



Tree Committee
AGENDA

Monday, June 24, 2024, 5:30 p.m.

Council Hearing Room, 990 Palm Street, San Luis Obispo

The Tree Committee holds in-person meetings. Zoom participation will not be supported at this time.

INSTRUCTIONS FOR PUBLIC COMMENT:

Public Comment prior to the meeting (must be received 3 hours in advance of the meeting):

Mail - Delivered by the U.S. Postal Service. Address letters to the City Clerk's Office at 990 Palm Street, San Luis Obispo, California, 93401.

Email - Submit Public Comments via email to advisorybodies@slocity.org. In the body of your email, please include the date of the meeting and the item number (if applicable). Emails *will not* be read aloud during the meeting.

Voicemail - Call (805) 781-7164 and leave a voicemail. Please state and spell your name, the agenda item number you are calling about, and leave your comment. Verbal comments must be limited to 3 minutes. Voicemails *will not* be played during the meeting.

**All correspondence will be archived and distributed to members, however, submissions received after the deadline ma not be processed until the following day.*

Public Comment during the meeting:

Meetings are held in-person. To provide public comment during the meeting, you must be present at the meeting location.

Electronic Visual Aid Presentation. To conform with the City's Network Access and Use Policy, Chapter 1.3.8 of the Council Policies & Procedures Manual, members of the public who desire to utilize electronic visual aids to supplement their oral presentation are encouraged to provide display-ready material to the City Clerk by 12:00 p.m. on the day of the meeting. Contact the City Clerk's Office at cityclerk@slocity.org or (805) 781-7114.

1. CALL TO ORDER

Chair Elizabeth Lucas will call the Regular Meeting of the Tree Committee to order.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The public is encouraged to submit comments on any subject within the jurisdiction of the Tree Committee that *does not* appear on this agenda. Although the Committee will not take action on items presented during the Public Comment Period, the Chair may direct staff to place an item on a future agenda for discussion.

3. CONSENT

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon at one time. A member of the public may request the Tree Committee to pull an item for discussion. The public may comment on any and all items on the Consent Agenda within the three-minute time limit.

3.a CONSIDERATION OF MINUTES - MAY 20, 2024 TREE COMMITTEE MINUTES

Recommendation:

To approve the Tree Committee Minutes of May 20, 2024.

4. TREE REMOVAL APPEALS

Any person aggrieved by an act or determination of the authorized approving authority exercising the authority herein granted shall have the right to appeal the decision of the authorized approving authority as set forth in Section 12.24.180 of the City of San Luis Obispo Municipal Code. Appeals received by the City Clerk within ten calendar days from the date of determination or act shall cause the director to withhold tree removal permits and any permits for construction or demolition actively relying on the subject tree removal until the appeal is heard and a decision is reached.

4.a REVIEW A TREE REMOVAL APPEAL OF THE CITY ARBORIST'S DECISION TO DENY REMOVAL OF TWO (2) SHAMEL ASH (FRAXINUS UHDEI) TREES LOCATED AT 2125 STORY STREET, IN THE PARKWAY NEAR CORNER OF SANDERCOCK AND STORY

9

Recommendation:

Review a Tree Removal Appeal of the City Arborist's decision to deny tree removals based on consistency with the City's Tree Regulations and reach a final decision to either uphold the Arborist's decision or approve the removal with a compensatory replanting plan.

5. TREE REMOVAL APPLICATION

5.a REVIEW A TREE REMOVAL CONVENIENCE APPLICATION TO REMOVE ONE (1) LONDON PLANE TREE (PLANTANUS X ACERFOLIA) (HISPANICA) LOCATED AT 4275 POINSETTIA STREET

31

Recommendation:

Review the Tree Removal Application, removal based on convenience, and the landscaping/compensatory replanting plan and provide a recommendation to the Community Development Director for final action.

6. COMMENT AND DISCUSSION

6.a ARBORIST REPORT

Receive a brief update from Urban Forest Program Coordinator / City Arborist Walter Gault.

7. ADJOURNMENT

The next Regular Meeting of the Tree Committee meeting is scheduled for July 22, 2024 at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm Street, San Luis Obispo.

LISTENING ASSISTIVE DEVICES are available -- see the Clerk

The City of San Luis Obispo wishes to make all of its public meetings accessible to the public. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (805) 781-7114 at least 48 hours before the meeting, if possible. Telecommunications Device for the Deaf (805) 781-7410.

Agenda related writings or documents provided to the Tree Committee are available for public inspection on the City's website:

<https://www.slocity.org/government/mayor-and-city-council/agendas-and-minutes>. Meeting video recordings can be found on the City's website:

<http://opengov.slocity.org/WebLink/Browse.aspx?id=61087&dbid=0&repo=CityClerk>



Tree Committee Minutes

May 20, 2024, 5:30 p.m.

Council Hearing Room, 990 Palm Street, San Luis Obispo

Tree Committee Members Present: Member Alan Bate, Member Henry Bonifas, Member Daniel Canella, Member Emily Rosten, Vice Chair Ben Parker, Chair Elizabeth Lucas

Tree Committee Members Absent: Member Brian Pineda

City Staff Present: Urban Forest Program Coordinator / City Arborist Walter Gault, Deputy City Clerk Megan Wilbanks

1. CALL TO ORDER

A Special Meeting of the San Luis Obispo Tree Committee was called to order on May 20, 2024 at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm Street, San Luis Obispo, by Chair Lucas.

2. PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Public Comment:

None

--End of Public Comment--

3. CONSENT

3.a CONSIDERATION OF MINUTES - MARCH 25, 2024 TREE COMMITTEE MINUTES

Motion By Vice Chair Parker

Second By Member Rosten

To approve the Tree Committee Minutes of March 25, 2024.

4. TREE REMOVAL APPLICATION

- 4.a 10 HIGUERA ST (ARCH-0358-2023) REVIEW REQUEST TO REMOVE TWO TREES AND REPLANT 25 TREES AS PART OF A NEW MIXED-USE PROJECT THAT CONTAINS APPROXIMATELY 23,164 SQUARE FEET OF COMMERCIAL SPACE, A ONE BEDROOM RESIDENTIAL UNIT, AND ASSOCIATED SITE IMPROVEMENTS

Senior Planner Rachel Cohen provided an overview of the Tree Removal Application and responded to Committee inquiries.

