



City of Sebastopol Design Review Board/Tree Board Staff Report

Meeting Date: January 28th, 2024
Agenda Item: 6A
To: Design Review & Tree Board
From: John Jay, Associate Planner
Subject: Tree Removal
Recommendation: Approval with conditions
Applicant/Owner: Dan Shah
File Number: 2025-001
Address: 825 Gravenstein Highway North
CEQA Status: Exempt
General Plan: Commercial Office (CO)
Zoning: General Commercial (CG)

Introduction:

The project applicant is seeking approval from the Tree Board for the removal of six (6) Coast Redwoods at 825 Gravenstein Highway North. The trees vary in diameter breast height but are all larger than 10" 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 the six Coast Redwood trees due to fire danger concerns from the property owner. Also, the property owner has provided notification from their insurance company stating that the trees are too close to the building and they will not renew their insurance.

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 January 16th, 2025 attached. In summary, the report stated the buildings insurance company requires that all branches be cut back so they do not overhang the roof and for the trees to be maintained in this manner. The report also mentions that all the trees appear to be healthy and well-formed with symmetrical canopies and removing the branches over the roof in this manner will remove nearly half of the canopy of each tree. The analysis also notes that there are several locations where the root structure has lifted the concrete and presents trip hazards. It's also noted that the sidewalk in these areas has previously been ground down to remove these trip hazards, but this damage will continue and worsen with time. In conclusion, the subject trees cannot be removed without a permit as they exceed 10" in dbh. As the reduced aesthetics from the required pruning, damage to the sidewalk, threat to foundation, and future maintenance to maintain the roof clearance these requests would justify the removal of all six trees.

Finally, the report mentions the number and size of replacement trees shall be determined by the Tree Board or the City Arborist. Replacement trees are not discussed in the permit application. I recommend at least six 15-gallon replacement trees if they are planted on site. If they are planted in the same location as the redwoods, they should be a smaller species that will not overhang the roof or threaten the utility wires. Chinese pistache (*Pistacia chinensis*) or Japanese or vine maple (*Acer palmatum* or *A. circinatum*) would be appropriate. If no trees are planted, the \$75 fee would not cover purchasing or installing new trees offsite. The trees to be removed are also quite substantial, justifying more than one replacement tree fee. I recommend requiring three in-lieu fees per removal to better cover the cost of off-site replacement trees, and to encourage the applicant to replant on-site.

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. If the board determines that they want to increase the in lieu fee then staff requests the board direct staff on the appropriate amount to pay.

Attachments:

- Exhibit A: Findings of Approval
- Application Documents
- Arborist Report

TREE REMOVAL PERMIT
825 Gravenstein Highway North, 060-261-023
2025-001

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. 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 root cutting on the south tree was ill-advised and may have compromised the tree's stability. The required canopy pruning is unlikely to cause the trees to fail, as redwoods are very wind-firm, and these are relatively young trees that could adapt in time.
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, in that the roots certainly pose a threat to the sidewalk. The building foundation looks to be a slab, which can be more susceptible to root damage, particularly from surface-rooted redwood trees.
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. The maintenance required to keep the canopies from overhanging the roof will be somewhat onerous as the trunks will likely continue to sprout new growth as long as the trees are healthy.
5. That removal of the tree in keeping with Tree Removal Criterion 1, 2, 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 twelve (12) 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 \$900.00, 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: Yes No

REVIEW/HEARING BODIES

- Staff/Admin
- Design Review/Tree Board
- Planning Commission
- City Council
- Other _____

APPLICATION FOR

Street Address: 825 Gravenstein Hwy, North Assessor's Parcel No(s): 060-261-022-000

Present Use of Property: Office Building Zoning/General Plan Designation:

APPLICANT INFORMATION

Property Owner Name: Govardhan, LLC

Mailing Address: 3508 Kendell Hill Drive Phone: (707) 481-3610

City/State/ZIP: Santa Rosa, CA 95404 Email: dbshah4851@gmail.com

Signature: *[Signature]* Date: 01/02/2025

Authorized Agent/Applicant Name: Dhanendra (Dan) Shah

Mailing Address: 3508 Kendell Hill Drive Phone: (707) 481-3610

City/State/ZIP: Santa Rosa, CA 95404 Email: dbshah4851@gmail.com

Signature: *[Signature]* Date: 01/02/2025

Contact Name (If different from above): Phone/Email:

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

Removal of 6 Redwood Trees very close to the building which are fire danger, public safety if it falls or roots could cause damage to the foundation and roof since they are very close to the building. Insurance company is concern about fire and possibility of falling on the building or on a street. They are asking to either trim it every year which is very costly or remove it due to fire danger or could fall due to trimming from one side. Therefore, we are requesting for the permit to remove all these 6 trees.

