

# STAFF REPORT

## SAUSALITO TREES AND VIEWS COMMITTEE

**Project** Griffin Tree / 47 Girard Avenue  
Tree Removal Permit  
TRP 12-141

**Meeting Date** July 5, 2012

**Staff** Alison Thornberry-Assef, Assistant Planner

### REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Magnolia tree located on the east of the residence at 47 Girard Avenue.

### PROJECT INFORMATION

**Applicant/Owner** Mary Griffin

**Location** 47 Girard Avenue (APN 065-103-31) (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 owner, Mary Griffin, has submitted an application for the removal of one hazardous Magnolia tree (*Magnolia grandiflora*) located to the east of the residence at 47 Girard Avenue.

An Arborist Report was prepared on May 29, 2012 by Certified Arborist, Randy Harris, to assess the health, structural condition, and suitability for preservation of the Magnolia tree located at 47 Girard Avenue.

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

- Two trunks equaling 32.1 inches in Diameter at Breast Height (DBH) and 101 inches in Circumference at Breast Height (CBH), in addition to the two trunks there is one small off shoot, or spur;
- Crown rot or butt rot has caused wood decaying fungus to infect the tree;
- The tree has been in slow decline because of the fungus;
- The continuous nature of the decay has made the tree vulnerable to failure;
- The rot has made the tree unstable and one stem is dead, the second stem become more vulnerable to failure without the primary stem;
- The tree will fall if not removed.

The arborist states that the tree is hazardous, will fail and must be removed.

## **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 rot and has caused wood decaying fungus to infect the tree. Due to the continuous nature of the decay has made the tree vulnerable to failure. One stem of the tree is dead, and the second stem is in declining, because of this the tree is hazardous and will fail if not removed. Removal of the Magnolia tree is required to insure public safety as it related to the health of the tree, and potential hazards to life and property, thus satisfying **Objectives a and d** 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 applicant has stated that the off shoot, or spur, from the Magnolia tree will remain and replacement is not necessary. 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. The replacement tree shall be planted within 60 days of Magnolia tree removal, thus satisfying **Objective a** listed above.*

## **PUBLIC NOTICE AND CORRESPONDENCE**

On June 19, 2012, 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 Magnolia tree located at 47 Girard Avenue (TRP 12-141).

Alternatively, the Trees and Views Committee may:

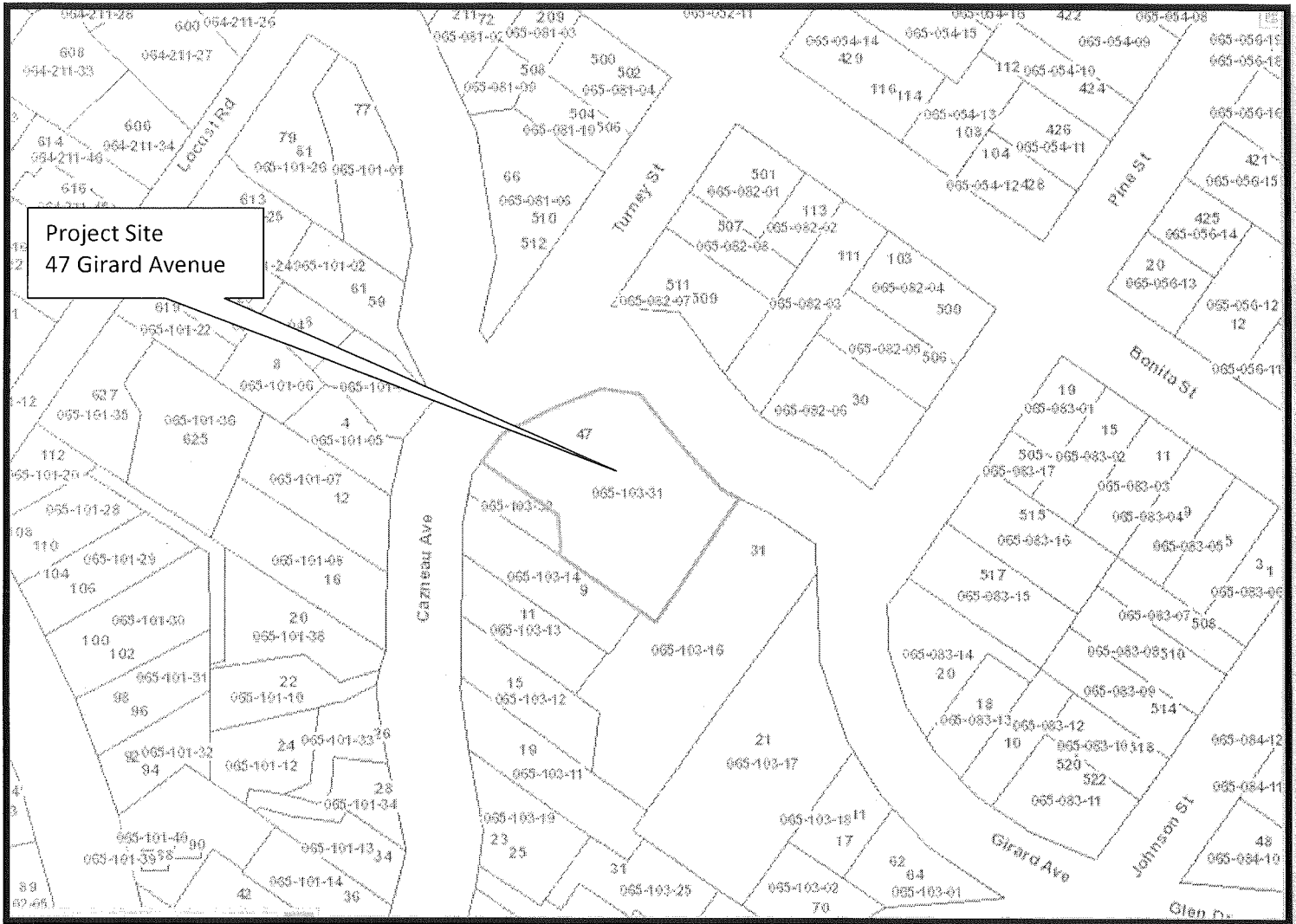
- Approve the Tree Removal Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

