

City Council  
Mayor Una Glass  
Vice Mayor Patrick Slayter  
Michael Carnacchi  
Sarah Glade Gurney  
Neysa Hinton



Planning Director  
Kenyon Webster  
Assistant Planner  
Dana Morrison  
Administrative Assistant  
Rebecca Mansour

## City of Sebastopol Planning Department

Meeting Date: September 6, 2017  
Agenda Item No.: 8A  
To: Tree Board  
From: Dana Morrison, Assistant Planner  
Subject: Tree Removal Permit Continuation- Approval of Landscape Plan  
Recommendation: Approval with conditions  
Applicant/Owner: Sandborn Tree Services / Don Strouzas: Fiesta 116  
File No.: 2017-43  
Address: 550 Gravenstein Highway North  
CEQA Status: Categorical Exemption: Class 1  
General Plan: General Commercial  
Zoning: General Commercial

### **Introduction:**

This is a continuation of a Tree Removal Permit application, which follows the Tree Board's approval to remove two trees which are located on the south side of the west driveway to Pacific Market, along Covert Lane in Sebastopol, California.

On July 19, 2017, the Tree Board requested more information pertaining to the proposed tree removal and the item was continued. On August 16, 2017 the Tree Board convened and discussed the continued item. The Board approved the removal of the two coastal redwoods with the condition that the applicant return for approval of the proposed replacement landscaping. The approval has been approved and is not before the Boards.

The applicant has since submitted a landscape plan which is now being presented before the Board.

### **Project Description:**

The approved project involves the removal of two coastal redwood trees. The replacement landscape plan involves creating an extension to the existing planter. The extended planter will be expanded towards the existing market building. A new concrete curb would be created to extend the planter and 2 yards of mulch in proposed to be added to the new and existing planting area. The design of the planter is intended to reflect the existing plantings already existing on the subject property. The proposed plan involves the placement a one, large, 36" box Chinese pistache tree and, the installation of a number of large, muhlenbargia capillaris. In

addition, the proposed project also involves the laying of pavers to create a patio area with picnic table. It is the intention of the applicant to install drip irrigation to the new plants, which will connect to the drip valve.

**Public Comment:**

Since the conditional removal of the two coastal redwoods trees was approved on August 16, 2017, the City has received one additional comment from the public. Sandy Eastoak called on Monday, August 28, 2017 to state that she was against the removal of the trees and believes that the city consider creating a Tree Protector position to help educate and promote knowledge to the community on importance and impact of trees.

**Recommendation:**

If it is the consensus of the Tree Board that the proposed landscape plan and irrigation plan sufficiently fulfills the replacement requirement, staff recommends that the proposed plans be approved based on the facts set forth in this staff report, and subject to the conditions of approval outlined below.

Alternatively, the Board may find that revisions are necessary and a continuance is appropriate. Staff recommends that the Board provide specific direction for redesign to the applicant in the event of a continuance.

**Conditions:**

1. The landscape plan shall be constructed to match the plans submitted August 30, 2017 and August 28, 2017.
2. If any work is to be done within the public right-of-way, the applicant shall obtain an Encroachment Permit from the City of Sebastopol Public Works Department *prior to commencement of work*. Please call (707) 823-5331 for more information.

**Attachments:**

- Landscape Plan
- Plant example pictures
- Site pictures of existing plantings on the property
- Tree Board Staff Report August 16, 2017
- Original Application

XX existing photinia

○ existing rewoods

⊠ 36" box Chinese Pistache

- - - new concrete curb to extend existing plants

○ 15-16' mulleinbergia capillaris

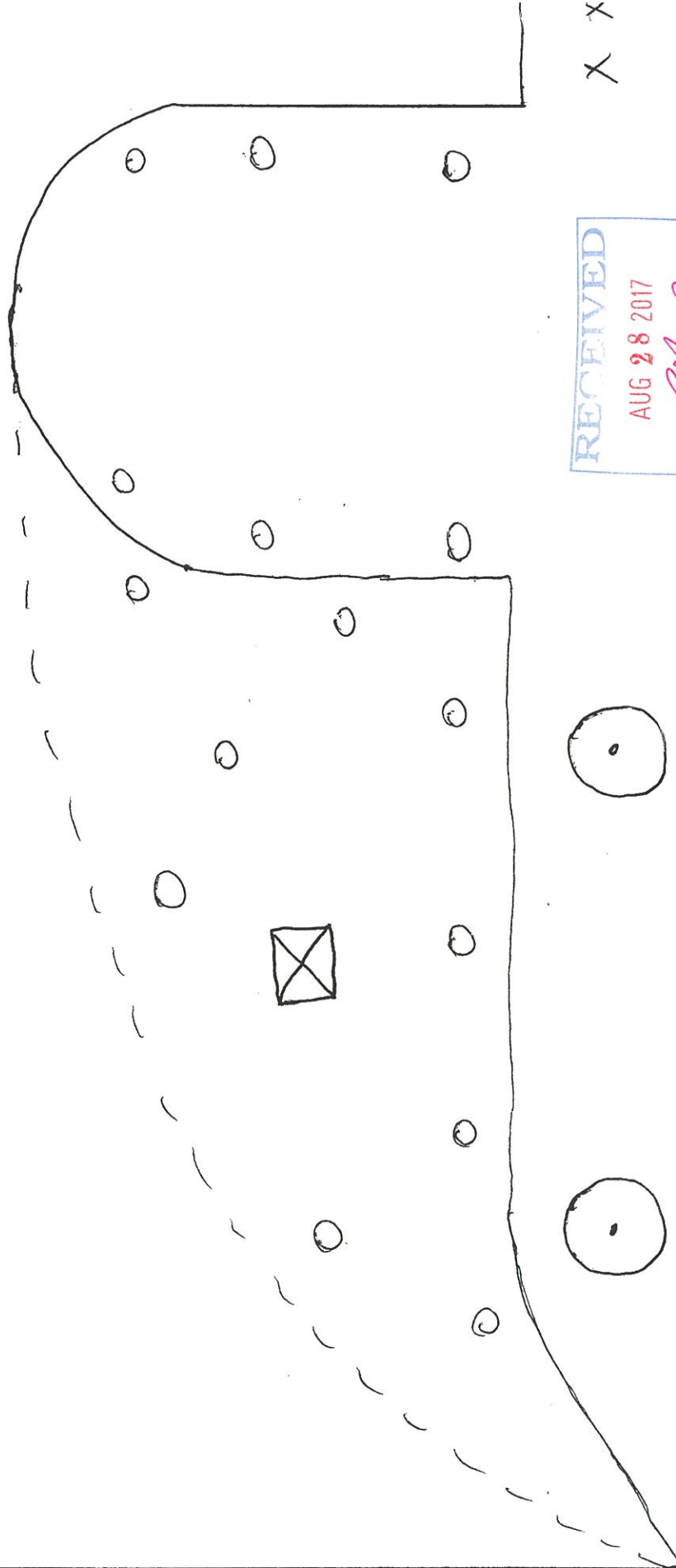
Install drip irrigation to the new plants for the existing drip valve  
Spread 2yds of mulch in new existing planting area

Pacific Wkst.

