


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Armstrong Residence / 63 Central Avenue
Tree Removal Permit
TRP 10-192

Meeting Date September 13, 2010

Staff Alison Thornberry, Assistant Planner 

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Coast Live Oak tree at 63 Central Avenue.

PROJECT INFORMATION

Applicant Chris Lamb

Owners Kelly Armstrong

Location/Size 63 Central Avenue; APN 065-201-11
3,166 Square Feet (see **Exhibit B** 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

The applicant has submitted an application for the removal of one Coast Live Oak tree located on the property at 63 Central Avenue.

An Arborist Report was prepared on May 15, 2010 by Certified Arborist, Ray Moritz, to assess the health, structural condition, and suitability for preservation of a Coast Live Oak (*Quercus Argifolia*) that is located near construction activity where a retaining wall to support the home's front deck, was recently replaced.

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

- The Coast Live Oak is located at the front of the 63 Central Avenue home and is growing horizontally from under the front deck to the south and out toward the road.
- The tree is 12.8 inches in diameter at the deck opening, or 40.2 inches in circumference. At 2.5 feet above grade the tree measures 18 inches in diameter and 56.5 inches in circumference.

- The Condition of the tree is 3/2, fair health, fair to poor structural condition. The tree fell at some time in the past but continued to live.
- The Arborist concludes that based on his examination of the Subject tree and its surrounding conditions the current "fair to poor" condition of the tree is due to environmental conditions that existed prior to recent placement of the deck supports. The prognosis for this tree is poor and the owner should plan its removal and replacement.
- The tree has very low value due to its placement, condition and poor prognosis.

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.

Since the tree is growing horizontally out of the ground, and is growing in a fashion that is creating a problem in the reconstruction of an existing retaining wall, the removal of the tree is necessary to accomplish objectives a, b and d.

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.

Since there are a number of full size, mature trees located on the subject site, the requirement for a replacement tree may be waived by the Trees and Views Committee per subsection b above.

PUBLIC NOTICE AND CORRESPONDENCE

On September 2, 2010, a notice of this proposal was posted at the front of the subject property, visible to the surrounding neighborhood.

No correspondence has been received on the Tree Removal Permit as of September 9, 2010.

RECOMMENDATION

Staff recommends the Trees and Views Committee approve the attached resolution which makes the required determinations for approval of a tree removal permit to allow removal of the Coast Live Oak on the property located 63 Central Avenue (TRP 10-192).

Alternatively, the Trees and Views Committee may:

- Approve the Tree Removal Permit with modification of the determinations;
- 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 August 27, 2010
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

