



ARBORIST REPORT

April 17, 2025 (Revised 11/17/25)

Arborist Development Impact Assessment

Single Family Residential Development

1150 Vancouver Avenue, Burlingame, California 94010
A.P.N. 026-183-250

Prepared for:
City of Burlingame
Community Development: Planning Department

Prepared by:
ArborLogic Consulting Arborists
James Lascot, Principal Consulting Arborist
836 Southampton Rd Suite B177
Benicia CA 94510
415.753.5022
jlascot@arborlogic.com

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ARBORIST ASSIGNMENT

An 'Arborist Development Impact Assessment' is used to aid in planning and plan review, for the identification/location of trees on the site during the design of the project, placement of structures, driveways, utilities, and construction activities.

It also is used to identify trees of designated size and species that are protected under the municipal or county code that is applicable for the site location. And if required by the governing agency, it can be used to establish monetary values and responsibility for potential loss of tree resources for the property owner and the community.

ArborLogic Consulting Arborists have been contracted to inspect existing trees on this property, to provide an inventory with condition assessment, to determine potential negative impact from proposed construction activity, and to recommend impact mitigation measures. This site is within the City of Burlingame Municipal Code - Chapter 11.06 Urban Reforestation and Tree Protection (12/16/24).

Consulting arborist, James Lascot, performed site visits and visual tree inspections on March 26, 2025.

Refer to Tree Protection Plan Sheet T-1 for tree locations and additional information.

SUMMARY

This site is a developed residential property that has proposed development that includes an Accessory Dwelling Unit and landscape features. The subject trees consist of existing trees within the vicinity of the proposed development and included within the site plan. The Subject Trees total ten (10) individuals consisting of seven (7) species. There are two subject trees (T8 and T9) located on neighboring property that have their canopies overhanging some portions of the Applicants property and are included within this report. There are two protected Street Trees (T3 and T10) that will be preserved. Street Tree T3 will have tree protection fencing installed and Street Tree T10 appears to be far enough from any development activities that no tree protection measures are required.

There is one protected oak tree (T4) that requires removal for the proposed development due to significant expected root and low limb losses. This tree has a heavy trunk lean, has large low limbs over existing and proposed structures, has roots that have uplifted current hardscape with the potential of damage to the proposed structures. The removal of this tree is recommended due to the condition of the tree with respect to danger of falling; proximity to existing and proposed structures and the necessity to remove the tree in order to construct proposed improvements to allow economic enjoyment of the property (Ordinance 11.06.050[B][1][2])

There are four protected trees (T3, T8, and T10) that will be preserved with some special mitigation recommendations to reduce impacts. There are two unprotected trees (T1 and T2) that

are for removal. Protected tree (T8), located on neighboring property, will be preserved with special mitigation measures for demolition and construction. There is one protected Street Tree (T3) that will be fenced off but protected Street Tree T10 is far from the proposed development and will not require any mitigation measures.

The City of Burlingame has requested clarification regarding the necessity of removing the 30-inch diameter (94-inch circumference) oak tree located at the rear of the property, rather than preserving it through alternative design or construction strategies. The property owner intends to build an Accessory Dwelling Unit (ADU), as authorized by California State Law. There is currently one protected oak tree (T1) in the rear yard, with two additional protected oak trees (T8 and T9) located on the adjacent property. All three trees have extensive root systems and established tree protection zones within the rear yard.

Any proposed ADU layout within the buildable area would encroach upon and present risks to these protected trees. I stated that placement of an ADU near the neighboring protected trees could result in substantial adverse impacts, raising potential liability concerns. I further advised that locating either a detached or attached ADU outside the neighboring oak trees' root zones would still significantly infringe upon the protection zone of oak tree T1, potentially causing up to a 40% loss of roots and canopy—an unsustainable impact for the tree, thus necessitating its removal.

I also noted that any feasible ADU configuration would be within ten feet of oak tree T4, which does not comply with current insurance and fire department guidelines requiring a minimum ten-foot distance between trees and structures, along with a clearance of three to five feet above rooflines for tree canopies. Given these design constraints and the suboptimal condition of tree T1, we have elected to proceed with construction of an attached rear ADU and removal of protected oak tree T1, as reflected in our application.

RESOURCES

All information within this report is based on currently submitted plans and revisions as of the date of this report.