Gill Landscape Fnc.  
829-10710

gplandscape@msn.com

Driveway



RECEIVED  
AUG 28 2017  
BY: [Signature]

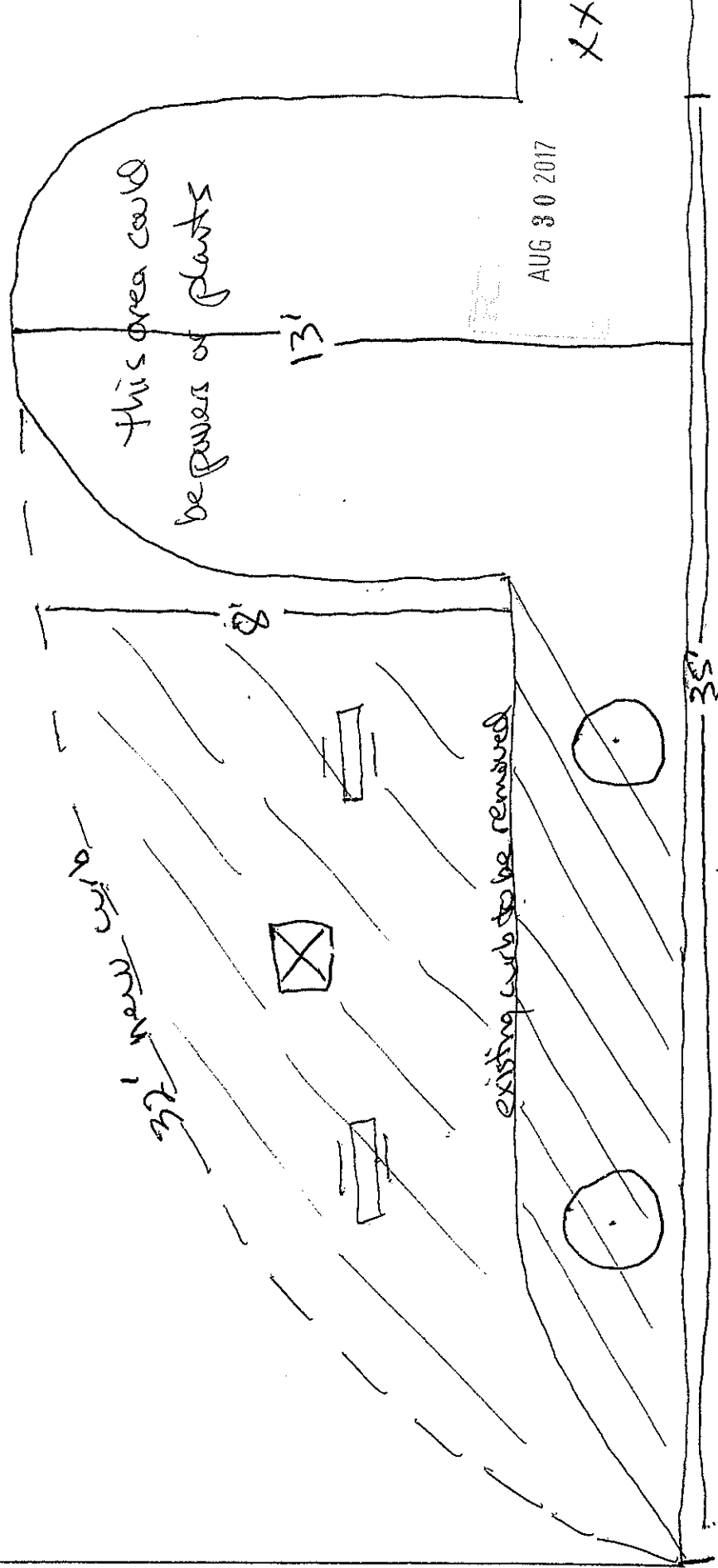
Edmond IV

xx existing photinia // power pation with picnic tables

⊙ existing redwoods

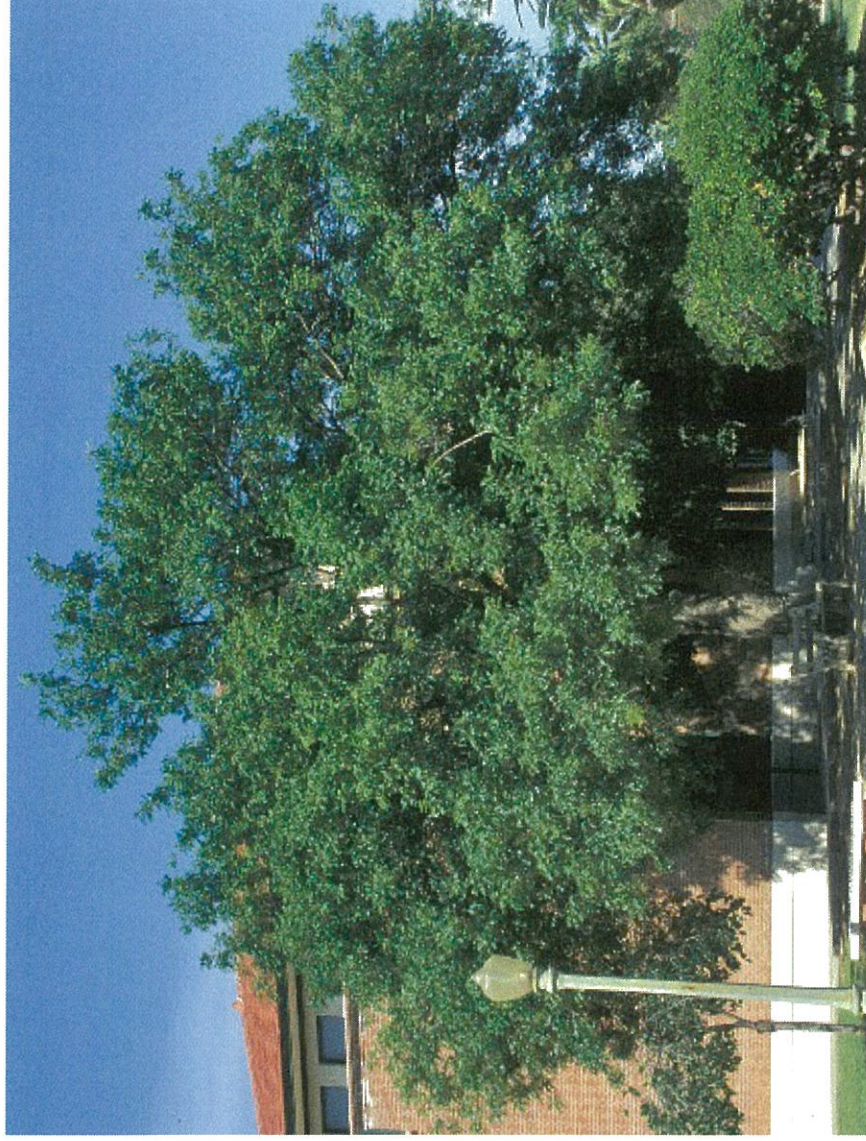
⊠ 36" box Pistache tree

note: Install drip irrigation to the new plants from the existing drip valve  
Spread mulch as needed around the plants





