



City of Sebastopol Design Review Board/Tree Board Staff Report

Meeting Date: January 23rd, 2024
Agenda Item: 7B
To: Design Review Board
From: John Jay, Associate Planner

Subject: Tree removal permit
Recommendation: Approve with conditions
Applicant/Owner: Shahrokh Moaveni
File Number: 2023-079
Address: 742 South Main Street
CEQA Status: Exempt
General Plan: Commercial Office (CO)
Zoning: General Commercial (CG)

Introduction:

This is an application for the removal of two coast live oaks measuring 12.5" and 15.5". The application states that the current insurance company will no longer provide coverage for the building if the tree is currently leaning on the building. The building is located at 742 South Main Street, is zoned General Commercial and is currently used as a self-storage facility.

Project Description:

As noted above the applicant is requesting the Design Review Board's approval for the removal of two coast live oaks located on the property at 742 South Main Street. The project is surrounded by residential to the west, a vacant commercial property to the south and a Big O Tires repair shop to the north. 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.

Environmental Review:

The proposed project has been determined to be exempt from further environmental review under Section 15304 – Minor Alterations to Land 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 these two trees.

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:

Ben Anderson of Urban Forestry Associates, an ISA Certified Arborist serving as the City Arborist, conducted an evaluation, and prepared an Arborist's Report dated December 20, 2023 and is attached to this report. The first of the subject trees is numbered 11 and has a trunk diameter of 12.5 inches. The trunk is in contact with the gutter, and the entire canopy is over the building. The second subject tree is labeled on the wall as 7 and has a trunk diameter of 15.5 inches. It leans strongly over the property fence and a shed on the adjacent property. As mentioned in the report, tree 11 does come in contact with the building and continued pruning would lift it off the roof. However, the continued pruning would get to a point where it's no longer manageable as the trunk would expand enough to where the pruning would no longer provide any clearance on the roof. With that, it would meet tree removal criteria number 2 where it poses foreseeable threat to life or property which cannot be reasonably mitigated through pruning, root barriers, or other management methods. Also, the possibility of losing insurance coverage meets criteria 3 in that the property owner can demonstrate unreasonable and onerous recurring maintenance issues. As for tree 7, the determination for removal falls into the same reasons for tree 11 as the continued maintenance and removal of ivy would likely prolong the tree for a brief period of time, the tree is likely to still fail and die in the near future.

Also noted in the report is tree 5, as it's not within the application of the tree permit the arborist does note that the tree is in poor condition and meets the removal criteria 1 of being diseased and structurally unsound. With that, the arborists recommendation is that this tree be included in the removal permit. Lastly, the report also mentions that even with the removal of these trees there are still plenty of on site trees that are in healthy condition in a small area. Also, there is a small area on site that would accommodate at least one replacement tree.

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:

Exhibit A: Findings of Approval
Exhibit B: Conditions of Approval
Application Documents
Arborist Report

EXHIBIT A
TREE REMOVAL PERMIT
742 South Main
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 the two trees with their relation to the building show that they are damaging the roof of the building and the insurance company has noted that they would no longer insure the building if these trees were not removed.
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 City Arborist noted both trees on site would meet this removal criteria as the continued pruning will reach a point where the tree will no longer be stable.
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 that the loss of insurance on the building would meet the criteria of this finding as a risk to property safety is being created by the branches of the tree being in constant contact with the building.
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 City Arborist recommends removing the trees to protect the safety of the building.
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 has stated in their report that the oaks are in a period in their lifespan where continued pruning will only shorten the lifespan of the trees along with the proximity to the building.

EXHIBIT B

TREE REMOVAL PERMIT
742 South Main
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 four (4) 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. Alternatively, the applicant may opt to allow the City to retain the per-tree replacement deposit of \$300.00, 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

- | | | |
|--|---|---|
| <input type="checkbox"/> Administrative Permit Review | <input type="checkbox"/> Lot Line Adjustment/Merger | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Alcohol Use Permit/ABC Transfer | <input type="checkbox"/> Preapplication Conference | <input checked="" type="checkbox"/> Tree Removal Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Review | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Sign Permit | <input type="checkbox"/> 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: 742 S. Main Street Assessor's Parcel No(s): 004-102-011-000

Present Use of Property: Specialty shop,tires/brakes Zoning/General Plan Designation: Business

