


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Parode Tree / 510 Valley Street
Tree Removal Permit
TRP 11-069

Meeting Date March 3, 2011

Staff Alison Thornberry, Assistant Planner 

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Douglas Fir located on the rear of the property at 510 Valley Street.

PROJECT INFORMATION

Applicants Bob Dyson, 109 West Street
Shirley Ritchie, 308 Sausalito Boulevard

Owner Mark Parode, 510 Valley Street

Location 510 Valley Street (065-261-07) (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 applicants have submitted an application on behalf of the property owner for the removal of Douglas Fir (*Pseudotsuga menziesii*) located on the rear of the property at 510 Valley Street.

According to the applicants, over the years the tree has grown into an inappropriate size for the location and is causing problems for neighboring residences. The tree is blocking sunlight, creating problems with sap falling on decks and has an unsightly shape due to a topping in years earlier, and is blocking views from neighboring properties.

An Arborist Report was prepared on February 12, 2011 by Certified Arborist, Ed Gurka, to assess the health, structural condition, and suitability for preservation of Douglas Fir that is located on the property at 510 Valley Street.

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

- The tree is located in the backyard of 510 Valley Street at the southwest corner. The corner is the property boundary for 108/110 West Street, and since the canopy spread is considerable, it dominates both properties.
- The tree is a Douglas Fir (*Pseudotsuga menziesii*), and is measured at 105.6 inches in Circumference at Breast Height (CBH), approximately 60 feet in height and is a Protected Tree. A

natural shape and height of the tree would be much taller with a smaller canopy spread if it had not been for a crown reduction or topping that was performed in the past.

- At mid-level, an opening was created by removing limbs back to the trunk. Just above the open section of the canopy scaffold limbs and canopy foliage resume to the top of the canopy where the canopy crown flattens.
- The tree has continual growth directed to remaining scaffolding limbs, this extension will create heavy scaffold limbs that are vulnerable to failure from either unsuitable tension created by weight or failure from wind events.
- The tree is located in a high-density area of the City, and the tree is located in a small area next to an existing wood fence that is being pushed away by the tree. The tree roots are breaking the concrete of a nearby retaining wall and leaning against the wood fence. The tree is located in an undesirable location.
- Continual maintenance pruning is not a practical solution for this tree, and the growth will not be controlled. Douglas Firs need a much more expansive area to grow since they are a very large tree when mature and the back yard garden is not a large enough space for this tree.
- The removal of the tree will improve views from the applicants' properties and create a safer condition for the backyard at 510 Valley Street by eliminating tree limb failure. The arborist report concludes that the Douglas Fir should be removed.

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.

*The Douglas Fir is creating a nuisance to the neighboring properties, as well as blocking sunlight and views. The tree also has the potential for limb failure due to the height reduction, which creates a potential hazard to life or property. Also, the Douglas Fir is located in an area that is too small for such a large mature tree. Therefore the removal of the tree is important for good, professional practices of forestry and landscape design. Due to these factors, it is determined that the removal for the tree is necessary to accomplish Objectives **a**, **b**, **c** and **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.

The arborist has observed that several small trees fill the space where the Douglas Fir is located, and as a result, replacement planting is not required. Several established small trees and large shrubs will refill the location. There are two Camellia trees, two Lingustrum trees, three Citrus trees, and a bamboo screen, all located in the backyard of the property. The backyard of the property will benefit from the increased sunlight and the established trees and shrubs will have room to grow once the Douglas Fir is removed. The existing plants will benefit from the increased sunlight and space to fill the area and provide more color for the backyard. Therefore the Committee waves the requirement to replace the removed tree.

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 received the attached letters or correspondence (**Exhibits D 1-4**).

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 Douglas Fir located at 510 Valley Street (TRP 11-069).

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 E**).

