

# STAFF REPORT

## SAUSALITO TREES AND VIEWS COMMITTEE

Project Herring Tree / 112 Cazneau Avenue  
Tree Removal Permit  
TRP 11-359

Meeting Date December 2, 2011

Staff Alison Thornberry, Assistant Planner



### REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Coast Live Oak located at the front of the property at 112 Cazneau Avenue.

### PROJECT INFORMATION

**Applicant** Marin County Arborists

**Owner** Prouty Timothy R & Herring Wren Family TR

**Location** 112 Cazneau Avenue (APN 065-101-20) (see **Exhibit A** for vicinity map)

**Authority** Municipal Code Section 11.12.030.A.2.b authorizes the Trees and Views Committee to review and act upon Tree Removal and Alteration Permits regarding protected trees on private developed property

**Environmental Review** Issuance of Tree Removal and Alteration Permits is categorically exempt from the California Environmental Quality Act (CEQA), in accordance with Section 15301 of the CEQA Guidelines.

### PROJECT DESCRIPTION

The applicant, Marin County Arborists, has submitted an application on behalf of the property owner, Prouty Timothy R & Herring Wren Family TR, for the removal of one Coast Live Oak (*Quercus agrifolia*) located in front of the residence at 112 Cazneau Avenue.

An Arborist Report was prepared on November 3, 2011 by Certified Arborist, Louie Brunn, to assess the health, structural condition, and suitability for preservation of one Coast Live Oak and one American Elm tree (*Ulmus Americana*) located at 112 Cazneau Avenue. In reviewing the trees the arborist noted the Elm tree is located in public right-of-way and is to be reviewed by and acted upon by the Department of Public Works.

The Arborist's report identifies the following attributes regarding the tree proposed for removal (see **Exhibit B** for full report):

- 69 inches in Circumference at Breast Height (CBH) and 22 inches in Diameter at Breast Height (DBH);
- This tree has beginning signs of Sudden Oak Death fungus as is evident by the red/black bleeding on the trunk;
- The tree trunk is growing horizontally and its root system has damaged the adjacent gutter and stucco on neighbors house;
- The entire canopy is growing and hanging over the 112 Cazneau Avenue house, and the hazard rating is 10 points out of a possible 12 points;

- The damaged gutter will cause soil saturation at the base of the tree with rain, and due to the presence of Sudden Oak Death fungus increases the risk of failure and potentially damaging the house or both houses;
- The neighboring Oak is also infected with Sudden Oak Death, and the tree is to be preserved and monitored for changes.

The arborist states that the tree is a fall hazard to people and the residence and must be removed. He also recommends retaining the roots and allowing it to resprout, and repairing the gutter.

## **PROJECT ANALYSIS**

The required determinations for approval of a Permit to remove a protected tree are as follows (per Section 11.12.030.B):

1. In order to grant a tree removal or alteration permit it must be determined that removal or alteration is necessary in order to accomplish any one of the following objectives:
  - a. To insure the public safety as it relates to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, and interference with utilities or sewers.
  - b. To allow reasonable enjoyment of the property, including sunlight, and the right to develop the property.
  - c. To take reasonable advantage of views.
  - d. To pursue good, professional practices of forestry or landscape design.

*The tree has fungus infection along its trunk with a root system damaging the residential property. Due to the proximity this tree is to the residence, and the increased risk of failure, removal is required to insure public safety and to allow reasonable enjoyment of the property, thus satisfying **Objective a and b** listed above.*

2. In order to grant a tree removal permit, it must be determined that any one of the following conditions is satisfied:
  - a. The tree to be removed will be replaced by a desirable tree.
  - b. The Tree Committee waives the above requirement based on information provided by the applicant/owner.

*The arborist recommends the applicant replace the tree with a 15 gallon Coast Live Oak to be located along the upper slope of the property. However, Staff has created a condition that the replacement tree shall be in a 24-inch box container of desirable species, to be determined by the property owner, and shall be planted in a location to be determined by the property owner, thus satisfying **Objective a** listed above.*

## **PUBLIC NOTICE AND CORRESPONDENCE**

On November 22, 2011, a notice of this proposal was posted at the front of the subject property, visible to the surrounding neighborhood, and the tree has been tagged.

As of the writing of the staff report the City has not received any correspondence.

## **RECOMMENDATION**

Staff recommends the Trees and Views Committee approve the attached resolution which makes the required determinations for approval of a Tree Removal Permit to allow removal of the Coast Live Oak located at 112 Cazneau Avenue (TRP 11-359).

