



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

**NOTICE OF APPROVAL OF
TREE REMOVAL PERMIT**

APPLICATION NO.: **2022-TR-5 Tree Removal**

APPLICANT/OWNER: **Julia Johnson, CSHV Crocker, LLC**

ASSESSOR'S PARCEL NOS.: **005-232-040**

ZONING: **TC-1 Trade Commercial District**

LOCATION: **435 Valley Drive**

REQUEST: **Removal of one (1) pine tree from the parking lot landscape area near the front entrance.**

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 Thursday, April 28, 2022, unless a notice of appeal form and fee of \$390 is filed with the City Clerk, Ingrida Padilla, no later than close of business on Wednesday, April 27, 2022, per Brisbane Municipal Code §12.12.060. Appeals are subject to public hearing with the City Manager. 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: April 20, 2022



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

April 20, 2022

Julia Johnson
411 Borel Avenue Suite 250
San Mateo, CA 94402

Subject: 2022-TR-5

Dear Ms. Johnson:

Thank you for submitting a tree removal permit application to remove one Pine tree from the property at 435 Valley Drive.

This letter serves as the permit to remove the tree. This permit 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 by close of business on Wednesday, April 27, 2022, the permit effective date will be April 28, 2022.

In order for the permit to be effective, **please sign and return a copy of this letter** to Associate Planner Jeremiah Robbins (see contact info below) and 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. Robbins at (415) 519-1437, or email at jrobbins@brisbaneca.org.

Sincerely,

John Swiecki
Community Development Director

Signed and Accepted: _____ Date: _____

JULIA JOHNSON

FINDINGS

- A. The Pine tree is defined as a “protected tree” and the following findings are made approving its removal, per BMC Section 12.12.050.B.2.a:
- The tree is dead or is diseased such that it poses an imminent danger of falling or dropping limbs.

CONDITIONS OF APPROVAL

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense 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 Community Development Director prior to planting.
2. The tree stump is to be removed to below ground level, due to their visibility.
3. Should the adjacent Pine tree, located within the same parking landscaped area, need to be trimmed in order to remove the dead pine tree authorized to be removed under this tree removal permit, the applicant shall complete a 7-Day Notice per BMC §12.12.050.
4. 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.
5. 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.
6. Applicant shall obtain an Encroachment Permit from the City Engineer prior to undertaking the work, if work is to result in roadway or sidewalk blockage.
7. 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.
8. 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.
9. This tree removal permit shall expire six (6) months following the effective date of the permit.



REPORT TO COMMUNITY DEVELOPMENT DIRECTOR

Date: April 20, 2022

From: Jeremiah Robbins, Associate Planner

Subject: 2022-TR-5 Tree Removal Application for one Pine tree from 435 Valley Drive

Request

Consideration of the application for a tree removal permit for one Pine trees from the parking lot landscape area near the front entrance of the commercial building at 435 Valley Drive.

Applicant

Julia Johnson on behalf of CSHV Crocker, LLC

Applicable Code Sections

The Pine tree is defined as “protected trees” per Brisbane Municipal Code (BMC) §12.12.040.H.3. Application and findings, decision and standard conditions for removal of a protected tree are provided in BMC §12.12.050.B.

Background

Non-invasive trees planted within Crocker Park Industrial subarea, even if not protected as species, are considered protected by permit since they were part of a master-planned development. Therefore, they are subject to a permit for their removal per the code sections listed above.

Discussion

The Pine tree is in excess of 30 inches in circumference at 2 feet above grade. It is located in a landscaped area of the parking lot near the front entrance on the southeast corner of the building at 435 Valley Drive. The following provides further discussion regarding its proposed removal.

BMC §12.12.050.B.2 requires that one or more of five findings be made by the Community Development Director for approval of an application for a protected tree removal. In this case, the following finding can be made to approve the proposed tree removal:

The tree is dead or is diseased such that it poses an imminent danger of falling or dropping limbs.

The Pine tree in question is dead, as evident by the photos included with the application (see Attachment 3).

The standard conditions of approval shall be applied in connection with the granting of this tree removal permit. Some of these conditions includes replacement trees on at least a 1:1 basis with a

Staff Report for Tree Removal Permit
435 Valley Drive
April 20, 2022

fifteen-gallon nursery container size or larger, Community Director approval of the replacement species and proposed location, and that replacement trees are to be planted within 90 days of removal of the subject trees, per 12.12.050.B.4.

Recommendation

That tree removal permit 2022-TR-5 be approved, based on the draft findings and conditions of approval provided in Attachment 1.