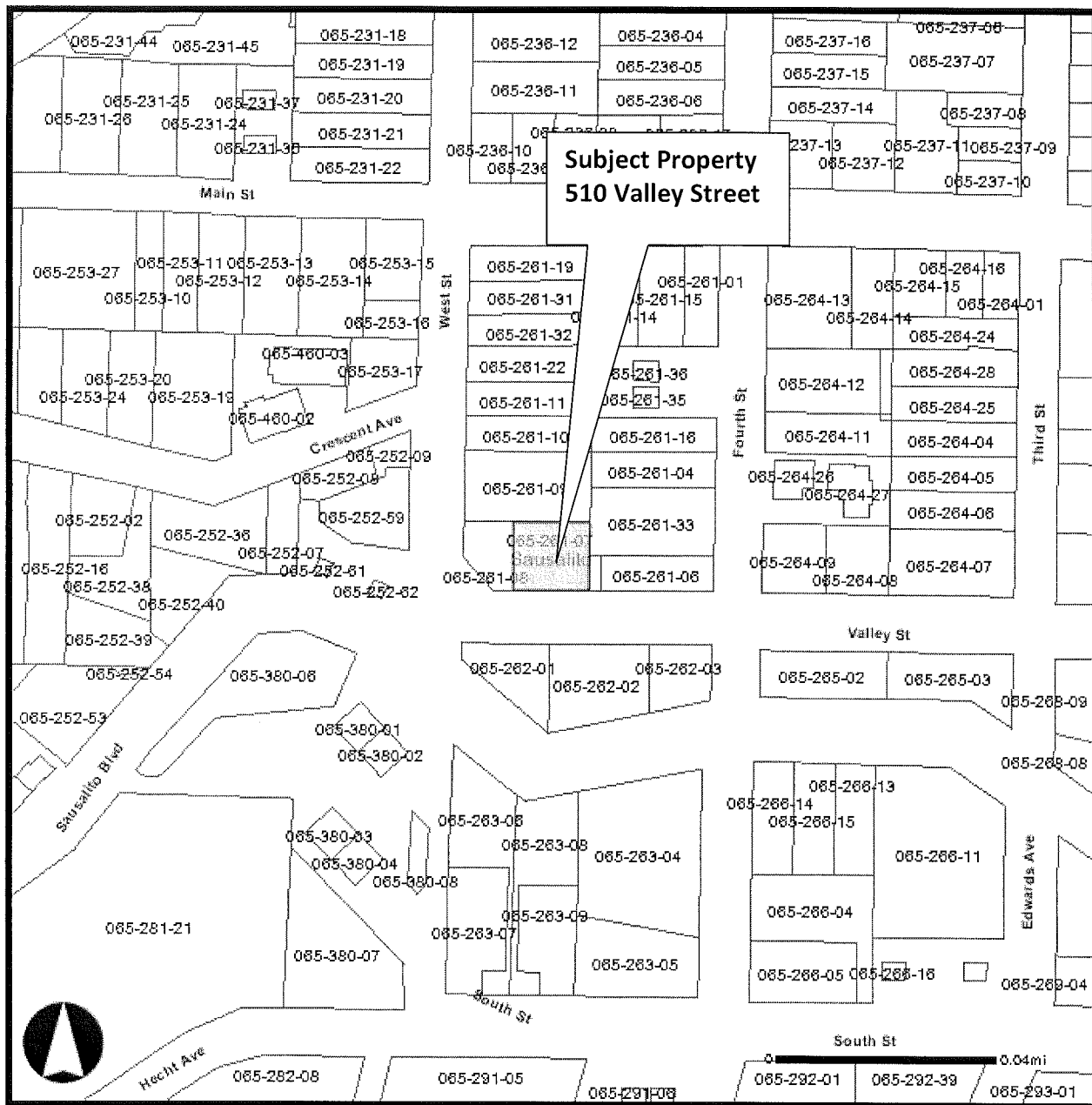
EXHIBITS

- A. Vicinity Map
- B. Arborist report, date stamped February 15, 2011
- C. Applicant submitted photographs, date stamped February 15, 2011
- D. Correspondence
 - 1. Dyson Letter, date stamped received February 15, 2011
 - 2. Wallace Letter, date stamped received February 15, 2011
 - 3. Orsini Letter, date stamped received February 15, 2011
 - 4. Whitney Email, date stamped received February 15, 2011
- E. Criteria for Approval or Denial of Tree Removal Permits
- F. DRAFT Resolution

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Vicinity Map



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Exhibit A

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FEB 15 2011

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT



Ed Gurka, Consulting Arborist
Member, American Society of Consulting Arborists

Member, International Society of Arboriculture
Certified Arborist, Western Chapter, # 0418

February 12, 2011

ASSIGNMENT:

I received a request by Shirley Ritchie, owner of 308 Sausalito Boulevard, Sausalito, California, to provide information for a tree permit on a neighboring property. Ms. Ritchie received permission from the property owner of 510 Valley Street, Mr. Mark Parode, to proceed with her request for tree work on his property. Shirley Ritchie stated that the tree is a mature Fir tree and would require a permit for the work. This report will document observation and provide recommendation for consideration in obtaining a tree permit to perform the work.