Chair Lucas opened Public Comment

Public Comment:

None

--End of Public Comment--

Chair Lucas closed Public Comment

Motion By Member Canella

Second By Vice Chair Parker

Recommend the Planning Commission approve the Tree Removal Application to remove two (2) Peruvian pepper (*Schinus mole*) trees and replant 25 trees, as part of a new mixed-use project located at 10 Higuera Street, with the following direction:

- The applicant should consider replacing the proposed twelve (12) Marina Strawberry trees (*Arbutus*) with an alternate species from the City's Master Tree List, with the goal of maximizing canopy potential. The Committee notes that Strawberry trees are not well suited for high traffic areas, due to messy leaf and fruit litter, which requires constant cleanup / maintenance and, even at maturity, the species will not provide sufficient canopy coverage.

Ayes (6): Member Bate, Member Bonifas, Member Canella, Member Rosten, Vice Chair Parker, and Chair Lucas

Absent (1): Member Pineda

CARRIED (6 to 0)

5. ELECTION OF CHAIR AND VICE CHAIR

Motion By Vice Chair Parker

Second By Member Bate

Elect Elizabeth Lucas to the position of Chair for a one-year term.

Ayes (6): Member Bate, Member Bonifas, Member Canella, Member Rosten, Vice Chair Parker, and Chair Lucas

Absent (1): Member Pineda

CARRIED (6 to 0)

Motion By Member Bate

Second By Member Rosten

Elect Ben Parker to the position of Vice Chair for a one-year term.

Ayes (6): Member Bate, Member Bonifas, Member Canella, Member Rosten, Vice Chair Parker, and Chair Lucas

Absent (1): Member Pineda

CARRIED (6 to 0)

6. COMMENT AND DISCUSSION

6.a ARBORIST REPORT

Urban Forest Program Coordinator / City Arborist Walter Gault provided the following update:

- Currently under review, is a Tree Removal Application from San Luis Ranch to remove 18 trees. The removal application will be presented to the Tree Committee at an upcoming meeting, most likely July 22, 2024.
- Staff is working to get more street trees planted along Dalidio Drive in the San Luis Ranch development.

7. ADJOURNMENT

The meeting was adjourned at 6:08 p.m. The next Regular Meeting of the Tree Committee is scheduled for June 24, 2024 at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm Street, San Luis Obispo.

APPROVED BY TREE COMMITTEE: XX/XX/2024

TREE COMMITTEE AGENDA REPORT

SUBJECT: REVIEW A TREE REMOVAL APPEAL OF THE CITY ARBORIST'S DECISION TO DENY REMOVAL OF TWO (2) SHAMEL ASH (FRAXINUS UHDEI) TREES LOCATED AT 2125 STORY STREET, IN THE PARKWAY NEAR CORNER OF SANDERCOCK AND STORY

FILE NUMBER: APPL-0289-2024

PROJECT ADDRESS: 2125 STORY ST

FROM: Walter Gault, Urban Forestry
Program Coordinator / City Arborist
Phone Number: (805) 781-7578
Email: wgault@slocity.org

APPELLANT: Chris Bonin

REPRESENTATIVE: Dave Lasserre

RECOMMENDATION

Review a Tree Removal Appeal of the City Arborist's decision to deny tree removals based on consistency with the City's Tree Regulations and reach a final decision to either uphold the Arborist's decision or approve the removal with a compensatory replanting plan.

1.0 APPEAL DESCRIPTION

Chris Bonin (Appellant) of San Luis Coastal Unified School District, has appealed a denial of tree removal at Hawthorne Elementary School. On 4/23/24, a tree removal application for Tree Health and Hazard Mitigation of (2) two Fraxinus uhdei (Shamel Ash) trees at 2125 Story Street was received. On 5/14/24 the City Arborist denied the request because it did not conform to circumstances outlined in Municipal Code Section 12.24.090(E)(1)(a-g). Sidewalk repair and pruning were recommended alternatives to alleviate the concerns of the applicant. On 5/22/24, Chris Bonin appealed the decision to deny. This appeal occurred within 10 days from the City Arborist's decision, and it is appealable to the Tree Committee.



Figure 1: location of (2) trees

2.0 COMMITTEE PURVIEW

The Tree Committee's role is to review the decision and its consistency with the San Luis Obispo Municipal Code (SLOMC) Section 12.24 (Tree Municipal Code Section 12.24.090(E)(a-g)) and provide a final decision to the appellant that either reaffirms the City Arborist's denial or issues an approval for removal with a compensatory replanting plan.

3.0 TREE REGULATIONS

The City's Tree Ordinance (Municipal Code Chapter 12.24) was adopted in 2010 and recently updated in 2019 with the purpose of establishing a comprehensive program for installing, maintaining, and preserving trees within the City. This ordinance establishes policies, regulations, and specifications necessary to govern installation, maintenance, removal, and preservation of trees to beautify the city; to purify the air; to provide shade and wind protection; to add environmental and economic value; and to preserve trees with historic or unusual value.

Criteria for Appeal of Non-Construction Related Tree Removal Recommendations. SLOMC §12.24.180 subsection B requires review by the Tree Committee for denied tree removal requests that have been appealed related to Tree Health and Hazard Mitigation and make a recommendation based on criteria set forth in SLOMC §12.24.090. Applicable criteria are provided below.

- (E)(1)(a). The tree is an imminent hazard to life or property, and removing it is the only feasible way to eliminate the hazard (see subsection (I)(2) of this section for director approval of immediate hazard abatement without a formal application or noticing; removals pursuant to this subsection (E)(1)(a) and subsection (I)(2) of this section are not appealable).
- (E)(1)(b). The tree is dead or dying or diseased or damaged beyond reclamation.
- (E)(1)(c). The tree's roots are causing severe damage to public or private property, and removing the tree is the only feasible way to eliminate the damage.
- (E)(1)(d). The tree is affected by structural defects and/or deficiencies that will limit lifespan.
- (E)(1)(e). The tree is densely clustered amongst other trees and the requested tree removal promotes good arboricultural practice.
- (E)(1)(f). The tree is obstructing vision, access, or mobility of public traffic (see Section 12.24.030, Definitions; public traffic). Trees requested for removal due to sidewalk infrastructure damage shall have lower preservation priority when the tree species is known to have invasive root structures that increase the likelihood that damage will recur if the tree is not approved for removal and where trees requested for removal are adjacent to sidewalks with a high volume of pedestrian use and/or with large vertical or slope displacements.

APPL-0289-2023 (2125 Story St.)
Tree Committee Report – June 24, 2024

- (E)(1)(g). The requested tree removal is necessary to alleviate a demonstrated and ongoing maintenance burden for the property owner exceeding routine tree maintenance.