CITY USE ONLY

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

- | | |
|---|---|
| <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:** 01/24/2015

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:** 01/24/2015

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:

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

RE: Govardhan LLC - Loss Control Requirement Letter DUE 1/27/2025

message

oni Yang <TYang@redwoodcu.org>
cc: "dbshah4851@gmail.com" <dbshah4851@gmail.com>

Mon, Dec 30, 2024 at 11:33 AM

Good morning Dan,

The underwriter reviewed the tree photos you provided and confirmed that the parts where hanging over the roof need to be removed. Therefore, per our conversation, you will probably need to hire a professional to have the trees removed.

Once you have a contract in place for removing the trees, please provide a copy of the contract or invoice, and provide the start date and estimated completion date. Please also provide the proofs of the other compliances.

Once the documents and proofs are available, the underwriter will be able to review and grant an extension on the due date.

Please feel free to contact me for any further questions. Looking forward to hearing from you.

Sincerely,

Toni Yang

Insurance Representative

Lic#0M98220 | RCUSG Lic#0D91054

(707) 576-5025

From: Toni Yang
Sent: Thursday, December 26, 2024 4:20 PM
To: dbshah4851@gmail.com
Subject: RE: Govardhan LLC - Loss Control Requirement Letter DUE 1/27/2025

Good afternoon Dan,

I spoke with the underwriter and received inspection photos. Please see first attached for the photos, and second attached for the requirements. The underwriting is asking you to make corrections on the photos in red boxes.

You will find the tree photos on page 2. The underwriter said as long as the trees are trimmed to be not touching the building or overhanging the roof, it will be considered complied.

Would you please provide contracts, work orders, receipts, or photos for the other requirements?

As for extending the due date, would a 60-day extension be enough time for you? If so, I will request for an extended due date.

Thank you for your cooperation on this matter. Please feel free to contact me for any further questions or concern.

RECEIVED
01/02/2025







Today

10:40 AM





City of Sebastopol

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

RECEIVED
01/02/2025

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: Yes No

REVIEW/HEARING BODIES

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

APPLICATION FOR

Street Address: 825 Gravenstein Hwy, North
Assessor's Parcel No(s): 060-261-022-000
Present Use of Property: Office Building
Zoning/General Plan Designation:

APPLICANT INFORMATION

Property Owner Name: Govardhan, LLC
Mailing Address: 3508 Kendell Hill Drive
Phone: (707) 481-3610
City/State/ZIP: Santa Rosa, CA 95404
Email: dbshah4851@gmail.com
Signature: [Signature] Date: 01/02/2025
Authorized Agent/Applicant Name: Dhanendra (Dan) Shah
Mailing Address: 3508 Kendell Hill Drive
Phone: (707) 481-3610
City/State/ZIP: Santa Rosa, CA 95404
Email: dbshah4851@gmail.com
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Contact Name (If different from above):
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PROJECT DESCRIPTION AND PERMITS REQUESTED (ATTACH ADDITIONAL PAGES IF NECESSARY)

Removal of 6 Redwood Trees very close to the building which are fire danger, public safety if it falls or roots could cause damage to the foundation and roof since they are very close to the building. Insurance company is concern about fire and possility of falling on the building or on a street. They are asking to either trim it every year which is very costly or remove it due to fire danger or could fall due to trimming from one side. Therefore, we are requesting for the permit to remove all these 6 trees.

CITY USE ONLY

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Action: Staff/Admin, Planning Director, Design Review/Tree Board, Planning Commission, City Council
Action Date: Date

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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
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A specific plan

An ordinance affecting building permits or grading permits

A zoning ordinance

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Property Owner's Signature: _____

Date: _____

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: _____

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- ✓ Map showing project location
- ✓ Photographs of project site
- ✓ Project plans and drawings

