

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2024-06**

**APPROVAL OF A TREE REMOVAL PERMIT FOR THE
REMOVAL OF TWO HERITAGE TREES AT
86 SAN CARLOS AVENUE (APN: 065-164-10) & 31 HARRISON AVENUE (APN: 065-164-11)
PROJECT ID: 2024-00041**

WHEREAS, on March 13, 2024, a Tree Removal Permit application was filed by the Applicant, Ted Horton, on behalf of Property Owner, SASP LLC, requesting the removal of two (2) heritage trees including one (1) Victorian Box (*Pittosporum undulatum*) at 86 San Carlos Avenue (APN: 065-164-10), and one (1) Coast Live Oak (*Quercus agrifolia*) at 31 Harrison Avenue (APN: 065-164-11); and

WHEREAS, the Planning Commission considered the application during a public meeting on April 10, 2024, at which time all interested persons were given an opportunity to be heard; and

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

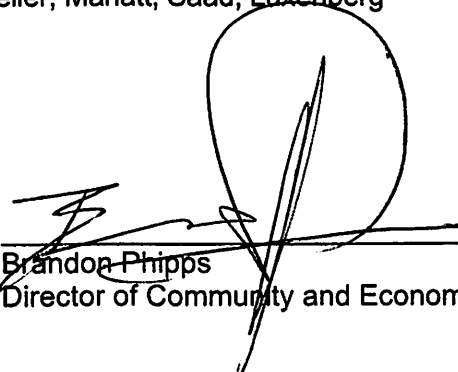
WHEREAS, the Planning Commission finds that the application is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15304 of the CEQA Guidelines; and

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

The Tree Removal Permit to remove two (2) heritage trees at 86 San Carlos Avenue (APN: 065-164-10), and 31 Harrison Avenue (APN: 065-164-11) is hereby approved subject to a motion to deny the removal of the Coast Live Oak tree (T1) at 31 Harrison Avenue. This decision is based upon the findings provided in Attachment 1 and Conditions of Approval in Attachment 2. A Site Plan is provided in Attachment 3.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the 10th day of April 2024, by the following vote:

AYES:	Commissioner: Junius, Feller, Marlatt, Saad, Luxenberg
NOES:	Commissioner:
ABSENT:	Commissioner:
ABSTAIN:	Commissioner:


Brandon Phipps
Director of Community and Economic Development

ATTACHMENTS

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

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ATTACHMENT 1: FINDINGS

Tree Removal Permit

When reviewing applications for tree removal the Planning Commission is directed to consider the criteria found in SMC Section 11.12.030(B)(1-3):

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.*

According to the arborist report on file the trees in question warrant removal due to their proximity to existing structures, the potential hazard posed to life and property, and, in the case of T3, the poor health and condition of the tree. This satisfies criteria a. and d. listed above.

2. In order to grant a tree removal permit, it must be determined that one of the following conditions is satisfied:

- a. The tree to be removed will be replaced by a desirable tree; or*
- b. The applicant is required to pay a tree replacement fee in the amount established by City Council resolution; or*
- c. The Planning Commission waives the requirements in subsections (B)(2)(a) and (b) of this section based on information provided by the applicant/owner.*

As the heritage tree (T3) is in poor overall health, this tree approved for removal will be replaced with three (3) 5-gallon Ligustrum trees at 86 San Carlos Avenue. This satisfies condition a., above.

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, 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 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.

After reviewing the arborist report and the materials on file none of the findings of denial in SMC 11.12.030(B)(3) can be made for the removal of T3 at 86 San Carlos Avenue. The tree is in poor health and is recommended for removal. The removal of the tree will not significantly affect the existing plants, drainage, or land stability. The subject tree is not a member of a group of trees, nor does it provide needed privacy screening. As the subject trees are in poor and worsening health and are located close to neighboring property and utility equipment, they are a greater inconvenience to the owner and their neighbor than they are a value to the neighborhood. T1 meets finding d. since the value of the tree has been determined by the Planning Commission to be greater than its inconvenience to the owner therefore the tree. Therefore, T1 meets one of the criteria for denial based on this section.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

1. Approved Project. The tree to be removed at 86 San Carlos Avenue (T3) shall be replaced with three (3) 5-gallon Ligustrum trees.

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April 10, 2024

APN: 065-164-10 & 065-164-11

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ATTACHMENT 3: SITE PLAN