Findings from Letter of Denial:

1. The proposed tree removal request is inconsistent with the Tree Regulations because the proposed tree removals do not conform to the circumstances outlined in Municipal Code Section 12.24.090(E)(1)(a-g).
 - a. The two trees proposed for removal are not an imminent hazard to life or property, dead or dying, contain structural defects and/or deficiencies that will limit lifespan, densely clustered amongst other trees, obstructing vision, access, or mobility of public traffic, nor demonstrate an ongoing maintenance burden for the property owner exceeding routine tree maintenance.
 - b. The two trees proposed for tree removal have caused damage to the sidewalks and curbs, but it is not severe enough to justify removal. Other measures or strategies such as sidewalk repair and minor root pruning are feasible alternatives that could alleviate the damage rather than removing the trees. Although the trees are growing into overhead power, data and fiber lines, Municipal Code Section 12.24.090(E)(1) does not list this as a circumstance in which a tree may be removed. Pruning is a feasible alternative that could help adjust the interaction of wires with the tree.

4.0 ACTIONS

- 4.1 Recommend findings of consistency with the Tree Regulations. An action recommending approval of the appeal based on consistency with the Tree Regulations (SLOMC Section 12.24). An approval of the appeal should include a compensatory replanting plan.
- 4.2 Recommend findings of inconsistency with the Tree Regulations. An action recommending denial of the appeal should include findings that cite the basis for denial and should reference inconsistency with the General Plan, Tree Regulations, or other policy documents.
- 4.3 Recommend action for continuance.

5.0 ATTACHMENTS

- A - Tree Removal Application for 2125 Story St. (TREE-0200-2024)
- B - Compensatory Replanting Plan 2125 Story St.
- C - Tree Removal Application Denial Letter 2125 Story St.
- D - Tree Removal Appeal Form for 2125 Story (APPL-0289-2024)



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slcity.org

TREE REMOVAL APPLICATION

For all Non-Construction and Construction related tree removals

Owner Name: San Luis Coastal Unified School District Applicant Name: Chris Bonin, Director of BG&T
Address: 937 Southwood Dr. Address: 937 Southwood Dr.
City: San Luis Obispo Zip: 93401 City: San Luis Obispo Zip: 93401
Phone: 1(805)596-4105 Phone: 1(805)596-4105
Email: cbonin@slcusd.org Email: cbonin@slcusd.org
Address of Tree(s): 2125 Story Rd.
Number of trees applying to remove: Two
Tree Species: Ash
Reason for Removal: Tree roots are causing severe damage to property, sidewalks and curbs. Tree limbs are growing into overhead Power, DATA, and Fiber lines.
Is this removal a City Tree? [X] YES [] NO [] DON'T KNOW Dog in yard? [] YES [X] NO
Is this associated with a Building Permit or Development Plan? [] YES [X] NO
If YES, please provide appropriate reference numbers:
Is this property governed by a Homeowners Association (HOA)? [] YES [X] NO If YES, please provide HOA Board Approved Meeting minutes authorizing tree removal(s) with your tree removal application.

ALL ITEMS BELOW MUST BE INCLUDED TO PROCESS TREE REMOVAL APPLICATIONS

- [] Tree(s) banded with ribbon or duct tape for identification
[] Site plan drawing or photo of tree site with Tree ID (Tree#1, Tree #2, etc.)
[] Supporting documentation (repair, receipts, etc.)
[] Photo log showing damage or reasons for removal1
[] Replanting plan2
[] Arborist Report3

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
FAILURE TO KEEP TREES BANDED MAY RESULT IN A REJECTED APPLICATION.



1. Include a photo log that clearly shows the trees requested for removal. All tree(s) must be uniquely identified by a number and a ribbon, or an identifier wrapped around the trunk in the photo and prior to inspection.



2. Include a replanting plan in accordance with Section 12.24.090(J) of the City's Municipal Code. A minimum 1:1 replanting rate is required for plantings onsite, and a minimum 2:1 replanting rate is required for plantings offsite or within the public right-of-way.



3. An application for tree removal on a site where a discretionary or ministerial development permit is requested shall include an arborist report and a site plan that includes accurate drip line delineation and cross sections of construction work impacting both trees proposed for removal and trees planned to remain.

Tree Removal Decisions as outlined in Section 12.24.090 of the City’s Municipal Code

SELECT TYPE OF TREE REMOVAL APPLICATION BEING SUBMITTED	DECISION MAKER
<input type="checkbox"/> Imminent Hazard to Life or Property SLOMC 12.24.090(E)(1)(a)	City Arborist
<input checked="" type="checkbox"/> Tree Health and Hazard Mitigation SLOMC 12.24.090(E)	City Arborist
<input type="checkbox"/> Convenience Removal SLOMC 12.24.090(E)(3) <i>Tree Committee makes recommendation to Community Development Director</i>	Community Development Director
<input type="checkbox"/> Minor Ministerial Development Permit SLOMC 12.24.090(F)(1) <i>Removal for residential or accessory construction on an R-1 or R-2 lot</i>	City Arborist
<input type="checkbox"/> Discretionary Permits Construction Tree Removal SLOMC 12.24.090(F)(3)	Community Development Director
<input type="checkbox"/> Major Development / Tentative Tract Map/ Conditional Use Permit SLOMC 12.24.090(F)(4)	Planning Commission


Submittal Instructions

Submit Tree Removal applications to the City of San Luis Obispo, Community Development Department at the following address: 919 Palm Street, San Luis Obispo, CA 93401 or by email to trees@slocity.org.

Payment of the “Tree Removal Permit” fee shall be submitted along with this application. Refer to the City’s current Comprehensive Fee Schedule for the current fee.

Property Owner Authorization:

By signing this application, I certify that I have reviewed this completed application and the attached material and consent to its filing. I agree to allow the Community Development Department to duplicate and distribute submitted materials to interested persons as it determines is necessary for the processing of the application.


4/22/24

 Signed Date

Applicant/ Representative Certification:

By signing this application, I certify that the information provided is accurate. I understand the City might not approve what I’m applying for or might set conditions of approval. I agree to allow the Community Development Department to duplicate and distribute submitted materials to interested persons as it determines is necessary for processing of the application.


4/22/24

 Signed Date

Permission to Access Property:

This section is to be completed by the property owner and/or occupant who controls access to the property. To adequately evaluate the submitted proposal, Community Development Department Staff, Commissioners and City Council Members will have to gain access to the exterior of the real property in order to adequately review and report on the proposed request. Your signature below certifies that you agree to give the City permission to access the project site from 8 a.m. to 5 p.m., Monday through Friday, as part of the normal review of this application.


