


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Allen Trees / 41 San Carlos Avenue
Tree Removal Permit
TRP 13-294

Meeting Date November 11, 2013

Staff Lilly Schinsing, Administrative Analyst 

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of two Coast Live Oak trees located at 41 San Carlos Avenue.

PROJECT INFORMATION

Applicant Treemasters

Owner Sausalito Ests Ltd, C/O Marty Allen

Location 41 San Carlos Avenue (APN 065-202-56) (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

Treemasters, on behalf of property owner Sausalito Ests Ltd, has submitted an application for the removal of two protected Coast Live Oak Trees (*Quercus agrifolia*) located at 41 San Carlos Avenue. An Arborist Report was prepared on October 26, 2013 by ISA Certified Arborist, David Hill, which provides a summary of an inspection for health conducted on the Coast Live Oak trees which are located at the front of the property at 41 San Carlos Avenue.

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

- Tree #1 is a Coast Live Oak standing approximately 15 feet tall with a tree spread of approximately 30 feet:
 - The subject tree measures approximately 18.5 inches in diameter as measured at breast height (DBH);
 - The tree has an asymmetric cantilevered growth habit growing low and horizontal over the driveway;
 - The growth habit is blocking access to properties at 41 and 43 San Carlos Avenue;
 - The cantilever lean is under extreme tension;
 - The area under the tree is a high use pedestrian area;
 - The tree will fail at some point.
 - Removal of the tree is recommended.

- Tree #2 is a Coast Live Oak standing approximately 35 feet tall with a tree spread of approximately 35 feet:
 - The subject tree measures approximately 39.5 inches in diameter as measured at breast height (DBH);
 - The tree has trunk damage and decay
 - The tree is cantilevered over the driveway, leaning towards two homes and a garage;
 - One large limb of the tree has a drain tube, which was placed to relieve water building up in a cavity;
 - The drain tube indicates that there is a major structure defect in the limb;
 - The tree has bleeding symptoms characteristics of Sudden Oak Death (SOD);
 - Removal of the tree is recommended.

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 two Coast Live Oak trees are a potential hazard to life and property due to the cantilevered lean of Tree #1 and the trunk decay of Tree #2. Tree #1 is also impacting access to existing homes and a garage. Removal of the trees 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.

Staff has included the following standard conditions in the draft resolution of approval, which satisfy objective a:

- The property owner will replace the trees with two desirable trees of 15 gallon container size. The replacement trees shall be planted within 60 days of the subject tree's removal.
- Documentation of the planting of the replacement trees (such as photographs) shall be provided to the Community Development Department within 30 days of the planting of the replacement trees.

The property owner is requesting that the Trees and Views Committee waive the requirement for replacement trees. The Trees and Views Committee should consider the property owner request and determine Objective a or b is most appropriate in this case.

PUBLIC NOTICE AND CORRESPONDENCE

On November 1, 2013, a notice of this proposal was posted at the front of the subject property, visible to the surrounding neighborhood, and the trees have 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 take the following actions:

- Consider the need for replacement trees on the subject property and make a determination with respect to Section 11.12.030.B.2; and
- Make appropriate modifications and approve the attached resolution (**Exhibit D**) which makes the required determinations for approval of a Tree Removal Permit to allow removal of the Coast Live Oak trees located at the front of the property at 41 San Carlos Avenue (TRP 13-294).

Alternatively, the Trees and Views Committee may:

