

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** July 22, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of an appeal of a decision by the Community Development Director to approve a Tree Removal Permit, pursuant to Section 12,000 of the San Mateo County Ordinance Code, to remove one black oak tree, located at 1090 Los Trancos Road, in the unincorporated Los Trancos Woods area of San Mateo County.

County File Number: PLN 2015-00072 (Koehne)

**PROPOSAL**

The appellant is appealing the approval of a permit to remove one significant size 28-inch diameter black oak tree. The request was approved with the finding that the tree could cause substantial damage to public or private property due to its location adjacent to the house on the same parcel.

**RECOMMENDATION**

Deny the appeal and uphold the decision of the Community Development Director to approve the tree removal permit for the black oak tree, County File Number PLN 2015-00072, by making the finding for the approval and imposing the conditions of approval included in Attachment A.

**SUMMARY**

On February 23, 2015, the applicant applied for a permit to remove two trees, a Jeffrey pine and a black oak tree, 15 inches and 28 inches in diameter, respectively, from the front yard of 1090 Los Trancos Road. The application included reports from a certified arborist attesting to the declining health of the trees and the need to remove the trees to prevent possible damage to surrounding property or structures. On March 27, 2015, after consideration of the public comment and application materials, the Community Development Director approved the application to remove the trees, finding that the trees could cause substantial damage to public or private property.

An appeal was filed on April 10, 2015. The appeal is based on the following allegations: that the applicant's arborist's reports were not correct; that the Planning Department

evaluated the appellant's arborist's report incorrectly; and that the permit applicant provided inaccurate information on the application and intends to construct a carport.

Staff recommends that the appeal be denied, and the decision of the Community Development Director upheld, because the information submitted by a qualified and licensed professional arborist provides evidence that the tree is in declining health and could cause significant damage to adjacent structures or power lines, and its removal therefore complies with the requirements of the Significant Tree Ordinance. Conjecture regarding the future intent of the property owner does not provide a basis for denial of the permit.

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County File Number: PLN 2015-00072 (Koehne)

**PROPOSAL**

The appellant is appealing the approval of a permit to remove one significant size 28-inch diameter black oak tree. The request was approved with the finding that the tree could cause substantial damage to public or private property due to its location adjacent to the house on the same parcel. The application included a certified arborist's report attesting to the poor health condition of the tree as evidenced by visible bark inclusions, a common starting point for trunk cracks, and poor upper canopy structure, recommending removal of the tree to prevent further damage to surrounding structures and properties. The Planning Department granted the tree removal permit.

**RECOMMENDATION**

Deny the appeal and uphold the decision of the Community Development Director to approve the tree removal permit for the black oak tree, County File Number PLN 2015-00072, by making the finding for the approval and imposing the conditions of approval included in Attachment A.

**BACKGROUND**

Report Prepared By: Bryan Albini, Project Planner, Telephone 650/363-1807

Applicant/Owner: Jessica Koehne

Appellant: Tom Uridel

Location: 1090 Los Trancos Road, Los Trancos Woods

APN: 080-082-070

Parcel Size: Approximately 14,800 sq. ft.

Existing Zoning: R-1/S-83 (Single-Family Residential/7,500 sq. ft. minimum)

General Plan Designation: Low Density Residential (0.3-2.3 dwelling units/acre)

Existing Land Use: Single-Family Dwelling

Flood Zone: Zone "X" (Area of Minimal Flooding); Panel No. 06081C0402E, dated October 2012.

Environmental Evaluation: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 (Minor Alterations to Land). This class exempts minor public or private alterations in the condition of land, water, and/or vegetation, such as the removal of a tree.

Setting: The site is in a single-family neighborhood. The parcel is rectangular in shape, bounded on three sides by Los Trancos Road, with single-family houses to the rear and across the street. All of the houses immediately adjacent are two-story buildings. The houses across the street are one-story and split-level buildings typical of hillside development. The property is improved with a one-story single-family residence. Los Trancos Road has a large number of mature trees shading the street in a generally wooded area. The subject parcel has a number of large trees throughout the property (Attachment G). All but two trees are to remain. The black oak and Jeffrey pine trees, proposed for removal, are located in the northwest corner of the parcel, behind the trees on the edge of the right-of-way. The black oak that is the subject of the appeal has an estimated height of 45 feet and is approximately 30 feet away from the existing residence (Attachment D).

Chronology:

<u>Date</u>	<u>Action</u>
February 23, 2015	- The Planning Department received an application to remove the subject tree and one other due to declining conditions that posed a hazard to surrounding structures. An arborist report was submitted in addition to the application attesting to the declining conditions of both trees with a recommendation for removal. Noticing was circulated to the neighborhood.
March 3, 2015	- Tom Uridel, an adjacent neighbor, had an objection to the proposed removal of the black oak tree but did not oppose the removal of the Jeffrey pine tree. A request for submitting



a counter arborist report (Attachment F) was granted with an extension of the comment period to March 12, 2015.

