



Tuesday, March 11, 2025

5:30 P.M.

## **SPECIAL MEETING OF THE TREE COMMITTEE AGENDA**

City of Marina City Council Chambers  
211 Hillcrest Avenue, Marina, CA

### **PARTICIPATION**

All meetings take place in the Council Chambers at 211 Hillcrest unless otherwise noticed. If you are unable to participate in real-time, you may email to [planning@cityofmarina.org](mailto:planning@cityofmarina.org) with the subject line "Public Comment Item #" (insert the item number relevant to your comment) or "Public Comment – Non-Agenda Item." Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. The Tree Committee will have the option to modify their action on items based on comments received.

Any person addressing the legislative body making impertinent, slanderous, or profane remarks, or who becomes boisterous while addressing the legislative body, shall be called to order by the Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the legislative during that meeting, unless permission to continue be granted by a majority of the body.

Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms or Peace Officer to remove any such person from the room and to place him under arrest or otherwise cause him to be prosecute under the law.

### **VISION STATEMENT**

Marina will grow and mature from a small-town bedroom community to a small city, which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

### **MISSION STATEMENT**

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

## LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and Ohlone/Costanoan, their ancestors, and allies - and honors these members of the community, both past and present.

### 1. CALL TO ORDER

### 2. ROLL CALL & ESTABLISHMENT OF QUORUM:

Tree Committee Members: Chair - Greg Simmons, Vice Chair - Jackie Gardner, Jeffrey Markham, Joey Silva, and Richard St. John (PC Rep)

### 3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE:

(Please stand)

### 4. CHAIR AND VICE CHAIR

- A. Tree Committee members nominate a Chair and a Vice Chair and may take a roll call vote approving each nomination.

### 5. SPECIAL ANNOUNCEMENTS: *Announcements of special events or meetings of interest as information to the Committee and Public.*

### 6. COMMUNICATIONS FROM THE FLOOR: *At this time any person may comment on any item which is not on the agenda. Speakers may state their name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Tree Committee members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of three (3) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Tree Committee.*

### 7. EX PARTE COMMUNICATIONS FOR QUASI-JUDICIAL MATTERS

*On quasi-judicial matters, the Tree Committee (TC) members shall verbally disclose off the record contacts relating to the item, after the item is called and before TC consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the TC Member had contact, and the nature of the contact. Written ex parte communications must be forwarded to the staff so they can be provided to the entire TC and to the public.*

### 8. CONSENT AGENDA

*Background information has been provided to the Tree Committee on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the Tree Committee may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*

#### Approval of Minutes:

- A. Tree Committee May 6, 2024, Special Meeting Minutes. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.
- B. Tree Committee November 13, 2024, Special Meeting Minutes. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

9. PUBLIC HEARINGS

*Time will be set aside during the Public Hearing to receive oral comments on all items listed as Public Hearings. Staff will present the project brought forth for Planning Commission consideration and possible action and answer questions from the Planning Commissioners. The applicant will then have the opportunity to raise any issues. The public will then be invited to approach the podium to provide up to three (3) minutes of public testimony.*

A. 219-21 Hillcrest Ave Tree Removal Permit - TR25-0001

The Tree Committee to consider recommending that the Community Development Director approve the removal of seven trees immediately impacted by grading and construction activities for a proposed fifteen (15) unit housing project. Trees characterized as healthy will be replaced at 2:1 ratio. This project is exempt from environmental review per section 15304 of the CEQA Guidelines. Planner: Nicholas McIlroy, AICP Senior Planner, 831-884-1217, [nmcilroy@cityofmarina.org](mailto:nmcilroy@cityofmarina.org)

10. ACTION ITEMS: *Action listed for each Agenda item is that which is brought forth for Tree Committee consideration and possible action. The Tree Committee may, at its discretion, act on any item. The public is invited to provide up to three (3) minutes of public comment.*

None

11. INFORMATIONAL ITEMS:

A. Sea Haven Replacement Trees

The Tree Committee the to receive an informational report regarding Sea Haven's Homeowner's Association, which has requested removing five Monterey Pine Trees along Abrams Drive and replacing them with Australian Willow Trees. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061. Planner: Brian Kim, Assistant Planner, 831-884-1237, [bkim@cityofmarina.org](mailto:bkim@cityofmarina.org)

12. OTHER ITEMS:

A. DISCUSSION ITEMS: Tree Ordinance Comparison Review

The Tree Committee to review and give input on the Tree Ordinance Comparison table and corresponding staff report from the Tree Committee's Subcommittee and Planning Staff. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061. Planner: Nicholas McIlroy, AICP Senior Planner, 831-884-1217, [nmcilroy@cityofmarina.org](mailto:nmcilroy@cityofmarina.org)

13. CORRESPONDENCE: None

14. ADJOURNMENT

CERTIFICATION:

I, \_\_\_\_\_ Shane Doughty, Planning Intern for the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at Marina City Council Chambers bulletin board, 211 Hillcrest Avenue; City Kiosk at the corner of Reservation Road and Del Monte Boulevard, and the Marina Branch Library, 190 Seaside Circle, on or before 5:00 pm. on March 7, 2025.

TREE COMMITTEE NOTES:

1. The Marina Tree Committee regularly meets at 5:30 P.M. on the second Wednesday quarterly in January, April, July, and October.

2. The Tree Committee follows procedures intended to allow for project applicants and members of the public the fullest possible opportunity to be heard, while enabling the Committee to complete its meetings within a reasonable time.
3. Copies of staff reports are available to the public on Friday afternoon, prior to the Wednesday meetings at the Community Development Department office located at 209 Cypress Avenue, Marina.
4. The public is invited and encouraged to participate in all meetings of the Tree Committee.
5. All meetings are open to the public. The City of Marina does not discriminate against persons with disabilities. Council Chambers are wheelchair accessible. Recordings of meetings can be provided upon request. To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1220 or e-mail: [planning@cityofmarina.org](mailto:planning@cityofmarina.org). Requests must be made at least **48 hours** in advance of the meeting.





Monday, May 6, 2024

5:30 P.M.

## **SPECIAL MEETING OF THE TREE COMMITTEE AGENDA**

1. CALL TO ORDER: 5:30 PM
2. ROLL CALL & ESTABLISHMENT OF QUORUM:  
Present: Simmons, Gardner, Markham, and Elvira  
Absent: Walton
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE
4. SPECIAL ANNOUNCEMENTS:
5. COMMUNICATIONS FROM THE FLOOR:
6. EX PARTE COMMUNICATIONS FOR QUASI-JUDICIAL MATTERS
7. CONSENT AGENDA

**A. Approval of Minutes**

Tree Committee Draft Minutes.

*Markham made a motion (2<sup>nd</sup>: Simmons) to approve the minutes from February 26, 2024, Meeting Action Minutes with a friendly amendment from Elvira for minor edits.*

The motion was put to a vote:

Ayes: Simmons, Gardner, Elvira, Markham

Noes: None

Absent: Walton

The motion passes (4-0-1).

8. PUBLIC HEARINGS

**A. Del Monte Blvd Street Tree Removal Permit TR24-03**

*Simmons made a motion (2<sup>nd</sup> Markham) to adopt Resolution 2024-01 recommending adopting TC Resolution 2024-03 recommending that the Community Development Director approve the removal of eleven (11) trees in the public right-of-way on Del Monte Blvd with an added whereas regarding replacement trees and subject to findings,*

*conditions of approval, and a Class 4, Sec. 15304, CEQA exemption for Minor Alterations to Land.*

The motion was put to a vote:

Ayes: Simmons, Gardner, Markham, Elvira

Noes: None

Absent: None

The motion passes (4-0-1).

B. Blight Removal Tree Removal Permit TR24-02

*Simmons made a motion (2<sup>nd</sup> Elvira) to adopt Resolution 2024-01 recommending adopting TC Resolution 2024-02 recommending that the Community Development Director approve the removal of 22 trees from three City of Marina parcels (APNs 031-221-009, 031-251-005 and 031-101-055) subject to findings, conditions of approval, and a Class 4, Sec. 15304, CEQA exemption for Minor Alterations to Land.*

The motion was put to a vote:

Ayes: Simmons, Gardner, Markham, Elvira

Noes: None

Absent: Walton

The motion passes (4-0-1).

9. ACTION ITEMS:

A. Partially Continued from February 26, 2024: Tree Committee Work Plan

*Motion by Simmons (2<sup>nd</sup> Elvira) to nominate and elect Simmons and Markham for Goal #2 as the two-person subcommittee.*

The motion was put to a vote:

Ayes: Simmons, Gardner, Markham, Elvira

Noes: None

Absent:

The motion passes (4-0-1).

*Chair tabled Goal #3 two-person subcommittee to a later meeting.*

10. OTHER ITEMS: None

11. DISCUSSION ITEMS: None

12. CORRESPONDENCE: None

13. ADJOURNMENT: 6:24 PM



Monday, November 13, 2024

5:30 P.M.

## **SPECIAL MEETING OF THE TREE COMMITTEE AGENDA**

1. CALL TO ORDER – 5:31 PM
2. ROLL CALL & ESTABLISHMENT OF QUORUM:  
Present: Gardner, Markham, Elvira, and St. John  
Absent: Simmons
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE
4. SPECIAL ANNOUNCEMENTS
5. COMMUNICATIONS FROM THE FLOOR
6. EX PARTE COMMUNICATIONS FOR QUASI-JUDICIAL MATTERS

*Markham disclosed an ex-parte communication.*

7. CONSENT AGENDA
  - A. Continue to the Approval of the Minutes next meeting  
Tree Committee Draft Minutes.

St. John made a motion (2nd: Markham) to continue the minutes from February 26, 2024, Meeting Action Minutes.

The motion was put to a vote:

Ayes: Gardner, Elvira, Markham, St. John

Noes: None

Absent: Simmons

The motion passes (4-0-1).

8. PUBLIC HEARINGS
  - A. Glorya Jean Tate Park Tree Removal - TR24-05

*St. John made a motion (2<sup>nd</sup> Markham) to recommend that the City Council approve the removal of seven (7) “lollypop” trees within the public right-of-way adjoining Glorya Jean Tate Park as part of the overall redevelopment of the park. Trees characterized as healthy will be replaced at 2:1 ratio. This project is exempt from environmental review per section 15304 of the CEQA Guidelines. Further, Permit is subject to the findings and conditions of approval and the Class 4 CEQA Exemption.*

The motion was put to a vote:

Ayes: Gardner, Elvira, Markham, St. John

Noes: None

Absent: Simmons

The motion passes (4-0-1)

B. Preston Park Tree Removal - TR24-06

*Gardner made a motion (2<sup>nd</sup> Markham) to recommend that the Community Development Director approve the removal of five (5) trees immediately adjacent to the existing ballparks within the Preston Park community. All healthy trees removed are to be replaced at 2:1 ratio and subject to the findings and conditions of approval. This project is exempt from Environmental Review per Section 15304 of the CEQA Guidelines.*

The motion was put to a vote:

Ayes: Gardner, Elvira, Markham, St. John

Noes: None

Absent: Simmons

The motion passes (4-0-1)

9. ACTION ITEMS: None agendized. Markham gave a brief update on a future item.

10. OTHER ITEMS: None

11. DISCUSSION ITEMS: None

12. CORRESPONDENCE: None

13. ADJOURNMENT: 6:14 PM

Chair and Members of the  
Marina Tree Committee

Special Tree Committee Meeting  
of March 11, 2025

THE TREE COMMITTEE TO CONSIDER RECOMMENDING THAT THE COMMUNITY DEVELOPMENT DIRECTOR APPROVE THE REMOVAL OF SEVEN TREES IMMEDIATELY IMPACTED BY GRADING AND CONSTRUCTION ACTIVITIES FOR A PROPOSED 15 UNIT HOUSING PROJECT AT 219-221 HILLCREST AVE (APN 032-303-35 & -36). TREES CHARACTERIZED AS HEALTHY WILL BE REPLACED AT 2:1 RATIO. THIS PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW PER SECTION 15304 OF THE CEQA GUIDELINES.

### **RECOMMENDATION**

1. Open a public hearing and take any testimony from the public; and
2. Adopt TC Resolution 2025-01 recommending that the Community Development Director approve the removal of seven trees immediately impacted by grading and construction activities for a proposed 15-unit housing project at 219-221 Hillcrest Ave (APN 032-303-35 & -36) subject to findings, conditions of approval, and a Class 4, Sec. 15304, CEQA exemption for Minor Alterations to Land.

### **GENERAL SITE INFORMATION**

| <b>Project Site</b>           |                                                     |
|-------------------------------|-----------------------------------------------------|
| Location:                     | 219-221 Hillcrest Ave                               |
| Parcel No.:                   | 032-303-035, & -036                                 |
| Zoning district:              | Multi-family Residential (MFR)                      |
| General Plan / Specific Plan: | Downtown Vitalization Specific Plan (DVSP)          |
| Owner:                        | Revision West, LLC – Diane Coward, Brendan Connolly |
| Applicant:                    | Hillcrest Marina, LLC                               |
| Arborist                      | Patric Krabacher of Densie Duffy & Assoc. (DD&A)    |

**PROJECT SITE**



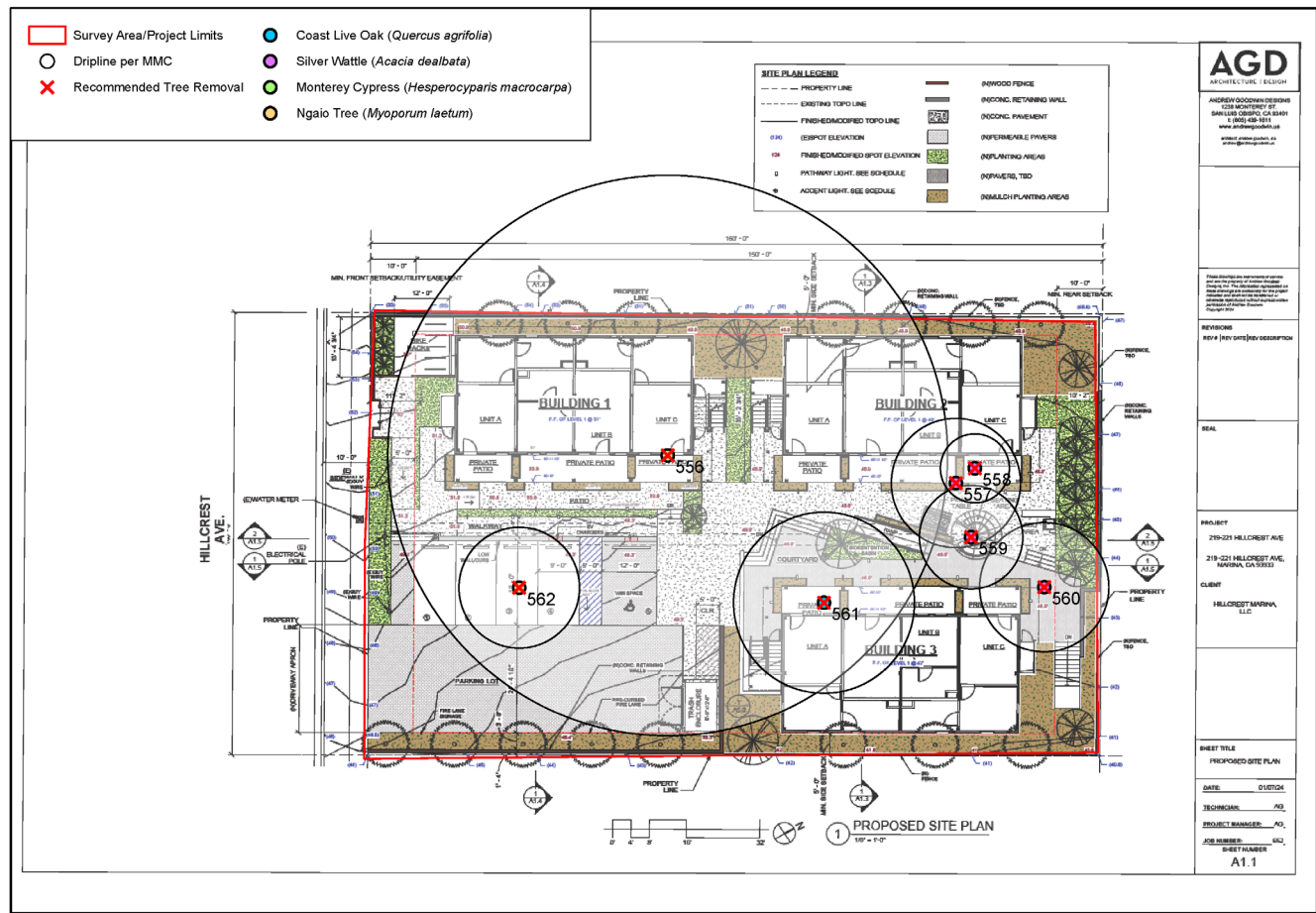


**BACKGROUND**

On February 4, 2025, Revision West applied for Objective Design Review (ODR25-0001) and a Tree Removal permit (TR25-0001) for the proposed project to construct three (3) new 5-unit apartment buildings for a total of 15 units at 219-221 Hillcrest Ave. The application included a planting and irrigation plan (**Exhibit A**).

On February 7, 2025, ISA Certified Arborist Patric Krabacher of Denise Duffy & Assoc. (DD&A) submitted an Arborist Report (“Report”) (**Exhibit B**) prepared in accordance with Marina Municipal Code (MMC) Chapter 17.62 (Tree Removal, Preservation and Protection) for the proposed project with a recommendation to remove seven trees.

**PROJECT PLANS**



|                                            |                  |                                                                                                                                                                           |                    |
|--------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Project Plans<br>219 and 221 Hillcrest Ave | Date<br>2/5/2025 |  <b>Denise Duffy &amp; Associates, Inc.</b><br>Planning and Environmental Consulting | Figure<br><b>2</b> |
|                                            | Scale<br>1:350   |                                                                                                                                                                           |                    |

**PROJECT OVERVIEW**

The project as shown above proposes to remove seven trees, grade the site to create three pads and a parking lot, and construct three (3) five-unit buildings for a total of 15 units.

## Tree Removal

The tree removal aspect of this project requires removing seven (7) trees, including one large Monterey cypress in fair health, one Coast Live Oak in fair health, four Silver Wattle that range from poor to good health, and one Ngaio Tree (*Myoporum Laetum*) in poor health. The table below from the arborist report provides additional details for the trees proposed to be removed:

| Tag No. | Scientific Name                  | Common Name      | DBH per Stem (in) |   | Total DBH (in) | Dripline per MMC (ft) | CRZ (ft) | Health | Status/Recommendation | Comments                                                  |
|---------|----------------------------------|------------------|-------------------|---|----------------|-----------------------|----------|--------|-----------------------|-----------------------------------------------------------|
| 556     | <i>Hesperocyparis macrocarpa</i> | Monterey Cypress | 52                |   | 52             | 65                    | 7        | Fair   | Remove                | Tri-stem tree, only one trunk remaining.                  |
| 557     | <i>Acacia dealbata</i>           | Silver Wattle    | 7                 | 8 | 11             | 13                    | 1        | Poor   | Remove                | Tree uprooting. Tree is in a state of decline.            |
| 558     | <i>Acacia dealbata</i>           | Silver Wattle    | 6                 |   | 6              | 8                     | 1        | Good   | Remove                | Tree in good condition                                    |
| 559     | <i>Acacia dealbata</i>           | Silver Wattle    | 6                 | 7 | 9              | 12                    | 1        | Fair   | Remove                | Poor cuts, tree damaged                                   |
| 560     | <i>Acacia dealbata</i>           | Silver Wattle    | 12                |   | 12             | 15                    | 2        | Poor   | Remove                | Tree has fire damage and is in a general state of decline |
| 561     | <i>Quercus agrifolia</i>         | Coast Live Oak   | 17                |   | 17             | 21                    | 2        | Fair   | Remove                | Signs of stress (adventitious branching).                 |
| 562     | <i>Myoporum laetum</i>           | Ngaio tree       | 11                |   | 11             | 14                    | 1        | Poor   | Remove                | Crown dieback                                             |

## PROJECT ANALYSIS

This tree removal request is being submitted concurrently with a housing development project at this site. The plans in the staff report show that the trees need to be removed to allow for the construction of the proposed housing project. Further, the removal allows the site to be developed in compliance with the Downtown Vitalization Specific Plan's (DVSP) development standards, the DVSP's objective standards, density bonus law, and State housing law.

Three of the trees slated to be removed are in poor condition as stated above in the table. One of the three is a *Myoporum*, which shows crown dieback according to the arborist report. The other two trees that are considered in poor health are *Acacia*, which are often included in nuisance tree lists for other cities. One of the two is uprooting and the second has fire damage. Pursuant to MMC Section 17.62.060(D)(2) replace trees shall be based upon the replacement of the healthy trees to be removed on a minimum two-for-one basis. Therefore, staff are not recommending replacement trees for the three trees in poor health listed above.

## Tree Replacement

The removal of healthy trees requires replacement at a 2:1 ratio. For this project, there are four trees in fair or good condition, so the required replacement is a total of 8 trees. The applicants propose to plant three (3) Strawberry trees and five (5) Dwarf Southern Magnolia trees. The Downtown Vitalization Specific Plan (DVSP) lists Strawberry trees (*Arbutus "Marina"*) on the recommended tree list. It doesn't specifically list 'Dwarf Southern Magnolia', so staff has added a condition of approval that the name be replaced with the recommended 'Little Gem Magnolia' (*Magnolia grandiflora*)<sup>1</sup>. Staff's recommendation to the Tree Committee is to require at least one Monterey Cypress or two Coast Live Oaks as part of the replacement trees in the courtyard space. This has been incorporated into the Condition of Approval #4 (**Exhibit C**).

<sup>1</sup> Source (Page 28): <https://www.cityofmarina.org/DocumentCenter/View/15022/3-App-B-DVSP-Design-Guidelines>



Findings for the Tree Permit, per MMC 17.62.060.C, are included as **Exhibit D**.

**CORRESPONDENCE**

No applicable correspondence to this tree removal permit has been received as of February 25, 2025.

**CONFLICT OF INTEREST**

Committee members are subject to all aspects of the Political Reform Act. Tree Committee members must not make, participate in making, or attempt to influence in any manner a governmental decision which he/she knows, or should know, may have a material effect on a financial interest. Staff is not aware that any Committee member owns property within 1,000 feet of either project site.

