



City of Sebastopol Design Review Board/Tree Board Staff Report

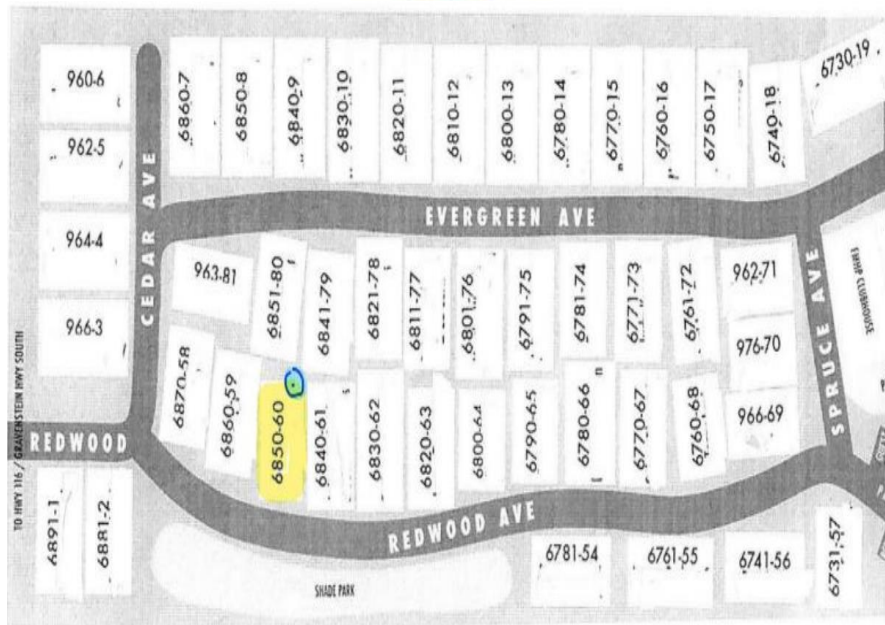
Meeting Date: August 22, 2023
Agenda Item: 7b
To: Tree Board
From: John Jay, Associate Planner
Subject: Tree Removal Permit
Recommendation: Approval with Conditions
Applicant/Owner: Nancy Bean
File Number: 2023-051
Address: 6850 Redwood Avenue
CEQA Status: Categorical Exemption: Section 15301: Class 1
General Plan: High Density Residential (HDR)
Zoning: Residential Mobile Home Park (RMH)

Introduction:

The project applicant is seeking approval from the Tree Board for the removal of a protected Redwood tree at 6850 Redwood Avenue Lot# 60 in the community also known as the Fircrest Mobile Home Park.

Project Description:

The application proposes removal of the following trees: one (1) Redwood tree. The tree proposed for removal is located in the areas as shown in the site photos submitted by the applicant and included as attachments in the report. The applicant is seeking approval to remove the Redwood which is about 68" in diameter, and over 90 feet tall is in the rear yard and is about 20 feet from the mobile home it shares the space with. Trees proposed for replacement are a Japanese Maple tree and a Dogwood tree.



6850 Redwood Ave.

Blue circle indicates location of Redwood tree.

Figure 1 – Photo of Lot location



Figure 2 – Photo of Redwood



Environmental Review:

The proposed tree removal is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301, Class 1 which includes minor alterations to existing topographical features, such as the removal of a tree.

Tree Protection Ordinance Consistency:

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 an International Society of Arboriculture (ISA) Certified Arborist has verified at least one of the following conditions:

- 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.**
- 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.**
- 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 owner is responsible for providing documentation to support such a claim.**
- 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.**
- 5. The tree has matured to such an extent that it is determined to be out of scale with adjacent structures and utilities, or with other landscape features.**

Public Comment:

Notice of a tree removal permit application has been posted on the subject parcel on the trees, and in at least two public places within 300 feet of the affected trees, by the applicant, at least 10 calendar days prior to the date of the Sebastopol Tree Board meeting.

City Departmental Comment:

The Planning Department routed this application to the various city departments and no comments have been provided as part of this report.



Analysis:

Becky Duckles, an ISA Certified Arborist serving as the City Arborist, conducted an evaluation, and prepared an Arborist's Report dated August 7, 2023, attached. In summary of the report states: That while the tree is healthy and not likely to fall, because it towers over the surrounding mobile homes and other trees in the area it is subject to the full force of prevailing winds and winter storms. Becky Duckles mentioned that the Redwood tree has a high probability of dropping branches onto the neighboring homes and vehicles. Due to this, the risk of causing property damage, injury, or death is high. The City Arborist recommends removing the tree that is out of scale with the lot.