- March 16, 2015 - Tom Uridel submitted his counter arborist's report for review to the Planning Department. Staff found that the determination from the appellant's arborist's report was not significant enough to warrant denial for the application for tree removal.
- March 27, 2015 - The Planning Department approved the removal of both the Jeffrey pine and black oak trees.
- April 10, 2015 - Tom Uridel appealed the Planning Department's decision to the Planning Commission (Attachment E).
- July 22, 2015 - Planning Commission public hearing.

## **DISCUSSION**

### **A. KEY ISSUES OF THE APPEAL**

A copy of Mr. Uridel's appeal is included as Attachment E of this report. The following are claims taken directly from the appeal application.

1. **Material misstatement of fact in report prepared by applicant's arborist.**

*In the subject report, the condition of the Black Oak's foliage is reported as "poor" and is factored into the arborist's conclusion as to the tree's overall "poor" condition. Given the fact that the Black Oak is a deciduous tree that sheds all of its foliage during winter and that the site visit was performed in February when the tree was without foliage, Planning staff should have noted this as a material misstatement of fact and basis for reasonable concern about the report's credibility otherwise (see charting data provided in applicant arborist's report).*

**Staff's Response:** The applicant submitted an arborist's report prepared by Ms. Elizabeth Lanham, an ISA Board Certified Arborist with Davey Resource Group (Lanham Report). Ms. Lanham's professional judgment of the trees is that they are currently at an age where they are in the early stages of decline, and as they progress further into decline, they may present a hazard to the property and nearby roadway (Attachment G). This determination was made based on visual assessments of tree conditions, structure and health, and a photographic record. No physical inspection of the upper canopy or root crown excavation was used in the evaluation of either tree. The black oak was determined to have poor structural health in the upper canopy and deep bark inclusions in the trunk.

While the appellant has focused on one statement in the Lanham Report, the applicant's arborist based their recommendation on the totality of information provided by the on-site evaluation. She had the following comments about the subject tree for condition assessment: "Buried root flare, poor structure, bark inclusion, poor pruning, decay in upper canopy."

2. *Failure of Planning staff to fully and fairly interpret and consider key findings and recommendations contained in the report prepared by appellant's arborist.*

*In its 3/27/15 approval letter, Planning staff failed to address any of the concerns noted in subparagraph A, above, and inaccurately interprets appellant's arborist as agreeing with the overall condition rating assigned by the applicant's arborist. The claimed agreement between the two arborists, together with Planning's conclusion that more and better tree photographs had been submitted by the applicant's arborist, are identified as principal reasons for the approval action. The approval letter then finds that both "trees are in danger of falling" and "could cause substantial damage to public or private property."*

*In both his 3/1/15 initial report and subsequent supplemental letter dated 4/7/15, the appellant's arborist states the following regarding the Black Oak's vitality and overall condition, the availability of appropriate mitigation strategies, and the desirability of its preservation through implementation of those available strategies:*

- a. *On page 2 of the 3/1/15 report, the arborist states that he did not observe the presence of significant insect or disease problems; and on page 3, that there was a strong flush of new leaf growth throughout the tree canopy that appeared to be healthy and vigorous and that the new foliage density and cover was indicative of good health and vitality.*
- b. *On page 3 of the 3/1/15 report, the arborist concludes that the Black Oak should be preserved because any structural concerns can be effectively managed through utilization of appropriate pruning work and the installation of a support cable system.*
- c. *On page 2 of the enclosed supplemental letter (dated 4/7/15), the appellant's arborist states the following:*

*"I have absolutely no doubt that this tree can be effectively pruned and cabled properly as prescribed in the report in order to significantly improve its structural rating and mitigate concerns regarding its safety."*

Staff's Response: The appellant submitted a letter prepared by Mr. Nigel Belton, an ISA Board Certified Arborist. Mr. Belton was not granted access to the property, and conducted his visual assessment of the black oak from the public right-of-way and a neighboring property adjacent to the west. His determination is that the tree is in good health and vigorous, showing no signs of a decline in health or vitality. Mr. Belton identified the black oak as having fair to poor structural rating due to its co-dominant growth pattern, heavy limb structure and recent damage caused by a neighboring falling tree. He recommends that the tree be pruned and cabling support structures be installed to significantly reduce any risk of tree failure.

The Planning and Building department considered both assessments of the black oak's tree health and determined that requiring the property owner to take the steps prescribed by the appellant's arborist would cause an undue hardship with no guarantee of success.

3. *Inappropriate Planning staff consideration of information not relevant to the applicant's officially stated bases for removal of the black oak. The applicant's request to remove the black oak is exclusively premised on a claim that it is in bad and deteriorating health, and poses an imminent and substantial danger to unidentified adjacent public and private properties. However, subsequent to submission of the removal request, the applicant verbally acknowledged to appellant that the real intention of that request was to clear the area currently occupied by the Black Oak in order to allow for construction of a 2-story carport. A recent visit to the Planning and Building Department revealed that no building permit application had been submitted by or on behalf of the applicant.*

Staff's Response: The Planning and Building Department cannot base a determination of tree removal on the intention of future development that an applicant has not formally submitted for review. The applicant has not stated to staff any intentions to build a carport or any new accessory structures on the property.

