

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Swensen Tree / 226 & 228 Glen Drive
Tree Alteration Permit
TRP 12-167

Meeting Date August 2, 2012

Staff Alison Thornberry-Assef, Assistant Planner

REQUEST

Approval of a **Tree Alteration Permit** to allow the height reduction of one California Bay Laurel tree located to the right of the parking deck at 226/228 Glen Drive.

PROJECT INFORMATION

Applicant Treemasters Tree Service / Michael Queirolo

Owner Tamalpais Land Co. / Maryland Swensen

Location 226 & 228 Glen Drive (APN 065-141-14) (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, Michael Queirolo of Treemasters, on behalf of the property owner, Maryland Swensen of Tamalpais Land Co., has submitted an application for the alteration of one damaging California Bay Laurel tree (*Umbellularia californica*) located to the east of the residence at 47 Girard Avenue.

An Arborist Report was prepared on July 3, 2012 by Certified Arborist, Michael Queirolo, to assess the health, structural condition, and suitability for preservation of the California Bay Laurel tree located at 47 Girard Avenue.

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

- Tree is located immediately on the right side of the parking deck;
- The tree is 89.3 inches in circumference as measure from breast height (CBH);
- The tree has had a spar removed that was interfering with the parking deck;
- The tree is growing in the direction of the existing parking deck, and is getting closer to the structure;
- The tree is too large for its location;
- The Tree Owner would like to retain the tree, and reduce the height, making it into a large bush;
- The crown of the tree should be reduced to just below the deck, and maintained as a large bush more suitable for the location.

The arborist states that the tree is growing dangerously close to the parking deck and should be removed, however, the tree can be reduced in height and shaped to fit the existing space.

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 Bay tree is growing and leaning toward the existing parking deck on site. The parking deck is the only vehicular access to the site, and will be damaged if the tree continues to grown in its current location. Reducing the height of the tree and continuously maintaining the tree as a bush would insure the continued use of the parking deck. Alteration of the Bay tree is required to insure public safety as it relates proximity to existing structures on site, thus satisfying **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.

The applicant is not requesting a removal, therefore, no replacement tree is necessary.

PUBLIC NOTICE AND CORRESPONDENCE

On July 27, 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 Alteration Permit to allow the height reduction of the California Bay Laurel tree located at 226/228 Glen Drive (TRP 12-167).

Alternatively, the Trees and Views Committee may:

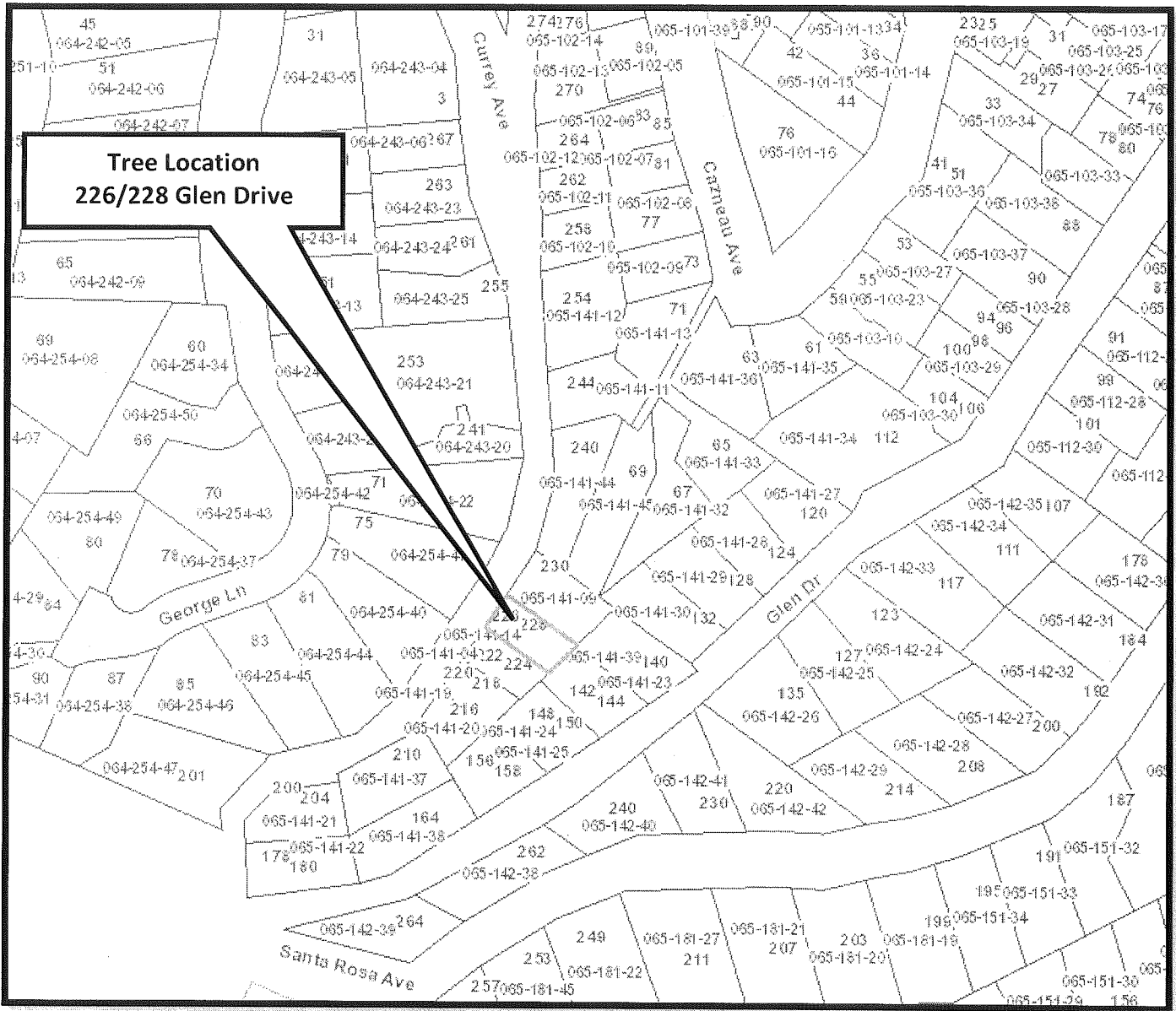
- Approve the Tree Alteration Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Alteration Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