OBSERVATIONS and DISCUSSIONS:

The site visit began on February 11, 2011, at Shirley Ritchie's residence, where a description of the situation was discussed. Since the issue involved view restoration from the Ritchie property, and other properties in the neighborhood, photographs were taken from the main living area, the living room at 308 Sausalito Blvd. See photograph at right.

The site visit proceeded to the location of the tree at 510 Valley Street. The tree is located in the backyard of the property at the southwest corner. This corner is the property boundary for 108-110 West Street. Since the spread of the canopy is considerable, it dominates both properties.



The tree is described as a *Pseudotsuga menziesii*, Douglas Fir. The Circumference at Breast Height (CBH) is 105.6 inches. Ordinance 1114, of the Sausalito Municipal Code, Section 11.12.020 DEFINITIONS classifies this Douglas Fir as a Protected Tree. All Protected Trees require approval for pruning, alteration, or removal. Because of restricted line of sight, an accurate height could not be taken. It is estimated that the height is 60 feet. A natural shape and height of this tree would be much taller and less of a canopy spread. The proportion of the spread to the height suggests that the tree had crown reduction or topping work performed in the past. At mid-level, an opening was created by removing limbs back to the trunk.

Exhibit B
(5 pages)

Just above this open section of the canopy scaffold limbs and canopy foliage resume to the top of the canopy where the canopy crown flattens. The tree shape suggests pruning objectives were for view purposes.

When removing the central leader of an excurrent tree, the continual growth will result in growth directed to remaining scaffold limbs. This extension will create heavy scaffold limbs that are vulnerable to failure from either unsustainable tension created by weight or failure from wind events. These are the circumstances at the time of this site visit.

The Douglas fir tree is located in a high-density area of the City of Sausalito. The tree is located at the North West corner of the property where 510 Valley Street and 100 West Street share property boundaries. This is where a wooden fence line separates the two properties. The Douglas fir tree has pushed the fence away from its original position. This will become more pronounced and noticeable as the trunk continues to expand. The tree root system has broken the concrete retaining wall in several places. The tree trunk is leaning on the wooden property fence and has displaced it. As the tree increases in mass and size, in this instance it will increase the pressure on the retaining wall, and further displace the wooden fence. The conflict is that this tree is located in an undesirable location. A tree that once was a seedling has developed into a huge tree, and planning for its growth was not a concern.



RECOMMENDATIONS:

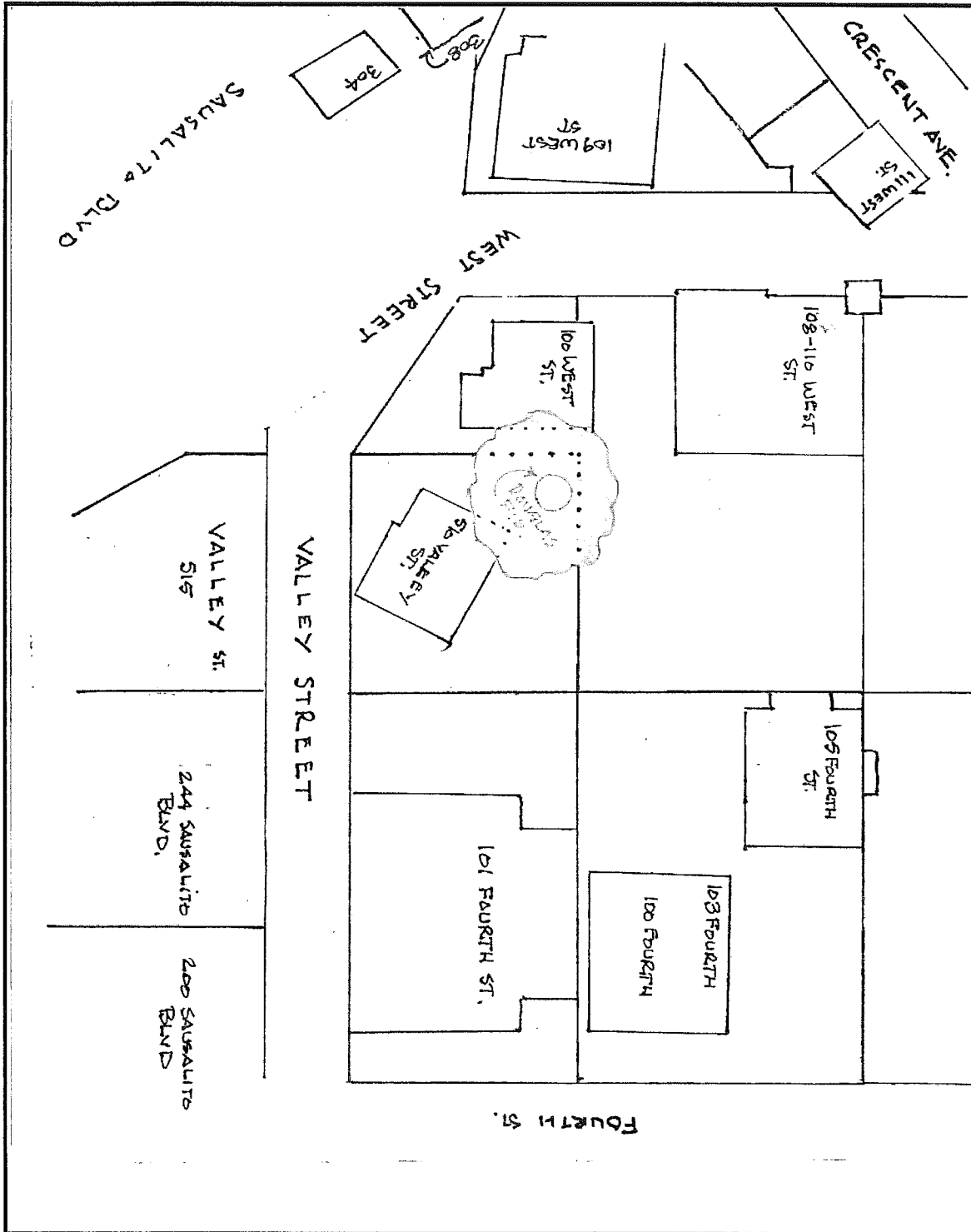
Multiple conflicts exist and identified in this report. Continual maintenance pruning is not a practical solution, and it will not control the growth of the tree. The Douglas Fir tree requires a much more expansive area to grow because it is very large tree when matured. Douglas Fir trees in forest settings grow very fast, reaching 300 feet in height, and spread to over 60 feet. Their roots may spread over 80 feet to support their mass. Douglas Fir trees in natural settings are forest trees; they are not well suited for small confined spaces. When the tree was a small sapling it fit the setting, however, now over the years it has outgrown its location and dominates the backyard. As it continues to grow and reach full maturity, it will be much bigger in mass, canopy spread, and root volume that will be well beyond its present size.

The backyard garden is not a large enough space for this tree. Its size and impact will become more pronounced as the tree increases in mass. Heavy scaffold limbs, produced by topping cannot support the increased weight without constant maintenance pruning to reduce end weight on scaffold limbs. Mark Parode, the property owner of 510 Valley Street, where the tree is located, has agreed to remove this tree, at the request of Shirley Ritchie, 308 Sausalito Blvd. and a neighbor at 109 West Street, Mr. Bob Dyson, who are the co-applicants are requesting the removal permit for view restoration to their properties. The removal will improve views from these two properties, and create a safer condition for the backyard at 510 Valley Street by eliminating a tree limb failure risk.

The report conclusion, considering these discoveries, is that the Douglas fir tree be removed.

SUMMARY:

Several small trees will fill the space once the Douglas Fir tree is removed. Replacement planting is not required. Several established small trees/large shrubs will refill the location. They are two Camellia trees; two Ligustrum trees, three Citrus trees, and a bamboo screen, all located in the backyard of the property. The backyard of the property will benefit from the increased sunlight and the established small trees/large shrubs will have room to grow. These plants will benefit from the increased sunlight and space to fill the area and provide more color for the backyard.



Map of Douglas fir tree location at 510 Valley Street, (map not to scale.)

Tree Appraisal Trunk formula Method 9 edition

1 Species: Pseudotsuga menziesii, Douglas Fir
 2 Condition: 45%
 Trunk
 3 Circumference: 105.6 Diameter: 34 in.
 4 Location: %= [Site: 60% % + Contribution 60% % + Placement 60%
 sub total: 180% % div.by 3 60% % total

Regional Plant Appraisal Committee and/or Appraiser-Developed or Modified Information.