I:\CDD\PROJECTS - ADDRESS\Central 63\TRP 10-192\TVCSR 09-13-10

BLANK

Vicinity Map

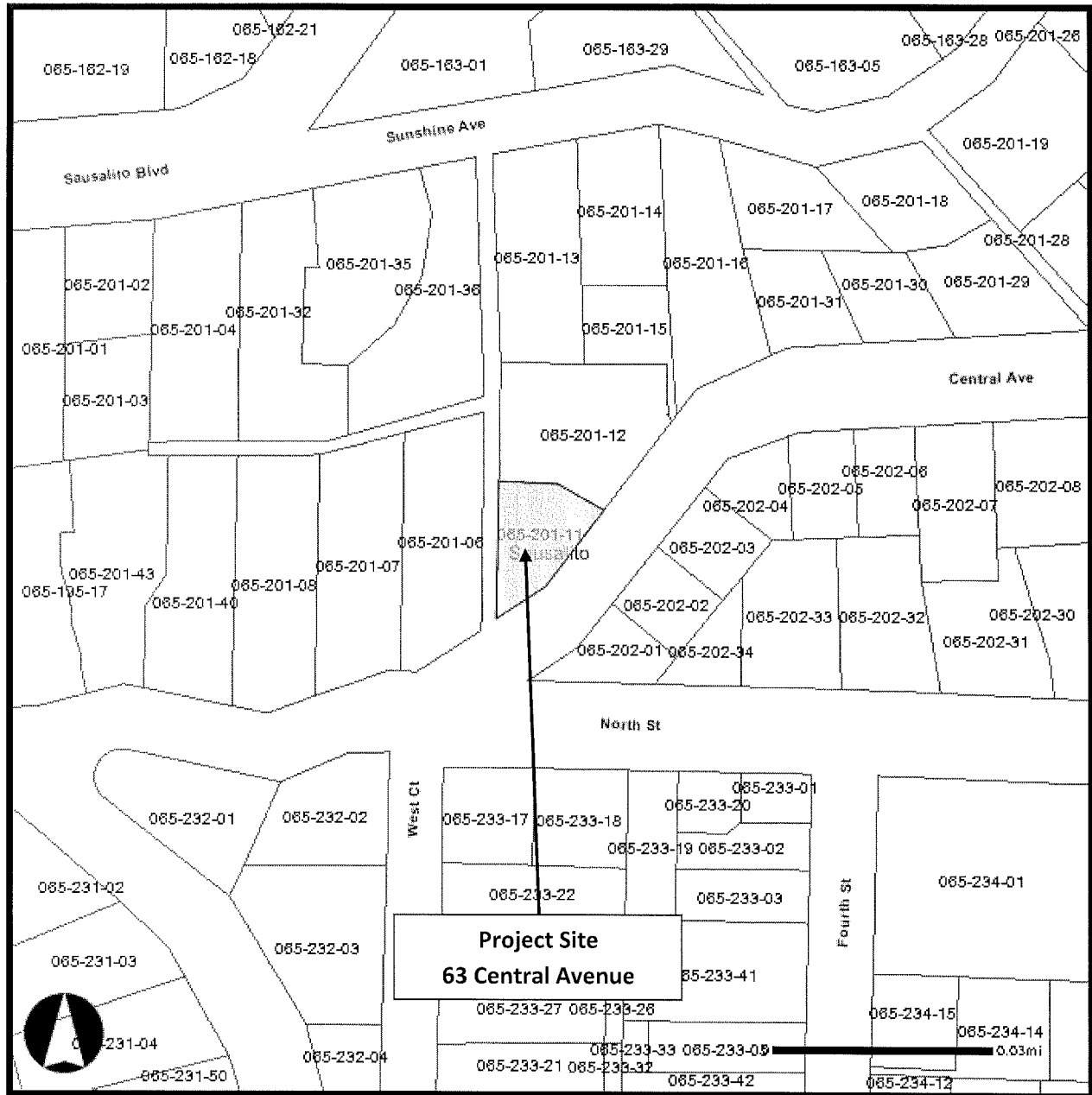


Exhibit A

BLANK

August 26, 2010



URBAN FORESTRY ASSOCIATES INC.
MORITZ ARBORICULTURAL CONSULTING

Chris Lamb Builders
510 Spring Street
Sausalito, CA 94965

RECEIVED

AUG 27 2010

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

ARBORICULTURAL REPORT
Health & Structural Evaluation of Coast Live Oak
63 Central Avenue, Sausalito, California 94965

PURPOSE

Urban Forestry Associates, Inc. (UFA) was asked to assess the health, structural condition, and suitability for preservation of a coast live oak (*Quercus agrifolia*) that is located near construction activity where a retaining wall that supports the front deck of a home was recently replaced (from wood to concrete). The site and trees were inspected on May 15, 2006.

SITE LOCATION

63 Central Avenue, Sausalito, California 94965.

SCOPE OF WORK / LIMITATIONS

Information regarding property boundaries, land, or tree ownership were provided by Chris Lamb of Chris Lamb Builders. Urban Forestry Associates, Inc. (UFA) has no interest either personal or monetary in the outcome of this matter. All determinations reflected in this report are objective to the best of our ability. All observations and conclusions regarding tree, shrubs, and site conditions in this report were made by Urban Forestry Associates, Inc., independently, based on our education, experience, and inspection of the site.

SOURCES

- *City of Sausalito - Ordinance No. 1114: An Ordinance of the City of Sausalito Amending Chapter 11.12 of the Sausalito Municipal Code.*
- Hom Pisano Engineering, Inc. *Structural Plans (Sheet S2): New Retaining Wall, 63 Central Street, Sausalito, CA 94965. 14 December 2009.*
- Hom Pisano Engineering, Inc. *Details (Sheet S3): New Retaining Wall, 63 Central Street, Sausalito, CA 94965. 14 December 2009.*

Exhibit B
[14 pages]

TREE STATUS: City of Sausalito's Tree Ordinance:

- ▶ Heritage Trees are trees that measure 30.0" in circumference or greater at 4.5' above grade. No undesirable tree can be a Heritage tree.
- ▶ Protected Trees are 1) On private property: a) Coast Live Oak (*Quercus agrifolia*) measuring 12" CBH or larger; b) heritage trees; and c) dedicated trees. 2) On private undeveloped property, a tree measuring 12" CBH or larger. 3) All trees and shrubs on City-owned property. 4) No undesirable tree is a protected tree.
- ▶ Undesirable Tree: is one of the following: 1) *Eucalyptus globulus* (Bleu Gum Eucalyptus), 2) *Pinus radiata* (Monterey Pine), 3) *Cupressus macrocarpa* (Monterey Cypress), 4) *Sequoia sempervirens* (Coast Redwood), 5) *Acacia melanoxylon* (Blackwood Acacia), *Acacia baileyana* (Bailey Acacia), *Acacia decurrens*: (Green Wattle).
- ▶ Dedicated Trees are trees that have special significance as provided for by resolution of the City Council.
- ▶ C.B.H. (Circumference at Breast Height): The tree trunk's circumference as measured at 4½ feet above the ground. For multi-trunked trees, the circumference of the two largest trunks combined.

ASSESSMENT

The tree diameter was taken at CBH (Circumference at Breast Height, 4.5' above grade) or otherwise stated. The tree assessments were visually conducted. Be aware that internal defects may be present that cannot be detected visually. Inspection in accordance with ISA standards.