4. *Nonetheless, beginning at paragraph 6, on page 2, of the Planning approval letter, there is extensive discussion regarding the preparation and maintenance of site conditions during "construction." We believe that any consideration of possible future construction activities at the requested removal site would be completely outside the scope of the applicant's stated basis for the removal request, and entirely inappropriate. To the extent that such inappropriate criteria may have influenced Planning's initial decision in this matter, we believe that that decision should be withdrawn. If it was not considered, then Planning staff should explain to all interested why the language beginning at paragraph 6, of its 3/27/15 decision letter was included.*

Staff's Response: The condition of approval in question (Condition No. 6) is our standard erosion control measure and is applicable with any project that would cause a site disturbance, even in cases of tree removal (Attachment C).

B. CONFORMANCE WITH THE SIGNIFICANT TREE ORDINANCE

Section 12,023 (Criteria for Permit Approval) states that the Community Development Director or any other person or body charged with determining whether to grant, conditionally grant or deny a Tree Cutting or Trimming Permit may approve a permit for several reasons, one of which is that the tree could cause substantial damage (Attachment G). As discussed previously, the applicant's arborist has stated that the trees are in poor condition with structural defects and entering into decline.

**ATTACHMENTS**

- A. Recommended Findings and Conditions for Approval
- B. General Location/Vicinity Map
- C. Tree Removal Permit Letter
- D. Applicant's Arborist's Report
- E. Appeal Application
- F. Appellant's Arborist's Report
- F. Site Photos

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2015-00072

Hearing Date: July 23, 2015

Prepared By: Bryan Albini  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS FOR APPROVAL**

Regarding the Environmental Review, Find:

1. That the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 (Minor Alterations to Land). This class exempts minor public or private alterations in the condition of land, water, and/or vegetation, such as the removal of a tree.

Regarding the Tree Removal Permit, Find:

2. That the tree could cause substantial damage to surrounding structures, as evidenced by the applicant's arborist's report. The report indicates that the tree is in decline and depending upon path of travel could fall on adjacent buildings or power lines.

**RECOMMENDED CONDITIONS OF APPROVAL**

1. The trees indicated on the application form dated March February 23, 2015, may be removed after the end of the appeal period, assuming no appeal is filed as stipulated in this letter. A separate Tree Removal Permit shall be required for the removal of any additional trees.
2. This Tree Removal Permit approval shall be on the site and available at all times during the tree removal operation and shall be available to any person for inspection. The issued permit shall be posted in a conspicuous place at eye level at a point nearest the street.
3. The applicant shall plant on-site a total of two trees using at least 15-gallon size stock, for the trees removed. Replacement planting shall occur within one year of the Tree Removal Permit approval date (Section 12,024 of the San Mateo County Ordinance Code).

4. The applicant shall submit photo verification to the Planning Department of the planted replacement trees required in Condition of Approval No. 3. Photos shall either be submitted in person to the Planning Department, or via email to [plngbldg@smcgov.org](mailto:plngbldg@smcgov.org) with reference to the Planning Application PLN Number, as identified in the subject line of this letter.
5. If work authorized by an approved permit is not commenced within the period of one year from the date of approval, the permit shall be considered void.
6. During the tree removal phase, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the project site by:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
  - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
  - d. Using filtration or other measures to remove sediment from dewatering effluent.
  - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
  - f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
7. Prior to the removal of any trees located within the public right-of-way, the applicant shall obtain an encroachment permit from the Department of Public Works. Additionally, prior to planting any trees within the public right-of-way, the applicant shall obtain a landscaping/encroachment permit from the Department of Public Works.
8. The applicant shall clear all debris from the public right-of-way.

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**San Mateo County Planning Commission Meeting**

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_



March 27, 2015

Jessica Koehne  
1090 Los Trancos Road  
Portola Valley, CA 94028

<b>Planning Commission Meeting</b>
<b>PLN 201) -00\$+&amp;</b>
Case
<b>7</b>
Attachment

Dear Ms. Koehne:

**SUBJECT: Bayside Tree Removal Permit**  
1090 Los Trancos Road  
APN 080-082-070; County File No. PLN 2015-00072

Your application for a Tree Removal Permit, to remove one Jeffrey pine and one black oak (15- and 28-inch diameter) located in the side yard on the subject property, is hereby **approved**, pursuant to Section 12,000 of the San Mateo County Ordinance Code. Public notification was sent out on February 23, 2015. The posting period began on February 23, 2015 and ended on March 4, 2015. The applicant provided an arborist report. One objection to the tree removal notice was received.