**EXHIBITS**

- A. Vicinity Map
- B. Arborist report and photographs, date stamped June 11, 2012
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

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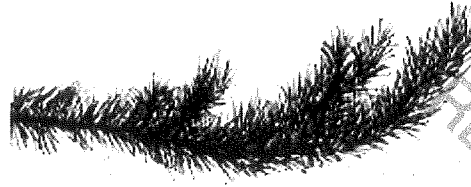
# Vicinity Map



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RANDY HARRIS, PRESIDENT  
WCISA Certified Arborist  
#420  
CA State Contractor's  
License #630158  
Insured PL/PD  
Workers' Compensation

## ARTISTRY IN TREES



P.O. BOX 2358, MILL VALLEY, CA 94942  
459-4399

RECEIVED  
JUN 11 2012  
CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

### Arborist Report

May 29, 2012

Mary Griffin  
47 Girard  
Sausalito, CA 94965

RE: Magnolia Grandiflora

The tree has two stem measuring 64" and 37" in circumference at breast height plus one small off shoot.

Crown rot or butt rot caused by a wood decaying fungus has caused the slow decline of this tree, the tree is now vulnerable to failure. Remove of this tree is recommended.

1. The reason for remove, crown rot has made the tree unstable and one stem is dead, the second stem becomes more vulnerable to failure without the primary stem.
2. There is no economic value.
3. The tree will fail if not removed.
4. Removal will have no effect on neighboring vegetation.
5. Soil stability will not change.
6. The stump can remain, if visually unpleasing removal can be accomplished.
7. Replacement, off shoot will remain.

Should you have question, please call anytime.

