

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Macannan Tree / 83 Princess Street
Tree Alteration Permit
TRP 11-144

Meeting Date July 7, 2011

Staff Alison Thornberry-Assef, Assistant Planner



This staff report supplements the staff report dated June 2, 2011.

REQUEST

Approval of a **Tree Removal Permit** to allow the removal of one Coast Live Oak located on the front of the property at 83 Princess Street.

BACKGROUND

At the June 2, 2011 Trees and Views Committee meeting the Committee members voted to approve a Tree Removal Permit to remove a Coast Live Oak at 83 Princess Street. As part of the permit approval, the Committee approved a Condition of Approval that stated:

“Prior to the removal of Coast Live Oak tree #2, the applicant shall obtain a resistograph analysis from a Certified Arborist who is not affiliated with a tree maintenance company conducting any tree maintenance or removal activities on the site. The analysis shall state any and all findings regarding the analysis, the arborist’s conclusion, and recommendations for preservation. The analysis shall be submitted to the Community Development Department for review. If the tree is deemed hazardous and in imminent danger of falling, it may be removed. If the tree’s condition is not hazardous, then the tree removal request shall be subject to further review by the Trees and Views Committee.”

A Resistograph Analysis was performed on June 10, 2011 by Certified Arborist, Ray Moritz. While the tree is recommended for removal by the Arborist, it was not stated that the tree is in imminent danger of falling. Therefore, the Tree Removal Permit requires further review by the Trees and Views Committee.

The Resistograph Analysis and field report prepared by, Ray Moritz, states (see **Exhibit F**):

- There is a 16 inch deep cavity of the northeast side of the tree, a wound on the east side of the tree’s base and old wounds on the northeast root crown, south root crown.
- There is decay on the south and north side approximately 20 inches deep which is particularly concerning because it is on the lean side of the tree.
- The tree has lean and balance toward the deck, home and garage. There are two cavities, eight inches deep on the southwest side (the lean side) of the trunk at seven feet above grade.
- The Resistograph test shows that the southeast root crown has eight and a quarter inches of good wood, and the northeast side shows decay, dead sap wood, punk wood and some good sound heartwood and some dead and dry heartwood.
- There is a concerning wound on the northeast base of the tree and the tree is compromised by the cavity on the lean side and decay on the opposite side. The three roots mitigate the hazard to an unknown extent.
- Recommendation is to remove the tree for safety.

The Resistograph Analysis and Field Report were presented to the City’s Arborist, Juan Ochoa, who recommended the analysis. Mr. Ochoa stated (see **Exhibit G**):

“After reviewing his Resistograph analysis report, his thorough assessment of the safety condition, and quantification of internal decay of the tree, I concur with his assessment that the tree be removed to abate the hazard.”

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 tree has severe decay at the base of the trunk that leans toward the residence. The tree is a potential hazard to life and property because of its proximity to existing structures. Removal of this tree is necessary to accomplish **Objective a** 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.

*Staff has created a condition that a replacement tree be planted for the tree removed, thus satisfying **Objective a** listed above (see **Exhibit J**, Attachment 2).*

CONCLUSION

After a thorough review of the two Arborist's opinions, Staff has concern regarding the hazardous situation Tree #2 poses on the 83 Princess Street residence, As stated by the Director of Public Works;

“On the basis of the applicant's arborist's reports, and those of the arborist retained by the City to evaluate the subject tree in the public interest..., I recommend to the Trees and Views Committee that a permit for removal of the subject tree be granted without further delay” (see **Exhibit H**).

PUBLIC NOTICE AND CORRESPONDENCE

On June 29, 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 Removal Permit to remove Coast Live Oak (*Quercus agrifolia*) Tree #2 at 83 Princess Street (TRP 11-144).

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 I**).

