



City of Sebastopol Design Review Board/Tree Board Staff Report

Meeting Date: December 17, 2024
Agenda Item: 6A
To: Design Review & Tree Board
From: John Jay, Associate Planner
Subject: Tree Removal
Recommendation: Approval with conditions
Applicant/Owner: Seth Hanley
File Number: 2024-051
Address: 426 West Street
CEQA Status: Exempt
General Plan: High Density Residential (HDR)
Zoning: Single Family and Multifamily Residential (R6)

Introduction:

The project applicant is seeking approval from the Tree Board for the removal of one (1) Coast Live Oak tree at 426 West Street. The tree is 26 inches in diameter breast height. Per Sebastopol Municipal Code section 8.12.060 protected native trees measuring more than 10" in diameter breast height (DBH) in multifamily and commercial zones require the review and approval of the Design Review Board.

Project Description:

The applicant has applied for a tree removal permit for a Douglas Fir tree due to concerns that it leans over significantly toward an adjacent property, splits in the trunk, and that it exhibits wounds with internal rot.

Environmental Review:

The proposed tree removal is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15304, Class 4 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:

As of writing this report, the Planning Department has not received any public comments regarding the removal of this tree.

City Departmental Comment:

The proposal was routed out to the various City Departments and no comments were provided.

Analysis:

Ben Anderson, an ISA Certified Arborist serving as the City Arborist, reviewed the application, conducted a site visit, and prepared an Arborist's Report dated November 1st, 2024, attached. In summary, the report stated that the decay cavity in the lower trunk is a substantial structural defect and likely point of failure which would cause significant property damage to the adjacent home. The report mentions a mitigation measure of regular pruning to maintain clearance from the neighboring house and roof, but that removal would be reasonable given the structural defect and the dominance of the remaining oak. There is a nearby Coastal Live Oak that towers over the subject tree and is dominating the canopy, however, the City Arborist stated that there was minimal risk of infection spreading to that adjacent tree. The Arborist also mentioned that due to the size and positioning of the adjacent Coast Live Oak, if the subject tree were to be removed, the risk of an increase to susceptibility to wind exposure was also low.

Regarding the Coastal Live Oak, the applicant has observed not only wounds that display internal rot but a general lack of tree maintenance over the years that has resulted in its proximity to the adjacent neighbor's roofline. The applicant has surmised that the level of trimming that the Coastal Live Oak will need, would remove the majority of the tree's bulk, which may cause additional issues to the tree that would impact its future growth. As part of the application an Arborist report was provided by Merlin Schlumberger of the Merlin Arborist Group. Schlumberger observed during his inspection that the Coastal Live Oak was in good health and had fair structural integrity. However, the Arborist also noted that the tree had old wounds, a large cavity, woundwood growth indicating mechanical stress, and that branches were in contact with the neighboring roof. The report suggested three possible options all with their own risks: retaining the tree with minimal pruning, retaining the tree with significant pruning, or removal of the tree entirely.



Recommendation:

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

Attachments:

Exhibit A: Findings of Approval
Application Documents
Arborist Report

TREE REMOVAL PERMIT
426 West Street, 004-251-016
2024-051

FINDINGS FOR 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. That the City Arborist found that 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 years.
3. The property owner can demonstrate that there are unreasonably onerous recurring maintenance issues, which are deemed necessary for safety or protection of property in that the City Arborist noted that if the tree is kept, regular recurring maintenance will be required to maintain clearance from the neighboring home.
4. That removal of the tree is in keeping with Tree Removal Criterion 1 and 3.