**ENVIRONMENTAL REVIEW:**

The City of Marina Planning Division determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15304) because the project proposes minor alterations to land. Per MMC 17.62.060(D)(2) the seven trees proposed to be removed will be replaced at a 2:1 ratio resulting in planting of eight (8) replacement trees.

**CONCLUSION:**

This request is submitted for Tree Committee consideration and a recommendation of approval to the Community Development Director.

**Submitted by:**

Nicholas McIlroy  
Nicholas McIlroy, AICP  
Senior Planner  
City of Marina

**Concur:**

\_\_\_\_\_  
Guido F. Persicone, AICP  
Community Development Director  
City of Marina

Draft Resolution No. 2025-01

Exhibits to the Resolution:

- A. Planting and Irrigation Plan
- B. Arborist Report
- C. Findings
- D. Conditions of Approval

## TREE COMMITTEE RESOLUTION NO. 2025-01

### TREE COMMITTEE RESOLUTION RECOMMENDING THAT THE COMMUNITY DEVELOPMENT DIRECTOR APPROVE THE REMOVAL OF SEVEN TREES IMMEDIATELY IMPACTED BY GRADING AND CONSTRUCTION ACTIVITIES FOR A PROPOSED 15 UNIT HOUSING PROJECT AT 219-221 HILLCREST AVE (APN 032-303-35 & -36).

WHEREAS, on February 4, 2025, Revision West applied for Objective Design Review (ODR25-0001) and a Tree Removal permit (TR25-0001) for the proposed project to construct three new 5-unit apartment buildings for a total of 15 units at 219-221 Hillcrest Ave. The application included a planting and irrigation plan (**Exhibit A**);

WHEREAS, on February 7, 2025, ISA Certified Arborist Patric Krabacher of Densie Duffy & Assoc. (DD&A) submitted an Arborist Report (“Report”) (**Exhibit B**) prepared in accordance with Marina Municipal Code (MMC) Chapter 17.62 (Tree Removal, Preservation and Protection) for the proposed project with a recommendation to remove seven trees;

WHEREAS, on March 11, 2025, at a duly noticed special public hearing, the Tree Committee considered TP25-0001 requesting the removal of seven (7) trees for the property located at 219 and 221 Hillcrest Avenue (APN’s 032-303-035, & 032-303-036);

WHEREAS, the findings and conclusions made by the Tree Committee in this resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed amendment, which is incorporated herein by this reference. The findings are not based solely on the information provided in this resolution;

WHEREAS, the project is exempt from environmental review per Section 15304 of the CEQA Guidelines (Minor alterations to land);

NOW THEREFORE BE IT RESOLVED that the Tree Committee, based on the Planting and Irrigation Plans “**Exhibit A**”, the Arborist Report in “**Exhibit B**”, findings in “**Exhibit C**” and conditions of approval in “**Exhibit D**”, the Tree Committee does hereby recommend that the CDD Director approve the removal of seven (7) trees subject to Chapter 17.62 of the Marina Municipal Code.

PASSED AND ADOPTED by the Tree Committee of the City of Marina at a duly noticed special meeting on the 11th of March, 2025, by the following vote:

AYES, MEMBERS:

NOES, MEMBERS:

ABSENT, MEMBERS:

ABSTAIN, MEMBERS:

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, Chair

ATTEST:

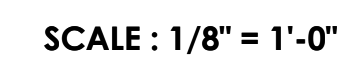
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Nicolas McIlroy, AICP  
Senior Planner  
City of Marina

**Exhibit A**

**Planting And Irrigation Plan**  
(On Separate Sheet)

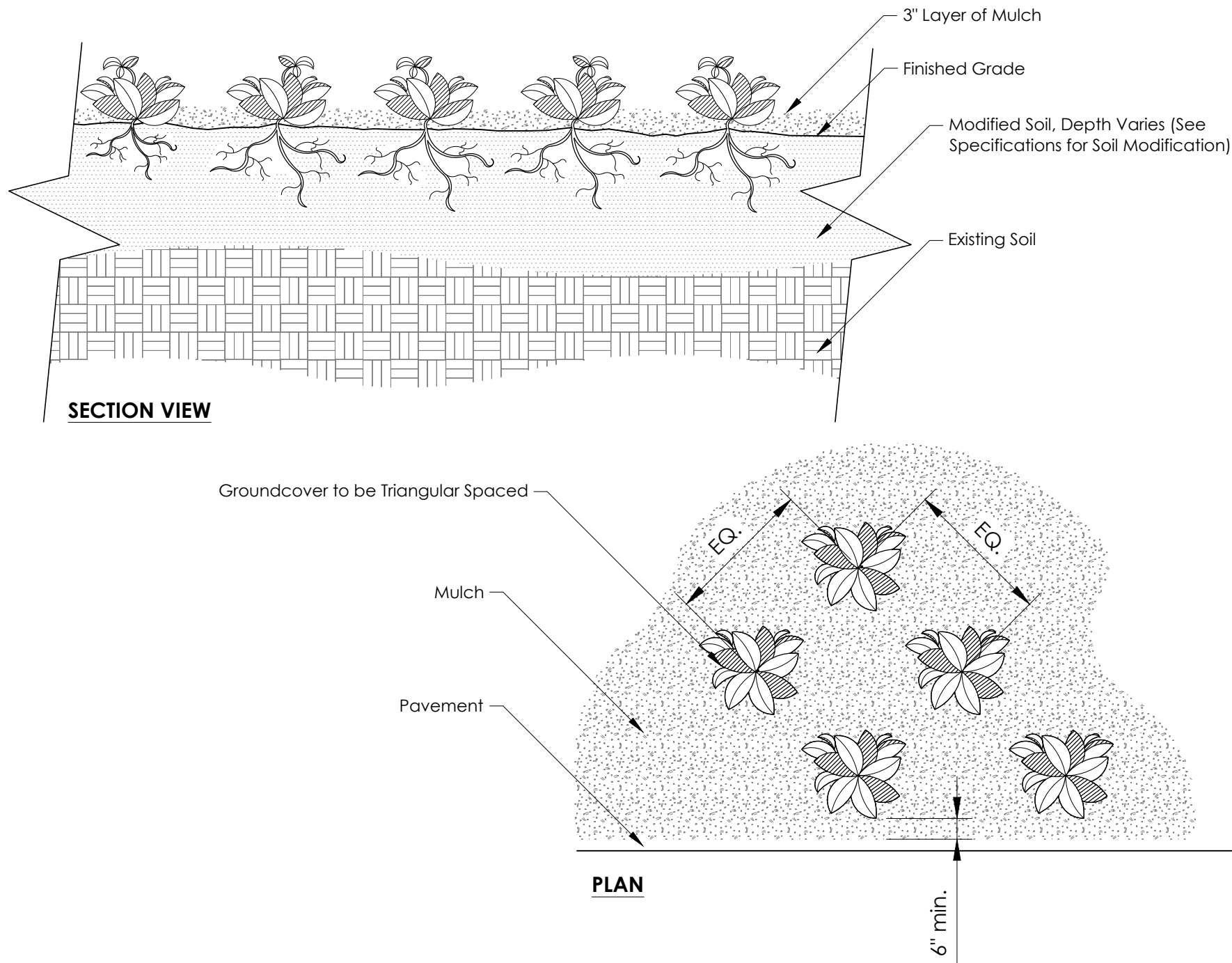




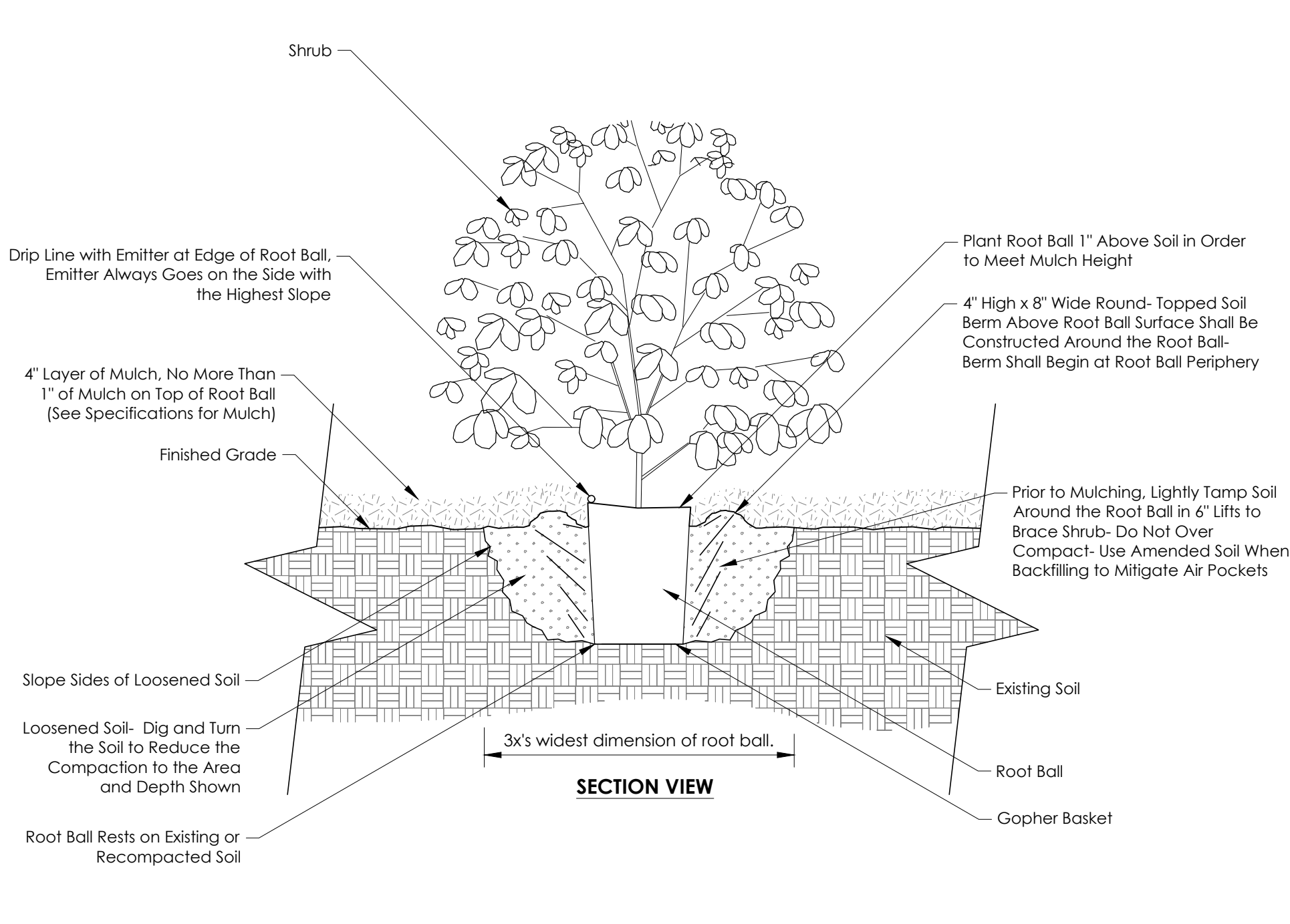
NORTH

## L3.0

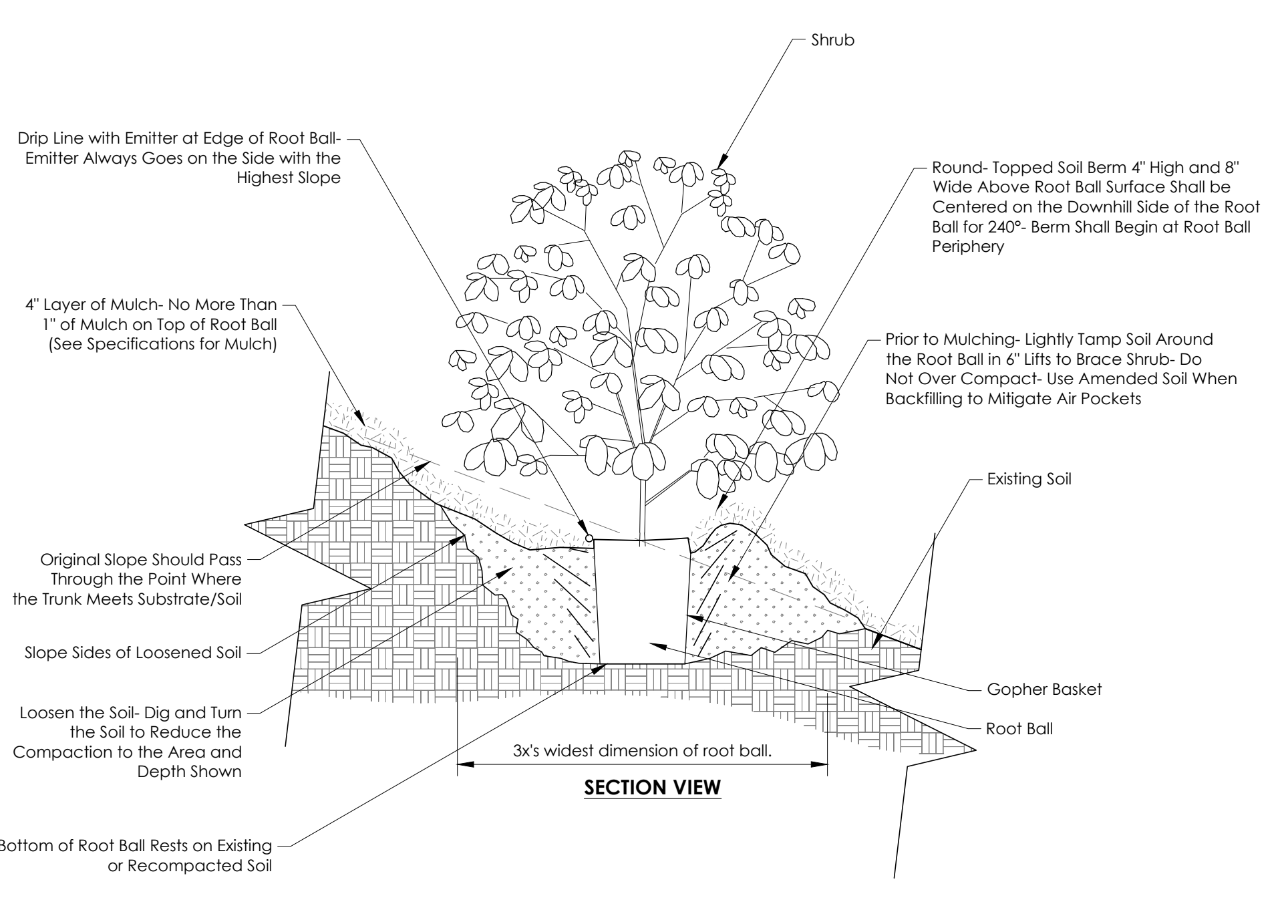




- NOTES:**
1. See planting legend for groundcover species, size, and spacing dimension.
  2. Small roots ( $\frac{1}{2}$ " or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball shaving container detail).
  3. Settle soil around root ball of each groundcover prior to mulching.



- NOTES:**
1. Shrubs shall be of quality prescribed in the root observations detail and specifications.
  2. See specifications for further requirements related to this detail.
  3. Upon installation, use water jet to saturate soil around base of the plant.



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1. Shrubs shall be of quality prescribed in the root observations detail and specifications.
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GROUNDCOVER PLACEMENT