Resources are as follows:

- Proposed Site Plan Sheet A2 (current) Provided by Team Metric Inc., Design Builders, San Jose, California
- City of Burlingame Municipal Code Chapter 11.06 URBAN REFORESTATION AND TREE PROTECTION

SUBJECT TREE REMOVAL SUMMARY

TOTAL SUBJECT REMOVALS:**TREE REMOVAL FOR PROPOSED DEVELOPMENT:**

'PROTECTED' size trees: Total = 1

1 Coast live oak (*Quercus agrifolia*) T4*

'UNPROTECTED' size trees: Total = 2

2 Irish yew (*Taxus baccata 'Stricta'*) T1 and T2*

TREE REMOVAL (DEAD, DYING, DISEASED, HAZARDOUS, FALLEN, AND FLAMMABLE):

'HERITAGE' size trees: Total = 0

'UNPROTECTED' size trees: Total = 0

SUBJECT SPECIES LIST

SUBJECT TREES: Total = 9 trees

- 3 Coast live oak (*Quercus agrifolia*) T4*, T8* and T9
- 2 Irish yew (*Taxus baccata 'Stricta'*) T1 and T2*
- 1 Sweet gum (*Liquidambar styraciflua*) T10*
- 1 Chinese pistache (*Pistacia chinensis*) – T3*
- 1 Apple (*Malus domestica*) T5
- 1 Holly (*Ilex opaca*) T6
- 1 Chamelia (*Chamelia Sp.*) T7

* = Protected tree

TREE PROTECTION ZONES (TPZ)

The above ground portions of trees can easily be seen and protected but what is often overlooked, within the construction setting, is the importance of protecting the root crown and underground roots of the tree to preserve structural integrity and physiological health. Most roots are located within the topsoil that may only be 6"-18" in depth. Cutting of roots, grade changes, soil compaction and chemical spills or dumping can negatively affect tree health, stability, and survival, and should be avoided.

A "Tree Protection Zone", abbreviated as TPZ, is an industry standard based on the Matheny / Clark tree protection zone designation of an area surrounding an individual tree that is provided as protection for the tree trunk, structural roots, and root zone. A Tree Protection Zone is a radius, in feet, from a tree trunk location formulated from tree trunk diameter, age, and species tolerance to construction impacts. An individual or group of Tree Protection Zones are designated by a fenced protection area that we call a "Tree Protection Area" (TPA).

Tree protection shall include the location of fencing of tree protection area (TPA) to protect tree roots, foliar canopy, limbs, and may include the armoring of the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage.

Once the TPA is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the TPA if allowed for and specified by the project arborist. Restrictions and guidelines apply to the tree protection zones delineated within this report and trees protections plan (See the Tree Protection Plan Sheet T1 for Tree Protection recommendations).

CRITICAL ROOT ZONES (CRZ)

Critical Root Zone (CRZ) is the area of soil around the trunk of a tree where roots are located that provide critical stability, uptake of water and nutrients required for a tree's survival. The CRZ is the minimum distance from the trunk that trenching that requires root cutting should occur and can be calculated as three to the five times the trunk Diameter at Breast Height (DBH). For example, if a tree is one foot in trunk diameter, then the CRZ is three to five feet from the trunk location. We will often average this as four times the trunk diameter or 1ft. DBH = 4ft. CRZ (Smiley, E.T., Fraedrich, B. and Hendrickson, N. 2007).

PROJECT ARBORIST DUTIES

The project arborist is the person(s) responsible for conducting technical tree inspections, assessment, arborist report preparation, consultation with designers and municipal planners, specifying tree protection measures, monitoring, progress reports, and final inspection.

A qualified project arborist (or firm) should be designated, retained, and assigned to facilitate and insure tree preservation practices. He/she/they should perform the following inspections:

PROJECT ARBORIST INSPECTION SCHEDULE

- Inspection of site: Prior to Equipment and Materials Move In, Site Work, Demolition and Tree Removal: The Project Arborist will meet with the General Contractor, Architect / Engineer, and Owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection area fencing, specify equipment access routes and materials storage areas, review the existing condition of trees, and provide any necessary recommendations.
- Inspection of site: After installation of TPA fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance, or excavation areas within root zones of protected trees. Assess any changes in the health of trees since the last inspection.
- Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Area of Protected trees and any recommendations implemented. Assess any changes in the health of trees since the last inspection.
- Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

TREE REPLACEMENT PROGRAM

One Protected size oak tree (T1) has been designated for removal. Any replacement tree or trees may be included within the scope of a site development landscape plan, or in- lieu payment to the City of Burlingame, are to be determined by project landscape architect and the planning department. Refer to Tree requirements and reforestation within Ordinance 11.06.090[b] included within this report.

