on January 19, 2022)
- B. Arborist Report and Supplemental Letter, Prepared by Davey Resource Group, Inc.
- C. Site Plan

**Note to Applicant and/or Developer:** Please contact the 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.