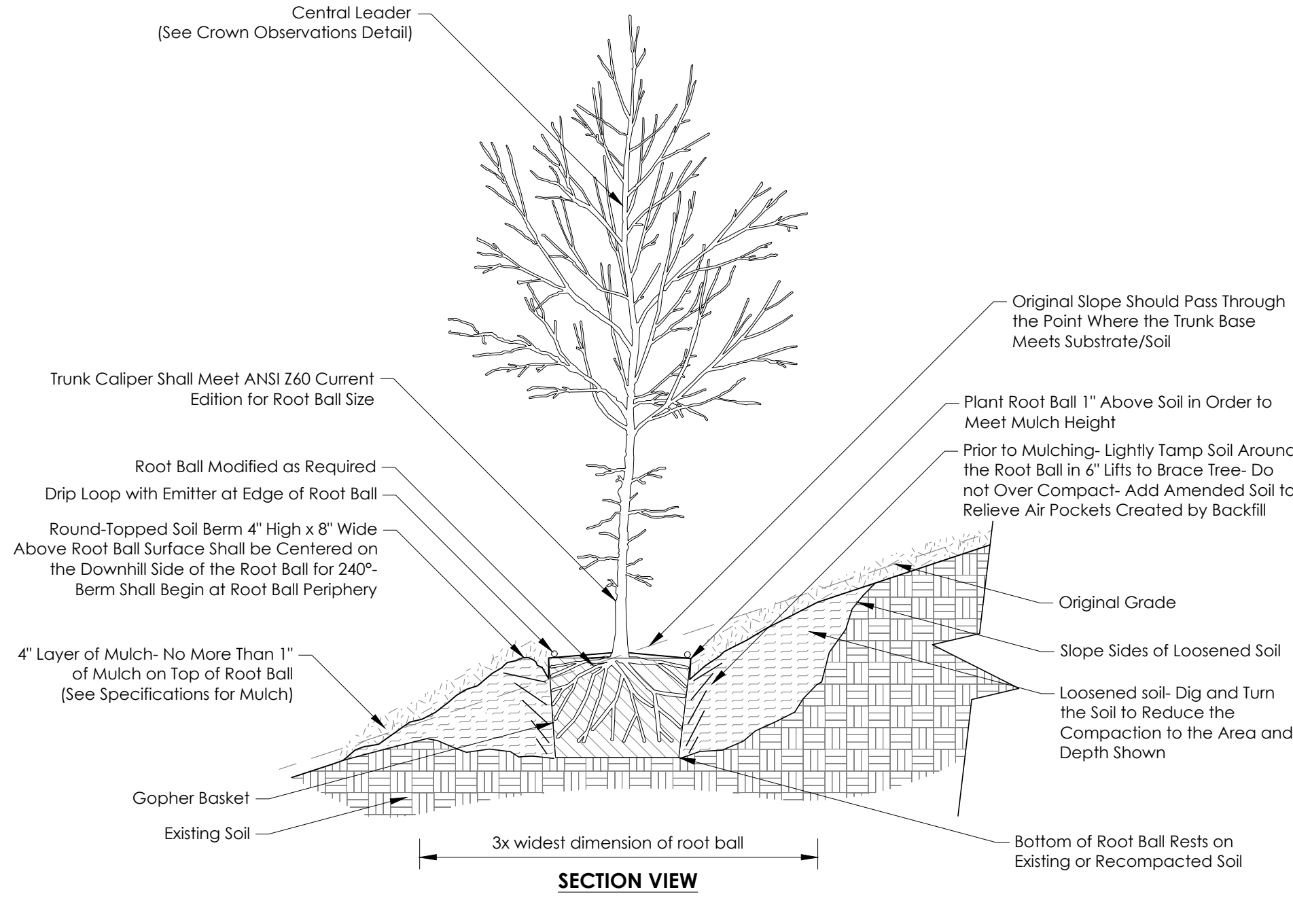
D.1

SHRUB - UNMODIFIED SOIL

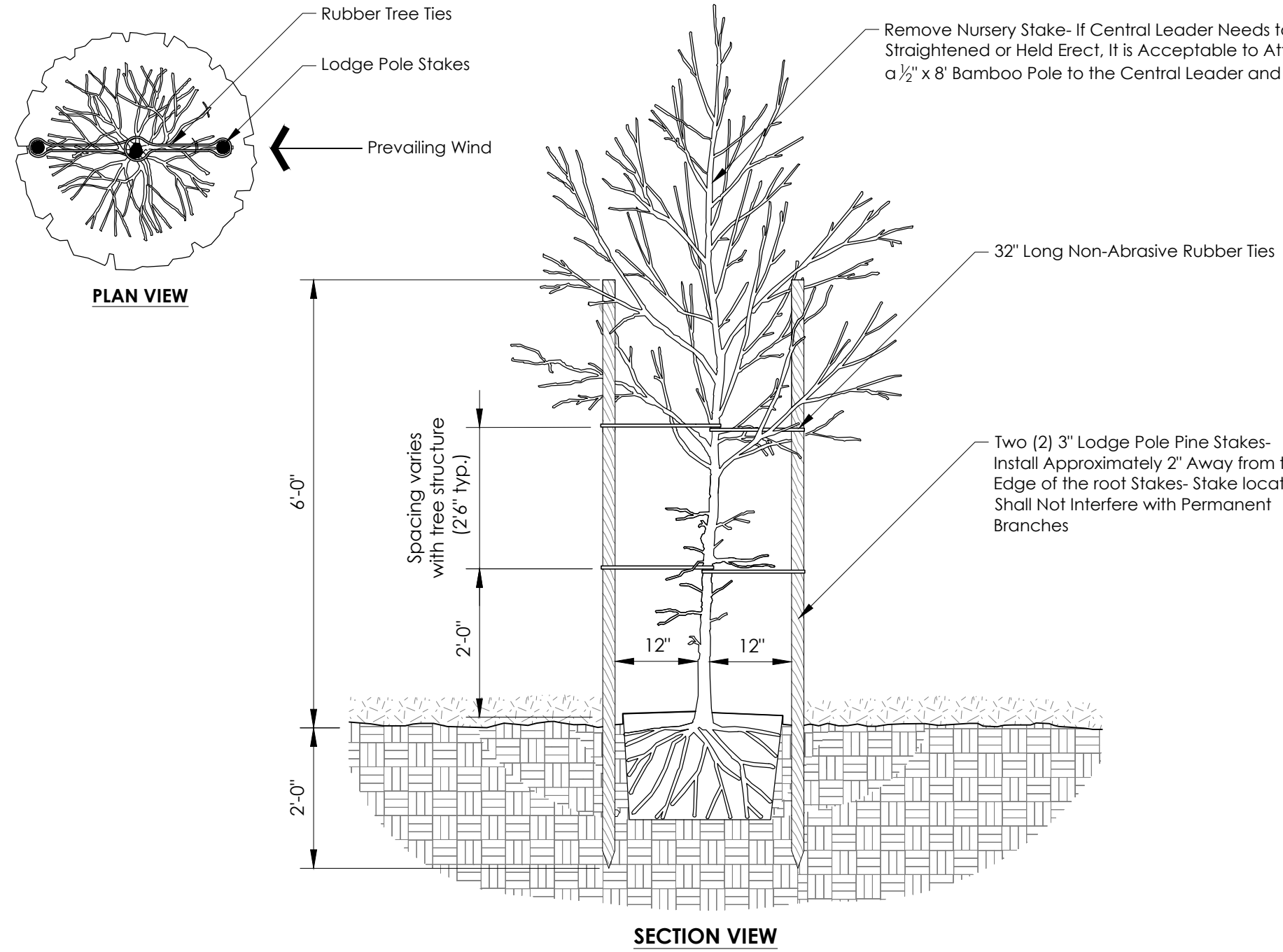
D.2

SHRUB - UNMODIFIED SOIL - SLOPE 5% TO 50%

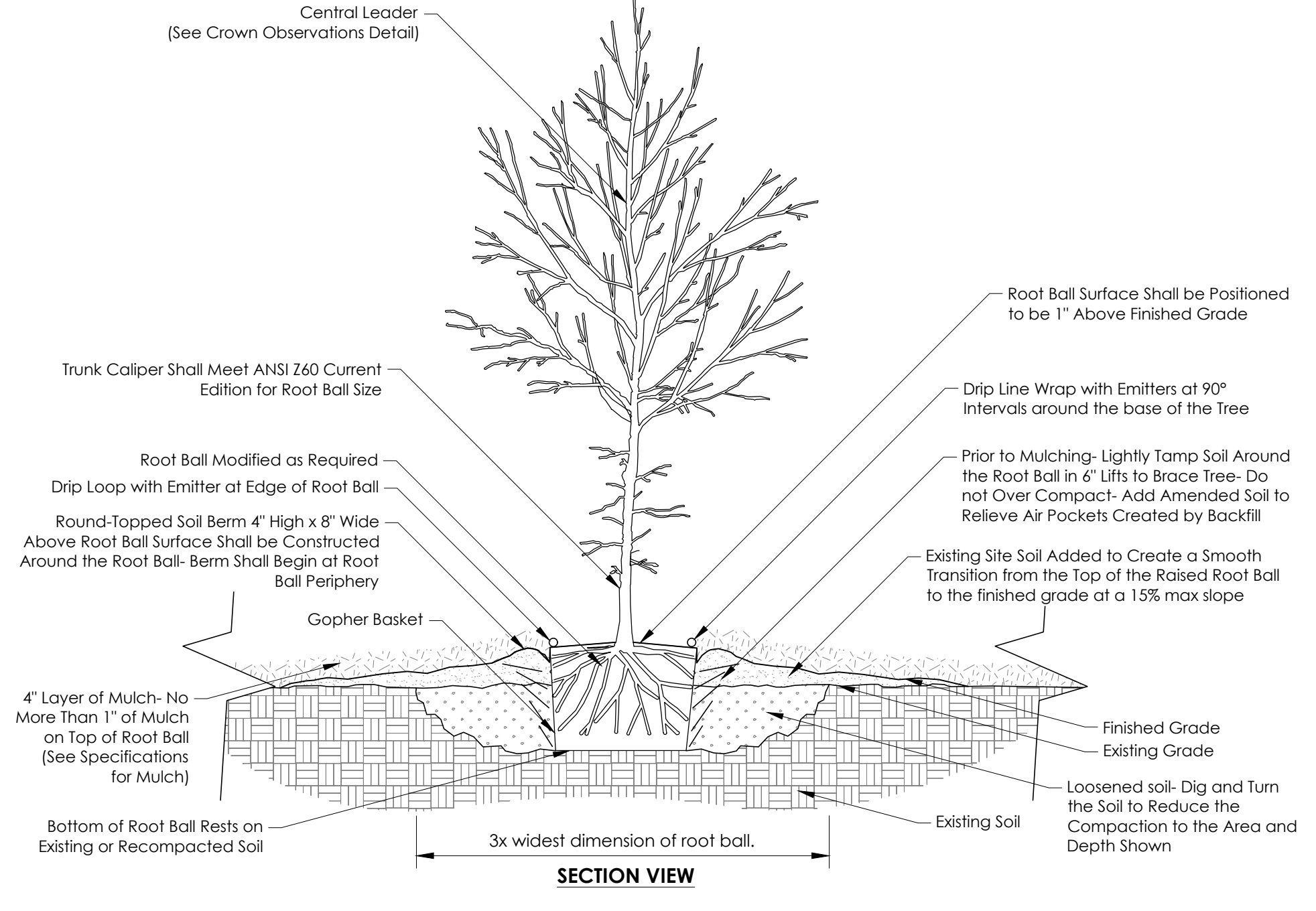
D.3



- NOTES:**
1. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
  2. See specifications for further requirements related to this detail.
  3. Upon installation, use water jet to saturate soil around base of the plant.



- NOTES:**
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  3. Upon installation, use water jet to saturate soil around base of the plant.

TREE - UNMODIFIED SOIL - SLOPE 5% TO 50%

D.4

TREE STAKING

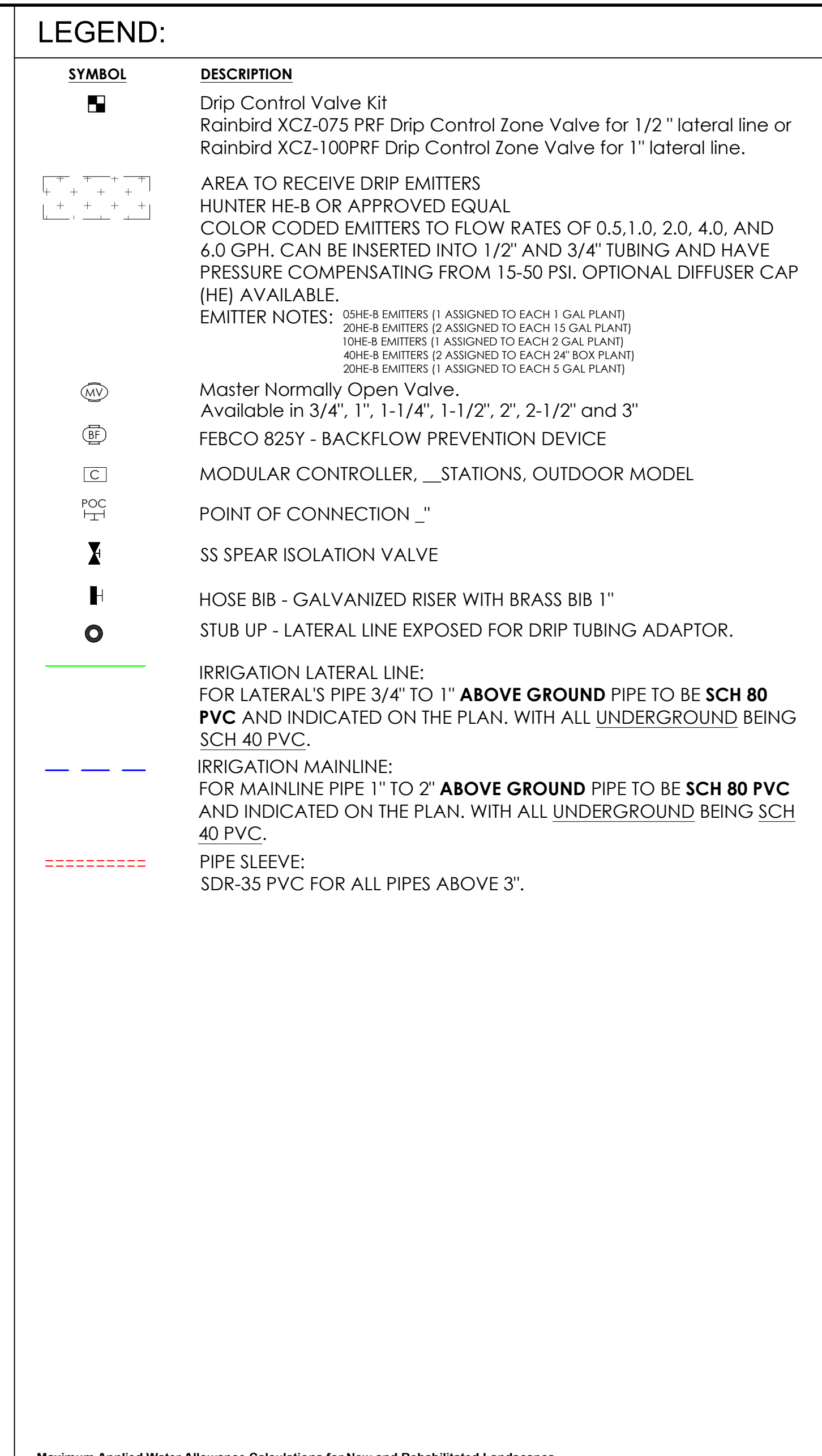
D.5

TREE IN COMPACTED SOIL

D.6

| DATE | SUBMITTAL |
|------|-----------|
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|      |           |
|      |           |
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Estimated Total Water Use

Equation:

ETWU = (ET<sub>a</sub>) x (0.62) x [(PF x HA/IE) + SLA]

Enter values in Pale Blue Cells

Tan Cells Show Results

Messages and Warnings

Enter Irrigation Efficiency (equal to or greater than 0.71)

0.91

Irrigation Efficiency Default Value

0.71

Plant Water Use Type

Plant Factor

Low

0 - 0.3

Medium

0.4 - 0.6

High

0.7 - 1.0

SLA

1.00

| Hydrozone | Plant Water Use Type (a) (low, medium, high) | Plant Factor (PF) | Hydrozone Area (HA) (ft <sup>2</sup> ) | PF x HA (ft <sup>2</sup> ) |
|-----------|----------------------------------------------|-------------------|----------------------------------------|----------------------------|
| 1         | Low                                          | 0.20              | 1,415                                  | 283                        |
| 2         | Low                                          | 0.20              | 1,092                                  | 218                        |
| 3         | Low                                          | 0.20              | 580                                    | 116                        |
| 4         | Low                                          | 0.20              | 323                                    | 65                         |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 0                          |
|           |                                              |                   |                                        | 682                        |
| SLA       |                                              | 1                 | 0                                      | 0                          |
|           |                                              | Sum               | 3,410                                  |                            |

Results

MAWA = 36,919

ETWU= 14,197

Gallons

19

HCF

0.04

Acres-feet

0.01

Millions of Gallons

ETWU complies with MAWA

**Exhibit B**

**Arborist Report**  
(On Separate Sheet)



## **DENISE DUFFY & ASSOCIATES, INC.**

PLANNING AND ENVIRONMENTAL CONSULTING

---

### **MEMORANDUM**

**Date:** February 5, 2025

**To:** Diane Coward, Co-Founder & CEO  
RE:Vision West, LLC

**From:** Patric Krabacher, ISA Certified Arborist 11759  
Denise Duffy & Associates, Inc.

**RE: Arborist Report for 219 and 221 Hillcrest Avenue Multifamily Housing Project**

---

Denise Duffy & Associates, Inc. (DD&A) was contracted by RE:Vision West, LLC (Revision West) to provide arborist services for the 219 and 221 Hillcrest Avenue Multifamily Project (project), located in the City of Marina (City) in Monterey County, California. The project occurs on Assessor Parcel Numbers (APN) 032-303-035-00 & 032-303-236-00. The project consists of the demolition of an existing single family residence and associated infrastructure, and the construction of three (3) new five (5) unit apartment buildings, for a total of 15 units. Buildings will be three (3) stories tall. The project will also include a common open space and five (5) parking spaces. Tree removal within the project site is regulated by Marina Municipal Code (MMC or City Code) Chapter 17.62 (Tree Removal, Preservation, and Protection). Removal of any living tree, as defined by the City, requires a tree removal permit.

This Arborist Report (report) documents the results of the tree inventory, recommends tree removal where necessary to facilitate construction of the project, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal. Removal of trees requires a tree removal permit from the City; this report includes the necessary components for a tree removal permit application. Seven (7) trees within the project site require removal to facilitate construction of the project.

### **METHODS**

#### **Limitations**

It is not the intent of this report to provide a monetary valuation of the trees or provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present within the site. In addition to an inspection of the property, DD&A relied on information provided by Revision West (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

## **Regulatory Framework**

### City of Marina Municipal Code

City of Marina Municipal Code (MMC) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

MMC Section 17.62.060 requires replacement trees and/or payment based upon the replacement of the healthy trees to be removed on a minimum two-for-one basis or multiplied by three for each tree removed in violation of City Code.

MMC defines “tree” as any living woody perennial plant having a single stem of six (6) inches or more diameter at breast height (DBH; measured at 4.5 feet above ground) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines “Dripline” as the greater of the outermost edge of the tree’s canopy, or fifteen times DBH measured from the center point of the tree. Saplings which do not meet MMC’s definition of a tree (i.e., are less than six [6] inches DBH) are not protected by City Code.

### California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits the take of nongame birds.

## **Survey Methods**

DD&A ISA Certified Arborist Patric Krabacher conducted an inventory of trees within the project site on January 23, 2025. The survey area encompasses the entirety of the project parcels. Trees were inventoried in accordance with the following protocol, which was designed to meet the requirements of MMC Chapter 17.62:

- All trees were mapped with GPS location and assigned an identification number. Trees which are proposed for removal were tagged with a corresponding physical marker.
- Tree diameter was recorded at breast height (4.5 feet above ground) or (for multi-stemmed trees) at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ( $\sqrt{[\text{Stem 1 DBH}^2 + \text{Stem 2 DBH}^2 + \text{Stem 3 DBH}^2 \dots]}$ ). This equation returns the diameter at the base of the tree (Chojnacky, 1999).



- Species, size, and health class were recorded for each tree. Tree health was recorded based on the following definitions:
  - *Good*. Tree is healthy and vigorous, as indicated by foliage color and density, and has no apparent signs of insect, disease, structural defects, or mechanical injury. Tree has good form and structure.
  - *Fair*. Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees in fair condition may be improved with correctional pruning.
  - *Poor*. Tree is in a general state of decline. Tree may show severe structural or mechanical defects which may lead to failure, and may have insect or disease damage, but is not dead.

Tree health was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations. In accordance with MMC's definition of a "tree," dead trees were not inventoried.

In addition to MMC Critical Root Zones (CRZ) were also calculated per American National Standard Institute (ANSI) A300, Part 5, as well as ISA Standards. CRZ can be calculated as the 1.5-feet of radius for every one (1) inch of DBH. The CRZ is defined by ANSI Part 5 (ANSI, 2023) and ISA (ISA Standards, 2025) as the area that includes the outermost extent of the root system of a tree. It is essential for protecting the tree's roots from compaction, disruption, or damage during construction or other activities.

Trimble® Geo 7 Series GPS and were then digitized using Trimble® GPS Pathfinder and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum. The Trimble® TDC600 GPS has a GNSS accuracy of 1.5 meters.

## RESULTS

DD&A inventoried seven (7) trees within the survey area (see **Figure 1** and **Appendix A**). Trees observed include four (4) Silver Wattles (*Acacia dealbata*), one (1) coast live oak (*Quercus agrifolia*), one (1) Monterey cypress (*Hesperocyparis macrocarpa*), and one (1) Ngaio tree (*Myoporum laetum*). One (1) tree is in good condition, three (3) trees are in fair condition, and three (3) trees are in poor condition. Trees in fair condition are in average vigor for the area but are showing signs of stress, poor cuts, or lost stems. Trees in poor condition show signs of decline or are uprooting. No symptoms of sudden oak death were observed.

## DISCUSSION

Due to the proximity of trees to the proposed project, construction would significantly impact the dripline and CRZ of all seven (7) trees surveyed and tree removal would be required to successfully implement the project (**Figure 2**). Based on the size and location of trees, seven (7) trees are recommended for removal or require removal permits to remain in compliance with MMC (**Appendix A**). **Table 1** below includes details on the reason for removal of each tree. Of the seven (7) total trees proposed for removal, one (1) tree is in good condition, three (3) trees are in fair condition, and three (3) trees are in poor condition.

**Table 1 - Tree Survey Results**

| <i>Tag #</i> | <i>Common/Species</i>                                    | <i>Health</i> | <i>Reason for Removal Recommendation</i>                                                                                                                                                 |
|--------------|----------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 556          | Monterey Cypress<br>( <i>Hesperocyparis macrocarpa</i> ) | Fair          | Removal recommended due to proximity of construction related impacts, tree is within the proposed footprint of Building 1. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 557          | Silver Wattle<br>( <i>Acacia dealbata</i> )              | Poor          | Removal recommended due to proximity of construction related impacts, tree is within the proposed footprint of Building 2. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 558          | Silver Wattle<br>( <i>Acacia dealbata</i> )              | Good          | Removal recommended due to proximity of construction related impacts, tree is within the proposed footprint of Building 2. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 559          | Silver Wattle<br>( <i>Acacia dealbata</i> )              | Fair          | Removal recommended due to proximity of construction related impacts, tree is within the proposed courtyard of Building 3. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 560          | Silver Wattle<br>( <i>Acacia dealbata</i> )              | Poor          | Removal recommended due to proximity of construction related impacts, tree is within the proposed courtyard of Building 3. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 561          | Coast Live Oak<br>( <i>Quercus agrifolia</i> )           | Fair          | Removal recommended due to proximity of construction related impacts, tree is within the proposed courtyard of Building 3. See <b>Appendix A</b> and <b>Appendix B</b> for more details. |
| 562          | Ngaio tree<br>( <i>Myoporum laetum</i> )                 | Poor          | Removal recommended due to proximity of construction related impacts, tree is within the proposed parking lot. See <b>Appendix A</b> and <b>Appendix B</b> for more details.             |

In accordance with MMC, a tree removal permit from the City would be required to remove all living trees, including trees in poor condition. Therefore, the project must acquire a tree removal permit for the seven (7) living trees prior to construction. Tree removal must conform to any requirements established in the approved tree removal permit. In accordance with City Code and California Fish and Game Code, the following measures are recommended to avoid or minimize impacts resulting from tree removal:

1. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that

the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

2. MMC requires a 2:1 replacement ratio for removal of healthy trees. Four (4) of the seven (7) trees proposed for removal are in good or fair condition; therefore, eight (8) trees must be planted on-site following construction to achieve the City's 2:1 replacement requirement. The Replanting Plan can be found in **Appendix D** outlining locations and proposed species. DD&A recommends the replacement plantings be fifteen-gallon trees in locations with the greatest openings to minimize competition and maximum sunlight. (If fifteen-gallon sizes are unavailable, smaller sizes may be substituted.) The spacing between trees shall be at least eight (8) feet. Watering for establishment within the first two (2) months shall be at least once (1) per week, then every two (2) weeks during the late spring, summer, and fall for two (2) years.
3. Following construction and installation of replacement plantings, replacement plantings shall be monitored annually by a qualified arborist for a period of no less than five (5) years. If any noticeable decline in the health of any tree is observed, additional trees shall be planted onsite at a 1:1 ratio in a suitable location as determined by a qualified arborist or forester.

## REFERENCES

ANSI A300 (Part 5), 2023: Tree, Shrub, and Other Woody Plant Management – Root Management.

David C. Chojnacky, 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Breast Height.

ISA Standards, 2025 ISA Arboriculture Standards. <https://www.isa-arbor.com/>.