4/22/24

 Signed Date

Indemnification Agreement:

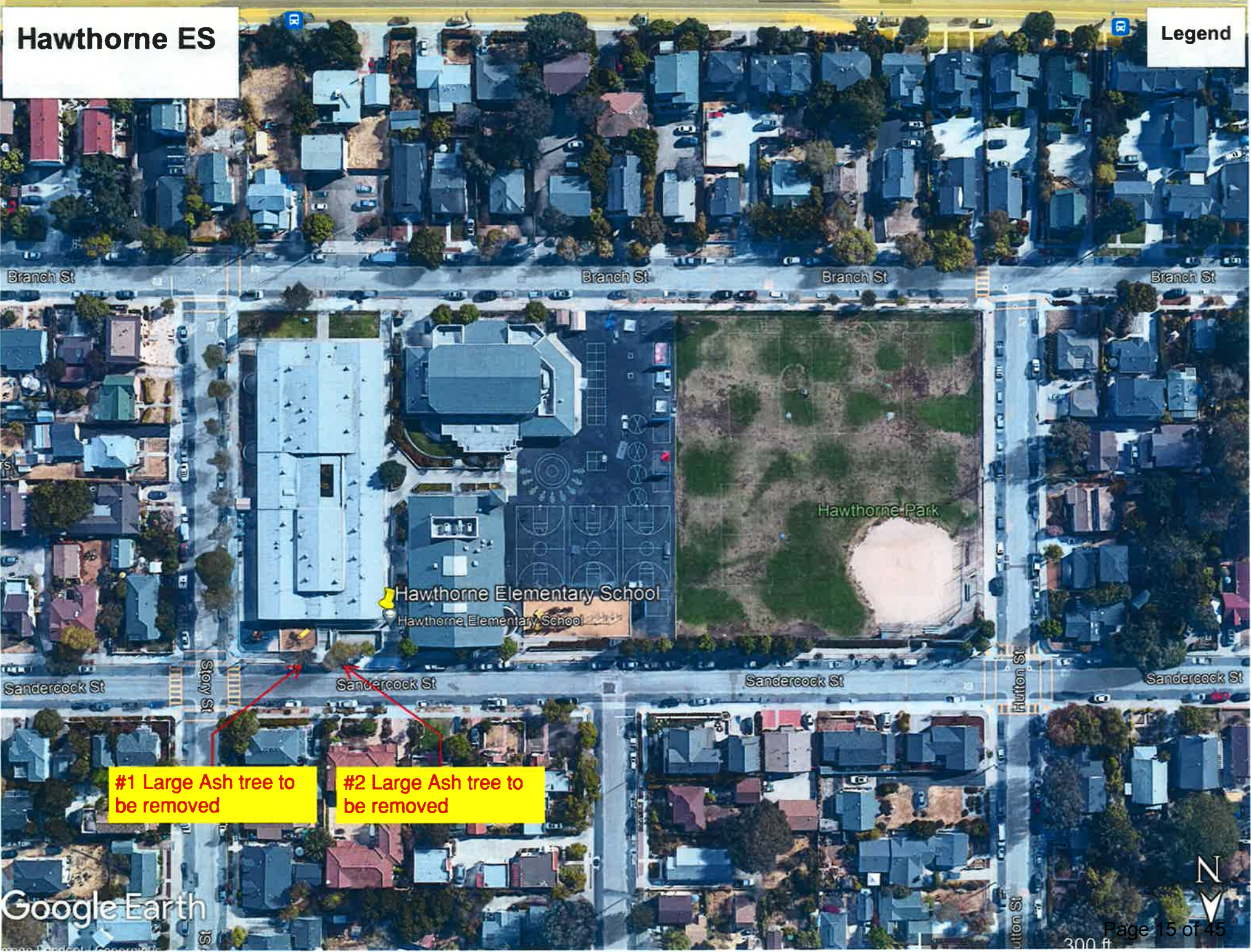
The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City’s approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.


4/22/24

 Signed Date

Hawthorne ES

Legend



#1 Large Ash tree to be removed

#2 Large Ash tree to be removed





Ash tree #1

Ash tree #2

This is the front of our school, and a very high traffic area



Close up of Ash tree #1 and its contact with Power, DATA, and Fiber lines



Close up of Ash tree #2 and its contact with Power, DATA, and fiber



Ash tree #2 causing damage to sidewalk and creating tripping hazards for students and staff.



Ash tree #2 causing damage to sidewalk and creating tripping hazards for students and staff.



Ash tree #1 causing damage to curb and a tripping hazard for the children at pick up and drop off.

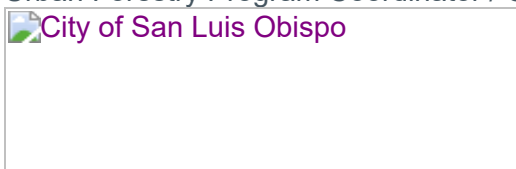
From: Gault, Walter
Sent: Thursday, April 25, 2024 11:14 AM
To: David Lasserre; Niles, Nick
Cc: C Bonin
Subject: RE: Hawthorne Elementary, Tree Replanting Schedule

Hi Dave,

Thank you for providing this replanting plan to complete your tree removal application. We will begin processing and you should be expected to hear back within 4 weeks.

Best Regards,

Walter Gault
Urban Forestry Program Coordinator / City Arborist



Community Development
919 Palm St, San Luis Obispo, CA 93401-3218
E wgault@slocity.org
T 805.781.7578

From: David Lasserre <dlasserre@slcusd.org>
Sent: Wednesday, April 24, 2024 1:13 PM
To: Gault, Walter <wgault@slocity.org>; Niles, Nick <NNILES@slocity.org>
Cc: C Bonin <cbonin@slcusd.org>
Subject: Hawthorne Elementary, Tree Replanting Schedule

This message is from an **External Source**. Use caution when deciding to open attachments, click links, or respond.

Good afternoon Walter

Thank you for meeting with me yesterday and sharing the city's view on tree removal and the importance of replanting. As I shared with you, the two large Ash trees that are located in front of Hawthorne Elementary in the drop off and pick up area are creating a hazard for our students and staff. These trees have large roots that are lifting and cracking the surrounding concrete sidewalks and curbs creating a tripping hazard. Many of the upheaved sections of sidewalk concrete have required high spot grinding to prevent falls and allow people with disabilities to navigate this broken hardscape. This grinding has created areas where the concrete is becoming thinner than ideal and may lead to even more problems in the future. Periodically these two trees drop large branches and we are concerned that a child could be struck by falling limbs. We are also concerned that these two trees have engulfed the power, data, and fiber lines that we rely on to provide a safe learning environment.

Per your request we've researched existing tree species on or near our campus to add to our replanting plan. We have found Lagerstroemia Faurei (Japanese Crape Myrtle) on site, and they

appear to do well in this area. If this is acceptable with the city we would like to plant them in place of the removed Ash trees.