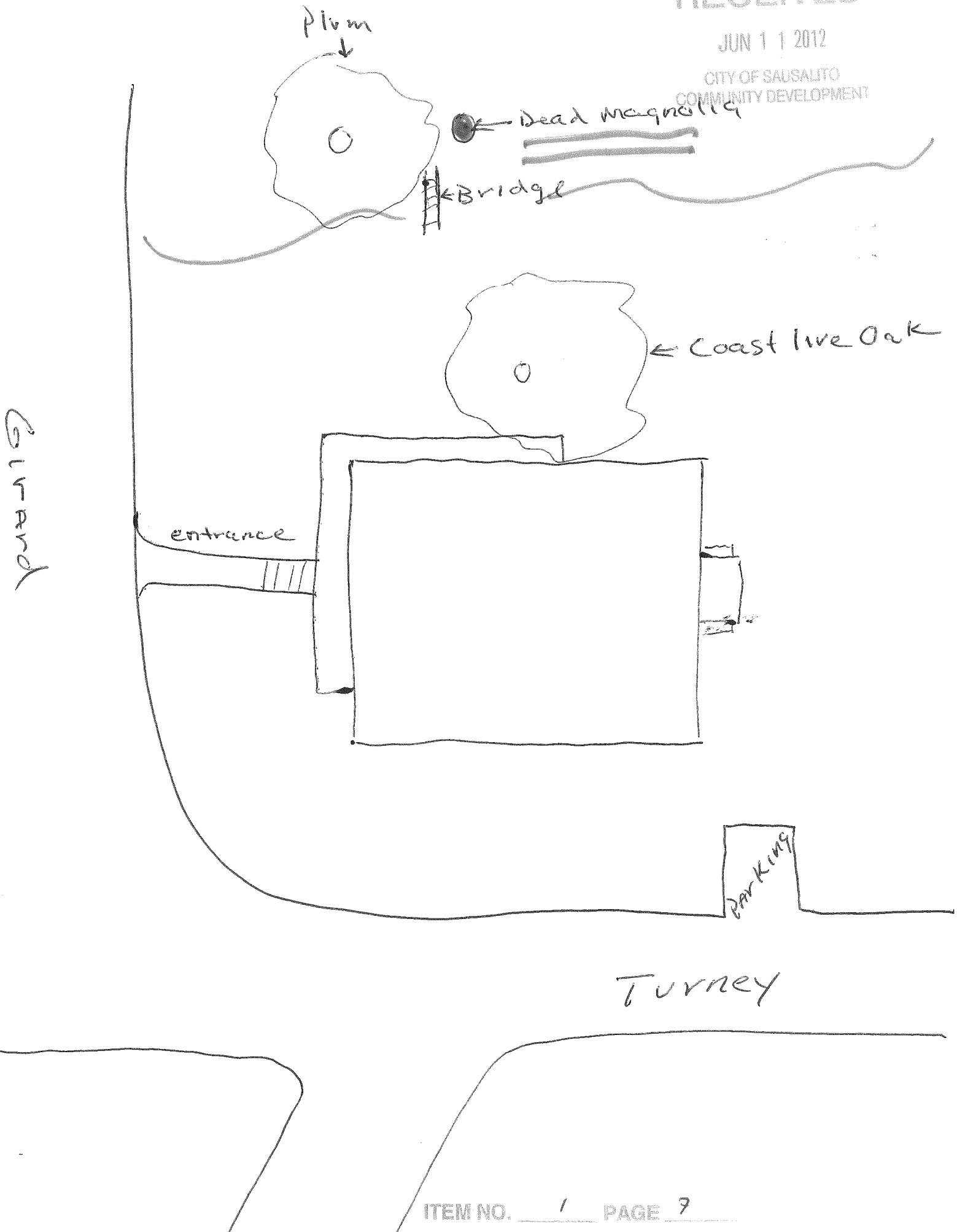
Randy Harris, Arborist



RECEIVED

JUN 11 2012

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT



**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. 2012-XX**

**TREE REMOVAL PERMIT FOR A MAGNOLIA TREE  
LOCATED AT 47 GIRARD AVENUE (TRP 12-141)**

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**WHEREAS**, on June 11, 2012 a Tree Removal Permit application was filed by the property owner, Mary Griffin, requesting the removal of one Magnolia tree (*Magnolia grandiflora*) located at 47 Girard Avenue (APN 052-322-02); and

**WHEREAS**, a notice for the application was posted on the Tree Owner's property on June 19, 2012 ; and

**WHEREAS**, the Trees and Views Committee considered the application at a public meeting on July 5, 2012, 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 Magnolia tree located on the Tree Owner's property at 47 Girard 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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TREES AND VIEWS COMMITTEE RESOLUTION

July 5, 2012

TRP 12-141

47 GIRARD 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 47 Girard 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.
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In order to grant a tree removal permit, it must be determined that any one of the following conditions is satisfied:

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*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. The replacement tree shall be planted within 60 days of Magnolia tree removal, thus satisfying **Objective a** listed above.*

**TREES AND VIEWS COMMITTEE RESOLUTION**  
**July 5, 2012**  
**TRP 12-141**  
**47 GIRARD AVENUE**

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

This condition of approval applies to the Tree Removal Permit submitted on June 11, 2012.

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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