## APPENDICES

Appendix A: Tree Table

Appendix B: Recommended Best Management Practices

Appendix C: Photo Log of Trees Proposed for Removal

Appendix D: Replanting Plan





**Tree Survey Results**  
**219 and 221 Hillcrest Ave**

Date  
2/5/2025

Scale  
1:320



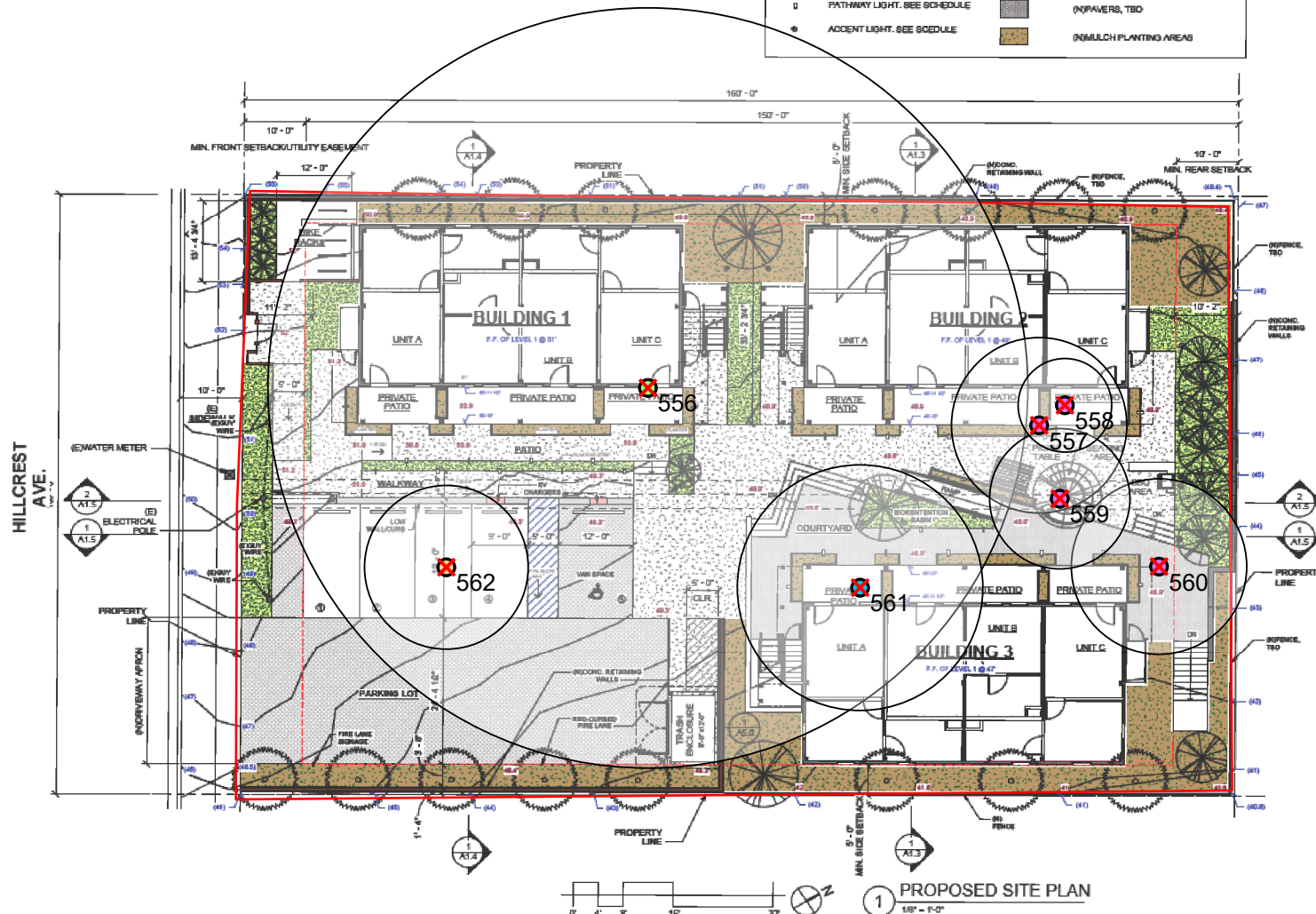
**Denise Duffy & Associates, Inc.**  
Planning and Environmental Consulting

Figure  
**1**



- Survey Area/Project Limits
- Dripline per MMC
- Recommended Tree Removal
- Coast Live Oak (*Quercus agrifolia*)
- Silver Wattle (*Acacia dealbata*)
- Monterey Cypress (*Hesperocyparis macrocarpa*)
- Ngaio Tree (*Myoporum laetum*)

| SITE PLAN LEGEND         |                                  |
|--------------------------|----------------------------------|
| ---                      | PROPERTY LINE                    |
| ---                      | EXISTING TOPO LINE               |
| ---                      | FINISHED/MODIFIED TOPO LINE      |
| (94.0)                   | (E) SPOT ELEVATION               |
| (124)                    | FINISHED/MODIFIED SPOT ELEVATION |
| □                        | PATHWAY LIGHT. SEE SCHEDULE      |
| ●                        | ACCENT LIGHT. SEE SCHEDULE       |
| (N) WOOD FENCE           |                                  |
| (N) CONC. RETAINING WALL |                                  |
| (N) CONC. PAVEMENT       |                                  |
| (N) IMPERMEABLE PAVERS   |                                  |
| (N) PLANTING AREAS       |                                  |
| (N) PAVERS, TBD          |                                  |
| (N) MULCH PLANTING AREAS |                                  |



**AGD**  
ARCHITECTURE | DESIGN

ANDREW GOODWIN DESIGNS  
1238 MONTEREY ST.  
SAN LUIS OBISPO, CA 93401  
T: (805) 438-1611  
www.andrewgoodwin.com

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REVISIONS  
REV # | REV DATE | REV DESCRIPTION

SEAL

PROJECT  
219-221 HILLCREST AVE  
219-221 HILLCREST AVE,  
MARINA, CA 93933

CLIENT  
HILLCREST MARINA,  
LLC

SHEET TITLE  
PROPOSED SITE PLAN

DATE: 01/07/24  
TECHNICIAN: AG  
PROJECT MANAGER: AG  
JOB NUMBER: 652  
SHEET NUMBER  
A1.1

Project Plans  
219 and 221 Hillcrest Ave

Date  
2/5/2025  
Scale  
1:350



**Denise Duffy & Associates, Inc.**  
Planning and Environmental Consulting

Figure  
2

## **APPENDIX A**

### Tree Table

| Tag No. | Scientific Name                  | Common Name      | DBH per Stem (in) |   | Total DBH (in) | Dripline per MMC (ft) | CRZ (ft) | Health | Status/ Recommendation | Comments                                                  |
|---------|----------------------------------|------------------|-------------------|---|----------------|-----------------------|----------|--------|------------------------|-----------------------------------------------------------|
| 556     | <i>Hesperocyparis macrocarpa</i> | Monterey Cypress | 52                |   | 52             | 65                    | 7        | Fair   | Remove                 | Tri-stem tree, only one trunk remaining.                  |
| 557     | <i>Acacia dealbata</i>           | Silver Wattle    | 7                 | 8 | 11             | 13                    | 1        | Poor   | Remove                 | Tree uprooting. Tree is in a state of decline.            |
| 558     | <i>Acacia dealbata</i>           | Silver Wattle    | 6                 |   | 6              | 8                     | 1        | Good   | Remove                 | Tree in good condition                                    |
| 559     | <i>Acacia dealbata</i>           | Silver Wattle    | 6                 | 7 | 9              | 12                    | 1        | Fair   | Remove                 | Poor cuts, tree damaged                                   |
| 560     | <i>Acacia dealbata</i>           | Silver Wattle    | 12                |   | 12             | 15                    | 2        | Poor   | Remove                 | Tree has fire damage and is in a general state of decline |
| 561     | <i>Quercus agrifolia</i>         | Coast Live Oak   | 17                |   | 17             | 21                    | 2        | Fair   | Remove                 | Signs of stress (adventitious branching).                 |
| 562     | <i>Myoporum laetum</i>           | Ngaio tree       | 11                |   | 11             | 14                    | 1        | Poor   | Remove                 | Crown dieback                                             |

## **APPENDIX B**

### Recommended Best Management Practices



## RECOMMENDED BEST MANAGEMENT PRACTICES

### Fencing and Barricades

All trees in the project area which are scheduled for preservation shall be temporarily fenced prior to all project-related activities. Fencing shall be installed at the edge of the root zone (the area located within 15 times the trunk diameter in all directions) or located at the edge of pavement furthest from the trunk (whichever comes first). Fencing shall consist of chain link or plastic link fence which is maintained at a minimum height of four feet above grade during all phases of construction.

Fenced areas shall not be used for material stockpile, storage, or vehicle parking. Dumping of materials, chemicals, or garbage shall be prohibited within fenced areas. Fenced areas shall be maintained in natural condition at natural or existing grade and shall not be compacted.

All approved construction within the root zone shall include construction barricades. Barricades shall be upright and be constructed from two-inch by four-inch planks standing a minimum of eight feet vertically, conforming to the tree, and shall be tied with wire or rope forming a maximum of one-inch space between the planks. If the tree's configuration or site conditions do not lend themselves to the installation of this type barricade, a certified arborist or City Forester shall designate alternate tree protection methods. Under certain conditions where soil compaction is probable, fences may also be required around a tree or grouping of trees. The use of recycled lumber, synthetic lumber, or similar materials approved by a certified arborist or City Forester is encouraged.

### Tree Pruning

Tree pruning shall be minimal but, when necessary, shall be performed in accordance with American National Safety Institute (ANSI) A300 Pruning Standards. Pruning may include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Should the health and vigor of any tree decline, it shall be treated as appropriately recommended by a certified arborist or qualified forester. In general, trees shall be assessed then pruned first for safety (e.g., broken and cracked limbs shall be removed in high-traffic areas of concern), next for health, and finally for aesthetics. No more than 25% of the overall tree crown shall be pruned in one season.

Tree pruning may include crown thinning, crown raising, crown reduction, or crown restoration, as described below.

#### *Crown Thinning*

Crown thinning is the cleaning out of or removal of dead, diseased, weakly attached, or low vigor branches from a tree crown. Crown thinning shall be conducted as follows:

- All trees shall be pre-assessed on how the tree will be pruned from the top down.
- Tree trimmers shall favor branches with strong, U-shaped angles of attachment and, where possible, remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches shall be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch shall be removed where possible.
- Lateral branches shall be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases, trimmers shall not remove more than one-quarter of the living crown of a tree at one time. If it is necessary to remove more, it shall be done over successive years.

***Crown Raising***

Crown raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians, and vistas. Crown raising shall be conducted as follows:

- Live branches on at least two-thirds of a tree's total height shall be maintained wherever possible. The removal of too many lower branches would hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts shall be removed where feasible.

***Crown Reduction***

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree. Crown reduction shall be conducted only when absolutely necessary, as follows:

- Pruning cuts shall be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch, it may be necessary to remove the entire branch.

***Crown Restoration***

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

***Root Pruning***

Where alternative routes are not available, any subsurface construction related activities for the project shall avoid cutting major roots with a diameter of greater than or equal to two inches, unless necessary. All approved construction within the root zone shall conform to the following construction practices:

- Hand trenching at point or line of grade cuts closest to the trunk to expose major roots two inches or more in diameter.
- In cases where rock or unusually dense soil prevents hand trenching, mechanical trenching may be permitted provided that work inside the dripline is closely supervised to prevent tearing or other damage to major roots (greater than or equal to two inches).
- Exposed major roots shall be cut with a saw to form a smooth surface and avoid tearing or jagged edges.
- Absorbent tarp or heavy cloth fabric shall be placed over grade cuts where roots are exposed and secured with stakes and two to four inches of compost or wood chips spread over the tarp to prevent moisture loss. Care shall be taken that moisture levels beneath tarped areas remain comparable to surrounding areas until backfilling occurs. Some watering of these areas may be necessary to maintain moisture levels, and such measures shall remain in effect through all phases of construction, including all delays and other periods of inactivity.

## **APPENDIX C**

### **Photo Log of Trees Proposed for Removal**



Tree 556



Tree 557



Tree 558



Tree 559





Tree 560



Tree 561

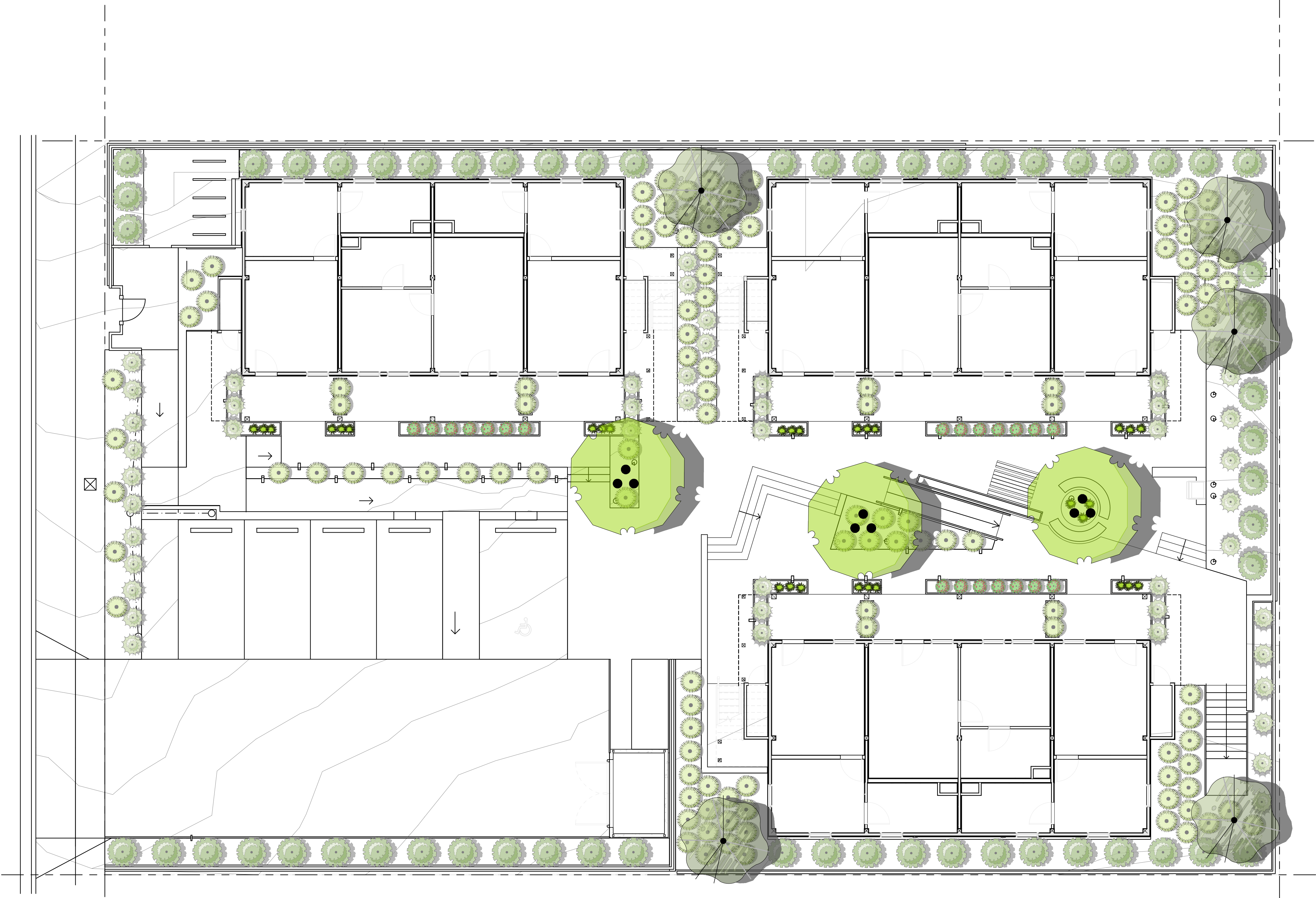


Tree 562

## **APPENDIX D**

### Replanting Plan

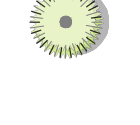
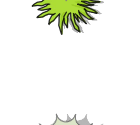
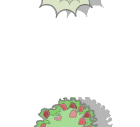




PLANTING PLAN



### CONCEPT PLANT SCHEDULE

|                                                                                     |                                                                                                          |     |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-----|
|  | <b>STRAWBERRY TREE</b><br>Arbutus x 'Marina' / Marina Strawberry Tree Multi-Trunk                        | 3   |
|  | <b>DWARF SOUTHERN MAGNOLIA</b><br>Magnolia grandiflora 'Little Gem' / Little Gem Dwarf Southern Magnolia | 5   |
|  | <b>PITTOSPORUM SILVER SHEEN</b><br>Pittosporum tenuifolium 'Silver Sheen' / Silver Sheen Tawhiwhi        | 58  |
|  | <b>LOMANDRA PLATINUM BEAUTY</b><br>Lomandra longifolia 'Roma 13' / Platinum Beauty® Variegated Mat Rush  | 118 |
|  | <b>ASPERAGUS FERN</b><br>Asparagus densiflorus 'Myers' / Myers Asparagus Fern                            | 30  |
|  | <b>SMALL CAPE RUSH</b><br>Chondropetalum tectorum 'El Campo' / El Campo Cape Rush                        | 47  |
|  | <b>KANGAROO PAW</b><br>Anigozanthos x 'Bush Ranger' / Bush Ranger Kangaroo Paw                           | 21  |



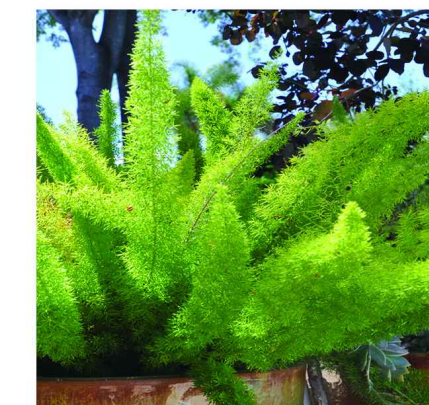
Arbutus x 'Marina'



Magnolia grandiflora  
'little gem'



Pittosporum  
tenuifolium 'silver sheen'



Asparagus densiflorus  
'Myers'



Chondropetalum  
tectorum 'El Campo'



Anigozanthos  
'Bush Ranger'



Lomandra longifolia  
'Roma 13'



Two days before you dig,  
call toll free: 1.800.422.4133  
(Under Ground Service Alert!)

#### DESIGNED BY

Landscape Designer  
Michael H. Vogt



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## AGD Hillcrest, Residence

219-221 HILLCREST AVE // MARINA, CA

#### REVISIONS

| DATE   | SUBMITTAL |
|--------|-----------|
| 2/6/25 |           |

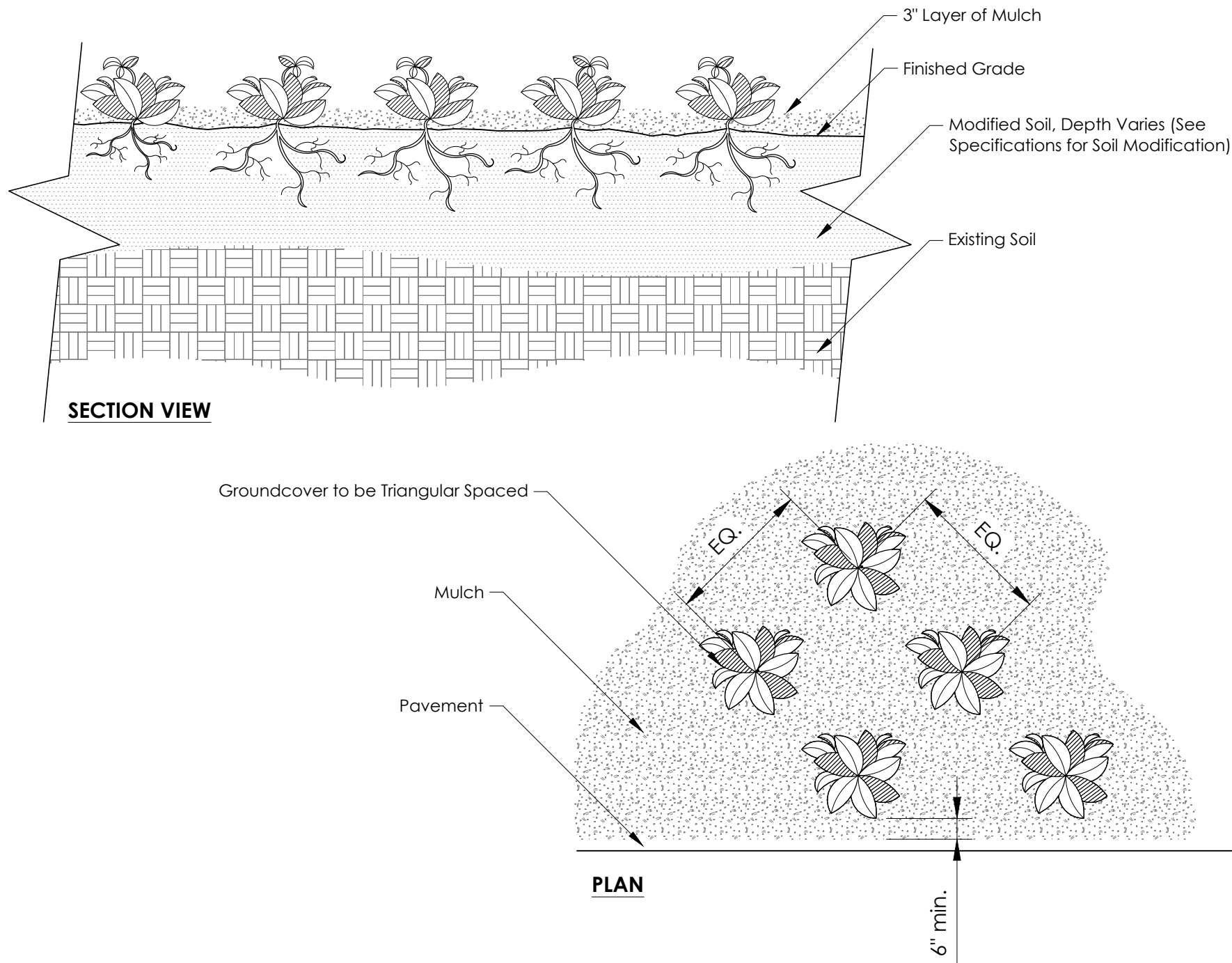
#### PLANTING PLAN

#### CLIENT

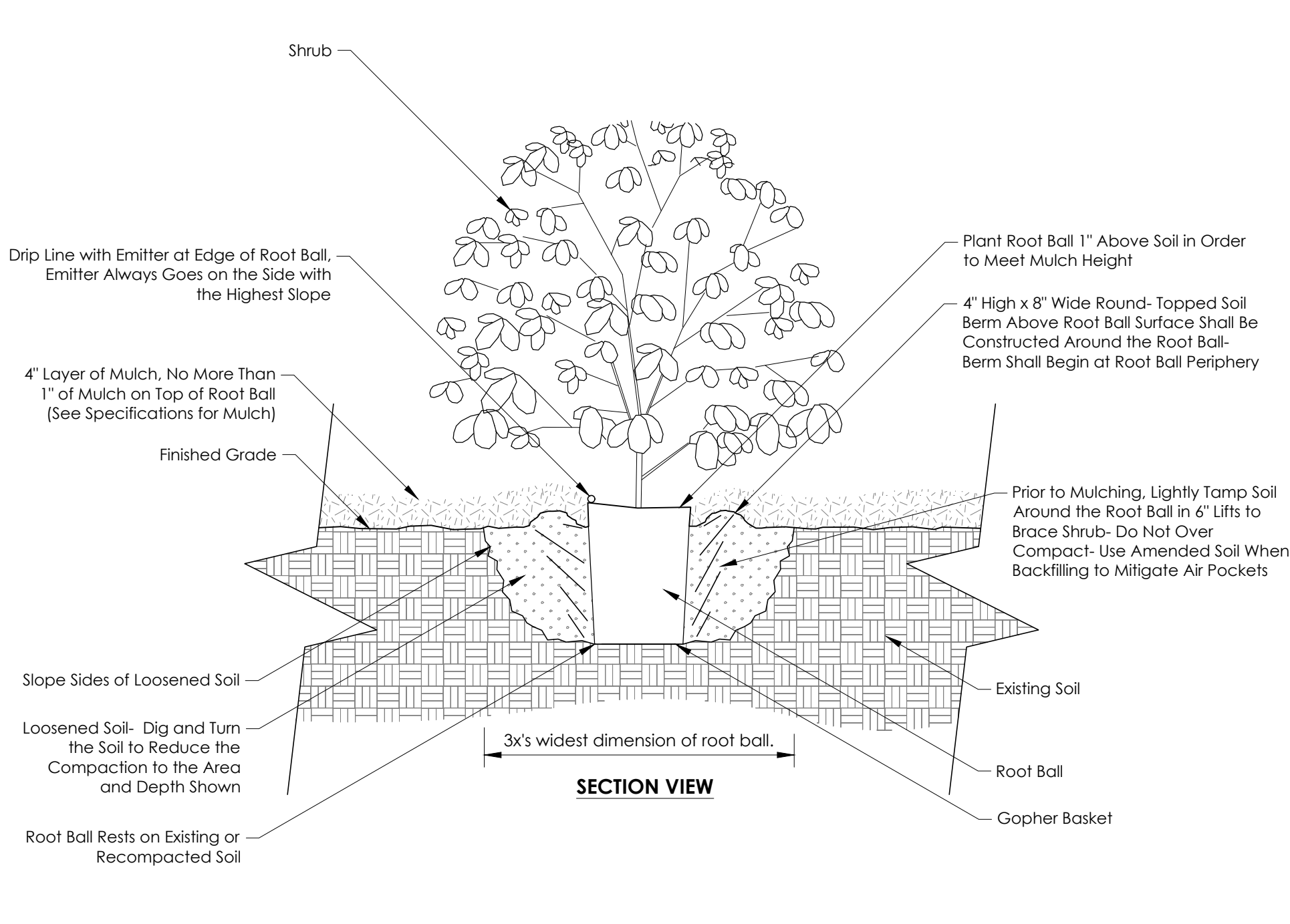
Hillcrest Marina, LLC  
219-221 Hillcrest Ave  
Marina, California  
93933  
01/13/25