APPLICANT INFORMATION

Property Owner Name: Shahrokh Moaveni

Mailing Address: 2163 Hastings Court

Phone: (707) 318-0437

City/State/ZIP: Santa Rosa, CA 95405

Email: smoaveni@sonic.net

Signature: *[Signature]*

Date: 12/18/23

Authorized Agent/Applicant Name:

Mailing Address:

Phone:

City/State/ZIP:

Email:

Signature:

Date:

Contact Name (If different from above):

Phone/Email:

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

Two oak trees on the property, known as 742 S. Main St. in Sebastopol, are hazardous to the building and the neighboring property.
 The insurance company will not continue to provide insurance for the building if these trees are not removed.
 Tree #7 is 16" diameter, and #11 is 13"
 We request permits to cut them or immediate approval without permits

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:

Date: _____
 Date: _____
 Date: _____
 Date: _____
 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	N/a	n/a
Use	N/A	n/a	n/a
Lot Size	n/a	n/a	n/a
Square Feet of Building/Structures <i>(if multiple structures include all separately)</i>	N/A	N/A	N/A
Floor Area Ratio (F.A.R)	<u> </u> N / <u> </u> A FAR	<u> </u> N / <u> </u> A FAR	<u> </u> N / <u> </u> A FAR
Lot Coverage	<u> </u> N/A % of lot	<u> </u> N/A % of lot	<u> </u> N/A % of lot
	<u> </u> N/A sq. ft.	<u> </u> N/A sq. ft.	<u> </u> N/A sq. ft.
Parking	N/A	N/A	N/A
Building Height	N/A	N/A	N/A
Number of Stories	N/A	N/A	N/A
Building Setbacks – Primary			
Front	N/A	N/A	N/A
Secondary Front Yard (corner lots)	N/A	N/A	N/A
Side – Interior	N/A	N/A	N/A
Rear	N/A	N/A	N/A
Building Setbacks – Accessory			
Front	N/A	N/A	N/A
Secondary Front Yard (corner lots)	N/A	N/A	N/A
Side – Interior	N/A	N/A	N/A
Rear	N/A	N/A	N/A
Special Setbacks (if applicable)			
Other (<u> </u>)	N/A	N/A	N/A
Number of Residential Units	<u> </u> N/A Dwelling Unit(s)	<u> </u> N/A Dwelling Unit(s)	<u> </u> N/A Dwelling Unit(s)
Residential Density	1 unit per <u> </u> N/A sq. ft.	1 unit per <u> </u> N/A sq. ft.	1 unit per <u> </u> N/A sq. ft.
Useable Open Space	<u> </u> N/A sq. ft.	<u> </u> N/A sq. ft.	<u> </u> N/A 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: <u> </u> N/A cu. yds Cut: <u> </u> N/A cu. yds. Fill: <u> </u> N/A cu. yds. Off-Haul: <u> </u> N/A cu. yds
Impervious Surface Area	N/A	<u> </u> N/A % of lot	<u> </u> N/A % of lot
		<u> </u> N/A sq. ft.	<u> </u> N/A sq. ft.
Pervious Surface Area	N/A	<u> </u> N/A % of lot	<u> </u> N/A % of lot
		<u> </u> N/A sq. ft.	<u> </u> N/A 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: 12/18/23

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: 12/18/23

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 Spoke

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









December 18, 2023

Two oak trees on the property, known as 742 S. Main St. in Sebastopol, are hazardous to the building and the neighboring property.

The insurance company will not continue to provide insurance for the building if these trees are not removed.

Pictures are included below. Tree #7 is 16" diameter, and #11 is 13".

The arborist has already said that the trees can be cut down. The trees are clearly a hazard; therefore, we request that you bypass the permit process and allow us to immediately remove the trees.

As we have a January 4 deadline, should you choose to continue the permit process, we would request that you expedite to accommodate that deadline.

Sincerely,

Shahrokh Moaveni

707-318-0437

December 18, 2023

Two oak trees on the property, known as 742 S. Main St. in Sebastopol, are hazardous to the building and the neighboring property.

The insurance company will not continue to provide insurance for the building if these trees are not removed.