Planting schedule:

1 Japanese Crape Myrtle, 24" box, to replace Ash tree #1.

1 Japanese Crape Myrtle, 24" box, to replace Ash tree #2

Planting would take place the first week of November.

Thanks again for your time on this matter, and please let me know if I can provide you with any other necessary information.

--

Dave Lasserre

Project Manager

San Luis Coastal Unified School District

937 Southwood Drive

San Luis Obispo, CA 93401

dlasserre@slcusd.org

Cell (925)360-0548



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slocity.org

May 14, 2024

Sent via email

San Luis Coastal Unified School District
Buildings, Grounds & Transportation Department
c/o Chris Bonin
937 Southwood Drive
San Luis Obispo, CA 93401

**Subject: TREE-0200-2024 (2125 Story Road)
Review of proposed removal of two (2) *Fraxinus udei* (Shamel Ash) trees**

Dear Chris Bonin,

On April 23, 2024, the City received your submittal for the removal of two (2) *Fraxinus udei* (Shamel Ash) trees at 2125 Story Road. The proposed tree removal request is related to Tree Health and Hazard Mitigation and is therefore subject to Municipal Code Section 12.24.090(E). In accordance with the Code, the proposed tree removal request is subject to City Arborist review. On May 14, 2024, I reviewed your request and consistency of the tree removal application with city policies and standards applicable to the site. After careful consideration, I have denied your request based on the findings below.

Findings:

1. The proposed tree removal request is inconsistent with the Tree Regulations because the proposed tree removals do not conform to the circumstances outlined in Municipal Code Section 12.24.090(E)(1)(a-g).
 - a. The two trees proposed for removal are not an imminent hazard to life or property, dead or dying, contain structural defects and/or deficiencies that will limit lifespan, densely clustered amongst other trees, obstructing vision, access, or mobility of public traffic, nor demonstrate an ongoing maintenance burden for the property owner exceeding routine tree maintenance.
 - b. The two trees proposed for tree removal have caused damage to the sidewalks and curbs, but it is not severe enough to justify removal. Other measures or strategies such as sidewalk repair and minor root pruning are feasible alternatives that could alleviate the damage rather than removing the trees. Although the trees are growing into overhead power, data and fiber lines, Municipal Code Section 12.24.090(E)(1) does not list this as a circumstance in which a tree may be removed. Pruning is a feasible alternative that could help adjust the interaction of wires with the tree.

My action is final unless appealed within 10 calendar days from the date of the decision. Anyone may appeal the action by submitting a letter to the Community Development Department within the time specified. The appropriate appeal fee must accompany the appeal documentation. Appeals will be

scheduled for the first available Tree Committee meeting date. If an appeal is filed, you will be notified by email of the date and time of the hearing.

If you have any questions, or if you need additional information, contact me by phone at (805) 781-7578 or by email at wgault@slocity.org.

Sincerely,

A handwritten signature in blue ink that reads "Walter Gault". The signature is written in a cursive style with a large initial 'W' and a long, sweeping tail.

Walter Gault
City Arborist
Community Development



City Staff to complete.
Note: Fee must accompany original signed appeal form.
Received by: Mallory Patton Date: 5/22/2024

TREE REMOVAL APPEAL FORM
Community Development Department

SECTION 1. APPELLANT INFORMATION

Chris Bonin	937 Southwood Dr. SLO CA 93401
Name	Mailing Address
1(805)596-4105	cbonin@slcusd.org
Phone	Email

In accordance with the procedures set forth in **Chapter 12.24.180** of the San Luis Obispo Municipal Code, I hereby appeal the decision of the:

City Arborist- Tree Removal Application **12.24.090 (E)(2)** (appealed to Tree Committee)

Appeal: \$140.80

City Arborist- Tree Removal Application **12.24.090 (F)(1)** (appealed to the Community Development Director)

Appeal: \$140.80

Community Development Director- Tree Removal Application **12.24.090 (F)(2)** (appealed to the City Council)

Appeal: \$140.80

Community Development Director or Hearing Officer- Tree Removal Application **12.24.090 (E)(3)** (appealed to the City Council)

Appeal: \$140.80

Planning Commission- Tree Removal Application **12.24.090 (E)(4)** (appealed to the City Council)

Appeal: \$140.80

SECTION 2. SUBJECT OF APPEAL:

The date the decision being appealed was rendered: 5.14.24

Tree Removal address: 2125 Story Rd. SLO CA 93401 Application number: Tree-0200-2024

Explain specifically **what** action(s) you are appealing and **why** you believe your appeal should be considered. You may attach additional pages, if necessary:

Dear Tree Committee Members,

I am writing to appeal the decision regarding the removal of two large Ash trees located at the front entrance of Hawthorne Elementary School within the San Luis Coastal Unified School District. The denial of our application for tree removal has raised concerns about safety and accessibility for our students, staff, and the community.

The following points outline our reasons for appealing this decision:

Public Right-of-Way Obstruction: The large Ash trees and their extensive root systems have become a significant obstruction in the public right-of-way. The sidewalk concrete at the base of these trees has been lifted and cracked, creating multiple tripping hazards. This poses a risk to pedestrians, especially our young elementary students at the entrance of Hawthorne Elementary School.

Safety Concerns: The ongoing danger posed by these trees cannot be overlooked. Their branches are prone to breakage, especially during storms or high winds. We are deeply concerned about the safety of everyone who uses the school entrance.

Maintenance Issues: The damaged sidewalk concrete requires continuous maintenance, diverting resources and time away from other essential tasks. By removing the trees, we can address this issue more effectively.
Our proposed solution is as follows:

Tree Removal: We respectfully request the removal of the two large and destructive Ash trees. Once removed, we can proceed with necessary repairs to the sidewalk.

Replanting with Japanese Crape Myrtles: After the hazardous trees are taken down and the sidewalk is replaced, we would request to replant the area with two beautiful Japanese Crape Myrtles at the District's expense. These trees are known for their aesthetic appeal and manageable size, ensuring a safer environment for everyone.

Sidewalk Repairs: The District would commit to covering the expenses associated with repairing the sidewalk.

Our primary goal is to create a safe and welcoming environment for all students, staff, and visitors.
Thank you for your attention to this matter. We appreciate your consideration and hope for a favorable resolution.

Sincerely

Chris Bonin

Director of Facilities, Grounds and Transportation

Signature of Appellant

5.22.24

Date

**Chapter 12.24.180
APPEALS**

**Section
12.24.180 Appeals**

A. Any person aggrieved by an act or determination of the authorized approving authority exercising the authority herein granted shall have the right to appeal the decision of the authorized approving authority as set forth in this section.

