


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Frank Trees / 825 Spring Street
Tree Removal Permit
TRP 13-290

Meeting Date November 11, 2013

Staff Lilly Schinsing, Administrative Analyst 

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Coast Live Oak tree located at 825 Spring Street.

PROJECT INFORMATION

Applicant Arborscience

Owner Daniel Frank

Location 825 Spring Street (APN 064-221-42) (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 Daniel Frank, has submitted an application for the removal of one protected Coast Live Oak Tree (*Quercus agrifolia*) located at 825 Spring Street. An Arborist Report was prepared on October 23, 2013 by ISA Certified Arborist, Kent Julin, which provides a summary of an inspection for health conducted on the Coast Live Oak tree at the the property at 825 Spring Street.

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

- The tree is a Coast Live Oak standing approximately 25 feet tall.
 - The subject tree measures approximately 15.2 inches in diameter as measured at breast height (DBH);
 - The tree is infected by Sudden Oak Death (SOD), cramp balls and oak bark beetles.
 - Decay associated with old scaffold limb pruning wounds are present at about four feet above grade, which make the tree unstable;
 - The instability of the tree presents a high hazard to the garden and house;
 - 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 Coast Live Oak tree is a potential hazard to life and property due to the infection of the tree with Sudden Oak Death. Additionally, the decay, cramp balls and oak bark beetles make the tree a failure hazard to people and trees in the gardens of the property at 825 and 855 Spring Street. 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.

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

- 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.
- 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 trees.

The property owner is requesting that the Trees and Views Committee allow the tree to be replaced with 10-gallon container. The Trees and Views Committee should consider the property owner request and determine what size container is most appropriate for the subject site.

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:

- Determine what replacement tree size container is most appropriate for the subject site; 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 tree located at the property at 825 Spring Street (TRP 13-290).

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**).