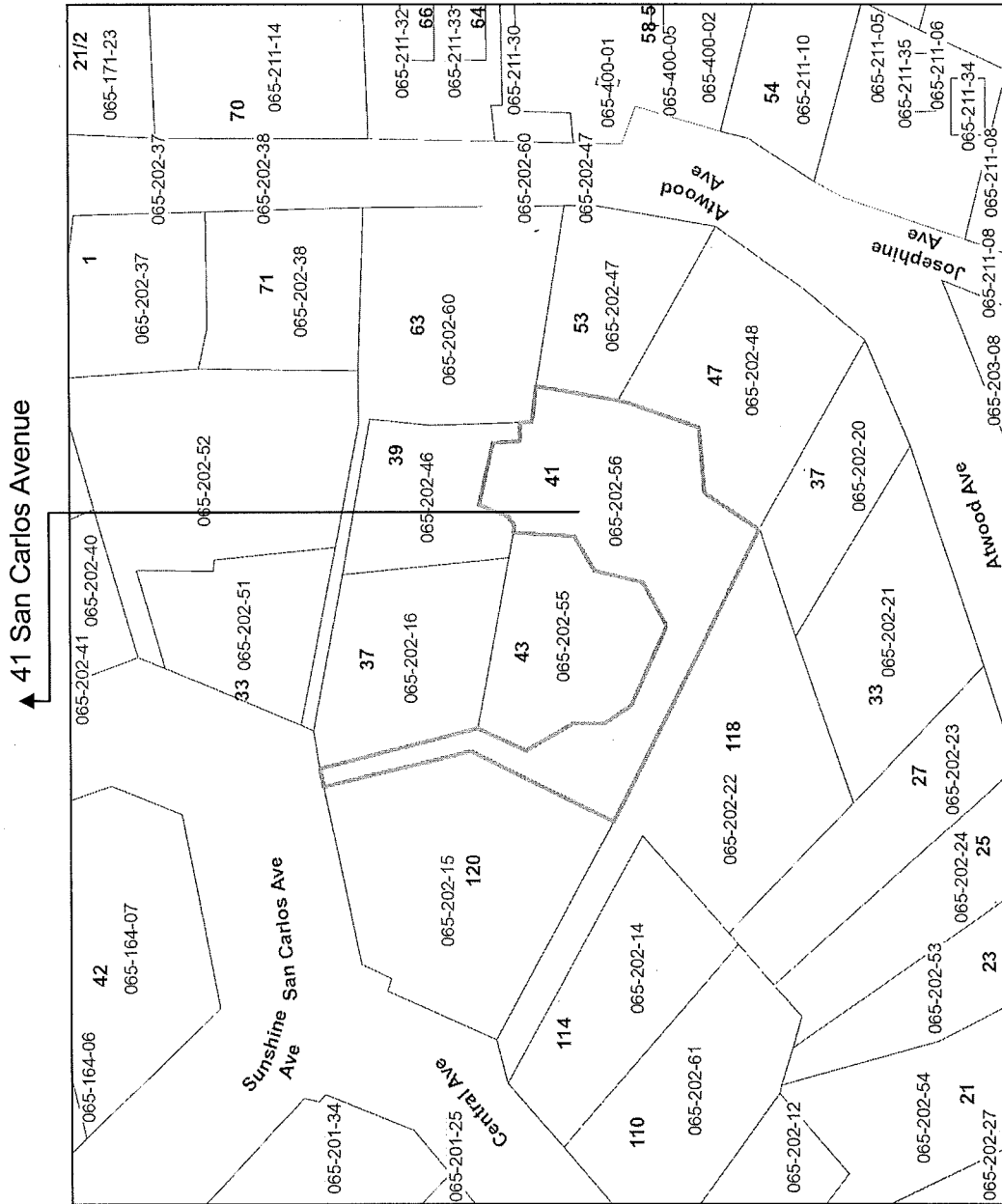
- Approve the Tree Removal Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

EXHIBITS

- A. Vicinity Map
- B. Arborist Report and photographs, date-stamped received October 31, 2013
- 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
(PAGE)

TREEMASTERS

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San Rafael, CA 94901
(415) 455-9933 Main
(415) 455-9934 Fax



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



RECEIVED
OCT 31 2013
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT
CA Lic. #660226

October 26, 2013

Marty Allen
41 San Carlos Ave.
Sausalito CA 94965

Arborist Report

Marty Allen requested TREEMASTERS to inspect two front yard Coast Live Oak *Quercus agrifolia* for health & safety.

