

STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Project Hicks Tree / 118 Central Avenue
Tree Alteration Permit
TRP 11-222

Meeting Date September 1, 2011

Staff Alison Thornberry-Assef, Assistant Planner



REQUEST

Approval of a **Tree Alteration Permit** to allow the alteration of one Coast Live Oak located on the northeast portion of the property at 118 Central Avenue.

PROJECT INFORMATION

Applicant/Owner Anne Hicks

Location 118 Central Avenue (APN 065-202-22) (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 alteration of one Coast Live Oak (*Quercus agrifolia*) located on the northeast portion of the property at 118 Central Avenue.

An Arborist Report was prepared on June 21, 2011 by Certified Arborist, Kent Julin, to assess the health, structural condition, and suitability for preservation of the Coast Live Oak that is located on the property at 118 Central Avenue.

The Arborist Report identifies the following attributes regarding the tree proposed for alteration (see **Exhibit B** for full report):

- The tree is approximately 60 years old, 78 inches in Circumference at Breast Height (CBH), and approximately 35 feet in height
- The tree is rooted 10 feet from the northern corner of the Hicks home and overhangs a garden potting area;
- The tree has a large cavity and advanced decay in the lower trunk, with approximately 20 percent sound wood remaining in the lower six feet of the trunk which is inadequate to safely support the existing tree canopy;
- The tree should be pruned so the trunk can satisfactorily support the lower tree branches and will allow the owner to retain the tree as part of the landscaping;
- If the tree is not pruned it will experience catastrophic trunk failure. Target areas for the failure include the house, potting area, garden path, fence and neighboring driveway;
- Nearby vegetation will benefit from the proposed work by reducing competition for sunlight and increasing available soil moisture.

A description of the work is as follows:

- Prune the tree to 10 feet above grade;
- Existing branches in the lower bole are to be protected and maintained during all work so as to maintain their vigor, and the large pruning cut will not significantly increase exposure to decay on the tree.

The Arborist has stated that the proposed alteration will create a sustainable tree structure that will allow the tree to safely exist for another 10 to 20 years. He has also stated that the subject Oak will experience catastrophic trunk failure if extensive trunk pruning is not performed. There are no other recommendations to improve the health of the tree. The proposed work will not compromise the health of surrounding vegetation and does not alter existing view or privacy values.

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 a large cavity and extensive decay with little sound wood left in the trunk. With the current amount of decay and size of the existing tree, the trunk cannot sustain the existing canopy. By severely pruning the tree's canopy, the tree will be allowed to exist safely for 10 to 20 years. Without the discussed pruning, the tree is a potential hazard to life, property and existing structures; the proposed pruning is also required to pursue good, professional practices of forestry and landscape design. The requested alteration of this tree is necessary to accomplish **Objective a** 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 applicant is not requesting to remove the tree; therefore no replacement tree is required, accomplishing **Condition b** as listed above.*

PUBLIC NOTICE AND CORRESPONDENCE

On August 24, 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 Alteration Permit to alter the Coast Live Oak (*Quercus agrifolia*) at 118 Central Avenue (TRP 11-222).

Alternatively, the Trees and Views Committee may:

- Approve the Tree Alteration Permit with modifications;
- Continue consideration of the item for additional information; or
- Deny the Tree Alteration Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit D**).

