

# Capitola Planning Commission

## Agenda Report



**Meeting:** March 27, 2024

**From:** Community Development Department

**Address:** City Property along Park Avenue

**Project Description:** Tree Removal Permit #24-0106 for the removal of 22 trees between Park Avenue and the rail corridor.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

**Recommended Action:** Approve application #24-0106 based on the attached Conditions and Findings for approval.

**Property Owner:** City of Capitola

**Representative:** Public Works Department

**Background:** On October 20, 2023, Nigel Belton, the city-contracted arborist, inspected trees within city-owned land along Park Avenue to provide removal and retention recommendations. Fourteen trees were initially identified for removal. Following the initial recommendation, the arborist revised the initial evaluation to recommend the removal of two additional trees due to further damage from more recent storms.

**Discussion:** The city is requesting removal of 22 trees in the unimproved portion of Park Avenue between McGregor Drive and a private road serving the Park Avenue Apartments. All trees are located on city property and not within the rail corridor. Several trees identified for pruning or removal (T46, T47, T49, T51, T52, T53, T492) are along the boundary of the Escalona Gulch environmentally sensitive habitat area (ESHA).

Under the City's Community Tree and Forest Management Ordinance (§12.12.180(C)(1-4), removal of non-heritage trees can be permitted if the tree removals are in the public interest, no feasible alternatives to removal exist, the replanting requirements are met, and removal is not contrary to the purpose statements of the Community Tree and Forest Management Ordinance and ESHA. Staff analysis of the four criteria is listed at the end of the report within the tree removal findings. Condition #2 has been added to avoid monarch butterfly roosting season and placement of any heavy equipment as far from the habitat area as feasible.

The table below outlines trees proposed for removal. More comprehensive data is included in the arborist documentation.

Tree Numbers	Tree Species & Quantity	Reason for Removal
T1, T2, T3	(3) Bailey Acacia	Species is invasive and prone to failure
T6, T7	(2) Coast Live Oak	Dead with significant risk of failure
T15	(1) Blue Gum Eucalyptus	Signs of dieback with risk of total failure
T26	(1) Blue Gum Eucalyptus	Increasing risk of tree failure
T27, T28, T29, T30, T31	(5) Elm	Dead with significant risk of failure
T41	(1) Elm	Trunk decay with high risk of failure
T42	(1) Elm	Structural damage from vehicle impact. Increasing risk of failure
T43	(1) Elm	Extensive decay with high risk of failure
T46	(1) Blue Gum Eucalyptus	Dead; Total tree failure hazard

T49	(1) Blue Gum Eucalyptus	Abate total tree failure hazard
T51, T52	(2) Blue Gum Eucalyptus	Poor growth patterns to worsen over time
T391	(2) Bailey Acacia	Significant lean over roadway; risk of failure
T492	(1) Monterey Pine	Dead; fungal decay increasing risk of failure

**CEQA Determination:** Section 15304 of the CEQA Guidelines exempts minor alterations to land. The project involves the removal of 22 trees that have been found to possess one or more good causes for removal, including being invasive species, poor or hazardous structural conditions, and poor health.

**Tree Removal Findings:**

**A. The proposed tree removals are in the public interest.**

City staff and arborist evaluation found the identified trees had one or more causes for removal, including being invasive species, poor or hazardous structural conditions, and/or poor health. Removal of the identified trees is in the public interest.

**B. There are no feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.**

As noted in the arborist report, pruning treatments will be pursued where it is believed to be a feasible mitigation. Trees found to have no feasible alternatives are proposed for removal to adequately mitigate existing tree conditions or risk factors.

**C. The type, size and schedule for planting replacement trees is specified and shall be concurrent with the tree removal or prior to it, in accordance with Section 12.12.190(F) and (G).**

Replacement trees are not necessary to meet the city canopy coverage goal within the area. One benefit to removing the proposed trees is the new openings will allow the remaining trees to create fuller canopies.

**D. The removal of the tree would not be contrary to the purposes of this chapter and Chapter 17.64, Environmentally Sensitive Habitat Areas.**

The proposed removals are based on good forestry practices, public safety, and protection of property from substantial harm. The removals are consistent with the purposes of chapter 12.12 and 17.64.

**Conditions of Approval:**

1. The project approval includes a tree removal permit for the removal of 22 trees and pruning work within the public right-of-way between Park Avenue and the rail corridor. The project is approved as described in the staff report by the Planning Commission on March 27, 2024, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Tree work near or within the habitat area shall be avoided during the months in which the monarch butterflies are in residence (October 1st to March 1st). Heavy equipment that has the potential to emit plumes of exhaust smoke shall be located as far from the habitat area as feasible.

**Attachments:**

1. Park Avenue - Arborist Report
2. Park Avenue – Tree Location Maps

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director