5 Species Rating 50%
 Replacement Tree Size
 6 (diameter) 2.20 2.20 inch dia of tree
 (Trunk Area) 3.80 in.sq./cm.sq.TAr
 7 Replacement Tree Cost: \$172.74
 (see regional information to use cost selected)
 8 Installation Cost: \$ \$345.50
 9 Installation Tree Cost line (12+14) \$518.24
 10 Unit Tree Cost: \$ \$45.46 per in. sq./cm.sq.
 (see regional information to use cost selected)

Calculations by Appraiser using Field and Regional Information

11 Appraised Trunk Area:
 (TAa or ATAA; use tables 4.4-4.7)
 or Cir. sq.(line 5 trunk circumference) 882 x 0.08 in. sq.
 or dia. sq. (line 5 trunk diameter) 882 x 0.785 in. sq.
 12 Appraised Tree Trunk Increase (TA incr) =
 TAa or ATAA 692 in.sq.cir.TAr (minus) 2.20 (F10) = 690 in.sq.
 13 Basic Tree Cost=TAincr (J24) 690 in.sq. x Unit Tree Cost (E16) \$45.46 per in.sq. \$31,367.40
 (plus) Installed Tree Cost (E15) \$518.24 (equals) \$31,886
 14a Appraised Value = Basic Tree Cost (E16) \$31,886 X species rating 50% X condition (B4) 45%
 X Location (F7) 60% \$4,305
 If the Appraised Value is \$5000 or more, round it to the nearest \$100; if it is less, round to the nearest \$10.
 14b Appraised Value = \$4,305

Ed Gurka

Digitally signed by Ed Gurka
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 com, c=US
 Date: 2011.02.13 21:58:40 -0800

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VIEW FROM LIVING ROOM DECK
278 SAUSALITO BLVD -
VARIOUS YEARS FROM 1990 → 2004
UNOBSTRUCTED VIEWS
WHEN PROPERTY WAS PURCHASED
(Photographs submitted by Applicant)



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COMMUNITY DEVELOPMENT
Exhibit C

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CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

Robert L. Dyson
109 West St.
Sausalito, CA 94965

February 13, 2011

City of Sausalito,

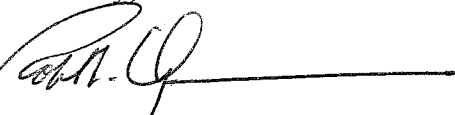
I would like to request permission to have the Douglas fir tree located at 510 Valley St. removed. The tree in question has become extremely large and it completely blocks the view from all the central living spaces of my house. Please refer to the attached photograph.

When I first purchased the property at 109 West St., I was able to trim the tree for views. At this point the tree has become so large and dense that it is no longer feasible or practical to trim it. Many years ago the tree was topped to preserve the views for the residents of the neighborhood. Since then, the tree has filled out. It now has three central or main limbs which have replaced the main trunk where it was topped. The result is that the tree has become dense and very wide. It almost completely blocks the sunrise and early morning sunshine which, as you may know, is all the sunshine that we get in that location. I have talked to many neighbors about this situation and they all seem to agree that the tree is simply too large for the location.

Additionally, one should consider the danger that a tree of that size poses in this location. This neighborhood has been named hurricane gulch because of its relatively high winds. Needless to say a tree of this size, and may I point out that this tree is still growing, will likely act like a sail and eventually one or more of those top limbs is going to break off and crush either 110 or 106 West St. This fir tree is simply too dangerous to avoid not taking action to remedy the situation.

I would like to request permission to remove the tree. I suspect everyone in the neighborhood will feel better and safer after its removal. Thank you for your understanding.

Sincerely,



Robert Dyson

VIEW FROM 109 WEST ST. (LIVING ROOM)

The bay view behind is no longer visible



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CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

2/12/2011

Bob,

This is to confirm my desire for the tree in Mark's yard to be removed.

There are three very large limbs that have grown outwards from the main trunk. The result is those large limbs are very heavy & above my deck. With the winds in hurricane gulch, there is a strong probability that they may break off and crush my deck & my hot tub, which is directly in their trajectory, should they fall.

Plus, the falling cones, needles & sap make a mess on my deck & hot tub cover. I would bring attention to how it diminishes my view and also, my enjoyment of sunlight is severely limited due the sheer size of the tree. It also limits my growing of deck plants.