RECEIVED
01/02/2025

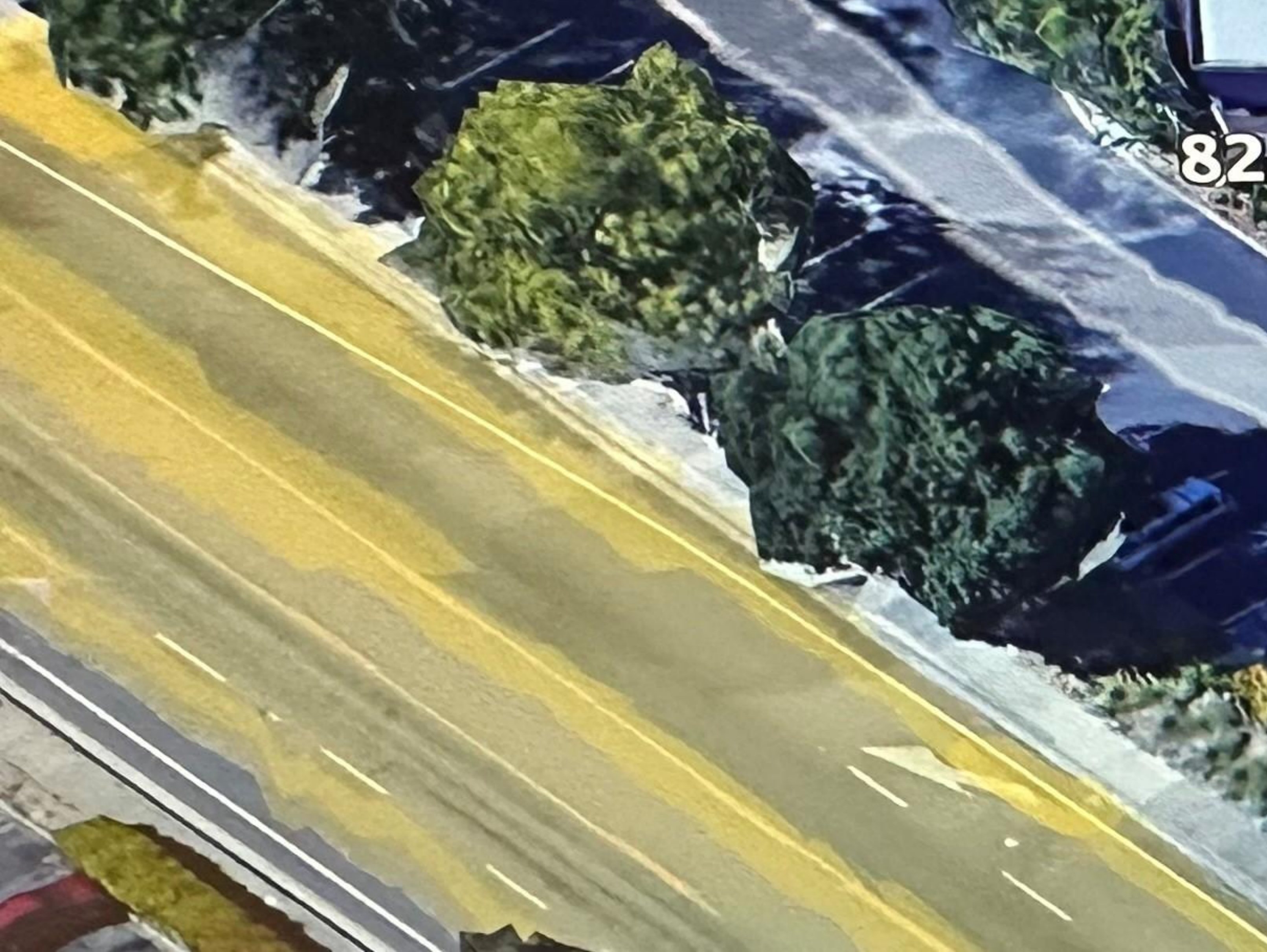
Level Trailer's)

Hurlbut Ave

825 Gravenstein Hwy N

Willow Creek Wealth Management, Inc

Hurlbut Ave





825

Willow Creek Wealth Management, Inc
825 Gravenstein Hwy N

825

Hurlbut Ave

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01/13/2025

GOVARDHAN, LLC
825 GRAVENSTIEN HWY, NORHT
SEBASTOPOL, CA 95472

January 13, 2025

City Of Sebastopol
Planning Department
Att: City Council Members

Ref: 825 Gravenstein Hwy, North, Sebastopol.
Removal of 6 Trees

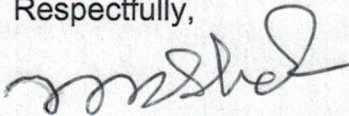
Dear City Council Members,

I Dhanendra (Dan) Shah of Govardhan, LLC owner of building located 825 Gravenstein Hwy, North, Sebastopol, CA with APN#: 060-261-022-000 authorizes to Mr. Timothy Admire, CEO of Willow Creek Wealth Management who is also an one of the major tenant in our building and are very much familiar of the trees situation to represent me with City Council meeting on January 28th starting at 3:30 pm regarding the removal of the 6 Redwood trees which are very close to the building.

