


STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Shapiro Project / 71 Central Avenue
Tree Alteration Permit
TRP 10-076

Meeting Date April 7, 2011

Staff Alison Thornberry, Assistant Planner 

REQUEST

Approval of a **Tree Alteration Permit** to allow the alteration of two Coast Live Oaks and one Pittosporum at 71 Central Avenue.

PROJECT INFORMATION

Applicant Agnes Shapiro

Owner Claire Collette

Location 71 Central Avenue (APN 065-201-12) (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 a Tree Removal/Alteration Permit 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 alteration of two Coast Live Oaks and one Pittosporum located on the property at 71 Central Avenue.

An Arborist Report was prepared on February 7, 2011 by Certified Arborist, Uriel Barron, to assess the health, structural condition, and suitability for the alteration of two Coast Live Oaks (*Quercus Argifolia*) (Tree #1 and Tree #3) and one Pittosporum (*Pittosporum undulatum*) (Tree #2) to restore the view at 65 Sunshine Boulevard. The trees are located at the rear of the 71 Central Avenue property near a public walkway that adjoins 65 Sunshine Boulevard.

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

Tree #1 Coast Live Oak

- 41 inches Circumference at Breast Height (CBH) or 13.2 inches Diameter at Breast Height (DBH);
- Ivy is growing on the tree;
- The tree may be infected with Sudden Oak Death (SOD) (*Phytophthora ramorum*);
- The canopy is encroaching on the view from 65 Sunshine Boulevard;
- The overall health of the tree is fair;
- In order to regain the view the tree will need to be reduced by three to five feet.

The reduction can be accomplished by reducing the crown with proper ISA standard pruning methods by properly cutting back to a leader at least one third the size of the limb that is being cut. The view pruning, dependant on weather patterns, may need to be done every two to four years.

The tree will benefit by making sure that the base of the tree is maintained free of soil build up and vines. The Ivy that is growing on the tree needs to be removed and a thorough inspection of the tree is recommended for fungul growth at the base and for SOD.

Tree #2 Pittosporum

- 52 inches CBH or 16.5 inches DBH;
- The tree has some visible cavities with decay near the base of the tree;
- There is Ivy growing on the tree;
- The canopy of the tree is encroaching on the Oak tree (Tree #1);
- The canopy is encroaching on the view from 65 Sunshine Boulevard;
- The overall health of the tree is fair;
- In order to regain the view and to reduce the impact on Tree #1, the tree will need to be reduced five to seven feet.

The reduction can be accomplished by reducing the crown with proper ISA standard pruning drop-crotch method by properly cutting taller leaders back to a leader at least one third the size of the limb that is being cut. The tree should be pruned every two to four years to maintain the view from 65 Sunshine Boulevard.

The tree will benefit by making sure the base of the tree is maintained free of soil build up and vines.

Tree #3 Coast Live Oak

- 63 inches CBH or 20 inches DBH;
- Ivy is growing on the tree;
- The tree may be infected with SOD;
- There is a large limb near the base of this tree that is over hanging the home that was heavily reduced by improper cuts and looks to be dying;
- The canopy is encroaching on the view from 65 Sunshine Boulevard;
- The overall health of the tree is fair;
- In order to regain the view the tree will need to be reduced three to four feet.

The reduction can be accomplished by reducing the crown with proper ISA standard pruning methods by properly cutting back to a leader at least one third the size of the limb that is being cut. The view pruning, dependant on weather patterns, may need to be done every two to four years.

The tree will benefit by making sure that the base of the tree is maintained free of soil build up and vines. The Ivy that is growing on the tree needs to be removed and a thorough inspection of the tree is recommended for fungul growth at the base and for SOD.

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 height reductions recommended by the arborist will restore the views from 65 Sunshine Boulevard as well as the aesthetics and stability of each tree. If pruned and reduced properly, the work will reduce the potential for limb failure by reducing the weight and wind sail, increase vigor, inner canopy growth and stability of the trees. The reduction in the canopy size will also increase sunlight to the rest of the surrounding vegetation which is now being shaded by the large trees. And, by reducing and pruning the Pittosporum (Tree #2), the impact the tree is having on the Oak (Tree #1), will be lessened.

