

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Roberts-Feuzeig Tree / 168 San Carlos Avenue
Tree Removal Permit
TRP 11-352

Meeting Date December 2, 2011

Staff Alison Thornberry, Assistant Planner



REQUEST

Approval of a **Tree Removal Permit** to allow the removal of four Coast Live Oaks located on the property at 168 San Carlos Avenue.

PROJECT INFORMATION

Applicant/Owner Mary Roberts and Don Feuzeig

Location 168 San Carlos Avenue (APN 065-092-44) (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 property owners, Mary Roberts and Don Feurzeig, have submitted an application for the removal of a total of four Coast Live Oaks (*Quercus agrifolia*) located behind the residence at 168 San Carlos Avenue.

An Arborist Report was prepared on October 25, 2011 by Certified Arborist, Ray Moritz, to assess the health, structural condition, and suitability for preservation of four Coast Live Oaks located on the property of 168 San Carlos Avenue.

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

Tree 4 (T-4)

- 59.37 inches in circumference measured at breast height (CBH) and 18.9 inches in diameter measured at breast height (DBH);
- Located immediately against T-5 on the east side;
- 65 degree lean to the southeast;
- The tree was windowed in the past and has extreme dieback and very sparse foliage;
- CONCLUSION – There is an imminent risk of failure, the tree has poor stability due to root competition from T-5, severe lean and irreversible decline;
- RECOMMENDATION – Immediate removal is recommended to prevent damage from failure.

Tree 5 (T-5)

- 60.9 inches CBH and 19.4 inches in DBH;

- Located immediately against T-4 to the west creating and overly crowded root system;
- The canopy was previously windowed and there is severe decline of the upper canopy;
- There is an unbalanced root system due to overcrowding;
- CONCLUSION – The tree displays significant decline and if T-4 fails, this tree will be destabilized;
- RECOMMENDATION – Remove the tree. If the tree is topped to remove the area of decline it will be deformed and may develop other problems.

Tree 6 (T-6)

- 66.6 inches CBH and 21.2 inches DBH;
- Located to the north of T-5, canopy is crowded by T-5;
- There is some staining and bleeding on the south face of the trunk at four feet above grade, some dieback can also be seen;
- CONCLUSION – the tree is symptomatic of the early stages of Sudden Oak Death (SOD);
- RECOMMENDATION – monitor for continued decline and SOD symptoms.

Tree 7 (T-7)

- Tree has two trunks, one is 52.4 inches CBH and 16.7 inches DBH, the other is 42.4 inches CBH and 13.5 inches DBH;
- The tree leans over a private road in the rear of the property, causing problems for large trucks driving down the road;
- RECOMMENDATION – Work with the Fire Department to determine if there is adequate clearance for fire trucks to access houses along the road, the tree may need to be trimmed back.

Overall the arborist states that T-4 and T-5 are diseased and overcrowded and should be removed, while T-6 and T-7 should not be removed and should be monitored, for disease and road clearance.

Staff has created a condition that the applicants follow the directions of the arborist, and monitors T-6 for any continued decline, and work with the Fire Department regarding the overhang of T-7, at which time the applicant should work with the arborist to determine the best route to accomplish road clearance.

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.

*T-4 and T-5 are both showing great signs of decline and disease. The trees are overcrowding each other's canopies and root systems. Both trees are seen to be hazardous and in danger of falling either on the property or on road. The removal of these two trees would insure the public safety as it relates to the health of the tree and potential hazard to life and property. Therefore, the removal of T-4 and T-5 would satisfy **Objective a** 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.

*Staff has created a condition that the two trees removed shall be replaced with two trees in 24-inch box containers 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, 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 two Coast Live Oaks, T-4 and T-5, and work with the arborist and fire department to monitor T-6 and T-7 located at 168 San Carlos Avenue (TRP 11-352).