Example of a 36-39" Box Chinese Pistache



Example of a full grown Chinese Pistache

**Benefits of Chinese Pistache:**

- An excellent shade tree with a broad canopy
- Will attain heights between 30-60 feet
- Sturdy tree with deep roots (ideal specimen near patios and sidewalks)
- Tolerant of many soil types
- Drought tolerant (due to the deep roots)
- Typically grows at a moderate pace (13-24 inches per year)
- Dramatic fall colors



Example of a Chinese Pistache in fall

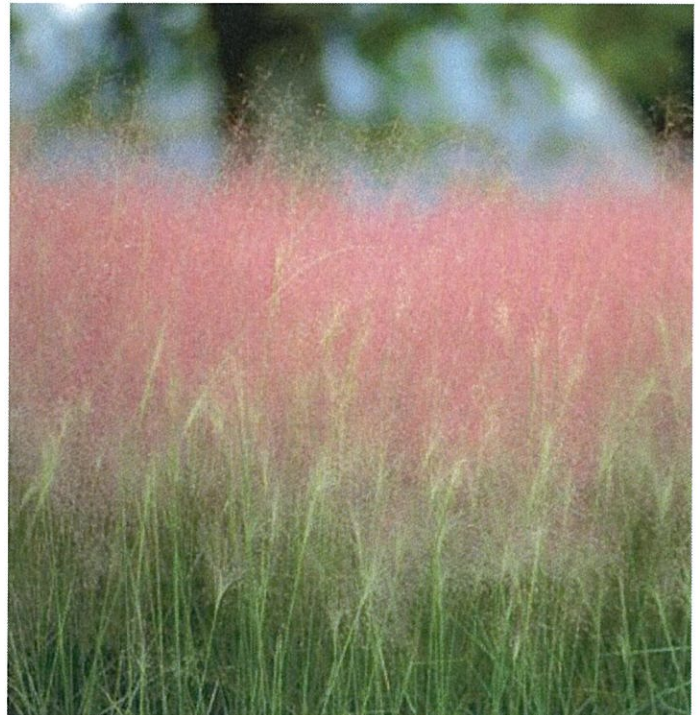




Example of muhlenbergia capillaris

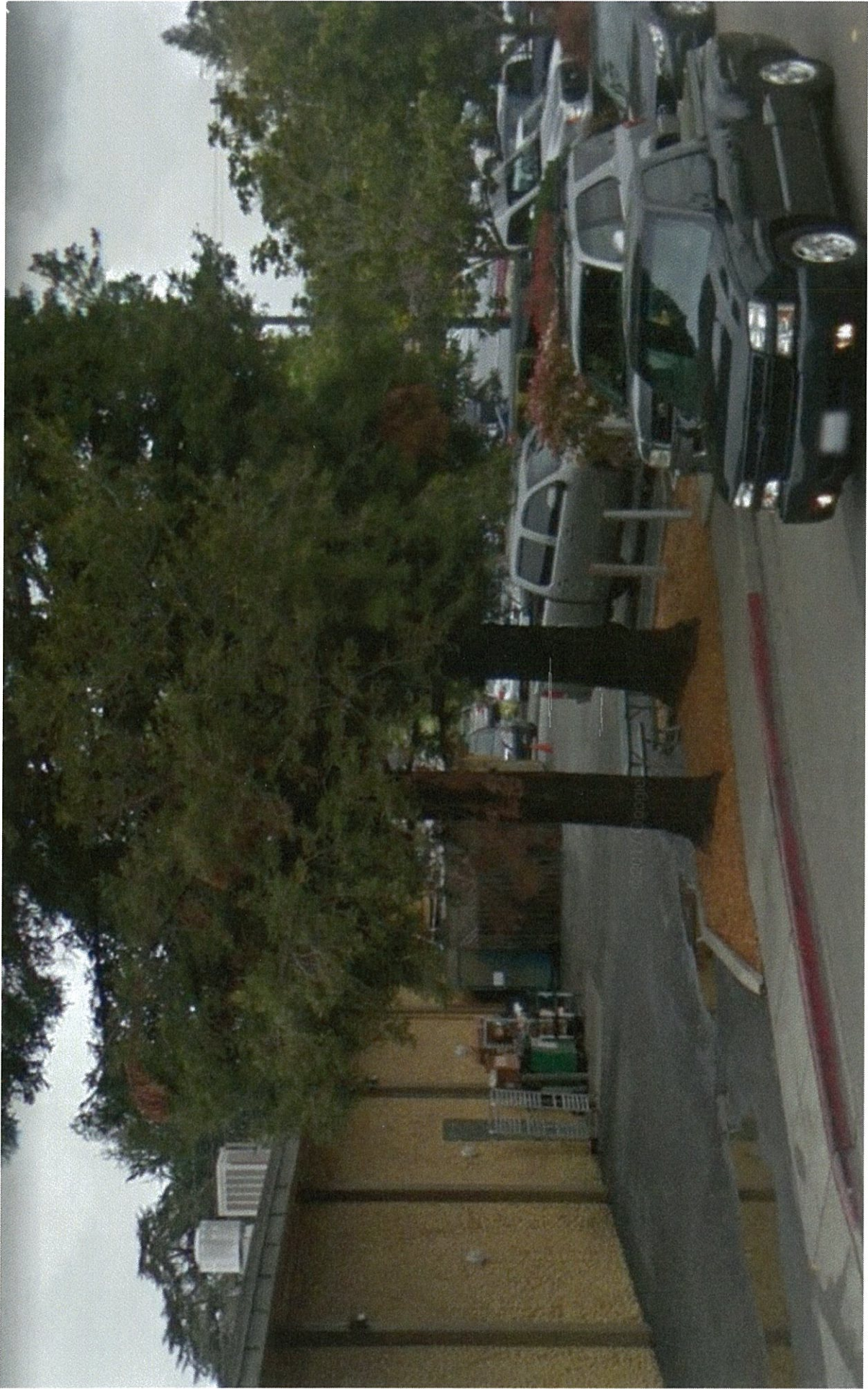
### Characteristics of Muhlenbergia capillaris

- Low Maintenance
- Moderate grower
- Full sun or partial shade
- Grows to around 3'-6" in height
- Has a spread of up to 1'-3"
- Blooms in fall



Example of muhlenbergia capillaris in bloom

RECEIVED  
AUG 30 2017



Existing Planter

RECEIVED  
AUG 30 2017  
E.M.



Existing Plantings on site

REVISED  
AUG 30 2017

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## City of Sebastopol Planning Department

Meeting Date: August 16, 2017  
Agenda Item No.: 8A  
To: Tree Board  
From: Dana Morrison, Assistant Planner  
Subject: Tree Removal Permit  
Recommendation: Approval with Conditions  
Applicant/Owner: Sandborn Tree Services / Don Strouzas: Fiesta 116  
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Address: 550 Gravenstein Highway North  
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### **Introduction:**

This is a continuation of a Tree Removal Permit application, requesting approval to remove two trees that are located on the south side of the west driveway to Pacific Market, along Covert Lane in Sebastopol, California. This application is subject to Tree Board approval because it involves the proposed removal of two Protected Native trees each with a diameter at breast height that exceeds 10 inches and are located on a commercial property. This item was continued after the first meeting on July 19, 2017 when the Board determined that more information was needed regarding alternatives to removal, costs of repairs and future potential of the trees before a final determination could be made.