EXHIBITS

- A. Vicinity Map
- B. Arborist report and photographs, date stamped July 3, 2012
- 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

TREEMASTERS

3175 Kerner Blvd Ste. A
San Rafael, CA 94901
(415) 455-9933 Main
(415) 455-9934 Fax



WWW.TREEMASTERS.COM
Email: treemail@treemasters.com



July 3, 2012

Tamalpais Land Co
Maryland Swensen
226/228 Glen Dr
Sausalito, CA 94965

ARBORIST REPORT

Reason for call:

On 4/26/12 we were contacted by Maryland Swensen of Tamalpais Land Co to inspect a Cal. Bay Laurel *Umbellularia californica* for health and stability.

Synopsis:

I inspected the Cal. Bay Laurel *Umbellularia californica* on 4/30/12 and have found the following:

Tree #1 Cal. Bay Laurel *Umbellularia californica*

- Tree is located on on right side of parking deck.
- Tree has a CBH of 89.3" and a height of approximately 45'.
- Tree has had a spar removed that was interfering with the parking structure.
- Tree is getting too close to parking structure.
- Client does not want to remove tree but make it into a large bush.
- Reduce crown below deck.

Conclusion:

Tree is too close to deck and should be removed. Client would like to keep tree but make it into a bush.

Recommendation:

Reduce crown below deck and trim in future to shape and fit space.

Limitations

The health and hazard assessments in this report are limited by the visual nature of the assessment. No trees were climb to obtain an up-close examination of the exact nature of branch or trunk leader attachments. Aerial defects maybe obscured by foliage, branches or other trees. No trees were examined using invasive techniques. Structurally sound, healthy trees are wind thrown during severe storm events. Consequently, a conclusion that a tree that does/does not require corrective surgery or removal is not a guarantee of risk, hazard or sound health.

Note: I only inspected the tree(s) on this report. Other trees on this property may need to be inspected

Sincerely,

Michael Queirolo
ISA Certified Arborist WE-8291A

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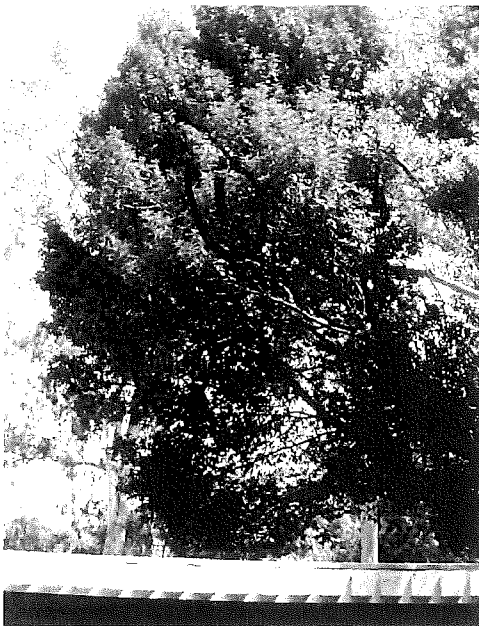
Exhibit B
(2 pages)
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JUL 10 2012


JUL - 3 2012

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

"Providing great care and attention
to the **ONE TREE** we are working on at that moment."






TPO

Glen D.

RECEIVED

JUL - 3 2012

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

ITEM NO. 1 PAGE 6

226/228 Glen D.

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 ALTERATION PERMIT FOR A CALIFORNIA BAY LAUREL TREE
LOCATED AT 226/228 GLEN DRIVE (TRP 12-167)**

WHEREAS, on July 3, 2012 a Tree Alteration Permit application was filed by the applicant, Michael Queirolo of Treemasters, on behalf of the property owner, Maryland Swensen of Tamalpais Land Co., requesting the alteration of one California Bay Laurel tree (*Umbellularia californica*) located at 226/228 Glen Drive (APN 065-141-142); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on July 27, 2012; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on August 2, 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:

Alteration of the California Bay Laurel tree located on the Tree Owner's property at 226/228 Glen Drive 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:

Jeremy Graves, AICP
Community Development Director

ATTACHMENTS

- 1- Findings
- 2- Conditions of Approval

Exhibit D
[3 pages]

TREES AND VIEWS COMMITTEE RESOLUTION

August 2, 2012

TRP 12-167

226/228 Glen Drive

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 Alteration Permit for 226/228 Glen Drive.

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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TREES AND VIEWS COMMITTEE RESOLUTION
August 2, 2012
TRP 12-167
226/228 Glen Drive

ATTACHMENT 2: CONDITIONS OF APPROVAL

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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