EXHIBITS

Lettering of the exhibits follows the sequence in the June 2, 2011 Staff Report

- F. Resistograph Analysis and Field Report, date stamped June 10, 2011
- G. Bartlett Tree Experts Arborist's inspection, dated June 27, 2011
- H. Email from Director of Public Works, dated June 30, 2011
- I. Criteria for Approval or Denial of Tree Removal Permits
- J. DRAFT Resolution

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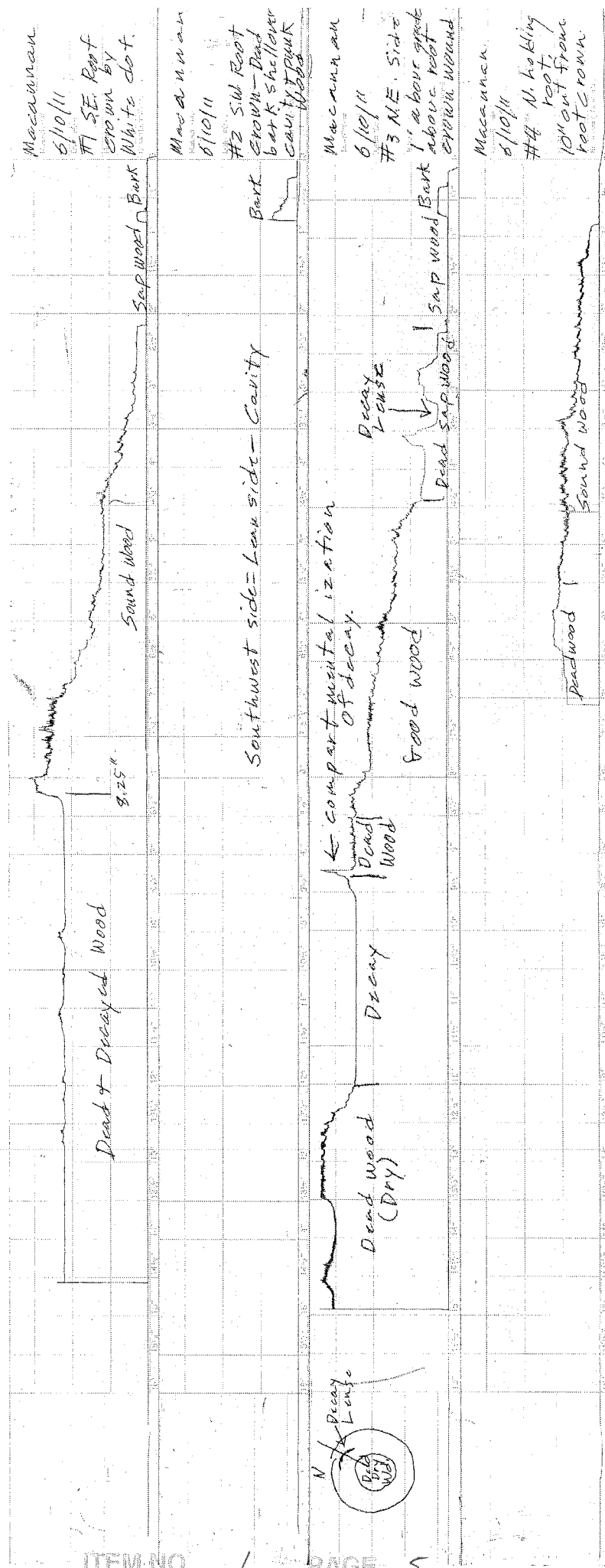


Exhibit F
[3 pages]

RECEIVED

JUN 10 2011

CITY OF Sausalito
COMMUNITY DEVELOPMENT



Urban Forestry Associates, Inc.
Moritz Arboricultural Consulting

8 Willow Street, San Rafael, CA 94901
Tel: 415 454-4212 Fax: 415 454-4218
arborforestry@sbcglobal.net

FIELD REPORT

Bill to: CAROL MACANNAN
83 PRINCESS STREET
Sausalito, CA. 94965

Client Information	
Inspection Date	Phone
6.10.11	415.332.6016
Project Name	
OAK RISK ASSESSMENT	
Site Address	
83 PRINCESS ST.	
Referred By:	
TREETMASTERS	

ISSUE / PURPOSE OF INSPECTION: THE CITY OF SAUSALITO'S TREES & VIEWS COMMITTEE WILL NOT ALLOW THIS TREE TO BE REMOVED WITHOUT A RESISTOGRAPH ANALYSIS. - ASSESS HEALTH & STRUCTURAL CONDITION OF TREE - AND PERFORM RESISTOGRAPH TEST.