B. Appeals received by the city clerk within ten calendar days from the date of determination or act shall cause the director to withhold tree removal permits and any permits for construction or demolition activity relying on the subject tree removal until the appeal is heard and a decision is reached.

Removal Application Type	Decision Maker	Appeal Body
Imminent Hazard to Life or Property <u>Section 12.24.090 (E)(1)(a)</u>	City Arborist	No Appeal
Tree Health and Hazard Mitigation <u>Section 12.24.090 (E)</u>	City Arborist	Tree Committee
Minor Ministerial Development Permit (removal for a residential or accessory construction on an R-1 or R-2 lot) <u>Section 12.24.090 (F)(1)</u>	City Arborist	Community Development Director
Ministerial Development Permits <u>Section 12.24.090 (F)(2)</u>	Community Development Director	City Council
Discretionary Permits (Director Action/ Director Hearing/ Minor and Moderate Development Review/ Minor Use Permit/ Minor Subdivision) <u>Section 12.24.090(F)(3)</u>	Community Development Director or Hearing Officer	Planning Commission
Major Development Review/Tentative Tract Map/Conditional Use Permit <u>Section 12.24.090(F)(4)</u>	Planning Commission	City Council

The San Luis Obispo Municipal Code is current through Ordinance 1662 and legislation passed through May 7, 2019.

Disclaimer: The City Clerk's Office has the official version of the San Luis Obispo Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.slocity.org
City Telephone: (805) 781-7100
Code Publishing Company

TREE COMMITTEE AGENDA REPORT

SUBJECT: REVIEW A TREE REMOVAL CONVENIENCE APPLICATION TO REMOVE ONE (1) LONDON PLANE TREE (*PLATANUS X ACERFOLIA*) (*HISPANICA*) LOCATED AT 4275 POINSETTIA STREET

FILE NUMBER: TREE-1312-2024

PROJECT ADDRESS: 4275 Poinsettia St.

FROM: Walter Gault, Urban Forestry
Program Coordinator / City Arborist
Phone Number: (805) 781-7578
Email: wgault@slocity.org

APPLICANT: Luanne Cheda

RECOMMENDATION

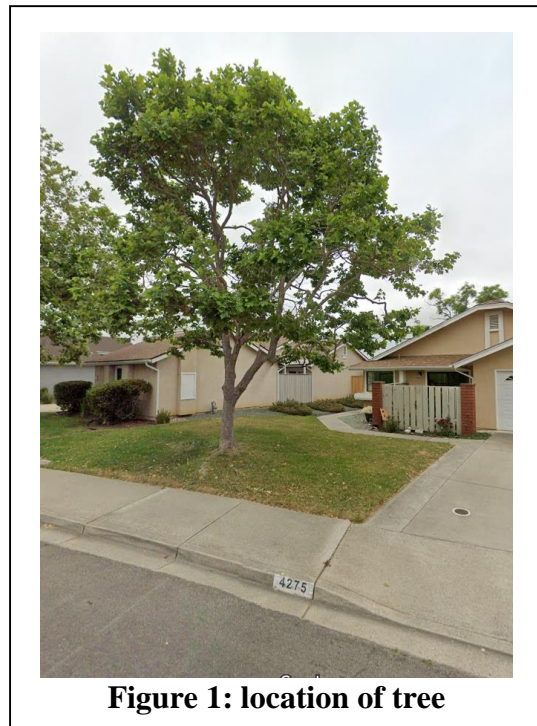
Review the Tree Removal Application, removal based on convenience, and the landscaping/compensatory replanting plan and provide a recommendation to the Community Development Director for final action.

1.0 APPLICATION DESCRIPTION

Luanne Cheda (Applicant) has requested the removal of one (1) *Platanus x acerifolia* (*Platanus x hispanica*) (London Plane) in the front yard at 4275 Poinsettia Street using the Convenience Tree Removal Application. The applicant would like to remove the lawn and tree and replace with more trees and drought tolerant landscaping.

2.0 COMMITTEE PURVIEW

The Tree Committee's role is to review the removal request in accordance with the process set forth in San Luis Obispo Municipal Code (SLOMC) Section 12.24 (Tree Municipal Code Section 12.24.090(E)(3). This code section utilizes the process set forth in subsection F(2), the relevant additional application requirements in subsection (D)(2) and the criteria set forth in subsection (G).



3.0 TREE REGULATIONS

The City's Tree Ordinance (Municipal Code Chapter 12.24) was adopted in 2010 and recently updated in 2019 with the purpose of establishing a comprehensive program for installing, maintaining, and preserving trees within the City. This ordinance establishes policies, regulations, and specifications necessary to govern installation, maintenance, removal, and preservation of trees to beautify the city; to purify the air; to provide shade and wind protection; to add environmental and economic value; and to preserve trees with historic or unusual value.

Criteria for Convenience Tree Removal Applications.

SLOMC §12.24.090 subsection (E)(3) requires review by the Tree Committee using the criteria set for in SLOMC §12.24.090(G). Applicable criteria are provided below.

- (G)(1). Size of Tree. The scale of the tree shall be considered, as well as the size of the tree's canopy. Larger, more visually prominent trees may have a higher preservation priority than smaller, less visually prominent trees. Tree is visually prominent, but not a particularly large specimen.
- (G)(2). Location of Tree on Private Property. The location of the tree on private property shall be considered. Trees located in a private rear yard, which are not highly visible from the public right-of-way, may have a lower preservation priority than trees with a high visual impact to the neighborhood. Tree is located in the front yard and is highly visible from the public right-of-way.
- (G)(3). Species of Tree. Native trees shall have a higher preservation priority than non-native trees. Species is non-native and has a lower preservation priority.
- (G)(4). Forestry Best Practice. The number of healthy trees that a given parcel of land will support shall be considered, and whether removal would enhance the health or survival of remaining trees. Applications that increase biodiversity of native trees and tree age distribution within a given area are preferred. Parcel could support more species and better landscaping if tree were removed.
- (G)(5). Public Right-of-Way Obstruction or Displacement. Street trees requested for removal due to obstruction of vision, access, mobility of public traffic or sidewalk infrastructure repair or replacement shall have a lower preservation priority when the tree species is known to have invasive root structure or other characteristics that increase the likelihood that damage is likely to reoccur if not authorized for removal. Trees adjacent to sidewalks with a high volume of pedestrian use with large vertical or slope displacements may have a lower preservation priority. Platanus trees are known to have invasive root structures particularly when are planted in lawns due to the method of irrigation.

