

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Whiskey Springs Tree/ 50 Cypress Place
Tree Removal Permit
TRP 13-135

Meeting Date July 8, 2013

Staff Lilly Schinsing, Administrative Analyst (RS)

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Podocarpus located near in the rear of the site at 50 Cypress Place.

PROJECT INFORMATION

Applicant/Owner Whiskey Springs Condominium Association

Location 50 Cypress Place (APN 064-400-24) (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

Whiskey Springs Condominium Association has submitted an application for the removal of one Podocarpus Gracilior tree located in the common area of Whiskey Springs with roots growing in the rear patio area of 50 Cypress Place. An Arborist Report was prepared by Marin County Arborists, which provides a summary of an inspection for health conducted on the Podocarpus.

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

- The subject tree is a Podocarpus Gracilior which is maintained as a small tree but is capable of reaching a height of 50 feet;
- The tree is located in the common area of Whiskey Springs but the root mass encroaches into the yard at 50 Cypress Place;
- The tree is a co-dominate trunk which is a structural weakness;
- The trunk and root mass of the Podocarpus is damaging the fence and restricting the useable space of the back patio at 50 Cypress Place;
- The fence is scheduled to be repaired but will require cutting some of the tree roots;
- The cutting of the roots will damage the tree;
- Removal of the Podocarpus is recommended;
- Replacement plantings should be with a smaller species of tree or with shrubs.

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 is a co-dominate trunk which is a structural weakness. The truck and root mass of the Podocarpus is damaging the fence and restricting the useable space of the back patio at 50 Cypress Place. The fence is scheduled to be repaired but will require cutting some of the tree roots and the cutting of the roots will damage the tree. Removal of the tree would reduce hazard to property and allow reasonable enjoyment of the property satisfying **Objectives 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 property owner will replace the tree with a desirable tree of 15 gallon container size. The replacement tree shall be planted within 60 days of the subject tree's removal, thus satisfying **Objective a** listed above.*

PUBLIC NOTICE AND CORRESPONDENCE

On June 27, 2013, 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 (**Exhibit E**) which makes the required determinations for approval of a Tree Removal Permit to allow removal of one Podocarpus located near in the rear of the site at 50 Cypress Place (TRP 13-135).

Alternatively, the Trees and Views Committee may:

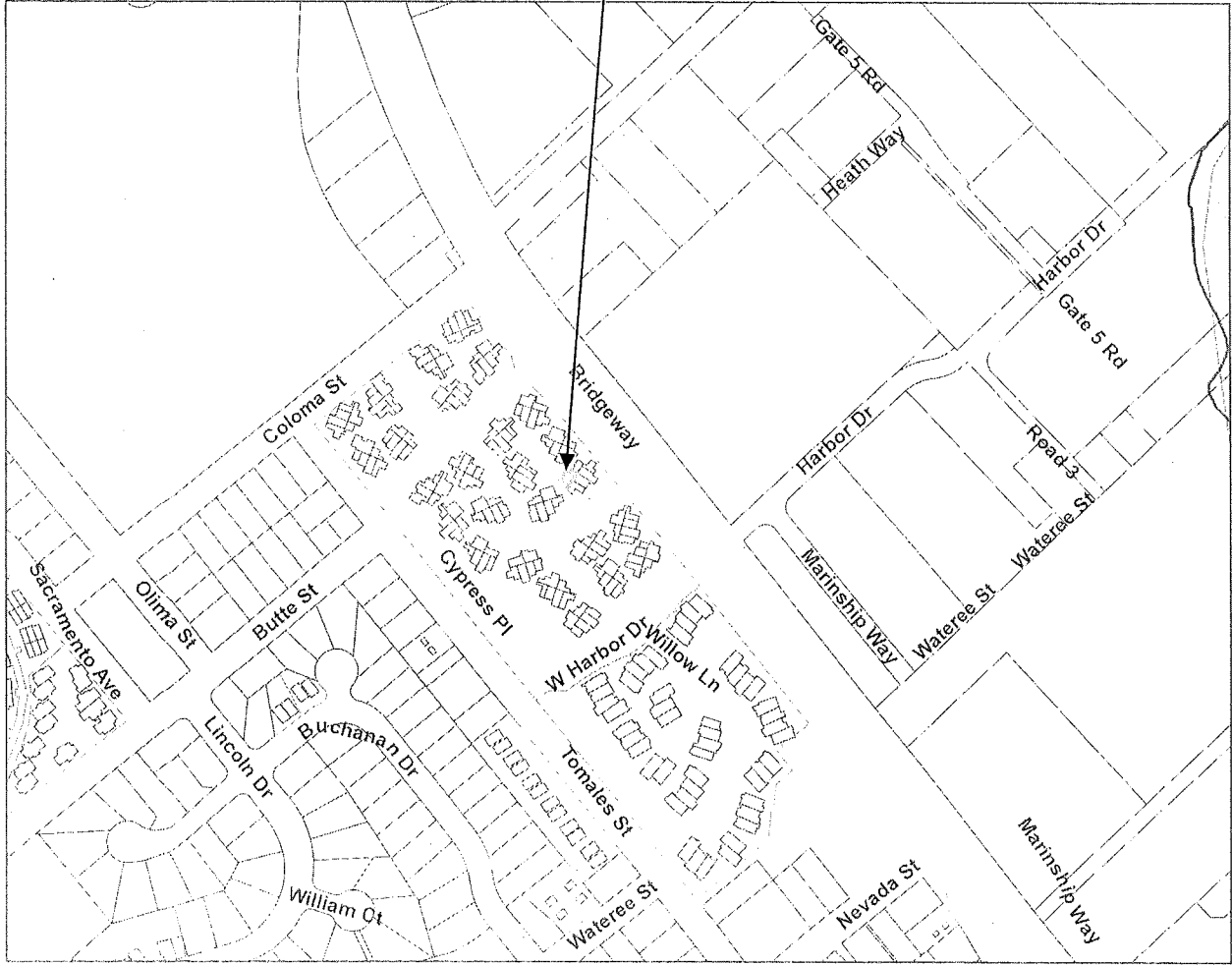
- Approve the Tree Removal Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit D**).