### **Project Description:**

This is a continuation of an application for the approval of a Tree Removal Permit for two Coast Redwood (*Sequoia sempervirens*) trees located at 550 Gravenstein Highway North. The trees are located on the south western side of the Pacific Market property. The applicant is seeking a Tree Removal Permit because roots of the two trees have been consistently causing damage to the concrete sidewalk. The two trees have diameters that are approximately 22.3" and 27.5" each. There are two arborist reports attached to this report, outlining the rationale for the removal of these trees.

The Board specifically requested information regarding the following:

-Past repair costs which have been incurred: According to the property owner repair of the sidewalk was required between 12-15 years ago, the cost of the repair was approximately \$3500. Allen Winters, was the contract who was hired to repair the sidewalk 12-15 years ago; and he will be completing the new repair as well. Mr. Winters spoke with staff of his discussions with the property owner, Don Strouzas. Mr. Winters stated that he spoke at length with the Mr. Strouzas regarding mitigation measures that could be taken to keep the trees. Mr. Strouzas original intent was to attempt to keep the two trees however, with the roots causing problems such a short time after the original repair, Mr. Winters recommend removal of the trees to save the owner from having to repeat this process in another 10-15 years. Please see the letter from the owner of the property, Don Strouzas, for more detail.

-Future prospects of the trees and is there possibility of the sidewalk repair damaging the trees: During both of her site visits the City Arborist found that the two trees were healthy. In her report dated August 8, 2017, she stated that alternatives could be utilized to replacing the trees; however, this would not eliminate the problem of roots eventually damaging the curb and gutter, street and parking lot paving. In further communications with staff the City Arborist stated that: "For all intents and purposes the redwoods have already outgrown their planter. That species should never have been specified there (35+ years ago). They are young trees and even if the sidewalk is replaced with diamond plate steel panels, their roots will continue to damage street paving, curb and gutter, and interior driveway and parking area paving, and possibly interior plumbing as already accused. If the sidewalk is simply removed and replaced with steel plates, there will probably be no damage to their roots or above ground trunks or branches. And the sidewalk will probably not have to be replaced again for many years, though the other damage will continue."

-City standards and requirements for sidewalk repair: The standards and requirements for sidewalks have been included in this staff report. Any new sidewalk, bulb out, or steel plates would be required to meet these standards, in addition to any ADA requirements.

- Potential Costs for main options:

1. *Removal of the two trees:* Sandborn Tree Services has provided a copy of the tree removal estimate provided to the property owner on 5-25-2017. The estimated cost for the removal of the two trees is \$2860. This does not include the cost of an Encroachment Permit (\$380) and any sidewalk repair.

2. *Not removing the two trees and requiring replacement of the sidewalk to address the current issues; repeating the process as the need arises in the future:* City staff called local construction agencies to receive cost estimates for sidewalk repair. A similar project, soon to be conducted at 971 Litchfield Avenue, requires the removal of roots, infill of the root voids and re-pouring of approximately 45 feet of sidewalk (4 ½ feet wide). The estimated cost for the Litchfield repair is \$5300, which does not include the \$380 fee for an encroachment permit. The cost for the repair of the sidewalk relating to the Fiesta Tree Removal permit will likely cost a similar amount, as it will require the installation of root barriers to protect the Market's wall and plumbing. In addition,

it will be inevitable that the sidewalk and parking lot will require continued repair and replacement down the line if the trees are not permitted for removal. The cost for mitigation will substantially exceed the cost of removal.

3. *Creating a bulb out:* Cost estimates regarding the bulb-out were not provided to staff as the owner of the property felt a bulb-out “would likely hinder access to this driveway (*the main delivery entrance for the market*) for the larger trucks that often have a difficult time maneuvering the current driveway.” The scope of a project like this would require substantial further review and discussion regarding the loss of a public parking space, application processes for creating a bulb-out, hiring an engineer to design the proposed project, and review by the Planning Commission. In addition, while this proposal does provide a temporary solution, the tree roots will continue to grow and eventually out-grow the designated parklet space, leading to yet further repairs costs down the line. Owner letter is attached to this staff report.

**Public Comment:**

Jenny Rose, Lorie Golden, Nadia Winstead, and Maria (last name unknown), all residents of Sebastopol, have contacted the Planning Department to express their concern and opposition to the removal of these two trees. All have stated that they feel that other mitigation measures could be taken to address the sidewalk issue. A number of members from the public attended the Tree Board meeting of July 19, 2017 and spoke during the public comment portion to state that they were against the removal of the two trees; one member of the public stated that he would feel more comfortable with the removal if there was an increase in the number of replacement trees required.

**City Departmental Comment:**

Becky Duckles, the City Arborist, reviewed the application, conducted a site visit, and prepared an Arborist Report on June 26, 2017. On August 3<sup>rd</sup>, 2017 the City Arborist and Public Works Superintendent, Dante Del Prete, visited the site to assess the feasibility of alternatives to removal of the two coastal redwoods. Both reports are attached and their findings are reflected in the following sections of this staff report: Tree Protection Ordinance Consistency, Analysis, Recommendation and Findings.

**Environmental Consistency:**

The application is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The subject trees are located on a commercial lot, which is already developed and contains a number of businesses. There would be no change to these uses. The proposed tree removals will result in a minor alteration to existing topographical features. Replacement landscaping could be provided.

### **Requirements for Tree Removal Permit:**

Section 8.12.060.D of the Tree Protection Ordinance states that a Tree Removal Permit may be approved when at least one of the following conditions has been verified by an ISA Certified Arborist:

1. *The tree is diseased or structurally unsound and, as a result, is likely to become a significant hazard to life or property within the next two (2) years.*

This condition does not apply.

2. *The tree poses a likely foreseeable threat to life or property which cannot be reasonably mitigated through pruning, root barriers, or other management methods.*

The City Arborist found that the trees' roots are damaging the concrete sidewalk. Possible damage has also been reported to the market wall and plumbing. While no photographic evidence has been submitted to show the damage, the property owner has submitted a letter which mentions the damage cause by the roots of the two trees. Pruning and root barriers are an option to mitigate the current issues caused by the tree roots, however the property owner has already paid for mitigation 12-15 years ago, and additional expense is foreseeable if removal is not permitted.

The application is consistent with this condition.

3. *The property owner can demonstrate that there are unreasonably onerous recurring maintenance issues, which are deemed necessary for safety or protection of property. The property is responsible for providing documentation to support such a claim.*

The property owner has provided photo documentation showing that the subject trees are damaging the existing sidewalk. The City Arborist documented the damage done to the sidewalk, and noted that the roots will likely cause more damage, causing recurring maintenance issues.

The property owner confirmed that the roots have caused similar damage between 12-15 years ago, which resulted in the property owner having to remove and replace a portion of the sidewalk. According to the property owner the repair costs were approximately \$3500.