TPZ = Tree Protection Zone

SOD = Sudden Oak Death (*Phytophthora ramorum*)

TREE RATING = 1 - Senescent (dying) to Dead, 2 - Poor, 3 - Fair, 4 - Good, 5 - Excellent

Subject Tree - Heritage & Protected

Species	Coast Live Oak (<i>Quercus agrifolia</i>)
Size	The tree is 12.8" in diameter at the deck opening, or 40.2" in circumference. After we were able access entry to under the deck, the tree measures 18.0" in diameter at 2.5" above grade, or 56.5" circumference. This tree has 'Heritage' and 'Protected' status with the City of Sausalito.
Location	Located at the front of the 63 home and is growing procumbently from under the front deck to the south and out towards the road.
Condition	3/2 - Fair health, fair to poor structural condition. The tree fell at some time in the past but continued to live. The tree's lower trunk, base, and root crown are significantly buried by approximately 2-3 feet of soil and is not accessible without excavation.

There is an old wound located on the underside of the tree's trunk at the soil line. There is dark staining on the bark surrounding the wound, which is indicative of a long-term condition and spreading necrosis. The wound has good callus tissue formation and sounded good and solid with a hammer. A second wound was observed on the underside of the trunk at the opening of the south side of the deck where the tree extends out from under the deck. There is some callus tissue formation present from previous injury, as well as fresh injury (minor) to the bark due to the rebar placement for the new concrete deck supports. The area around the wound sounded only 'fair' with a hammer. There is concern about an old 10.2" diameter (32.0" circumference) pruning wound on the underside of the trunk (at the deck opening) where a large limb was improperly removed in the past. Decay has entered the tree from that point and the bark is exfoliating. The wood at the connection of the branch collar and the wound from previous construction is slightly punky.

Conclusion

The tree's canopy is fairly well foliated and is thin due to oak moth predation this past spring and most likely due to the stress of having it's root crown buried so deeply for an extended period of time.

Based on our examination of the subject tree and it's surrounding conditions, UFA concludes that the current 'fair to poor' condition of the tree is due to environmental conditions that existed prior to the recent replacement of the deck supports. The prognosis for this tree is poor and the owner should plan it's removal and replacement.

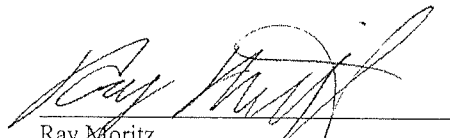
Value

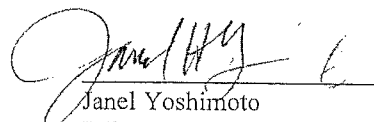
This tree has very low value due to its placement, condition and poor prognosis.

Recommendation

Removal.

Note: There is a second coast live oak located east of the tree that is also growing through the front deck. It's lower trunk, base, and root crown is buried and is displaying the same symptoms as the subject tree. UFA recommends that the tree owner have the tree's root crown excavated and exposed for evaluation. If the tree is preserved, it should be put on an Agri-Fos treatment plan for protection from Sudden Oak Death (SOD).