As you know that since many insurance companies in California are turning away to insure the properties due to the fire zone. When we submitted to renew our insurance at end of 2024, one of the insurance Mercury Insurance have agreed to provide us an insurance with the condition that we remove these 6 trees which are very close to the building which are possibly a fire hazard as well as one side of the trees are over the roof which also are damaging the roof. Therefore, we request respected City Council members to grant the permit to remove these 6 trees so we can keep our insurance as well as it will help us to obtain the insurance in future without any tree issues.

I would like to thank everyone in advance for all your help in this matter.

Respectfully,



Dhanendra Shah, Owner and Managing Member
Of Govardhan, LLC

Client: City of Sebastopol Planning Department
Project Location: 825 Gravenstein Hwy, Sebastopol, CA
Inspection Date: January 16, 2025
Arborist: Ben Anderson



Assignment

Tori Henkel asked me to perform a site visit to inspect a row of coast redwoods (*Sequoia sempervirens*) on the subject property as part of a tree removal permit application to help determine whether the removal would be consistent with the municipal code. No one met me on-site.

Observations

The subject property is an improved commercial lot situated on the corner of Gravenstein Highway and Hurlbut Ave. The subject row of six trees is between the building and the sidewalk along Hurlbut Ave. There are two additional trees in the line to the north and several others on the property that are not part of the removal request, presumably because they are further from the building. There are overhead power distribution lines running along the other side of Hurlbut Ave. Several of the subject trees are noticeably surface-rooted. Three spots on the sidewalk were ground down to mitigate the trip hazard created by the roots lifting the concrete and one area was replaced, presumably due to root lifting. I expect this damage to continue and worsen with time. The surface roots of this tree were cut dramatically (Figure 2). It is the south-most tree in the line.

The building's insurance company requires all the branches to be cut back so they do not overhand the roof and for the trees to be maintained in this manner moving forward. The distance between the building and each tree is slightly variable, and all are less than 10 feet from the eave. They all appear healthy and well-formed with symmetrical canopies. The line is along the east side of the building, which is the least efficient for providing cooling benefits. The trees are not particularly visible from Gravenstein Highway. Removing the branches over the roof will require the removal of nearly half the canopy from each tree.

The application raised concerns about fire danger, public safety, and foundation damage.

Discussion

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



Figure 1. Subject trees viewed from the south showing how much of the canopy will need to be removed to provide total clearance above the roof and their proximity to the building and sidewalk.

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 trees are native, and their diameters exceed 10 inches, so they require 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 root cutting on the south tree was ill-advised and may have compromised the tree's stability. The required canopy pruning is unlikely to cause the trees to fail, as redwoods are very wind-firm, and these are relatively young trees that could adapt in time.

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 roots certainly pose a threat to the sidewalk. The building foundation looks to be a slab, which can be more susceptible to root damage, particularly from surface-rooted redwood trees.

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.

The maintenance required to keep the canopies from overhanging the roof will be somewhat onerous as the trunks will likely continue to sprout new growth as long as the trees are healthy.

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.

Conclusions

The subject trees cannot be removed without a permit as they are considered native and are greater than 10 inches in diameter. The reduced aesthetics resulting from the required pruning, the damage to the sidewalk, the threat to the foundation, and the burden of future maintenance to maintain roof clearance justify these removals as the most prudent management.

From the Sebastopol Municipal Code 8.12.060 E "Replacement Trees," requires the provision of replacement trees, in-lieu fee payment, or an approved alternative. The number and size of replacement trees shall be determined by the Tree Board or the City Arborist. Replacement trees are not discussed in the permit application. I recommend at least six 15-gallon replacement trees if they are planted on site. If they are planted in the same location as the redwoods, they should be a smaller species that will not overhang the roof or threaten the utility wires. Chinese pistache (*Pistacia chinensis*) or Japanese or vine maple (*Acer palmatum* or *A. circinatum*) would be appropriate. If no trees are planted, the \$75 fee would not cover purchasing or installing new trees offsite. The trees to be removed are also quite substantial, justifying more than one replacement tree fee. I recommend requiring three in-lieu fees per removal to better cover the cost of off-site replacement trees, and to encourage the applicant to replant on-site.

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.



Benjamin Anderson, Urban Forester
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Figure 2. Cut roots and new sidewalk from the south-most tree. The sidewalk was almost certainly repaired due to lifting from the roots, which were almost certainly cut to perform the repair. These cuts may have destabilized the tree.