


# STAFF REPORT

## SAUSALITO TREES AND VIEWS COMMITTEE

**Project** Ainsworth Tree / 73 San Carlos Avenue  
Tree Removal Permit  
TRP 11-021

**Meeting Date** March 3, 2011

**Staff** Alison Thornberry, Assistant Planner 

### REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Coast Live Oak located on the front of the property at 73 San Carlos Avenue.

### PROJECT INFORMATION

**Applicant** Marin County Arborists, Inc.

**Owner** Kent Ainsworth

**Location** 73 San Carlos Avenue (APN 065-163-37) (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

The applicant has submitted an application on behalf of the property owner for the removal of one Coast Live Oak (*Quercus agrifolia*) located on the front of the property at 73 San Carlos Avenue.

An Arborist Report was prepared on January 12, 2011 by Certified Arborist, Louie P. Brunn, to assess the health, structural condition, and suitability for preservation of a Coast Live Oak located at 73 San Carlos Avenue.

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

- The Oak tree is 50 inches in Circumference at Breast Height (CBH), and is less than 30 feet in height.
- The Oak tree is dying, and the canopy is turning brown. The tree has been battling Armelleria (Oak Root Fungus) for years and was attacked by Bark Beetles this past fall. The tree is dying from the inside out.
- Removal of the dying tree follows food forestry practice.

### 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 Coast Live Oak is dying and has a root rot fungus, it would be keeping with good, professional practices of forestry to remove the dying tree. The removal of the tree is necessary to accomplish Objective **d** 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.

*There are many mature trees in the area, and the removal of this tree will leave a void in the landscaping in this location. The removal of the Coast Live Oak should be replaced by another desirable tree, in a similar location.*

## **PUBLIC NOTICE AND CORRESPONDENCE**

On February 18, 2011, a notice of this proposal was posted at the front of the subject property, visible to the surrounding neighborhood, and the tree has 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 which makes the required determinations for approval of a Tree Removal Permit to allow removal of the Coast Live Oak located at 73 San Carlos Avenue (TRP 11-021).

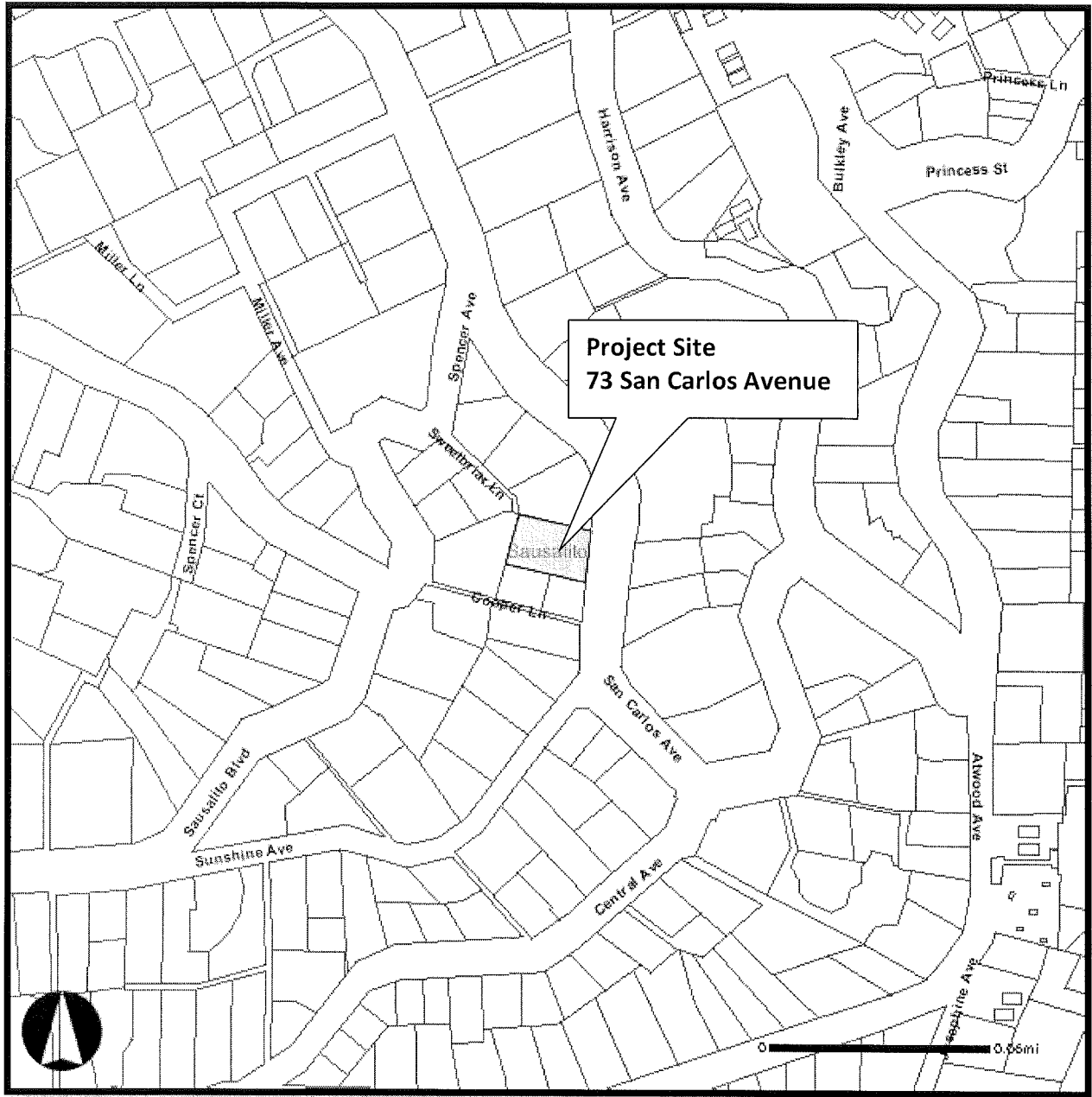
Alternatively, the Trees and Views Committee may:

- 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 February 15, 2011
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

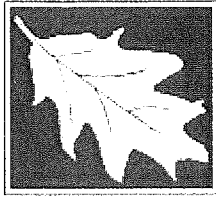
# Vicinity Map



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Exhibit A

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Marin County Arborists Inc  
PO Box 2538, San Rafael CA 94912

January 12, 2011

Kent [unclear]worth  
73 San Carlos Avenue  
Sausalito, CA 94965

**Arborist Letter**

*Site: 73 San Carlos Avenue*

The Oak tree is dying. The canopy is turning brown. The tree has been battling Armelleria (Oak Root Fungus) for years and was attacked by Bark Beetles in the fall. This caused the tree to die. What you are seeing is the tree dying out.

The diameter is .4", circumference 50". The tree isn't tall, less than 30'. It isn't holding up the hillside and its removal won't contribute to any erosion.

The ISA guidelines don't place a dollar value to diseased trees. Removal of these trees follows good Forestry practices.

Replacement species are being determined.

The location is just above the entranceway stairs along San Carlos Avenue.

Letter prepared by:

Louie P. Brunn  
Marin County Arborists, Inc.  
Certified Arborist # 5695

Exhibit B  
[3 pages]

Open for help

Map Layers



Address/PropID: 73 SAN CARLOS AVE

Ⓞ Location of tree



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**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. 2011-XX**

**TREE REMOVAL PERMIT FOR ONE COAST LIVE OAK LOCATED  
AT 73 SAN CARLOS AVENUE (TRP 11-021)**

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**WHEREAS**, on January 18, 2011 a Tree Removal Permit application was filed by the applicant, Marin County Arborist, Inc., on behalf of the property owner, Kent Ainsworth, requesting the removal of one Coast Live Oak (*Quercus agrifolia*) located on the front of the property at 73 San Carlos Avenue (APN 065-163-37); and

**WHEREAS**, a notice for the application was posted on the Tree Owner's property on February 18, 2011; and

**WHEREAS**, the Trees and Views Committee considered the application at a public meeting on March 3, 2011, 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 ; 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 located at 73 San Carlos Avenue as described in the staff report 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:

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Jeremy Graves, AICP  
Community Development Director

**ATTACHMENTS**

- 1- Findings
- 2- Conditions of Approval

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Exhibit D  
[3 pages]

**TREES AND VIEWS COMMITTEE RESOLUTION**  
**March 3, 2011**  
**TRP 11-021**  
**73 San Carlos 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 73 San Carlos 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.
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*There are many mature trees in the area, and the removal of this tree will leave a void in the landscaping in this location. The removal of the Coast Live Oak should be replaced by another desirable tree, in a similar location.*

**TREES AND VIEWS COMMITTEE RESOLUTION**  
**March 3, 2011**  
**TRP 11-021**  
**73 San Carlos Avenue**

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

These conditions of approval apply to the Tree Removal Permit approved on March 3, 2011.

1. A replacement tree in a 24 inch box container of a desirable species, to be determined by the property owner, shall be planted in a location to be determined by the property owner.

**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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