EXHIBITS

- A. Vicinity Map
- B. Arborist Report and photographs, date-stamped received June 6, 2013
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. Draft Resolution

Vicinity Map

50 Cypress Place





ARBORISTS

CERTIFIED ARBORISTS #877 & #5695

RECEIVED

JUN 6 2013

CITY OF SAUSALITO

Whiskey Springs Home Owners Association

50 Cypress Place

Tree ID: Podocarpus Gracilior

Circumference: 60"

This tree common area of Whiskey Springs but the root mass encroaches into the yard at #50 Cypress Place. This variety of podocarpus is generally maintained as a small tree but is capable of reaching height of 50 feet.

The trunk and root mass of this tree is damaging the fence and is restricting the useable space of the back patio at #50 Cypress Place. Covering the roots with river rock is an attempt to conceal the root mass but limits the use of the patio area.

The fence is scheduled to be repaired requiring cutting some of the trees roots. This will damage the tree and it is my recommendation the tree is removed and roots ground down prior to the fence repair.

The tree has a co dominate trunk which is a structural weakness.

The value of this tree based on the ISA guide for plant appraisal is \$1285

There will be no effect on the soil stability or adjacent vegetation. Any replacement plantings should be with a smaller species of tree or with shrubs.

*Certified arborist
We 5695-A
EXHIBIT B
(6 PAGES)*



SOUTHERN MARIN
(415) 381-TREE

P.O. Box 2538
San Rafael, CA 94912
Item 2: Page 4 of 14
Fax (415) 455-8110

NORTHERN MARIN
(415) 457-TREE





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JUN 6 2013

CITY OF SALT LAKE



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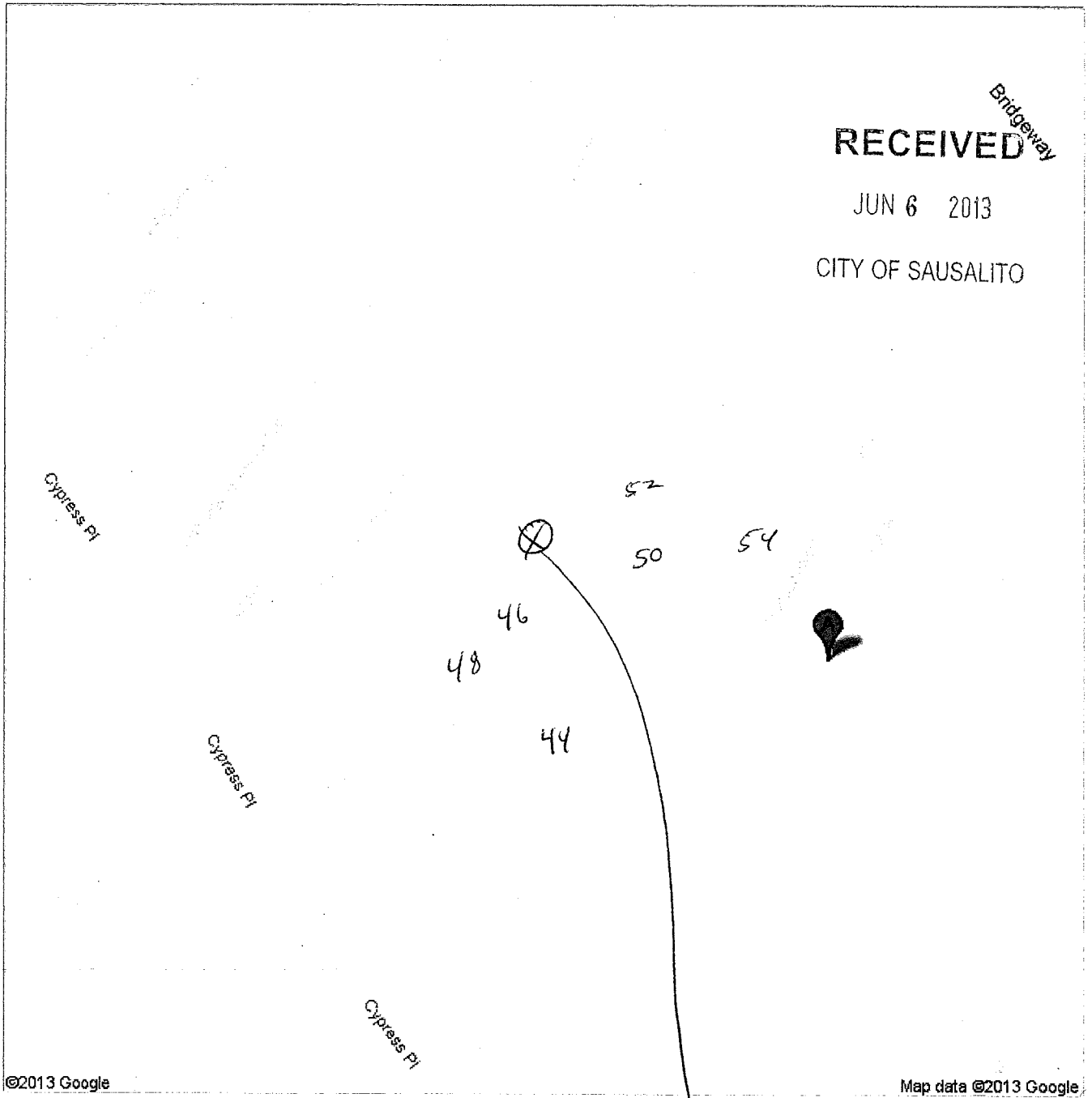
JUN 6 2013