Alternatively, the Trees and Views Committee may:

- Approve the Tree Removal Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

## **EXHIBITS**

- A. Vicinity Map
- B. Arborist report and photographs, date stamped November 15, 2011
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

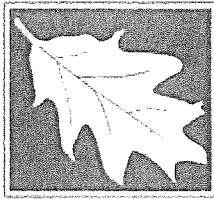
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# Vicinity Map



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Exhibit A



Marin County Arborists Inc  
PO Box 2538, San Rafael CA 94912  
Tel: 415-457-8733 Fax: 415-455-8110

RECEIVED

NOV 15 2011

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

November 3, 2011

Wren Herring  
112 Cazneau Avenue  
Sausalito, CA 94965

Site: 112 Cazneau Avenue, Sausalito, CA 94965

Tree: T1 – Coast Live Oak tree (*Quercus agrifolia*) – 22" dbh – Located on 112 Cazneau  
T2 – American Elm tree (*Ulmus americana*) – 12" dbh – Located on City property

### Arborist Report

T1 – This tree has beginning signs of Sudden Oak Death fungus as is evident by the red/black bleeding on trunk. This tree trunk is growing horizontally and its root system has damaged the adjacent gutter and stucco on the neighbors house. The entire canopy of this tree is growing over the house at 112 Cazneau. The hazard rating for this tree is 10 points out of a possible 12 points.

The damaged gutter will cause soil saturation at the base of this tree with heavy rain. Due to the presence of Sudden Oak Death fungus the increasing the risk of failure and potentially damaging the house or both houses, I recommend removing this tree. Removal of this tree won't impact soil stability. I recommend retaining the roots and allow it to resprout and repairing the gutter.

ISA guidelines doesn't provide an appraised value for hazardous trees. Replacement planting with 15 gallon Coast Live Oak on upper slope.

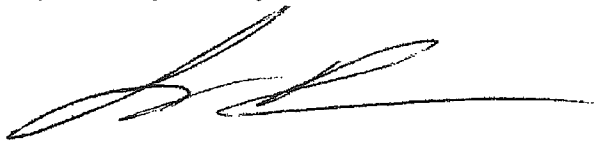
Neighboring Oak is also infected with Sudden Oak Death. This tree is being preserved and monitored for changes in health.

T2 – This tree is located on the City of Sausalito property. It is under high voltage wires and has been topped by PG&E.

The horizontal growth that has not been pruned is becoming very heavy and growing into and over the house at 112 Cazneau. This tree has poor structure due to prior topping. Any attempts to balance the trees canopy would require large heading (topping) cuts on the side branches. This is not a recommended procedure.

Removal of this tree is my recommendation. Adjacent trees and shrubs will fill the void caused by this removal. ISA appraised value for this tree is \$875.00. Removal of this tree won't impact erosion or stability

Report completed by:



Louie P. Brunn  
Marin County Arborists, Inc.  
Certified Arborist # 5695

**Legend**

- Major Road**
  - Highway 101, 580
  - Major Road
- Road**
  - Highway 101, 580
  - Other Highway
  - Local
  - Fire Road
  - Driveway
  - Footpath
  - Railroad
- Address**
- Parcel**
- Building Footprint (2004)**
- City Limit Line**
- County Boundary**

