


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Langsam Trees / 62, 64, 66, 68 Lower Crescent Avenue
Tree Removal Permit
TRP 13-312

Meeting Date December 2, 2013

Staff Lilly Schinsing, Administrative Analyst 

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of five Coast Live Oak trees located at 62-68 Lower Crescent Avenue.

PROJECT INFORMATION

Applicant Ed Gurka

Owner Langsam Partners, LLC

Location 62, 64, 66, 68 Lower Crescent Avenue (APN 065-231-12) (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

Ed Gurka, Consulting Services, on behalf of property owner Langsam Partners, LLC (represented by Marsha August), has submitted an application for the removal of five protected Coast Live Oak Trees (*Quercus agrifolia*) located at 62, 64, 66, 68 Lower Crescent Avenue. An Arborist Report was prepared on November 14, 2013 by ISA Certified Arborist, Ed Gurka, 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 62, 64, 66, 68 Lower Crescent 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 35 feet tall with a tree spread of approximately 25 feet:
 - The subject tree measures approximately 54.9 inches in diameter as measured at breast height (DBH);
 - The canopy foliage is 10 percent of normal and 90 percent of the canopy is defoliated
 - A large pruning cut is noted at the osurth base o the tree;
 - Decay has progressed into the main trunk of the tree
 - The tree is in advance stage of decline;
 - The tree will be completely dead soon;
 - Immediate removal of the tree is recommended.

- Tree #2 is a Coast Live Oak standing approximately 27 feet tall with a tree spread of approximately 27 feet:
 - The subject tree measures approximately 25.4 inches in diameter as measured at breast height (DBH);
 - There is a very long cavity on the north section of the trunk;
 - Open cavities produce failures by the trunk bunking at the location of the cavity;
 - The tree has a lean with multiple targets, including the residence of 64 Lower Crescent Avenue and the parking area to the east, the walking to the residence and the street;
 - Immediate removal of the tree is recommended.
- Tree #3 is a Coast Live Oak standing approximately 25.3 feet tall with a tree spread of approximately 25.3 feet:
 - The subject tree measures approximately 25.3 inches in diameter as measured at breast height (DBH);
 - The base circumference of the trunk is 85 percent girdled;
 - All the nutrient and moisture transportation is restricted to 20 percent of the remaining root runkc capacity;
 - The tree does not have a healthy future and reversing the girdling condition cannot occur;
 - Removal of the tree is recommended.
- Tree #4 is a Coast Live Oak standing approximately 20 feet tall with a tree spread of approximately 30 feet:
 - The subject tree measures approximately 14.5 inches in diameter as measured at breast height (DBH);
 - The foliage is estimated at 7 percent of normal and the tree is in very poor condition;
 - Carbon domes and cracking bark are visible on the lower sections of the trunk;
 - Beetle boring holes were discovered on the trunk;
 - There are no methods to reverse the tree's condition;
 - Removal of the tree is recommended.
- Tree #5 is a Coast Live Oak standing approximately 25 feet:
 - The subject tree measures approximately 11.3 inches in diameter as measured at breast height (DBH);
 - Fruiting bodies were detected on the south side of the trunk below a decay pocket;
 - The decay pocket has weakened the tree and the fact that fruiting fungal decay bodies are present indicates that fungal decay is active and decomposing healthy wood.
 - Immediate 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 five Coast Live Oak trees are a potential hazard to life and property due to decay, structural problems, declining health and girdling. 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 draft resolution of approval is conditioned on the property owner replacing the trees with 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.*

PUBLIC NOTICE AND CORRESPONDENCE

On November 26, 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 approve the attached resolution (**Exhibit D**) which makes the required determinations for approval of a Tree Removal Permit to allow removal of the five Coast Live Oak trees located at 62-68 Lower Crescent Avenue (TRP 13-312).

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**).