On October 21st I visited the site and would like to report:

- The trees are Coast Live Oak *Quercus agrifolia*

Tree #1

- Tree #1 measures 18.5 in. DBH
- The tree is approximately 15ft. tall.
- The tree spread is approximately 30ft. growing horizontal over the driveway
- This tree an asymmetric cantilevered growth habit growing low & horizontal over the driveway.
- The Low cantilevered growth habit over the driveway, while it looks neat, is blocking access to both properties, 41 & 43 San Carlos Ave.
- Extreme cantilever like this tree is under extreme tension with gravity always pushing this tree to the ground.
- Everyone who enters these properties has to pass under this tree. This is considered a high use area.
- Because of the cantilevered growth habit of this tree, it is not a question if the tree will fail but when will it fail.
- **TREEMASTERS recommends Removal.**

Tree #2

- Tree #2 measures 39.5 in. DBH
- The tree is approximately 35ft. tall.
- The tree spread is approximately 35ft.
- This tree has trunk damage & decay & is cantilevered over the driveway, leaning toward the both homes & garage.
- One large limb over driveway has an old drain tube protruding out of the limb. Drain tubes are installed to relieve water build up in a cavity. The old



wound has closed on the outside but the drain tube indicates there is a major structural defect in this limb.

- This tree has bleeding symptoms characteristic of SOD (Sudden Oak Death) *Phytophthora ramorum*.
- **TREEMASTERS Recommended Removal**

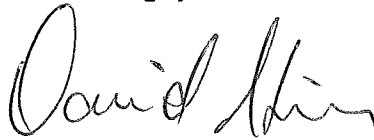
Conclusion: Based on the inspection of these trees & the site. Tree #1 has an extreme cantilevered growth habit right over the driveway entry, which is a high use area. No one can enter either property without passing under this tree & also limits vehicular traffic especially to access the garage of #43.

Tree #2 has decay in the main trunk & indicators of decay in the limbs. This tree leans toward both homes & occupies the entry areas to both homes. No one can enter either property without passing under this tree. With the amount of trunk decay, it is not will this tree fail but when will it fail. Trees sometimes give us clues that warn us of structural problems. Hollow trunks are a major concern for trees in a high use area. TREEMASTERS recommends removal of both Coast Live Oak *Quercus agrifolia*.

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.

Sincerely,



David Hill

ISA Certified Master Arborist MW-0355BT



TREEMASTERS

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San Rafael, CA 94901
(415) 455-9933 Main
(415) 455-9934 Fax



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

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OCT 31 2013

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT



CA Lic. #660226

October 26, 2013

Marty Allen
41 San Carlos Ave.
Sausalito CA 94965

Arborist Report Supplement

Economic value: ISA Guide for Plant Appraisal 9th Edition
Trunk Formula Method

Tree #1

Species: Coast Live Oak *Quercus agrifolia*

Condition: Fair

Trunk Circumference: 59in. Diameter: 18.5in.

Location = [Site 60 % + Contribution 30 % + Placement 30 %] divided by 3 = 40%

Species rating: 90 %

Installed Tree Cost: (Replacement with 2in. caliper Coast Live Oak = \$480.00)

Unit Tree Cost: \$160 / sq.in. (Cost per Sq. in. of replacement)

Appraised Trunk Area: 269 sq.in. (Area of Trunk)

Basic Tree Cost: 269sq.in. x \$160/sq.in. + \$480 = \$43,520.00

Appraised Value: \$43,520.00 x Condition 50% x Location 40% x Species rating 90% = **\$15,667.00**

Tree #2

Species: Coast Live Oak *Quercus agrifolia*

Condition: Fair

Trunk Circumference: 124in. Diameter: 39.5in.

Location = [Site 60 % + Contribution 50 % + Placement 40 %] divided by 3 = 50%

Species rating: 90 %

Installed Tree Cost: (Replacement with 2in. caliper Coast Live Oak = \$480.00)

Unit Tree Cost: \$160 / sq.in. (Cost per Sq. in. of replacement)

Appraised Trunk Area: 390 sq.in. (Area of Trunk)