Thank you for handling this.

Rosalie Wallace
110 West St
Sausalito
415-332-8343

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FEB 15 2011

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

Roy Orsini
515 Valley St.
Sausalito, CA

2/14/2011

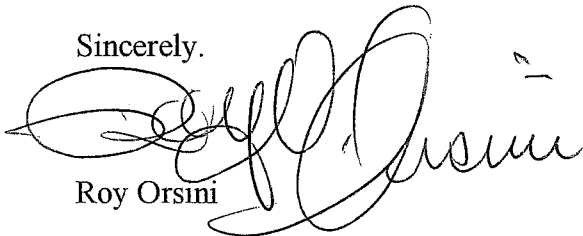
To Whom it May Concern,

The purpose of this letter is to state my desire to have the Douglas fir tree, which is located at 510 Valley St., removed.

This tree is extremely large. In my opinion it is oversized for its location and, unfortunately, it is still growing. Many years ago it was apparently topped. The result is that the tree now has, at the top, three very large main limbs which have spread out as it grows. The tree is very tall, relative to the other vegetation in the area and due to its oversize and location poses a safety hazard especially considering that it is located in Hurricane Gulch.

Additionally both the width and height of the tree are so large that it soaks up sunlight and encroaches on the views of many of the residents of this area. Considering the safety hazard, as well as, the adverse effect on the residents views and sunlight, I respectfully request that the city grants permission to remove the tree. Thank you for your understanding.

Sincerely,



Roy Orsini

Exhibit D3

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FEB 15 2011

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

Subj: **That Huge Tree**
Date: 2/7/2011 4:56:27 P.M. Pacific Standard Time
From: timwhitney43@comcast.net
To: drules@aol.com

To Whom it may concern,

My name is Tim Whitney and I own a home 304 Sausalito Blvd. in Sausalito. I spend part of every year living there, and I find that each year, the huge tree at 510 Valley St. Sausalito, blocks more and more of my view. If there is anything that can be done to mitigate this situation, I would certainly appreciate it.

Thank you,
Tim Whitney
(415) 336-6530

Exhibit D4
[4 pages]



2010 VIEW FROM 507 SPRINGWOOD BLVD DUNDAS AREA
LIVING AREA





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 DOUGLAS FIR LOCATED
AT 510 VALLEY STREET (TRP 11-069)**

WHEREAS, on February 15, 2011 a Tree Removal Permit application was filed by the applicants, Bob Dyson and Shirley Ritchie, on behalf of the property owner, Mark Parode, requesting the removal of one Douglas Fir (*Pseudotsuga menziesii*) located on the rear of the property at 510 Valley Street (APN 065-261-07); 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

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 Douglas Fir located at 510 Valley Street 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:

Jeremy Graves, AICP
Community Development Director

ATTACHMENTS

- 1- Findings
- 2- Conditions of Approval

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Exhibit F
[3 pages]

TREES AND VIEWS COMMITTEE RESOLUTION

March 3, 2011

TRP 11-069

510 Valley Street

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 139 Lincoln 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.
 - c. To take reasonable advantage of views.
 - d. To pursue good, professional practices of forestry or landscape design.

The Douglas Fir is creating a nuisance to the neighboring properties, as well as blocking sunlight and views. The tree also has the potential for limb failure due to the height reduction, which creates a potential hazard to life or property. Also, the Douglas Fir is located in an area that is too small for such a large mature tree. Therefore the removal of the tree is important for good, professional practices of forestry and landscape design. Due to these factors, it is determined that the removal for the tree is necessary to accomplish Objectives a, b, c and 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.

The arborist has observed that several small trees fill the space where the Douglas Fir is located, and as a result, replacement planting is not required. Several established small trees and large shrubs will refill the location. There are two Camellia trees, two Lingustrum trees, three Citrus trees, and a bamboo screen, all located in the backyard of the property. The backyard of the property will benefit from the increased sunlight and the established trees and shrubs will have room to grow once the Douglas Fir is removed. The existing plants will benefit from the increased sunlight and space to fill the area and provide more color for the backyard. Therefore the Committee waves the requirement to replace the removed tree.

TREES AND VIEWS COMMITTEE RESOLUTION
March 3, 2011
TRP 11-069
510 Valley Street

ATTACHMENT 2: CONDITIONS OF APPROVAL

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

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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