

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Budlong Tree / 91 Santa Rosa Avenue
Tree Removal Permit
TRP 11-126

Meeting Date May 5, 2011

Staff Alison Thornberry, Assistant Planner

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of two Coast Live Oaks located at the front of the property at 91 Santa Rosa Avenue.

PROJECT INFORMATION

Applicant The Small World Tree Company

Owner Andrew Budlong

Location 91 Santa Rosa Avenue (APN 065-121-04) (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, The Small World Tree Company, has submitted an application on behalf of the property, Andrew Budlong, owner for the removal of two Coast Live Oaks (*Quercus agrifolia*) located at the front of the property at 91 Santa Rosa Avenue.

An Arborist Report was prepared on January 13, 2011 by Certified Arborist, James Cairnes, to assess the health, structural condition, and suitability for preservation of the two Coast Live Oaks located at 91 Santa Rosa Avenue.

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

Tree 1

- 81.6 inches in Circumference at Breast Height (CBH) and 26 inches in Diameter at Breast Height (DBH), and approximately 35 feet in height;
- Crown spreads 40 feet and is somewhat sparse and marginal in health;
- Large cavity is located on the lower area of the northwest side of the trunk where the tree needs the most support because it is leaning out over the stairs and road;
- There is a second cavity on the east side of the trunk, further compromising the structural anchoring roots.

Tree 2

- 56.5 inches CBH and 18 inches DBH, and approximately 30 feet in height;
- Crown spreads 15 feet and is very sparse with abundant die back of the branch tips;

- Tree is in very poor health;
- Sudden Oak Death (*Phytophthora ramorum*) infection found on the east side of the trunk.

The arborists states that both trees have become a serious threat to people and road traffic and must be removed as soon as possible.

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.

*Tree 1 has large cavities that are creating and issue with the tree's structural support, because of the amount of trunk damage, and the location of the cavities, removal of the tree ensures the public safety as it relates to the health of the tree and potential hazard to life and property. Removal of Tree 1 is necessary to accomplish **Objective a.***

*Tree 2 is infected with Sudden Oak Death, and has become a potential hazard to life and property. Sudden Oak Death is also highly contagious to other Oaks in the area, and should be removed to pursue good, professional practices of forestry design. Removal of Tree 2 is necessary to accomplish **Objectives a 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.

The applicant has requested to replace the trees in the future and not at this time, but the removal of trees in this location will leave a large void in the landscaping in this location. The removal of the two Coast Live Oaks should be replaced by two desirable trees, in a similar location.