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 two Coast Live Oaks and one Pittosporum will not be removed; therefore, no replacement trees are necessary.

PUBLIC NOTICE AND CORRESPONDENCE

On March 30, 2011, a notice of this proposal was posted at the front of the subject property, visible to the surrounding neighborhood.

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 Alteration Permit allow the alteration of two Coast Live Oaks and one Pittosporum at 71 Central Avenue (TRP 11-076).

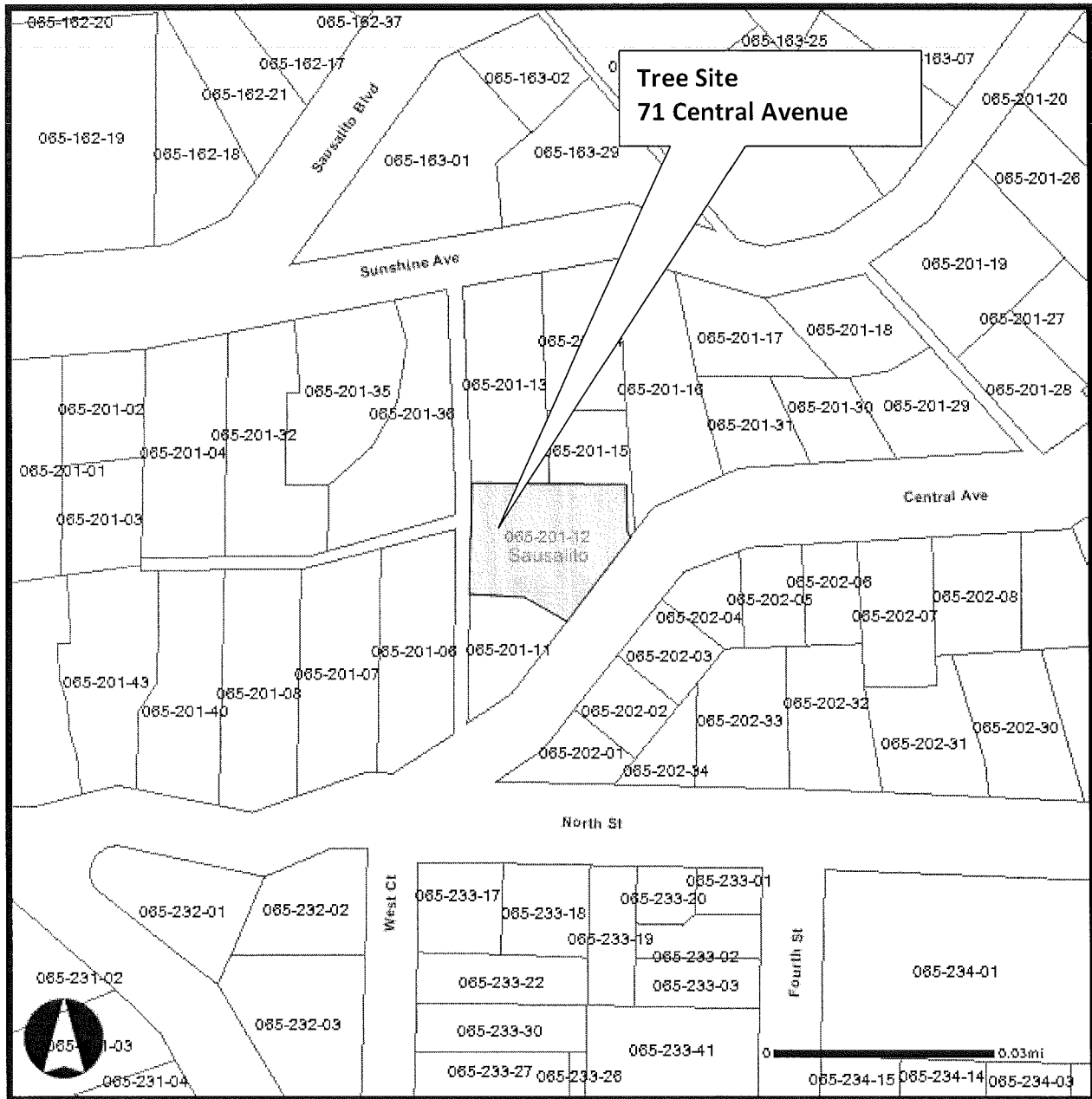
Alternatively, the Trees and Views Committee may:

- Approve the Tree Removal/Alteration Permit with modification of the determinations;
- Continue consideration of the item for additional information; or
- Deny the Tree Removal/Alteration 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 23, 2011
- C. Criteria for Approval or Denial of Tree Removal/Alteration Permits
- D. DRAFT Resolution

Vicinity Map



I:\CDD\PROJECTS - ADDRESS\C\Central 71\TRP 11-076\Vicinity Map

TREEMASTERS

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San Rafael, CA 94901
(415) 455-9933 Main
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February 7, 2011

Agnes Shapiro
65 Sunshine Blvd
Sausalito, CA

ARBORIST REPORT

I have inspected the trees located behind property at 71 Central Ave and have made the following report.

TREE # 1 : Coast Live Oak *Quercus agrifolia* 13.2" DBH (diameter at breast height) 41" CBH (circumference at breast height)

- Coast Live Oak *Quercus agrifolia* is located on back yard of 71 Central Ave in the back right corner of property
- Ivy is growing on this tree
- This tree may be infected with SOD (Sudden Oak Death) *Phytophthora ramorum*
- The canopy is encroaching on view from 65 Sunshine Blvd
- The overall health of this tree is fair
- This tree's value based on plant appraisal is \$3325

In order to improved the view to this property this Oak tree will need to be reduce by 3 to 5 feet and this can be accomplished by reducing the crown with proper ISA standard pruning methods by properly cutting back to a leader at least 1/3rd the size of the limb that is being cut. This will improve the view as well as the aesthetics and stability of this tree. It will reduce potential limb failure by reducing weight & wind sail, increase vigor, inner canopy growth and stability. The crown reduction will also increase sunlight to the surrounding vegetation. The view

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"Providing great care and attention
to the ONE TREE we are working on at that moment."

Exhibit B
[6 pages]



pruning, dependant on weather patterns, may need to be done every 2-4 years and the cost for this service shall be \$400-\$500.

As with all trees this tree will benefit by making sure that the base of the tree is maintained free of soil build up and vines. The Ivy that is growing on this tree needs to be removed and a thorough inspection of this tree is recommended for fungul growth at base and for SOD (Sudden Oak Death) *Phytophthora ramorum*

TREE #2 *Pittosporum andulatum* 16.5" DBH & 52" CBH

- The *Pittosporum andulatum* is located in the back yard of 71 Central Ave in the back left corner of property next to TREE #1
- This tree has some visible cavities with decay near base of tree
- There is Ivy growing on this tree
- This tree is growing next to TREE #1 and its canopy is encroaching on the Oak tree
- The canopy is encroaching on view from 65 Sunshine Blvd
- The overall health of this tree is fair
- This tree's value based on plant appraisal is \$2500

In order to improved the view to this property and the impact on the Oak tree that is encroaching on this *Pittosporum* tree will need to be reduce by 5 to 7 feet and this can be accomplished by reducing the crown with proper ISA standard pruning drop-crotch methods by properly cutting taller leaders back to a leader at least 1/3rd the size of the limb that is being cut. This will improve the view as well as the aesthetics and stability of this tree. It will reduce potential limb failure by reducing weight & wind sail, increase vigor, inner canopy growth and stability. The crown reduction will also increase sunlight to the Oak tree & surrounding vegetation. The view pruning, dependant on weather patterns, may need to be done every 2-4 years and the cost for this service shall be \$280-\$400.

As with all trees this tree will benefit by making sure that the base of the tree is maintained free of soil build up and vines.