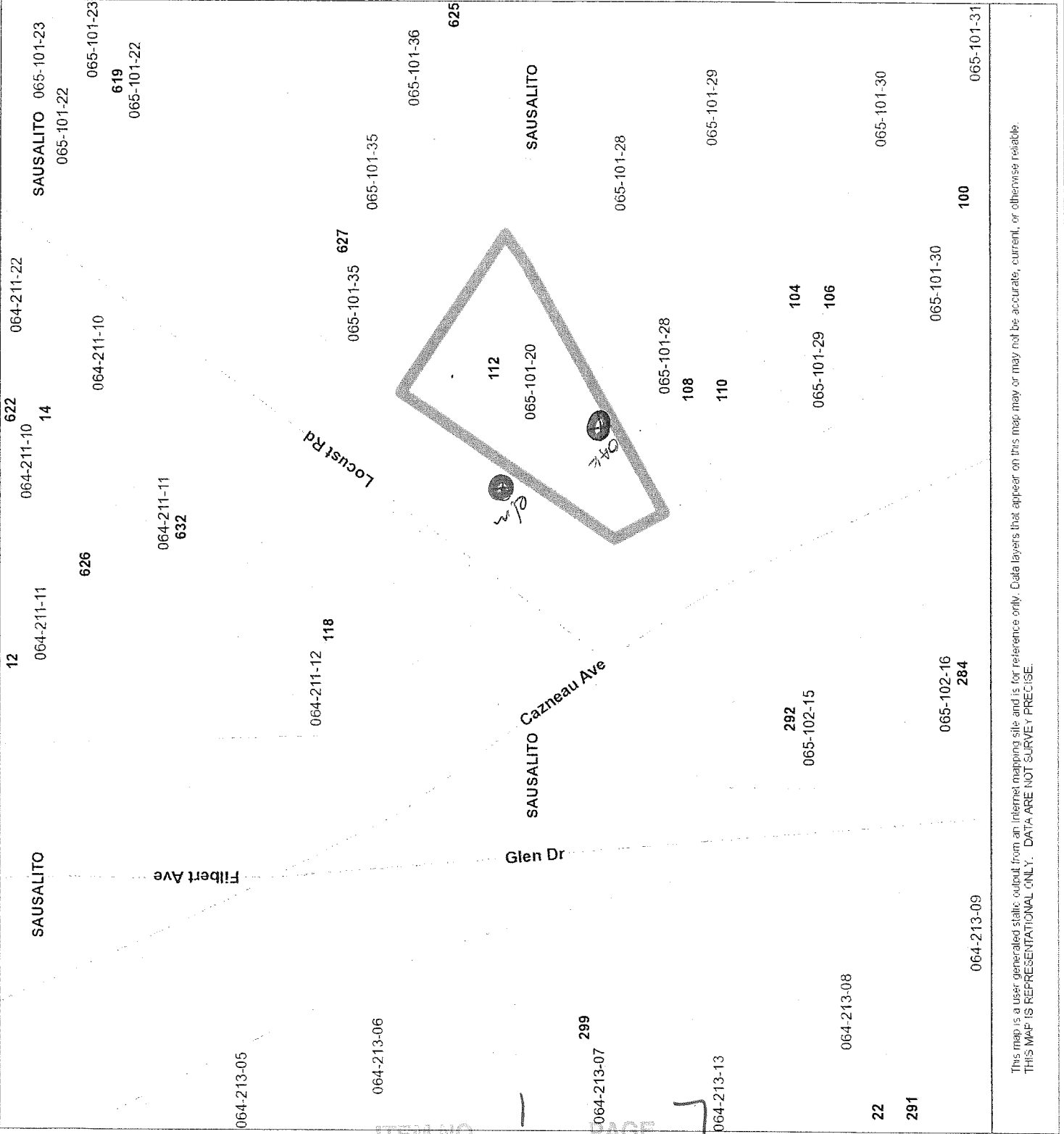
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CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT



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This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY/PRECISE.