Recommendation:

Staff recommends that the Board hear from the applicant, public, deliberate and conditionally approve the removal of the trees based on the facts and findings and analysis set forth in this staff report.

Attachments:

- A. Exhibit A: Findings of Approval
- B. Exhibit B: Conditions of Approval
- C. Application Documents
- D. City Arborist Report

**EXHIBIT A
TREE REMOVAL PERMIT
6850 Redwood Avenue Lot #60
Removal of Protected Trees**

Recommended Findings of Approval

1. That the application is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301, Class 1 which includes minor alterations to existing topographical features, such as the removal of a tree.
2. 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 year in that the City Arborist found that this does not apply.
3. The tree poses a likely foreseeable threat to life or property which cannot be reasonably mitigated through pruning, root barriers, or other management methods does not apply.
4. 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 owner is responsible for providing documentation to support such a claim does not apply.
5. 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 in that the mobile home on the lot is being replaced by a new unit. The large Redwood tree in the rear yard has outgrown its area and is approximately 20' away from the current unit. The City Arborist has stated that the tree is safety risk as it could drop branches on the surrounding structures.
6. The tree has matured to such an extent that it is determined to be out of scale with adjacent structures and utilities, or with other landscape features in that the City Arborist reported that the Redwood tree is looming over nearby buildings and vehicles.

**EXHIBIT B
TREE REMOVAL PERMIT
6850 Redwood Avenue Lot #60
Removal of Protected Trees**

Recommended Conditions of Approval

1. The Tree Removal Permit for the removal of two (2) protected trees, as identified on the site plan, shall be valid for a period of three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
2. The applicant shall plant two (2) onsite replacement trees of a type and number approved by the City Arborist for each removed 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. Alternately, 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.
3. Prior to planting, the applicant shall confirm that replacement trees will be irrigated through an establishment period of 2-3 years and describe the method of irrigation. This information shall be provided to the Planning Department for review and approval.
4. The replacement trees shall be replanted within 12 months of the removal of trees.
5. An Encroachment Permit may be required prior to tree removal. Please contact the Engineering Department prior to removal if work will be performed, or materials placed, in the public right-of-way. The phone number for the Engineering Department is (707) 823-2151.
6. Tree removals shall only take place during the following hours: Monday to Friday, from 7:00 A.M. to 8:00 P.M., and Saturday and Sunday, from 8:00 A.M. to 5:00 P.M. Additionally, no tree shall be removed on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Christmas Day, and Thanksgiving Day.
7. Any replacement trees that will reach a height greater than 20 feet at maturity shall not be planted within 20 feet (measured horizontally) of overhead utility lines.



City of Sebastopol

Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472
(707) 823-6167

MASTER PLANNING APPLICATION FORM

APPLICATION TYPE

- Administrative Permit Review
Alcohol Use Permit/ABC Transfer
Conditional Use Permit
Design Review
Lot Line Adjustment/Merger
Preapplication Conference
Preliminary Review
Sign Permit
Temporary Use Permit
Tree Removal Permit
Variance
Other

This application includes the checklist(s) or supplement form(s) for the type of permit requested: [X] Yes [] No

REVIEW/HEARING BODIES

- Staff/Admin [X] Design Review/Tree Board [] Planning Commission [] City Council [] Other

APPLICATION FOR

Street Address: 6850 Redwood Ave., Sebastopol CA Assessor's Parcel No(s): 800-055-577-000
Present Use of Property: Residential / Rental Zoning/General Plan Designation: Residential

APPLICANT INFORMATION

Property Owner Name: WRM Sonoma Holdings, LLC dba Fircrest MHP
Mailing Address: 871 38th Ave. Phone: 831-475-0335
City/State/ZIP: Santa Cruz, CA 95062 Email: scott@evans-management.com
Signature: [Signature] Date: 8/7/23
Authorized Agent/Applicant Name: Nancy Bean
Mailing Address: 965 Gravenstein Hwy. So. Phone: 707-758-5275
City/State/ZIP: Sebastopol, CA 95472 Email: fircrest@evans-management.com
Signature: [Signature] Date: 8/7/2023
Contact Name (if different from above): Phone/Email:

PROJECT DESCRIPTION AND PERMITS REQUESTED (ATTACH ADDITIONAL PAGES IF NECESSARY)

This is a request for a permit to remove an ~80 redwood tree. The City's arborist, along with three different tree companies/arborist, agreed that the tree had outgrown its space; was not stable, was a hazard to life and property, would create a financial hardship to maintain if it were kept, but reduced in size, and ultimately needed to be removed.