# L3.0

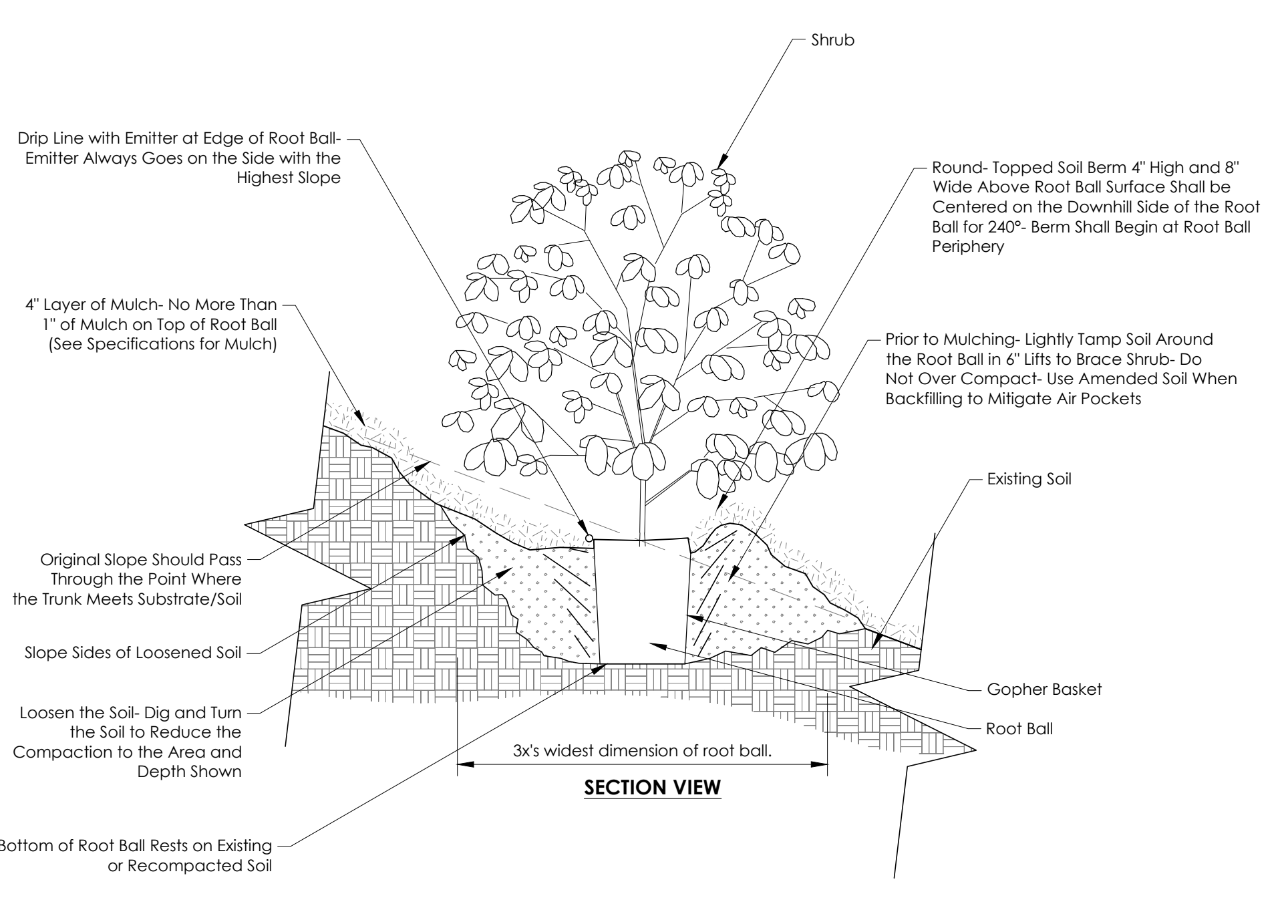




- NOTES:**
- 1. See planting legend for groundcover species, size, and spacing dimension.
  - 2. Small roots ( $\frac{1}{2}$ " or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball shaving container detail).
  - 3. Settle soil around root ball of each groundcover prior to mulching.



- NOTES:**
- 1. Shrubs shall be of quality prescribed in the root observations detail and specifications.
  - 2. See specifications for further requirements related to this detail.
  - 3. Upon installation, use water jet to saturate soil around base of the plant.



- NOTES:**
- 1. Shrubs shall be of quality prescribed in the root observations detail and specifications.
  - 2. See specifications for further requirements related to this detail.
  - 3. Upon installation, use water jet to saturate soil around base of the plant.

GROUNDCOVER PLACEMENT

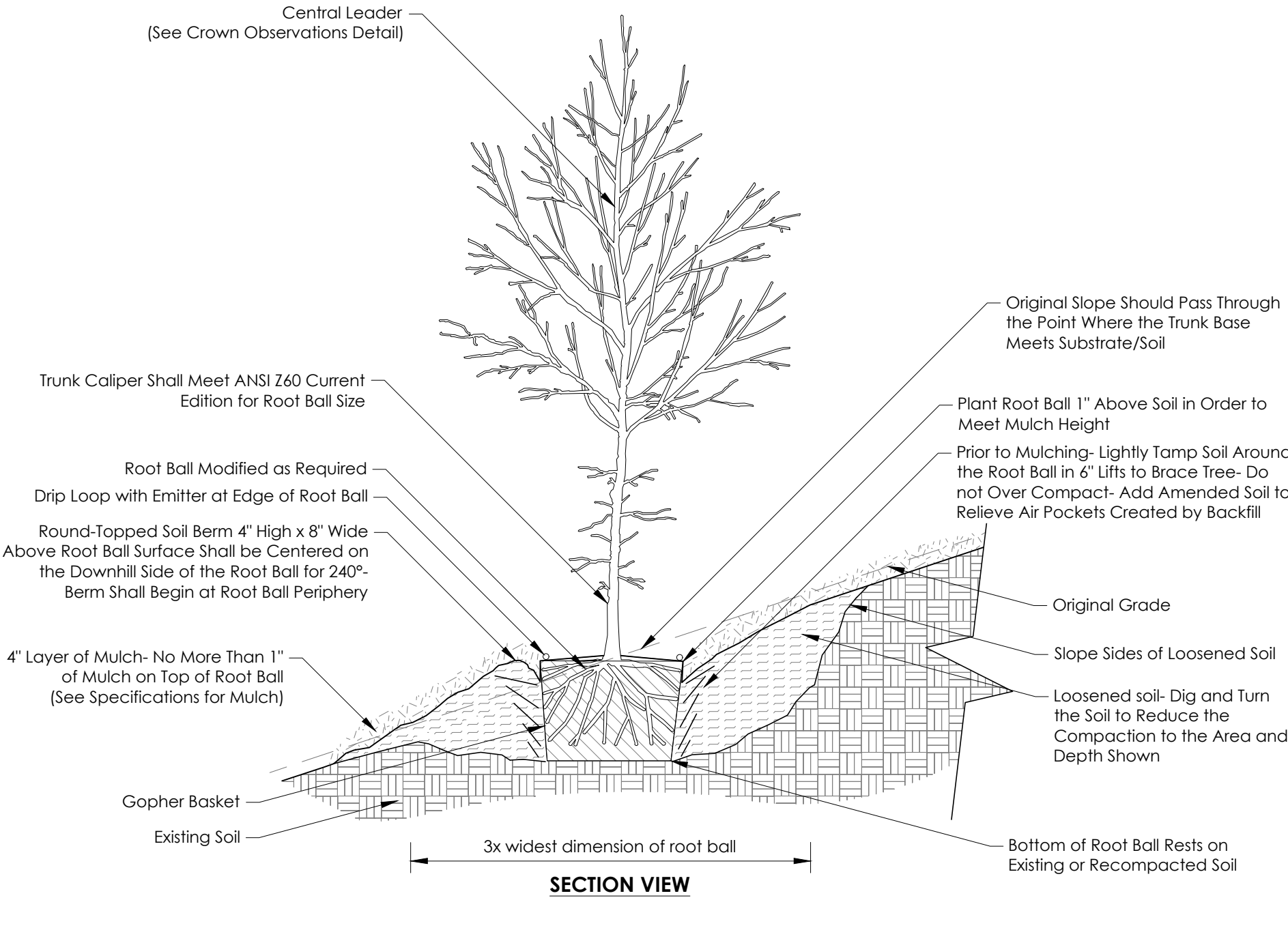
D.1

SHRUB - UNMODIFIED SOIL

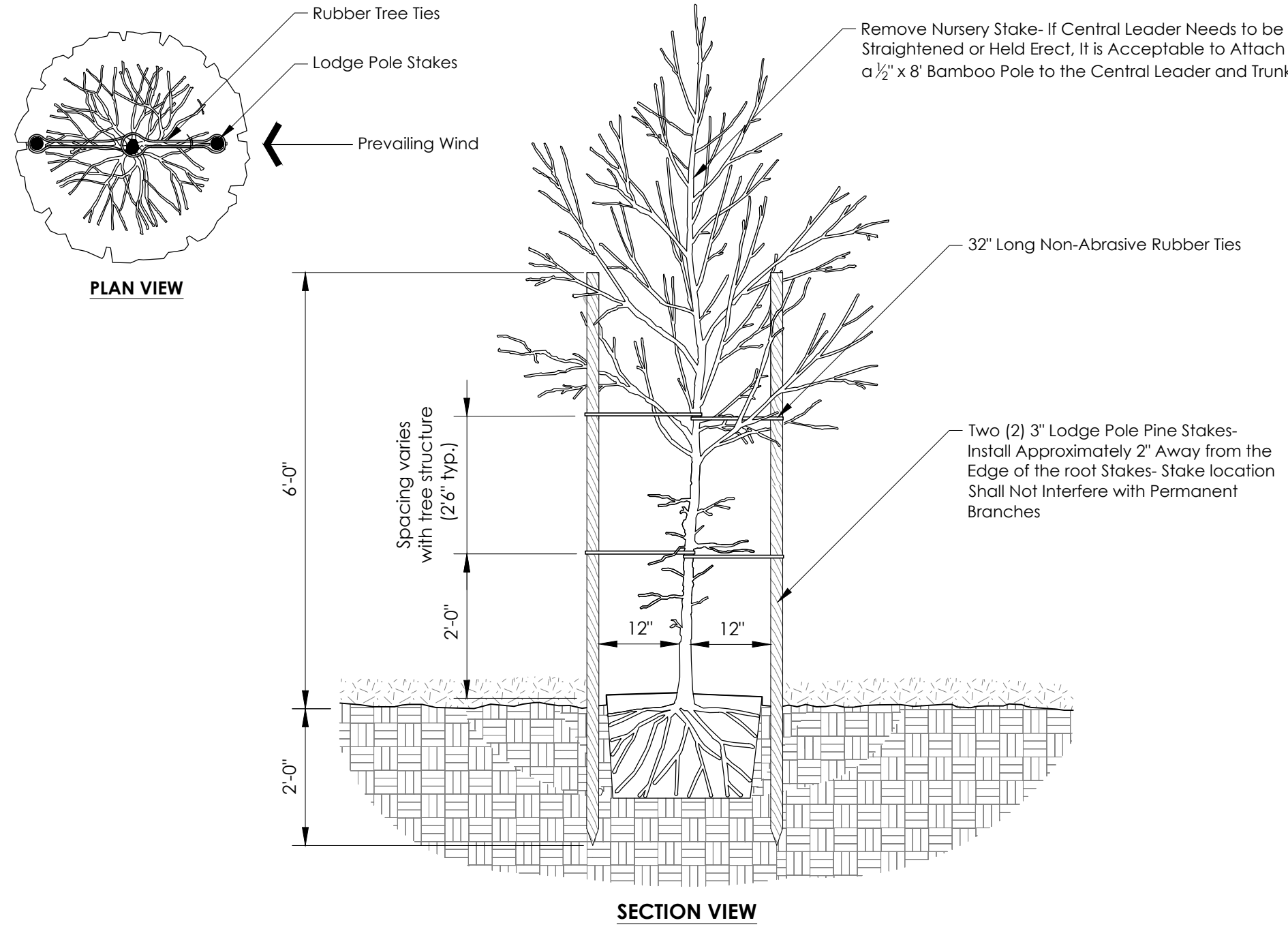
D.2

SHRUB - UNMODIFIED SOIL - SLOPE 5% TO 50%

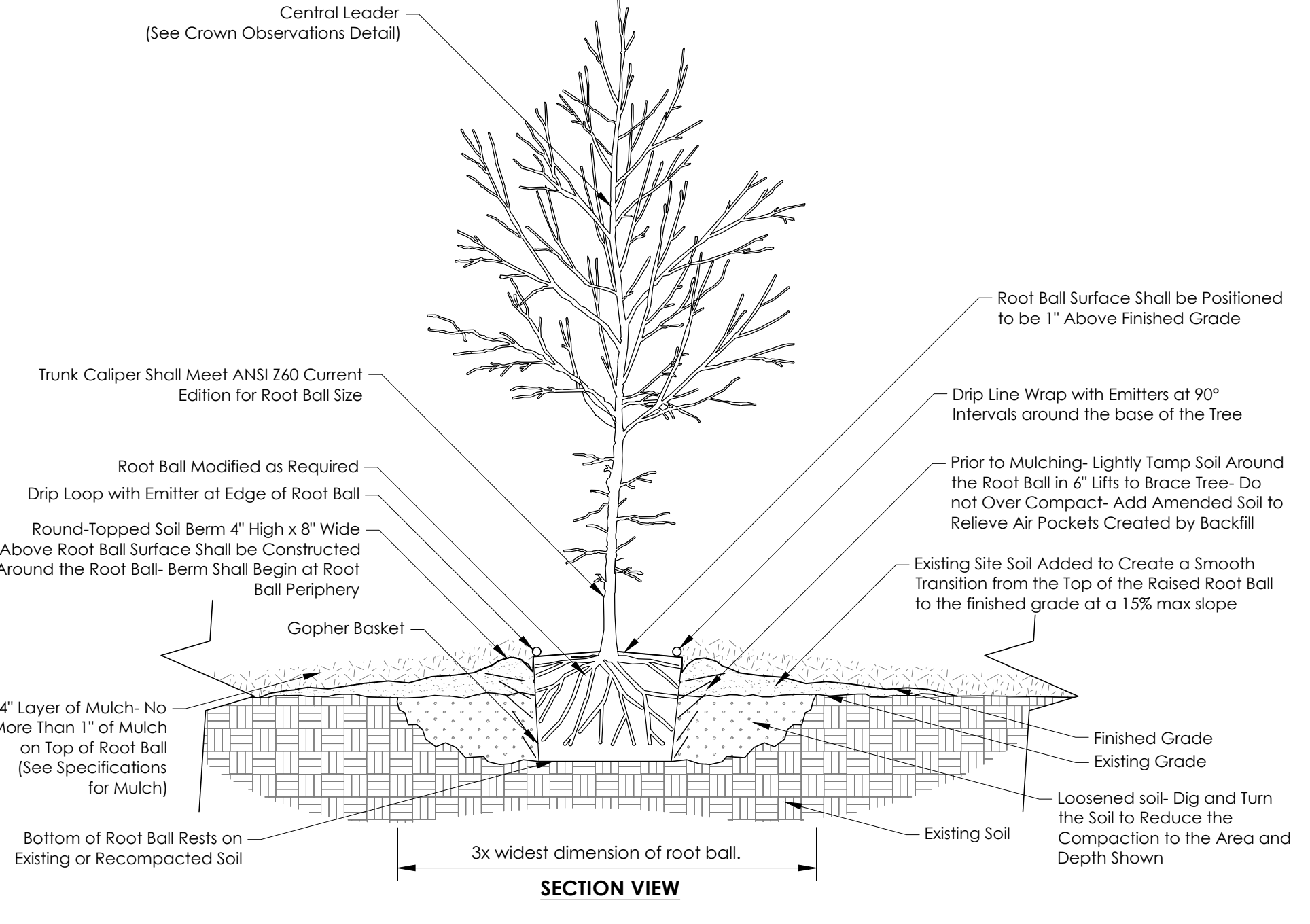
D.3



- NOTES:**
- 1. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
  - 2. See specifications for further requirements related to this detail.
  - 3. Upon installation, use water jet to saturate soil around base of the plant.



- NOTES:**
- 1. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
  - 2. See specifications for further requirements related to this detail.
  - 3. Upon installation, use water jet to saturate soil around base of the plant.



- NOTES:**
- 1. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
  - 2. See specifications for further requirements related to this detail.
  - 3. Upon installation, use water jet to saturate soil around base of the plant.

TREE - UNMODIFIED SOIL - SLOPE 5% TO 50%

D.4

TREE STAKING

D.5

TREE IN COMPACTED SOIL

D.6

DESIGNED BY

Landscape Designer  
Michael H. Vogt

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AGD Hillcrest, Residence

219-221 HILLCREST AVE // MARINA, CA

| REVISIONS |           |
|-----------|-----------|
| DATE      | SUBMITTAL |
|           |           |
|           |           |
|           |           |
|           |           |
|           |           |
|           |           |
|           |           |

| PLANTING DETAILS      |  |
|-----------------------|--|
|                       |  |
| CLIENT                |  |
| Hillcrest Marina, LLC |  |
| 219-221 Hillcrest Ave |  |
| Marina, California    |  |
| 93933                 |  |
| 01/13/25              |  |



## **Exhibit C**

### **Conditions of Approval**

- 1. Timing of Tree Removal.** Given the types and sizes of trees to be removed, all tree removal activities shall either: 1) occur outside of bird nesting season which is March 1 – August 31; **or** 2) a qualified biologist shall survey the trees no more than two (2) weeks prior to start of work if within the nesting season.
- 2. Display of Tree Removal Permit.** Prior to and during the removal of any tree approved for removal, a copy of the tree removal permit shall be displayed on site. If no tree removal permit is displayed, the City will issue a stop work order and commence the City's administrative fine process.
- 3. Tree Protection.** All trees in the project area which are scheduled for preservation or potential removal shall be temporarily fenced prior to all project-related activities. Fencing shall be installed at the edge of the root zone (the area located within 15 times the trunk diameter in all directions) or located at the edge of pavement furthest from the trunk (whichever comes first). Fencing shall consist of chain link or plastic link fence which is maintained at a minimum height of four feet above grade during all phases of construction.

Fenced areas shall not be used for material stockpile, storage, or vehicle parking. Dumping of materials, chemicals, or garbage shall be prohibited within fenced areas. Fenced areas shall be maintained in natural condition at natural or existing grade and shall not be compacted.
- 4. Replacement Trees.** Upon completion of the three apartment buildings, new trees shall be planted at a 2:1 ratio, i.e. 8 trees. The 'Dwarf Southern Magnolia' tree shall be replaced on the plan set with 'Little Gem Magnolia' (*Magnolia grandiflora*). At least one of the trees shall be a Monterey Cypress or at least two Coast Live Oaks.
- 5. Site Restoration Plan.** The ground surface shall be restored in the vicinity of the tree removals. Restoration shall include but not be limited to the removal of tree stumps and filling of any holes left by the removal.

## **Exhibit D**

### **Tree Removal Permit Findings**

MMC 17.62.060.C *Required Findings for Approval of Tree Removal Permit.* The following findings are required prior to approval or conditional approval of a tree removal permit:

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or

*Three of the seven trees are in poor condition. The arborist report did not note if they were in danger of existing structures or areas with high pedestrian traffic.*

2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or

*N/A*

3. The location of more than three trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or

*N/A*

4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or

*N/A*

5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

*All seven trees proposed for removal, including the four trees that are in fair or good condition and the three that are in poor health, directly impede the grading and construction of housing.*

6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and

*Due to the size, health, and location, the trees proposed for removal do not serve as a windbreak system or assist in drainage or prevent soil erosion or serve as a habitat.*

7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and

*The Cypress tree may contribute to the aesthetic beauty of the area due to its height and size. The Cypress tree has only has one trunk remaining on a tri-stem tree. It is in fair condition and has been pruned in an unnatural way. Staff recommend replacing the*

*Cypress tree with another Cypress tree or at least two oak trees in the middle of the lot where the applicant is proposing Strawberry trees.*

8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

*This tree removal request is being submitted concurrently with a housing development project at this site. The plans in the staff report show that the trees need to be removed to allow for the construction of the proposed housing project. Further, the removal allows the site to be developed in compliance with the Downtown Vitalization Specific Plan's (DVSP) development standards, the DVSP's objective standards, density bonus law, and state law.*





City of Marina  
211 Hillcrest Avenue  
Marina, CA 93933  
831-884-1278; FAX 831-384-9148  
[www.cityofmarina.org](http://www.cityofmarina.org)

**THE COMMUNITY DEVELOPMENT DIRECTOR APPROVES THE LANDSCAPE MODIFICATION OF REMOVING FIVE (5) MONTEREY PINE STREET TREES AND REPLACING THEM WITH FIVE (5) AUSTRALIAN WILLOW TREES DUE TO IMPACTS TO UTILITIES IN THE PUBLIC RIGHT-OF-WAY OF SEA HAVEN ALONG ABRAMS DRIVE. THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES (ARTICLE 19, SECTION 15304) BECAUSE THE PROJECT PROPOSES MINOR ALTERATIONS TO LAND.**

**GENERAL SITE INFORMATION**

|                          |                                                    |
|--------------------------|----------------------------------------------------|
| Business Name            | Homeowner's Association for Sea Haven              |
| Location                 | Abrams Drive between Denali Drive and Bluffs Drive |
| General Plan Designation | Marina Height's Specific Plan                      |
| Zoning District          | MH SP: Marina Heights Specific Plan                |
| Owner                    | City of Marina Public Right-of-Way                 |
| Applicant                | Elite Maintenance and Tree Service, Ian Ashby      |

**PROJECT DESCRIPTION:**

The applicant is proposing to remove five (5) Monterey Pine trees (*Pinus radiata*), whose roots are impacting underground utilities in the planting strip along Abrams Dr between Denali Dr and El Capitan Dr. The stumps will be grounded down to between one to two inches below soil grade to reduce the risk of damage of close proximity subsurface utilities. Five (5) Australian Willow trees (*Geijera parviflora*) will be replanted next to the stump wells of the removed Monterey Pine trees.