City staff contacted local concrete construction agencies to attain estimates on the possible cost of repairing and replacing the existing sidewalk. A project with a similar scope is currently being overseen by Von Renner Construction for a property along Litchfield Avenue, in Sebastopol. The project involves the removal of 45 feet of sidewalk, approximately 4 ½ feet wide. The process includes removal of roots from the sidewalk, infill of the voids left by the roots with base rock, and the pouring of new concrete slabs. The estimate for this project, which does not include the fee \$380 for an Encroachment permit, and does not include the installation of root barriers, is \$5300. Regardless of the trees being approved for removal, the damaged sidewalk will require replacement. However, if the trees are not removed and alternatives methods are used, such as: installing diamond plate steel panels, or creating a bulb out,

then the property owner will incur further repair costs as the trees continue to outgrow their planter well into the foreseeable future.

The application is consistent with this provision.

4. *A situation exists or is proposed in which structures or improvements, including, but not limited to, building additions, second units, swimming pools, and solar energy systems, such as solar panels, cannot be reasonably designed or altered to avoid the need for tree removal.*

This condition does not apply.

5. *The tree has matured to such an extent that they are out of scale with adjacent structures and utilities, or with other landscape features.*

The City Arborist found that the trees are planted in an area that is too small, and that the roots of the two trees are causing damage to the concrete walkway; thus they are out of scale with the area available for landscape features. As the trees continue to grow, at a pace that is among the fastest on earth, they will only become more out of scale with adjacent structures and utilities.

The application is consistent with this condition.

#### **Public Notification of Tree Removal:**

*Section 8.12.060.F: Trees proposed for removal shall be marked by City staff with a form prescribed by the City. Notice of a Tree Removal Permit application shall be posted on the subject parcel, and in at least two public places within 300 feet of the affected trees, at least ten (10) calendar days prior to the date of the Sebastopol Tree Board meeting at which the application will be considered.*

The proposed tree removal was properly noticed at least ten (10) days before the Tree Board meeting with one notice being posted on the subject tree and two notices being posted at two public places within 300 feet on August 3, 2017, which was twenty (13) days prior to meeting of August 16, 2017.

The application is consistent with this requirement.

#### **Analysis:**

The application is consistent with three of the five conditions outlined in the Tree Protection Ordinance, which only requires consistency with one condition to merit a Tree Removal Permit. While trees are a valuable commodity and treasured resource within the City of Sebastopol, requiring the property owner to incur further costs with continued repair and maintenance of the sidewalk, or development of a parklet is onerous. While the need for removal of these trees is unfortunate, it drives home the point that appropriate trees need to be selected when proposing a development or landscaping project. Sadly, in this instance, one of the fastest growing and largest trees species were selected to be planted in a space not large enough to accommodate their future growth. The Board will need to determine if the continued maintenance costs to the property owner are reasonable when the removal of the subject trees would create an opportunity to select and plant replacement trees which are more compatible with the existing site.

**Recommendation:**

If it is the consensus of the Tree Board that the subject tree warrants a Tree Removal Permit, staff recommends that the application be approved based on the facts, findings, and analysis set forth in this staff report, and subject to the conditions of approval outlined.

**Findings:**

**Finding for Tree Removal Permit, Application No. 2017-43; 550 Gravenstein Highway North, for approval to remove two Coast redwood trees:**

1. That the application is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination in that the proposed tree removal will not alter the existing commercial use, will not alter grade, and would constitute a minor alteration to existing topographical features, and will include replacement landscaping.
2. That the application is consistent with Section 8.12.060.F of the Tree Protection Ordinance in that the proposed tree removal was properly noticed at least ten (10) days before the Tree Board meeting with one notice being posted on the subject tree and two notices being posted at two public places within 300 feet on August 3, 2017, which was twenty (13) days prior to meeting of August 16, 2017.
3. That the application is consistent with Section 8.12.060.D of the Tree Protection Ordinance in that the subject trees roots have created a trip hazard, and cracked the adjacent curb and paving. Coast redwoods are fast growing and are capable of achieving large height, girth, and spread. In that both trees are young and will continue to grow and will outgrow the 5' planter in which they were planted, they are likely to continue to cause damage to the sidewalk. The property owner has provided photo documentation that the subject trees are damaging the existing sidewalk, and indicated through a written statement (conducted by an ISA certified Arborist) that its roots pose a threat to the concrete sidewalk and pavement. The City Arborist documented the damage done to the sidewalk, and noted that the roots will likely cause more structural damage. The application is consistent with 3 of the 5 conditions outlined in the Tree Protection Ordinance as set forth in the staff report, including requirements 2, 3 and 5, which only requires consistency with one condition to grant a Tree Removal Permit.

**Conditions:**

1. The Tree Removal Permit shall be valid for a period of three (3) years.
2. An encroachment permit may be required prior to the removal of the trees. Please contact the Engineering Department prior to installation if work will be performed, or materials placed, in the public right-of-way. The phone number for the Engineering Department is 823-2151.
3. Within 45 days from this letter, the applicant shall plant two (2) on-site replacement trees of a type and number approved by the City Arborist for each protected tree. A site plan

indicating the replacement trees, and/or receipts of the trees shall be submitted to the Planning Department upon tree replacement approval and selection. Alternatively, the applicant may opt to allow the City to retain the per-tree replacement deposit of \$150.00, which will be transferred into the City's Tree Fund.

**Attachments:**

- Tree Removal Permit Application and Checklist
- Location Map
- Site Photographs
- Sandborn Arborist Report
- City Arborist Report June 26, 2017 and August 8, 2017; communications with staff
- Property owner letter
- Tree removal estimate from Sandborn Tree Service
- City standards and requirements for curb, gutter and sidewalk

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## City of Sebastopol Planning Department

Meeting Date: August 16, 2017  
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From: Dana Morrison, Assistant Planner  
Subject: Tree Removal Permit  
Recommendation: Approval with Conditions  
Applicant/Owner: Sandborn Tree Services / Don Strouzas: Fiesta 116  
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### **Project Description:**

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The Board specifically requested information regarding the following:

-Past repair costs which have been incurred: According to the property owner repair of the sidewalk was required between 12-15 years ago, the cost of the repair was approximately \$3500. Allen Winters, was the contract who was hired to repair the sidewalk 12-15 years ago; and he will be completing the new repair as well. Mr. Winters spoke with staff of his discussions with the property owner, Don Strouzas. Mr. Winters stated that he spoke at length with the Mr. Strouzas regarding mitigation measures that could be taken to keep the trees. Mr. Strouzas original intent was to attempt to keep the two trees however, with the roots causing problems such a short time after the original repair, Mr. Winters recommend removal of the trees to save the owner from having to repeat this process in another 10-15 years. Please see the letter from the owner of the property, Don Strouzas, for more detail.

-Future prospects of the trees and is there possibility of the sidewalk repair damaging the trees: During both of her site visits the City Arborist found that the two trees were healthy. In her report dated August 8, 2017, she stated that alternatives could be utilized to replacing the trees; however, this would not eliminate the problem of roots eventually damaging the curb and gutter, street and parking lot paving. In further communications with staff the City Arborist stated that: "For all intents and purposes the redwoods have already outgrown their planter. That species should never have been specified there (35+ years ago). They are young trees and even if the sidewalk is replaced with diamond plate steel panels, their roots will continue to damage street paving, curb and gutter, and interior driveway and parking area paving, and possibly interior plumbing as already accused. If the sidewalk is simply removed and replaced with steel plates, there will probably be no damage to their roots or above ground trunks or branches. And the sidewalk will probably not have to be replaced again for many years, though the other damage will continue."