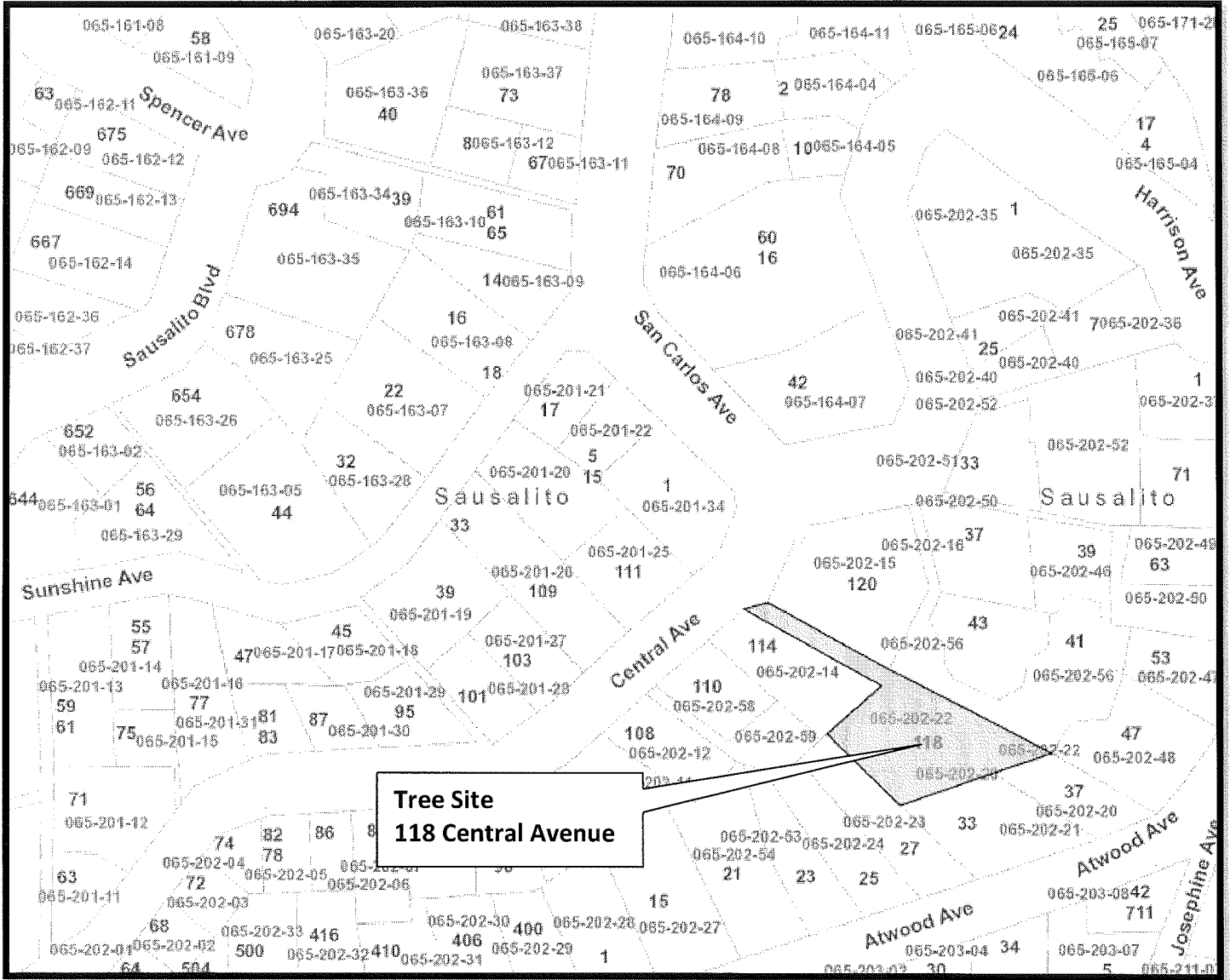
EXHIBITS

- A. Vicinity Map
- B. Arborist Report and Photographs, dated June 21, 2011
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

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Vicinity Map



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Exhibit A

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JUL 12 2011

ARBORSCIENCE

CITY OF SAUSALITO
PROVIDING SOUND TREE ADVICE

P.O. Box 111 • WOODACRE, CA 94973 • (415) 419-5197 • KENT.JULIN@GMAIL.COM

June 21, 2011

Anne Hicks
118 Central Ave
Sausalito, CA 94965

Arborist Report Coast Live Oak (*Quercus agrifolia*) 118 Central Avenue, Sausalito

ASSIGNMENT

ARBORSCIENCE was hired by Anne Hicks to examine a coast live oak (*Quercus agrifolia*) on her property in Sausalito. The purpose of my June 18, 2011 inspection was to evaluate the structural integrity of the subject tree and to provide recommendations to mitigate identified hazards.

SCOPE OF WORK AND LIMITATIONS

Information regarding property boundaries, land and tree ownership were provided by Anne Hicks. I have neither personal nor monetary interest in the outcome of this matter. All determinations reflected in this report are objective and to the best of my ability. All observations and conclusions regarding the subject tree and site conditions in this report were made by me, independently, based on my education, experience, and inspection of the site.

HISTORY

Homes in the immediate vicinity of the subject tree were constructed between 1907 (114 Central Avenue) and 1960 (47 Atwood Avenue); the Hicks property was developed in 1948. Judging from the size of the tree and site conditions, it was probably planted or sprouted from an acorn about 60 years ago.

