

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Armstrong Residence / 63 Central Avenue
Amendment to an Approved Tree Removal Permit
TRP 10-192

Meeting Date October 7, 2010

Staff Alison Thornberry, Assistant Planner



REQUEST

Amend an approved **Tree Removal Permit** that allows the removal of one Coast Live Oak tree at 63 Central Avenue, without a condition for the planting a replacement tree.

PROJECT INFORMATION

Applicant Chris Lamb

Owner Kelly Armstrong

Location/Size 63 Central Avenue; APN 065-201-11
3,166 Square Feet

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 to amend the Resolution for a previously approved Tree Removal and Alteration Permit at 63 Central Avenue (see **Exhibit A**).

The Trees and Views Committee approved a Tree Removal Permit for one Coast Live Oak tree located on the front portion of the property located at 63 Central Avenue. The Trees and Views Committee approved the removal of the tree with a Condition of Approval stating,

A replacement tree of the same species shall be planted on the site within ninety (90) days of the removal of the Coast Live Oak. The replacement tree shall be a 24 inch box tree in size and planted in a location of the owner's choosing.

The property owner, Kelly Armstrong, is requesting that the Trees and Views Committee amend its prior approval to remove the Condition of Approval for the addition of the replacement tree in light of the following considerations:

The property has eight large trees (see **Exhibit B** for photographs submitted by the applicant);

- The lot is on a very steep slope covered with ivy; and
- There is not enough room for an additional tree since the tree to be removed is located under an existing deck.

PROJECT ANALYSIS

The required determinations for approval of an amended 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.

Staff requests the Trees and Views Committee consider the request by the property owner to not replace the Coast Live Oak tree requested for removal.

PUBLIC NOTICE AND CORRESPONDENCE

On October 4, 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.

RECOMMENDATION

Staff recommends the Trees and Views Committee review the request from the property owner at 63 Central Avenue to amend the previously approved Tree Removal Permit by removing the Condition of Approval requiring the property owner to plant a replacement tree for the Coast Live Oak that is requested to be removed.

EXHIBITS

- A. Approved Resolution
 - B. Photographs provided by Applicant
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**SAUSALITO TREES AND VIEWS COMMITTEE
RESOLUTION NO. 2010-01**

**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 and Tree Owner, Kelly Armstrong requesting the removal of one California Live Oak 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 September 2, 2010; 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 information contained in the staff report and considered all oral and written testimony on the subject application; and

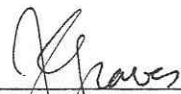
WHEREAS, the Trees and Views Committee finds that the application is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines; and

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 13th day of September, 2010, by the following vote:

AYES: Committee Members: Colfax, Bickford, Elliot, Liddell, Reich
NOES: Committee Member: None
ABSENT: Committee Member: None
ABSTAIN: Committee Member: None



Jeremy Graves, AICP
Community Development Director

ATTACHMENTS:

1. Findings
2. Conditions of Approval

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Exhibit A
[2 pages]

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.
A condition of approval requires installation of a replacement tree.
 - b. The Tree Committee waives the above requirement based on information provided by the applicant/owner.

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

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit approved on August 27, 2010.

1. A replacement tree of the same species shall be planted on the site within ninety (90) days of the removal of the Coast Live Oak. The replacement tree shall be a 24 inch box tree in size and planted in a location of the owner's choosing.

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.

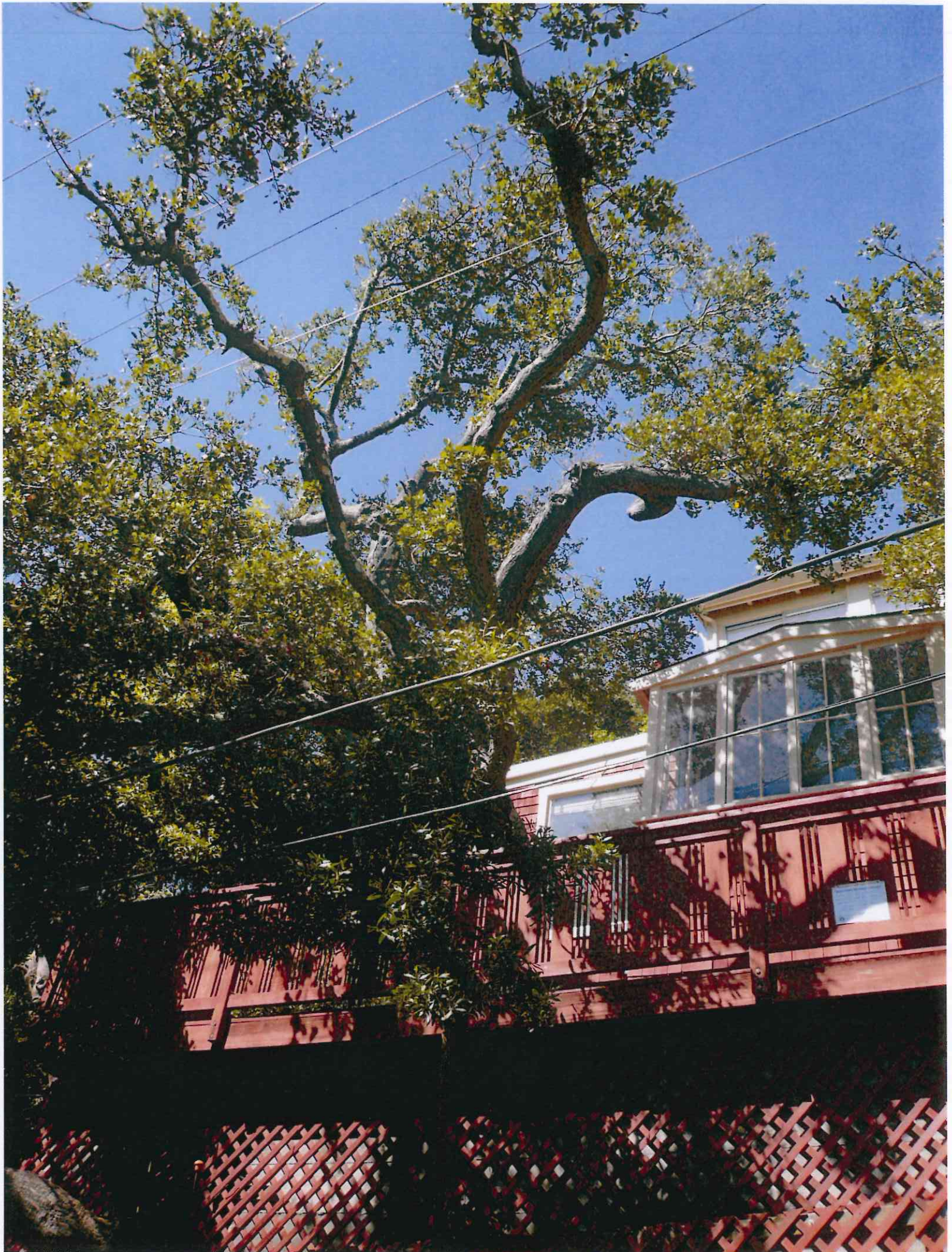
1. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all tree removal activities.
2. Pursuant to Municipal Code Section 12.16.140, the operation of 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.

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