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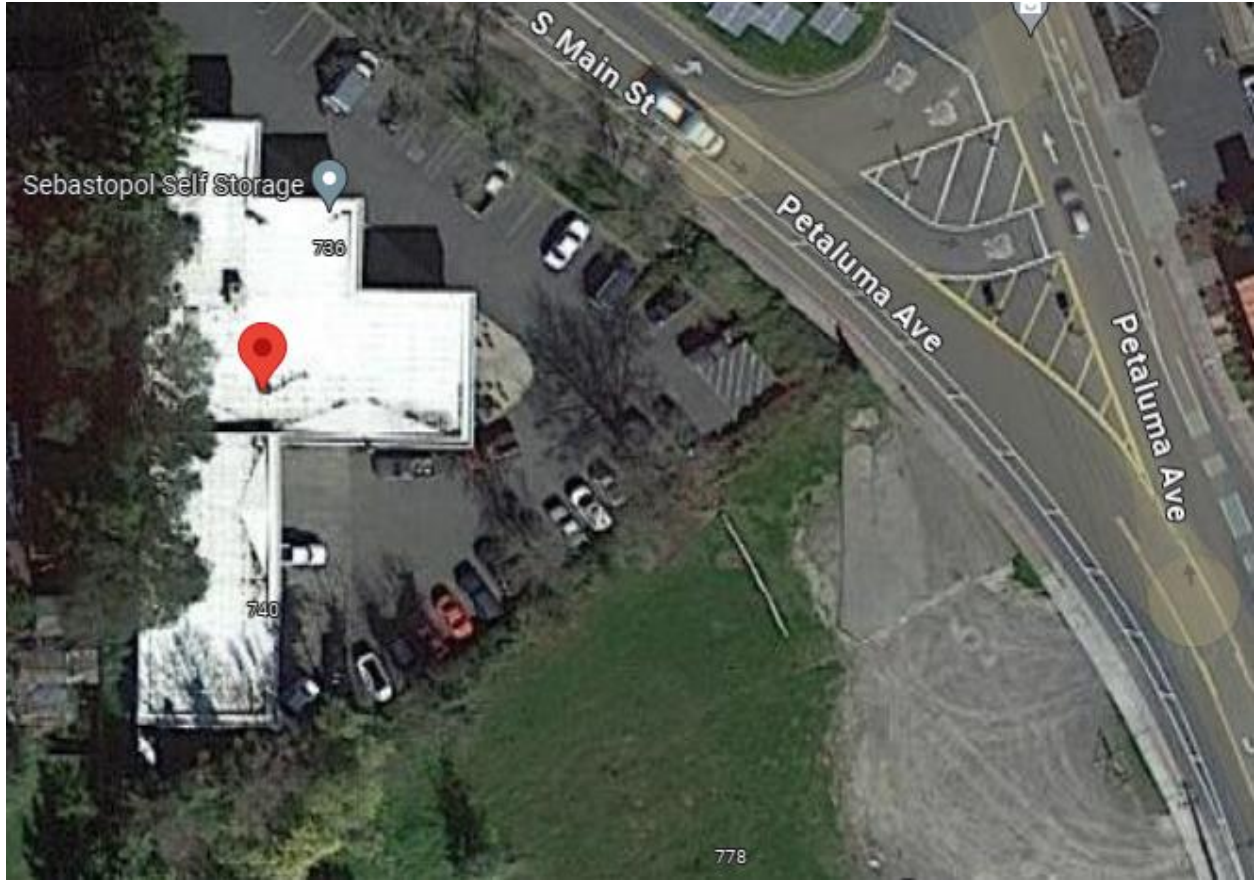
As we have a January 4 deadline, should you choose to continue the permit process, we would request that you expedite to accommodate that deadline.

Sincerely,

Shahrokh Moaveni

707-318-0437







NOTICE OF CANCELLATION

You are hereby notified that in accordance with the terms and conditions of the below mentioned policy, your insurance will cease at and from the hour and the date mentioned below.

Shahrokh Moaveni
2163 Hastings Ct
Santa Rosa, CA 95405-8378

CC: Cheda Insurance Agency Inc
111.111.1111

CANCELLATION TO TAKE EFFECT AT 12:01 A.M. ON: 01/04/2024
DATE OF NOTICE: 11/30/2023

Cancellation Notice Issued at:
Amwins Access Insurance Services, LLC
2550 W Tyvola Rd, Suite 600, Charlotte, NC 28217-0139

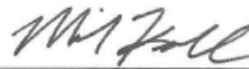
POLICY NUMBER: WS533712
LINE OF BUSINESS: Package
CARRIER: Northfield Insurance Company

REASON: INCREASE IN HAZARD

If you would like additional information concerning this action, state law requires that you submit a written request within ninety (90) days of the date this notice was mailed to you. Please send your request to:

Amwins Access Insurance Services, LLC
18630 Sutter Blvd., Suite 100, Morgan Hill, CA 95037

If the premium has been paid, adjustment will be made as soon as practical after cancellation becomes effective. If the premium has not been paid, a bill for the premium earned to the time of cancellation will be forwarded in due course. If the policy is subject to audit, return (or additional) premium will be billed after the audit is finalized.