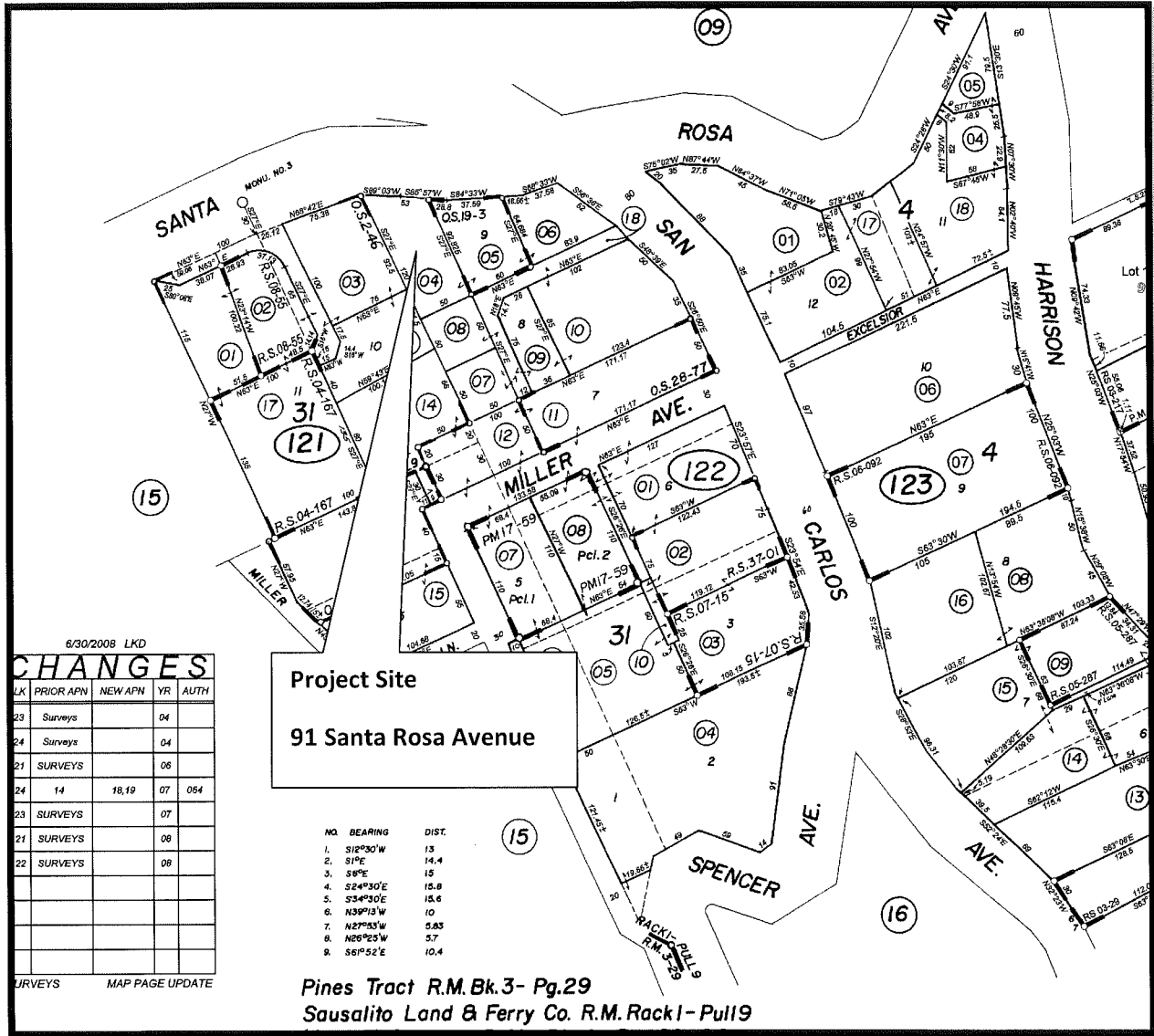
PUBLIC NOTICE AND CORRESPONDENCE

On April 28, 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.



Vicinity Map



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THE Small World
TREE COMPANY

James Cairnes, ND Arb, UK
CERTIFIED ARBORIST #3841
CA LICENSE #755039
CELL (415) 717-8885

RECEIVED

APR 20 2011

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPT

ARBORIST REPORT

Client: Andrew Budlong.

Site: 91 Santa Rosa Ave. Sausalito.

Date of Inspection: 1/13/11

Re: Assessment of condition of two Live Oaks at 91 Santa Rosa Ave.

Description:

The two Coastal Live Oaks (*Quercus agrifolia*) in question are located to the right (North side) of the entrance stairs as you access the property. Their trunks are located within 4 feet of each other and the two canopies lean away from one another as one big tree.

I have called the lowest tree Tree 1 and the upper tree Tree 2.

Tree 1. Diameter at Breast Height (D.B.H.) 26 ins. Crown Spread 40 ft and a Height of 35 ft. A large old cavity was seen at ground level on North West side of trunk. This cavity covered almost half the circumference and is located where the tree needs support the most for the lean out over the stairs and road. A second cavity was seen on the opposite or East Side of the trunk at ground level compromising further the structural anchoring roots.

Canopy was seen to be somewhat sparse with marginal health.

Tree 2. D.B.H. 18 ins. Crown Spread 15 ft and Height of 30 ft. Tree was found to be in very poor condition with a Sudden Oak Death (*Phytophthora ramorum*) infection found on the East side of the trunk. Crown was very sparse with abundant die back of the branch tips.

Recommendations:

Both trees have become a serious threat to people and road traffic and must be removed as soon as possible. Sudden Oak infection weakens the trunk wood shear strength tremendously causing a lower trunk failure.

Any questions please call.

James E. Cairnes, NDArb.

**MAP on Reverse*

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P.O. BOX 2824 • SAN ANSELMO • CALIFORNIA 94979
PHONE: (415) 455-0909 • FAX: (415) 482-8212 • www.SmallWorldTree.com