CITY USE ONLY

Fill out upon receipt: Application Date, Planning File #, Received By, Fee(s), Completeness Date, Action: Staff/Admin, Planning Director, Design Review/Tree Board, Planning Commission, City Council, Action Date:

SITE DATA TABLE

If an item is not applicable to your project, please indicate "Not Applicable" or "N/A" in the appropriate box; do not leave cells blank.

SITE DATA TABLE	REQUIRED / ZONING STANDARD	EXISTING	PROPOSED
Zoning	N/A		
Use	N/A		
Lot Size			
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>			
Floor Area Ratio (F.A.R)	_____ FAR	_____ FAR	_____ FAR
Lot Coverage	_____ % of lot	_____ % of lot	_____ % of lot
	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.
Parking			
Building Height			
Number of Stories			
Building Setbacks – Primary			
Front			
Secondary Front Yard (corner lots)			
Side – Interior			
Rear			
Building Setbacks – Accessory			
Front			
Secondary Front Yard (corner lots)			
Side – Interior			
Rear			
Special Setbacks (if applicable)			
Other (_____)			
Number of Residential Units	_____ Dwelling Unit(s)	_____ Dwelling Unit(s)	_____ Dwelling Unit(s)
Residential Density	1 unit per _____ sq. ft.	1 unit per _____ sq. ft.	1 unit per _____ sq. ft.
Useable Open Space	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.
Grading	Grading should be minimized to the extent feasible to reflect existing topography and protect significant site features, including trees.	N/A	Total: _____ cu. yds. Cut: _____ cu. yds. Fill: _____ cu. yds. Off-Haul: _____ cu. yds
Impervious Surface Area	N/A	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.
Pervious Surface Area	N/A	_____ % of lot _____ sq. ft.	_____ % of lot _____ sq. ft.

CONDITIONS OF APPLICATION

1. All Materials submitted in conjunction with this form shall be considered a part of this application.
2. This application will not be considered filed and processing may not be initiated until the Planning Department determines that the submittal is complete with all necessary information and is "accepted as complete." The City will notify the applicant of all application deficiencies no later than 30 days following application submittal.
3. The property owner authorizes the listed authorized agent(s)/contact(s) to appear before the City Council, Planning Commission, Design Review/Tree Board and Planning Director and to file applications, plans, and other information on the owner's behalf.
4. The Owner shall inform the Planning Department in writing of any changes.
5. **INDEMNIFICATION AGREEMENT:** As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards, committees 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.

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.

6. **REPRODUCTION AND CIRCULATION OF PLANS:** I hereby authorize the Planning Department to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.
7. **NOTICE OF MAILING:** Email addresses will be used for sending out staff reports and agendas to applicants, their representatives, property owners, and others to be notified.
8. **DEPOSIT ACCOUNT INFORMATION:** Rather than flat fees, some applications require a 'Deposit'. The initial deposit amount is based on typical processing costs. However, each application is different and will experience different costs. The City staff and City consultant time, in addition to other permit processing costs, (i.e., legal advertisements and copying costs are charged against the application deposit). If charges exceed the initial deposit, the applicant will receive billing from the City's Finance department. If at the end of the application process, charges are less than the deposit, the City Finance department will refund the remaining monies. Deposit accounts will be held open for up to 90 days after action or withdrawal for the City to complete any miscellaneous clean up items and to account for all project related costs.
9. **NOTICE OF ORDINANCE/PLAN MODIFICATIONS:** Pursuant to Government Code Section 65945(a), please indicate, by checking the boxes below, if you would like to receive a notice from the City of any proposal to adopt or amend any of the following plans or ordinances if the City determines that the proposal is reasonably related to your request for a development permit:

- | | |
|---|---|
| <input type="checkbox"/> A general plan | <input type="checkbox"/> A specific plan |
| <input type="checkbox"/> An ordinance affecting building permits or grading permits | <input type="checkbox"/> A zoning ordinance |

Certification

I, the undersigned owner of the subject property, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury. I hereby grant members of the Planning Commission, Design Review Board and City Staff admittance to the subject property as necessary for processing of the project application.