TREE-1312-2024 (4275 Poinsettia St.)
Tree Committee Report – June 24, 2024

- (G)(6). *Compliance with Subsection J of This Section Regarding Compensatory Plantings*. The approving authority may consider an application proposal to provide compensatory plantings in excess of required minimums in evaluating this criterion. A compensatory replanting plan in excess of required minimums has been provided.
- (G)(7). *Heritage Trees*. A tree which has been designated a heritage tree is prohibited from removal unless the city arborist authorizes a tree removal upon finding that a tree removal would be related to tree health or hazard mitigation as outlined in subsection (E)(1) of this section. Heritage trees have the highest preservation priority. The tree request for removal is not a heritage tree.

4.0 ACTIONS

- 4.1 Recommend findings of consistency with the Tree Regulations. An action recommending approval of the application based on consistency with the Tree Regulations (SLOMC Section 12.24). An approval of the application should include a compensatory replanting plan with size and species of tree.
- 4.2 Recommend findings of inconsistency with the Tree Regulations. An action recommending denial of the application should include findings that cite the basis for denial and should reference inconsistency with the General Plan, Tree Regulations, or other policy documents.
- 4.3 Recommend continuation.

5.0 ATTACHMENTS

A - Tree Removal Application for 4275 Poinsettia (TREE-1312-2024)



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slocity.org

TREE REMOVAL APPLICATION

For all Non-Construction and Construction related tree removals

Owner Name: Luanne Cheda, Applicant Name: Luanne Cheda, Address: 4275 Poinsettia St, City: SLO, Zip: 93401, Phone: 805/748-9678, Email: luanne1842@gmail.com, Address of Tree(s): 4275 Poinsettia St, SLO, Number of trees applying to remove: One, Tree Species: Platanus x aceriforia, Reason for Removal: Lawn and tree to be removed and replaced with drought tolerant species...

ALL ITEMS BELOW MUST BE INCLUDED TO PROCESS TREE REMOVAL APPLICATIONS

- Tree(s) banded with ribbon or duct tape for identification
Site plan drawing or photo of tree site with Tree ID (Tree#1, Tree #2, etc.)
Supporting documentation (repair, receipts, etc.) letter to City 2007
Photo log showing damage or reasons for removal roots / New drought tolerant landscape
Replanting plan
Arborist Report

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED. FAILURE TO KEEP TREES BANDED MAY RESULT IN A REJECTED APPLICATION.



1. Include a photo log that clearly shows the trees requested for removal. All tree(s) must be uniquely identified by a number and a ribbon, or an identifier wrapped around the trunk in the photo and prior to inspection.



2. Include a replanting plan in accordance with Section 12.24.090(J) of the City's Municipal Code. A minimum 1:1 replanting rate is required for plantings onsite, and a minimum 2:1 replanting rate is required for plantings offsite or within the public right-of-way.



3. An application for tree removal on a site where a discretionary or ministerial development permit is requested shall include an arborist report and a site plan that includes accurate drip line delineation and cross sections of construction work impacting both trees proposed for removal and trees planned to remain.

Architectural Committee APPLICATION
Santa Lucia Hills Homeowners Association (SLHHA)
3421 Empresa Drive Suite A, San Luis Obispo
(805) 541-6664 FAX (805) 541-2814

Application for Approval of Improvement or Change
This application is required per the SLHHA CC&R's

Name of Homeowner Making Application: Luanne Cheda Date: 3/12/24

Address of Property Being Improved/Changed: 4275 Poinsettia St, SLO

EMAIL Address: luanne1842@gmail.com

Homeowner's Mailing Address: 4275 Poinsettia St, SLO

Daytime Telephone: — Mobile Telephone: 805/748-9678

Improvement/Change Being Submitted [please check all applicable boxes]:

- Remodel/Addition Repainting Gate/ Fencing Other _____

Proposed Colors

Siding color: _____ Stucco color: _____ Trim color: _____ Garage door color: _____ Shingle color: _____

Existing Colors

Siding color: _____ Stucco color: _____ Trim color: _____ Garage door color: _____ Shingle color: _____

- Landscaping (Please attach Plan showing: proposed plants (location, genus & species, container size), irrigation, hardscape elements (if rock/gravel proposed include type and color – use of rock/gravel is allowed only as an accent to overall landscape plan))

Briefly, describe below (or provide attachment) of the Improvement or change; as applicable, please submit drawings or plans of the project with any other useful documentation. (NOTE: A City of San Luis Obispo building permit may be required. It is the responsibility of the owner to obtain any such a permit prior to work beginning. Changes must conform to City codes.) Per Section 7.3 of the HOA's CC&Rs, the Architectural Committee will not approve any landscaping (at maturity) or new construction request if it results in an unreasonable obstruction of views from neighboring residences.

See attached

Owner's Signature: Luanne Cheda

APPLICANT MUST CALL MANAGEMENT 21 DAYS AFTER SUBMISSION TO CHECK PROGRESS OF APPLICATION

The following will be completed by the Manager		
Received: <u>3/12/24</u>	Sent to ARC: <u>3/12/24</u>	Act by Date: _____
Documents submitted: <input type="checkbox"/> Plot Plan <input type="checkbox"/> Elevations <input type="checkbox"/> Color/Material <input type="checkbox"/> Other: _____		

CONTINUED ON THE NEXT SIDE 

Architectural Committee APPLICATION
Santa Lucia Hills Homeowners Association (SLHHOA)
3421 Empresa Drive Suite A, San Luis Obispo
(805) 541-6664 FAX (805) 541-2814

(The following section to be completed by the Architectural Committee)

Date Committee determined application submittal complete on: _____

The Architectural Committee met on via email 3.13.24, and reached the following decision:

- The application IS approved as submitted.
- The application is NOT approved for the reason(s) noted below.
- The application is approved with the following conditions, changes and/or modifications.
- A City of San Luis Obispo building permit may be required; it is the responsibility of the owner to obtain such a permit prior to work beginning. Changes must conform to City codes.

The London plane tree will require the owner to apply for a City tree removal permit.

For the Architectural Committee By:


Management Signature

3.14.24
Date

Tammy Andross
Print Name

(To be signed by homeowner after Architectural Committee Approval)

I agree to these conditions as stated above (or attached). Further, upon completion of the project I shall notify REG. I agree all work will be completed within one year of the application approval date. I also understand that work must begin within six months of Committee approval, or a new application will need to be submitted for reconsideration.