Ray Moritz
Certified Forester #241

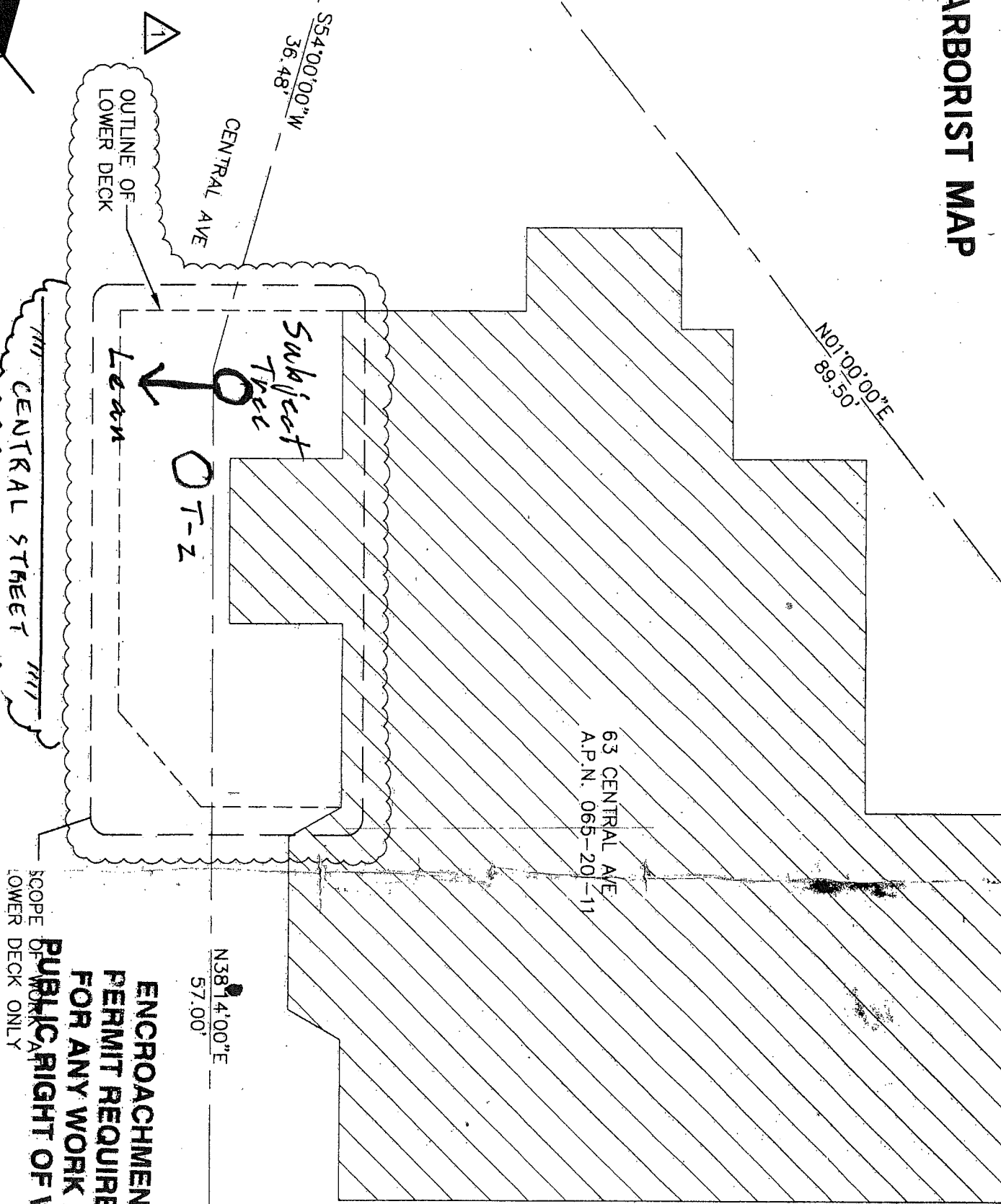

Janel Yoshimoto
WE-7588A

ARBORIST MAP



1

SITE PLAN

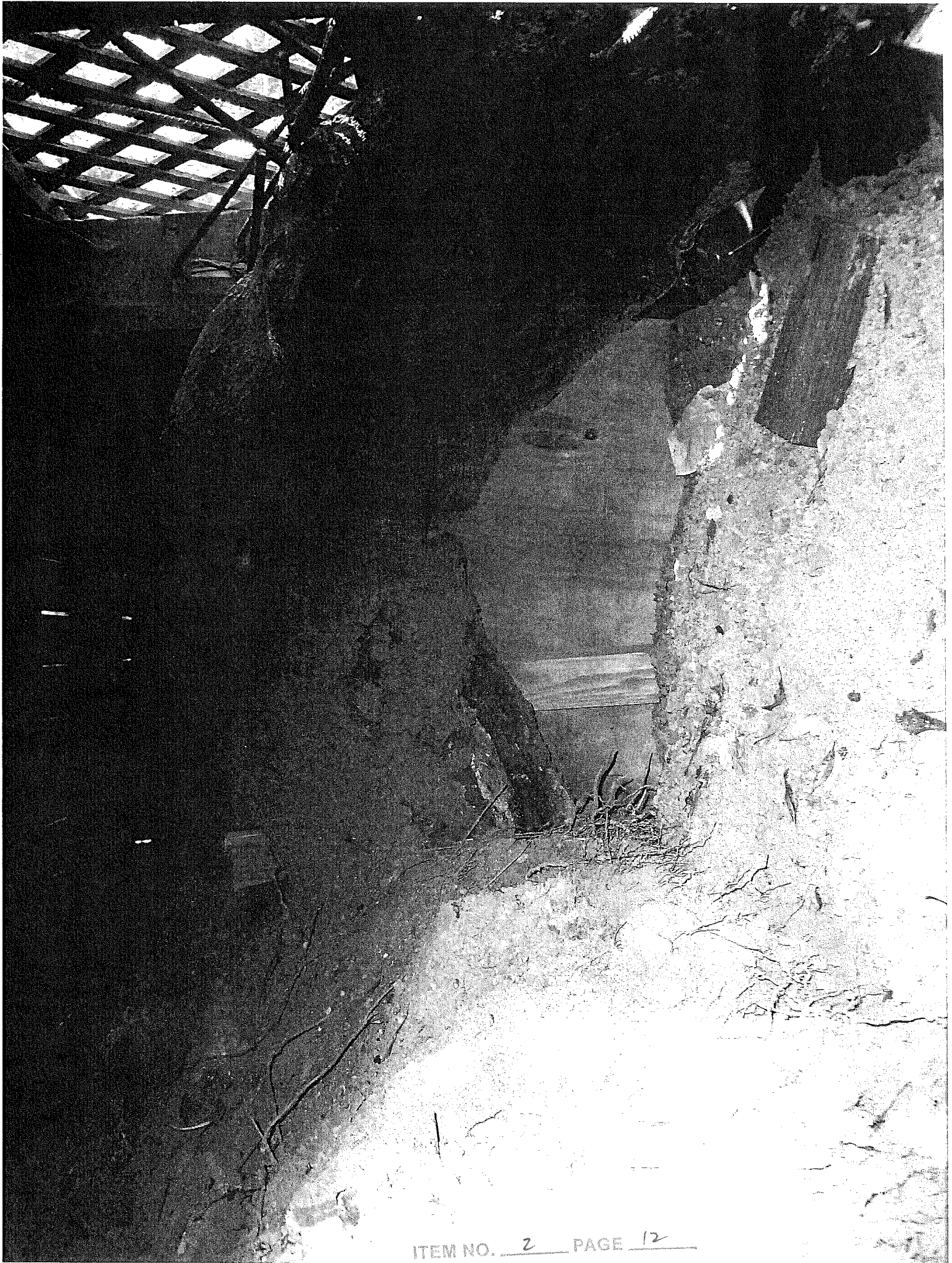