Property Owner's Signature:  Date: 8/7/23

I, the undersigned applicant, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury.

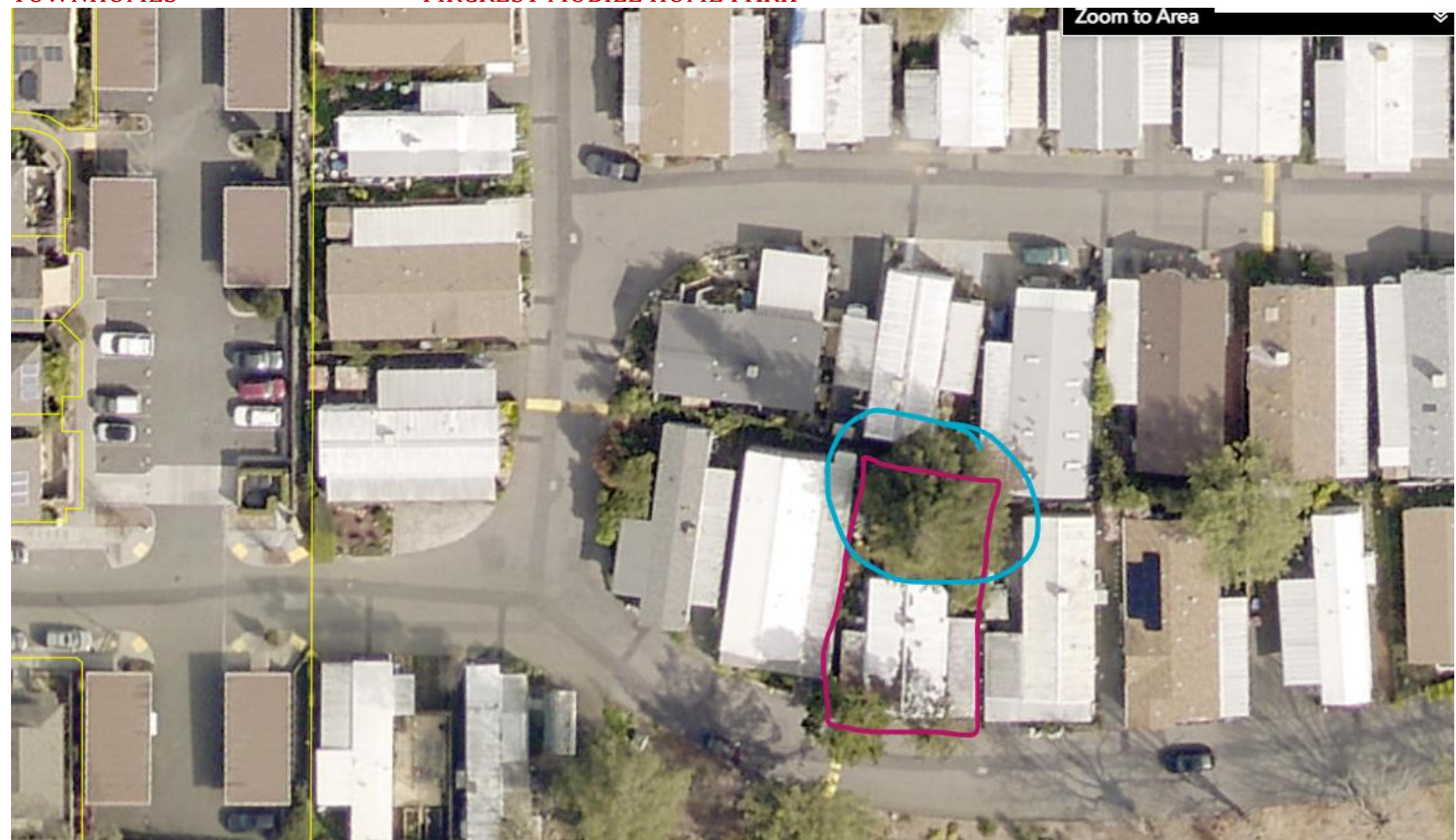
Applicant's Signature:  Date: 8/7/2023

NOTE: It is the responsibility of the applicant and their representatives to be aware of and abide by City laws and policies. City staff, Boards, Commissions, and the City Council will review applications as required by law; however, the applicant has responsibility for determining and following applicable regulations.



