



City of Brisbane
50 Park Place
Brisbane, CA 94005-1310
415-508-2100
415-467-4989 Fax

**NOTICE OF APPROVAL
TREE REMOVAL PERMIT**

APPLICATION NO.: **Tree Removal TR-2-20**

APPLICANT: **T. Peter Lam**

OWNER(S): **T. Peter Lam Tr., Douglas Ebert, Jennifer Ebert and John Hwang**

ASSESSOR'S PARCEL NOS.: **104-590-010, -020 & -030**

ZONING: **R-3 Residential District**

LOCATION: **291, 293 & 295 Santa Clara Street**

REQUEST: **Removal of two (2) Monterey Pine Trees from the side yard of the triplex, adjacent to San Bruno Avenue.**

ENVIRONMENTAL STATUS: **Categorical exemption for replacement landscaping, per State CEQA Guidelines Sections 15304(b)--this proposal falls within a class of projects which the State has determined not to have a significant effect on the environment. The exceptions to this categorical exemption referenced in Section 15300.2 do not apply.**

The Community Development Director has granted this administrative permit and it shall be effective on May 27, 2020, unless a notice of appeal form and fee is filed with the City Clerk, Ingrida Padilla, no later than close of business on Tuesday May 26, 2020, per Brisbane Municipal Code §12.12.060. To contact the City Clerk, email ipadilla@brisbaneca.org or call (415) 508-2113. A copy of the tree removal application and Director's approval letter containing findings and conditions of approval may be viewed on the City's website at <https://www.brisbaneca.org/cd/page/log-7-day-notices-and-tree-removal-permits>

DATED: May 19, 2020

John A. Swiecki, AICP
Community Development Director



CITY OF BRISBANE
Community Development Department
50 Park Place, Brisbane, CA 94005
(415) 508-2120

Tree Removal Permit

May 19, 2020

Peter Lam
293 Santa Clara Street
Brisbane, CA 94005

Subject: 291-295 Santa Clara Street

Dear Mr. Lam:

Thank you for submitting a tree removal permit application to remove two Monterey Pine trees from the San Bruno Avenue side of your property at 291-295 Santa Clara Street.

This letter serves as the permit to remove the two trees and is subject to a 7-day appeal period, during which time you or anyone else may appeal this approval to the City Manager, per Brisbane Municipal Code Section 12.12.060. If no appeal is received, the permit effective date is May 27, 2020 and upon returning a signed copy of this letter, acknowledging agreement with the conditions of approval.

This permit is granted based on the finding, as stated in your application and supported by the letter from Loral Horticultural Services, dated February 26, 2020, that the trees are diseased and pose a danger of falling or dropping limbs. It's also acknowledged that the City's Department of Public Works (DPW) has reported that the root zones likely extend into the public right-of-way and the poor health of these trees may be further compromised by a planned DPW safe routes to school/green streets project. Findings and conditions of approval for this permit are attached.

Please sign and return a copy of this letter to Senior Planner Ken Johnson keep a copy on site during the tree removal in case you are asked to demonstrate compliance with Chapter 12.12 of the Brisbane Municipal Code. If you have any questions regarding this matter, including preparation of a replacement tree plan, please contact Mr. Johnson at (415) 508-2120, or email at kjohnson@brisbaneca.org.

Sincerely,

John Swiecki
Community Development Director

Signed and Accepted: _____ Date: _____
Peter Lam

Cc: Justin Yuen, Dept. of Public Works

FINDINGS

One or more finding(s) are required for approval, per BMC Section 12.12.050.B.2. The following findings are made:

- A. The trees are dead or diseased such that they pose an imminent danger of falling or dropping limbs.
- B. The trees are in close proximity to a structure, or would be in close proximity following city-approved construction (ie. planned green infrastructure by the Dept. of Public Works in the right-of-way), such that they would pose a likelihood of damage to such structures.

CONDITIONS OF APPROVAL

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense (or by prior agreement with the Public Works Dept.) in compliance with the following:
 - i. Replacement trees shall be on at least a 1:1 basis.
 - ii. Replacement size shall be of a standard fifteen (15) gallon nursery container, or larger.
 - iii. The replacement species and location shall be approved by the Planning Director prior to planting.
 - iv. Replacement trees are to be planted within ninety (90) days of removal.
2. The tree stumps are to be removed to below ground level, due to their visibility and to prevent a tripping hazard.
3. All tree removal activities shall be subject to the Noise Ordinance, BMC §8.28.060. Tree removal shall only be allowed between the hours of seven (7:00) a.m. and seven (7:00) p.m. on weekdays and nine (9:00) a.m. to seven (7:00) p.m. on weekends and holidays. Tree removal activities must meet at least one of the following noise limitations:
 - i. No individual piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source thereof.
 - ii. The noise level at any point outside of the property plane shall not exceed eighty-six (86) dBA.
4. Tree cutting and any chipping of tree materials shall not generate dust that would travel off-site and create a nuisance to neighboring properties, as defined in BMC §8.36.010.G.
5. This letter does not provide authorization for tree removal from other properties or entry to other neighboring properties where limbs may hang over. If the tree removal activities require entry onto an adjacent yard, you will need to contact the owner of that property to arrange a private agreement.
6. All removal activities shall comply with applicable federal and state provisions protecting nesting or migratory birds as provided in the federal Migratory Bird Treaty Act and the California Fish and Wildlife Code, Section 3503.
7. This tree removal permit shall expire six (6) months following the effective date of the permit.