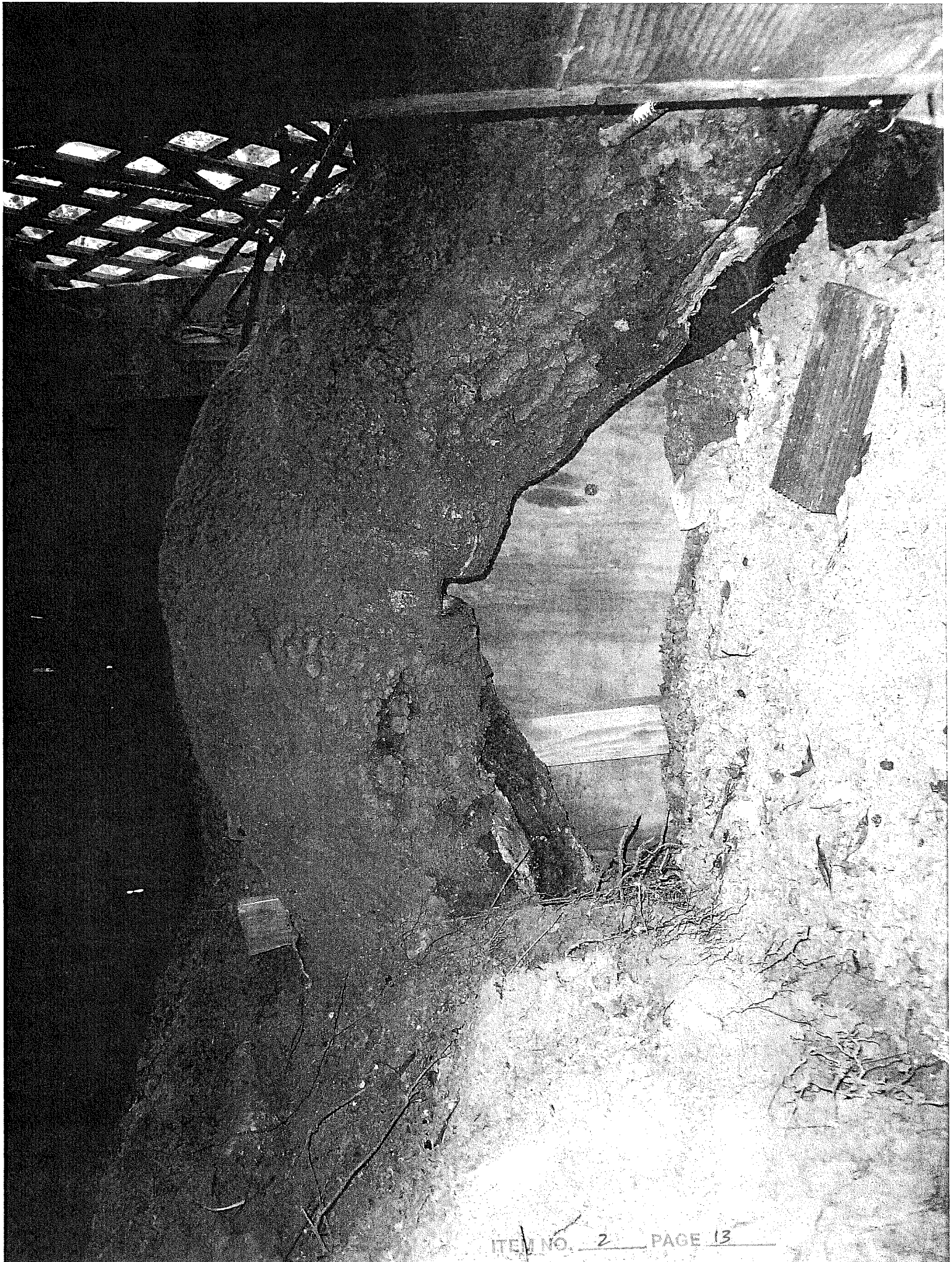
ENCROACHMENT PERMIT REQUIRED FOR ANY WORK IN PUBLIC RIGHT OF WAY
SCOPE OF WORK AS SHOWN
LOWER DECK ONLY