HOLLYHOCK
TOWNHOMES

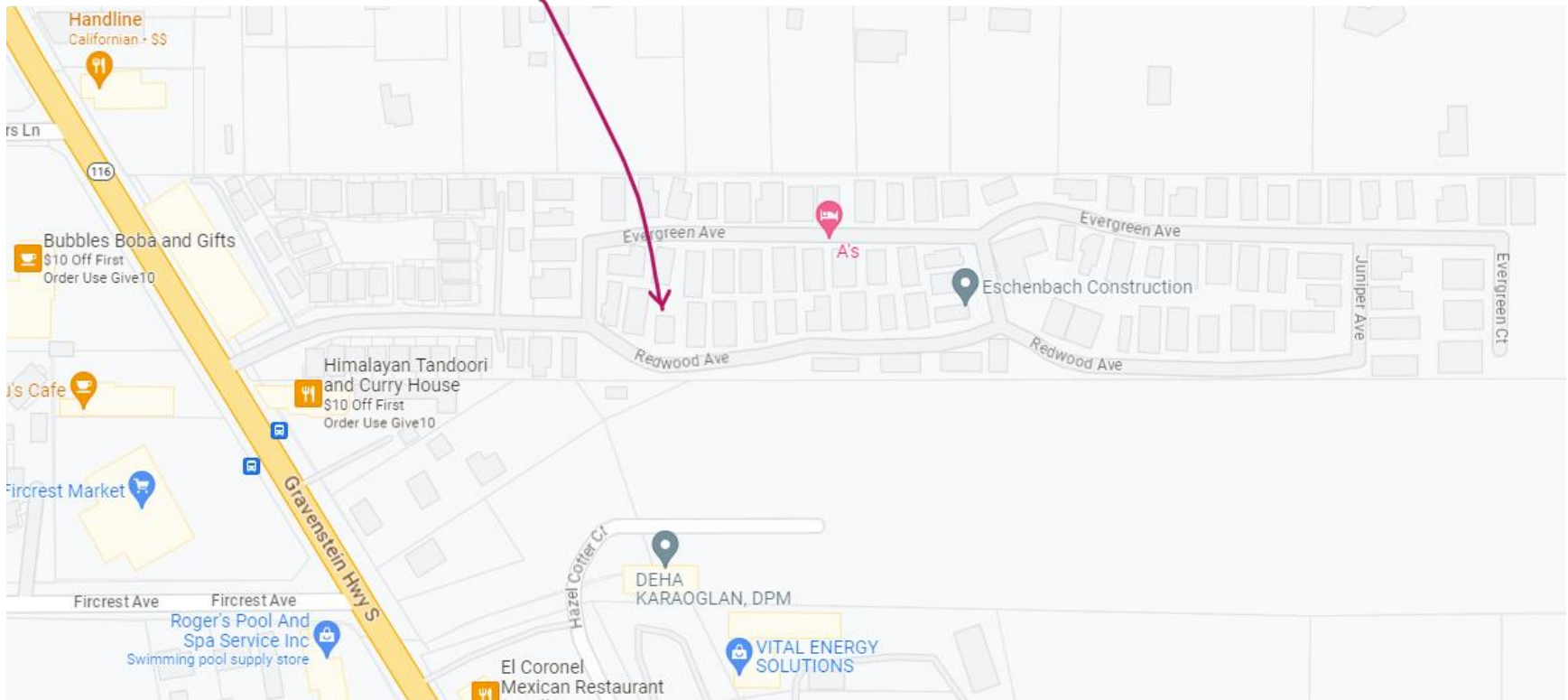
FIRCREST MOBILE HOME PARK



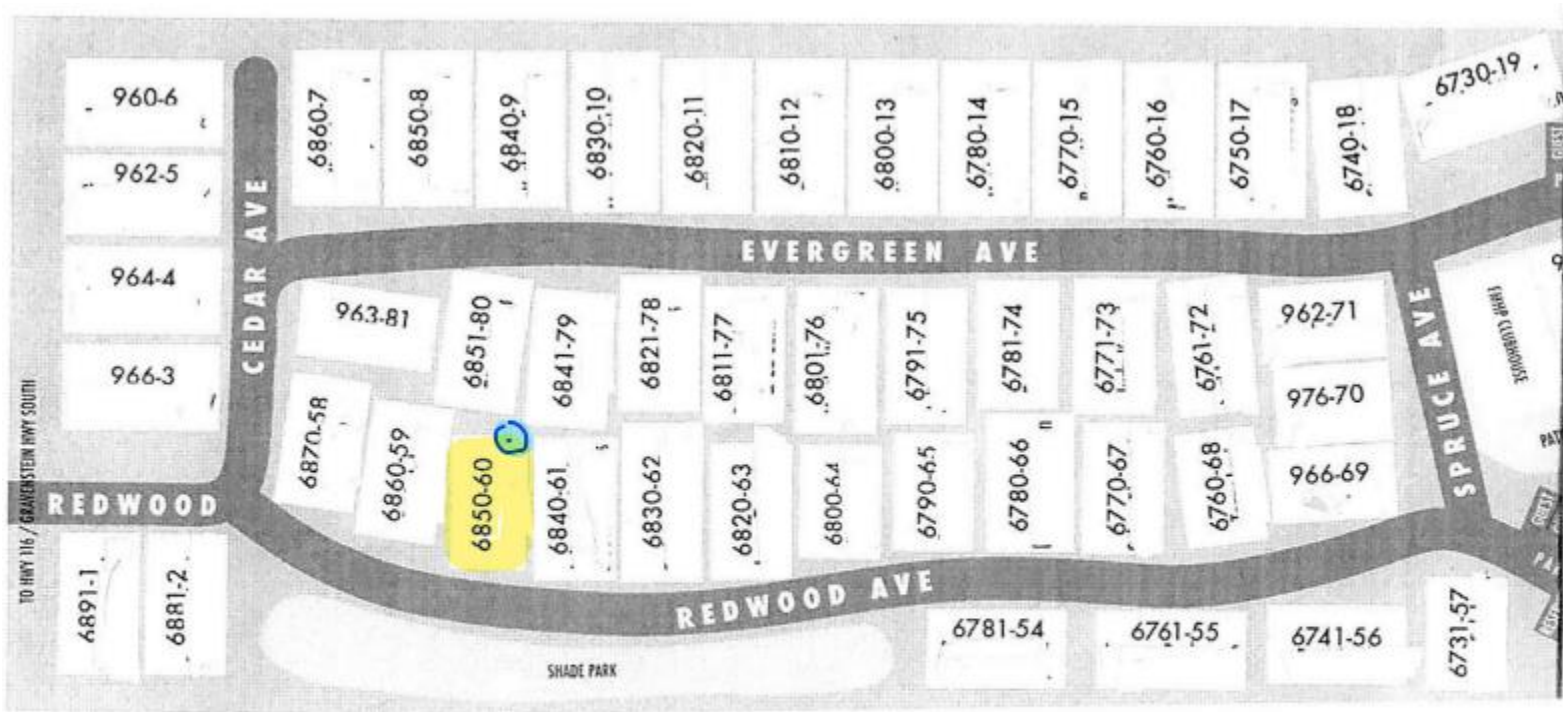
6850 REDWOOD AVE., LOT #60
~80' REDWOOD TREE

TREE REMOVAL PERMIT SUBMITTAL - PHOTOS
6850 REDWOOD AVE. (FIRCREST MHP), SEBASTOPOL

LOT #60 - 6850 REDWOOD AVENUE



TREE REMOVAL PERMIT SUBMITTAL - PHOTOS
6850 REDWOOD AVE. (FIRCREST MHP), SEBASTOPOL



6850 Redwood Ave.

Blue circle indicates location of Redwood tree.

Photos #1 & 2: Front (South side) of 6850 Redwood - Looking North



#3: Looking S/W from Evergreen Ave.
Note the (5) ~40' suckers from where the tree was topped.



TREE REMOVAL PERMIT SUBMITTAL - PHOTOS
6850 REDWOOD AVE. (FIRCREST MHP), SEBASTOPOL

#4: Looking North from S/W corner.



#5: View of tree's proximity to west neighbor at 6860 Redwood.



#6: Looking West from 6770 Redwood - 7 lots east of 6850



#7: Looking West from 6740 Evergreen Ave. (at Spruce Ave.)