CITY OF SAUSALITO REQUIRED ELEMENTS FOR ARBORIST REPORT

1. Tree Description:

- a. Location: The subject tree is rooted 10 feet northeast of the northern corner of the Hicks home and overhangs a garden potting area. Anne Hicks is the owner of the property (APN: 065-202-22).
- b. CBH: 78"

EXHIBIT B
[8 pages]

- c. Height: 35'
- d. Species: Coast live oak (*Quercus agrifolia*)
- e. Estimated Age: 60 years
- f. Map: See attached maps

2. **View Considerations:** Work is not being done for view reasons. Pruning will neither improve a view nor diminish privacy screening.

3. **Written Commentary:**

- a. Tree Removal Considerations. None
- b. Tree Alteration Considerations:

1. Alteration Rationale: The subject oak has a large cavity that reveals advanced decay in the lower bole that extends completely through the trunk. There is approximately 20% sound wood remaining in the lower 6 feet which is inadequate to safely support the existing tree canopy. By pruning the tree to 10 feet above grade, the trunk will satisfactorily support the lower tree branches and will allow the owner to retain this important part of her landscaping.
2. Dangers: If this tree is not pruned (as described above) it *will* experience catastrophic trunk failure. Targets in the area include the house, potting area, garden path, fence along the property line, and the neighbor's driveway to the north.
3. Structural and Health Effects: The proposed alteration will create a sustainable tree structure that will allow the tree to safely exist for another 10-20 years. Existing branches in the lower bole are expected to maintain their vigor. The large pruning cut will not significantly increase exposure to decay on this tree owing to preexisting wounds.
4. Effects on Neighboring Vegetation: Nearby vegetation will benefit from the proposed work by reducing competition for sunlight and by increasing available soil moisture.
5. View Maintenance Considerations: Not applicable.
6. Description and Cost of Proposed Action: The subject tree will be pruned to a height of 10 feet. Care will be exercised

by workers to retain the lower tree branches. Limb wood, branches, and leaves will be chipped and disposed offsite. The estimated cost is \$1,000 including dump fees.

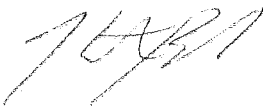
7. Tree Health Improvement Recommendations: None

SUMMARY

The subject oak will experience catastrophic trunk failure if extensive pruning is not performed. I recommend that the tree be pruned to a height of 10 feet and that the lower trunk and attendant branches be retained to preserve this landscaping element in the garden. Proposed work will not compromise the health of surrounding vegetation and does not alter existing view or privacy values.