TREE WORK STANDARDS AND QUALIFICATIONS

All tree work, removal, pruning, planting, shall be performed using industry standards as established by the International Society of Arboriculture. Contractors must have a State of California Contractors License for Tree Service (C61-D49) or Landscaping (C-27) with general liability, worker's compensation, and commercial auto/equipment insurance. Contractor standards of workmanship shall adhere to current Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI) for tree pruning, fertilization, and safety (ANSI A300 and Z133.1).

TREE PROTECTION GUIDELINES AND RESTRICTIONS

- (1) Before the start of any clearing, excavation, construction, or other work on the site, or the issuance of a building or demolition permit, every significant and/or protected tree shall be securely fenced-off at the tree root zone, or other limit as may be delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken within the development.
- (2) If the proposed development, including any site work, will encroach upon the tree root zone of a significant and/or protected tree, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
- (3) Underground trenching shall avoid the major support and absorbing tree roots of significant and/or protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible.
- (4) Concrete or asphalt paving shall not be placed over the root zones of significant and/or protected trees, unless otherwise permitted by the project arborist.
- (5) Artificial irrigation shall not occur within the root zone of indigenous oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.
- (6) Compaction of the soil within the tree root zone of significant and/or protected trees shall be avoided.
- (7) Any excavation, cutting, or filling of the existing ground surface within the tree root zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on significant and/or protected trees.

(8) Burning or use of equipment with an open flame near or within the tree root zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the significant tree.

(9) Oil, gas, chemicals, or other substances that may be harmful to trees shall not be stored or dumped within the non-intrusion zone of any significant and/or protected tree, or at any other location on the site from which such substances might enter the tree root zone of a significant and/or protected tree.

(10) Construction materials shall not be stored within the tree root zone of a significant and/or protected tree.

Additional general requirements for tree protection zones are described as follows:

1. Any new plantings within the root intrusion zone should be designed to be compatible with the cultural requirements of the retained tree(s), to include irrigation, plantings, and fertilizer application. In root intrusion zones where native drought tolerant trees are located, no summer irrigation should be installed, and no vegetation installed requiring excessive irrigation, such as turf and flowerbeds.
2. Surface drainage should not be altered to direct water into or out of the tree root intrusion zone unless specified by the consulting arborist as necessary to improve conditions for the tree.
3. Site drainage improvements should be designed to maintain the natural water flow and levels within tree retention areas. If water must be diverted, permanent irrigation systems should be provided to replace natural water sources for the trees.

TREE PROTECTION RECOMMENDATIONS

TREE PROTECTION MEASURES:

1. THIS IS A SINGLE FAMILY DEVELOPED LOT. THERE IS ONE PROTECTED OAK TREE (T1) THAT REQUIRES REMOVAL DUE DANGER OF FALLING; PROXIMITY TO EXISTING AND PROPOSED STRUCTURES AND THE NECESSITY TO REMOVE THE TREE IN ORDER TO CONSTRUCT PROPOSED IMPROVEMENTS. THE EXISTING AND PROPOSED DEVELOPMENT IS LOCATED WITHIN OR NEAR THE TREE PROTECTION ZONES OF EXISTING PROTECTED TREES AND SPECIAL RECOMMENDATIONS FOR DEMOLITION AND CONSTRUCTION ARE REQUIRED AND ADDRESSED WITHIN THIS PLAN AND ACCOMPANYING ARBORIST REPORT. ALL RECOMMENDATIONS SHALL BE IMPLEMENTED.
2. THE PROJECT ARBORIST SHALL MEET WITH THE GENERAL CONTRACTOR PRIOR TO ANY TREE REMOVAL, DEMOLITION OR CONSTRUCTION ACTIVITIES AND DISCUSS A CONSTRUCTION MANAGEMENT PLAN THAT INCLUDES THE TREE PROTECTION REQUIREMENTS WITHIN THIS PLAN AND DESIGNATE THE LOCATION OF THE ANY MATERIAL STORAGE, WASH OUTS, OFFICE MODULES, PORTABLE SANITATION, AND AREAS OF VEHICLE OR HEAVY EQUIPMENT ACCESS AND EGRESS AND SHALL BE CLEARLY POSTED ON SITE THROUGHOUT THE DURATION OF THE DEVELOPMENT PROJECT. THE CONTRACTOR AGREES TO IMMEDIATELY NOTIFY THE PROJECT ARBORIST IF ROOTS ARE DAMAGED OR EXPOSED OR IF TRUNK OR BRANCHES ARE WOUNDED.
3. THE PROJECT ARBORIST SHALL DESIGNATE ANY TREE REMOVALS AND LOCATIONS OF TREE PROTECTION FENCING PRIOR TO ANY TREE REMOVAL, DEMOLITION OR CONSTRUCTION.
4. ALL TREE REMOVALS SHALL BE PERFORMED BY HAND USING LIGHT EQUIPMENT WITHOUT ANY