Basic Tree Cost: 390 sq.in. x \$160/sq.in. + \$480 = \$62,880.00

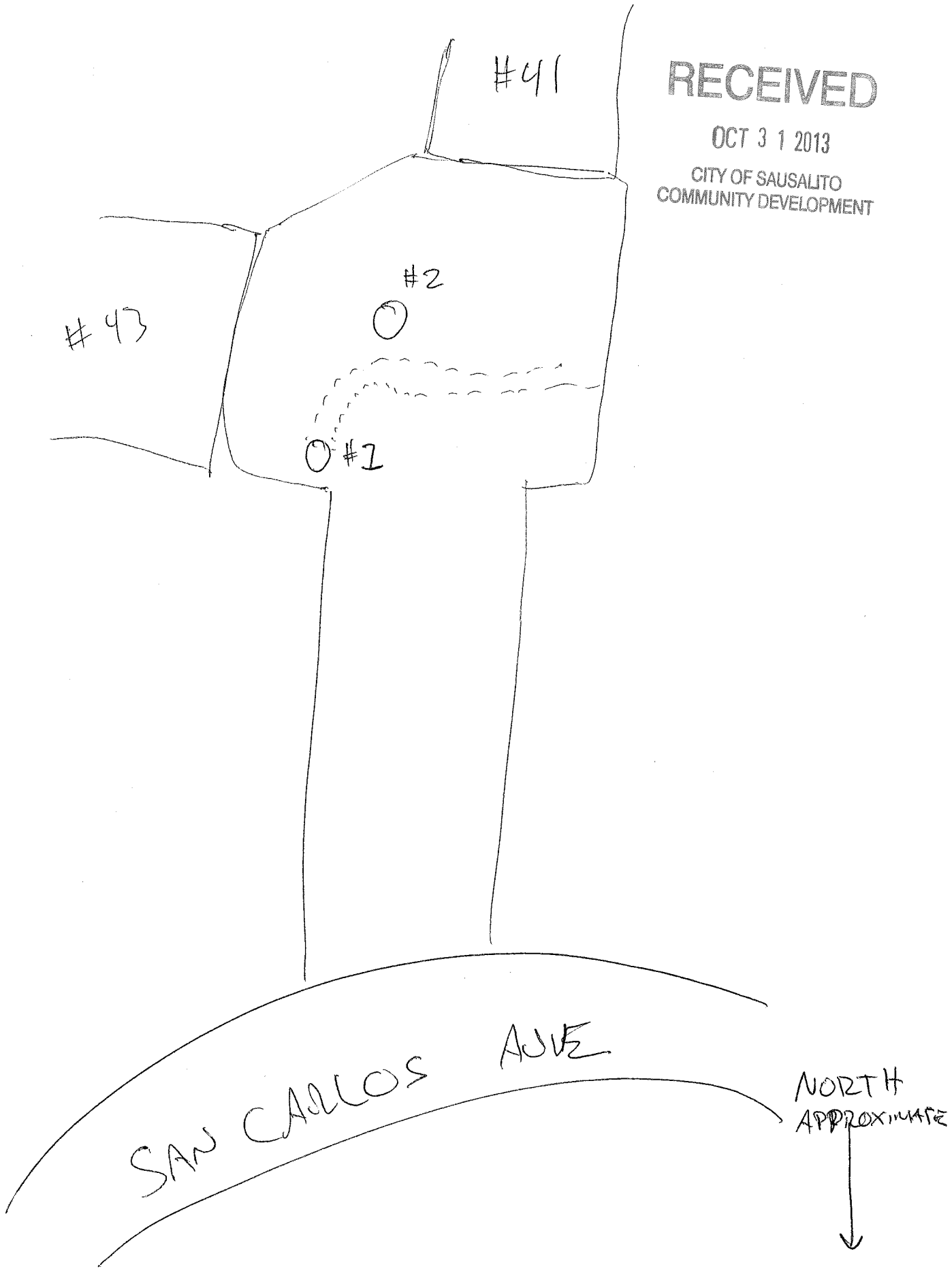
Appraised Value: \$62,880.00 x Condition 50% x Location 50% x Species rating 90% = **\$14,138.00**