CONDITIONS OF APPROVAL

1. The Tree Removal Permit 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. An Encroachment Permit shall be required if any public right-of-way is required for 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.
3. 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.
4. The applicant shall plant four (4) onsite replacement trees of a type and number approved by the City Arborist for each protected tree, within 365 days of removal of the existing 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 tree replacement deposit of \$75.00 per tree, for a total of \$300.00, which will be transferred into the City's Tree Fund.
5. 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

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

APPLICATION FOR

Street Address: 426 West Street Assessor's Parcel No(s): 004-251-016
Present Use of Property: Residential Zoning/General Plan Designation: R6

APPLICANT INFORMATION

Property Owner Name: Seth Hanley
Mailing Address: 419 Florence Ave Phone: 415.525.9181
City/State/ZIP: Sebastopol, CA 95472 Email: seth@studioblitz.com
Signature: [Signature] Date: 10.21.24
Authorized Agent/Applicant Name: Seth Hanley (as above)
Mailing Address: Phone: 10.21.24
City/State/ZIP: Email:
Signature: [Signature] Date: 10.21.24
Contact Name (If different from above): Phone/Email:

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

Tree removal. In the rear yard of the property there is a Coastal Live Oak that bows significantly toward and over the neighboring property to the South (416 West St.). The subject tree also exhibits wounds (with significant and deep internal rot), and visible splits. We wish to remove this tree as we believe it poses a potential danger to the neighboring property because of these factors.

CITY USE ONLY

Table with 3 columns: Fill out upon receipt, Action, Action Date. Rows include Application Date, Planning File #, Received By, Fee(s), Completeness Date, Staff/Admin, Planning Director, Design Review/Tree Board, Planning Commission, City Council.

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	N/A		
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>	N/A		
Floor Area Ratio (F.A.R)	N / A FAR	_____ FAR	_____ FAR
Lot Coverage	N/A _____ % of lot	_____ % of lot	_____ % of lot
	N/A _____ sq. ft.	_____ sq. ft.	_____ sq. ft.
Parking	N/A		
Building Height	N/A		
Number of Stories	N/A		
Building Setbacks – Primary			
Front	N/A		
Secondary Front Yard (corner lots)	N/A		
Side – Interior	N/A		
Rear	N/A		
Building Setbacks – Accessory			
Front	N/A		
Secondary Front Yard (corner lots)	N/A		
Side – Interior	N/A		
Rear	N/A		
Special Setbacks (if applicable)			
Other (_____)	N/A		
Number of Residential Units	1 _____ Dwelling Unit(s)	_____ Dwelling Unit(s)	_____ Dwelling Unit(s)
Residential Density	1 unit per N/A _____ sq. ft.	1 unit per _____ sq. ft.	1 unit per _____ sq. ft.
Useable Open Space	N/A _____ 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	_____ % of lot
		_____ sq. ft.	_____ sq. ft.
Pervious Surface Area	N/A	_____ % of lot	_____ % of lot
		_____ sq. ft.	_____ 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:

A general plan


A specific plan

An ordinance affecting building permits or grading permits

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: 10.21.24

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: 10.21.24

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.

Neighbor Notification

In the interest of being a good neighbor, it is highly recommended that you contact those homes or businesses directly adjacent to, or within the area of your project. Please inform them of the proposed project, including construction activity and possible impacts such as noise, traffic interruptions, dust, larger structures, tree removals, etc.

Many projects in Sebastopol are remodel projects which when initiated bring concern to neighboring property owners, residents, and businesses. Construction activities can be disruptive, and additions or new buildings can affect privacy, sunlight, or landscaping. Some of these concerns can be alleviated by neighbor-to-neighbor contacts early in the design and construction process.

It is a "good neighbor policy" to inform your neighbors so that they understand your project. This will enable you to begin your construction with the understanding of your neighbors and will help promote good neighborhood relationships.

Many times, development projects can have an adverse effect on the tranquility of neighborhoods and tarnish relationships along the way. If you should have questions about who to contact or need property owner information in your immediate vicinity, please contact the Building and Safety Department for information at (707) 823-8597, or the Planning Department at (707) 823-6167.

I have informed site neighbors of my proposed project: Yes No

If yes, or if you will inform neighbors in the future, please describe outreach efforts:

We will inform the neighbors to the North and South of this property of our intent to remove the tree once removal is approved.