*Exhibit B
[5 pages]*

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CITY OF SAULSALITE
COMMUNITY DEVELOPMENT DEPT

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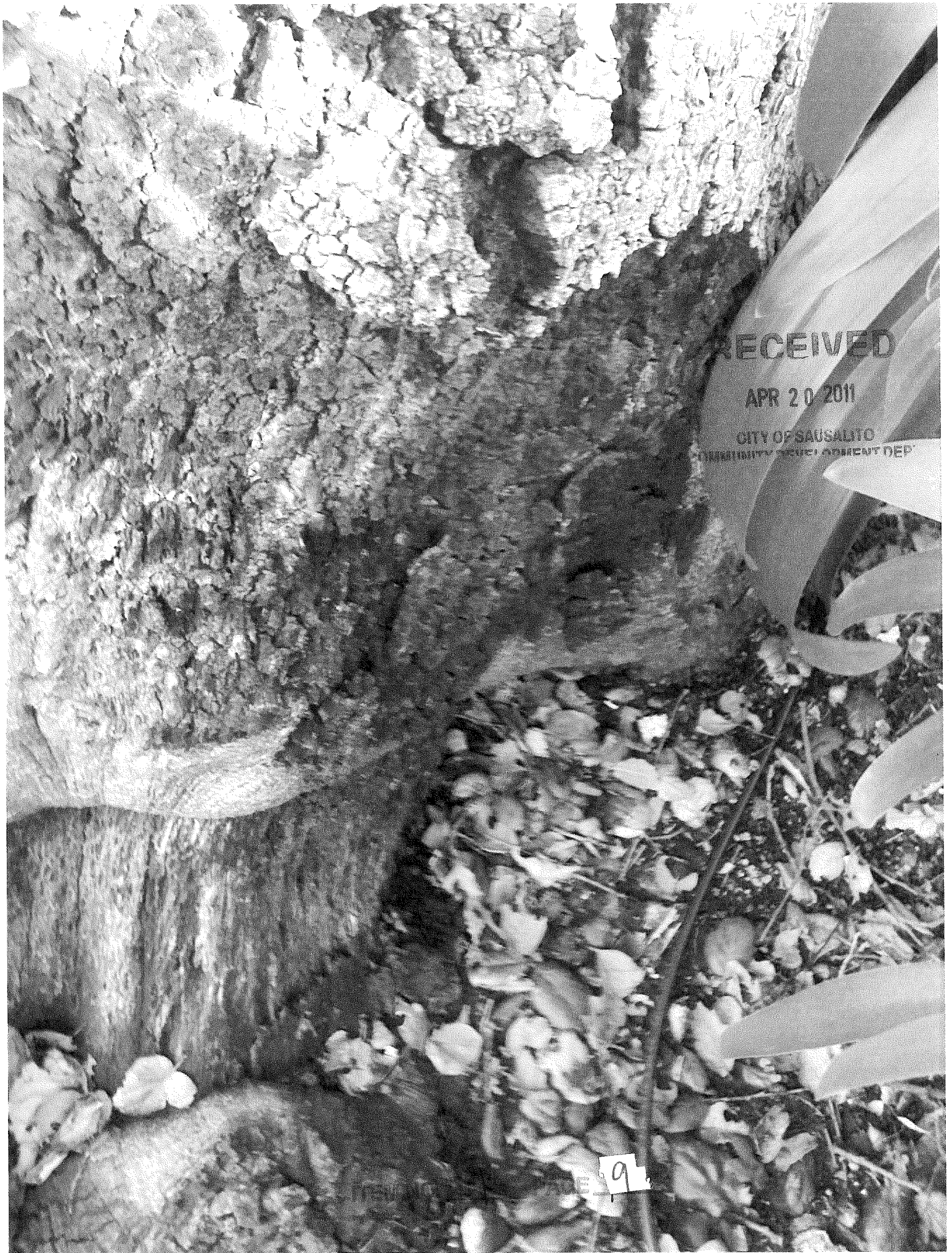
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPARTMENT

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COMMUNITY DEVELOPMENT

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CITY OF SAUSALITO

COMMUNITY DEVELOPMENT DEPT

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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 TWO COAST LIVE OAK LOCATED
AT 91 SANTA ROSA AVENUE (TRP 11-126)**

WHEREAS, on April 20, 2011 a Tree Removal Permit application was filed by the applicant, The Small World Tree Company, on behalf of the property owner, Andrew Budlong, requesting the removal of two Coast Live Oak (*Quercus agrifolia*) located at the front of the property at 91 Santa Rosa Avenue (APN 065-121-04); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on April 28, 2011; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on May 5, 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 two Coast Live Oaks located at 91 Santa Rosa 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:

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

May 5, 2011

TRP 11-126

91 Santa Rosa 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 91 Santa Rosa 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.
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*Tree 2 is infected with Sudden Oak Death, and has become a potential hazard to life and property. Sudden Oak Death is also highly contagious to other Oaks in the area, and should be removed to pursue good, professional practices of forestry design. Removal of Tree 2 is necessary to accomplish **Objectives a and d**.*

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 - 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 removal of trees in this location will leave a large void in the landscaping in this location. The removal of the two Coast Live Oaks should be replaced by two desirable trees, in a similar location.

TREES AND VIEWS COMMITTEE RESOLUTION
May 5, 2011
TRP 11-126
91 Santa Rosa Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the Tree Removal Permit approved on May 5, 2011.

1. Two replacement trees 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. A Certified Arborist shall be present during any and all work to be done on the permitted trees.
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.

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