The applicant is requesting removal of the trees due to concerns that the declining conditions of the trees pose a hazard to nearby structures. An arborist report was submitted by the applicant that concluded both trees were in poor condition with structural defects with a recommendation for removal. An adjacent neighbor across the street from the subject property requested that the posting period be extended in order to submit a second arborist assessment for the black oak to determine its health. The second assessment submitted by the neighbor concluded that the structural rating for the black oak tree, while in poor condition, could be mitigated. Staff is giving more weight to the applicant's submitted arborist report, because it provided a closer examination of the trees to be removed, and showed clear photographs of structural defects (e.g., "crotch split"). Based on all the information presented, staff has approved the request and is requiring that two 15-gallon trees be replanted within one year. These replacement trees must be native, non-invasive species.

Based on the foregoing, your application is hereby approved subject to the following findings and conditions of approval:

**FINDINGS**

Staff found that:

1. The trees could cause substantial damage to public or private property.
2. The trees are in danger of falling.





3. The trees will be replaced by plantings approved by the Community Development Director, unless special conditions indicate otherwise.

### **CONDITIONS OF APPROVAL**

1. The trees indicated on the application form dated February 23, 2015, may be removed after the end of the appeal period, assuming no appeal is filed as stipulated in this letter. A separate Tree Removal Permit shall be required for the removal of any additional trees.
2. This Tree Removal Permit approval shall be on the site and available at all times during the tree removal operation and shall be available to any person for inspection. The issued permit shall be posted in a conspicuous place at eye level at a point nearest the street.
3. The applicant shall plant on-site a total of two trees using at least 15-gallon size stock, for the trees removed. Replacement planting shall occur within one year of the Tree Removal Permit approval date (Section 12,024 of the San Mateo County Ordinance Code). Replacement species must be native and non-invasive.
4. The applicant shall submit photo verification to the Planning Department of the planted replacement trees required in Condition of Approval No. 3. Photos shall either be submitted in person to the Planning Department, or via email to [plngbldg@smcgov.org](mailto:plngbldg@smcgov.org) with reference to the Planning Application PLN Number, as identified in the subject line of this letter.
5. If work authorized by an approved permit is not commenced within the period of one year from the date of approval, the permit shall be considered void.
6. During the tree removal phase, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site by:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
  - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
  - d. Using filtration or other measures to remove sediment from dewatering effluent.
  - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

- f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
7. Prior to the removal of any trees located within the public right-of-way, the applicant shall obtain an encroachment permit from the Department of Public Works. Additionally, prior to planting any trees within the public right-of-way, the applicant shall obtain a landscaping/encroachment permit from the Department of Public Works.
8. The applicant shall clear all debris from the public right-of-way.

To ensure compliance with the above conditions, a "Parcel Tag" will be placed on this parcel which shall restrict future development until these conditions are met, particularly with regard to the planting and photo verification of the replacement trees. Upon fulfillment of these conditions, as determined by the Community Development Director, the subsequent parcel tag shall be lifted.

The approval of this Tree Removal Permit and any conditions of the approval may be appealed within ten (10) working days of the date of this letter. An appeal form accompanied by the applicable filing fee must be submitted by **5:00 p.m., April 10, 2015**. If at the end of that period no appeal has been filed, the subject trees may be removed (Section 12,028 of the San Mateo County Ordinance Code).

You will be notified if an appeal is made.

If you have any questions, please call the project planner, Bryan Albini, at 650/363-1807 or by email at [balbini@smcgov.org](mailto:balbini@smcgov.org).

To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.

FOR STEVE MONOWITZ  
ACTING COMMUNITY DEVELOPMENT DIRECTOR, By:



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Michael Schaller, Senior Planner

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cc: Interested Party

**ARBORIST REPORT**  
1090 Los Trancos Rd  
Portola Valley, CA 94028

February 2014



***Planning Commission Meeting***

**PLN 201) -00\$+&**

Case

**8**

Attachment

Arborist Report for Redwood Tree at  
1090 Los Trancos Rd, Portola Valley, CA 94028

Prepared for

Jessica Koehne  
1090 Los Trancos Rd  
Portola Valley, CA 94028

February 2015

Prepared by

Davey Resource Group  
A Division of The Davey Tree Expert Company  
1500 North Mantua Street  
Kent, OH 44240

Contact: Elizabeth Lanham

Menlo Park Office

119 Independence Dr

Menlo Park, CA 94025

Cell Phone: (669) 236-7619

Office: (650) 475-5400

E-mail: [Elizabeth.Lanham@davey.com](mailto:Elizabeth.Lanham@davey.com)

[www.daveyresourcegroup.com](http://www.daveyresourcegroup.com)

**Notice of Disclaimer**

*Inventory data provided by Davey Resource Group is based on visual recording at the time of inspection. Visual records do not include testing or analysis and do not include aerial or subterranean inspection. Davey Resource Group is not responsible for discovery or identification of hidden or otherwise non-observable risks. Records may not remain accurate after inspection due to variable deterioration of inventoried material. Davey Resource Group provides no warranty with respect to the fitness of the urban forest for any use or purpose whatsoever.*

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## **Summary**

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In January 2015, Davey Resource Group (DRG), a division of The Davey Tree Expert Company, was contracted by Jessica Koehne to conduct a tree assessment of the Jeffrey pine and black oak at 1090 Los Tragos Rd in Portola Valley, California, a private residence. The request was made to assess the health of these two trees.