A. OBSERVATIONS B. CONCLUSIONS C. RECOMMENDATIONS

- A. 1) Species: *Quercus agrifolia* (Coast Live Oak)
 2) Size (CBH): 58.75" circ. Status: Protected
 3) Loc: Sideyard, 18' N. of driveway, 7' N. of 28" oak
 4) Cavity 16" deep on N.E side of tree at 2.2 ft. a.g.
 5) Wound on E. side of tree base, old wound N.E. Root crown
 6) Old wound on south side of root crown created a s. to W. invagination of root crown and decay. - south edge of cavity is 20" deep. N. side also 20" deep.
 7) Two cavities, 8" deep on S.W. side (lean side) of trunk at 7 ft. above grade. (See photography)
 8) Tree has lean + balance toward deck, home and garage, high use areas + high value property

<input type="checkbox"/> This is your invoice. The fee for this consultation is due and payable upon receipt. This fee is not contingent on any particular outcome or third party event. This fee is for services rendered to date. Additional consultation (verbal or written), court appearances, depositions or any other services will be additionally billable.	Additional work needed <input type="checkbox"/>
Arborist Name: <u>Ray Moritz</u>	Hours <u>155.00</u>
Arborist Signature: <u>[Signature]</u>	Misc. Charges <u>Resis's: 150.00</u>
	AMOUNT DUE <u>\$310.00</u> Paid <u>[Signature]</u>



Urban Forestry Associates, Inc.
Moritz Arboricultural Consulting

8 Willow Street, San Rafael, CA 94901
Tel: 415-454-4212 Fax: 415-454-4218
arborforestry@sbcglobal.net

Field Report

Client: Macannon Carol	
Page: 2 of 2	Date: 6/10/11
Project: Health + Hazard Assessment	

Resistograph tests:

- 1) S.E. Root crown, parallel to south = 8.25" good wood
- 2) S.W. side (Prior to punk wood/decay) removal.
- 3) N.E. Side 1 ft. a.g. = 2" sapwood sound, 1" dead + dry sapwood, 1/2" decay lense, 1" dead sapwood, 4" of good sound heartwood, 2.75" Punk wood, → 3" dead + dry heartwood

B. Conclusions:

- 1) The root crown cavity with the SW opening is 20" deep + particularly concerning because it is on the lean side of the tree
- 2) There are large supporting roots out either side of the cavity, south + Northwest. - There is a large east supporting root, that appears to be in good condition but has a wound above it.
- 3) There is also a decay column + cavity on the N.E. side at 2' a.g. that joins the lower decay of the root crown cavity.
- 4) There is also a concerning wound on the N.E. base.

- * 5) The tree is compromised by the cavity on the lean side + decay on the away-from-lean. side. While the 3 roots mitigate the hazard to an unknown extent,
- G. Recommendation: Remove tree for safety.

LIMITATIONS:

The health and hazard assessments in this report are limited by the visual nature of the assessment. Defects may be obscured by aerial foliage, branches, multiple trunks or other trees. The probability of tree failure is dependent on a number of factors including: topography, geology, soil characteristics, wind patterns, species characteristics, structural defects (both visually evident and concealed), and the characteristics of a specific storm. Structurally sound, healthy trees are wind thrown during severe storms. Consequently, a conclusion that a tree does not require corrective surgery or removal is not a guarantee of no risk, hazard or sound health.

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Alison Thornberry

To: Juan Ochoa
Subject: RE: MacAnnan -- Princess Street Oaks

From: Juan Ochoa [<mailto:jochoa@Bartlett.com>]
Sent: Monday, June 27, 2011 4:01 PM
To: Jonathon Goldman; Alison Thornberry; Jeremy Graves
Cc: Kent Basso; Doug Smith
Subject: RE: MacAnnan -- Princess Street Oaks

Dear Jonathon,

Thank you for forwarding the report by consulting arborist Ray Moritz regarding the Live Oak at the MacAnnan residence. After reviewing his Resistograph analysis report, his thorough assessment of the safety condition, and quantification of internal decay of the tree, I concur with his assessment that the tree be removed to abate the hazard. If you have any questions please contact me.

