

**PLANNING COMMISSION
RESOLUTION NO. 2023-06**

**TREE REMOVAL PERMIT TRP 2023-00007 APPROVING THE REMOVAL OF THREE TREES
FOR 658 MAIN ST (APN: 065-223-30)**

WHEREAS, on January 11, 2023 a Tree Removal Permit application was filed by the applicant, Ben Kahane, same individual as the Property Owner, requesting the removal of three trees located at 658 Main St Ave (APN 065-223-30); and

WHEREAS, the Planning Commission considered the application at a public meeting on April 12, 2023, at which time all interested persons were given an opportunity to be heard;

WHEREAS, the Planning Commission 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 Planning Commission finds that the application is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15304 of the CEQA Guidelines; and

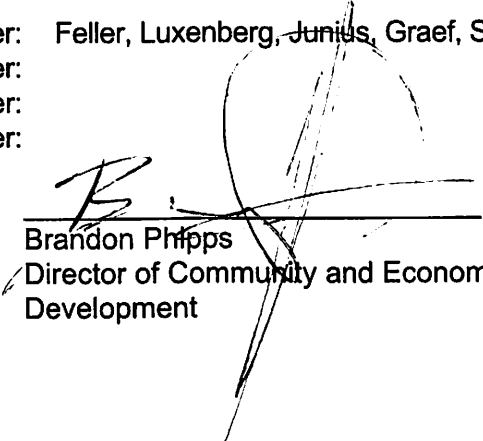
NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

Based on all written and oral information provided for the public hearing, that Tree Removal Permits for Trees No 1, 2, and 3 are approved.

This decision is based upon the findings, and subject to the conditions of approval, provided in Attachment 1. A Site Plan is provided in Attachment 2.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the 12 day of April, 2023, by the following vote:

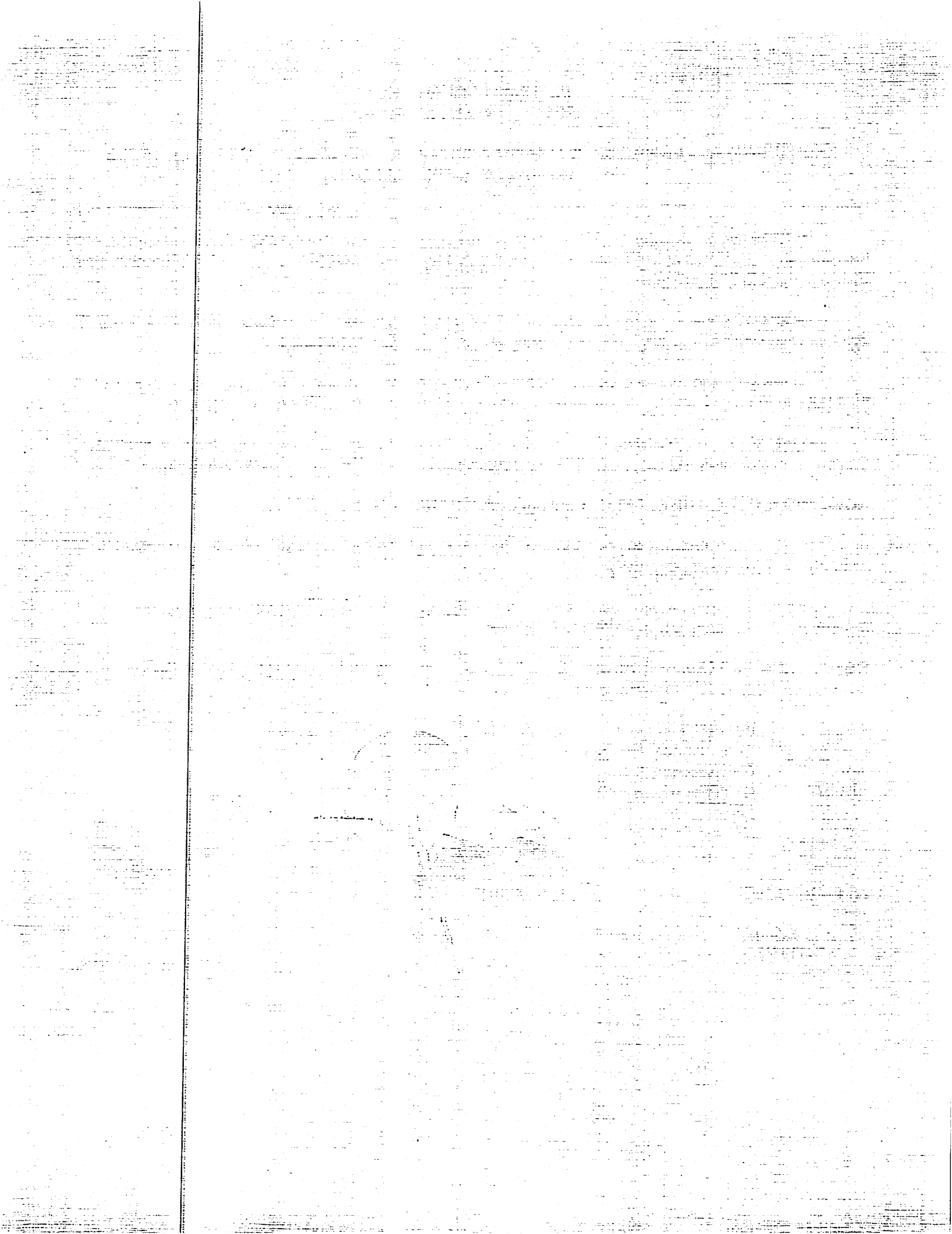
AYES: Commissioner Member: Feller, Luxenberg, Junius, Graef, Saad
NOES: Commissioner Member:
ABSENT: Commissioner Member:
ABSTAIN: Commissioner Member:



Brandon Phipps
Director of Community and Economic
Development

ATTACHMENTS

- 1- Findings
- 2- Site Plan



PLANNING COMMISSION RESOLUTION

**April 12, 2023
TRP 2023-00007
658 MAIN ST**

ATTACHMENT 1: FINDINGS AND CONDITIONS OF APPROVAL

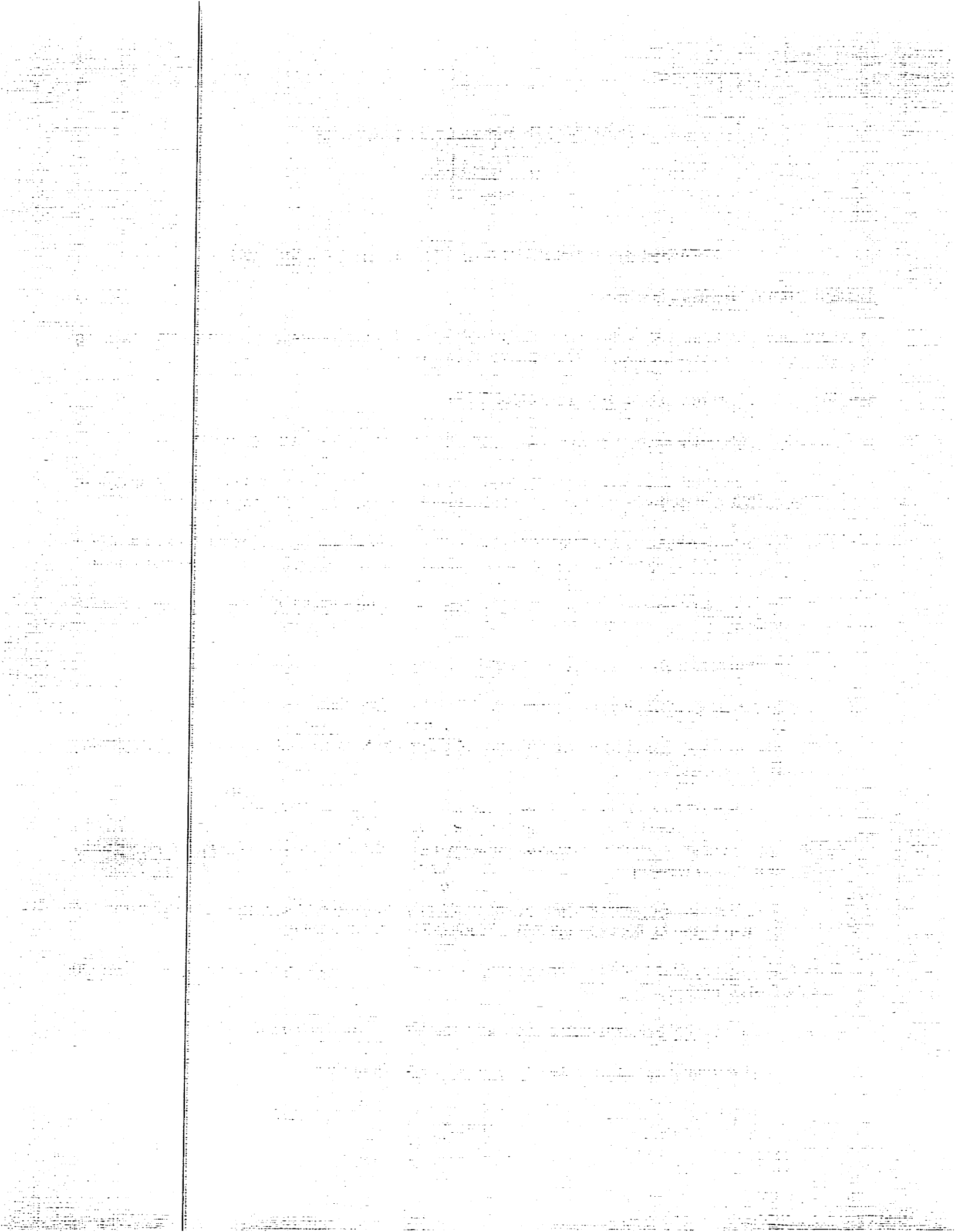
TREE REMOVAL PERMIT FINDINGS

In accordance with Municipal Code Section 11.12.030.B, the Planning Commission makes the following findings with respect to the Tree Removal Permit for 658 Main St:

Section 11.12.030.B of the Sausalito Municipal Code

B. Criteria for Grant or Denial of Application for Removal or Alteration of Protected Trees.

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 ensure 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 permit will be replaced by a desirable tree.
 - b. The Planning Commission waives the above requirement based on information provided by the applicant/owner.
 - c. The Planning Commission waives the requirements in subsections (B)(2)(a) and (b) of this section based on the information provided by the applicant/owner.
3. A finding of any one of the following is grounds for denial, regardless of the finding in subsection (B)(2)(a) of this section:
 - a. Removal of a healthy tree of a desired species can be avoided by:
 - i. Reasonable redesign of the site plan, prior to construction;



- ii. Thinning to reduce density, e.g., open windows;
 - iii. Shaping to reduce height or spread, using thinning cuts only (drop crotch);
 - iv. 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, erosions 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 inconvenience 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.