Owner Signature

Date

Print Name

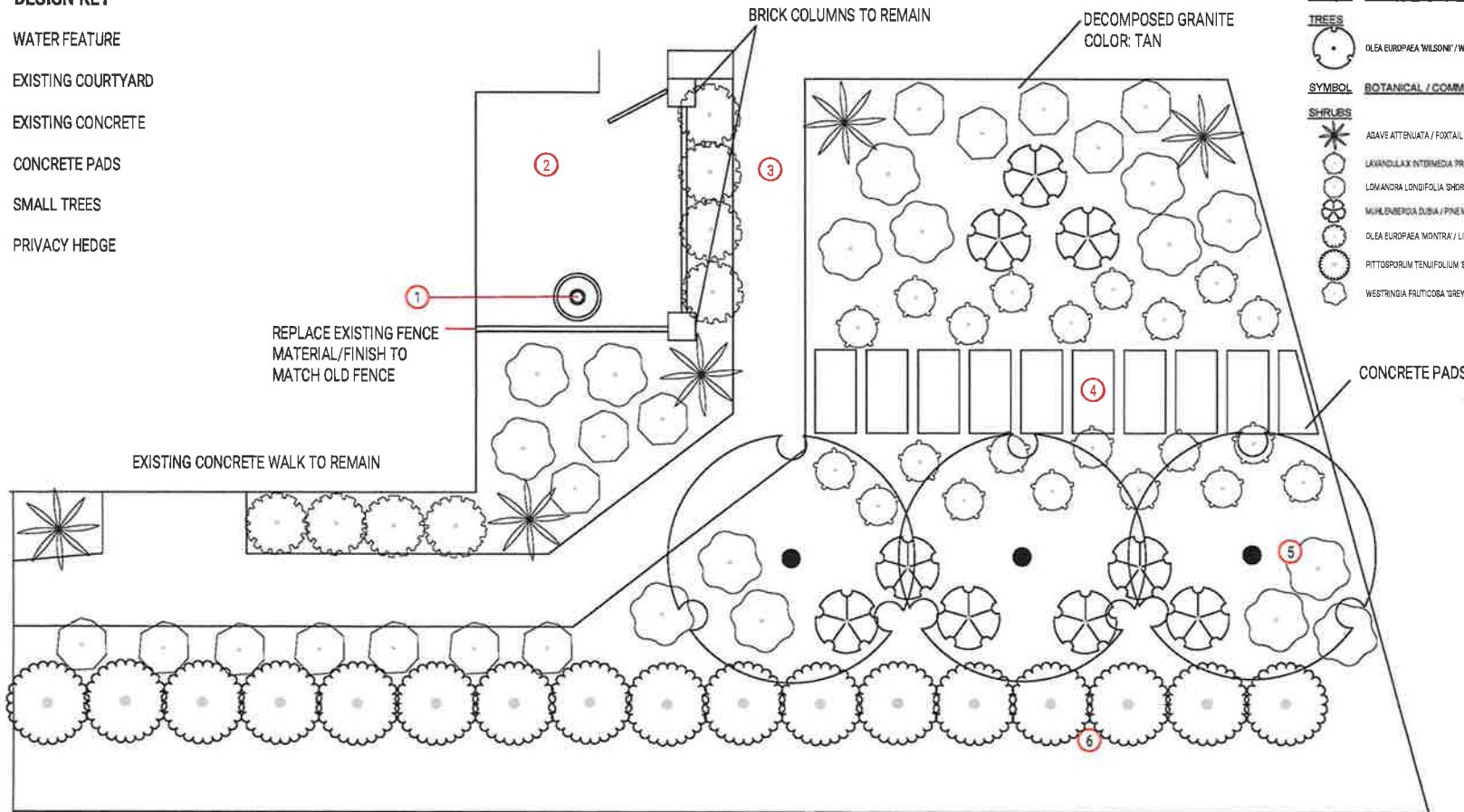
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DESIGN KEY

- ① WATER FEATURE
- ② EXISTING COURTYARD
- ③ EXISTING CONCRETE
- ④ CONCRETE PADS
- ⑤ SMALL TREES
- ⑥ PRIVACY HEDGE

PLANT SCHEDULE CHEDA PLANTING PLAN

SYMBOL	BOTANICAL / COMMON NAME	CONT	QTY
TREES			
	OLEA EUROPAEA WILSONI / WILSON OLIVE	24"ØX	3
SHRUBS			
	AGAVE ATTENUATA / FOXTAIL AGAVE	5 GAL	5
	LAVANDULA INTERMEDIA PROVENCE / PROVENCE LAVENDER	1 GAL	21
	LOVANDRA LONGIFOLIA SHORTY / MAT RUSH	1 GAL	15
	MAHONBERGIA DUBIA / PINEAPPLE	1 GAL	9
	OLEA EUROPAEA MONTRA / LITTLE OLIVE	1 GAL	8
	PITTOSPORIUM TENUIFOLIUM SILVER SHEEN / SILVER SHEEN TAWHIHI	5 GAL	17
	WESTRINGIA FRUTICOSA 'GREY BOX' / COAST ROSEMARY	1 GAL	15



HARDSCAPE NOTES

CONCRETE PADS: STANDARD GRAY
 TOPCAST 01 FINISH
 DECOMPOSED GRANITE: TAN
 EXISTING CONCRETE WALK TO REMAIN

IRRIGATION NOTES

POINT SOURCE DRIP TO ALL NEW PLANT MATERIAL
 NEW VALVES TO BE INSTALLED

PLANTING NOTES

EXISTING SYCAMORE TREE TO BE REMOVED
 SEE SCHEDULE FOR PLANT DETAILS

June 15, 2007

Gary Keavney
Street Supervisor
City of San Luis Obispo
25 Prado Road
San Luis Obispo, CA. 93401

781-7043

RE: Sidewalk Repair

Dear Mr. Keavney,

It has been brought to my attention that you are the person I need to contact regarding the sidewalk located in front of my residence.

This area of sidewalk (see enclosed photo) has been raised due to the root growth of the tree in my front yard. I spoke with Ron Dormant regarding notching this root in half. Ron suggested that possibly you or your staff could help eliminate the potential problem with this uneven sidewalk.

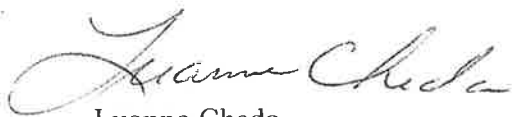
My home address is 4275 Poinsettia Street, San Luis Obispo. The nearest cross streets are South Broad Street and Tank Farm Road.

I would greatly appreciate any suggestions or repairs that the city could do to smooth out this uneven sidewalk.

If you would like to contact me, my cell phone number is 748-9678.

Thank you in advance for you assistance regarding this matter.

Sincerely



Luanne Cheda