An International Society of Arboriculture (ISA) Certified and ISA Tree Risk Assessment Qualified Arborist from Davey Resource Group conducted the evaluation of the trees on January 28, 2015. The trees were assessed by location, size, current condition, and overall health.

The evaluation determined the two trees, based on the visual inspection, were in Poor condition and have received some pruning in the past. Due to the safety hazard presented by trees in poor health, DRG recommends the trees be removed and replaced with a more suitable species. No appraised or replacement value was requested or provided for the evaluated tree at this time.

## **Introduction**

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### **Background**

Jessica Koehne, the owner of the residence at 1090 Los Tragos Rd in Portola Valley, CA is concerned about the health and condition of the black oak and Jeffrey pine in the northwest corner of the property. Currently, the trees are in Poor condition with structural defects (see Photos in Appendix A). Ms. Koehne requested that Davey Resource Group provide an arborist report on the condition of the trees and provide a recommendation on whether the trees should be removed.

### **Assignment**

Davey Resource Group (DRG) was contracted to conduct an evaluation of two trees and site conditions at 1090 Los Tracos Rd in Portola Valley, CA. The survey included a visual assessment of the tree's condition and provides a recommendation regarding removal of the tree.

### **Limits of Assignment**

Many factors can limit specific and accurate data when performing evaluations of trees and their impact on site conditions. No soil or tissue testing was performed. All observations were made from the ground and no soil excavation to expose roots was performed. No specific dates of planting, previous site repairs or methods used were available. The determinations and recommendations presented here are based on current data and conditions that existed at the time of the evaluation and cannot be a predictor of the ultimate outcome for the evaluated trees in the future.

### **Purpose and Use of Report**

The purpose of this report is to provide a summary of the evaluation of the Jeffrey pine and black oak located at 1090 Los Tragos Rd in Portola Valley, California, including an assessment of the current condition and health. The findings in this report can be used to make informed decisions on removal of the tree and can be provided to the Town of Portola Valley for permitting purposes.



## Observations

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### Methods

Only a visual inspection was used to develop the findings, conclusions, and recommendations found in this report. Data collection included measuring the diameter of the trees at approximately 54 inches above grade (DBH), height estimation, canopy radius estimation, a visual assessment of tree condition, structure and health, and a photographic record. Numerical values were assigned to grade the attributes of the trees, including structure and canopy health, and to obtain an overall condition rating. No physical inspection of the upper canopy, sounding, root crown excavation, and resistograph or other technologies were used in the evaluation of the tree.

### Observations

The surveyed site is a residential property with existing structures including a two-story residence. The site is on mostly level ground and minimally landscaped and irrigated. The landscape is minimally maintained and left in its natural condition. The site has very little hardscape, with compacted soil driveways and walkways.

The black oak (*Quercus kelloggii*) and Jeffrey pine (*Pinus jeffreyi*) are located in the northwest corner of the property. Visual assessments determined the condition rating of 38% (Poor) for both trees. The DBH was recorded as 15 inches for the Jeffrey pine and 28 inches for the black oak and an estimated height of 50 feet for the pine and 45 feet for the oak. The trees had a canopy radius of 10 feet for the pine and 30 feet for the oak. Both trees have poor structure, and the canopy of the pine is chlorotic.

Photographs and complete Tree Inventory and Condition Assessment can be found in Appendices A and B.

## Analysis and Discussion

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The trees were assessed as being in Poor condition and are part of a natural landscape with many other trees and shrubs. The pine tree has few lateral branches and a very small upper canopy, which is chlorotic. The oak has a dual leader with a very tight crotch that has a deep bark inclusion, and over the years has developed poor structure in the upper canopy. The trees are currently at an age where they are in the early stages of decline, and as they progress further into decline may present a hazard to the property and nearby roadway.

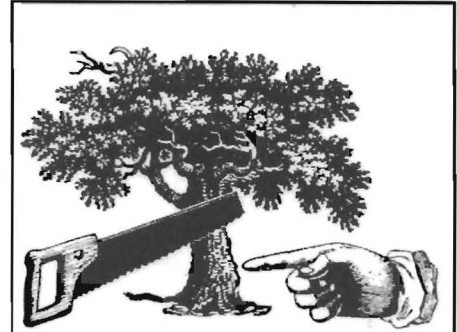
Since the trees are located on a property with a very natural landscape setting, several other trees are located throughout the site, which makes replanting optional. However, if desired, California native trees, such as the blue oak (*Quercus douglasii*) should be planted in order to enhance the natural landscape.