Sincerely,

ARBORSCIENCE



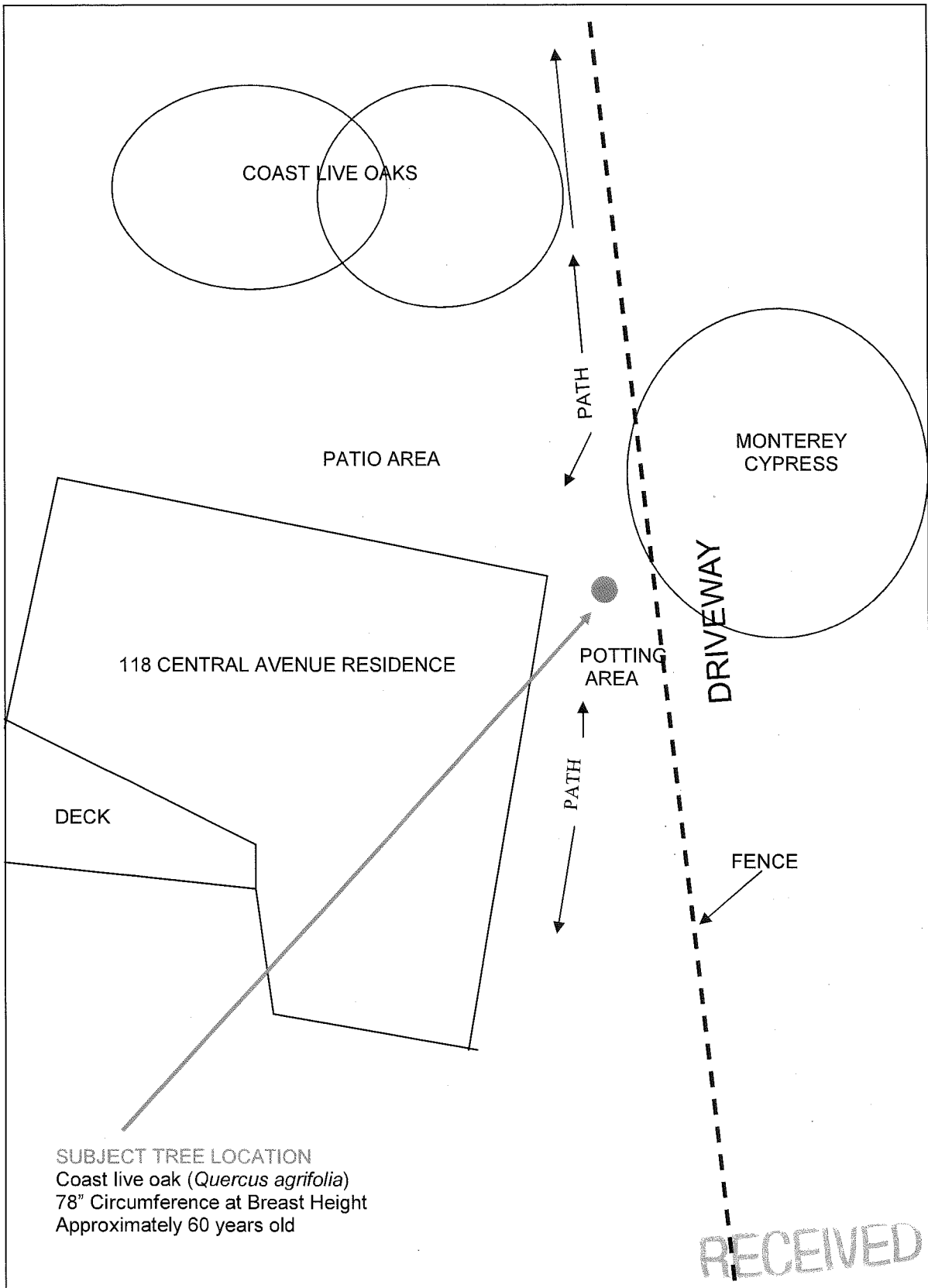
Kent R. Julin, Ph.D.
Principal Consulting Arborist and Forester
International Society of Arboriculture Certified Arborist WE-8733A



Hicks Tree Cutting Permit Application Map
118 Central Avenue, Sausalito

JUL 12 2011

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPARTMENT



SUBJECT TREE LOCATION
 Coast live oak (*Quercus agrifolia*)
 78" Circumference at Breast Height
 Approximately 60 years old

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JUL 12 2011

CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT







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 C

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

**TREE ALTERATION PERMIT FOR ONE COAST LIVE OAK LOCATED
AT 118 CENTRAL AVENUE (TRP 11-222)**

WHEREAS, on July 12, 2011 a Tree Alteration Permit application was filed by the property owner, Anne Hicks, requesting to alter one Coast Live Oak (*Quercus agrifolia*), to reduce failure and the potential hazard to life and property at 118 Central Avenue (APN 065-202-22); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on August 24, 2011; and

WHEREAS, the Trees and Views Committee considered the application at a publicly noticed meeting on September 1, 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 Tree Alteration Permit to alter the Coast Live Oak (*Quercus agrifolia*) at 18 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 ____, 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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Exhibit D
[3 pages]

TREES AND VIEWS COMMITTEE RESOLUTION
September 1, 2011
TRP 11-222
118 CENTRAL: 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 Alteration Permit for 118 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.
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*The tree has a large cavity and extensive decay with little sound wood left in the trunk. With the current amount of decay and size of the existing tree, the trunk cannot sustain the existing canopy. By severely pruning the tree's canopy, the tree will be allowed to exist safely for 10 to 20 years. Without the discussed pruning, the tree is a potential hazard to life, property and existing structures; the proposed pruning is also required to pursue good, professional practices of forestry and landscape design. The requested alteration of this tree is necessary to accomplish **Objective a** and **d** listed above.*

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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 applicant is not requesting to remove the tree; therefore no replacement tree is required, accomplishing **Condition b** as listed above.*

TREES AND VIEWS COMMITTEE RESOLUTION
September 1, 2011
TRP 11-222
118 CENTRAL AVENUE

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the Tree Removal Permit submitted on July 12, 2011.

1. A description of the approved work is as follows:
 - Prune the tree to 10 feet above grade;
 - Existing branches in the lower bole are to be protected and maintained during all work so as to maintain their vigor.
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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