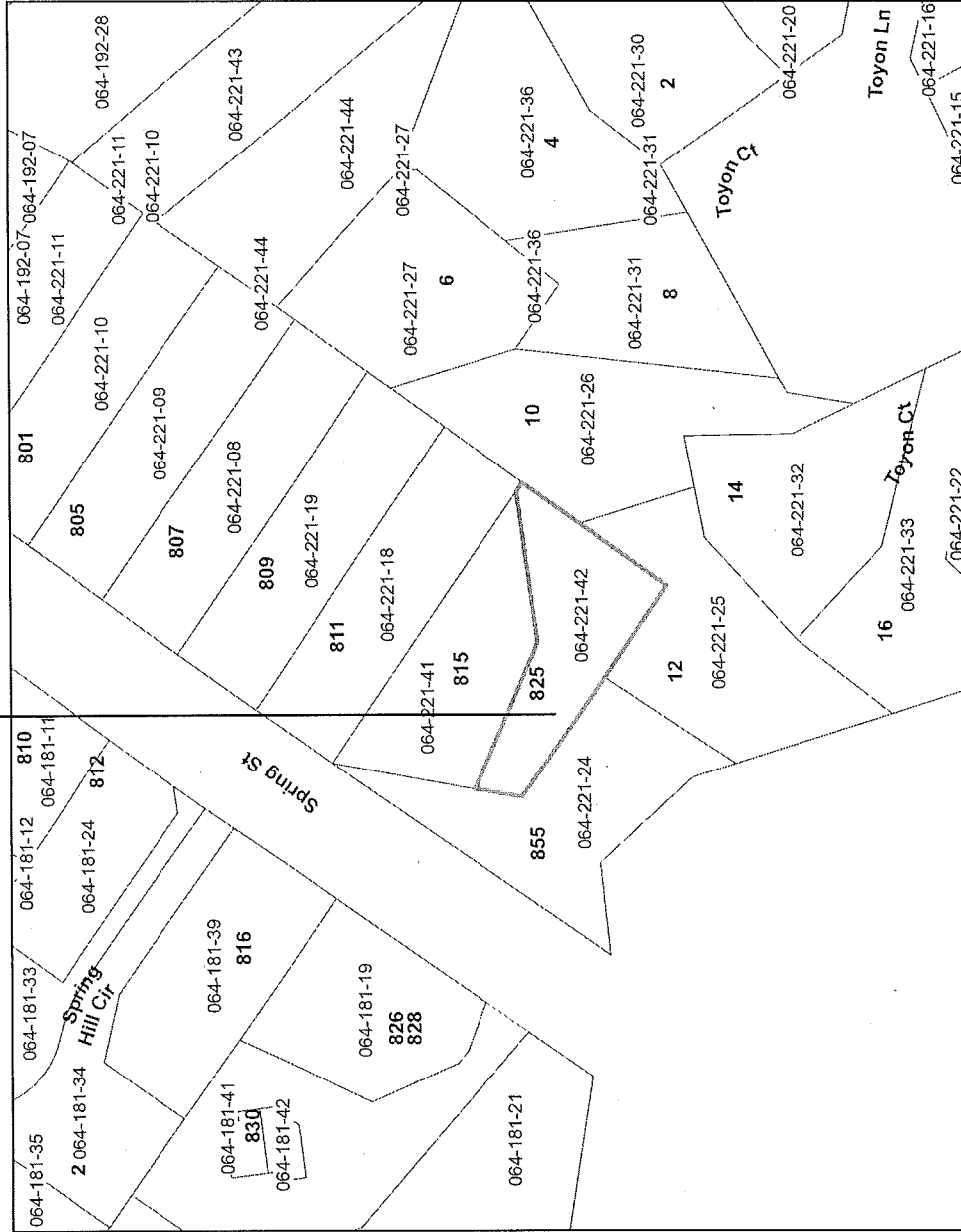
EXHIBITS

- 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

825 Spring Street



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EXHIBIT A
(PAGE)

RECEIVED

OCT 23 2013

ARBORIST REPORT

WOODACRE, CA 94973
WOODACRE CITY OFFICE

**Coast Live Oak
825 Spring Street
Sausalito, CA
(APN:064-221-42)**

Prepared for:
**Daniel Frank
825 Spring Street
Sausalito, CA 94965**

Prepared by:
**ARBORSCIENCE
Post Office Box 111
Woodacre, CA 94973**

October 21, 2013



ASSIGNMENT

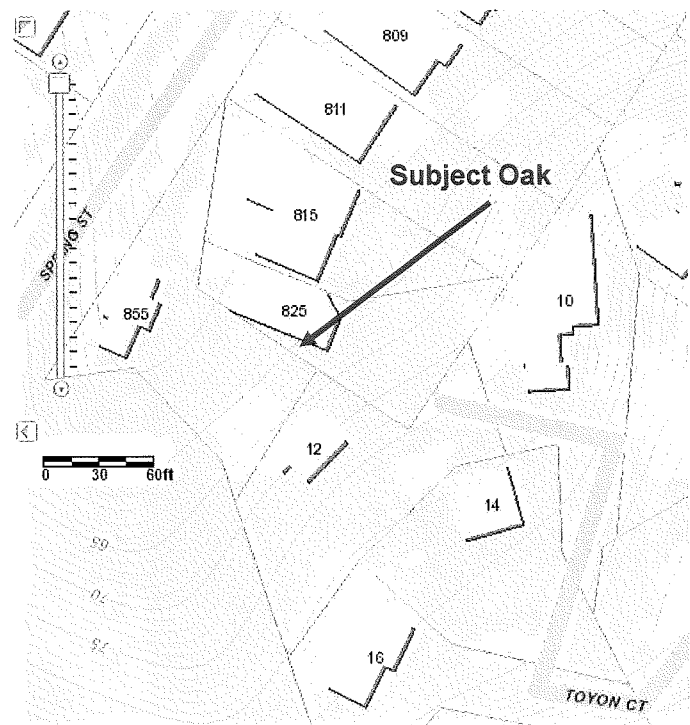
ARBORSCIENCE was hired by Daniel Frank to examine a coast live oak (*Quercus agrifolia*) growing near his home in Sausalito. This report was prepared in support of a request to the City of Sausalito to remove the subject tree. I conducted my inspection on October 17, 2013.

SCOPE OF WORK AND LIMITATIONS

Information regarding property boundaries, land and tree ownership was obtained using Marinmap data.¹ I have neither personal nor monetary interest in the outcome of this matter. All determinations reflected in this report are objective and to the best of my ability. Observations and conclusions regarding subject tree and site conditions were made by me, independently, based on my education, experience, and inspection of the site. Unless expressed otherwise, information contained in this report covers only those items examined and reflects the condition of those items at the time of inspection. The inspection is limited to visual examination of accessible tree components without dissection or root crown excavation. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the tree in question may not arise in the future.