## Conclusion and Recommendations

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Removing mature stature trees can be a difficult choice. However, the safety of the public and property owner is of paramount importance. Based on the visual observations, which determined the trees to be in Poor condition with structural defects, DRG recommends removal and optional replacement of these trees. While these trees may be saved short term, they have already started to decline, and as the process continues, the hazard presented will increase drastically. Removal is the only permanent solution for the current situation.

# Application for Permit to Remove Tree(s)



Date of Application: 2/23/15

10 Day Period of Posted Notice  
From: 2/23/15  
To: 3/4/15

Sections 11,000 et seq and 12,000 et seq of the San Mateo County Ordinance Code.

HERITAGE TREE(S)     SIGNIFICANT TREE(S)

Property Owner: Jessica Koehne

Address: 1090 Los Trancos Rd

Los Trancos Rd Telephone: 4088283743

Applicant (if different): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address and parcel number where tree(s) located: 1090 Los Trancos Rd, Portola Valley

080-082-070

Tree(s) Diameter or Circumference (at 4½ ft. height)	Kind of tree(s)	Heritage Tree? (Yes / No)	Health of tree(s)	Reason for Removal/Trimming
15	Jeffery Pine	Y	Poor	public safety
28	Black Oak	Y	Poor	public safety

### REMOVAL PLAN:

1. Method of removal:  By Owner  
 By Tree Removal Service.  
Name: Davey Tree Phone: 6504755400

2. Disposal of tree debris:  All debris to be removed from site by Tree Removal Service  
 All/some debris to remain on site; Purpose: \_\_\_\_\_

The information contained in the application is accurate and true to the best of my knowledge. I understand that an approved permit is conditional. Further, the decision on this application may be appealed to the San Mateo County Planning Commission. Authority to remove or trim a tree is effective only after the approval appeal period has expired.

Jessica Koehne  
Applicant's Signature

Public Notification of this application request will be sent to all property owners within 100 feet of the project site and in addition, to the Mid-Coast Community Council if your project site is located in the Mid-Coast.

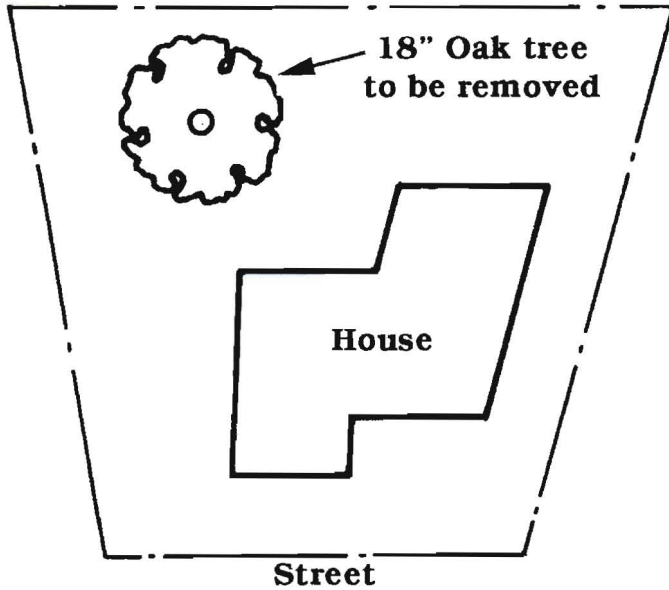
**NOTE: All Tree Removal Applications must be submitted in person.**



**REMOVAL PLAN:**

Sketch site plan (aerial view) of location of tree(s) and their drip-line(s) showing approximate property lines, nearby building locations, roads, other trees, and any proposed improvements or additions which necessitate tree removal/trimming. Please CIRCLE or LABEL tree(s) to be removed. (Attach extra Site Plan if necessary).

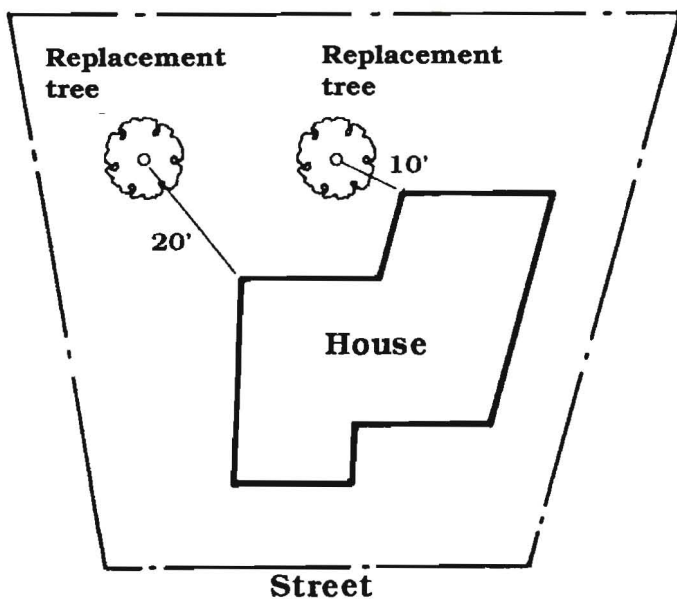
EXAMPLE:



**REPLANTING PLAN:**

The replanting plan shall show the location (including approximate distance to house), type, size (i.e. 15 gal., 10 gal., etc.) of proposed trees. In Bayside Design Review (DR) Zoning Districts, a 2:1 15 gallon replacement or 1:1 24 inch box ratio is required. Please sketch the site plan indicating location, size and species of new tree(s) to replace tree(s) removed. Tree replacement must be completed within one (1) year of the permit's final approval.

EXAMPLE:



**Note: Acceptance of this application by Planning Staff...**

- **Does not guarantee the approval of the proposed tree removal(s).**  
Planning staff will grant a tree removal permit only if staff is able to make one or more of the findings listed in Section 12,023 of the "Regulation of Removal of Significant Trees". A copy of this ordinance can be obtained at the Planning counter or at [www.co.sanmateo.ca.us](http://www.co.sanmateo.ca.us). The decision to make these findings takes into consideration public comment, recommendation(s) of reviewing agencies, the reason for removal and documentation of the tree's health or hazard as indicated by an arborist (if required, see below).
- **Does not imply that the application is "complete".** Other items, such as a report from a certified arborist, may be requested in order to complete your application (Section 12,021) For example, an arborist report may be required in order to confirm or refute a property owner's claim that a tree is diseased or a hazard to safety or property.

Applicant to sign below, in acknowledgment of the above information.

  
Applicant

**See last page for Tree Replacement Requirements**

## RECOMMENDED SPECIES OF REPLACEMENT TREES:

Trees on this list are either native\* to California, or are appropriate for San Mateo County climate zone 14-17 as designated in the Sunset Western Garden Book. Any native species removed must be replaced with a native species.

Tree replacement ratios to trees removed shall be as noted below, unless where adjusted by the Community Development Director.

To determine which species is best suited for your property or for planning instructions, contact a local nursery or a certified arborist.

### 1. Bayside Design Review Districts

2:1 replacement required; 15 gallon size trees (minimum)

24 inch box = 1:1 replacement

Austrian black pine	Flowering cherries, plums	Maidenhair tree*
Bishop pine*	Holly oak	Olive (fruitless)
Blue oak*	Incense cedar*	Red maple*
California bay	Indian longleaf pine	Red oak*
Canary island pine*	Israeli oak	Scotch pine
Coast live oak*	Italian stone pine	Shumard oak*
Cork oak*	Japanese black pine	Silk tree
Coulter pine*	Jelescote pine	Valley oak*
Deodar cedar*	London plane*	Western red cedar

### 2. Bayside Non-Design Review Districts

1:1 replacement required; 15 gallon size tree (minimum)

Austrian black pine	Flowering cherries, plums	Maidenhair tree*
Bishop pine*	Holly oak	Olive (fruitless)
Blue oak*	Incense cedar*	Red maple*
California bay	Indian longleaf pine	Red oak*
Canary Island pine*	Israeli oak	Scotch pine
Coast live oak*	Italian stone pine	Shumard oak*
Cork oak*	Japanese black pine	Silk tree
Coulter pine*	Jelescote pine	Valley oak*
Deodar cedar*	London plane*	Western red cedar

### 3. Skyline, La Honda / Rural

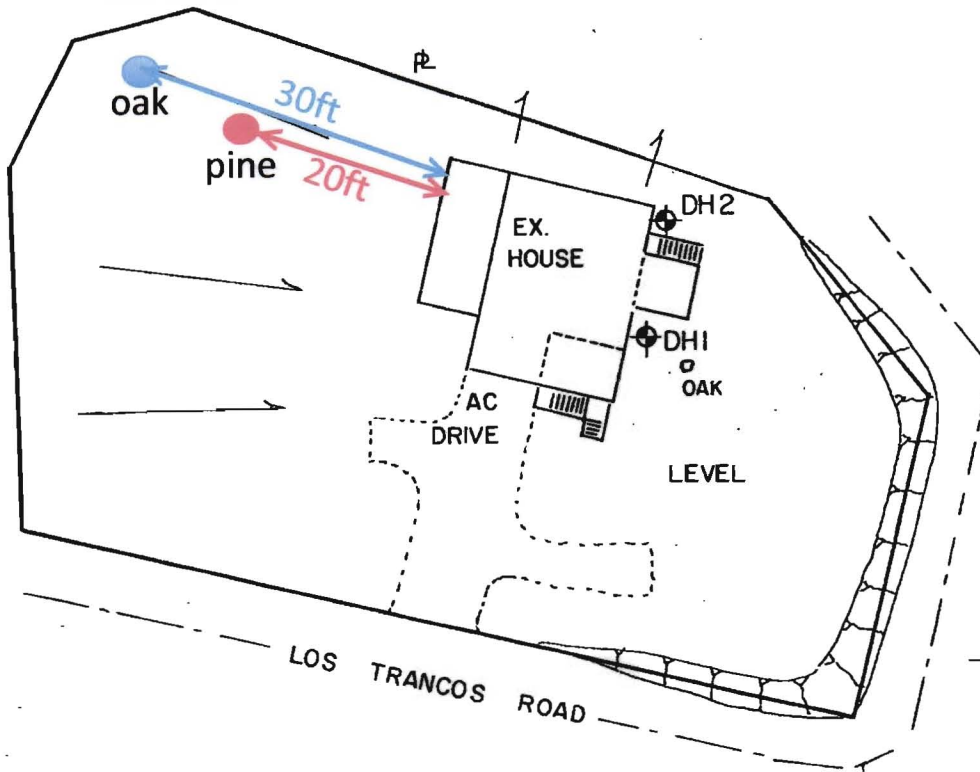
1:1 replacement required; 15 gallon (minimum)