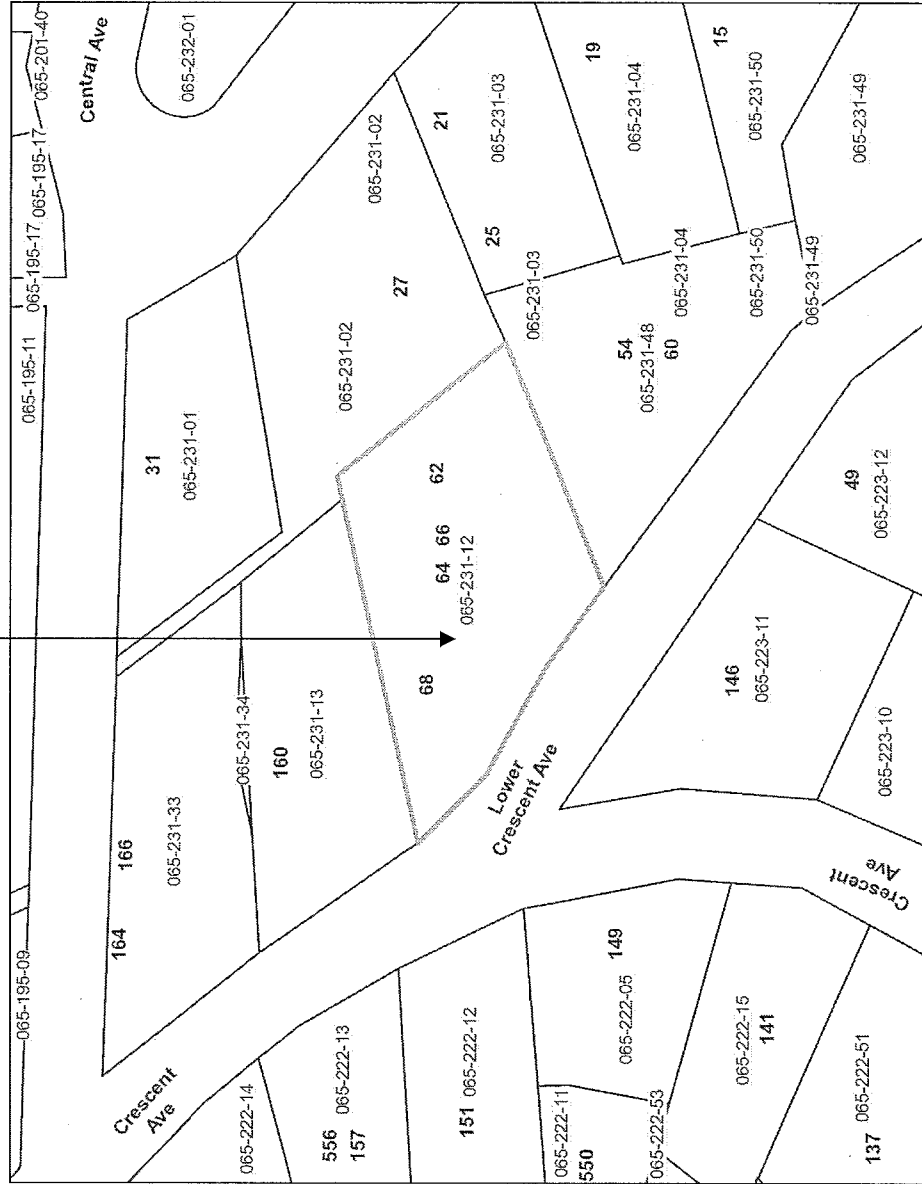
EXHIBITS

- A. Vicinity Map
- B. Arborist Report and photographs, date-stamped received November 21, 2013
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. Draft Resolution

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Vicinity Map

62, 64, 66, 68 Lower Crescent Avenue



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EXHIBIT A
(1 PAGE)

Ed Gurka, Consulting Services
San Rafael, California
Mobile: 415.601.5337

ARBORIST FIELD REPORT

NOV 21 2013

TO: Marsha August
Langsam Realty, 725 Bridgeway,
Sausalito, CA. 94965; Ph: 332-2663