-City standards and requirements for sidewalk repair: The standards and requirements for sidewalks have been included in this staff report. Any new sidewalk, bulb out, or steel plates would be required to meet these standards, in addition to any ADA requirements.

- Potential Costs for main options:

1. *Removal of the two trees:* Sandborn Tree Services has provided a copy of the tree removal estimate provided to the property owner on 5-25-2017. The estimated cost for the removal of the two trees is \$2860. This does not include the cost of an Encroachment Permit (\$380) and any sidewalk repair.

2. *Not removing the two trees and requiring replacement of the sidewalk to address the current issues; repeating the process as the need arises in the future:* City staff called local construction agencies to receive cost estimates for sidewalk repair. A similar project, soon to be conducted at 971 Litchfield Avenue, requires the removal of roots, infill of the root voids and re-pouring of approximately 45 feet of sidewalk (4 ½ feet wide). The estimated cost for the Litchfield repair is \$5300, which does not include the \$380 fee for an encroachment permit. The cost for the repair of the sidewalk relating to the Fiesta Tree Removal permit will likely cost a similar amount, as it will require the installation of root barriers to protect the Market's wall and plumbing. In addition,

it will be inevitable that the sidewalk and parking lot will require continued repair and replacement down the line if the trees are not permitted for removal. The cost for mitigation will substantially exceed the cost of removal.

3. *Creating a bulb out:* Cost estimates regarding the bulb-out were not provided to staff as the owner of the property felt a bulb-out “would likely hinder access to this driveway (*the main delivery entrance for the market*) for the larger trucks that often have a difficult time maneuvering the current driveway.” The scope of a project like this would require substantial further review and discussion regarding the loss of a public parking space, application processes for creating a bulb-out, hiring an engineer to design the proposed project, and review by the Planning Commission. In addition, while this proposal does provide a temporary solution, the tree roots will continue to grow and eventually out-grow the designated parklet space, leading to yet further repairs costs down the line. Owner letter is attached to this staff report.

**Public Comment:**

Jenny Rose, Lorie Golden, Nadia Winstead, and Maria (last name unknown), all residents of Sebastopol, have contacted the Planning Department to express their concern and opposition to the removal of these two trees. All have stated that they feel that other mitigation measures could be taken to address the sidewalk issue. A number of members from the public attended the Tree Board meeting of July 19, 2017 and spoke during the public comment portion to state that they were against the removal of the two trees; one member of the public stated that he would feel more comfortable with the removal if there was an increase in the number of replacement trees required.

**City Departmental Comment:**

Becky Duckles, the City Arborist, reviewed the application, conducted a site visit, and prepared an Arborist Report on June 26, 2017. On August 3<sup>rd</sup>, 2017 the City Arborist and Public Works Superintendent, Dante Del Prete, visited the site to assess the feasibility of alternatives to removal of the two coastal redwoods. Both reports are attached and their findings are reflected in the following sections of this staff report: Tree Protection Ordinance Consistency, Analysis, Recommendation and Findings.

**Environmental Consistency:**

The application is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The subject trees are located on a commercial lot, which is already developed and contains a number of businesses. There would be no change to these uses. The proposed tree removals will result in a minor alteration to existing topographical features. Replacement landscaping could be provided.

### **Requirements for Tree Removal Permit:**

Section 8.12.060.D of the Tree Protection Ordinance states that a Tree Removal Permit may be approved when at least one of the following conditions has been verified by an ISA Certified Arborist:

1. *The tree is diseased or structurally unsound and, as a result, is likely to become a significant hazard to life or property within the next two (2) years.*

This condition does not apply.

2. *The tree poses a likely foreseeable threat to life or property which cannot be reasonably mitigated through pruning, root barriers, or other management methods.*

The City Arborist found that the trees' roots are damaging the concrete sidewalk. Possible damage has also been reported to the market wall and plumbing. While no photographic evidence has been submitted to show the damage, the property owner has submitted a letter which mentions the damage cause by the roots of the two trees. Pruning and root barriers are an option to mitigate the current issues caused by the tree roots, however the property owner has already paid for mitigation 12-15 years ago, and additional expense is foreseeable if removal is not permitted.

The application is consistent with this condition.

3. *The property owner can demonstrate that there are unreasonably onerous recurring maintenance issues, which are deemed necessary for safety or protection of property. The property is responsible for providing documentation to support such a claim.*

The property owner has provided photo documentation showing that the subject trees are damaging the existing sidewalk. The City Arborist documented the damage done to the sidewalk, and noted that the roots will likely cause more damage, causing recurring maintenance issues.

The property owner confirmed that the roots have caused similar damage between 12-15 years ago, which resulted in the property owner having to remove and replace a portion of the sidewalk. According to the property owner the repair costs were approximately \$3500.

City staff contacted local concrete construction agencies to attain estimates on the possible cost of repairing and replacing the existing sidewalk. A project with a similar scope is currently being overseen by Von Renner Construction for a property along Litchfield Avenue, in Sebastopol. The project involves the removal of 45 feet of sidewalk, approximately 4 ½ feet wide. The process includes removal of roots from the sidewalk, infill of the voids left by the roots with base rock, and the pouring of new concrete slabs. The estimate for this project, which does not include the fee \$380 for an Encroachment permit, and does not include the installation of root barriers, is \$5300. Regardless of the trees being approved for removal, the damaged sidewalk will require replacement. However, if the trees are not removed and alternatives methods are used, such as: installing diamond plate steel panels, or creating a bulb out,

then the property owner will incur further repair costs as the trees continue to outgrow their planter well into the foreseeable future.

The application is consistent with this provision.

4. *A situation exists or is proposed in which structures or improvements, including, but not limited to, building additions, second units, swimming pools, and solar energy systems, such as solar panels, cannot be reasonably designed or altered to avoid the need for tree removal.*

This condition does not apply.

5. *The tree has matured to such an extent that they are out of scale with adjacent structures and utilities, or with other landscape features.*

The City Arborist found that the trees are planted in an area that is too small, and that the roots of the two trees are causing damage to the concrete walkway; thus they are out of scale with the area available for landscape features. As the trees continue to grow, at a pace that is among the fastest on earth, they will only become more out of scale with adjacent structures and utilities.

The application is consistent with this condition.

#### **Public Notification of Tree Removal:**

*Section 8.12.060.F: Trees proposed for removal shall be marked by City staff with a form prescribed by the City. Notice of a Tree Removal Permit application shall be posted on the subject parcel, and in at least two public places within 300 feet of the affected trees, at least ten (10) calendar days prior to the date of the Sebastopol Tree Board meeting at which the application will be considered.*

The proposed tree removal was properly noticed at least ten (10) days before the Tree Board meeting with one notice being posted on the subject tree and two notices being posted at two public places within 300 feet on August 3, 2017, which was twenty (13) days prior to meeting of August 16, 2017.