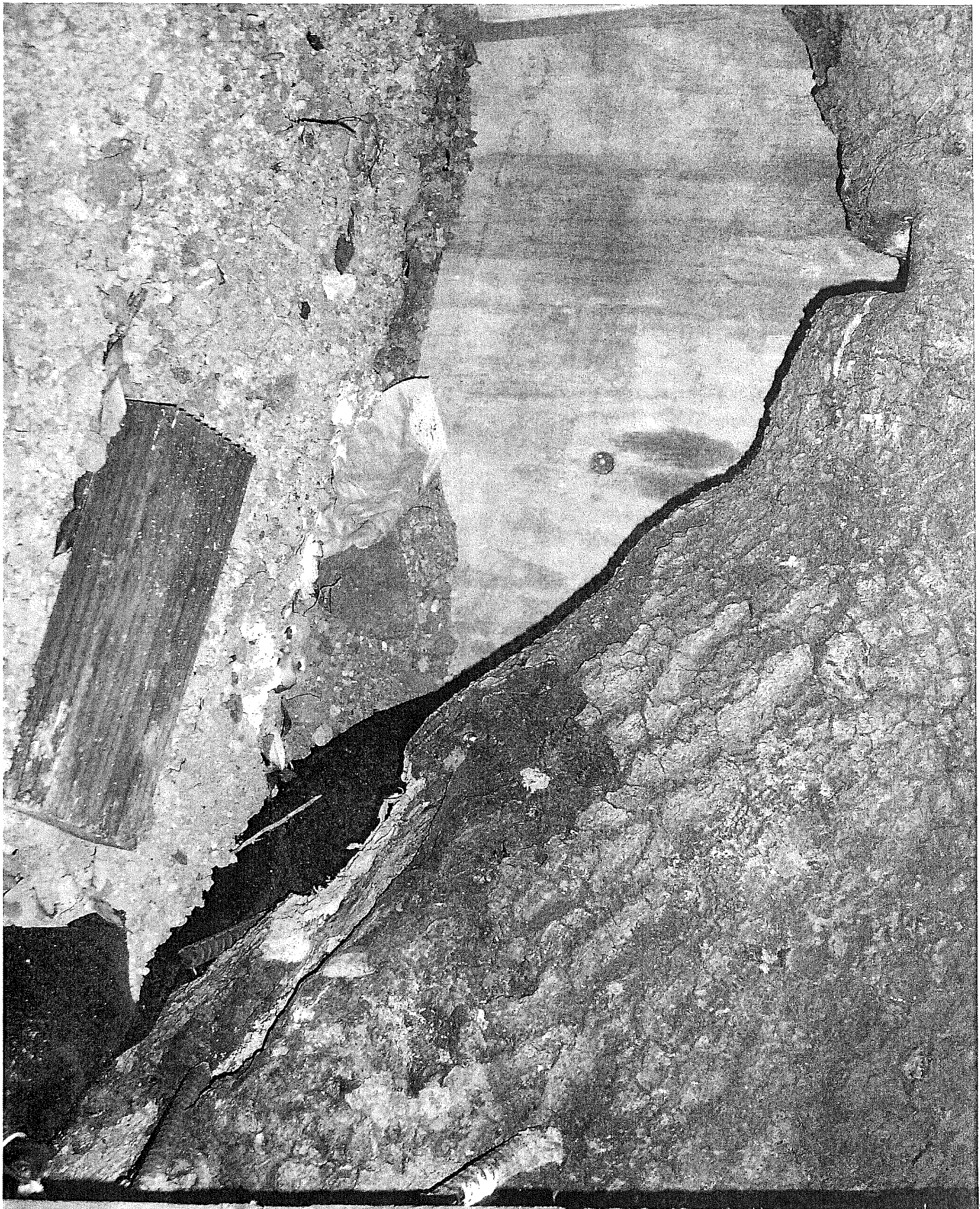
1/8" = 1'-0"