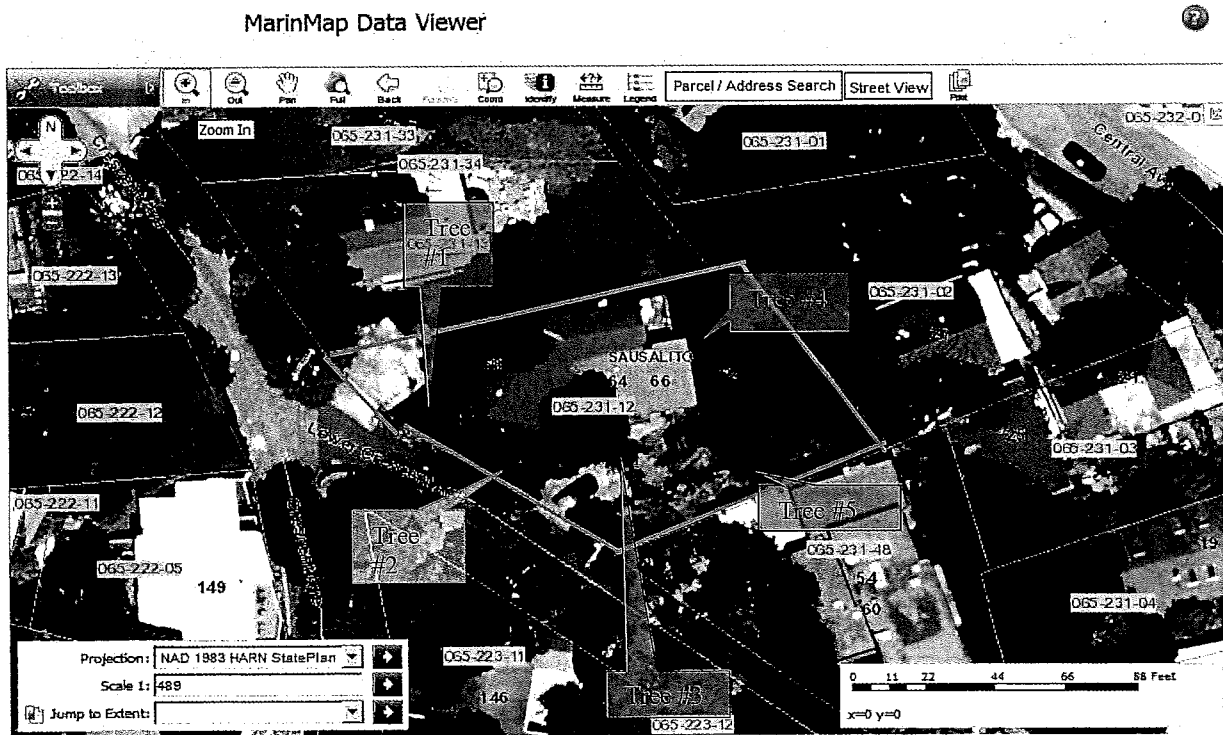
WORK PERFORMED AT:
62, 64, 66, and 68 Lower Crescent Avenue
Sausalito, California

DATE: November 14, 2013

WORK ORDER: Assess mature trees located on the 62-68 Lower Crescent Avenue property addresses.

DESCRIPTION OF WORK PERFORMED:

On November 12, 2013, I met with tree company owner Rich Torresan, Elite Tree Service, who requested an independent assessment for his client, Marsha August of Langsam Realty Company. This property has four residential addresses and are numbered 62, 64, 66, and 68 Lower Crescent Avenue, Sausalito, California. The residences have planter areas divided by walkways that lead to the residence entryways, a parking area, and backyard. The trees that are the focus of this report are five *Quercus agrifolia*; Coast Live Oak trees all located on this property, APN 065-231-12. The Coast Live Oak trees were numbered with aluminum tags beginning at the 68 Lower Crescent Avenue front yard planter area and residence entryway where (Tree #1) is located, then the inventory tags proceed to 66, 64 Lower Crescent Avenue residences (Trees #2 and #3) and to the backyard of the property (Trees #4 and 5). See Marin Maps Viewer.



Property outlined in Yellow with approximate locations and tree numbers correspond to identification tags on the property.

EXHIBIT B
(4 PAGES)

The Oak trees that are the subject of this report are described as follows:

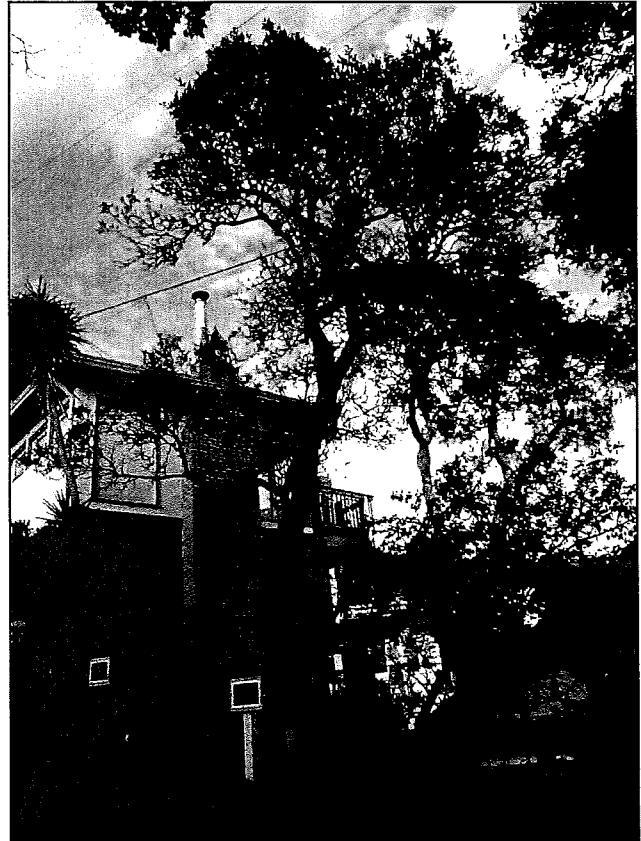
Tree #1

Quercus agrifolia, Coast Live Oak. Diameter at Breast Height (DBH) 17.5 inches and Circumference at Breast Height (CBH) is 54.9 inches. The tree is considered a "Heritage Tree" based on the Sausalito Tree Ordinance Definitions descriptions (having a CHB of 30 inches or 9.6 inches DBH) or more on developed private property.) The Canopy height is 35 feet with a spread of 25 feet. Canopy foliage is 10 percent of normal and 90 percent of canopy is defoliated. The trunk begins at a lean to the west and then changes direction to the east over the walkway and over the entry way to the 68 Lower Crescent Avenue residence.

A large pruning cut is noted at the south base of the trunk. The cut measured twenty two inches in diameter with decay beneath the face of the cut cross section. The decay has progressed into the main trunk of the tree. There are occasional 1/8th inch holes in the face of the remaining pruning cut and just beneath in the main trunk.

Recommendation for Tree #1:

The Oak tree is in advanced stage of decline. The large pruning cut at the base of the trunk has contributed to decay progressing into the main trunk. Boring insects are entering the main trunk just below the decay section at soil level. The fact that only 10 percent of the foliage remains on one small section is further indication that the tree will be completely dead soon. The targets are the residence walkway and entrance to 68 Lower Crescent Avenue. **This Oak tree must be removed immediately before it falls.** Replacement vegetation considerations once the tree is removed are either a small tree or shrub because the planter area is very limited, and constricted in space.



Tree #2

Quercus agrifolia, Coast Live Oak. Diameter at Breast Height (DBH) is 25.4 inches. The tree is considered a "Heritage Tree" based on the Sausalito Tree Ordinance Definitions descriptions (having a CHB of 30 inches or 9.6 inches DBH or more on developed private property.) Canopy height is 27 feet with a similar spread. This Oak tree is located between the walkway to the entrance of 64 Lower Crescent Avenue residence and the corner of the parking stall to the east. It is just a few feet from the street curb.

A very long cavity was noted on the north section of the trunk at the approximate height of four feet above ground. The cavity was measured for extent of decay in relation to remaining live wood at the Oak tree's DBH of 25.4 inches. The depth of the cavity pocket is 16 inches to the back wall of the decay pocket. A probe was inserted into the lower cavity opening at a 45-degree angle and it was measured to a depth of 16 inches and here noted that it reached the opposite side of the trunk wall before encountering any resistance. The same was found when probing the upper opening of the cavity. The approximate length

of the cavity is measured at 55 inches long and 8-10 inches wide at the cavity opening.

Recommendation for Tree #2

Open cavities produce failures by the trunk buckling at the location of the cavity. An open cavity weakens a trunk to a much greater extent than an internal cavity where the trunk has a limited amount of internal heartwood decay. The tree has a lean with multiple targets. They are the residence of 64 Lower Crescent Avenue, the parking area to the east, walkway to the residence entrance, and the street with an electrical utility line to the residences. The tree is an imminent failure potential. **The tree must be removed immediately.** Replacement considerations are not recommended. The area is too restrictive for replanting vegetation. If replanting is necessary, another location on the property can be selected with room for a small tree or shrub that can meet the specifications for the location.