The application is consistent with this requirement.

#### **Analysis:**

The application is consistent with three of the five conditions outlined in the Tree Protection Ordinance, which only requires consistency with one condition to merit a Tree Removal Permit. While trees are a valuable commodity and treasured resource within the City of Sebastopol, requiring the property owner to incur further costs with continued repair and maintenance of the sidewalk, or development of a parklet is onerous. While the need for removal of these trees is unfortunate, it drives home the point that appropriate trees need to be selected when proposing a development or landscaping project. Sadly, in this instance, one of the fastest growing and largest trees species were selected to be planted in a space not large enough to accommodate their future growth. The Board will need to determine if the continued maintenance costs to the property owner are reasonable when the removal of the subject trees would create an opportunity to select and plant replacement trees which are more compatible with the existing site.

### **Recommendation:**

If it is the consensus of the Tree Board that the subject tree warrants a Tree Removal Permit, staff recommends that the application be approved based on the facts, findings, and analysis set forth in this staff report, and subject to the conditions of approval outlined.

### **Findings:**

#### **Finding for Tree Removal Permit, Application No. 2017-43; 550 Gravenstein Highway North, for approval to remove two Coast redwood trees:**

1. That the application is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination in that the proposed tree removal will not alter the existing commercial use, will not alter grade, and would constitute a minor alteration to existing topographical features, and will include replacement landscaping.
2. That the application is consistent with Section 8.12.060.F of the Tree Protection Ordinance in that the proposed tree removal was properly noticed at least ten (10) days before the Tree Board meeting with one notice being posted on the subject tree and two notices being posted at two public places within 300 feet on August 3, 2017, which was twenty (13) days prior to meeting of August 16, 2017.
3. That the application is consistent with Section 8.12.060.D of the Tree Protection Ordinance in that the subject trees roots have created a trip hazard, and cracked the adjacent curb and paving. Coast redwoods are fast growing and are capable of achieving large height, girth, and spread. In that both trees are young and will continue to grow and will outgrow the 5' planter in which they were planted, they are likely to continue to cause damage to the sidewalk. The property owner has provided photo documentation that the subject trees are damaging the existing sidewalk, and indicated through a written statement (conducted by an ISA certified Arborist) that its roots pose a threat to the concrete sidewalk and pavement. The City Arborist documented the damage done to the sidewalk, and noted that the roots will likely cause more structural damage. The application is consistent with 3 of the 5 conditions outlined in the Tree Protection Ordinance as set forth in the staff report, including requirements 2, 3 and 5, which only requires consistency with one condition to grant a Tree Removal Permit.

### **Conditions:**

1. The Tree Removal Permit shall be valid for a period of three (3) years.
2. An encroachment permit may be required prior to the removal of the trees. Please contact the Engineering Department prior to installation if work will be performed, or materials placed, in the public right-of-way. The phone number for the Engineering Department is 823-2151.
3. Within 45 days from this letter, the applicant shall plant two (2) on-site replacement trees of a type and number approved by the City Arborist for each protected tree. A site plan

indicating the replacement trees, and/or receipts of the trees shall be submitted to the Planning Department upon tree replacement approval and selection. Alternatively, the applicant may opt to allow the City to retain the per-tree replacement deposit of \$150.00, which will be transferred into the City's Tree Fund.

**Attachments:**

- Tree Removal Permit Application and Checklist
- Location Map
- Site Photographs
- Sandborn Arborist Report
- City Arborist Report June 26, 2017 and August 8, 2017; communications with staff
- Property owner letter
- Tree removal estimate from Sandborn Tree Service
- City standards and requirements for curb, gutter and sidewalk



# City of Sebastopol

## TREE REMOVAL PERMIT Application and Checklist

The submittal information shall be provided to the Planning Department. All submittal information shall be presented along with the related fees, and any additional information required by the Planning Department before the application can be accepted as complete.

Planning File #: 2017-43  
 Date Filed: 06.13.17  
 Total Fee Paid: \$ 615  
 Received by: [Signature]  
 Date Application Deemed Complete: \_\_\_\_\_

### PROJECT INFORMATION

ADDRESS: 550 Greenstein Hwy N.  
SEBASTOPOL  
 Applicant's Information

Name: SANDBARA TREE SERVICE, INC  
 Address: 119 MORRIS ST.  
 City, State, Zip: SEBASTOPOL CA  
 Phone #: (707) 823-9144  
 Fax #: 823-1795  
 Email: sandbaratree@gmail.com  
 Signature: [Signature]

Date: 6/7/17

ASSESSOR'S PARCEL #: 004.430.038

### Owner's Information

Name: FIESTA 116  
JOE DON STANOUZAS  
 Address: 4368 VIEWCREST DR.  
 City, State, Zip: OAKLAND, CA 94619  
 Phone #: (510) 531-1423  
 Fax #: (510) 531-1034  
 Email: dstanouzas@comcast.net  
 Signature: [Signature]

I certify that this application is being made with my consent  
 Date: 6-9-2017

| Location Key | Species of Tree                 | Diameter at 4 1/2 feet | Heritage Tree?   | Area where tree is to be removed from? | Reason for Removal                     | Proposed Replacement                                  |
|--------------|---------------------------------|------------------------|--|--|--|---|
| A            | (S. semiperv.)<br>Coast Redwood | 22.3                   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | Planter strip on coast ln.             | Too large / Damage to surrounding area |   |
| B            | (S. semiperv.)<br>Coast Redwood | 27.5                   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | 11                                     |  |   |
| C            |                                 |                        | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |  |  |   |
| D            |                                 |                        | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |  |  |   |
| E            |                                 |                        | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |  |  |   |
| F            | EXAMPLES LISTED BELOW:          |                        | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |  |  |   |
| Sample       | (Q. lobata)<br>Valley Oak       | 22.5"                  | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | Back Yard near existing house          | Large areas of decay in main trunk     | 4-15 Gallon live oaks, 2 here and 2 in the front yard |
| Sample       | (S. semiperv.)                  | Multi trunks           | <input type="checkbox"/> Yes   | Front Yard                             | Root-sprouted;                         | 2-15 gallon   |

Tree Removal Permit - January 2005



|  |               |                  |          |  |                           |                               |
|--|---------------|------------------|----------|--|---------------------------|-------------------------------|
|  | Coast Redwood | 5" – 9" diameter | [xx ] No |  | weak; poor specimen/form. | redwoods @ rear property line |
|--|---------------|------------------|----------|--|---------------------------|-------------------------------|

The submittal information shall be provided to the Planning Department. All submittal information shall be presented along with the Planning Application form, related fees, and any additional information required by the Planning Department before the application can be accepted as complete.

Upon receipt of this information the Planning Department has 30 days in which to determine if the application is complete. Once the application has been deemed complete, the project can be scheduled before the Tree Board. The Tree Board meets on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at Sebastopol City Hall, 7120 Bodega Avenue, Sebastopol, at 4:00 p.m.

The applicant and/or his representative must be present for any meetings. Failure to do so may result in the application being continued.