Alternatively, the Trees and Views Committee may:

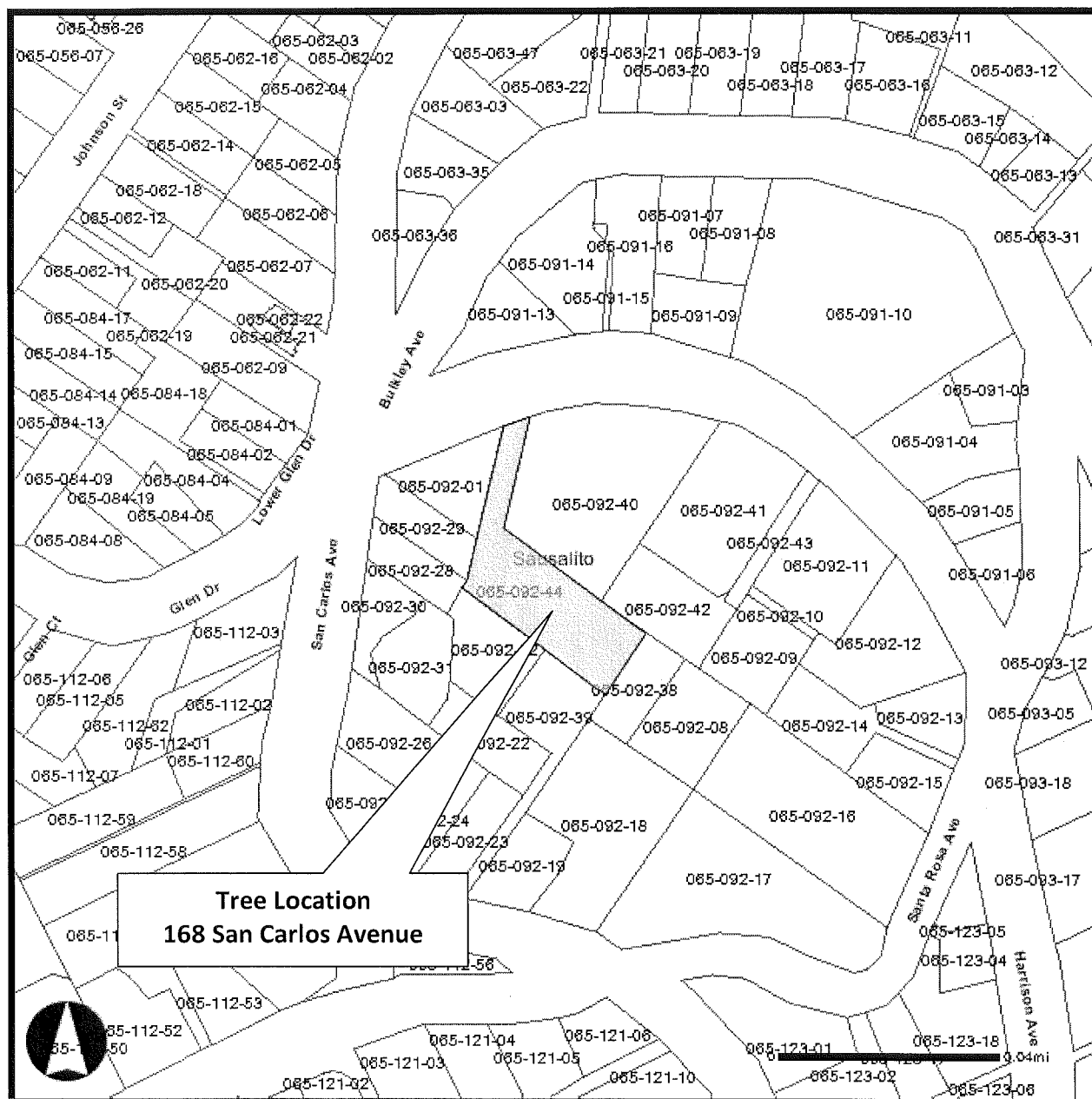
- Approve the Tree Removal Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