Tree #3

Quercus agrifolia, Coast Live Oak. Diameter at Breast Height (DBH) is 25.3 inches. The tree is considered a "Heritage Tree" based on the Sausalito Tree Ordinance Definitions descriptions (having a CHB of 30 inches or 9.6 inches DBH or more on developed private property.) Canopy height is 25.3 feet with a similar spread. This Oak tree is located at the walkway between the entrance to 64-66 Lower Crescent Avenue residence and the parking stall above and to the east.

The base circumference of the trunk is 85 percent girdled. All the nutrient and moisture transportation through the cambium layer is restricted to 20 percent of the remaining root trunk capacity. The photograph and inset show the circumference of trunk base affected by girdling. The canopy has been severely pruned to small branch tips of remaining foliage. The trunk is restricted by the walkway directly around half the circumference.

Recommendation for Tree #3:

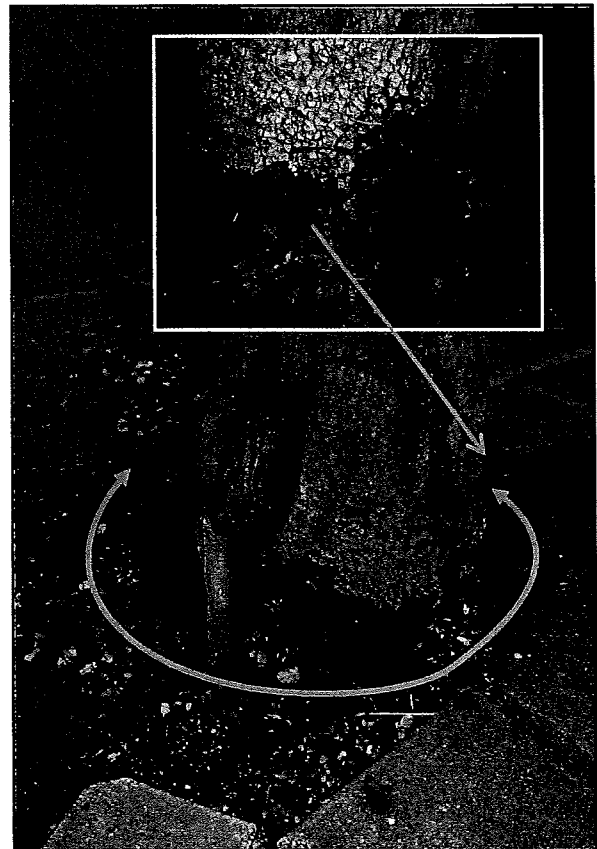
This Oak tree does not have a healthy future existence in this location. The fact that there is only 20 percent remaining transportation of flow from the root system to the canopy is not sufficient to sustain the tree. Reversing this condition cannot be corrected. The potential for a failure is high with multiple targets in the area. **The recommendation is to remove the tree.**

Tree #4

Quercus agrifolia, Coast Live Oak. This Oak tree is located at the backyard of the property at the southwest corner wall of the residence and near an outdoor fireplace. Diameter at Breast Height (DBH) 14.5 inches. The tree is considered a "Heritage Tree" based on the Sausalito Tree Ordinance Definitions descriptions (having a CHB of 30 inches or 9.6 inches DBH or more on developed private property.) Canopy height is 20 feet and spread is estimated at 30 feet. Foliage is estimated at 7 percent of normal. The tree is in very poor condition. Carbon domes and cracking bark are visible on the lower sections of the trunk. Beetle boring holes were discovered on the trunk.

Recommendation for Tree #4:

There are no methods to reverse this Oak tree's condition. **The tree must be removed because it will soon fall.** Replacement can be made with a suitable small tree for the location.



Tree #5

Quercus agrifolia, Coast Live Oak tree. This Oak tree is located at the eastern backyard property fence. The DBH is 11.3 inches and height is 25 feet. The tree leans to the east over the property fence and neighbor's residence roof. Fruiting bodies were detected on the south side of the trunk below a decay pocket. The decay is the result of a pruning wound that did not compartmentalize to callous over and close the pruning wound. The decay pocket has weakened the tree and the fact that fruiting fungal decay bodies are present indicates that fungal decay is active and decomposing healthy wood.