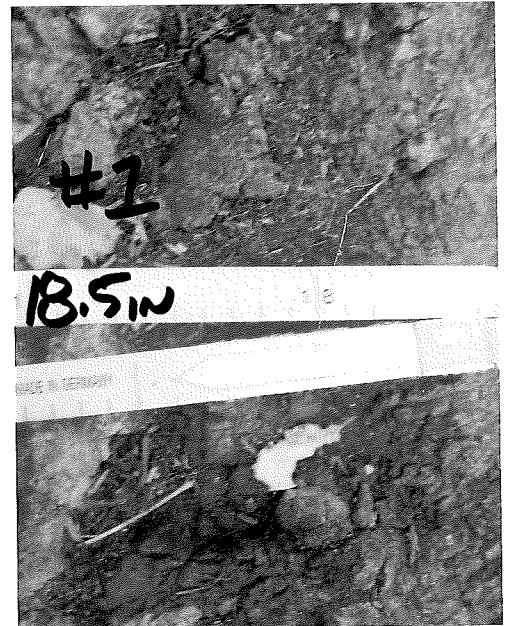
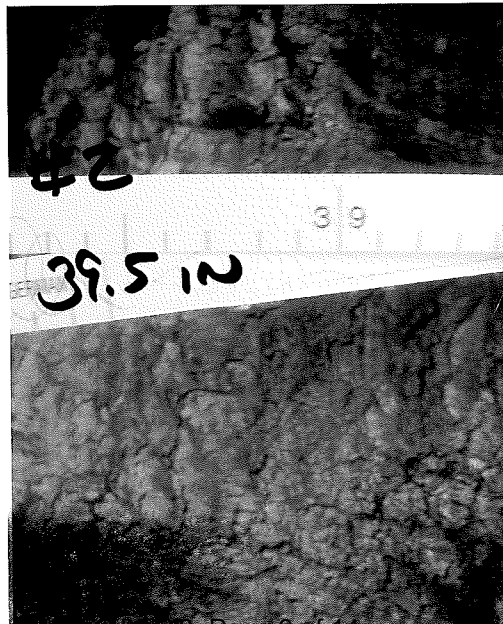
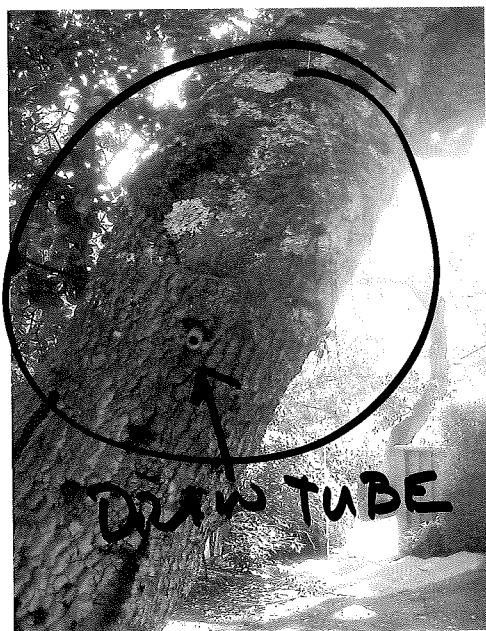
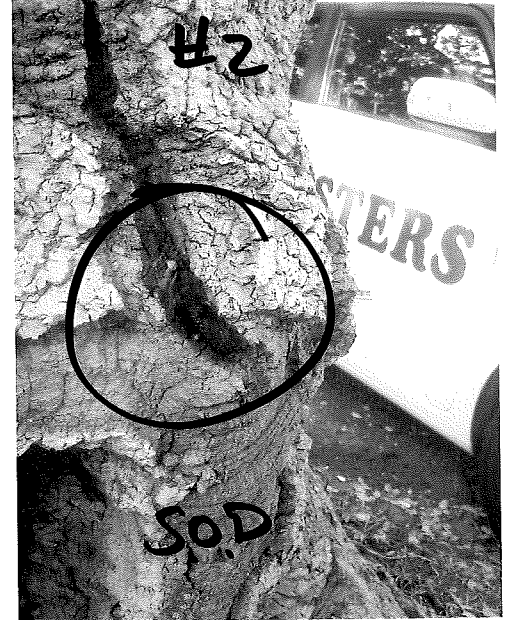
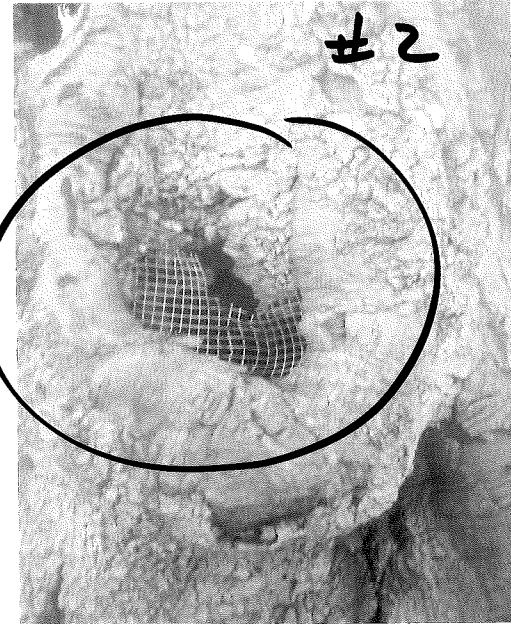
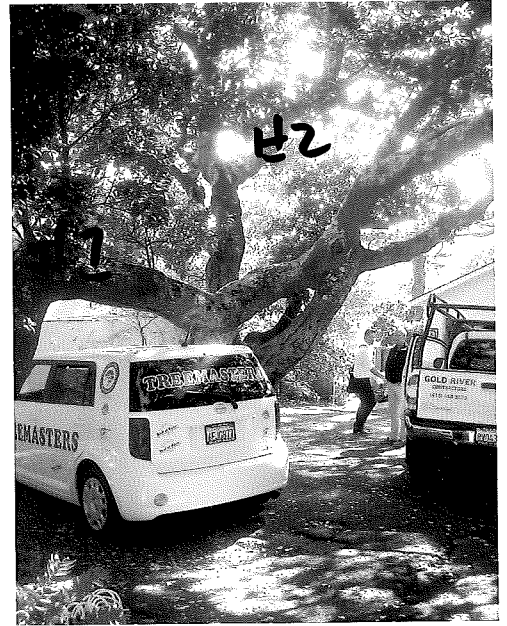