CITY OF SAUSALITO



Address 50 Cypress Pl
Sausalito, CA 94965

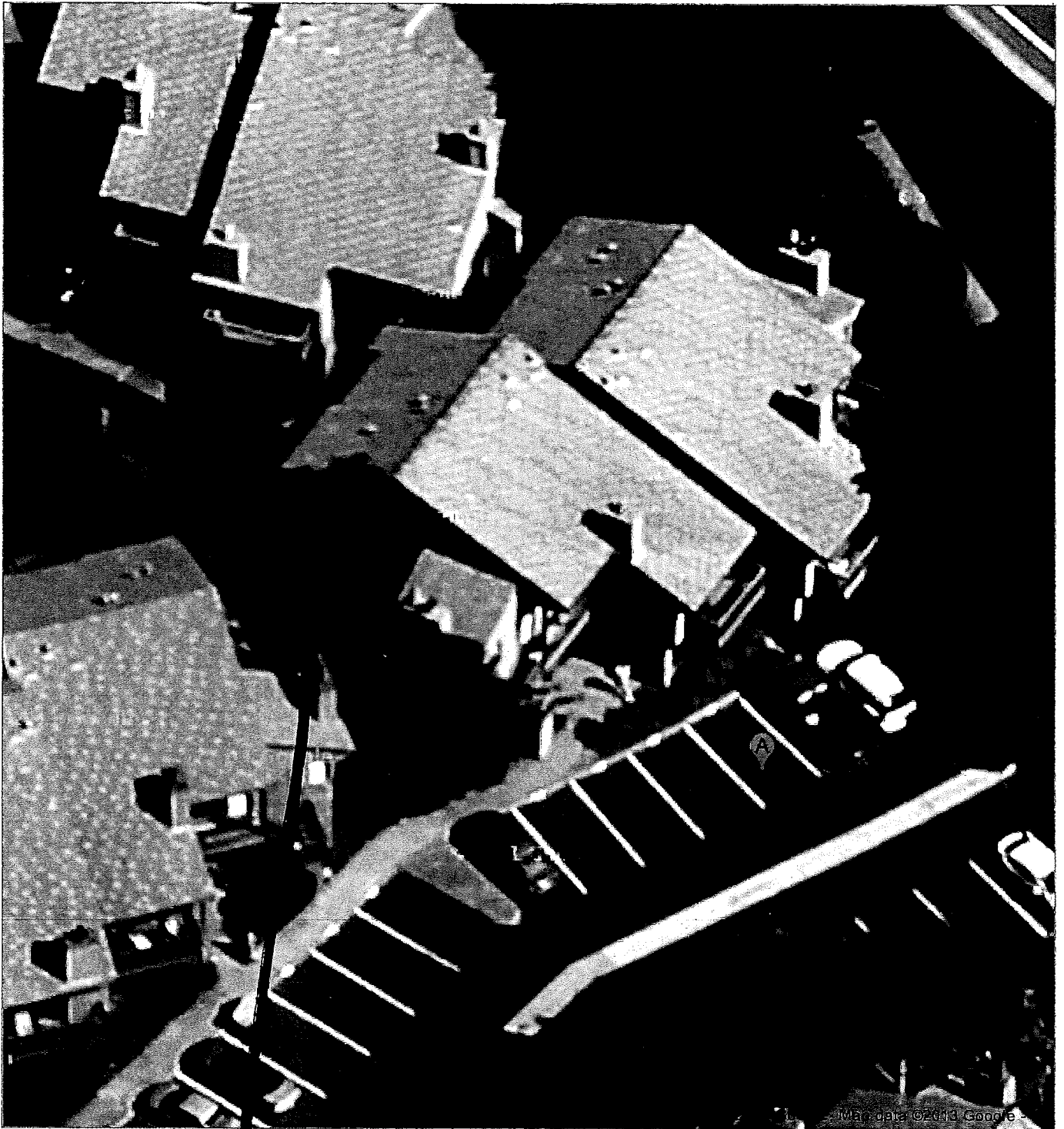
Get Google Maps on your phone
Text the word "GMAPS" to 466453

LOCATION of Podocarpus
#50 cypress place.

To see all the details that are visible on the screen, use the "Print" link next to the map.

Google



Podocarpus Tree

RECEIVED

JUN 6 2013

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. 2013-XX**

**TREE REMOVAL PERMIT FOR ONE PODOCARPUS TREE
LOCATED AT 50 CYPRESS PLACE (TRP 13-135)**

WHEREAS, on June 6, 2013 a Tree Removal Permit application was filed by the applicant and property owner, Whiskey Springs Condominium Association requesting the removal of one Podocarpus tree located at in the common area of Whiskey Springs with roots encroaching into the patio area of 50 Cypress Place (APN 064-400-24); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on June 27, 2013; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on July 8, 2013, 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 report 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 Podocarpus Tree located on the Tree Owner's property at 50 Cypress Place 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 is provided in 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:

Lilly Schinsing
Administrative Analyst

ATTACHMENTS

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

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EXHIBIT D
(4 PAGES)

TREES AND VIEWS COMMITTEE RESOLUTION

July 8, 2013

TRP 13-135

50 Cypress Place

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 50 Cypress Place:

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 is a co-dominant trunk which is a structural weakness. The trunk and root mass of the Podocarpus is damaging the fence and restricting the useable space of the back patio at 50 Cypress Place. The fence is scheduled to be repaired but will require cutting some of the tree roots and the cutting of the roots will damage the tree. Removal of the tree would reduce hazard to property and allow reasonable enjoyment of the property satisfying Objectives a and b above.

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 - 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 property owner will replace the tree with a desirable tree of 15 gallon container size. The replacement tree shall be planted within 60 days of the subject tree's removal, thus satisfying Objective a listed above.

TREES AND VIEWS COMMITTEE RESOLUTION

July 8, 2013

TRP 13-135

50 Cypress Place

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit submitted on June 6, 2013.