## SITE PLAN:



Figure 1 Arbornote showing location of trees to be removed.

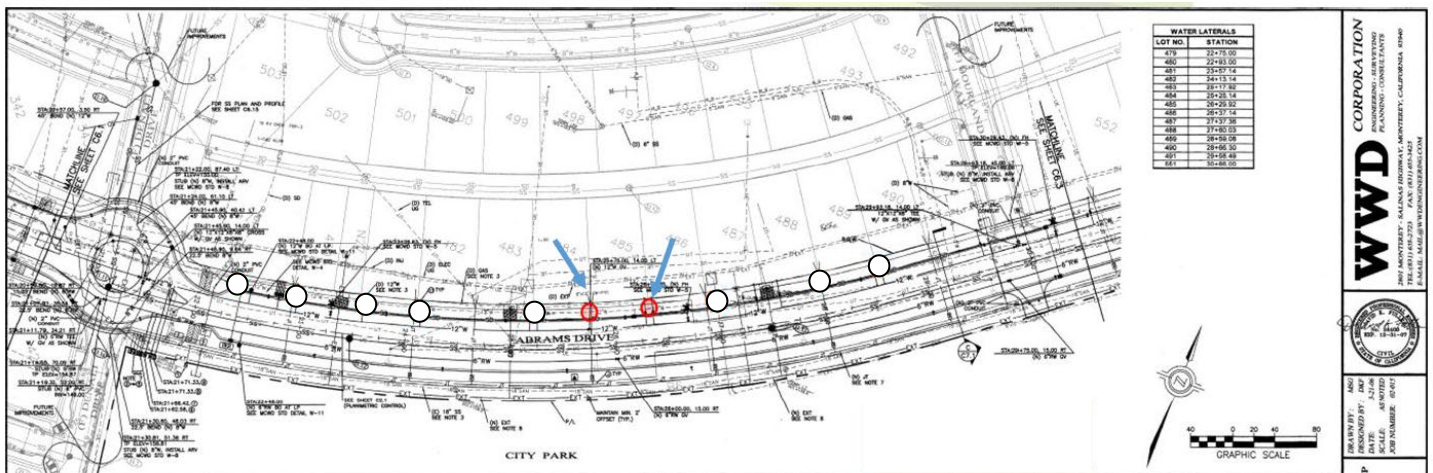






Figure 3 Arbornote showing location of trees to be removed.



Figure 4 This map shows the overlay of subsurface utilities and their relation to the trees (indicated by red circles). The blue arrows are pointing to the trees that are to be removed.

**Note:** Australian trees will be replanted next to the stump wells of the removed Monterey Pine trees.

## BACKGROUND:

On September 8, 2004, the City Council adopted Resolution No. 2004-157 approving a Marina Height (now Sea Haven) subdivision. The plan was based on the Tentative Subdivision Map for the



development and included the Sea Haven Community Design Guidelines. The guidelines included a list of trees and plants for use in the community.

On March 10, 2022, the Planning Commission adopted Resolution No. 2022-04 approving a Sea Haven Tree and Plant Palette Update. The plan removed invasive and disease susceptible trees while diversifying the tree palette by adding trees well suited for the climate and conditions of site.

On December 18, 2024, ISA Certified Arborist Ian Ashby of Elite Maintenance and Tree Service (EMTS) submitted a Root Management Report and Addendum #1 for the proposed project with a recommendation to remove fifty (50) trees and add fifty (50) Strawberry trees.

On January 28, 2025, Ian Ashby added Addendum #2 and renamed the original report as an Arborist Report at staff's direction. Further, after discussion with staff, additional utility information was included in the analysis, which reduced the request to forty-three (43) trees instead of fifty (50) and replacing them with forty-three (43) Australian Willows instead of the previously recommended Strawberry trees.

On March 3, 2025, Ian Ashby submitted Addendum #3 to the Arborist Report (**Exhibit C**) that provided a map of the trees overlapping with subsurface utilities. The recommendation was revised to removing the five (5) Monterey Pines that are causing the most damage and replace them with five (5) Australian Willow trees. The arborist recommends removing the other thirty-eight (38) trees identified in Addendum #2 in the future. Staff note that this will be under a separate submittal.

#### **PROJECT ANALYSIS:**

As referenced in the background, the five (5) trees proposed for removal and replacement were planted as part of a landscaping plan. Under Marina Municipal Code (MMC) 17.62.040 (General exemptions) for tree replacement within an approved landscaping plan, the proposed project does not require a tree removal permit if they are part of a previously approved landscaping plan. Therefore, the change is subject to approval by the Community Development Director or designee.

The reason for the request for removal is that the trees have only grown to 25% of their potential size according to the arborist. Over time, the arborist expects the trees to damage the road and sidewalk. Further, the roots of the trees have already started to negatively impact underground utilities as shown in Exhibit A's Photo #6. Although the roots impacting the underground utilities can be removed, new roots will continue to grow over time and the overall size of the trees is not appropriate for the site. Therefore, the arborist recommends replacing the five (5) Monterey Pine trees with five (5) Australian Willow trees.

## SPECIES TO BE REMOVED AND SPECIES TO BE ADDED

**Table 1. Trees to be removed.**

| Species              | Common        | # of Trees | Reason to Remove                                                                                                                                                                                                                                                                  |
|----------------------|---------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Pinus radiata</i> | Monterey Pine | 5          | Risk of subsurface utility damage and sidewalk damage. Mess or potential damage to vehicles parked or driving from falling large pinecones. Limb overhang on major community road (Abrams Dr) which improves safety from potential limb drop. Allergies to residents from pollen. |

**Table 2. Trees to be added.**

| Species                   | Common            | # of Trees | Reason to Add                                                                                                                                                                                                                                                                                |
|---------------------------|-------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Geijera parviflora</i> | Australian Willow | 5          | Low risk rating for root damage. Evergreen and low mess. Attracts pollinators. Grows to an appropriate max height of 35-45 feet to provide shade and has a moderate growing rate. Tolerant of drought and many soil conditions. Part of the Sea Haven Plant Palette under Street Tree Minor. |

The Monterey Pine trees proposed to be removed are approximately 25 ft tall with a diameter at breast height (DBH) of approximately 18 inches. The proposed replacement Australian Willow trees are 15-gallon standard trees that are approximately 6 to 8 ft tall with a DBH of 1 to 2 inches. The arborist recommended the 15-gallon standard due to the difficulty in small planting space and risk of damage to the underground utilities.

Monterey Pines are not part on the 2022 Sea Haven Tree and Plant Palette due to the trees being susceptible to disease including Armillaria, Leaf Blight, Phytophthora, Root Rot and Aphids, Beetle Borers, and California Five Spined Engraver Beetle. In contrast, Australian Willows are within the updated Sea Haven Tree and Plant Palette and are listed as a suitable tree for Street Tree Minor.

### **ENVIRONMENTAL REVIEW:**

The City of Marina Planning Division determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15304) because the project proposes minor alterations to land.

### **CONCLUSION:**

The Community Development Director, Guido Persicone, AICP, hereby APPROVES the landscape modification removing five (5) Monterey pine street trees and replacing them with five (5) Australian willow trees due to impacts to utilities in the public right-of-way of Sea Haven along Abrams Drive subject to the following Findings and Conditions of Approval.

Respectfully submitted,

*Brian Kim*

---

Brian Kim, Assistant Planner  
Community Development Dept.  
City of Marina

**REVIEWED/CONCUR:**

---

Guido Persicone, AICP  
Director, Community Development Dept.  
City of Marina

Exhibits:

- A. Findings
- B. Conditions of Approval
- C. Application Materials



## **EXHIBIT A**

### **FINDINGS**

#### **Consistency with the Zoning Code:**

Marina Municipal Code (MMC) 17.62.040 (General exemptions)

- 1) For tree replacement within an approved landscaping plan, the proposed project does not require a tree removal permit if the trees are part of a previously approved landscaping plan.

*Finding:* The trees were planted as part of the landscaping plans for Phase 1 of the Sea Haven Development. Therefore, the change is subject to approval by the Community Development Director or designee.

#### **Consistency with the Marina Heights (Now Sea Haven) Specific Plan:**

Sea Haven Specific Plan Updated Plant Palette (2022)

- 1) Replacing Monterey Pines with Australian Willow.

*Finding:* Monterey Pines are not listed as a Street Tree (minor or major) on the updated Tree Palette. Further, the 2022 Tree and Plant Palette do not recommend this tree, because they are susceptible to disease including Armillaria, Leaf Blight, Phytophthora, Root Rot and Aphids, Beetle Borers, and California Five Spined Engraver Beetle. In contrast, Australian Willows is within the updated Sea Haven Tree and Plant Palette under Street Tree Minor. Further, the Australian Willow will grow into a mature tree that is appropriate for this area and should have less impact to utilities moving forward.

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL**

1. **Replacement Trees.** The permittee shall plant five (5) replacement Australian Willow (*Geijera parviflora*) trees that are minimum 15-gallon in size as indicated on the Replanting Plan.
  - a. Trees shall be maintained so that they do not block visibility of motorists.
  - b. Replacement trees shall be planted within ninety (90) days of the tree removal.
  - c. Replacement trees shall be allowed to develop their natural form and shall not be trimmed as a topiary or other unnatural form. All tree trimming shall conform to International Society of Arboriculture (ISA) tree trimming standards.
  - d. Once replacement trees and irrigation system are installed, permittee shall coordinate final inspection with Assistant Planner Brian Kim (Phone: 831-884-1237 | Email: [bkim@cityofmarina.org](mailto:bkim@cityofmarina.org)) within ten (10) days of completion of work.
  - e. The replacement plan shall include an irrigation system that shall be installed and maintained at least until such time as the new trees are able to live independently of the irrigation.
2. **Tree Protection Plan.** Surrounding trees within ten (10) feet of the tree(s) proposed for removal shall be protected with orange fencing during tree removal activities.
3. **Soil compaction.** To avoid soil compaction from damaging the roots, heavy equipment shall not be allowed to drive over the root area. If deemed necessary and approved by the forester, equipment may drive across one side of the tree. To reduce soil compaction, wood chips shall be spread 6-12 inches deep to disperse the weight of equipment and plywood sheets shall be placed over the wood chips for added protection.
4. **Tree watering.** Retained trees shall be watered periodically in accordance with species need to promote tree health. Transplanted trees and their intended planting areas shall be pre-watered. Post planting watering shall be done as needed to assure establishment.
5. **Site Restoration Plan.** The ground surface shall be restored in the vicinity of the tree removals. Restoration shall include but not be limited to the removal of tree stumps and filling of any holes left by the removal.
6. **Traffic Control Plan.** If temporary closure of Abrams Dr or other public right-of-way is required for construction and/or staging, the permittee shall apply and receive an encroachment permit from the Public Works Department, which includes a Traffic Control Plan to be approved by the City Engineer.
7. **Sidewalk and Landscape Condition.** Permittee shall restore all affected sidewalks and landscaped areas to original or better condition following completion of work in the right(s)-of-way.
8. **Encroachment Permit.** Permittee must obtain an encroachment permit from the Public Works Department prior to any work within the public road right-of-way.
9. **Modification.** Any modification to the approved plans requires review and approval by Planning staff or the Planning Commission, as necessary.

10. **Onsite Posting.** This resolution must be posted on the site in two locations by the applicant prior to commencing the removal of the trees.



**EXHIBIT C - Application from Applicant**  
(On Separate Sheet)



## Arborist Report

**Client:** Courtney Creel (Riverside Management & Financial Services, INC.)

**Address:** 2953 West Abrams Dr, Marina, CA 93933

**Phone number:** 831-867-6110

**Email:** courtney@riversidemgmt.com

**Assessor:** Ian Ashby, ISA Certified Arborist WE-14416A, TRAQ certified, CTSP

**Date:** 9/6/2024 **Time:** 1000

**Background:** Per your request, on 9/6/2024, the following is an Arborist report on confirming root growth related damage to subsurface water pipes and offering solutions. This report includes survey method, location, species, and condition, along with observations, discussions, conclusions, and recommendations. This assessment is based upon the information provided by the Client, and Elite Maintenance & Tree Service's education, knowledge, training, experience, and diligent field investigation.

**Scope of Work:** My assignment was to inspect 34 Monterey Pine (*Pinus radiata*) that are located on the north and south side of West Abrams Drive between Braden way and Denali Drive. This assessment includes assessing for invasive roots that impact or damage structures near the subsurface water system and determining if future damage is possible. I will then report my observations, discussion, conclusion and make recommendations.

### **Limits to this assessment:**

This report and observations are based on my site assessment on 9/6/2024. The assessment of the trees was conducted using a basic, ground based visual assessment that may include the use of simple tools. All measurements for length, depth and direction of the trees, roots and pipes are estimated. This report reflects observations made only to those items described and only reflects the conditions of those items at the time of the site visit. The assessment is also limited by the fact that complete root growth pattern is unknown due to the fact they are underground and no ground penetrating radar was used. Signs of damage are assessed based off known habits of root growth, signs of damage present at the time of assessment and photos provided by the client.



### **Observations/ findings & TREE SERVICE**

Upon my initial assessment of the first area in front of 2953 West Abrams Dr., I observed several Monterey Pines on the north side of West Abrams Drive situated in a planter between the sidewalk and road. These trees were in an even aged stand, all approximately 25 feet tall and a DBH of approximately 13-18 inches (photo 1 page 2). Underground water access boxes were located within 1-2 feet of tree bases in the area between Denali Dr and 3<sup>rd</sup> Ave on West Abrams Dr. as seen in photo 2 page 2.

When assessing the Monterey Pines on the north and south side of West Abrams between 3<sup>rd</sup> Ave and Braden Way, the same situation was present with subsurface water access panels being within 1-2 feet of the tree bases (photo 3 page 2). Additionally on the south side of West Abrams Dr., there was an above ground, water control valve with a subsurface access panel in close proximity of a Monterey Pine with a covered hole. This hole revealed Monterey Pine roots growing into and around the subsurface pipes, unknown if pipes are off and hole was caused by leaks associated with root damage (photo 4 and 5 page 3).



Photo 1



Photo 2



Photo 3

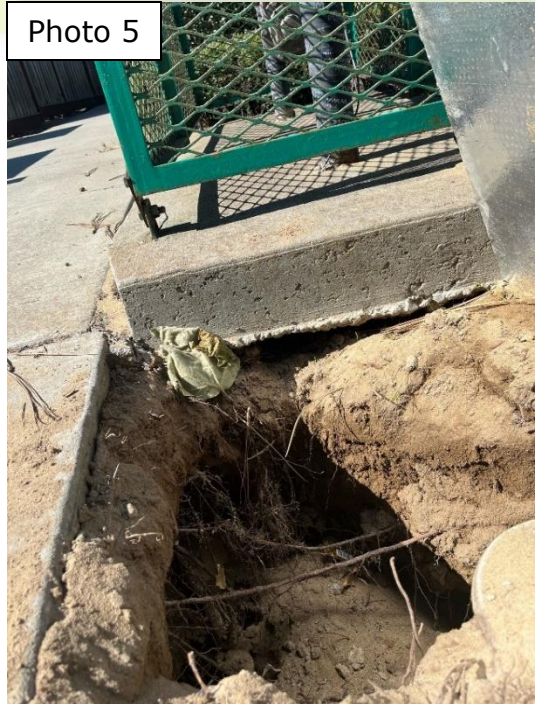


M  
& T

Photo 4



Photo 5



### **Discussion**

Per Courtney Creel, there has already been damage to subsurface water pipes requiring repair and root removal along with sidewalk damage. A picture was provided by Courtney Creel as seen in photo 6 page 3 of a root that damaged a pipe. Monterey Pines can grow to over 100 feet tall with DBH over 30 inches. The pines assessed are only at about ¼ their potential size. Subsurface water pipes are and will continue to be too close to main structural roots that will cause damage by contact with the pipes. The trees will also outgrow their current site causing damage to the road and sidewalk over time.

Photo 6







**Conclusion**

It can be concluded that the Monterey Pines assessed are causing damage to the pipes and it can be predicted that they will continue to cause damage over time as the tree grows.

**Recommendations:**

1. Remove the trees and plant either smaller trees with less aggressive roots or plant shrubs.

**Certificate of Performance:**



**MAINTENANCE & TREE SERVICE**  
 Ian Ashby, Certify:

That I have conducted a thorough, accurate and unbiased assessment of the tree(s) and/ or property evaluated in this report. The facts are stated accurately to the best of my abilities within the stated limits to the assignment identified in this report.

- That I have no personal interest in vegetation or real estate prior to, during or after the assessment with respect to the parties involved.
- That the assessment, opinions and conclusions stated are original and are based off of current scientific facts, knowledge and procedures within the arboriculture profession.
- That compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I am a Certified Arborist with the International Society of Arboriculture (ISA) and hold a Tree Risk Assessment Qualification (TRAQ) also under the ISA. I have attained professional training in all areas of knowledge asserted through this report by completion of certification and by routinely attending pertinent professional conferences and by reading current research from professional journals, books, and other media.

Signed:

Date: 9/8/2024

Name: Ian Ashby

Certified arborist #WE-14416A

### **Assumptions and Limiting Factors:**



# MAINTENANCE & TREE SERVICE

It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.

- All information and data obtained has been verified as credible insofar as possible. The consultant is not cannot guarantee or is responsible for accuracy of information provided by others.
- Any diagrams, sketches, or photographs used as visual aids in this report are not scale unless specifically stated in the report. These visual aids are not intended for or viewed as surveys, architectural, or engineering drawings.
- Loss or alteration of any part of this report invalidates the entire report.
- Distribution of this confidential report in any format to others not directly involved or pertinent to a client's claims is prohibited without the consent of the consultant.
- The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement, or a contract.
- Changes to tree or site conditions after completion of the field inspection that are caused by severe weather, construction, accidents, insects, disease or other agents may change the structural integrity of a tree or tree part and increase risk. These types of future changes in condition and their impact on the tree cannot be reasonably predicted during a risk assessment.
- This assessment is restricted to the designated tree(s) and did not assess any other nearby trees that may present potential hazards to people or property.
- Recommendations for risk reduction treatments may involve considerations beyond the scope of the arborist's services such as cost, public sensitivity, property management considerations, and other issues. This assessment did not consider these factors but focused on the structural integrity of the subject tree(s) and relative risk to the public at the time of this inspection and during normal weather conditions.

## **Disclosure Statement:**





This report, its findings and recommendations are submitted with the following understanding:

- Arborists are specialists in tree management and care who use their education, knowledge, training and experience to inspect and assess tree health and condition and identify measures that reduce risk of personal injury or property damage from trees exhibiting defects.
- Arborists cannot detect every condition that could possibly lead to the structural failure or decline in the health of a tree. Trees are living organisms that fail in ways we do not fully understand and cannot always predict. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.
- This assessment is based on predictions of tree behavior during normal weather conditions and the condition of the tree at the time of the field inspection. Normal weather conditions are defined as wind less than 30 mph in speed and rainfall that does not saturate the soil and destabilize the tree root system.
- Time frames for risk ratings and recommended mitigation are not a guarantee period for tree or tree part stability. Tree or tree parts may fail at any time after the inspection.
- Trees can be managed, but they cannot be controlled. To live, work and play near trees is to accept some degree of risk. The only way to eliminate risk from trees is to remove trees, but removal is generally only preferred if recommended by a Qualified Arborist because it also eliminates the multitude of benefits provided by trees.
- Any products mentioned or recommended are not endorsed or guaranteed for their success and all short falls of the products is of the manufacturers doing and not Elite Maintenance & Tree Service's
- Clients may choose to accept or disregard the recommendation of the arborist, or to seek additional advice.

### **Addendum #1**

12/10/2024



The original report assessed 34 Monterey Pines (*Pinus radiata*) for removal and grinding with a replanting of a tree species that is smaller at maturity with a less aggressive root damage potential. This expanded to include an addition 16 Monterey Pine trees for removal with grinding and replanting. This brings the total removal to 50 Monterey Pines. These trees are located on the north and south side of Abrams Dr between Braden way and El Capitan Dr. These pines are in line with the original pines in the report and grow in the same small planter between the street and sidewalk.

### **Proposed Replanting Species**

Through deliberate discussion and consideration between EMTS and the Sea Haven HOA, a decision for replanting of Strawberry Trees (*Arbutus unedo* 'Marina') was selected from the City of Marin's 'Proposed Master Plant Palette'. This was selected based off its small mature height and trunk diameter, low risk rating for root damage and matches the desired aesthetics of the HOA. 50 Strawberry trees will be planted to replace the number of Monterey Pines removed.

### **Impacts of site change**

Removal of the even aged stand of Monterey Pines that are ~25ft tall with a DBH of ~18 inches and in good health on the north and south side of Abrams Dr would have minimal impacts from the removal of these species.