DAMAGE TO RETAINED TREES. ALL STUMPS SHALL BE REMOVED BY HAND OR USING HAND OPERATED STUMP GRINDING MACHINERY WHEN WITHIN THE TREE PROTECTION ZONES (TPZ) OF RETAINED TREES AND TO A DEPTH OF NO LESS THAN TWELVE (12) INCHES.

5. FOLLOWING TPA FENCE INSTALLATION, THE PROJECT ARBORIST SHALL INSPECT AND CONFIRM THAT TREE PROTECTION FENCING HAS BEEN INSTALLED ADEQUATELY AND PROVIDE A WRITTEN REPORT, WITH PHOTOGRAPHS, THAT SHALL BE SUBMITTED TO THE CITY OF BURLINGAME.

6. TREE PROTECTION AREA FENCING SHALL BE CONSTRUCTED OF NO LESS THAN 5-FOOT TALL METAL FENCING AND SUPPORTED BY NO LESS THAN 6-FOOT METAL POSTS ON NO LESS THAN 10-FOOT CENTERS UNLESS OTHERWISE DESIGNATED BY THE PROJECT ARBORIST. SEE DETAIL.

7. RETAINED TREES NEAR EQUIPMENT ACCESS AREAS MAY HAVE THEIR TRUNKS WRAPPED WITH 2" X 4" WOODEN SLATS AND BOUND SECURELY EDGE TO EDGE, WITHOUT NAILS, AS PADDING FROM GRADE TO 8-FEET ABOVE GRADE. A LAYER OF ORANGE PLASTIC CONSTRUCTION FENCING IS TO BE WRAPPED AND SECURED AROUND THE OUTSIDE OF THE WOODEN SLATS. MAJOR SCAFFOLD LIMBS MAY REQUIRE ADDITIONAL PROTECTION AS DETERMINED BY THE PROJECT ARBORIST.

8. ALL RETAINED TREES MAY BE MAINTENANCE PRUNED TO INCLUDE CLEANING, THINNING OF BRANCHES USING INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) INDUSTRY STANDARDS. THIS SHALL BE PERFORMED AFTER CONSTRUCTION IS COMPLETED.

9. THE PROJECT ARBORIST SHALL REVIEW ANY PLAN REVISIONS WITHIN THE TREE PROTECTION AREAS OF PRESERVED TREES. THIS INCLUDES, BUT NOT LIMITED TO, PLANS FOR DEMOLITION, EROSION CONTROL, IMPROVEMENTS, UTILITIES, DRAINAGE, GRADING, LANDSCAPING, AND IRRIGATION.

10. THE PROJECT ARBORIST SHALL INSPECT THE SITE MONTHLY FOR THE ADEQUATE PERFORMANCE OF TREE PRESERVATION MEASURES AND DESIGNATE SOIL CUTTING AREAS WITHIN TREE PROTECTION ZONES OF PROTECTED TREES AND ASSESS, DOCUMENTS, AND SUBMIT A REPORT TO THE CITY OF BURLINGAME OF ANY CHANGES IN THE HEALTH OF TREES SINCE THE LAST INSPECTION.

11. THE PROJECT ARBORIST SHALL INSPECT OR SUPERVISE ALL CONSTRUCTION ACTIVITIES WITHIN THE TREE PROTECTION AREAS AND WILL RECEIVE NO LESS THAN 72 HOUR NOTICE OF ANY PROPOSED ACTIVITIES WITHIN THE TREE PROTECTION ZONES OF RETAINED TREES AND THE PROJECT ARBORIST SHALL DOCUMENT AND PROVIDE ANY NECESSARY RECOMMENDATIONS TO THE CITY OF BURLINGAME.