EXHIBITS

- A. Vicinity Map
- B. Arborist report and photographs, date stamped November 9, 2011
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

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Vicinity Map



I:\CDD\PROJECTS - ADDRESS\San Carlos 168\TRP 11-352\Vicinity Map 12.02.2011



Urban Forestry Associates, Inc.
Moritz Arboricultural Consulting

8 Willow Street, San Rafael, CA 94901
Tel: 415 454-4212 Fax: 415 454-4218
arborforestry@sbcglobal.net

Bill to: Mary Roberts-Feinberg
168 San Carlos Ave.
Sausalito, CA.
94965

FIELD REPORT 2011

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(B)

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

Client Information	
Inspection Date	Phone
10/25/11	331 1938
Project Name	
Oak Assessment	
Site Address	
	same
Referred By:	
	Master Gardeners

ISSUE / PURPOSE OF INSPECTION: Health + stability assess:
 T-4 C.L. Oak - 18.9" DBH - S. side of lower stair by T-5
 T-5 C.L. Oak - 19.4" DBH - S. side lower stair by T-4
 T-6 C.L. Oak - 21.2" DBH - on N. side Lower stair.
 T-7 C.L. Oak - 16.7" + 13.5" at DBH On E. side of Drive.

A. OBSERVATIONS B. CONCLUSIONS C. RECOMMENDATIONS

T-4 A. Observations:
 1) On E. side of T-5 and immediately against it,
 2) severe lean to east + southeast (65°),
 3) windowed in past
 4) Extreme die back, very sparse foliage
 B. Conclusions: Imminent risk of failure.
 This tree has poor stability due to root competition from T-5, severe lean and irreversable decline (senescence).
 c. Remove to prevent damage from failure

T-5 A. Observations:
 1) On west side/against T-4, crowded root sys.
 2) Previously windowed.
 3) Severe decline of upper canopy.

<input type="checkbox"/> This is your invoice. The fee for this consultation is due and payable upon receipt. This fee is not contingent on any particular outcome or third party event. This fee is for services rendered to date. Additional consultation (verbal or written), court appearances, depositions or any other services will be additionally billable.	Additional work needed <input type="checkbox"/>
	Hours _____
	Misc. Charges _____
Arborist Name: <u>Ray Moritz PNW ISA cert. Tree Risk Assessor.</u>	
Arborist Signature: <u>[Signature]</u>	AMOUNT DUE _____

Exhibit B
(8 pages)



Urban Forestry Associates, Inc.
Moritz Arboricultural Consulting

8 Willow Street, San Rafael, CA 94901
Tel: 415-454-4212 Fax: 415-454-4218
arborforestry@sbcglobal.net

Field Report

Client: Mary Roberts	NOV 9 2011
Page: (2 of 2)	Date: 10/25/11
Project: Oak Assessment	

SAUSALITO DEVELOPMENT

(T-5) continued Sec. A.

4) unbalanced root system due to crowding.

B. Conclusions:

- This tree also displays significant decline.
- If T-4 fails this tree may be destabilized

C. Recommendation:

Remove; if it is topped to remove the two declining leaders it will be deformed & may well develop other problems connected with topping & send tree into a more severe decline.

T-6 A. Observations:

- 1) Crowded to north by T-5
- 2) Some staining/bleeding on S. face of trunk at 4' above grade.
- 3) Some die-back.

B. This tree may be symptomatic of SOD but, if so, would be an early stage.

C. Recommendation: Monitor for continued decline & SOD symptoms

T-7 A. Observations: Adjacent to lower drive

- 1) Lean over drive does not allow truck clearance, repeatedly hit by trucks.
 - 2) Narrows drive to 7' of truck clearance.
- C. Rec: Talk to Fire Marshall about emergency access to houses on drive.