**Size Limit:** Plans should not be larger than 30" x 42" trimmed. All plans shall be folded into a 9" x 11" size. **Unfolded plans will not be accepted.**

**Scale:** The scale used on submittal plans shall generally be at a 1/8" = 1'0" for the architectural plans, 1" = 20' for site engineering plans. Include a north arrow, the scale and a bar scale on all plans.

- 1. **Application Form:** .....(1)  
Completed and signed by applicant and property owner.
- 2. **Fee:** As defined on the fee schedule listed on the Master Planning Application. Checks should be made payable to the City of Sebastopol.
- 3. **Location Map:** .....(1)  
Indicate the subject parcel(s) and adjacent streets on an 8 1/2" x 11" map.
- 4. **Written Statement** .....(1)  
Written Statement providing a description of tree(s) proposed to be removed.
- 5. **Site Plans:** .....(1 set)  
Clearly show the location of the tree(s) proposed to be removed on the property.
- 6. **Site Photographs:** ..... (1 set)  
Clearly show the views of and from the project, including neighboring development. Include a key map indicating where the pictures were taken from and in what direction they were taken. Label the pictures accordingly. It is often desirable to provide the City with a series of overlapping photographs of the surrounding neighborhood that show a panoramic view. Polaroids or digital photos on a CD are acceptable.

**INDEMNIFICATION AGREEMENT**

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it or otherwise arises out of or in connection with the City's action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

Applicant's Signature Don Strong Date Signed 6-9-17 Planning File No. 2017-43

**NOTE:** The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.



**NOTICE OF MAILING:**

Effective immediately, email addresses or facsimiles will be used for sending out of staff reports and agendas to applicants, their representatives, property owners, and others to be notified if an email address or facsimile number is available.

**Please sign and acknowledge you have been notified of the Notice of Mailing for applications and have provided an email address or fax number.**

Don Strouzas  
Signature

DON STROUZAS  
Printed Name

**Public Notification of Tree Removal**

Trees proposed for removal shall be marked by THE APPLICANT with a form prescribed by the City (attached). Notice of a Tree Removal Permit application shall be posted on the subject parcel on affected tree(s), and in at least two public places within 300 feet of the affected trees, at least ten (10) calendar days prior to the date of the Sebastopol Tree Board meeting at which the application will be considered.

**THIS IS TO CERTIFY THAT I, THE APPLICANT, AM RESPONSIBLE FOR POSTING THE TREE(S) PROPOSED FOR REMOVAL WITH THE ATTACHED FORM WITHIN 5 DAYS OF FILING THIS TREE REMOVAL APPLICATION. FAILURE TO POST THE PROPOSED TREE(S), AS REQUIRED, MAY RESULT IN THE APPLICATION BEING CONTINUED OR DENIED.**

If you need help in posting the proposed tree(s), please contact the Planning Department at 707-823-6167

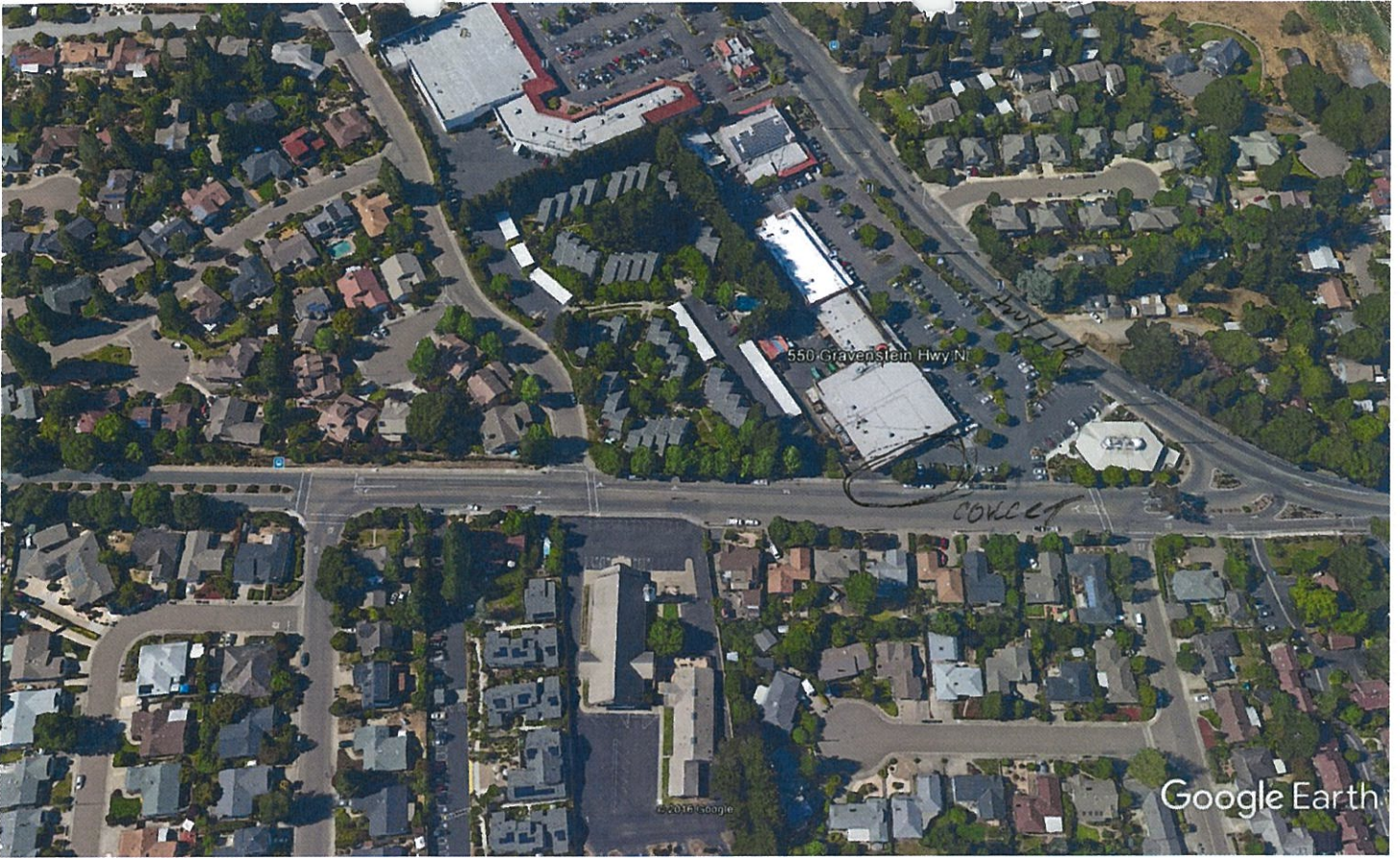
**Please sign and acknowledge you have been notified of the Posting of Tree(s) Requirement**

Don Strouzas  
Signature

DON STROUZAS  
Printed Name



N



Google Earth



RECEIVED  
JUN 13 2017  
BY: *[Signature]*



SACINE TKT

RECEIVED  
JUN 13 2017  
BY: *[Signature]*



*Damage Akr.*

RECEIVED  
JUN 13 2017  
BY: *[Signature]*



Google Earth

feet 10  
meters 4



RECEIVED  
JUN 13 2017  
BY: *[Signature]*

