

Capitola Planning Commission

Agenda Report



Meeting: March 27, 2024

From: Community Development Department

Address: 722 Escalona Drive

Project Description: Tree Removal Permit #24-0105 for the removal of 35 trees, located within the PD (Planned Development) zoning district.

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

Environmental Determination: Categorical Exemption

Recommended Action: Approve application #24-0105 based on the attached Conditions and Findings for approval.

Property Owner: Kim & Ben Rodriguez

Representative: Kim & Ben Rodriguez

Background: On April 11, 2023, the site was evaluated by Nigel Belton a certified arborist (Attachment 1). The arborist report reviewed 104 trees on site and recommended removal of 35 trees.

On November 11, 2023, the City issued an emergency removal permit for one pine tree. Subsequent emergency tree removal permits were issued on February 11, 2024, and February 27, 2024, for numerous fallen, damaged, and at-risk eucalyptus trees.

On January 8, 2024, the arborist updated the original report adding two young eucalyptus trees along the edge of the bluff which were at risk of failure onto the shore below (Attachment #3).

On February 21, 2024, a follow-up inspection revealed seven trees had fallen during recent storms. The arborist provided additional recommendations (Attachment #4).

Discussion: The site includes three contiguous private parcels that function as a single lot for a single-family residence. The site is an extension of a eucalyptus grove that spans along Park Avenue, the eastern end of Depot Hill, and Grove Lane. Except for the residence and portions of the bluff, the property is almost entirely covered by tree canopy.

The applicant is requesting removal of 35 blue gum eucalyptus trees, including 15 trees located within 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. In addition, tree removals within ESHA are permissible when in the public interest, including for good forestry practice, when supported by an arborist evaluation. Staff analysis of the 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.

Based on the arborist report, many trees recommended for removal have poor health and structural conditions due to over-competition between trees. The close spacing between trees is noted as creating a heightened risk of wildfire. Removal of these trees is in the public interest by reason of good forestry practice and will enhance the health of remaining trees by allowing fuller canopy growth.

The table below outlines trees proposed for removal. More comprehensive data is included in the arborist documentation (Attachment 2).

Tree Numbers	Tree Species & Quantity	Within ESHA	Reason for Removal
T6, T10, T14, T21, T22, T23, T24, T26, T32, T36, T67, T68, T69, T70	(14) Eucalyptus	No	Forestry management to mitigate fire risk
T37, T38, T40, T41, T44, T45, T55, T56, T57, T58, T60, T61, T62, T64, T97	(15) Eucalyptus	Yes	Forestry management to mitigate fire risk
T73	(1) Eucalyptus	No	Property damage risk
T80, T89, T90	(3) Eucalyptus	No	Hazardous
No numbers; located along bluff.	(2) Eucalyptus	No	Risk of failure; likely to land along shore.

The post-removal canopy coverage will exceed the minimum required canopy coverage of 30%. Some lost canopy coverage will also be restored over time due to the relative density of remaining trees. Therefore, staff supports approval without replacement requirements, as it would still accomplish the goals of the City’s ordinance and reflect good forestry management.

CEQA Determination: Section 15304 of the CEQA Guidelines exempts minor alterations to land. The project involves the removal of 35 trees which have been found to possess one or more good causes for removal, including wildfire risk reduction, or risks from failing or hazardous structural conditions.

Tree Removal Findings:

A. The removal of the tree is in the public interest with respect to unreasonable existing and potential property damage.

Most trees marked for removal suffer from over competition and create heightened risk for wildfire. Tree thinning is an established forestry practice that promotes healthier growth among remaining trees and can reduce fire risk. Six additional trees pose substantial risk to safety, property damage, or both.

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

The subject site has an unmanaged, densely populated grove of eucalyptus trees. There are no feasible alternatives to tree removal as most trees marked for removal suffer from over-competition and create heightened risk for wildfire. Tree thinning is an established forestry practice that promotes healthier growth among remaining trees and can reduce fire risk. Six additional trees have unmitigable structural conditions that are likely to failure if not removed.

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 required if the post-removal tree canopy coverage on the site or parcel will be 30% or more. The post removal canopy coverage is estimated to exceed 30%. Some of the canopy openings will fill over time from the remaining stand of trees. Therefore, no replacement trees are required to accomplish the goals of Section 12.12.190(F).

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 approved consists of a tree removal permit for the removal of 35 trees 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 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. 722 Escalona Drive – Arborist Report
2. 722 Escalona Drive – Tree Removal Plan
3. 722 Escalona Drive – Arborist Addendum #1
4. 722 Escalona Drive – Arborist Addendum #2

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director