TREE #3 Coast Live Oak *Quercus agrifolia* 20" DBH & 63 CBH

- Coast Live Oak *Quercus agrifolia* is located on back yard of 71 Central Ave in the back left corner of property
- Ivy is growing on this tree
- This tree may be infected with SOD (Sudden Oak Death) *Phytophthora ramorum*
- There is a large limb near the base of this tree that is overhanging the home that was reduce heavy by improper cuts and it looks like its dying
- The canopy is encroaching on view from 65 Sunshine Blvd
- The overall health of this tree is fair
- This tree's value based on plant appraisal is \$7630

In order to improved the view to this property this Oak tree will need to be reduce by 3 to 4 feet and this can be accomplished by reducing the crown with proper ISA standard pruning methods by properly cutting back to a leader at least 1/3rd the size of the limb that is being cut. This will improve the view as well as the aesthetics and stability of this tree. It will reduce potential limb failure by reducing weight & wind sail, increase vigor, inner canopy growth and stability. The crown reduction will also increase sunlight to the surrounding vegetation. The view pruning, dependant on weather patterns, may need to be done every 2-4 years and the cost for this service shall be \$400-\$580.

As with all trees this tree will benefit by making sure that the base of the tree is maintained free of soil build up and vines. The Ivy that is growing on this tree needs to be removed and a thorough inspection of this tree is recommended for fungul growth at base and for SOD (Sudden Oak Death) *Phytophthora ramorum*

There is a dead Oak tree directly behind the home at 71 Central Ave that was killed by the SOD (Sudden Oak Death) *Phytophthora ramorum*, it is infected with Asia Ambrosia Beetle *Xylosandrus crassiusculus*, and has *Hypoxylon cohaerens*. The dead Oak is between the Oaks that need pruning for view, and it is breaking apart and it is a hazard & a liability.

There were no visible signs of SOD (Sudden Oak Death) *Phytophthora ramorum* at the time of my report on the Oak trees. The Oak trees have Ivy growing around the base and it is growing up onto the trunk and the canopy of these trees. In order to thoroughly inspect these two Oaks the Ivy will have to be removed.

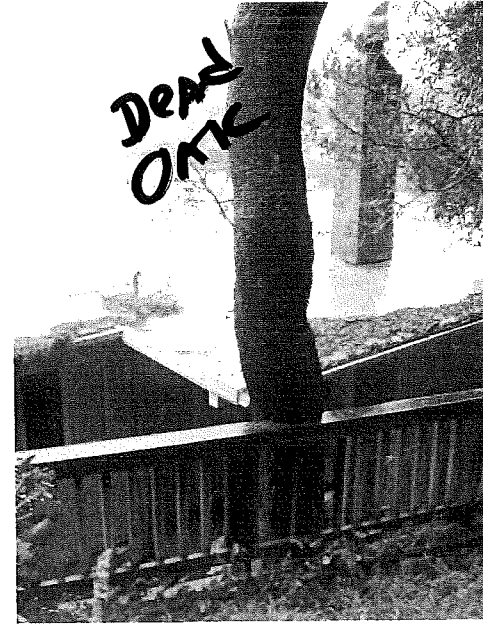
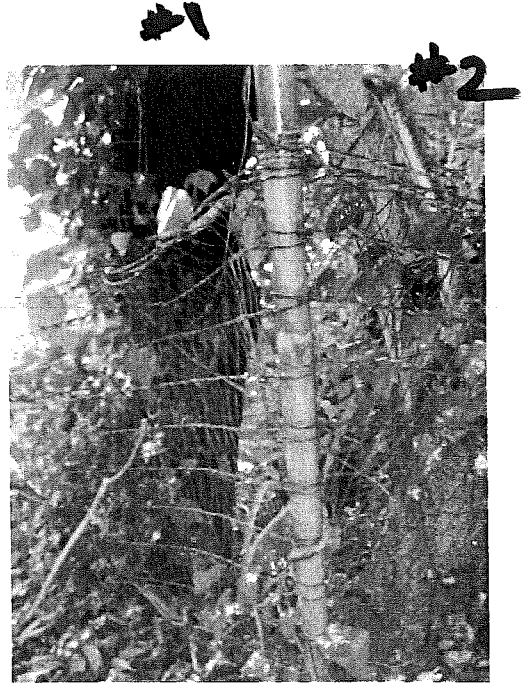
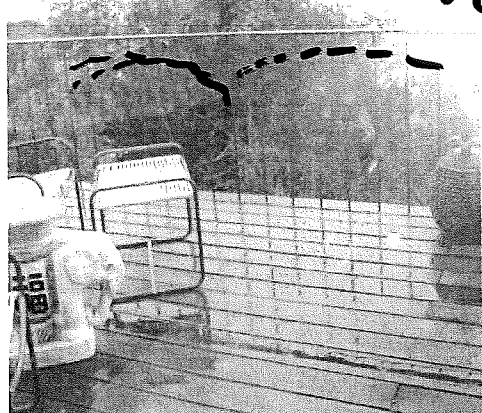
If you have any questions or if I can be of service please feel free to contact our office or e-mail at treemail@treemasters.com