12. EXCAVATION SHALL ONLY OCCUR WITHIN THE TREE PROTECTION ZONES OF RETAINED TREES, SUCH AS UTILITY TRENCHES, WHEN DESIGNATED BY THE PROJECT ARBORIST. THESE WILL BE EXCAVATED BY HAND, USING HIGH-PRESSURE AIR SPADE, OR OTHER METHOD PRESERVING ROOTS OVER TWO INCHES IN DIAMETER, OR AS DESIGNATED BY THE PROJECT ARBORIST. ANY ROOTS OVER TWO (2") INCHES IN DIAMETER SHALL ONLY BE REMOVED UNDER THE DIRECT SUPERVISION OF THE PROJECT ARBORIST OR AS OTHERWISE DESIGNATED BY THE PROJECT ARBORIST. ALL ROOT CUTTING SHALL BE PERFORMED UNDER INDUSTRY STANDARD METHODS, DOCUMENTED, AND A WRITTEN REPORT WITH PHOTOGRAPHS PROVIDED BY THE PROJECT ARBORIST TO THE CITY OF BURLINGAME.

13. THE PROJECT ARBORIST SHALL INSPECT THE SITE FOLLOWING COMPLETION OF CONSTRUCTION, ASSESS TREE CONDITION, AND MAKE ANY NECESSARY RECOMMENDATIONS WITHIN THE FINAL ARBORIST REPORT THAT SHALL BE SUBMITTED TO THE CITY OF BURLINGAME.

14. THE PROJECT ARBORIST SHALL PROVIDE ANY FURTHER RECOMMENDATIONS TO MITIGATE IMPACTS TO INCLUDE, BUT NOT LIMITED TO, HAND EXCAVATION, AIR SPADE EXCAVATION, VERTICAL DRILLING HAND ROOT PRUNING, AND FERTILIZATION.

SPECIFIC TREE PROTECTION:

15. REMOVE TREES T1, T2, AND T4 AS DESIGNATED WITHIN ITEMS 3 AND 4.

16. THE PROJECT ARBORIST SHALL DIRECTLY SUPERVISE AND DOCUMENT ANY DEMOLITION OR EXCAVATION WITHIN THE TREE PROTECTION AREAS AND CANOPY DRIPLINES OF PROTECTED TREES AS PER ITEM 12 OF THIS PLAN UNLESS OTHERWISE DIRECTED BY THE PROJECT ARBORIST.

17. ANY CLEARANCE PRUNING WILL BE UNDER THE DIRECT SUPERVISION OF THE PROJECT ARBORIST USING THE INTERNATIONAL SOCIETY OF ARBORICULTURE STANDARD PRUNING TECHNIQUES.

18. NO DEVELOPMENT SHALL OCCUR WITHIN THE CRITICAL ROOTS ZONES OF PROTECTED TREES.

PHOTOGRAPHS

PHOTOGRAPH NO. 1: Frontage of property.



PHOTOGRAPH NO. 2: Subject Unprotected yew trees T1 (right) and T2 (left) to be removed.



PHOTOGRAPH NO. 3: Subject Protected Street Tree T3 will be preserved.



PHOTOGRAPH NO. 4: Subject Protected oak tree T4. Note significant trunk lean and that major low limb will require removal for proposed ADU.



PHOTOGRAPH NO. 5: Subject Protected oak tree T4 will require removal. Note: root uplift damage to existing pathway.



PHOTOGRAPH NO. 6: Subject Protected oak tree T4 showing a significant trunk lean.



PHOTOGRAPH NO. 7: Subject Protected oak T4 showing significantly large low hanging limbs over existing and proposed structures.



PHOTOGRAPH NO. 8: Subject Unprotected apple tree T5 will be preserved.



PHOTOGRAPH NO. 9: Subject Unprotected holly tree T6 will be preserved.



PHOTOGRAPH NO. 10: Subject Unprotected chamelia tree T7 will be preserved.



PHOTOGRAPH NO. 11: Subject Protected oak tree T8 (right) and Unprotected oak tree T9 (left) are on neighboring property, overhanging the 1150 Vancouver property, and will be preserved.



PHOTOGRAPH NO. 12: Subject Protected Street tree T10 will be preserved and is far away from the development.