1. One replacement tree of a 15 gallon container of desirable species shall be planted on the subject property in a location to be determined by the property owner and within 60 days of the removal of the Camphor and Magnolia trees.
2. Documentation of the planting of the replacement tree (such as photographs) shall be provided to the Community Development Department within 30 days of the planting of the replacement tree.

Advisory Notes

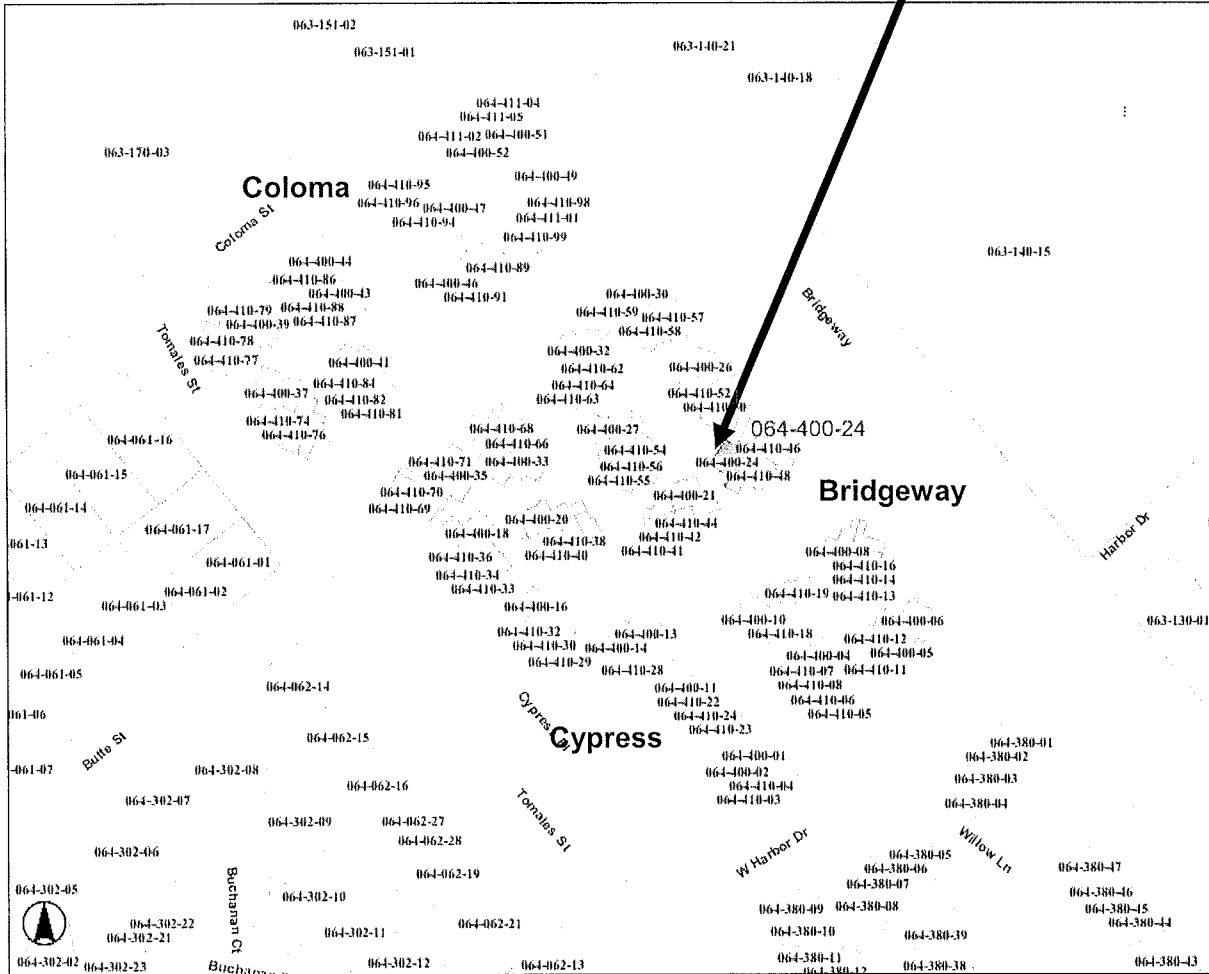
Advisory notes are provided to inform affected parties of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

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.

TREES AND VIEWS COMMITTEE RESOLUTION
July 8, 2013
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50 Cypress Place

ATTACHMENT 3: SITE PLAN

Location of subject Podocarpus



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