



**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

6/25/2018

SUBJECT:

Appeal of Skyridge Homeowners Association from the decision of the Parks, Beaches and Recreation Commission to uphold the appeal of Heritage Tree Removal Application No. HT-008-18 and disapprove the removal of trees.

RECOMMENDED ACTION:

Conduct a public hearing to consider appeal of Skyridge Homeowners Association and approve, disapprove, or modify the decision of the Parks, Beaches and Recreation Commission.

STAFF CONTACT:

Aren Clark, Parks Superintendent
(650) 738-3764
clarka@ci.pacifica.ca.us

Michael Perez, Director of Parks, Beaches and Recreation
(650) 738-7381
perezm@ci.pacifica.ca.us

BACKGROUND/DISCUSSION:

On January 16, 2018, the Skyridge Home Owners Association (Skyridge HOA) applied for a permit to remove five (5) Stone Pine (*Pinus pinea*) trees on the property located north of Sharp Park Road along Skyline Boulevard. These trees are considered Heritage Trees as defined in Pacifica Municipal Code section 4-12.02. As such, a permit is required to remove or destroy the trees pursuant to Pacifica Municipal Code 4-12.04. The reason stated in the application for the proposed tree removal is safety. The application also lists six (6) New Zealand Christmas trees, two Willow trees and an additional Stone pine for pruning. The permit, if issued, states that all pruning is to be done in accordance with International Society of Arborist (ISA) guidelines. Routine pruning adhering to ISA guidelines is not considered substantial and does not require a permit. The permit also requires the replacement of each of the five trees to be removed with the same species of tree.

The trees to be removed had removal notices attached to them on April 19, 2018. A member of the public, Steve Ellsworth, as per his request, was sent a letter informing him of the posting of the removal notices. The City received three appeals relating to the removal of the five trees, one from Steve Ellsworth, one from Elwood Johnson and one from Jesse and Joan Durazo. In accordance with Pacifica Municipal Code section 4-12.09, a notification of the appeal hearing scheduled for May 23, 2018 was sent to each appellant and the Skyridge HOA on May 16, 2018.

The trees that Skyridge HOA seeks to remove are all approximately the same size. They stand about twenty five feet tall and have an average trunk diameter of approximately nineteen inches when measured two feet above the root flare. Four of the trees (attached pictures - trees #1 through #4) located in the open space area east of Sea Spray Court show signs of root failure and have substantial leans to the West. These trees can most easily be viewed by walking east from the visitor parking area between 526 and 532 Sea Spry court and looking South from behind the buildings. The fifth tree to be removed is located at 205 Sunset Court (attached picture tree #5). This tree does not have the same degree of lean as trees one through four but it does show signs of root failure and is leaning over a parking area.

Per Pacifica Municipal Code section 4-12.09(c), the Parks, Beaches and Recreation (PB&R)

Commission considered the appeal at a duly noticed public hearing on May 23, 2018. All three appellants were in attendance. At the hearing, Public Works Superintendent and City Arborist, Aren Clark, agreed with the applicant and recommended approval of the tree removal permit due to the potential safety risks. The Commission heard from appellants Mr. Steve Ellsworth and Mr. Jesse Durazo as well as members of the public. Skyridge HOA did not attend the meeting. The PB&R Commission did not feel that the trees posed a safety problem at this time, and while awkward looking, seemed fairly stable. The Commission ultimately decided to uphold the appeal and deny the application of Heritage Tree Removal permit No. HT-008-18 filed by Skyridge HOA by a vote of 4-1 (2 of the 7 PB&R commissioners were absent). The decision of the PB&R Commission may be appealed to the City Council. Pacifica Municipal Code section 4-12.09(d) states the following:

The decision of the Parks, Beaches and Recreation Commission may be appealed to the Council by filing a notice of appeal with the City Clerk within seven (7) days of the date of the decision of the Parks, Beaches, and Recreation Commission. Appeals shall be heard and determined according to the procedures set forth in Chapter 4 of Title 1 of this Code. The Council may approve, disapprove, or modify the decision of the Parks, Beaches and Recreation Commission, including any condition it may have imposed.

Pursuant to Pacifica Municipal Code section 4-12.09(d), Skyridge HOA filed a timely appeal on May 25, 2018. Skyridge HOA stated in their appeal that "Removal of the trees {is} necessary for the safety of the persons and property of the Skyridge HOA." In addition they stated that "While the Public Works and Planning Department has received an appeal from owner(s) within our Association requesting the tree removal permit not be issued, it would appear that their reasons are not related specifically to these Stone Pines but some other tree removal issues which are not within the authority of the Association."

Staff continues to recommend approval of the removal of the five trees due to the potential safety risks.

ALTERNATIVE ACTION:

Council may refer this matter back to the Parks, Beaches and Recreation Commission for reconsideration pursuant to Pacifica Municipal Code section 1-4.04.

RELATION TO CITY COUNCIL GOALS AND WORK PLAN:

Maintain a Safe Community

FISCAL IMPACT:

None

ORIGINATED BY:

Parks, Beaches & Recreation Department
Public Works

ATTACHMENT LIST:

Skyridge Tree Appeal Documents (PDF)
Planting Plan (PDF)