PROTECTED TREES DEFINED

BURLINGAME MUNICIPAL CODE**Chapter 11.06 URBAN REFORESTATION AND TREE PROTECTION**

(All Content Displayed)

11.06.010 Purpose and intent.**11.06.020 Definitions.****11.06.030 Nomination and listing of protected trees.****11.06.040 Emergencies.****11.06.050 Prohibitions and protections.****11.06.060 Notices and permits required for removal or work significantly affecting protected trees.****11.06.070 Decision by director.****11.06.080 Appeal.****11.06.090 Tree requirements and reforestation.****11.06.100 Penalty.****11.06.010 Purpose and intent.**

The city of Burlingame is endowed and forested with a variety of healthy and valuable trees which must be protected and preserved. The preservation of these trees is essential to the health, welfare and quality of life of the citizens of the city because these trees preserve the scenic beauty of the city, maintain ecological balance, prevent erosion of top soil, counteract air pollution and oxygenate the air, absorb noise, maintain climatic and microclimatic balance, help block wind, and provide shade and color. For these same reasons, the requirement of at least one tree, exclusive of city-owned trees, on every residential lot in the city should be part of the permit process for any construction or remodeling.

It is the intent of this chapter to establish conditions and regulations for the removal and replacement of existing trees and the installation of new trees in new construction and development consistent with these purposes and the reasonable economic enjoyment of private property. (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.020 Definitions.

Terms used in this chapter shall be defined as follows:

- (a) "Commission" means the Beautification Commission of the city of Burlingame.
- (b) "Department" means the parks and recreation department of the city of Burlingame.
- (c) "Development or redevelopment" means any work upon any property in the city of Burlingame which requires a subdivision, variance, use permit, building permit or other approval or which involves excavation, landscaping, or construction in the vicinity of a protected tree.
- (d) "Director" means the director of parks and recreation of the city of Burlingame.
- (e) "Landscape tree" means a generally recognized ornamental tree and shall exclude fruit, citrus, or nut-bearing trees.
- (f) "Protected tree" means:
 - (1) Any tree with a circumference of forty-eight (48) inches or more when measured fifty-four (54) inches above natural grade; or

(2) A tree or stand of trees so designated by the city council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance or other factor; or

(3) A stand of trees in which the director has determined each tree is dependent upon the others for survival.

(g) "Pruning" means the removal of more than one third of the crown or existing foliage of the tree or more than one third of the root system. Pruning done without a permit or which does not conform to the provisions of a permit shall be deemed a removal.

(h) "Removal" means cutting to the ground, extraction, killing by spraying, girdling, or any other means. (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1492 § 1, (1993); Ord. 1598 § 1, (1998))

11.06.030 Nomination and listing of protected trees.

Nomination for protected tree status under Section 11.06.020(f)(2) may be made by any citizen. The commission shall review such nominations and present its recommendations to the city council for designation.

A listing of trees so designated, including the specific locations thereof, shall be kept by the department and shall be available for distribution to interested citizens.

The city council may remove a designated tree from the list upon its own motion or upon request. Requests for such action may originate in the same manner as nominations for protected tree status. (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.040 Emergencies.

In the event that an emergency condition arises whereby immediate action is necessary because of disease, or danger to life or property, a protected tree may be removed or altered by order of the director or, if the director is unavailable, a responsible member of the police, fire, parks and recreation, or public works department. In such event, a report shall be made to the commission describing the conditions and necessity of such an order. (Ord. 1057 §

1, (1975); Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.050 Prohibitions and protections.

(a) No protected tree shall be removed from any parcel without a permit except as provided in Section 11.06.040.

(b) The following conditions shall be observed during construction or development of property:

(1) Protected trees are to be protected by a fence which is to be maintained at all times;

(2) Protected trees that have been damaged or destroyed by construction shall be replaced or the city shall be reimbursed, as provided in Section 11.06.090;

(3) Chemicals or other construction materials shall not be stored within the drip line of protected trees;

(4) Drains shall be provided as required by the director whenever soil fill is placed around protected trees; and

(5) Signs, wires or similar devices shall not be attached to protected trees. (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.060 Notices and permits required for removal or work significantly affecting protected trees.

(a) Removal or Pruning. Owners, or their authorized representative, of protected trees on public or private property shall obtain a permit to remove or prune a protected tree. The application shall be on a form furnished by the department and shall state, among other things, the number and location of the tree(s) to be removed or pruned by type(s) and the reason for removal or pruning of each. The application shall also include a photograph with correct botanical identification of the subject tree or tree(s). An authorized representative of the department shall make an inspection of the tree(s) and shall file a written report and his or her recommendations to the director.

(b) Educational Conference before Work Commences. After receipt of an application, the director may require an educational conference to inform the owner of potential alternatives to the proposed removal or pruning.