Approval of Tree Removal Permits for Trees No 1, 2, and 3

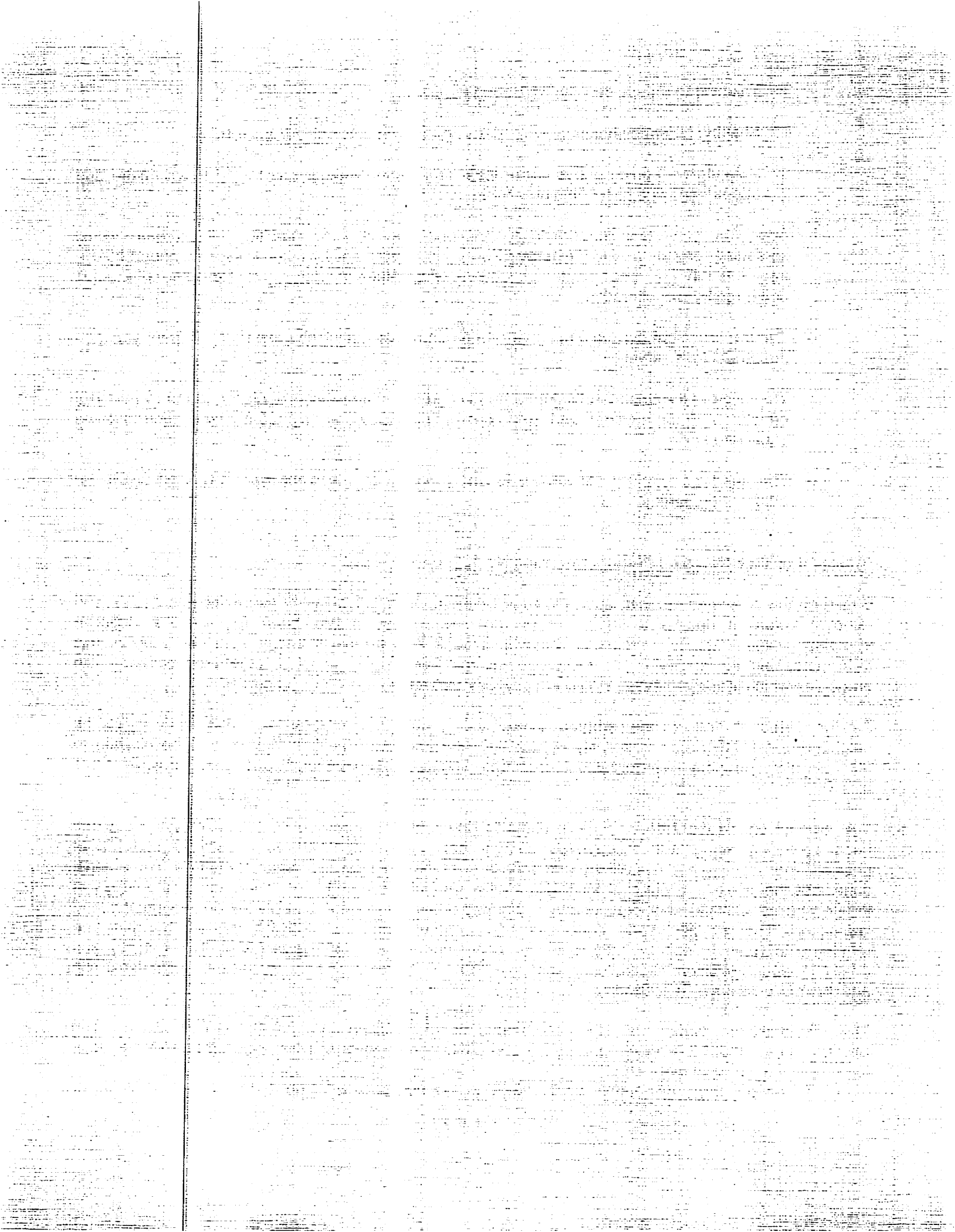
Based on the submitted arborist report provided by the applicant, Tree 1 shows irreversible decline and removal before it decays to the point of root failure, and it has been appraised a negative appraised value equal to it's cost of removal. Tree 2 has extensive decay from the base of this tree increasing the likelihood of whole tree failure. This would impact a large area covering two properties which is likely to cause significant property damage to these two properties.

As for Trees 1 and 2, the arborist states the effects for removal of these trees have on neighboring vegetation or soil stability is less than the impact of the tree if it were to be allowed to fail naturally and potentially falling onto desirable vegetation consequently pulling the roots from the hillside.

The arborist concludes Tree 3 to be in early decline that is outgrowing its available space and the basal sprouting along with the sparse canopy have been identified as possible symptoms of possible root disease and overall showing definite symptoms of stressed health of the tree. The arborist concludes the whole tree removal for this tree is a reasonable management decision at this stage of its life and its removal should not have a significant impact on soil stability or on the neighboring vegetation. The arborist report concludes that apparent property damage caused by this tree requiring its removal negates any potential appraised value. Staff agrees that Trees 1, 2, and 3 are in poor condition aesthetically and physically, and are at or near the end of their useful life and therefore removal is warranted.

The Commission finds that the requirements of Section 11.12.030. B.1.a. & d. and Section 11.12.030.B.2. a. & c. apply to the proposed tree removal and the requirements of the Code for approval have been met:

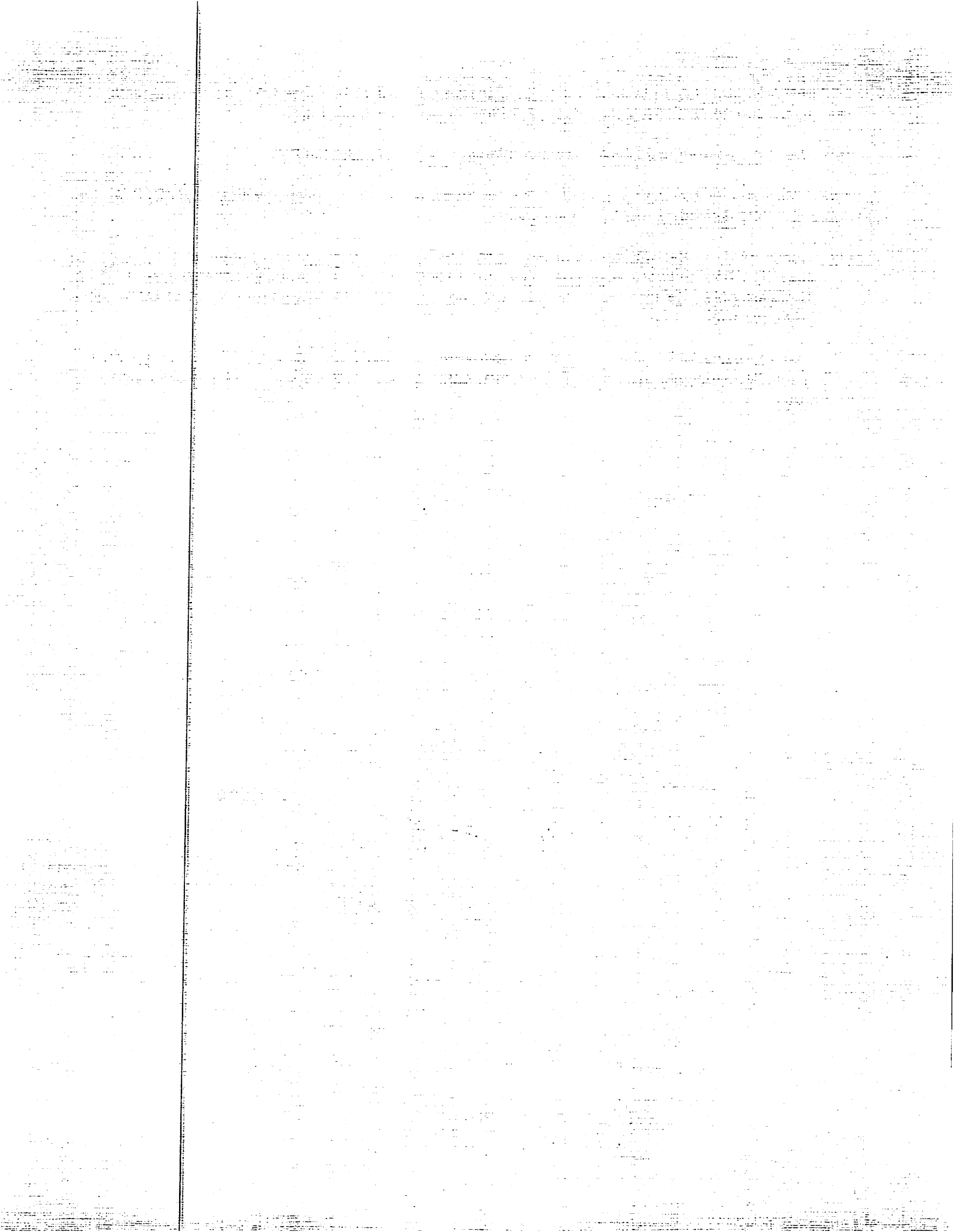
- To ensure the public safety as it relates to the health of the tree, potential hazard to life or



- property, proximity to existing or proposed structures, and interference with utilities or sewers.
- To pursue good, professional practices of forestry or landscape design.
- The tree to be removed permit will be replaced by one (1) desirable tree.

The Commission further finds no grounds requiring denial apply. In compliance with Finding B. 2. a. the following conditions must be met by the applicant:

1. The property owner will replace trees 1 and 2 with either an *Island oak (Quercus tomentella)* or *coast live oak (Quercus agrifolia)* as recommended by the arborist. Minimum tree size shall be 15-gallon container size. The replacement trees shall be planted within 60 days of the subject tree's removal.
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.



PLANNING COMMISSION RESOLUTION
APRIL 12, 2023
TRP 2023-00007
658 MAIN ST

ATTACHMENT 2: SITE PLAN