- Pros of the removal include:
  - Reduced risk of subsurface utility damage and sidewalk damage
  - Reduced mess or potential damage to vehicles parked or driving from falling large pinecones.
  - Less limb overhang on major community road (Abrams dr) which improves safety from potential limb drop.
  - Reduced allergies to residents from pollen
  - Strawberry Trees attract birds and pollinators
- Cons of the removal include:
  - Loss of native species
  - Potential for issues associated with a monoculture (replacing one monoculture for another)
  - Loss of shade cover

### **Interactive map of proposed project**

The link below shows the trees to be removed and the locations of the new plantings. Monterey Pines will be removed and stump grinding will be done to meet 1-2 inches below soil grade to allow for decomposition and lessen risk of subsurface utility damage. New trees will be planted to the side of where the shallow stump wells are created. 15 gallon standard Strawberry Trees were selected. <https://app.arbor-note.com/ng/#/linkview/work/19AA2BDD-DE9C-405F-8789E0C06782E345>

### **Addendum #2**

1/28/2025



## MAINTENANCE & TREE SERVICE

After the City of Marina review of the previous report by Brian Kim and Nick Mcilroy, additional information was requested to assess if all or some Monterey Pine trees would need to be removed along with proposing an alternative replacement tree. This additional assessment is to look at existing trees with obvious signs of potential damage to subsurface utilities and looking at original utility installment plans during development to look for overlap. Map overlay of original Phase 1 development is also included showing the relation of known subsurface utilities and tree locations.

### Additional Observations

Maps show the locations of trees that had obvious surface access panels to subsurface utilities within the critical root zone of the trees. There are 29 trees in total out of 50 from the original report that show this obvious relation.



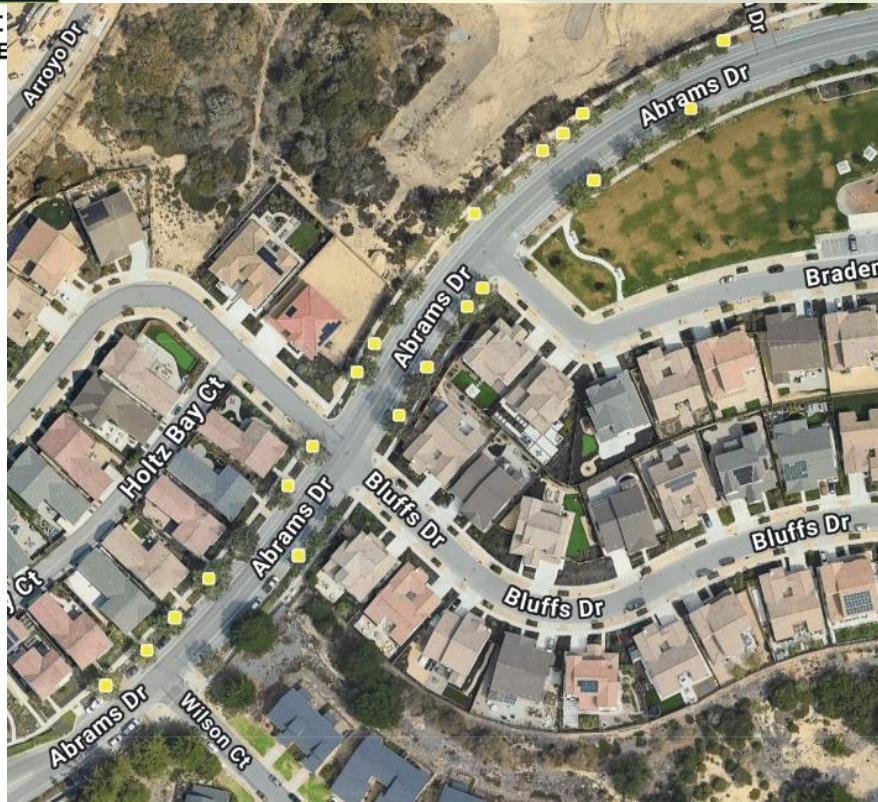
*Map 1 Abrams Dr between Denali Dr and Marina Hts Dr.*

The photos attached show the relation of subsurface utility boxes, fire hydrants or active concrete lift to the trees and are indicated by red arrows. Photos were taken in the field by Ian Ashby, ISA Certified Arborist WE-14416A on 1/16/2025.









The photos show the relation of subsurface utility boxes, fire hydrants or active concrete lift to the trees and are indicated by red arrows. Photos were taken in the field by Ian Ashby, ISA Certified Arborist WE-14416A on 1/16/2025.

attached





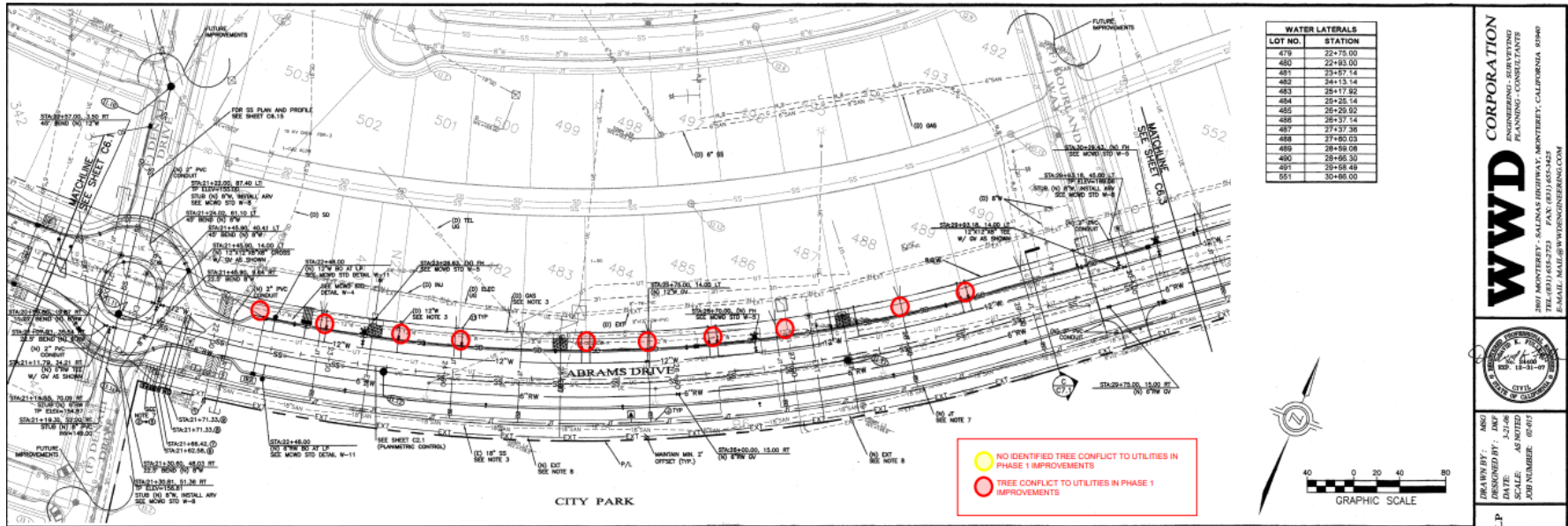




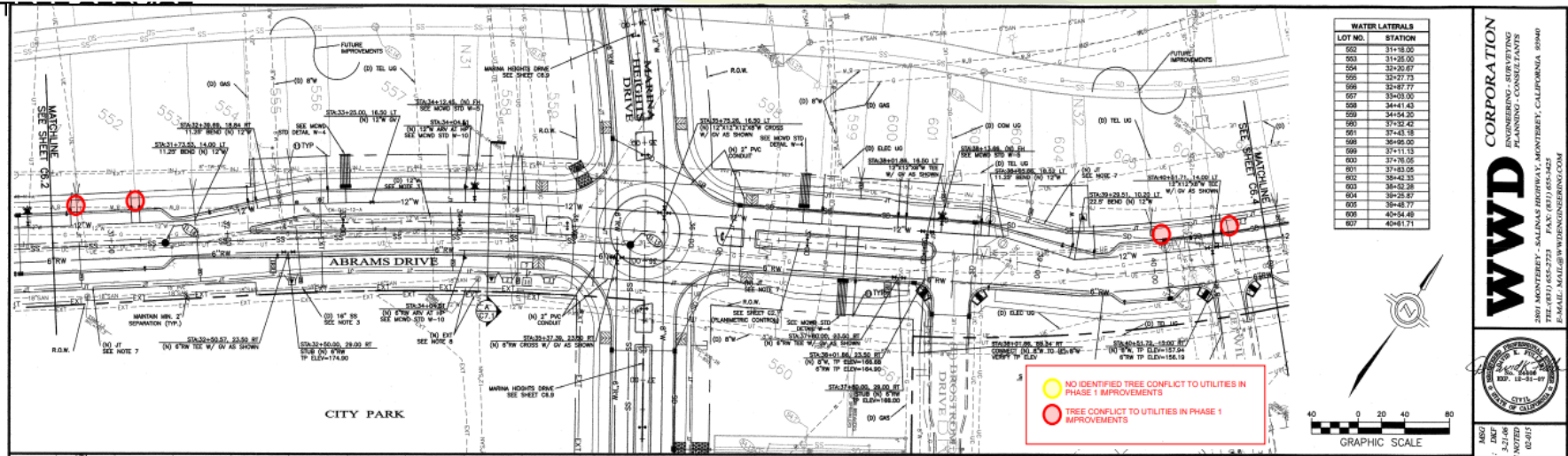




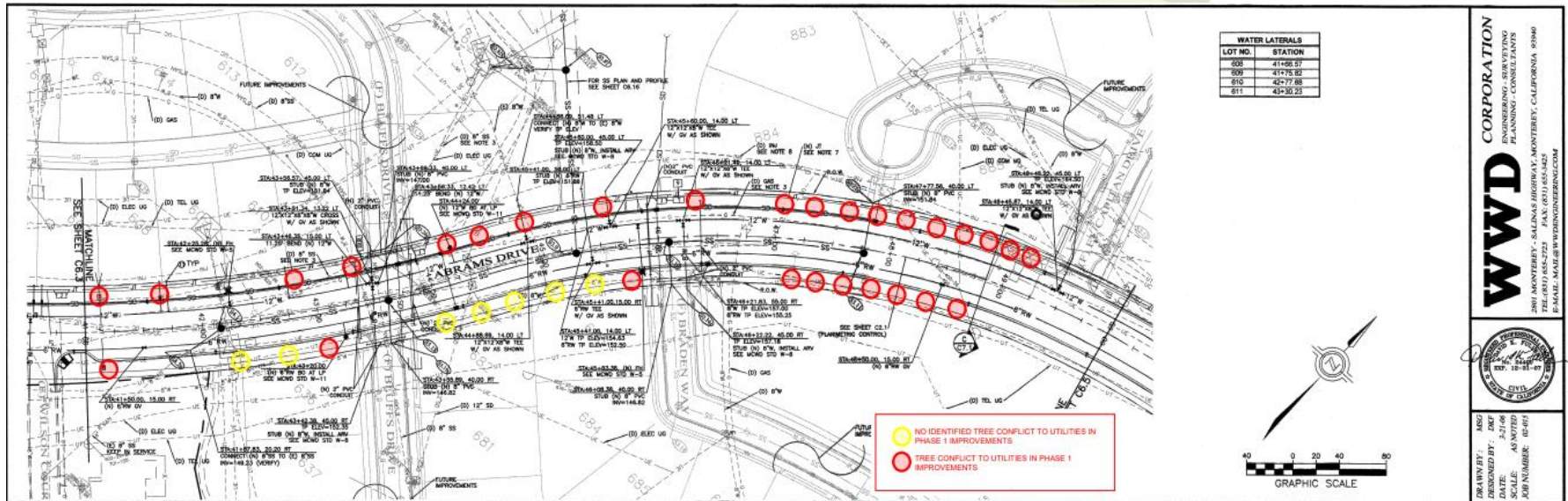
Additional maps provided by Dana Gillespie, Project Manager with WCP Developers LLC shows the overlap of development maps showing subsurface utilities in relation to the located trees marked for removal. These maps show 43 out of 50 Monterey Pine trees are in conflict with subsurface utilities.



Map 1 Monterey Pines between Denali Dr and Incheon Ct



Map 2 Monterey Pine on Abrams Dr between Inchon Ct Marina Hts Dr and Wilson Ct



Map 3 Monterey Pines on Abrams Dr between Wilson Ct and El Capitan Dr

## Conclusion

The Monterey pines discussed have the most obvious possibility of causing future damage to subsurface utilities due to access panels being in close proximity of the trees and maps showing they are growing on top of or close to subsurface utilities.





### **Recommendations**

1. Remove the 43 Monterey Pines originally observed and marked in the development maps.
2. Replace the trees with a low risk rated tree for root damage from the City of Marina Master Palette such as the Australian Willow (*Geijera parviflora*).



## Addendum #3- Tree Removal Modification

3/3/2025

### Overview

Modifications to the removal plans outlined in Addendum 2 were warranted due to city denial of the removal of all 43 Monterey Pine trees. This addendum does not detract from the previous findings that the 43 Monterey Pine trees need to be removed to prevent further damage to subsurface utilities. This modification is to highlight 5 of the 43 Monterey Pines to be removed initially that have already caused damage to subsurface utilities.

### Section 1

In this section on the north side of Abrams dr between Denali dr and Incheon ct, are 2 Monterey Pine (*Pinus radiata*), that have caused damage to subsurface utilities in the past. These tree's are located in front of residence 2951, 2953 and 2955 Abrams dr Marina, CA 93933.



Figure 1 Arbornote showing location of trees to be removed.



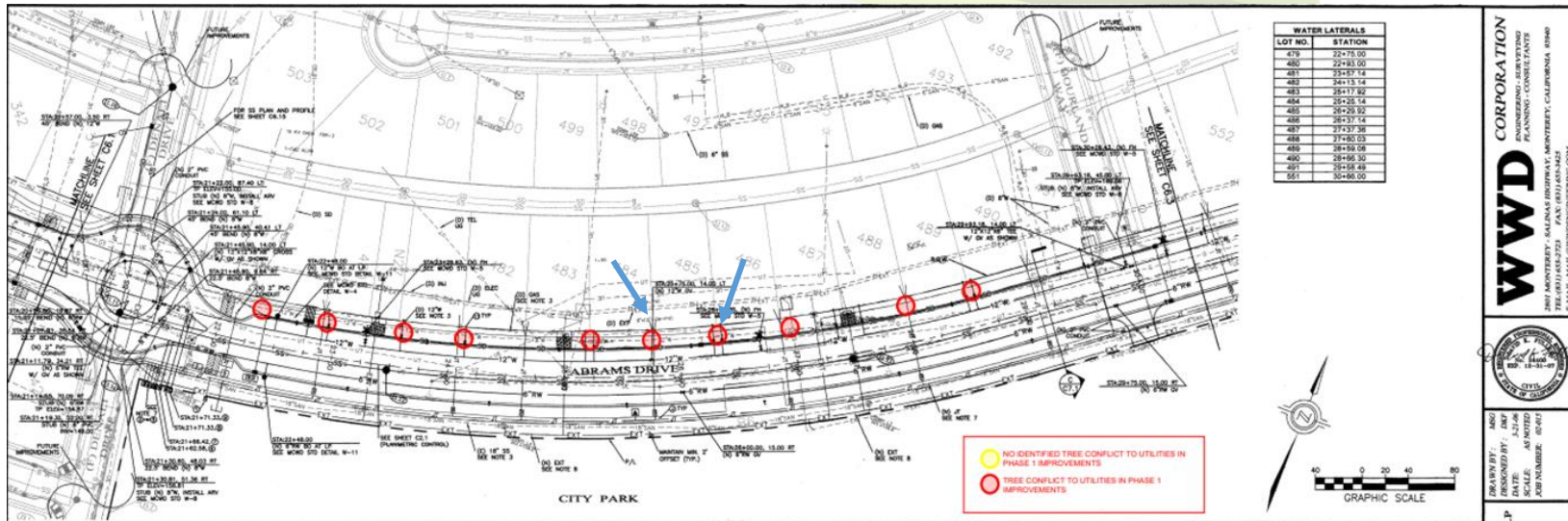


Figure 2 This map shows the overlay of subsurface utilities and their relation to the trees (indicated by red circles). The blue arrows are pointing to the trees that are to be removed.



Photo 1 and 2 shows the root from the subject tree that caused damage and breakage of a subsurface water pipe. This photo was taken by Courtney Creel on August 29<sup>th</sup> 2024 at the time of repairs and removal of the root. Note the proximity of major anchoring roots that originate from the base of the tree to subsurface utilities.





## Section 2

In this section, there are 2 Monterey Pines on the north side of Abrams dr and 1 Monterey Pine on the south side between Bluffs dr and Wilson ct. The north side trees are located in front of 3009 and 3011 Abrams dr Marina, CA 93933 while the south side tree is located in a street side planter.



Figure 3 Arbornote showing location of trees to be removed.

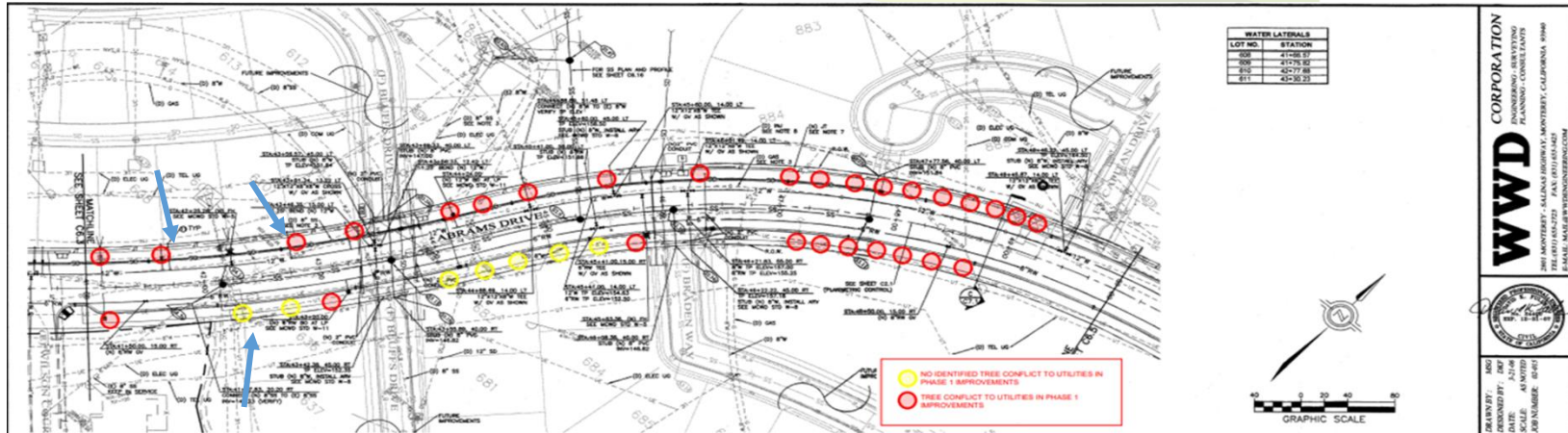


Figure 4 This map shows the overlay of subsurface utilities and their relation to the trees (indicated by red circles). The blue arrows are pointing to the trees that are to be removed.

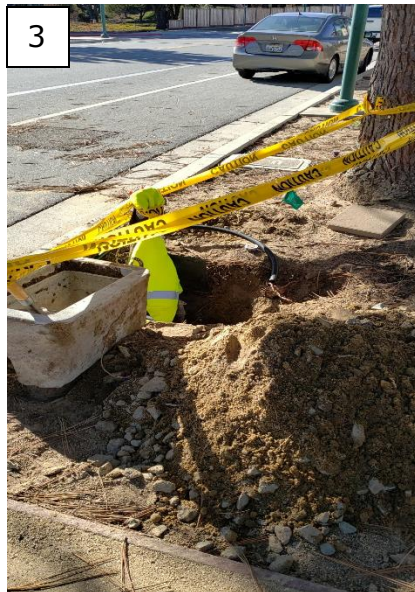


Photo 3 shows repairs being made to subsurface pipes in front of 3011 Abrams dr in 2019. Photo taken by Courtney Creel at the time of repair. Additionally, a pipe was ruptured by a root by the north side tree in front of 3009 Abrams dr though no photos are available but a statement about the break was obtained from the homeowner by Courtney Creel.





*Figure 5 Pre-repair*



*Figure 6 Post repair*

Photo 4 shows soil erosion from a ruptured pipe from the labeled south side tree. This tree is growing in close proximity of subsurface pipes and an above ground water control station. Photo 5 shows the proximity of the tree to these utilities post repair. These photos were taken by Ian Ashby, ISA certified arborist on two separate site visits.

### **Recommendations**

1. Remove the 5 trees listed in addendum 3.
2. Remove the remaining trees listed in addendum 2 in the future.



Members of the Marina  
Tree Committee

Tree Committee Meeting  
of March 11, 2025

**THE TREE COMMITTEE TO REVIEW AND GIVE INPUT ON A  
COMPARISON TABLE PREPARED BY A SUB-COMMITTEE OF THE TREE  
COMMITTEE. THIS ITEM IS NOT A PROJECT PER SECTION 15378 OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

**RECOMMENDATION:**

“The Tree Committee to receive a presentation from staff and sub-committee members, review the staff report and tree ordinance comparison table and provide general direction.”

**BACKGROUND**

On February 26, 2024, the Tree Committee approved a Tree Committee workplan with three goals:

- 1) Review and write a new version of Marina’s Recommended Tree List.
- 2) Make recommendations for changes to modernize the City’s tree ordinance.
- 3) Consider other opportunities and strategies to promote a healthy urban forest.

On May 6, 2024, the Tree Committee appointed Simmons and Markam to a subcommittee to work on Goal #2 to make recommendations for changes to modernize the City’s tree ordinance.

**COMPARING TREE REMOVAL AND PRESERVATION ORDINANCES**

The Ordinance Subcommittee has prepared a comparison table outlining potential updates to the City's Tree Ordinance (**Exhibit A**).

**Purpose of the Discussion**

The goal of this review is to evaluate the existing Tree Ordinance (**Exhibit B**) and explore ways to improve it. For example, Subcommittee Member Markham has noted that the City of Marina does not currently have a tree canopy target. Establishing a canopy target could serve as an aspirational policy and be incorporated into the website or the ordinance. Additionally, the City of Marina does not have a Protected Tree List. Other jurisdictions that have protected trees state that they must be replaced regardless of their health. The Tree Committee may wish to discuss whether to establish such a list and determine which species should be included.