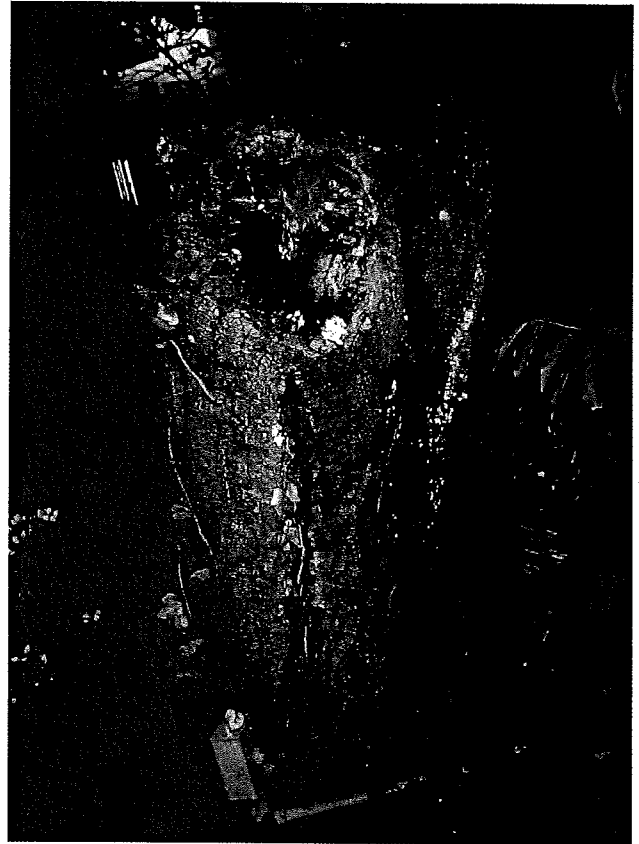
Recommendation for Tree #5:

The limb removal pictured has resulted in a weakened tree structure that will fail as decay progresses. The remaining tree's canopy leans over the neighboring property's residence. As decay progresses the limb will fail and result in property damage to the neighboring home.

Recommendation is for immediate removal of this Oak tree.

Summary:

This report recommends the removal of five Coast Live Oak trees on the property because of their condition and safety concerns. The recommendation is based on major defects in their structure. One remaining oak tree on the property with a double trunk is surviving and requires maintenance with soil amendments, clean mulches, and fertilization.



The tree is over pruned and must have foliage resorted through regrowth to improve health or it will begin to decline. The use of Plant Health Care products that provide nutrients specific for Oaks ectomycorrhizal fungi would benefit the tree by promoting feeder root development and increasing nutrient absorption. A periodic assessment provided by a Certified Arborist to assess the progress and monitor progress for health improvement is recommended.

Contact Information:

Ed Gurka
Independent Services
197 Coleman Drive
San Rafael, CA. 94901
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Email: Egurka1@aol.com

Affiliations and Licenses:

International Society of Arboriculture, (ISA) Certified Arborist # 418, 1984 to present.

<http://www.asca-consultants.org/>

American Society of Consulting Arborists, (ASCA) Member, 2000 to present.

<http://www.isa-arbor.com/>

<http://www.wcisa.net/>

California Department of Pesticide Regulation, Pest Control Advisor PCA 74846, 1989 to present.

<https://www.capca.com>

City of Sausalito, Municipal Arborist, 1989-2004

Independent Consulting Arborist Services, 2004-present

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 FIVE COAST LIVE OAK TREES
LOCATED AT 62, 64, 66, 68 LOWER CRESCENT AVENUE (TRP 13-312)**

WHEREAS, on November 21, 2013 a Tree Removal Permit application was filed by the applicant, Ed Gurka, on behalf of the property owner, Langsam Partners, LLC, requesting the removal of five Coast Live Oak trees (*Quercus agrifolia*) located at 62, 64, 66, 68 Lower Crescent Avenue (APN 065-231-12); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on November 26, 2013; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on December 2, 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 62, 64, 66, 68 Lower Crescent 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

December 2, 2013

TRP 13-312

62, 64, 66, 68 Lower Crescent 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 62, 64, 66, 68 Lower Crescent 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 five Coast Live Oak trees are a potential hazard to life and property due to decay, structural problems, declining health and girdling. 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 replacing the trees with 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

December 2, 2013

TRP 13-312

62, 64, 66, 68 Lower Crescent Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit application submitted on November 21, 2103.

