



CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

January 14, 2021
PUBLIC HEARINGS

TO: Forest and Beach Commissioners

SUBMITTED BY: Sara Davis, City Forester

SUBJECT: Approval or denial, with or without conditions, for lifting the Stop Work Order at the Northwest Corner of Junipero Street and Thirteenth Avenue

RECOMMENDATION:

Require payment of the appraised value of three *Pittosporum* trees removed of \$6,300 to be deposited in the City's Reforestation Fund. Also, require the owner to reimburse the City for the cost of the Arborist Report. In addition, consider requiring replanting trees, preparing a tree management plan, and/or a landscape plan for the property.

BACKGROUND/SUMMARY:

On November 10, 2020, the City Building Official visited the Northwest Corner of Junipero Street and Thirteenth Avenue to perform a routine inspection of interior renovations for a building permit. During the inspection, it was discovered that three trees had been cut down. (See Attachment #1.) Two individuals were observed digging out the stumps by hand, and there was a chainsaw nearby. Both workers were unable to identify a licensed tree care company that they were employed by.

The owner of the property, Ms. Price, was on site and expressed that they were unaware that a permit was required for pruning or removal of trees in Carmel-by-the Sea. A Stop Work Order was issued by the Building Official for violation of Municipal Code Section 12.28.172 along with other building related violations.

Municipal Code 12.28.172 states:

"B. Except upon issuance of a permit as provided for in this chapter, it is unlawful to cut down, remove or otherwise destroy, or to authorize the cutting down, removal or destruction, of any species of tree capable of growing to a minimum of 25 feet in height growing on private property and having:

- 1. A diameter equal to or greater than 10 inches; or*
- 2. A circumference greater than 32 inches."*

The tree stumps are believed to be *Pittosporum undulatum*. This tree is reported to have a mature height of 30 to 40 feet. Two of the stumps measured 12 inches in diameter, and one measured nine inches at the base. With the trees removed, a measurement at the required height of 4.5 feet above grade was unable to

be made.

Based on the information available, the City's third party consulting arborist, West Coast Arborists, calculated the appraised value for the three trees totalling \$6,300. Their report is included as Attachment #2.

In addition to requiring restitution of the \$6,300 for the three illegally-removed trees plus reimbursement of the cost of the consultant's appraisal, the Forest and Beach Commission could consider additional, appropriate mitigation (conditions of approval) to lift the Stop Work Order including, but not limited to:

- A) Replanting of three (or more) trees on the property.
- B) A Tree Management Plan, prepared at the property owner's expense, which would set forth details of caring for the remaining and future trees to include irrigation, pest management, and pruning regimes.
- C) A landscaping plan, including trees and other landscaping, adhering to the City's landscaping guidelines.

FISCAL IMPACT:

The property owner will be required to submit a payment of \$6,300 for the value of the trees, and reimburse the City for the actual cost of the appraisal report prepared by a third party consulting arborist from West Coast Arborists.

Depending on the conditions of approval imposed by the Forest and Beach Commission, the property owner may also be required to pay for replacement trees, and/or preparation of a tree management plan, and/or a landscaping plan.

The property owner is also responsible for City fees associated with the Forest and Beach Commission's ruling and any appeals.

ATTACHMENTS:

Attachment 1 Map and photos

Attachment 2 Appraisal from West Coast Arborists, dated December 4, 2020