*elm tree*

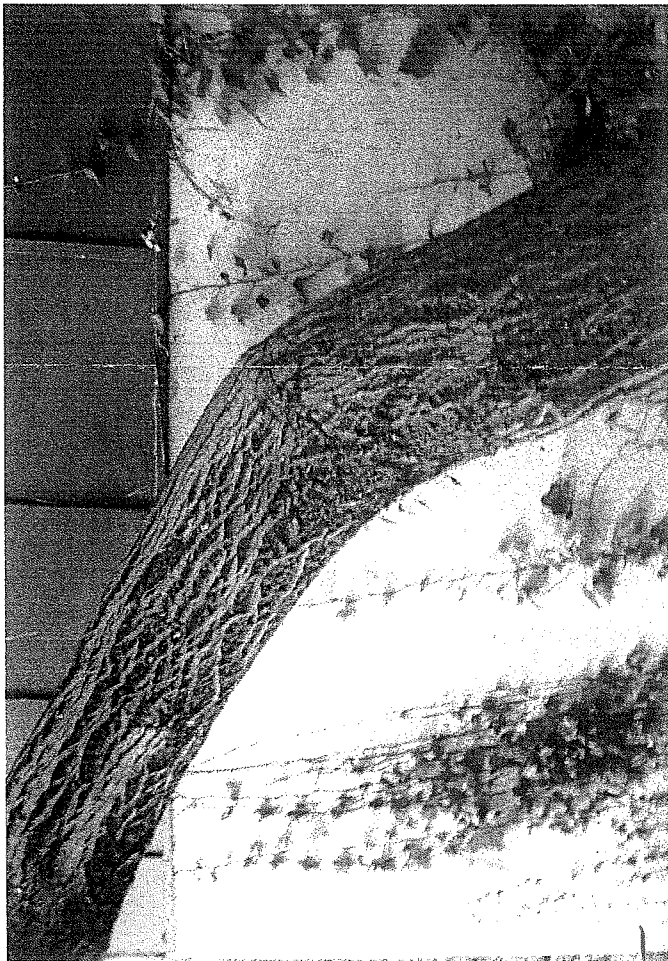
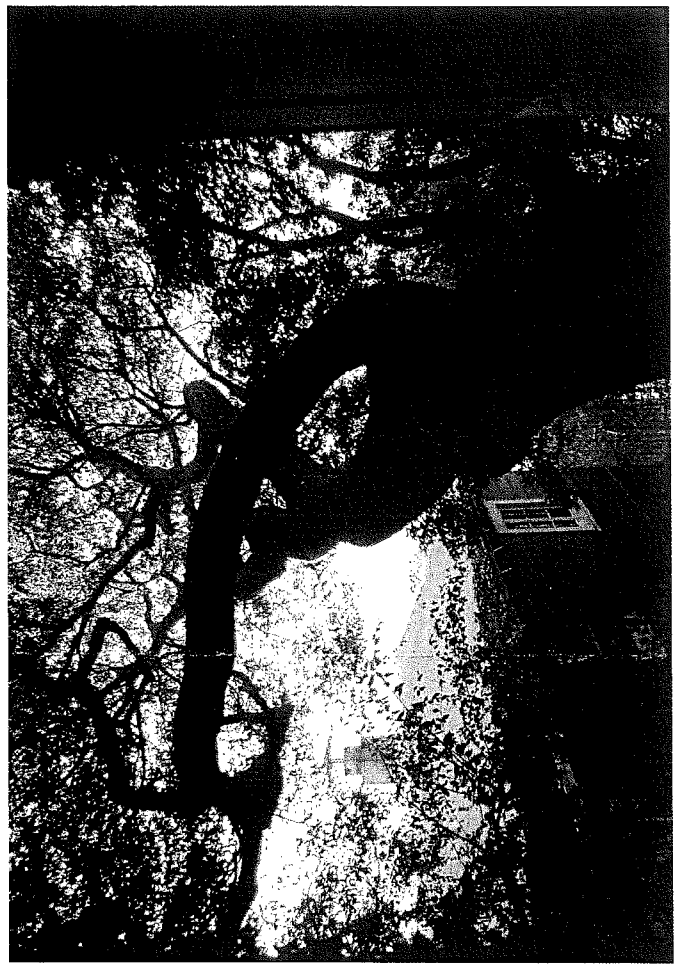
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COMMUNITY DEVELOPMENT







ITEM NO. 1

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CITY OF SAUSALITO

## Criteria for Approval or Denial of Tree Removal or Alteration Permits Municipal Code Section 11.12.030.B

1. In order to grant a tree removal or alteration permit it must be determined that removal or alteration is necessary in order to accomplish any one of the following objectives:
  - a. To insure the public safety as it relates to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, and interference with utilities or sewers.
  - b. To allow reasonable enjoyment of the property, including sunlight, and the right to develop the property.
  - c. To take reasonable advantage of views.
  - d. To pursue good, professional practices of forestry or landscape design.
2. In order to grant a tree removal permit, it must be determined that any one of the following conditions is satisfied:
  - a. The tree to be removed will be replaced by a desirable tree.
  - b. The Tree Committee waives the above requirement based on information provided by the applicant/owner.
3. A finding of any one of the following is grounds for denial, regardless of the finding in "1." above:
  - a. Removal of a healthy tree of a desired species can be avoided by:
    1. Reasonable redesign of the site plan, prior to construction
    2. a) thinning to reduce density; e.g., "open windows"  
b) shaping to reduce height or spread, using thinning cuts only (drop crotch)  
c) heading or topping – this is the least preferable method, due to the tree's health and appearance and cost of maintenance.
  - b. Adequate provisions for drainage, erosion control, land stability, windscreen, visual screening, privacy and for restoration of ground cover and/or other foliage damaged by the tree work have not been made in situations where such problems are anticipated as a result of the removal or alteration.
  - c. The tree to be removed is a member of a group of trees in which each tree is dependent upon the others for survival.
  - d. The value of the tree to the neighborhood is greater than its convenience to the owner. The effects on visual, auditory, and wind screening, privacy and neighboring vegetation must be considered.
  - e. The need for protection of privacy for the property on which the tree is located and/or for adjacent properties.