(c) Removal or Pruning of Protected Trees on Undeveloped or Redeveloped Property. When an application for development or redevelopment of a property containing one or more protected trees is filed in any office or department of the city, the person making such an application shall file a site plan showing the location of buildings or structures or of proposed site disturbances, and the location of all trees. The director shall determine if all protected trees are shown. An authorized representative of the department shall make an inspection and shall file a report of his or her findings and recommendations to the director.

Subject to the replacement provisions of Section 11.06.090, the director shall approve the removal of protected trees within the footprint of approved construction in the R-1 zone, which construction does not require a variance, conditional use permit, or special permit under Title 25 of this code. The notice and appeal provisions of Sections 11.06.070 and 11.06.080 shall not apply to such approvals.

(d) Review. In reviewing applications, the director shall give priority to those based on hazard or danger of disease. The director may refer any application to another department, committee, board or commission of the city for a report and recommendation, and may require the applicant to provide an arborist's report. In reviewing each application, the director shall determine:

(1) The condition of the tree(s) with respect to disease; danger of falling; proximity to existing or proposed structures, yards, driveways and other trees; and interference with public utility services;

(2) The necessity to remove the tree(s) in order to construct any proposed improvements to allow economic enjoyment of the property;

(3) The topography of the land and the effect of the removal of the tree(s) on erosion; soil retention; and diversion or increased flow of surface waters;

(4) The number of trees existing in the neighborhood on improved property and the effect the removal would have on the established standard of the area and property value. Neighborhood is defined as the area within a 300-foot radius of the property containing the tree(s) in question;

- (5) The number of trees the particular parcel can adequately support according to good arboricultural practices;
 - (6) The effect tree removal would have on wind protection, noise and privacy;
- and
- (7) The economic consequences and obligations of requiring a tree to remain.
- (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1492 § 2, (1993); Ord. 1598 § 1, (1998); Ord. 1603 § 9, (1998))

11.06.070 Decision by director.

A decision shall be rendered by the director for each application. If an application is approved, it shall include replacement conditions in accordance with Section 11.06.090. The director shall give written notification of the decision to the applicant and all property owners within one hundred (100) feet of the property containing the tree(s) in question, and include a copy of the city Urban Reforestation and Tree Protection Ordinance (Chapter 11.06). (Ord. 1057 § 1, (1975); Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.080 Appeal.

Any person may appeal the decision of the director to the commission by filing an appeal in writing with the director no later than 5:00 p.m. of the tenth calendar day after the decision. The director shall set the matter for review by the commission at its next regular meeting and provide notice by mail of the commission hearing to the appellant and applicant at least five (5) days prior thereto.

The determination of the commission shall become final and conclusive in ten (10) days if no appeal is filed. Destruction, removal or other work on a protected tree shall not commence until after the ten (10)-day period has passed, or, if any appeal is filed, until the decision of the city council. During the period between the action of the commission and the end of the ten (10)-day appeal period, any person may appeal such action to the city council. Such appeal shall be in writing and shall be filed with the city clerk. During the same period the city council, on its own motion, may suspend the order of the commission for the purpose of reviewing the action of the commission. A permit shall be valid for six (6) months after the date it is issued. Under exceptional circumstances, the director may issue one six (6)-month extension. (Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

11.06.090 Tree requirements and reforestation.

(a) Whenever the development or redevelopment of a single family home, duplex, apartment house or condominium results in any increase in lot coverage or habitable space (as defined by Chapter 25 of this code), the property shall be required to meet the following requirements:

- (1) One landscape tree for every One thousand (1,000) square feet of lot coverage or habitable space for single family homes or duplexes;
- (2) One landscape tree for every two thousand (2,000) square feet of lot coverage for apartment houses or condominiums.

Lot coverage and habitable space shall include both existing and new construction. The director shall determine the number of existing trees which are of an acceptable size, species and location to be counted toward this requirement. Any additional trees which are required shall meet the standards for replacement trees set forth in subsection (b) below.

(b) Permits for removal of protected tree(s) shall include replanting conditions with the following guidelines:

(1) Replacement shall be three (3) fifteen (15)-gallon size, one twenty-four (24)-inch box size, or one thirty-six (36)-inch box size landscape tree(s) for each tree removed as determined below.

(2) Any tree removed without a valid permit shall be replaced by two (2) 24-inch box size, or two (2) 36-inch box size landscape trees for each tree so removed as determined below.