LIMITATIONS:

The health and hazard assessments in this report are limited by the visual nature of the assessment. Defects may be obscured by aerial foliage, branches, multiple trunks or other trees. The probability of tree failure is dependent on a number of factors including: topography, geology, soil characteristics, wind patterns, species characteristics, structural defects (both visually evident and concealed), and the characteristics of a specific storm. Structurally sound, healthy trees are wind thrown during severe storms. Consequently, a conclusion that a tree does not require corrective surgery or removal is not a guarantee of no risk, hazard or sound health.

From: Mary Roberts <maryrose6@mac.com>
Subject: **Site Map for 10-25-11 Field Report**
Date: November 9, 2011 12:54:13 PM PST
To: maryrose6@mac.com
Cc: "Urban Forestry Associates, Inc." <arborforestry@sbcglobal.net>
1 Attachment, 633 KB

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Ray Moritz

Urban Forestry Associates, Inc.
(Formerly - Moritz Arboricultural Consulting)
8 Willow Street
San Rafael, California 94901

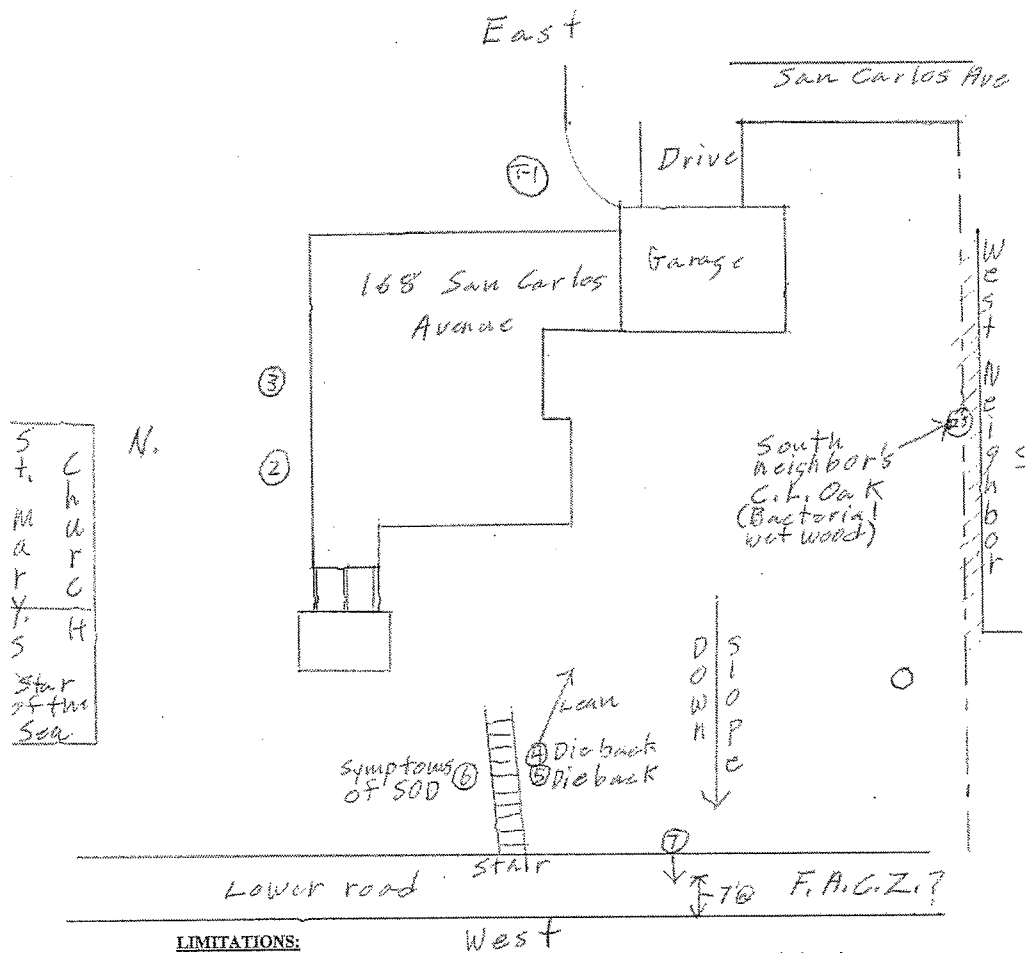
Phone: 415.454.4212
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Field Report

