



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-7 Tree Removal**

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

ASSESSOR'S PARCEL NOS.: **005-171-040**

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

LOCATION: **340 Valley Drive**

REQUEST: **Removal of three (3) Monterey Cypress trees and one (1) Stone Pine tree from the 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 Wednesday, August 3, 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 Tuesday, August 2, 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: July 26, 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

July 26, 2022

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

Subject: 2022-TR-7

Dear Ms. Johnson:

Thank you for submitting a tree removal permit application to remove three Monterey Cypress trees and one Stone Pine from the property at 340 Valley Drive.

This letter serves as the permit to remove the trees. 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 Tuesday, August 2, 2022, the permit effective date will be August 3, 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,

A handwritten signature in black ink that reads 'John Swiecki'.

John Swiecki
Community Development Director

Signed and Accepted: _____ Date: _____

JULIA JOHNSON

FINDINGS

- A. The three Monterey Cypress trees and one Stone Pine tree are defined as “protected trees” and the following findings are made approving their removal, per BMC Section 12.12.050.B.2:
- a. The trees are in close proximity to a structure, such as a building, retaining wall, utilities, etc., such that it 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 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. 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. 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.
6. 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.
7. 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.
8. This tree removal permit shall expire six (6) months following the effective date of the permit.



REPORT TO COMMUNITY DEVELOPMENT DIRECTOR

Date: July 26, 2022

From: Jeremiah Robbins, Associate Planner

Subject: 2022-TR-7 Tree Removal Application for four trees from 340 Valley Drive

Request

Consideration of the application for a tree removal permit for three (3) Monterey Cypress trees and one (1) Stone Pine tree from the landscape area near the front entrance of the commercial building at 340 Valley Drive.

Applicant

Julia Johnson on behalf of CSHV Crocker, LLC

Applicable Code Sections

The four trees are 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 or classified as a juvenile tree, 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 trees proposed to be removed are located within a landscaped area that includes a total of seven trees, four Monterey Cypress and three Stone Pines. All seven trees are near the entrance at the southwest corner of the building at 340 Valley Drive and in close proximity to the structure. The applicant proposes to remove four of the seven trees; three Cypress trees and one Pine tree. The Cypress trees measure between 19 and 45 inches in circumference at 2 feet above grade and the Pine tree measures 36 inches in circumference at 2 feet above grade. The following provides further discussion regarding their 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 removals:

The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

Staff Report for Tree Removal Permit
340 Valley Drive
July 26, 2022

As evident by the photos included with the application (see Attachment 3), all four trees proposed to be removed are in close proximity to the structure at 340 Valley. All four trees also have canopies that extend over the roof of the structure, posing a likelihood of damage to the building.

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 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-7 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

ATTACHMENT 1**-DRAFT-
FINDINGS**

- A. The three Monterey Cypress trees and one Stone Pine tree are defined as “protected trees” and the following findings are made approving their removal, per BMC Section 12.12.050.B.2:
- a. The trees are in close proximity to a structure, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