(3) Replacement of a tree be waived by the director if a sufficient number of trees exists on the property to meet all other requirements of the Urban Reforestation and Tree Protection ordinance.

(4) Size and number of the replacement tree(s) shall be determined by the director and shall be based on the species, location and value of the tree(s) removed.

(5) If replacement trees, as designated in subsection (b)(1) or (2) above, as applicable, cannot be planted on the property, payment of equal value shall be made to the city. Such payments shall be deposited in the tree planting fund to be drawn upon for public tree planting. (Ord. 1470 § 1, (1992); Ord. 1492 § 3, (1993); Ord. 1598 § 1, (1998))

11.06.100 Penalty.

In addition to any other penalties allowed by law, any person removing or pruning a tree in violation of this ordinance is liable to treble damages as set forth in Section 733 of the Code of Civil Procedure of the State of California. Damages for this purpose shall be replacement value of the tree as determined by the International Society of Arboriculture Standards. (Ord. 1470 § 1, (1992); Ord. 1598 § 1, (1998))

ASSUMPTIONS AND LIMITING CONDITIONS

ArborLogic, James Lascot

1. Any legal description provided to the consultant / appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. All property is appraised or evaluated as free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified as far as possible; however, the consultant / appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The consultant / appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
5. Unless required by law otherwise, possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant / appraiser.
6. Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant / appraiser -- particularly as to value conclusions, identity of the consultant / appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant / appraiser as stated in his qualifications.
7. This report and any values expressed herein represent the opinion of the consultant / appraiser, and the consultant / appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by ArborLogic and James Lascot as to the sufficiency or accuracy of said information.
9. Unless expressed otherwise: a) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.
10. Loss or alteration of any part of this report invalidates the entire report.



James Lascot
ArborLogic Principal / Consulting Arborist
ISA certified arborist WE-2110

TREE INVENTORY

TREE	SPECIES	DSH(1)				CSH(2)	CONDITION	SUIT(3)	RIZ(4)	CRZ(5)	LOSS(6)	RECOMMENDATION
T01	IRISH YEW	4	0	0	0	13	GOOD	2	3	1	0%	REMOVE (DEVELOPMENT)
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Applicant's Property			
T02	IRISH YEW	4	0			13	GOOD	2	3	1	0%	REMOVE (DEVELOPMENT)
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Applicant's Property			
T03	CHINESE PISTACHE	1				3	GOOD	2	2	1	0%	PRESERVE
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Street Tree			
T04	LIVE OAK	30				94	FAIR	3	15	10	20%	REMOVE (DEVELOPMENT)
	PROTECTED	DESCRIPTION:				Heavy trunk lean (40 degrees from vertical; large low limbs over structures, and hardscape damage.			LOCATION: Applicant's Property			
T05	APPLE	12.5				39	GOOD	2	9	4	0%	PRESERVE
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Applicant's Property			
T06	HOLLY	4				13	GOOD	2	3	1	0%	PRESERVE
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Applicant's Property			
T07	CHAMELIA	2				14	GOOD	2	3	2	0%	PRESERVE
	UNPROTECTED	DESCRIPTION:				No apparent problems.			LOCATION: Applicant's Property			
T08	LIVE OAK	16				50	FAIR	3	8	5	0%	PRESERVE (MITIGATION)
	PROTECTED	DESCRIPTION:				Heavy trunk lean (40 degrees from vertical).			LOCATION: Neighboring Property			
T09	LIVE OAK	12				38	FAIR	3	6	4	0%	PRESERVE (MITIGATION)
	UNPROTECTED	DESCRIPTION:				Heavy trunk lean (40 degrees from vertical).			LOCATION: Neighboring Property			
T10	SWEET GUM	30				94	FAIR	3	23	10	0%	PRESERVE
	PROTECTED	DESCRIPTION:				Heavily topped.			LOCATION: Street Tree			

(1) Trunk Diameter at 4.5 feet (54 inches) above soil grade. Measured in inches.

(2) Trunk Circumference at 4.5 feet (54 inches) above soil grade. Measured in inches.

(3) Tree Suitability for Preservation determined by individual health, condition and species desirability.

(4) Tree Protection Zone (radius in feet from trunk location).

(1-Excellent. 5-Poor)

(5) Tree Critical Root Zone (radius in feet from trunk location).

(6) Expected Root Loss due to construction. See Specifications for Tree Protection / Root Intrusion Zones in Arborist Report.