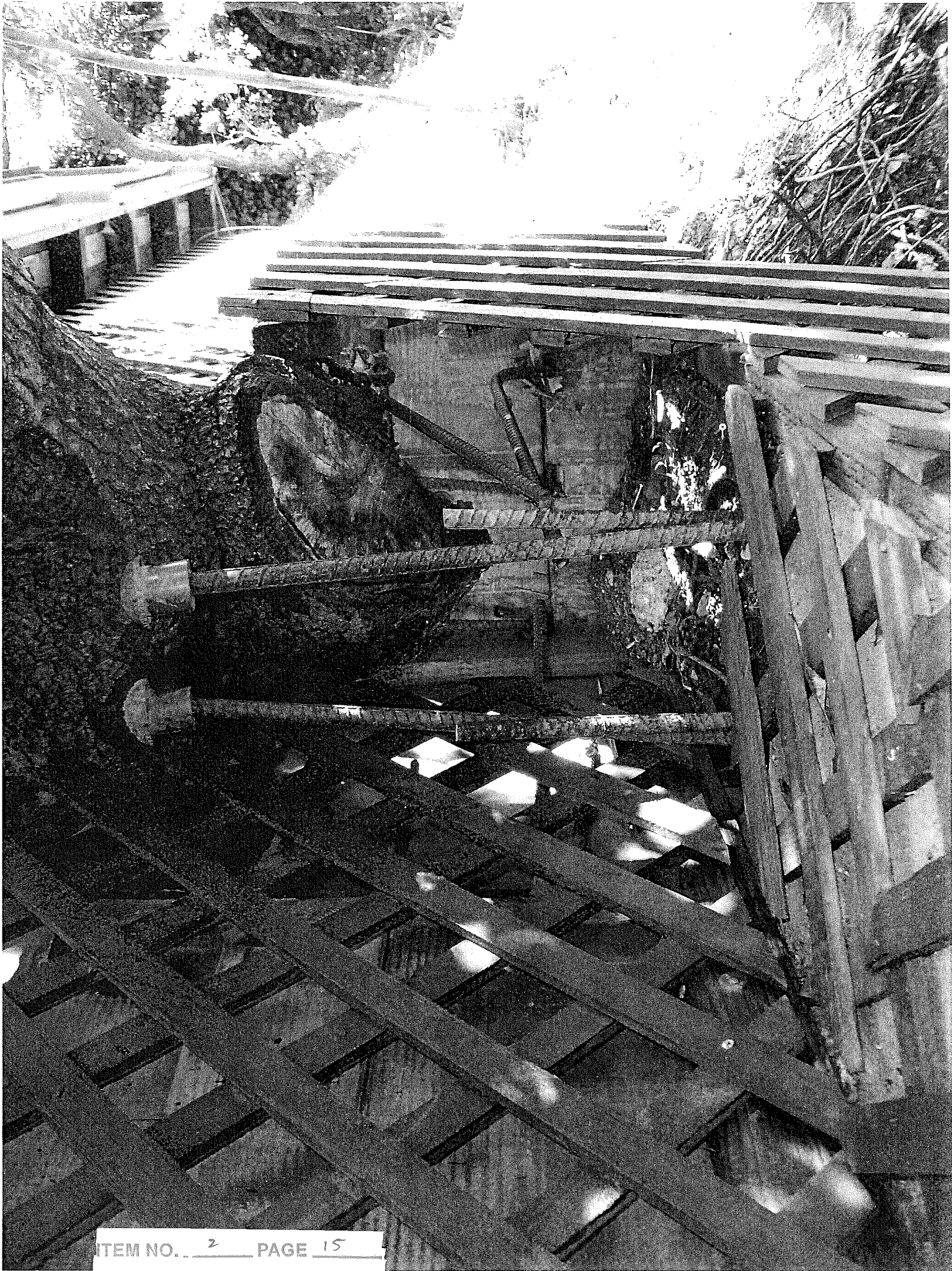
--- REMAINING ARE

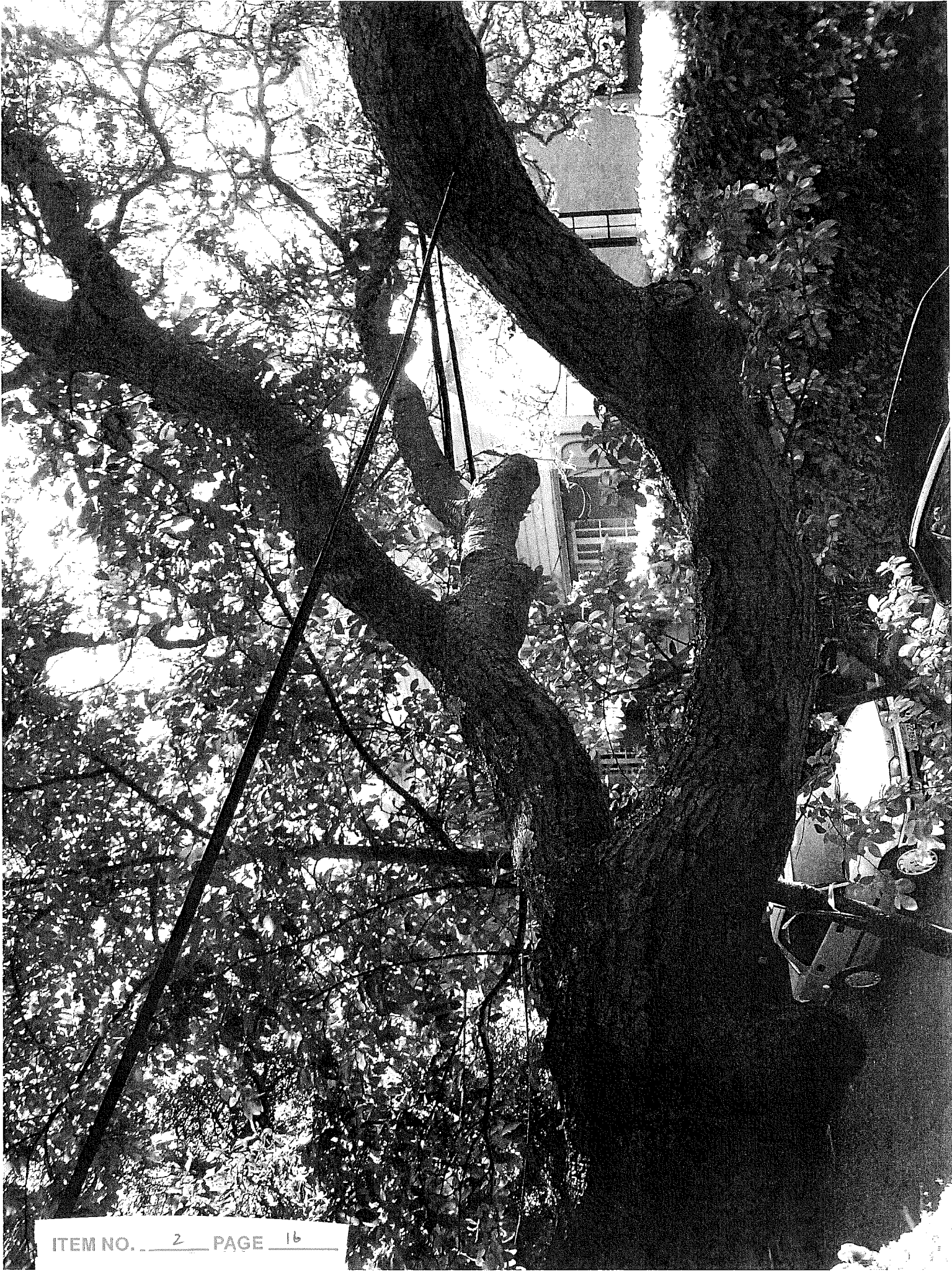












ITEM NO. 2 PAGE 16







ITEM NO. 2 PAGE 19



ITEM NO. 2 PAGE 20

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\TVCAAdmin\Criteria for TRP

BLANK

**SAUSALITO TREES AND VIEWS COMMITTEE
RESOLUTION NO. 2010-XX**

**TREE REMOVAL PERMIT FOR A COAST LIVE OAK TREE
LOCATED AT 63 CENTRAL AVENUE (TRP 10-192)**

WHEREAS, on August 27, 2010 a Tree Removal Permit application was filed by Chris Lamb on behalf of the property owner, Kelly Armstrong requesting the removal of one California Live Oak tree located on the Tree Owner's property at 63 Central Avenue (APN 065-201-11); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on [date]; and

WHEREAS, the Trees and Views Committee considered the application at a public hearing on September 13, 2010, 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 arborist report and photographs date stamped received August 27, 2010; and

WHEREAS, the Trees and Views Committee has considered all oral and written testimony on the subject application; and

WHEREAS, the Trees and Views Committee has reviewed and considered the information contained in the staff report dated September 13, 2010 for the Tree Removal Permit; 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:

The California Live Oak tree requested for removal located on the Tree Owner's property at 63 Central 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.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Trees and Views Committee on the ___ day of _____, 20___, by the following vote:

AYES: Committee Member:
NOES: Committee Member:
ABSENT: Committee Member:
ABSTAIN: Committee Member:

Exhibit D
[4 pages]

Jeremy Graves, AICP
Community Development Director

ATTACHMENTS

- 1- Findings
- 2- Conditions of Approval

I:\CDD\PROJECTS - ADDRESS\C\Central 63\TRP 10-192\TRPRESO 09-13-10

TREES AND VIEWS COMMITTEE RESOLUTION

September 13, 2010

TRP 10-192

63 Central 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 63 Central Avenue.

Section 11.12.030.B of the Sausalito Municipal Code

1. In order to grant a tree 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.

The Coast Live Oak tree is growing horizontally out of the ground and creating structural problems for the reconstruction of an existing retaining wall on site, therefore, is creating a potential hazard to existing and proposed structures located near the tree.