Website Required for Major Projects

Applicants for major development projects (which involves proposed development of **10,000 square feet of new floor area or greater, or 15 or more dwelling units/lots**), are required to create a project website in conjunction with submittal of an application for Planning approval (including but not limited to Subdivisions, Use Permits, Rezoning, and Design Review). Required information may be provided on an existing applicant web site.

The website address shall be provided as part of the application. The website shall be maintained and updated, as needed until final discretionary approvals are obtained for the project.

Such website shall include, at a minimum, the following information:

- ✓ Project description
- ✓ Contact information for the applicant, including address, phone number, and email address
- ✓ Map showing project location
- ✓ Photographs of project site
- ✓ Project plans and drawings

Arborist Report

**Coast Live Oak
426 West Street
Sebastopol, CA**

Prepared for:
Seth Hanley

Prepared by:
**Merlin Schlumberger
Merlin Arborist Group**

*ISA Board Certified Master Arborist WE-7670B
ISA Tree Risk Assessment Qualified
ASCA Registered Consulting Arborist RCA# 687
707-888-7927
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Summary

Seth Hanley contacted Merlin Arborist Group to assess a coast live oak (*Quercus agrifolia*) in his backyard at 426 West Street in Sebastopol. Mr. Hanley is concerned that the tree, which leans toward the neighboring house, could cause damage to the property. He sought our professional opinion and recommendations as part of the process to obtain a tree removal permit.

During my onsite inspection on October 15th, I observed that the coast live oak is in good health but has fair structural integrity. The tree is suppressed by a nearby oak and leans southeast, with a significant portion of its canopy extending over the neighbor's house. It shows no evidence of root decay, but there are old wounds, a large cavity, and woundwood growth indicating mechanical stress. The branches are in contact with the neighboring roof, raising concerns about potential damage.

Our findings suggest three possible options: retain the tree with minimal pruning, prune significantly to reduce load, or remove the tree entirely. Each option has associated risks—pruning could stress the tree, removal may impact the nearby oak through root damage or wind exposure, and retaining the tree leaves open the possibility of

future failure. A tree risk assessment could further clarify the risk the tree poses to the neighbor's house, and a discussion with the neighbor could help guide the decision-making process.

Introduction

Background

Seth Hanley contacted Merlin Arborist Group about a coast live oak in his backyard at 426 West Street that is leaning towards the neighboring house.

Mr. Hanley is concerned about the possibility of the tree causing damage to the neighbors building and would like to obtain a permit to have the tree removed.

Assignment

My assignment was to:

1. Observe the tree and assess its condition.
2. Submit a written report documenting my findings and recommendations.

Limits of the Assignment

My investigation was limited to the information provided by Mr. Hanley, my own research, observations and the conditions during my onsite inspection. This report is not an engineering report, an aesthetic evaluation, a tree risk assessment or a valuation report.

Purpose and Use of the Report

The purpose of this report is to provide information to Mr. Hanley and the City of Sebastopol about the tree. Mr. Hanley can submit the report in the tree removal permit process. The City of Sebastopol can use the information in the report to help determine whether to grant such a permit.

Observations

On October 15th, I visited the property at 426 West Street in Sebastopol. I met with Mr. Hanley who showed me the tree and explained his concerns.

The coast live oak is in the backyard of Mr. Hanley's property. The tree is in good health and fair structure. It leans south-east towards the neighboring fence and house. This tree is suppressed by another coast live oak that is within two feet of its trunk (Appendix A, Photo 1). A significant portion of the tree's **canopy** is over the neighbor's property.

The tree shows no evidence of root decay.

The tree has a large **reaction wood** bulge near the base of the stem (Appendix A, Photo 2). It contains a large cavity on the compression side of the tree with significant **woundwood** around the cavity (Appendix A, Photo 3). The tension side of the tree has an old decayed wound about 3.5 feet above grade with significant woundwood. Some of the wound wood on the right side of the wound appears to have died back (Appendix A, Photo 4). The bulge creates an uneven **taper** where the diameter of the stem is larger at the bulge than it is below. I measured the **diameter at breast height (dbh)** (on the bulge) as 26 inches. The diameter of the stem at 1.5 feet above grade (below the bulge) is 24 inches and the diameter at 6 feet (above the bulge) is 19 inches.