LOCATION

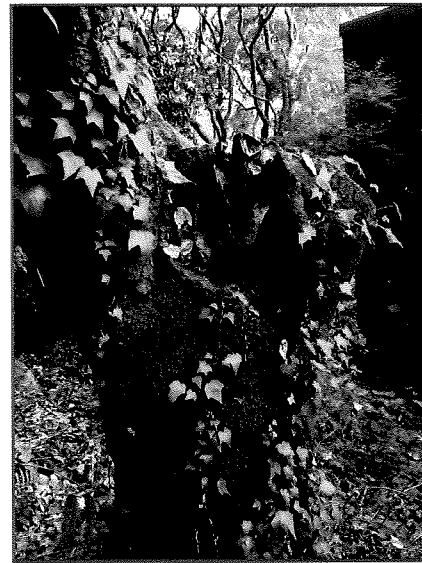
The subject oak tree is rooted south of the house near the property line shared by 855 Spring Street. This area is a wild woodland setting.



¹ <http://marinmap.org>

DESCRIPTION OF THE SUBJECT TREE

The subject coast live oak measures 15.2" in diameter at breast height and stands about 25' tall (below left). This tree is infected by sudden oak death (*Phytophthora ramorum*), cramp balls (*Hypoxyton thouarsianum*), and oak bark beetles (*Pseudopityophthorus pubipennis*). Decay associated with old scaffold limb pruning wounds at about 4' above grade (below right) makes this tree unstable and it presents a high hazard to the garden and house. For these reasons I recommend complete removal of the subject tree for safety reasons.



CITY OF SAUSALITO REQUIRED ELEMENTS

Following are report elements required by the City of Sausalito for tree removal applications:

- A. Reasons for removal. The subject tree is infected with sudden oak death and presents a failure hazard to people and trees in the gardens of 825 and 855 Spring Street.
- B. The economic value of the tree based on the ISA Guide for Plant Appraisal. A negative value equal to the cost of tree removal is warranted for the subject tree. Tree removal would cost approximately \$1,000 by a licensed contractor.

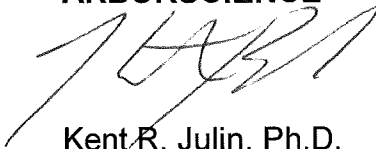
- C. Dangers which may result by the continued existence of the tree if not removed. The stem will likely break and damage other trees, and possibly the house at 825 Spring Street
- D. Effects of the removal on neighboring vegetation. Nearby trees would benefit from the additional light created by removal of the subject tree.
- E. Loss of soil stability that may occur if the tree is removed. No loss in soil stability will result from the proposed work. The existing root biomass will remain in place and the ivy nearby will continue to cover and hold the soil.
- F. Advisability of stump or root removal. Stump or root removal are not advisable because these actions would decrease slope stability. I recommend that a low stump be left in place.
- G. Suggestions for replacement planting. The subject tree could be replaced by a coast live oak rooted in a 10-gallon container.

RECOMMENDATIONS

I recommend that the subject coast live oak be removed as soon as possible. It has a fatal disease and presents a high hazard to the area around it.

Sincerely,

ARBORSCIENCE



Kent R. Julin, Ph.D.
ISA Certified Arborist #WE-8733A
ISA Certified Tree Risk Assessor #1392

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 A COAST LIVE OAK TREE
LOCATED AT 825 SPRING STREET (TRP 13-290)**

WHEREAS, on October 23, 2013 a Tree Removal Permit application was filed by the applicant, Arborscience, on behalf of the property owner, Daniel Frank, requesting the removal of a Coast Live Oak tree (*Quercus agrifolia*) located at 825 Spring Street (APN 064-221-42); 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 825 Spring Street 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 13-290
825 Spring Street

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 825 Spring Street:

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 Coast Live Oak tree is a potential hazard to life and property due to the infection of the tree with Sudden Oak Death. Additionally, the decay, cramp balls and oak bark beetles make the tree a failure hazard to people and trees in the gardens of the property at 825 and 855 Spring Street. 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 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
November 11, 2013
TRP 13-290
825 Spring Street

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit application submitted on October 23, 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 Coast Live Oak tree.
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 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 13-290
825 Spring Street

ATTACHMENT 3: SITE PLAN

Location of subject Coast Live Oak Tree