Attachments

1. Draft Findings and Conditions of Approval
2. Tree location map/aerial
3. Tree Removal Application



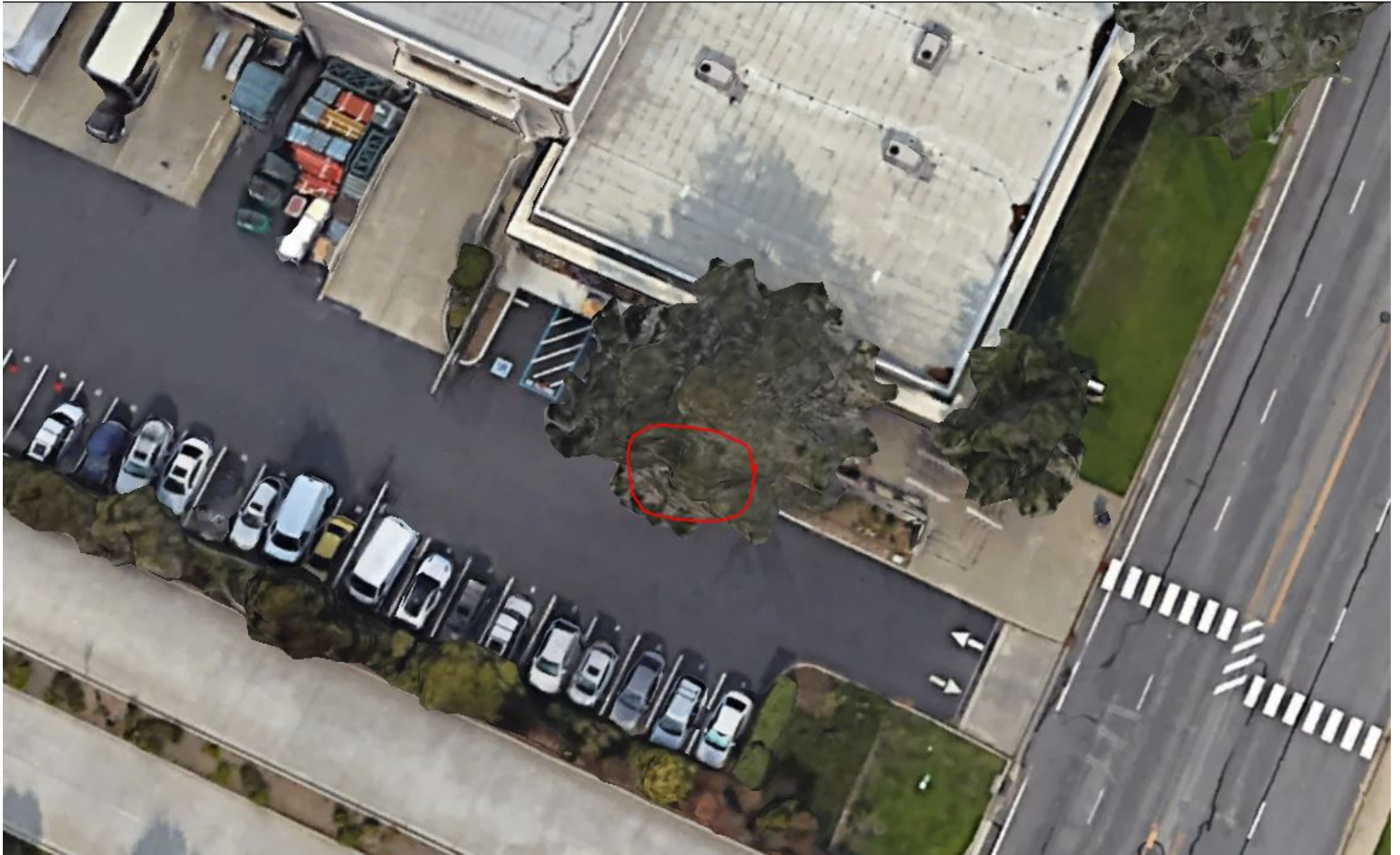
Jeremiah Robbins, Associate Planner

**-DRAFT-
FINDINGS**

- A. The Pine tree is defined as a “protected tree” and the following findings are made approving its removal, per BMC Section 12.12.050.B.2.a:
- The tree is dead or is diseased such that it poses an imminent danger of falling or dropping limbs.

CONDITIONS OF APPROVAL

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense 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 Community Development Director prior to planting.
2. The tree stump is to be removed to below ground level, due to their visibility.
3. Should the adjacent Pine tree, located within the same parking landscaped area, need to be trimmed in order to remove the dead pine tree authorized to be removed under this tree removal permit, the applicant shall complete a 7-Day Notice per BMC §12.12.050.
4. 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.
5. 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.
6. Applicant shall obtain an Encroachment Permit from the City Engineer prior to undertaking the work, if work is to result in roadway or sidewalk blockage.
7. 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.
8. 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.
9. This tree removal permit shall expire six (6) months following the effective date of the permit.



Submission information

Form: Private Tree Removal and Severe Tree Trimming Application [1]

Submitted by Visitor (not verified)

Mon, 04/11/2022 - 7:12pm

Date

Mon, 04/11/2022

Type of Request

Removal of Non-protected Mature Tree

Property Address 435 Valley Drive, Brisbane

Photo ID #	1
Trim or Remove	Non-protected Tree Removal
Species	Pine
Invasive	No
Tree Circumference	4
Description of Tree Location	Smaller dead tree at the front of main entrance. First tree closest to the driveway.
Photo	dead_tree_435_valley.jpg [2]

Tree #3

Description of Tree Location

Photo

Photo

Site Plan

435_valley_-_dead_tree.jpg [3]

Certify the following:

- I am the Owner of Record of the subject property
- The information submitted herein is true and correct
- I have read and agree to the standard conditions of approval specific to my request

Electronic Signature Agreement

I agree