Sincerely,

Juan Ochoa
ISA Board Certified Master Arborist WE-6480B
Bartlett Tree Experts
400 Smith Ranch Rd
San Rafael, CA 94903
O: (415) 472-4300 x 18
F: (415) 472-8650
jochoa@Bartlett.com

Exhibit 6

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Alison Thornberry

To: Jonathon Goldman
Subject: RE: MacAnnan -- Princess Street Oaks

From: Jonathon Goldman
Sent: Thursday, June 30, 2011 8:34 AM
To: Alison Thornberry
Cc: Jeremy Graves; Kent Basso; 'Juan Ochoa'
Subject: FW: MacAnnan -- Princess Street Oaks

Alison: On the basis of the applicant's arborist's reports, and those of the arborist retained by the City to evaluate the subject tree in the public interest (most recent of which see below), I recommend to the Trees and Views Committee that a permit for removal of the subject tree be granted without further delay. I am available if there are questions. Should a delay occur, I will further retain Mr. Ochoa to evaluate whether the hazard he mentions in his most recent report is imminent, and will act accordingly.

Jonathon Goldman
Director of Public Works
City of Sausalito
420 Litho Street
Sausalito, California 94965-1933
Direct: 415-289-4176
FAX: 415-339-2256
mailto: jgoldman@ci.sausalito.ca.us
www.ci.sausalito.ca.us

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To: Jonathon Goldman; Alison Thornberry; Jeremy Graves
Cc: Kent Basso; Doug Smith
Subject: RE: MacAnnan -- Princess Street Oaks

Dear Jonathon,

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Sincerely,

Juan Ochoa
ISA Board Certified Master Arborist WE-6480B
Bartlett Tree Experts
400 Smith Ranch Rd
San Rafael, CA 94903
O: (415) 472-4300 x 18
F: (415) 472-8650
jochoa@Bartlett.com

Exhibit H

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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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Exhibit I

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

**TREE REMOVAL PERMIT FOR ONE COAST LIVE OAK LOCATED
AT 83 PRINCESS STREET (TRP 11-144)**

WHEREAS, on May 16, 2011 a Tree Removal Permit application was filed by the applicant, Michael Queirolo of Treemasters, on behalf of the property owner, Carol Macannon, requesting to remove three Coast Live Oaks (*Quercus agrifolia*), to reduce failure and the potential hazard to life and property at 83 Princess Street (APN 065-132-18); and

WHEREAS, on May 19, 2011 the Public Works Department approved an Emergency Tree Removal Permit for Coast Live Oaks #1 and #3, and continued the request to remove Coast Live Oak #2 to the Trees and Views Committee at 83 Princess Street.

WHEREAS, a notice for the application was posted on the Tree Owner's property on May 26, 2011 and June 29, 2011; and

WHEREAS, the Trees and Views Committee considered the application for removal of Tree #2 at publicly-noticed meetings on June 2, 2011 and July 7, 2011, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on June 10, 2011 a Resistograph Analysis of the tree was performed by Certified Arborist, Ray Moritz of Urban Forestry Associates; and

WHEREAS, the Trees and Views Committee has reviewed and considered the information contained in the staff reports 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 Tree Removal Permit to remove the Coast Live Oak (*Quercus agrifolia*) Tree #2 at 83 Princess 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 ____, 2011, 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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TREES AND VIEWS COMMITTEE RESOLUTION

July 7, 2011

TRP 11-144

83 PRINCESS 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 83 Princess Street.

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.

*Tree #2 has severe decay at the base of the trunk that leans toward the residence. The tree is a potential hazard to life and property because of its proximity to existing structures. Removal of this tree is necessary to accomplish **Objective a** 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.

*Staff has created a condition that a replacement tree be planted for removal of Tree #2, thus satisfying **Objective a** listed above (see **Exhibit E**, Attachment 2).*

TREES AND VIEWS COMMITTEE RESOLUTION

June 2, 2011

TRP 11-144

83 PRINCESS STREET

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the Tree Removal Permit for removal of Tree #2 that was submitted on May 16, 2011.

1. A replacement tree in 24-inch box container of desirable species, to be determined by the property owner, shall be planted in a location to be determined by the property owner. The replacement tree shall be planted within 60 days of tree removal.
2. This approval will expire in one (1) year from the effective date of this resolution if the property owner has not exercised the entitlement hereby granted.

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.

3. A Certified Arborist shall be present during any and all work to be done on the permitted trees.
4. 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.
5. 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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