COUNTERSIGNATURE

CERTIFICATION

I hereby certify that I personally mailed in the U.S. Post Office at the place and time stamped hereon, a notice of cancellation or nonrenewal to the insured and, if required, to the lienholder, an exact carbon copy of which appears above, and at said time received from the U.S. Postal Service the receipt made a part hereof or attached hereto.

Signature: _____

UNITED STATES POSTAL SERVICE

Received from:
Amwins Access Insurance Services, LLC
2550 W Tyvola Rd
Suite 600
Charlotte, NC 28217-0139

One piece of ordinary mail addressed to:
Shahrokh Moaveni
2163 Hastings Ct
Santa Rosa, CA 95405-8378

Signed this _____ day of _____ 20__

FOR USE AS A "CERTIFICATE OF MAILING" AS PROVIDED IN SECTION 931 OF THE DOMESTIC MAIL MANUAL. MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE.

Client: Sebastopol Planning Department
Project Location: 742 S Main St, Sebastopol, CA
Inspection Date: December 20, 2023
Arborist: Ben Anderson



Assignment

John Jay and Nzuzi Mahungu asked me to perform a site visit to inspect two trees on the subject property as part of a tree removal permit application. The applicant reports their insurance provider will not renew the policy unless the trees are removed. They provided a Notice of Cancellation from their insurance company, though it does not specifically mention the trees or that the policy can be renewed if the trees are removed. The applicant requested to bypass the permit process due to the perceived hazard the trees pose to structures.

Observations

The subject property is a commercial lot with a self-storage and a tire shop. The subject trees are both coast live oak (*Quercus agrifolia*) and are part of a line of trees behind the building (Figure 1). There is essentially no access to or use of the area. The trees in the line all had numbers spray painted on the building adjacent to their trunks.

The first of the subject trees is numbered 11 and has a trunk diameter of 12.5 inches. The trunk is in contact with the gutter, and the entire canopy is over the building (Figure 2). There would still be a continuous canopy between the trees on either side, even if this tree were removed. The canopy was generally healthy, though we are experiencing an extreme outbreak of two-horned oak gall wasp (*Dryocosmus dubiosus*) which is causing many coast live oaks to display notable yellow in their canopies, including the subject trees.

The second subject tree is labeled on the wall as 7 and has a trunk diameter of 15.5 inches. It leans strongly over the property fence and a shed on the adjacent property (Figure 3). The canopy is full of ivy (*Hedera canariensis*), increasing its weight and the lever force acting on the base. The ground looks to be slightly uplifted around the trunk base. There was standing water on the other side of the fence. The trunk is in contact with the top of the fence but does not look to have been so for very long, indicating potential recent movement in the root system.



Figure 1. Aerial showing approximate location of the canopies of the subject trees.

While on-site, I noticed a third tree that will need to be removed soon, numbered 5, with a trunk diameter of 18 inches. Much of the base is necrotic, and there are mushrooms from decay fungus (c.f. *Trametes versicolor*) growing from dead portions of the trunk (Figure 4). The canopy is very sparse. This tree will fall on the building when it breaks.

Discussion & Conclusions

It is possible the trunk of Tree 11 would lift off the roof if the canopy were pruned, but this would be an ongoing requirement until the trunk eventually expands enough that pruning will no longer create clearance. If it is not pruned, it will damage the roof. This removal is consistent with Sebastopol Municipal Code 8.12.060 D "Tree removal criteria" 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 potential to lose insurance coverage may also meet D3: "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." To meet this criterion, the applicant should provide documentation of the threat from the insurance company specifically requiring the trees' removal.

Tree 7 could be pruned to shorten its reach and reduce end weight, and the ivy removed to reduce the likelihood of failure from the roots, but failure would still be possible under normal weather conditions. While it would be reasonable to keep this tree if it were a valued part of the landscape, its removal is consistent with the same criteria from the ordinance listed above.

Tree 5 was not listed in the removal application, but its removal would be consistent with 8.12.060 D "Tree removal criteria" 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." I recommend it be added to the application.