The branches of the tree are touching the neighbor's roof (Appendix A, Photo 5). Larger limbs of the tree are about three feet above the neighbor's roof. (Appendix A, Photo 6)

Discussion

The combination of a wound in the **tension wood** of the tree and a cavity opening in the **compression wood** is a weakness in the tree. Trees add reaction

wood to compensate for mechanical stress. The bulge is the tree adding wood to compensate for the lean and the injuries in a part of the tree critical to its support. The tree can only fail in the direction of the neighbor's house due to the strong lean. In the event of a failure the tree would impact the neighbor's house at a low velocity as it is already very close to the house and won't be able to build much momentum before impact.

A tree failure happens when the **load** on the tree or tree part exceeds its capacity to support that load. Pruning to significantly reduce the end weight of the tree towards the neighbor's house would reduce the likelihood of failure. Because the tree has a large portion of its canopy over the neighbor's property such pruning could remove up to 50 percent of the tree's foliage. This would cause stress to the tree and significantly reduce its ability to photosynthesize. If the tree were to still fail, it would have higher velocity before impacting the neighbor's house and could cause significant damage to the wall of the house.

If the tree were removed, it would likely respond by stump sprouting vigorously. Grinding the stump could cause damage to the roots of the large nearby coast live oak tree. Frequent removal of the stump sprouts may be sufficient to

eventually kill the stump. The dead stump could increase pressure of oak root rot fungus (*Armillaria mellea*) and threaten the nearby tree in the long term. Removing the tree may also impact the remaining tree by exposing it to new winds that it was previously protected from. This could increase the risk of the tree's failure until it can add reaction wood to compensate for its new stress.

Recommendations

The options for managing this tree are the following:

- Retain the tree as it is. It may cause damage to the neighbor's building from branches rubbing on the roof. Minor regular pruning could prevent that damage. If the tree were to fail it would cause damage to the neighbor's house.
- Prune the tree to significantly reduce end weight, and load. This would reduce the likelihood of failure but could increase the damage to the neighbors building in the event of a failure and would cause stress to the tree.
- Remove the tree. This would remove the risk to the neighbor's house but could threaten the remaining tree in the short term

by exposing it to new winds, and in the long term by fostering oak root rot fungi in the decaying roots.

A conversation with the neighbor could be helpful in the decision making process as the risk is to their building. Conducting a **tree risk assessment** could help Mr. Hanley and the neighbor understand what risk the tree poses to the structure.

The City of Sebastopol should consider the risk and the three options outlined when considering granting a Tree Removal Permit.

Conclusion

The coast live oak presents both challenges for careful management. While it has structural problems and poses some risk to the neighbor's property, removal is not without consequences, as it could harm the nearby oak and increase susceptibility to oak root rot. Pruning the tree could reduce the likelihood of failure, but it would cause stress and would not entirely eliminate the risk.

Ultimately, the City of Sebastopol should carefully weigh these options when considering the permit request. Engaging the neighbor in the discussion, along with conducting a formal risk assessment, could aid Mr. Hanley and the City in making a well-informed decision about how to manage this tree.

Glossary

canopy: collective branches and foliage of a tree or group of trees' crowns. Aggregate or collective tree crowns.

compression wood: reaction wood in gymnosperms, and some angiosperms, that develops on the underside of branches or leaning trunks and is important in load bearing.

diameter at breast height (dbh): acronym for diameter at breast height. Measured at 4.5 feet above ground.

load: a general term used to indicate the magnitude of a force, bending moment, torque, or pressure applied to a substance or material.

reaction wood: wood formed in leaning or crooked stems or on lower or upper sides of branches as means of counteracting the effects of gravity (see *compression wood* and *tension wood*).

taper: change in diameter over the length of trunks, branches, and roots.

tension wood: a form of reaction wood in broadleaved trees (hardwoods) that form on the upper side of branches or on the trunks of leaning trees (contrast with *compression wood*).

tree risk assessment: a systematic process used to identify, analyze, and evaluate tree risk.

woundwood: lignified, differentiated tissues produced on woody plants as a response to wounding.