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**SAUSALITO TREES AND VIEWS COMMITTEE  
RESOLUTION NO. 2011-XX**

**TREE REMOVAL PERMIT FOR A COAST LIVE OAK  
LOCATED AT 112 CAZNEAU AVENUE (TRP 11-359)**

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**WHEREAS**, on November 15, 2011 a Tree Removal Permit application was filed by, the applicant, Marin County Arborists, on behalf of the property owner, Prouty Timothy R & Herring Wren Family TR, requesting the removal of one Coast Live Oak (*Quercus agrifolia*) located at 112 Cazneau Avenue (APN 065-101-20); and

**WHEREAS**, a notice for the application was posted on the Tree Owner's property on November 22, 2011; and

**WHEREAS**, the Trees and Views Committee considered the application at a public meeting on December 2, 2011, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Trees and Views Committee has reviewed and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

**WHEREAS**, the Trees and Views Committee finds that the application is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines; and

**NOW, THEREFORE, THE TREES AND VIEWS COMMITTEE HEREBY RESOLVES:**

Removal of the Coast Live Oak located on the Tree Owner's property at 112 Cazneau Avenue is approved. This decision is based upon the determinations provided in Attachment 1 and subject to the conditions of approval provided in Attachment 2.

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Trees and Views Committee on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by the following vote:

AYES:           Committee Member:  
NOES:           Committee Member:  
ABSENT:        Committee Member:  
ABSTAIN:       Committee Member:

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Jeremy Graves, AICP  
Community Development Director

**ATTACHMENTS**

- 1- Findings
- 2- Conditions of Approval

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Exhibit D  
[3 pages]

**TREES AND VIEWS COMMITTEE RESOLUTION**

**December 2, 2011**

**TRP 11-359**

**112 Cazneau Avenue**

**ATTACHMENT 1: FINDINGS**

**TREE REMOVAL PERMIT FINDINGS**

In accordance with Municipal Code Section 11.12.030.B, the Trees and Views Committee makes the following findings with respect to the Tree Removal Permit for 112 Cazneau Avenue.

**Section 11.12.030.B of the Sausalito Municipal Code**

1. In order to grant a tree removal or alteration permit it must be determined that removal or alteration is necessary in order to accomplish any one of the following objectives:
  - a. To insure the public safety as it relates to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, and interference with utilities or sewers.
  - b. To allow reasonable enjoyment of the property, including sunlight, and the right to develop the property.
  - c. To take reasonable advantage of views.
  - d. To pursue good, professional practices of forestry or landscape design.

*The tree has fungus infection along it's trunk with a root system damaging the residential property. Due to the proximity this tree is to the residence, and the increased risk of failure, removal is required to insure public safety and to allow reasonable enjoyment of the property, thus satisfying **Objective a and b** listed above.*

In order to grant a tree removal permit, it must be determined that any one of the following conditions is satisfied:

- a. The tree to be removed will be replaced by a desirable tree.
- b. The Tree Committee waives the above requirement based on information provided by the applicant/owner.

*Staff has created a condition that the replacement tree shall be in a 24-inch box container of desirable species, to be determined by the property owner, and shall be planted in a location to be determined by the property owner, thus satisfying **Objective a** listed above.*

**TREES AND VIEWS COMMITTEE RESOLUTION**  
**December 2, 2011**  
**TRP 11-359**  
**112 Cazneau Avenue**

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

This condition of approval applies to the Tree Removal Permit submitted on November 15, 2011.

1. The removed tree shall be replaced with a 24 inch box tree of desirable species, to be determined by the property owner, and shall be planted in a location to be determined by the property owner. The replacement tree shall be planted within 60 days of tree removal.

**Advisory Notes**

Advisory notes are provided to inform affected parties of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

1. All tree work shall be performed to the American National Standards (ANSI) A300 pruning standards.
2. Pursuant to Municipal Code Section 11.12.040.B, in the event litigation is required to enforce the decision of the Trees and Views Committee the party bringing any private civil action must promptly notify the City of Sausalito's Community Development Department in writing of such action.
3. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all tree removal activities.
4. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:  
Weekdays – Between 8:00 a.m. and 6:00 p.m.  
Saturdays – Between 9:00 a.m. and 5:00 p.m.  
Sundays – Prohibited  
City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.

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