



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Parks, Open Space & Trails
Commission Meeting
November 16, 2010
Agenda Item:

STAFF REPORT

To: Members of the Parks, Open Space & Trails Commission

From: Community Development Department

Subject: Blackie's Pasture Parking Lot; File #T10-35;
Tree Permit Request to Remove One (1) Eucalyptus Tree from Town
Property; Town of Tiburon, Owner; Bob Nadjibi, Applicant;
Assessor's Parcel No. 055-031-37

Reviewed By: _____

PROJECT DESCRIPTION AND DATA

The owner of the property at 11 Greenwood Court has submitted a tree permit application (File #T10-35) requesting removal of a Eucalyptus tree located to the west of the southwest corner of the paved parking lot at Blackie's Pasture. The Town's policy for trees located on Town property requires that the Parks, Open Space and Trails Commission review tree permit applications for prominent trees located on Town property.

Address: Near Blackie's Pasture paved parking lot
Assessor Parcel Number: 055-031-37
File Number: T10-35
General Plan: P&R (Parks & Recreation)
Zoning: P&R (Parks & Recreation)
Current Use: Public Park
Owner: Town of Tiburon
Applicant: Bob Nadjibi

BACKGROUND

In 2003, the Town Council adopted a written policy and guidelines for reviewing applications for removal or trimming of trees and shrubs on Town property (**Exhibit 2**). This policy states that "the Town's overarching policy is that trees and shrubs on Town property are resources that will not generally be removed or substantially altered without good reason."

These guidelines also call for review by the Parks, Open Space & Trails Commission and/or the Town Council for requests involving prominent trees, such as the subject tree near Blackie's Pasture. Town ordinances require that any tree work that would significantly alter the appearance of a tree on Town property requires prior issuance of a tree permit as well as an encroachment permit.

The tree removal request has been initiated by Bob Nadjibi, the owner of the residential property across Tiburon Boulevard at 11 Greenwood Court. The applicant indicates that, over time, this tree has grown into the views to the south toward Richardson Bay and San Francisco from his residence. The sole reason given for the tree removal application is to restore views and protect views from future blockage by the tree.

In 2003, the Town Council acted upon a similar request by another neighboring resident (File No. T03-07) to remove a series of trees in the vicinity of the Blackie's Pasture parking lot, including the subject Eucalyptus tree. Acting upon the recommendation of the Parks & Open Space Commission, the Council at that time authorized the removal of several smaller trees. However, the Council required that the subject Eucalyptus tree only be trimmed to open up views for uphill neighbors. The Council also required that the applicant and tree service performing the work consult with the owner of the nearby home at 458 Greenwood Beach Road prior to trimming of this tree to ensure that proper screening vegetation remained between the parking lot and that residence. Copies of the Town Council staff report, meeting minutes and adopted resolution for the 2003 tree permit are attached as **Exhibits 3, 4 & 5**.

Staff notes that the Council's decision to authorize removal of these trees must be viewed in the context of that time. A year earlier, the Council had approved the installation of seven (7) new trees in the immediate vicinity as part of the Blackie's Grove project sponsored and eventually completed by the Tiburon Peninsula Foundation. The resolution approving the Blackie's Grove project is attached as **Exhibit 6**.

ANALYSIS

As noted above, the Town Council policy and guidelines for removal or trimming of trees and shrubs on Town property states that "trees and shrubs on Town property are resources that will not generally be removed or substantially altered without good reason." The Town policy contains the following factors to be considered prior to making a decision on a tree permit to remove trees on Town property:

- *Type and size of tree (native/non-native, undesirable, heritage-size, invasive, etc.):* The subject Eucalyptus tree is a non-native tree. It is unclear whether this particular tree species grows fast enough to be classified as an "undesirable tree" under the Tiburon Tree Ordinance.
- *Prominence of trees (e.g. visual significance, historical significance, age):* The subject tree is visually prominent from Tiburon Boulevard, homes along Greenwood Court, East Terrace, Reed Ranch Road, Greenwood Beach Road, and from Blackie's Pasture. The tree is not historically significant and is unlikely to be more than 45 years old.
- *Qualitative health (e.g. apparently healthy, apparently unhealthy, dying, or dead):* The subject tree appears to be in a healthy condition. The tree was extensively trimmed in 2003 and has vigorously grown back.

