STAFF REPORT

SAUSALITO TREES AND VIEWS COMMITTEE

Gruemmer-Duperry Residence / 139 Lincoln Avenue **Project**

Tree Removal Permit

TRP 10-397

Meeting Date January 6, 2011

Alison Thornberry, Assistant Planner Staff

REQUEST

Approval of a Tree Removal Permit to allow the removal of one Pepper tree at 139 Lincoln Avenue.

PROJECT INFORMATION

Treemaster's Uriel Barron **Applicant**

Owners Paige Gruemmer and John Duperry

139 Lincoln Avenue; APN 064-331-14 Location/Size

3,465 Square Feet (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

Issuance of Tree Removal and Alteration Permits is categorically exempt

from the California Environmental Quality Act (CEQA), in accordance with Section Review

15301 of the CEQA Guidelines.

PROJECT DESCRIPTION

The applicant has submitted an application for the removal of one Pepper tree located on the property at 139 Lincoln Avenue.

An Arborist Report was prepared on December 2, 2010 by Certified Arborist, Uriel Barron, to assess the health, structural condition, and suitability for preservation of a Pepper tree (Schinus molle) that is located in the front yard of the residence.

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

- 65 inch Circumference at Breast Height (CBH), 20.69 inch Diameter at Breast Height (DBH) Pepper
- The crown of the tree is defoliated.
- The base of the tree shows signs of root rot.
- There are Ganoderma mushrooms growing at the base of the tree.
- The tree is dead.
- The tree's roots have grown over the gas and water lines and have uplifted the concrete on the sidewalk.

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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.

Since the tree has root rot, is defoliated and has been pronounced dead, with a threat of becoming a hazard and liability, the removal of the tree 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 arborist recommends the dead Pepper tree be replaced with a small growing tree with a none invasive root system due to the service lines that run to the property. One suggestion would be a Crepe Myrtle (*Lagerstroemia indica*).

PUBLIC NOTICE AND CORRESPONDENCE

On December 14, 2010, 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.

No correspondence has been received on the Tree Removal Permit.

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 Pepper tree on the property located 139 Lincoln Avenue (TRP 10-397).

Alternatively, the Trees and Views Committee may:

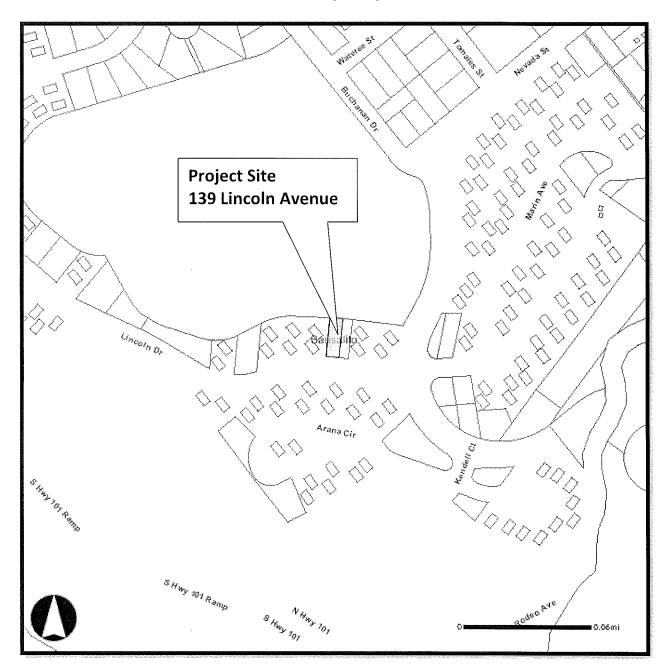
- Approve the Tree Removal Permit with modification of the determinations:
- Continue consideration of the item for additional information; or
- Deny the Tree Removal Permit and identify one or more of the Findings for Denial listed in Section 11.12.030.B.3 (see **Exhibit C**).

EXHIBITS

- A. Vicinity Map
- B. Arborist report and photographs, date stamped December 8, 2010
- C. Criteria for Approval or Denial of Tree Removal Permits
- D. DRAFT Resolution

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Vicinity Map



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REEMASTERS

3175 Kerner Blvd Ste. A San Rafael, CA 94901 (415) 455-9933 Main (415) 455-9934 Fax

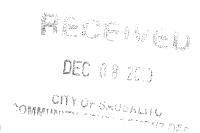




CA Lic. #660226

December 2, 2010

Paige Gruemmer 139 Lincoln Dr Sausalito, CA 94965



ARBORIST REPORT

I have inspected the Pepper Schinus molle located on the front yard of the property at 139 Lincoln Dr and have made the following report

- 65 CBH (circumference at breast height) Pepper Schinus molle
- The crown is defoliated
- There are signs of root-rot at base of this tree
- There are Ganoderma mushrooms growing at base of this tree
- This tree is dead
- The tree's roots have grown over the Gas & Water lines and have uplifted the concrete on the sidewalk

The Pepper Schinus molle is dead and needs to be removed. The economic value of this tree is \$1,446.91 based on the ISA Guide for Plant Appraisal. If this tree is not removed it will become a hazard and a liability. The removal of this tree will not have an effect on the neighboring vegetation. The grinding of the stump will be necessary to fix the damaged to the sidewalk and this will not affect loss of soil stability because the tree is located on flat soil area near street. If a tree is to be planted in this area my recommendation is to plant a small growingtree with none invasive root system due to the service lines (gas & water) that run to this property. One suggestion would be a Crepe Myrtle Lagerstroemia indica.