#8: Rear yard (north side) of 6850 standing in front of tree facing N/E corner of lot



Tree sits on North lot line of South side of 6851 Evergreen Ave.

Base growth extends 5' out from trunk

#9: Rear yard of 6850 Redwood facing N/W corner of lot



Park Description

Fircrest Mobile Home Park is an 87-unit housing development on 17 acres of private land located at the south end of the town center. It rests on the east side of Highway 116 and east of the Hollyhock Townhomes with the address of 965 Gravenstein Hwy. So. Each lot has its own individual address and assigned lot number. The residential portion of the property is mixed with older mobile homes and newer manufactured homes with common areas in various locations. East of the residential portion of the property is undeveloped wildland stretching into the Laguna De Santa Rosa and, further east into State Fish & Wildlife property.

Location of Requested Tree Removal

6850 Redwood Avenue, Lot #60, is situated near the Park entrance across from a common area with trees, foliage, and benches. 6850 Redwood Ave. faces south with the rear of the lot to the north. The lot is approximately 50' wide at the street and 45' wide at the north lot line. Measuring from the east side of the lot, it is approximately 70' deep from the street to the rear/north lot line. At approximately 50' north of the driveway at Redwood Ave, and behind the existing mobile home, a Redwood tree stands at about 80' in height and 6' in diameter at the 4' mark of the trunk. The tree extends 3' over the north lot line into the south side of the lot at 6851 Evergreen Avenue. The tree trunk is approximately 13' from the east lot line with neighboring 6840 Redwood Avenue/Lot #61. And it is approximately 24' from the west lot line with neighboring 6860 Redwood Avenue/Lot #59. There are suckers stemming out from the base of the tree in a circumference of about 4'-5'.

Current and Proposed Uses

Currently: Lot #60 at 6850 Redwood Avenue is vacant and abandoned. The registered owner drowned in the Park's pool in June 2022 and was estranged from his family. The Park management has completed the legal process of filing for property abandonment, sale, purchase, and submitted documents for the transfer of title and for a salvaged title.

The City's contracted arborist Becky Duckles conducted a site review on Wednesday, July 19, 2023, at 3:30 p.m. and sent an email on Thursday, July 20, 2023, at 2:13 p.m. stating the following:

"I... met with you... to determine the status of the tree and agreed that it is justified for removal and that I will write a summary with my observations next week."

During the site review, Ms. Duckles informed me that: The tree is structurally unsound. It has outgrown its space. It was not properly maintained after being topped at 40' and consequently 5 suckers grew an additional 40' thus weakening the tree and making it a hazard to life and property.

Proposed: An agreement has been completed with a new tenant for 6850 Redwood Ave. A new home will be installed. The sequence of events are as follows:

1. Removal of the abandoned vehicle.
2. Removal of the unit and all its contents and everything on the lot.
3. Removal of the Redwood tree while equipment can access the tree in a safe manner.
4. Bring the excavation company back to prepare the site for a new home, including cutting of remaining roots from the redwood tree.
5. Install a new unit with a new tenant on lot #60

BECKY DUCKLES
CONSULTING ARBORIST & LANDSCAPE ADVISOR
SEBASTOPOL, CA.
707.829.0555 PH

6850 Redwood Ave. - Sebastopol
August 7, 2023

The Sebastopol Planning Dept. and the property manager of this mobile home park, Nancy Bean asked me to do a preliminary evaluation of a large coast redwood in the rear yard of a mobile home at the above address. I visited the site on July 19th and met with the property manager.

A very large, mature, coast redwood (*Sequoia sempervirens*) is growing in the very small backyard near the property line on the north side. It's relatively healthy, and towers over the surrounding mobile homes, including the one on this lot which is about 20' from the tree. It is approximately 90' tall and estimated 68" dbh, with many basal sprouts (suckers) growing from the base, and dominates the whole rear yard. It far exceeds the height of any neighboring trees, so it is subject to the full force of prevailing winds and winter storms.

Though the whole tree is not likely to fall, the probability of branches breaking off and falling on this or neighboring homes is high. They are likely to cause damage to the roofs, homes, vehicles, and possible injury or death. It is clearly out of scale with the lot and the adjacent homes, and should be removed.

Respectfully submitted,

Becky Duckles

Becky Duckles, City Arborist & Landscape Consultant