Client:	Mary Roberts	
Page:	3 of	Date: 10/25/11
Project:	Arborist's Site Map	



LIMITATIONS:
The health and hazard assessments in this report are limited by the visual nature of the assessment. Defects may be obscured

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CITY OF SAUSALITO

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From: Mary Roberts <maryrose6@mac.com>
Date: November 2, 2011 10:32:55 AM PDT
To: maryrose6@mac.com
1 Attachment, 161 KB



Sent from my iPhone

Slope of all trees (T4, T5, T6, T7)

From: Mary Roberts <maryrose6@mac.com>
Date: November 2, 2011 10:23:37 AM PDT
To: "maryrose6@mac.com" <maryrose6@mac.com>
1 Attachment, 127 KB

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Sent from my iPhone

Tree 4 out 5 (interviewed)

From: Mary Roberts <maryrose6@mac.com>
Date: November 2, 2011 10:20:12 AM PDT
To: "maryrose6@mac.com" <maryrose6@mac.com>
1 Attachment, 148 KB

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Sent from my iPhone

Showing "low" of T 5

From: Mary Roberts <maryrose6@mac.com>
Date: November 2, 2011 10:16:23 AM PDT
To: "maryrose6@mac.com" <maryrose6@mac.com>
▶ 1 Attachment, 130 KB

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Tree T6

ITEM NO. 3 PAGE 11

From: Mary Roberts <maryrose6@mac.com>
Date: November 2, 2011 10:25:30 AM PDT
To: "maryrose6@mac.com" <maryrose6@mac.com>
▶ 1 Attachment, 160 KB

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Tree T7

ITEM NO. 3 PAGE 12

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.

I:\CDD\Boards & Committees\TVC\Admin\Criteria for TRP

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

**TREE REMOVAL PERMIT FOR TWO COAST LIVE OAKS
LOCATED AT 168 SAN CARLOS AVENUE (TRP 11-352)**

WHEREAS, on November 9, 2011 a Tree Removal Permit application was filed by, the Property Owners, Mary Roberts and Don Feuzeig, requesting the removal of four Coast Live Oaks (*Quercus agrifolia*) located at 168 San Carlos Avenue (APN 065-092-44); 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 two Coast Live Oaks, T-4 and T-5, located on the Tree Owner's property at 168 San Carlos 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. A site plan showing the locations of Coast Live Oaks, T-4 and T-5, is provided as Attachment 3.

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:

Jeremy Graves, AICP
Community Development Director

ATTACHMENTS

- 1- Findings
- 2- Conditions of Approval
- 3- Site Plan

Exhibit D
[5 pages]

TREES AND VIEWS COMMITTEE RESOLUTION

December 2, 2011

TRP 11-352

168 San Carlos 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 168 San Carlos 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.

*T-4 and T-5 are both showing great signs of decline and disease. The trees are overcrowding each other's canopies and root systems. Both trees are seen to be hazardous and in danger of falling either on the property or on road. The removal of these two trees would insure the public safety as it relates to the health of the tree and potential hazard to life and property. Therefore, the removal of T-4 and T-5 would satisfy **Objective a** 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 two trees removed shall be replaced with two trees in 24-inch box containers 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, thus satisfying **Objective a** listed above.*

TREES AND VIEWS COMMITTEE RESOLUTION
December 2, 2011
TRP 11-352
168 San Carlos Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit submitted on November 9, 2011.

1. The removed trees shall be replaced with two 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.
2. The applicants shall follow the direction of the arborist, and monitors T-6 for any continued decline, and work with the Fire Department regarding the overhang of T-7, at which time the applicant should work with the arborist to determine the best route to accomplish road clearance.