Appendix A – Photos



Photo 1— Coast live oak leaning south-east towards neighbor's house.

Merlin Arborist Group
Arborist Report- Coast Live Oak- 426 West Street
October 16th, 2024



Photo 2— Large reaction wood bulge near the base.

Merlin Arborist Group
Arborist Report- Coast Live Oak- 426 West Street
October 16th, 2024



Photo 3— Large cavity on compression side of the tree with woundwood near base.

Merlin Arborist Group
Arborist Report- Coast Live Oak- 426 West Street
October 16th, 2024



Photo 4— Tension side of the tree with old wound and die back.



Photo 5— Branches touching the neighbor’s house.

Merlin Arborist Group
Arborist Report- Coast Live Oak- 426 West Street
October 16th, 2024



Photo 6— Large limbs are about three feet away from the neighbor's house.

Seth Hanley
419 Florence Ave,
Sebastopol, CA 95472

October 21st, 2024

Sebastopol Planning Dept.
7120 Bodega Ave,
Sebastopol, CA 95472

Attn. John Jay, Associate Planner

Subject Property: 426 West Street, Sebastopol, CA 95472

APN: 004-251-016-000

Re: **Tree Removal Permit**

Dear John,

We recently purchased the property located at 426 West Street in Sebastopol. In the rear yard of the property there is a Coastal Live Oak that bows significantly toward and over the neighboring property to the South (416 West St.). The subject tree also exhibits wounds (with significant and deep internal rot), and visible splits.

We wish to remove this tree as we believe it poses a potential danger to the neighboring property because of these factors. There has been a general lack of tree maintenance over the years and this tree will need to be trimmed back significantly from the neighbor's roof regardless. Due to the oddity of the tree's growth pattern, any remedial work will remove the bulk of the tree canopy, potentially causing further issues.

All this said, we love trees, there are two other Oak trees in the rear yard (one of which is adjacent to the subject tree) that we are glad to have and to keep, but this one tree is problematic, and we believe it should be removed.

I am enclosing a Location Map; Site Plan; Site Photos; and an Arborist Report. Please do not hesitate to contact me if you require further information.