 - b. To allow reasonable enjoyment of the property, including sunlight, and the right to develop the property.

The property owner is in the process of rebuilding an existing retaining wall to stabilize an existing deck and residence on site. The direction of growth the Coast Live Oak tree is taking is problematic to the reconstruction of the retaining wall, and not allowing the property owner the reasonable right to develop the property safely.
 - c. To pursue good, professional practices of forestry or landscape design.

The Arborist Report states that the tree fell at some time in the past and continued to live, thus creating a tree with fair health and fair to poor structural condition. The tree is located at the front of the residence and is growing horizontally from under the front deck to the south and out toward the road. Since the tree is growing horizontal and not vertical, it would be a professional practice of landscape design for the tree to be removed.
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.

Since there is a number of full size, mature trees located on the subject site, a replacement tree is unnecessary for the removal site.

TREES AND VIEWS COMMITTEE RESOLUTION
September 13, 2010
TRP 10-192
63 Central Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the Tree Removal Permit Permitted on August 27, 2010.

None

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

1. In accordance with Municipal Code Section 11.12.040.C.4 (Implementation of Decision), within thirty (30) days of the arbitration decision, the tree owner will obtain at least three bids for the prescribed work from Arborists and shall present all bids to claimant. Within fifteen (15) days after presentation of the bids, the claimant shall deposit with the tree owner an amount equal to the percentage of the lowest bid deemed appropriate by the Tree Committee. The tree owner shall, at his sole discretion, choose the company by which he wishes the work done and shall order the work done within fifteen (15) days after receiving the claimant's deposit. The tree owner shall pay the difference between the deposit amount and the bid amount of the company he has chosen. The authorized work of correction shall be done by an Arborist under the sole direction and control of the tree owner.
2. 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.
3. 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.

I:\CDD\PROJECTS - ADDRESS\C\Central 63\TRP 10-192\TRPRESO 09-13-10