RECEIVED

OCT 31 2013

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT





41 SAN CARLOS AVE

PERMIT

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. 2013-XX**

**TREE REMOVAL PERMIT FOR TWO COAST LIVE OAK TREES
LOCATED AT 41 SAN CARLOS AVENUE (TRP 13-294)**

WHEREAS, on October 31, 2013 a Tree Removal Permit application was filed by the applicant, Treemasters, on behalf of the property owner, Sausalito Ests Ltd, C/O Marty Allen, requesting the removal of two Coast Live Oak trees (*Quercus agrifolia*) located at 41 San Carlos Avenue (APN 065-202-56); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on November 1, 2013; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on November 11, 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 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 trees located on the Tree Owner's property at 41 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 is provided in Attachment 3.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Trees and Views Committee on the ___ day of _____, 2013, 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
November 11, 2013
TRP 13-294
41 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 41 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.

The two Coast Live Oak trees are a potential hazard to life and property due to the severe cantilevered leaning and asymmetrical growth habit. Other factors include prior damage caused by being struck by a neighboring tree and tissue damage and decay on the trunk. Removal of the trees would reduce hazard to property, 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 property owner will replace the trees with two desirable trees of 15 gallon container size. The replacement trees shall be planted within 60 days of the subject tree's removal, thus satisfying Objective a listed above.

TREES AND VIEWS COMMITTEE RESOLUTION
November 11, 2013
TRP 13-294
41 San Carlos Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit application submitted on July 29, 2013.

1. Two replacement trees 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 Coast Live Oak trees.
2. Documentation of the planting of the replacement trees (such as photographs) shall be provided to the Community Development Department within 30 days of the planting of the replacement trees.
3. This approval expires in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension request has not been filed prior to the expiration date.

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
November 11, 2013
TRP 13-294
41 San Carlos Avenue

ATTACHMENT 3: SITE PLAN

Location of subject Coast Live Oak Trees