Best,



Seth Hanley

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
5-001
5-014

004-25

PTN. OF RAUP'S ADDITION
REC. 1-7-1892 IN BK. 10, MAPS, PGS. 25

PTN. OF MORRIS ADDITION
REC. 3-4-1904 IN BK. 16, MAPS, PGS. 8

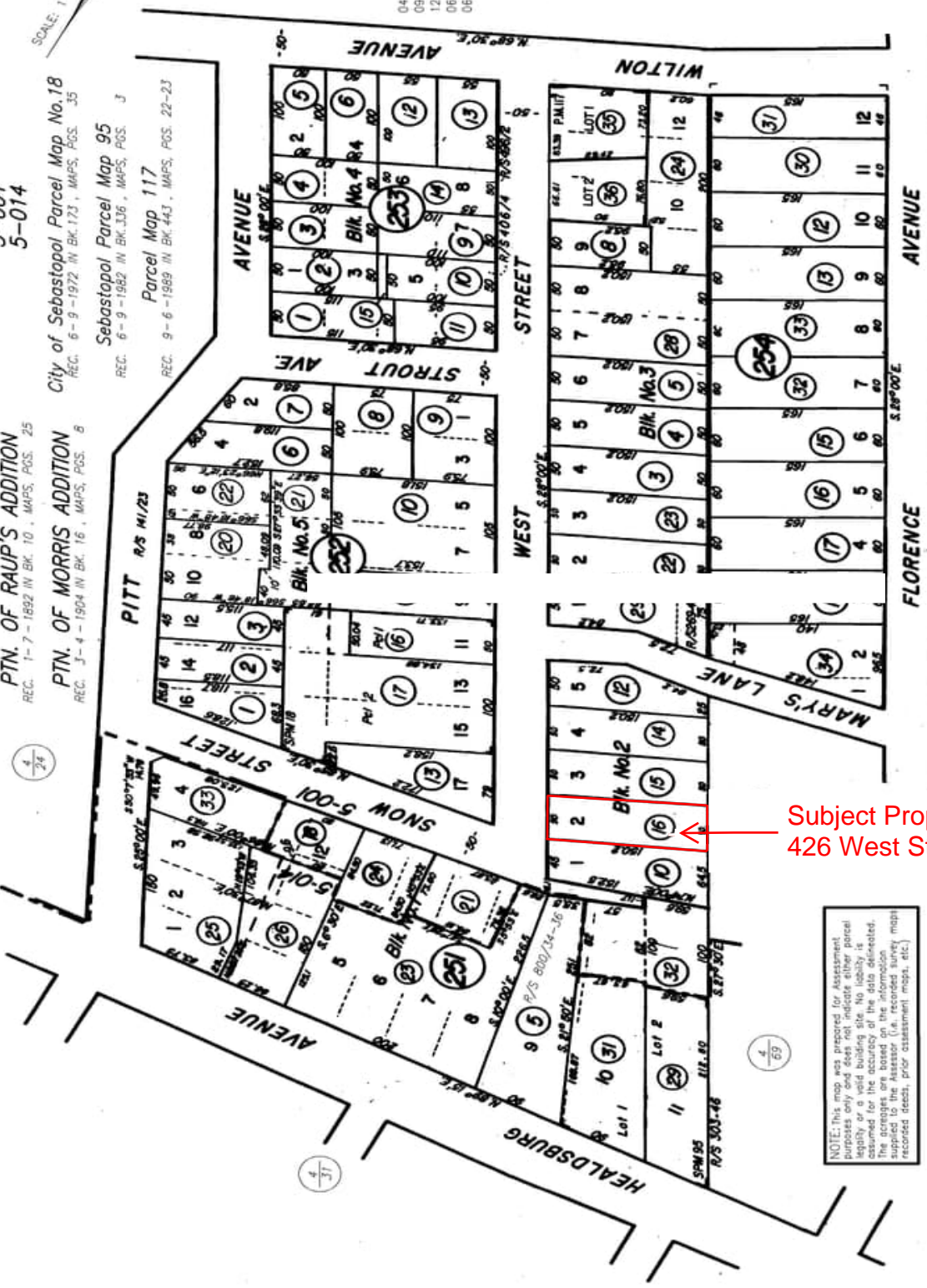
City of Sebastopol Parcel Map No. 18
REC. 6-9-1972 IN BK. 173, MAPS, PGS. 35

Sebastopol Parcel Map 95
REC. 6-9-1982 IN BK. 336, MAPS, PGS. J

Parcel Map 117
REC. 9-6-1989 IN BK. 443, MAPS, PGS. 22-23



REVISED
04-17-86m32(251)-RM
09-21-01=22(252)-LSL
12-13-05m33(251)-LSL
06-09-06=40-LSL
06-21-19mR/S-DL



Subject Property
426 West Street

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied by the assessor. (An assessor's map may require checks, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.



Assessor's Map Bk. 004, p. 25
(AC40)

HYBRID 6/21/19

This map/plot is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE SOLE PROPERTY OF DESIGN BLITZ. ANY USE WITHOUT WRITTEN CONSENT IS PROHIBITED. DO NOT SCALE FROM THESE DRAWINGS.