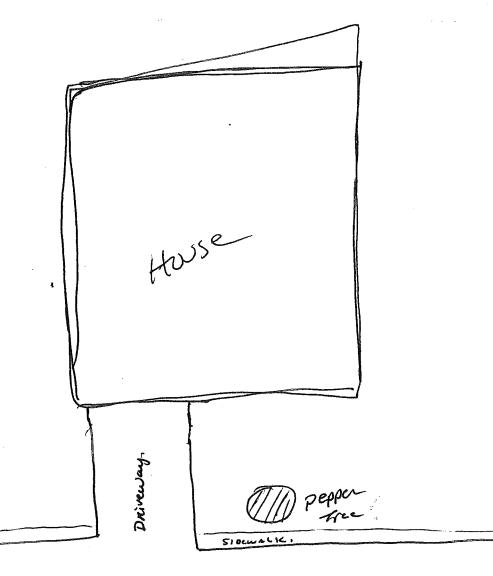
Uriel Barron

ISA Certified Arborist WE-1328A

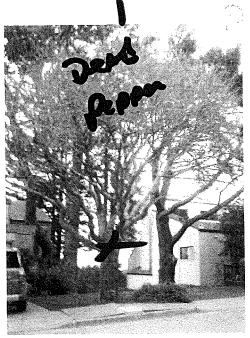
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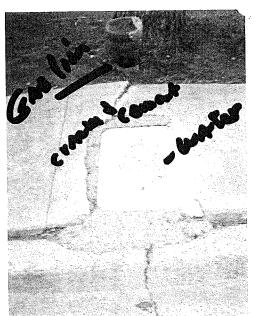
SITE MAP

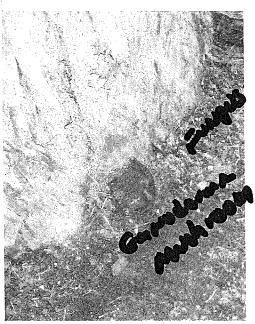
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Criteria for Approval or Denial of Tree Removal or Alteration Permits Municipal Code Section 11.12.030.B

- 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 A PEPPER TREE LOCATED AT 139 LINCOLN AVENUE (TRP 10-397)

WHEREAS, on December 8, 2010 a Tree Removal Permit application was filed by, the applicant, Treemaster's Uriel Barron, on behalf of the property owners, Paige Gruemmer and John Duperry, requesting the removal of one Pepper tree (*Schinus* molle) located at 139 Lincoln Avenue (APN 064-331-14); and

WHEREAS, a notice for the application was posted on the Tree Owner's property on December 14, 2010; and

WHEREAS, the Trees and Views Committee considered the application at a public meeting on January 6, 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 a Pepper tree located on the Tree Owner's property at 139 Lincoln 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.

RESOLUTIO	N PASSED AND ADOPTED, at the regular meeting of the Sausalito Trees and	d Views
Committee o	n the day of, 20, by the following vote:	
AYES:	Committee Member:	
NOES:	Committee Member:	
ABSENT:	Committee Member:	

Jeremy Graves, AICP Community Development Director

ATTACHMENTS

ABSTAIN:

- 1- Findings
- 2- Conditions of Approval

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Committee Member:

TREES AND VIEWS COMMITTEE RESOLUTION January 6, 2011 TRP 10-397 139 Lincoln 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 139 Lincoln Avenue.

Section 11.12.030.B of the Sausalito Municipal Code

- 1. In order to grant a tree 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 pursue good, professional practices of forestry or landscape design.

Since the tree has root rot, is defoliated and has been pronounced dead, with a threat of becoming a hazard and liability, the removal of the tree 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 conditions is satisfied:
 - a. The tree to be removed will be replaces by a desirable tree.

The arborist recommends the dead Pepper tree be replaced with a small growing tree with a none invasive root system due to the service lines that run to the property. One suggestion would be a Crepe Myrtle (Lagerstroemia indica).

TREES AND VIEWS COMMITTEE RESOLUTION January 6, 2011 TRP 10-397 139 Lincoln Avenue

ATTACHMENT 2: CONDITIONS OF APPROVAL

This condition of approval applies to the Tree Removal Permit submitted on December 8, 2010.

1. The removed tree shall be replaced with a 24 inch box tree with a none-invasive root system due to the service lines that run to the property.

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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