Uriel Barron
ISA Certified Arborist WE-1328A

TREE #2
Pittosporum

TREE #1
OAK

TREE #3
OAK
DEAD OAK



View

71 Central Ave

S.O.D.

48 FT TALL
16.5" DBH
52" CBH
PITTOSPOKUM

TREE #2

45' TALL
COAST LIVE OAK
13.2 DBH
41" CBH

TREE #1

DEAD COAST L. OAK

COAST LIVE OAK
45' TALL
20" DBH
63 CBH

TREE #3

PATH Right of way PATH

Deck

GS
SUNSHINE BLD

SUNSHINE BLD

Driveway

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\TVC\Admin\Criteria for TRP

**SAUSALITO TREES AND VIEWS COMMITTEE
RESOLUTION NO. 2011-XX**

**TREE ALTERATION PERMIT FOR ALTERATION OF TWO COAST LIVE OAKS AND ONE
PITTOSPORUM LOCATED AT 71 CENTRAL AVENUE (TRP 11-076)**

WHEREAS, on February 23, 2011 a Tree Alteration Permit application was filed by, the applicant, Agnes Shapiro, on behalf of the tree owner and property owner, Claire Collette, requesting the alteration of two Coast Live Oaks and one Pittosporum located on the tree owner's property at 71 Central Avenue (APN 065-201-12); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on March 30, 2011; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on April 7, 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:

The two Coast Live Oaks (*Quercus Argifolia*) (Tree #1 and Tree #3) and one Pittosporum (*Pittosporum andulatum*) (Tree #2) requested for alteration to allow the height reduction for the trees located on the Tree Owner's property at 71 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:

Jeremy Graves, AICP
Community Development Director

ATTACHMENTS

- 1- Determinations
- 2- Conditions of Approval

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Exhibit D
[3 pages]

TREES AND VIEWS COMMITTEE RESOLUTION

April 7, 2011

TRP 11-076

71 Central Avenue

ATTACHMENT 1: DETERMINATIONS

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 Alteration Permit for 71 Central 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 height reductions recommended by the arborist will restore the views from 65 Sunshine Boulevard as well as the aesthetics and stability of each tree. If pruned and reduced properly, the work will reduce the potential for limb failure by reducing the weight and wind sail, increase vigor, inner canopy growth and stability of the trees. The reduction in the canopy size will also increase sunlight to the rest of the surrounding vegetation which is now being shaded by the large trees. And, by reducing and pruning the Pittosporum (Tree #2), the impact the tree is having on the Oak (Tree #1), will be lessened.

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.

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TREES AND VIEWS COMMITTEE RESOLUTION

April 7, 2011

TRP 11-076

71 Central Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the Tree Alteration Permit approved on April 7, 2011.

1. All reduction in the heights of the three trees shall be limited the amount specified in the arborist report dated February 7, 2011 and date stamped February 23, 2011.
2. All work shall be performed in the manner described in the arborist report dated February 7, 2011 and date stamped February 23, 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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