A



B



C



D



E



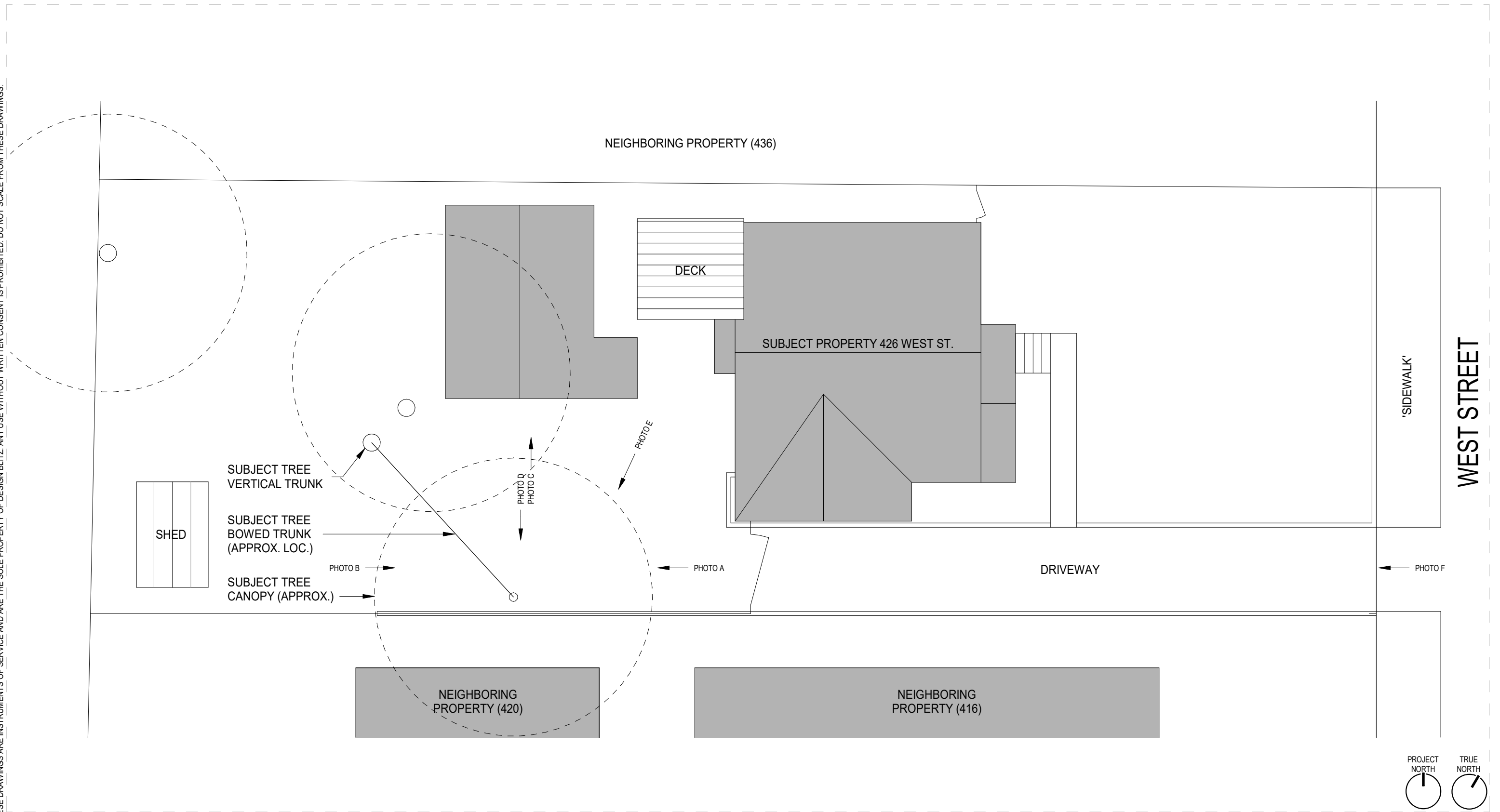
F

blitz

435 JACKSON STREET, SAN FRANCISCO, CA 94111
415.525.9179 | studioblitz.com
PROJECT NUMBER: 00000

426 WEST STREET
REFERENCE: TREE PERMIT
SCALE:
ISSUE DATE: 10/21/24
SITE PHOTOS
G2.02

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PROJECT NUMBER: 00000

426 WEST STREET
REFERENCE: TREE PERMIT
SCALE: 3/32" = 1'-0"
ISSUE DATE: 10/21/24

SITE PLAN
G2.01

Client: City of Sebastopol, Planning Department
Project Location: 540 Ellis Ct, Sebastopol, CA
Inspection Date: October 30, 2024
Arborist: Ben Anderson



URBAN FORESTRY ASSOCIATES, INC.