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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TREES AND VIEWS COMMITTEE RESOLUTION
December 2, 2011
TRP 11-352
168 San Carlos Avenue

ATTACHMENT 3: SITE PLAN

From: Mary Roberts <maryrose6@mac.com>
 Subject: Site Map for 10-25-11 Field Report
 Date: November 9, 2011 12:54:13 PM PST
 To: maryrose6@mac.com
 Cc: "Urban Forestry Associates, Inc." <arborforestry@sbcglobal.net>
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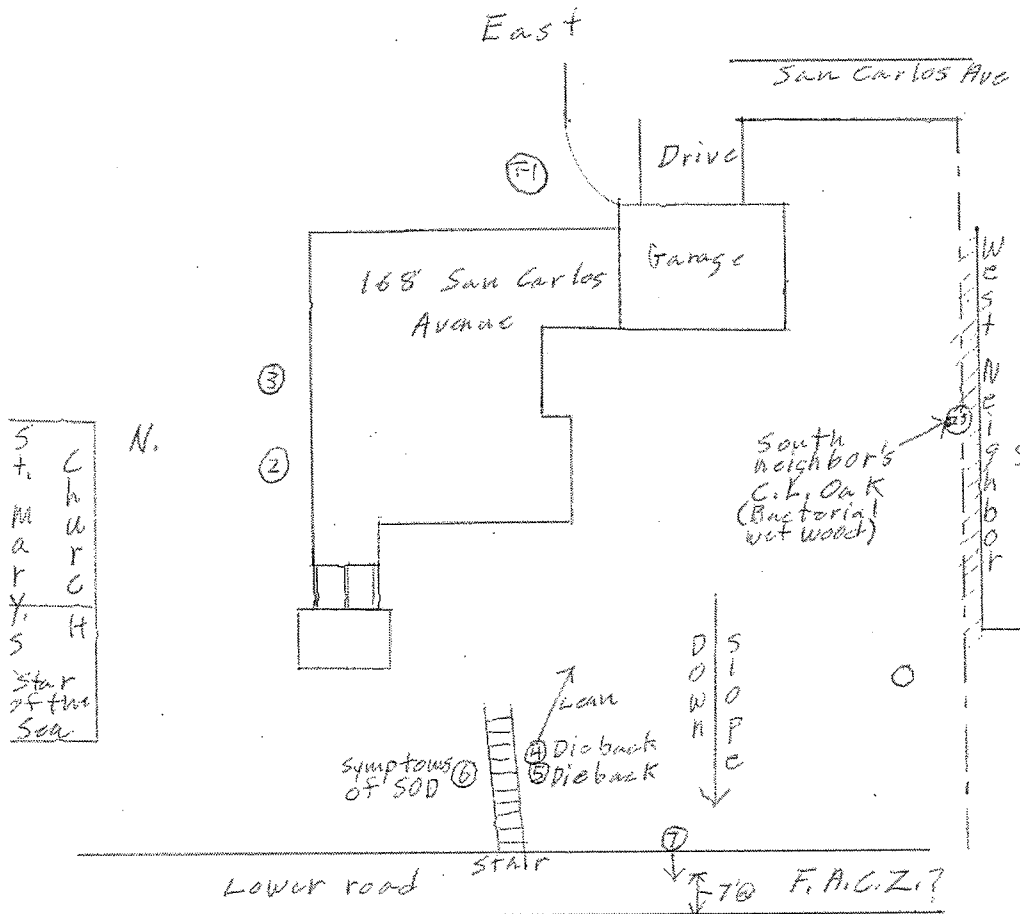
Phone: 415.454.4212
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Field Report

Client: <i>Mary Roberts</i>	
Page: <i>3</i> of	Date: <i>10/25/11</i>
Project: <i>Arborist's Site Map</i>	



LIMITATIONS:
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