After the trees are removed, there will still be many (10) large, healthy trees in a relatively small area. There is some open space on the south end of the line that could accommodate a replacement tree.

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
ISA Board Certified Master Arborist & TRAQ
RCA #686, WE #10160B
ben@urbanforestryassociates.com

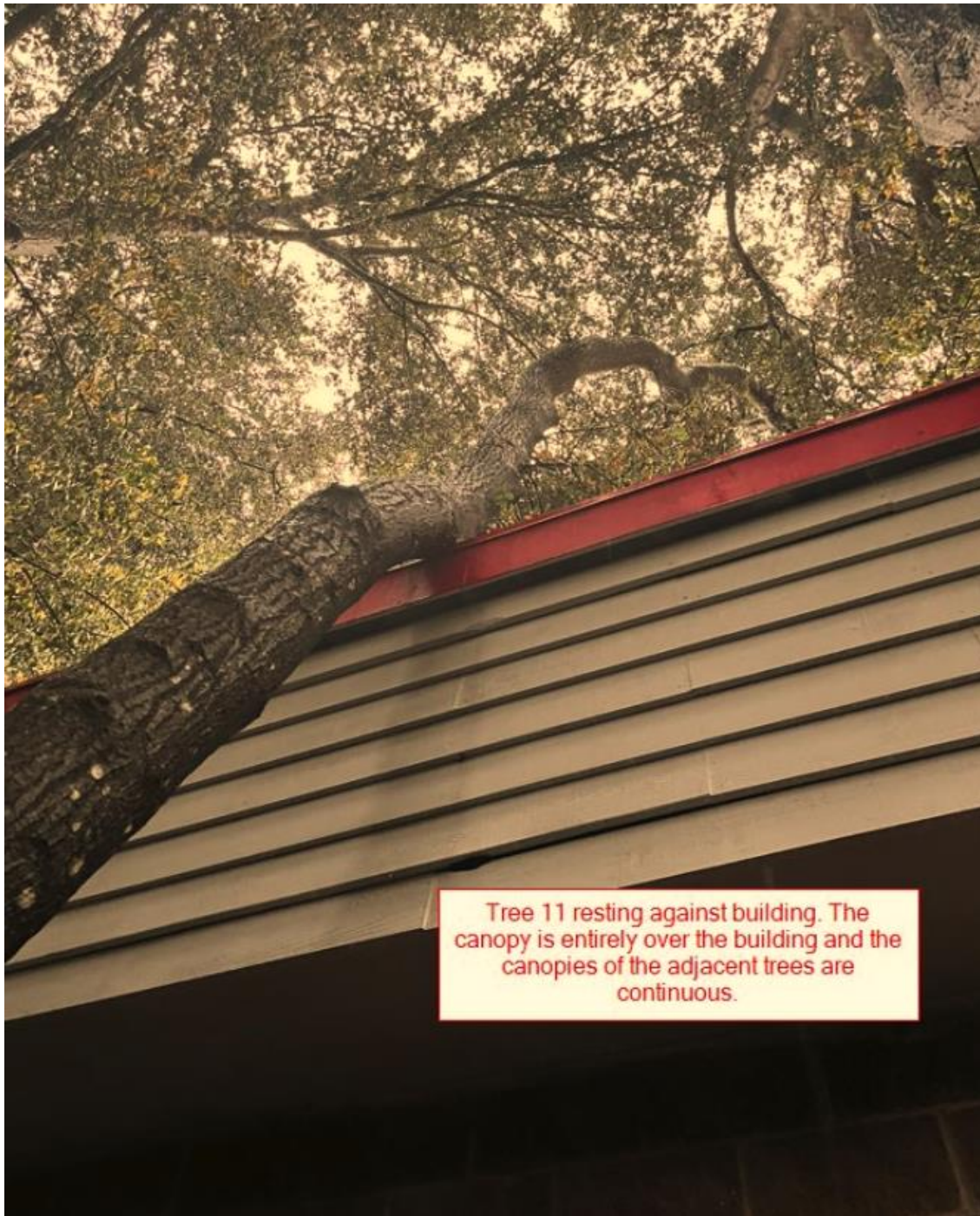


Figure 2. Tree 11 leaning on the roof.



Figure 3. Tree 7 leaning over fence.



Figure 4. Decaying trunk and sparse canopy of Tree 5.