Assignment

Nzuzi Mahungu, a planning technician with the city of Sebastopol, asked me to review the tree removal application for the subject property. This included an arborist report by Merlin Schlumberger dated October 16, 2024.

Observations

I did not meet with the applicant at the subject site, but I had full access to the backyard. I visually inspected the tree from the subject property and from the road. The subject tree is one of two coast live oaks (*Quercus agrifolia*) growing within a few feet of each other near the center of the backyard. The canopy displayed good color and density. The Merlin report does an excellent job of describing the tree's condition.

Discussion & Conclusions

From the Sebastopol Municipal Code 8.12.060: "Tree removal permit—When a Tree Removal Permit is Required."

2. Multifamily Residential, Commercial, or Industrial. On properties which are currently utilized for multifamily residential, commercial, or industrial uses, no person shall allow or cause the removal of a protected native tree (minimum 10 inches d.b.h.), or any other tree which has a minimum d.b.h. of 20 inches or more if the tree has a single trunk, or which has at least one trunk with a minimum d.b.h. of 20 inches if the tree has two or more trunks without first obtaining a TRP, unless otherwise exempted herein.

The subject tree is native, and its diameter far exceeds 10 inches, so it requires a standard tree removal permit.

From the Sebastopol Municipal Code 8.12.060 D "Tree removal permit – Tree Removal Criteria," at least one of the following conditions must be satisfied to approve a tree removal permit:

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 years.

The decay cavity in the lower trunk is a significant structural defect and likely point of failure, which would undoubtedly cause significant property damage to the adjacent home, not owned by the tree owner.

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 threat to the neighboring home can be mitigated through the pruning described in the Merlin report.

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.

If the tree is kept, regular pruning will be required to maintain clearance from the neighboring home.

This type of pruning is normal for regular tree maintenance.

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.

Does not apply.

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.

There are many other trees of similar stature on this and adjacent properties.

The subject tree could be pruned away from the neighboring house and roof following standard arboricultural practices. Pruning would help create necessary clearance and bring the canopy's center of gravity closer to the trunk base, mitigating the risk of whole-tree failure associated with the structural weakness in the trunk.

The adjacent coast live oak (*Quercus agrifolia*) overtops the subject tree, clearly dominating the canopy. If the subject tree were removed, the loss of canopy would not be particularly noticeable from outside the property, as it would likely appear similar to a pruning event on a single tree rather than a full tree removal.

Regarding concerns raised in the Merlin report about potential armillaria (*Armillaria* spp.) infection in the remaining oak, while *Armillaria* can spread by colonizing decaying stumps, it has not been my experience that neighboring trees are significantly more likely to be infected following a nearby removal. I consider the risk of infection to the adjacent oak negligible.

Though removal of the subject tree is not strictly necessary, given the structural defect and the dominance of the neighboring oak, removal would be reasonable. It should be noted that leaving a tree as a "new edge" after the removal of a neighboring tree can, in some situations, increase its susceptibility to wind exposure and failure—an effect referred to as the edge effect in forestry. However, based on the size, species, and positioning of these two trees, I do not believe the edge effect presents a notable concern here.

Finally, if the subject tree is removed, I advise against stump grinding to avoid any unnecessary soil disturbance near the remaining oak, as outlined in the Merlin report.

SCOPE OF WORK AND LIMITATIONS

Urban Forestry Associates has no personal or monetary interest in the outcome of this investigation. All observations regarding trees in this report were made by UFA independently, based on our education and experience. All determinations of the health condition, structural condition, or hazard potential of a tree or trees at issue are based on our best professional judgment. The health and hazard assessments in this report are limited by the visual nature of the assessment. Arborists cannot detect every condition that could lead to a tree's structural failure. Since trees are living organisms, conditions are often hidden within the tree and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for a specific period of time. Likewise, remedial treatments cannot be guaranteed. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk, and the only way to eliminate all risks associated with trees is to eliminate all trees.



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