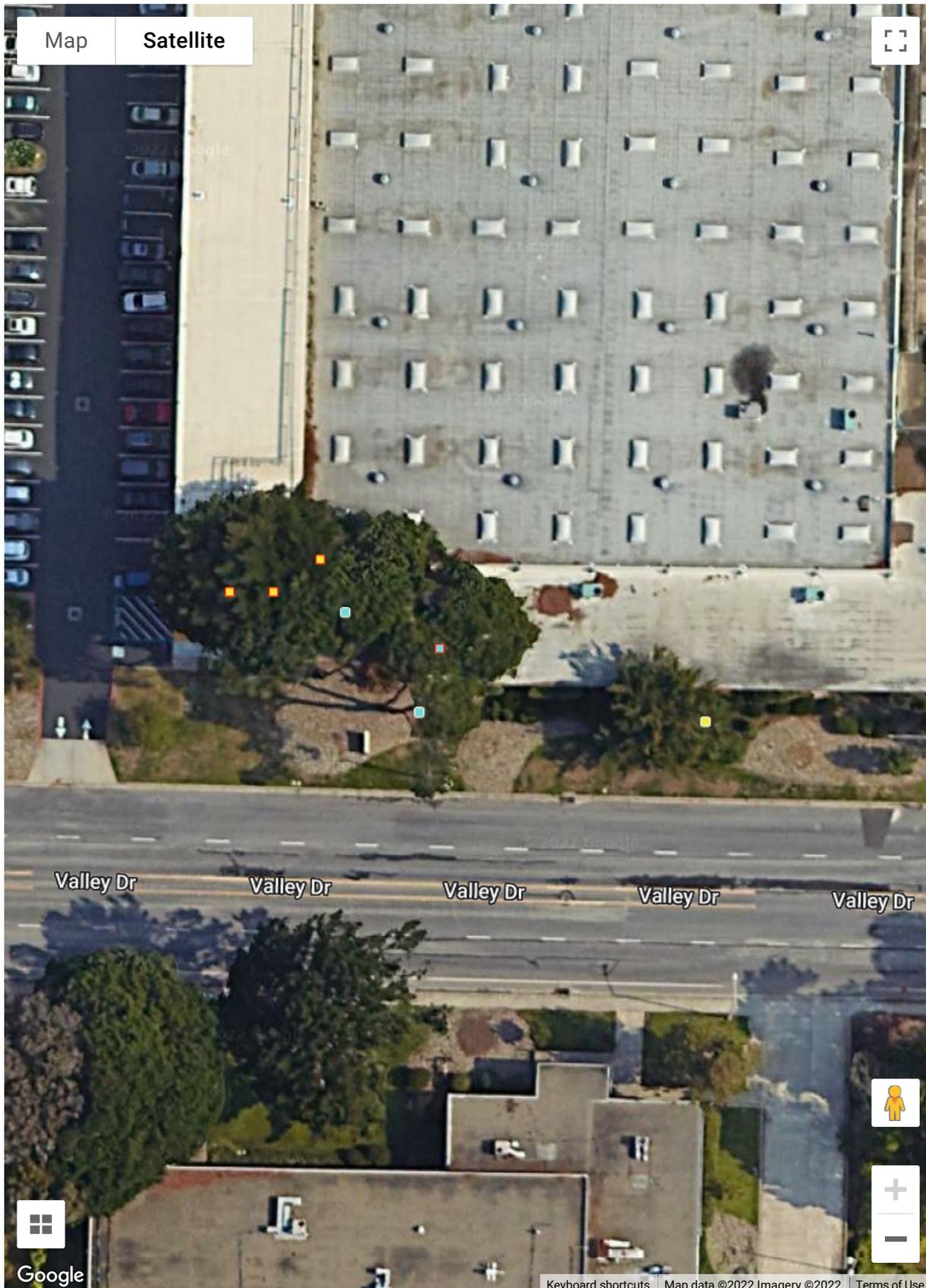
CONDITIONS OF APPROVAL

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense 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. Tree stumps are to be removed to below ground level, due to their visibility.
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. 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.
6. 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.
7. 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.
8. This tree removal permit shall expire six (6) months following the effective date of the permit.



340 Valley Drive

Removals 2022



- Legend (7)
- Cypress (4)
 - Pine (3)
 - Trees to be removed (4)



Google

#	Species	Health	Objective
	■ Cypress Cypress	31"	PRN Crown Clean & Building Clearance
	■ Pine Pine	36"	REM Remove Tree
	■ Pine Pine	37"	PRN Crown Clean & Building Clearance
	■ Pine Pine	39"	PRN Crown Clean & Building Clearance
	■ Cypress Cypress	42"	REM Remove Tree
	■ Cypress Cypress	45"	REM Remove Tree
	■ Cypress Cypress	19"	REM Remove Tree

Submission information

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

Submitted by Visitor (not verified)

Fri, 07/08/2022 - 1:16pm

Date

Fri, 07/08/2022

Type of Request

Removal of Protected Tree

Number of Trees

4

Tree #1

Photo ID #	1
Species	Hesperocyparis Macrocarpa Monterey Cypress
Invasive	No
Tree Circumference	31"
Description of Tree Location	right next to the corner of the building in the front hanging over th
Photo	
Photo	

Reason for Removal

The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

Tree #2

Photo ID #	2
Species	Hesperocyparis Macrocarpa Monterey Cypress
Invasive	No
Tree Circumference	42"
Description of Tree Location	right next to the first tree at the corner of the building in the front
Photo	
Photo	

Reason for Removal

The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

Tree #3

Photo ID #	3
Species	Hesperocyparis Macrocarpa Monterey Cypress
Invasive	No
Tree Circumference	19"
Description of Tree Location	Third tree from corner of the front building on the west side. Tree
Photo	
Photo	

Reason for Removal

The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

Tree #4

Photo ID #	4
Species	Stone Pine
Invasive	No
Tree Circumference	36"
Description of Tree Location	Next to office at the front of building. Tree is heavily hanging over
Photo	
Photo	

Reason for Removal

The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

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

Certify the following:

Electronic Signature Agreement

I agree