- *Appropriateness of location (e.g. active park vs. non-use area, etc.):* The subject tree is adjacent to the parking area for Blackie's Pasture, one of the most actively used public areas in Tiburon. The immediate area around the tree itself is not actively used by the public.
- *Benefit (e.g. aesthetics, shade, screening of unsightly use):* The subject tree helps screen the view of cars in the parking lot from homes on Greenwood Beach Road.
- *Detriment (e.g. nuisance factors, view blockage, property damage, maintenance obligations):* As previously noted, the subject tree blocks portions of water views from the applicant's home, as well as from other residences along East Terrace and Greenwood Court. The tree does not create any other nuisance conditions or property damage. The Town's current maintenance efforts for this tree are minimal.
- *Cost to remove and/or replace, including ongoing maintenance of any replacement vegetation:* The Town would require the applicant to pay for the removal or trimming of the tree and could require the applicant to pay to plant replacement screening vegetation.
- *Likely effectiveness of replacement vegetation, if replacement is desirable:* Replacement landscaping would take considerable time to provide adequate screening between the Blackie's Pasture parking lot and homes along Greenwood Beach Road. Ineffective replacement landscaping would leave these nearby residences exposed to views of the parking lot that have been historically protected by the subject tree and other vegetation adjacent to the parking lot.

The intent of the Town Council policy is not to declare "open season" on public trees, but rather to establish a framework for review of meritorious applications. The Town occasionally receives requests to remove other trees on Town property, in parks, open spaces, and street rights-of-way to improve views for Tiburon residents. In particular, there have been previous requests by homeowners to remove many of the Eucalyptus trees on the South Knoll and to remove trees in Cypress Hollow Park. As a result, the Town Council has historically allowed Town-owned trees to be trimmed to restore views, but has discouraged removal of public trees for that purpose. In 2003, the Council authorized the removal of a number of smaller trees and shrubs around the parking lot, but allowed the subject tree to only be trimmed and not removed.

As noted above, removal of the subject tree would create views of the Blackie's Pasture parking lot for nearby homes along Greenwood Beach Road. This screening was an important factor in the Town Council's 2003 decision to allow the subject tree to only be trimmed. Removal of the tree would necessitate planting of replacement screening vegetation that would likely take substantial time to restore the visual barrier between the parking lot and these residences. Such replacement plantings could also be inconsistent with the overall vegetation palette of Blackie's Pasture, which has traditionally consisted of trees and shrubs that have existed on the site for many years, rather than establishing a more "manicured" selection of landscaping.

As a result, Town Staff recommends that the subject tree permit application be approved only for trimming of the Eucalyptus tree. The applicant would pay for this tree trimming and would work with Staff to determine the appropriate amount of trimming that would continue to provide appropriate screening for nearby homes and not endanger the health of the tree.

REVIEW BY THE PARKS, OPEN SPACE & TRAILS COMMISSION

The Parks, Open Space and Trails Commission's role in reviewing this tree permit application is to provide comments and make recommendations to Town Staff prior to its decision on the application. Town Staff may, if deemed appropriate, refer the application to the Town Council for prior to a decision.

RECOMMENDATION

Staff recommends that the Parks, Open Space and Trails Commission:

1. Hold a public meeting on this item and hear and consider all testimony;
2. Provide input to Planning Division Staff regarding the subject tree permit application.

EXHIBITS

1. Application form and supplemental materials
2. Guide to Policies for Trees Located on Town Property
3. Town Council Staff report dated July 16, 2003
4. Minutes of the July 16, 2003 Town Council meeting
5. Town Council Resolution No. 34-2003
6. Town Council Resolution No. 07-2002
7. Aerial photograph of the site

Prepared By: Daniel M. Watrous, Planning Manager

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