Planning staff has identified several areas in the Tree Ordinance that may need updates, including:

1. Emergency Tree Removal Permits
  - Currently, there is no requirement for a compensation plan with replacement trees.
  - The ordinance should be updated to require replanting after emergency tree removals.
2. Exemptions for Public Agencies
  - Government agencies and public utility providers should be exempt from tree removal permits when removals are necessary for the public health, safety, and general welfare of the community.
3. Tree Preservation and Protection Provisions
  - Clear preservation and protection standards should be added to the ordinance to prevent unnecessary removals and ensure better tree management.
4. Arborist Report Requirement
  - Under Municipal Code Section 17.62.060(A)(3), an arborist report is currently suggested but not required.
  - The ordinance should be updated to require an arborist report for tree removals.

## 5. Exceptions for Certain Trees

- Some trees should be exempt from removal permits, including:
  - a. Nuisance trees, such as invasive species (e.g., Acacia).
  - b. Potted trees, as they are not part of the natural landscape.

This discussion will help guide proposed changes to the Tree Removal, Preservation and Protection Ordinance. The Tree Committee is encouraged to provide input on these proposed changes.

### **ENVIRONMENTAL DETERMINATION**

This item is not a project per Section 15378 of the California Environmental Quality Act (CEQA).

### **CONCLUSION:**

This action item is submitted to the Tree Committee to review, comment, and give general direction.

Respectfully submitted,

  
Nicholas McIlroy, AICP  
Senior Planner  
City of Marina

Exhibits:

- A. Comparison Table
- B. Marina Municipal Chapter 17.62 Tree Removal, Preservation and Protection

| Website Comparison   |                                                                             |                                         |                                      |                                                                  |                                             |
|----------------------|-----------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|------------------------------------------------------------------|---------------------------------------------|
| #                    | Category                                                                    | Pacific Grove                           | Monterey                             | Seaside                                                          | Marina                                      |
| 1                    | Canopy Coverage Goal                                                        | YES : 38%                               | NO                                   | NO                                                               | NO                                          |
| 2                    | Recommended Trees                                                           | YES                                     | NO                                   | NO                                                               | YES (City Website)                          |
| 3                    | Tree Giveaways                                                              | NO                                      | YES                                  | YES                                                              | NO                                          |
| 4                    | List of Certified Arborists                                                 | YES                                     | NO                                   | NO                                                               | NO                                          |
| Ordinance Comparison |                                                                             |                                         |                                      |                                                                  |                                             |
| #                    | Category                                                                    | Pacific Grove                           | Monterey                             | Seaside                                                          | Marina                                      |
| 1                    | Landmark Tree Policy                                                        | YES                                     | YES                                  | YES: "Heritage Trees"                                            | YES                                         |
| 2                    | Tree Planting Requirements (PUBLIC SPACE)                                   | YES                                     | YES                                  | YES                                                              | YES                                         |
| 3                    | Tree Pruning Restrictions (PUBLIC SPACE)                                    | YES                                     | YES                                  | YES                                                              | YES                                         |
| 4                    | Tree Planting Requirements (PRIVATE PROPERTY)                               | YES                                     | NEW CONSTRUCTION / REMODEL           | YES: Part of planning. Tree Board may be involved                | NO (new construction only)                  |
| 5                    | Tree Pruning Restrictions (PRIVATE PROPERTY)                                | YES                                     | YES                                  | YES                                                              | NO (except landmark trees)                  |
| 6                    | Tree Pruning Wildlife Protection (PUBLIC SPACE)                             | YES                                     | YES                                  | YES                                                              | YES                                         |
| 7                    | Tree Pruning Wildlife Protection (PRIVATE PROPERTY)                         | YES                                     | YES                                  | YES                                                              | NO                                          |
| 8                    | Tree Replacement Process                                                    | YES                                     | YES                                  | YES: Tree Board                                                  | YES (Public) Tree and Planning Committees   |
| 9                    | Improper / Illegal Pruning Fine (PUBLIC SPACE)                              | YES                                     | YES                                  | YES                                                              | YES                                         |
| 10                   | Improper / Illegal Pruning Fine (PRIVATE PROPERTY)                          | YES                                     | YES                                  | YES                                                              | NO (except landmark trees)                  |
| 11                   | Improper / Illegal Removal Fine (PUBLIC SPACE)                              | YES                                     | YES                                  | YES                                                              | YES                                         |
| 12                   | Improper / Illegal Removal Fine (PRIVATE PROPERTY)                          | YES                                     | YES                                  | YES                                                              | NO (except landmark trees)                  |
| 13                   | Developer / Construction Plan Tree Requirements                             | YES                                     | YES : Architectural Committee review | YES; Tree Board                                                  | YES (per tree and planning committees)      |
| 14                   | Tree Protection During Construction                                         | YES                                     | YES                                  | YES                                                              | PUBLIC ONLY                                 |
| 15                   | Nuisance Tree List / Policy                                                 | YES - Invasive Species                  | NO                                   | Coast Redwood, Blue Gum Eucalyptus, Willow, Cottonwood or Poplar | NO                                          |
| 16                   | Nuisance Tree Abatement (PUBLIC SPACE)                                      | YES                                     | YES                                  | YES                                                              | YES                                         |
| 17                   | Nuisance Tree Abatement (PRIVATE PROPERTY)                                  | YES                                     | YES                                  | YES                                                              | NO                                          |
| 18                   | Tree Contractor Permit                                                      | YES                                     | YES                                  | YES                                                              | YES                                         |
| 19                   | Protected Trees                                                             | YES: Has Urban Forest Standards         | YES                                  | YES                                                              | NO (landmark tree policy only)              |
| 20                   | Appeal Process                                                              | YES: To City Council                    | YES : City Arborist, City Council    | YES: City Council                                                | YES                                         |
| 21                   | Permit Required for Removal (PUBLIC SPACE)                                  | YES                                     | YES                                  | YES                                                              | YES                                         |
| 22                   | Permit Required for Removal in Single-Family Residential (PRIVATE PROPERTY) | YES                                     | YES                                  | YES                                                              | NO (except landmark trees)                  |
| 23                   | Permit Required for Pruning (PUBLIC SPACE)                                  | YES                                     | YES                                  | YES: See "Abuse"                                                 | NO (within "normal maintenance" provisions) |
| 24                   | Permit Required for Pruning (PRIVATE PROPERTY)                              | YES                                     | YES                                  | YES                                                              | NO                                          |
| 25                   | Arborist Report Required for Removal                                        | YES: Except in case of safety/emergency | City Forester Report                 | NO: However, may be part of application                          | NO (Listed, not explicitly required)        |
| 26                   | Public Notice Requirements (PUBLIC SPACE)                                   | YES                                     | YES                                  | YES                                                              | YES                                         |
| 27                   | Public Notice Requirements (PRIVATE PROPERTY)                               | YES                                     | YES                                  | NO? (not clear)                                                  | NO                                          |



| #  | Category                                     | Pacific Grove | Monterey                                     | Seaside      | Marina                              |
|----|----------------------------------------------|---------------|----------------------------------------------|--------------|-------------------------------------|
| 28 | Permit Duration                              | 60 days       | 30 days                                      | 45 days      | NO (Part of Conditions of Approval) |
| 29 | Appeal Authority/Agency                      | City Council  | Architecture Review Committee / City Council | City Council | Planning Commission -> City Council |
| 30 | Storm / Emergency Exceptions (PUBLIC SPACE)  | YES           | YES                                          | YES          | YES                                 |
| 31 | Storm / Emergency Exceptions (PRIVATE SPACE) | YES           | YES                                          | YES          | YES                                 |
| 32 | Fire Dept, / Public Safety Exemptions        | YES           | YES                                          | YES          | YES                                 |

Link To Code/Ordinances

<https://www.codepublishing.com/CA/PacificGrove/-/PacificGrove12/PacificGrove12.html>
<https://monterey.municipal.codes/Code/37>
<https://www.codepublishing.com/CA/Seaside/-/Seaside08/Seaside0854.7.62.html>
<https://marina.municipal.codes/Code/1>

## **Chapter 17.62**

### **TREE REMOVAL, PRESERVATION AND PROTECTION**

Sections:

- 17.62.010 Purpose and intent.**
- 17.62.020 Definitions.**
- 17.62.030 Unlawful actions upon trees.**
- 17.62.040 General exemptions.**
- 17.62.050 Exemptions for governmental entities.**
- 17.62.060 Tree removal permit.**
- 17.62.070 Landmark trees.**
- 17.62.080 Fees relating to landmark trees.**
- 17.62.090 Tree committee.**

**Prior legislation:** Ords. 97-3 and 96-3.

#### **17.62.010 Purpose and intent.**

A. The city recognizes that the maintenance and new growth of healthy trees facilitates drainage, combats soil erosion, reduces global warming, adds real property and aesthetic values, and provides habitat for wildlife. To enhance the beauty of the city, while at the same time recognizing individual rights to develop private property, the city council adopts this chapter, establishing basic standards and measures to preserve and maintain existing trees and to encourage new tree planting.

B. It is the intent of the city by the adoption of these regulations to limit and restrict the removal of healthy and desirable trees in the city. However, regarding single-family residential properties which cannot be further subdivided, the intent is to limit and restrict only the removal of landmark trees. (Ord. 2024-04 § 3, 2024; Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

#### **17.62.020 Definitions.**

As used in this chapter:

“Compensation plan” means a site plan outlining the planting location and species of replacement trees.

“Damage” means any action undertaken which causes or may cause death or significant injury, or which places the tree in a hazardous condition or in an irreversible state of decline. This includes, but is not limited to, cutting, topping, girdling, poisoning, trenching or excavating within the drip line or setting a tree on fire or allowing a tree or any portion of a tree to burn.

“DBH” or “diameter at breast height in inches” means the diameter of a tree measured at four and one-half feet above the ground while standing on the high side of the tree. The diameter may be calculated by use of the following formula: diameter equals circumference divided by 3.142.

“Development proposal” means and includes:

1. Proposed land subdivisions;
2. Proposed building projects for uses requiring site and architectural design approval by Section [17.50.010](#); and
3. Government and utility company construction projects.

“Drip line” means the greater of the outermost edge of the tree’s canopy or fifteen times DBH measured from the center point of the tree.

Land, City. “City land” means and includes all publicly owned land including, but not limited to, parks, beaches, street right-of-way and parts of any public right-of-way devoted to plantings or park-like use.

“Person” means any individual, firm, association, corporation or other legal entity and agents, employees or representatives thereof.

“Tree” means any living woody perennial plant having a single stem of six inches or more DBH or a multistemmed plant having an aggregate diameter of ten inches or more measured at DBH and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the city.

Tree, City. “City tree” means any tree with more than one-half of either its trunk or branches on or above city-owned land, including any street right-of-way.

“Tree expert” means professional forester or certified arborist.

Tree, Healthy. “Healthy tree” means a tree that is continuing to thrive and is not in decline as determined by a tree expert.

Tree, Landmark. “Landmark tree” means any tree which has been identified by resolution of the planning commission as a landmark tree pursuant to Section [17.62.070](#).

Tree, Public Nuisance. “Public nuisance tree” means any tree or shrub growing or standing on city land or private property so its roots damage curbs, street paving or sidewalks in the public right-of-way or so it restricts the flow of traffic or visibility of any person using such streets and public rights-of-way.

“Tree removal permit” means an authorization by the city for the removal of a tree or trees.

“Tree replacement” means any tree planted in accordance with requirements of an approved compensation plan.



Tree Stand, Landmark. "Landmark tree stand" means any grouping of two or more trees which has been identified by resolution of the planning commission as a landmark tree stand unless subsequently excluded by resolution of the planning commission.

Tree, Street. "Street tree" means any city tree with more than one-half of either its trunk or branches on or above any street right-of-way. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.030 Unlawful actions upon trees.**

Unless otherwise exempted, it is unlawful for any person to:

- A. Remove, damage or relocate or cause to be removed, damaged or relocated any tree within the city without first obtaining a tree removal permit following the provisions of Section [17.04.060](#), unless said removal, damage or relocation is exempted by Section [17.04.040](#) or [17.04.050](#);
- B. Conduct construction activities within the drip line of any tree unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.040 General exemptions.**

A tree removal permit is not required in order to remove or relocate a tree under any of the following listed circumstances:

- A. When removing, damaging or relocating nonlandmark trees or conducting construction activities within the drip line of nonlandmark trees on a property in the R-1, or single-family district, which is developed with one single-family residential dwelling unit and the size and shape of the property or the location of the dwelling on said property is such that the property may not be subdivided into two or more lots in conformance with Marina's zoning and subdivision ordinances;
- B. When performing normal maintenance, trimming and pruning for trees located on private property or for a street tree abutting said property when authorized by the owner of said property;
- C. When removing a tree which (1) was planted as part of an approved compensation plan when such removal and the replacement of said tree are accomplished in accordance with the conditions of an existing tree removal permit as determined by the community development director or designee or (2) was planted as part of a landscaping plan approved by the city when such removal is accomplished in accordance with a modified landscaping plan approved by the community development director or designee;
- D. In the event of an emergency whereby immediate action is required because of danger to life or property, any tree may be removed upon approval of the community development director or designee. Upon authorization of such removal, the community development director or designee shall file a report with the planning commission

describing the facts and circumstances constituting the emergency and said report shall be provided to the tree committee. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.050 Exemptions for governmental entities.**

A tree removal permit is not required in order to remove or relocate a tree by a governmental entity under any of the following listed circumstances. However, removal of a city tree shall be accompanied by the removal of the stump to a level no higher than two inches below the adjoining finish grade elevation:

- A. When removal is determined necessary by fire department personnel actively engaged in fighting a fire;
- B. When trees are injured by and determined to be dangerous by a peace officer or firefighter in their official capacity;
- C. When trees are unintentionally damaged during the conduct of a drill by an agency of federal, state or city government, to train for emergency or public safety operations, provided the drill is approved in advance by the city. In the case of a drill, all possible effort will be made to protect existing trees;
- D. When the city performs normal maintenance, trimming and pruning of city trees;
- E. Up to three trees when corrective measures are taken to control or remove trees deemed detrimental to public health, safety or general welfare under the provisions of the Street and Highway Code. Such corrective measures shall be accomplished in the least intrusive manner. The removal of more than three trees in this manner shall require a tree removal permit;
- F. Up to three trees when the location of a nonlandmark street tree conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs. The removal of more than three trees in this manner shall require a tree removal permit;
- G. When corrective measures are taken to control or remove nonlandmark public nuisance trees. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.060 Tree removal permit.**

A. *Application.* A person who desires to remove or relocate any tree on any property unless exempted by Section [17.62.040](#) or [17.62.050](#) shall first secure a tree removal permit from the city. An application for such a permit shall be made on an application form provided by the city accompanied by fees established pursuant to action by the city council. The application shall contain the following:

1. The number, species, size, location of each tree proposed for removal and that may potentially be affected by the proposed development;
2. A statement on the reason for the requested action; and

3. Any other pertinent information determined necessary by the community development director or designee, such as an arborist report, prepared by a tree expert, that includes the following:

- a. Physical identification of each tree on site that is addressed by the report, either by number or colored tag that is attached to each tree and keyed to the report,
- b. A site plan that identifies the location of each tree on site that is addressed by the report, its root zone and canopy in relation to proposed development,
- c. Size, species, health, and impacts anticipated by the proposed development, and
- d. Whether the tree is proposed for preservation or removal;

4. That identifies all existing and proposed site improvements and the location, root zone drip line, and canopy of each tree in the arborist report.

B. *Review Process.* The community development director or designee, upon review and recommendation by the tree committee, may approve, deny or conditionally approve a request for removal. If the request is a part of a development proposal that requires review by the site and architectural design review board, the minor subdivision committee, and/or the planning commission, the community development director or designee shall refer the application together with a recommendation for action thereon to the appropriate reviewing body.

C. *Required Findings for Approval of Tree Removal Permit.* The following findings are required prior to approval or conditional approval of a tree removal permit:

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or
2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or
3. The location of more than three trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or
4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or
5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and
6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and



7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and

8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

D. *Conditions of Approval.* If it is determined by the appropriate approval authority that adverse effects of tree removal can be mitigated, conditions shall be imposed on the removal including, but not limited to, one or more of the following:

1. *Tree Removal and Protection Plan.* Tree removal information shall be provided on the grading permit prior to issuance. All tree protection shall be installed and approved by the grading inspector prior to removal or retention of any trees. The tree removal and protection plan shall include:

- a. Trees approved for removal;
- b. Trees required to be preserved or relocated;
- c. Tree protection guideline notes to include an objectively observable maintenance and care plan and program to be implemented to insure the continued health and care of other trees on the property during construction in accordance with tree protection guidelines adopted by resolution of the planning commission.

2. *Compensation Plans.* Requiring the replacement or placement of additional trees on the property and/or the payment to the city to fund the purchase, the planting and the maintenance of off-site replacement trees by the city pursuant to a city-adopted public tree planting plan. Such replacement trees and/or payment shall be based upon having the combined DBH of the replacement trees equal to the combined DBH of the healthy trees to be removed unless the compensation plan is appealed, in which case the city council may approve tree replacement at a lesser rate. However, until such time as said public tree planting plan is adopted, such replacement trees and/or payment shall be based upon the replacement of the healthy trees to be removed on a minimum two-for-one basis or multiplied by three for each tree removed in violation of this chapter, unless the compensation plan is appealed, in which case the city council may approve tree replacement at a lesser rate.

3. *Site Restoration Plan.* Requiring restoration of ground surface area in the vicinity of tree removals. Such restoration shall include but not be limited to the removal of tree stumps and the filling of any holes left by the tree removals.

E. *Public Notice.*

1. In the event that the tree removal request is associated with a development proposal, the public shall be informed of said request following the noticing procedures for said development proposals pursuant to Marina's subdivision and zoning ordinances.

2. In the event that the tree removal request is not associated with a development proposal and the city manager or designee grants a tree removal permit, a notice of such action shall be posted on the site together with information relative to appeal rights.

F. *Display of Tree Removal Permit.* Prior to and during the removal of any tree approved for removal, a copy of the tree removal permit shall be displayed on site. If no tree removal permit is displayed, the city will issue a stop work order and commence the city's administrative fine process. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

## **17.62.070 Landmark trees.**

This section establishes criteria for designation of landmark tree(s) and landmark tree stand(s) and establishes a process for conferring such a designation upon a tree or stand of trees.

A. *Minimum Criteria.* To be eligible for consideration as a landmark tree or landmark tree stand, trees or a group of trees must meet the following minimum criteria:

1. Prominently visible from public streets, public parking areas, parks or open space, from a minimum distance of one hundred feet;
2. Indicate at least a seventy percent chance of surviving more than ten years, and be able to be maintained without excessive threat to the public health, safety and welfare.

B. *Additional Criteria.* Landmark trees shall meet at least one of the following additional criteria:

1. Possesses special beauty, or horticultural or historic interest;
2. Is of such substantial size or prominence that it has significant visibility from city streets, parks or open space;
3. Is of such substantial size that it makes a significant contribution to the forested skyline of the city;
4. Is a rare or unusual species for this area;
5. Is a particularly outstanding representative of the species.

C. The designation or removal of such designation of landmark trees pursuant to this section shall be by resolution of the planning commission. The tree committee shall review nominations for landmark tree and landmark tree stand designations and removal of such designation and make recommendations to the planning commission for final action upon such designations. Prior to review of designation or removal of such designation of landmark trees by the tree committee and the planning commission, the owner of the property or the city council, in the case of trees on city property or right-of-way, and owners of property adjacent to the trees proposed for designation shall be provided with ten days' written notice of the action under consideration and the opportunity to provide comments on the proposed designation or removal of such designation; said period for

comments to the tree committee or planning commission shall be extended upon good cause being provided to the community development director or designee.

D. *Landmark Tree Map.* The location of all designated landmark trees and all designated landmark tree stands shall be shown on one or more drawings or maps maintained by the city manager or designee. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.080 Fees relating to landmark trees.**

No fee or charge shall be assessed against any member of the public for any application or appeal regarding the designation of landmark trees or landmark tree stands or for the removal of such designation except an owner of property upon which the tree or trees are located when such application or appeal is associated with an application for use or development under the subdivision or zoning ordinance. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

### **17.62.090 Tree committee.**

The committee members shall be appointed and the committee shall operate according to Chapter [2.12](#) and in the following prescribed manner:

- A. The committee shall be established and appointed by the city council for a term of two years by a majority vote of the city council upon a recommendation from the planning commission.
- B. The committee shall consist of five members plus one alternate as follows:
  - 1. *Members 1 through 3.* At least three committee members shall be members of the public-at-large. One public-at-large member may reside outside the city. All other public-at-large members shall be residents of the city. All public-at-large members should preferably have a background, or some knowledge, of planning, landscaping, and/or trees, or any related field.
  - 2. *Member 4.* One committee member shall be a member of the site and architectural review board.
  - 3. *Member 5.* One member of the committee shall be a member of the planning commission.
  - 4. *Alternate.* The alternate committee member shall be a member of the planning commission.
- C. A quorum shall consist of any three members of the committee.
- D. The committee shall not include more than one member of any firm.
- E. The committee shall yearly appoint a chairman and vice-chairman. Term of chair shall not exceed two successive years. Elections shall be held every January. The chair shall preside at all meetings of the committee,



make appointments to any subcommittees and shall perform all the duties necessary or incidental to the office. The vice-chair shall serve as chair in the absence or inability of the chair to serve.

F. The committee shall meet regularly to:

1. Review required tree removal permit application materials and provide recommendation to staff or to the planning commission on removal, mitigation measures, and conditions of approval;
2. Review landmark tree designation proposals and provide recommendation to the planning commission;
3. Review projects for consistency with tree preservation ordinance;
4. Review and possibly prepare lists of preferred species for street trees and trees to be included in required landscape plans; and
5. Support purpose and intent of the tree ordinance. (Ord. 2024-04 § 3, 2024; Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006)

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**The Marina Municipal Code is current through Ordinance 2024-11, passed November 19, 2024.**

Disclaimer: The city clerk's office has the official version of the Marina Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: cityofmarina.org](http://cityofmarina.org)

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