1. Five 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 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.

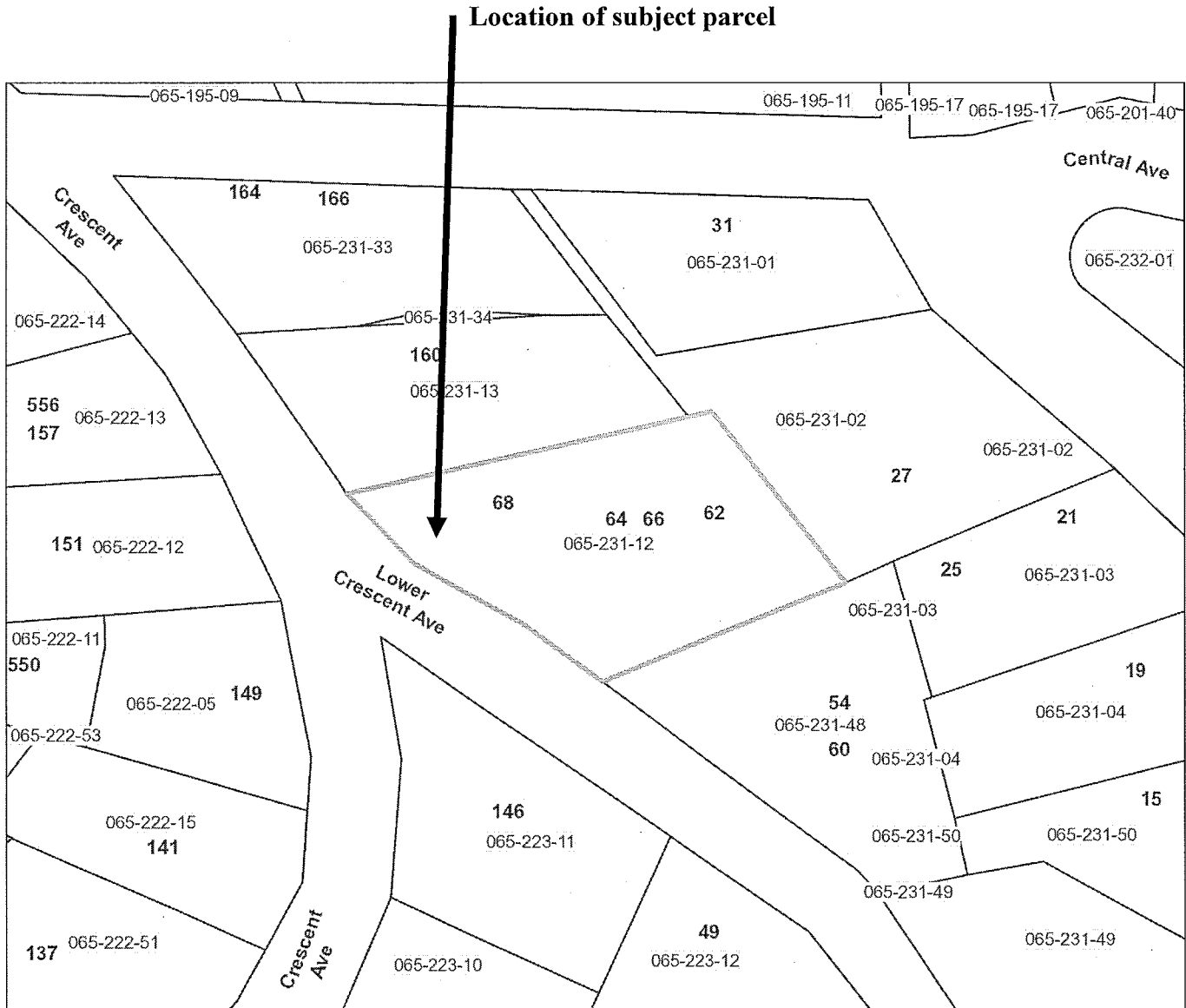
Advisory Notes

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
December 2, 2013
TRP 13-312
62, 64, 66, 68 Lower Crescent Avenue

ATTACHMENT 3: SITE PLAN



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