Big leaf maple\*  
Black oak  
California bay laurel\*

### 4. Coastside

2:1 replacement required; 15 gallon size (minimum)

Blackwood acacia	Deodar cedar*	Norfolk Island pine
Bushy youte	London plane*	Peppermint willow
Cajeput	Maidenhair tree	Red maple
California buckeye*	Monterey cypress	
Coulter pine*	Monterey pine*	



KEY  
 ⊕ LOCATION OF SOIL BORING  
 → DIRECTION OF FALL OF SITE SLOPES

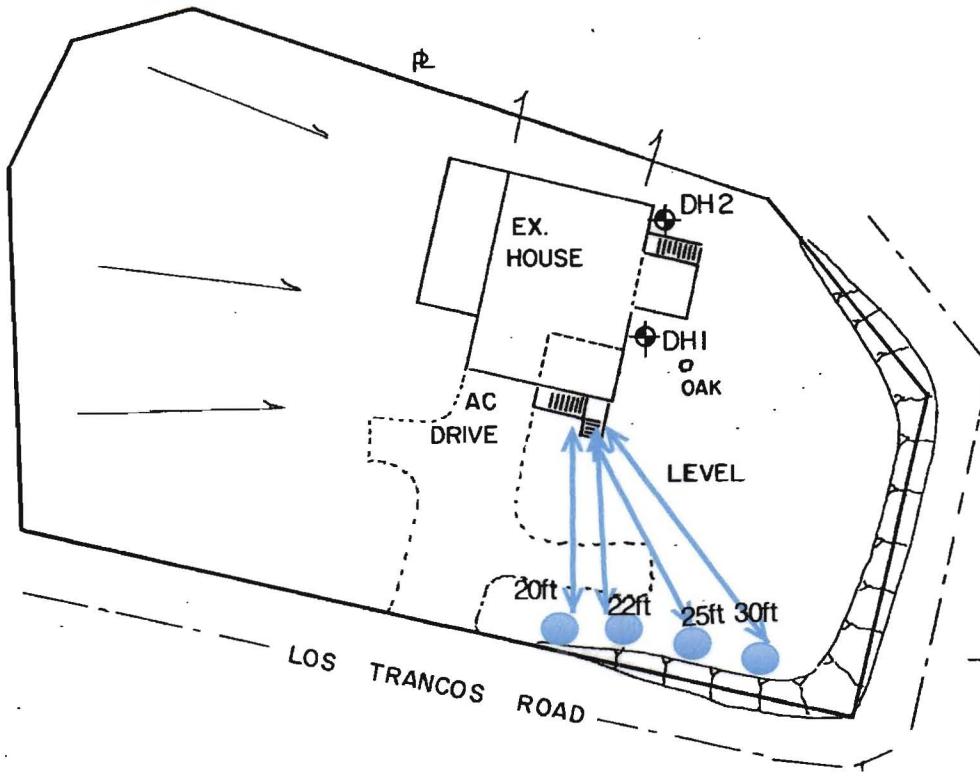
LOS TRANCOS ROAD

SITE PLAN		
SCALE: 1" = 26 feet	APPROVED BY:	DRAWN BY JEF
DATE: FEB. 1994		REVISED
<b>LANDS OF McVEY</b> <b>1090 LOS TRANCOS ROAD - PORTOLA VALLEY, CA</b>		
FREEMAN - KERN ASSOCIATES, INC.		DRAWING NUMBER PROJECT 2008

MAP SOURCE: "McVEY RESIDENCE", BY THURLOW BUILDING, 2-2-94, NO TOPOGRAPHY.

PL 7 11 PRINTED ON NO. 10004 CLEARPRINT

FIGURE 3



KEY  
 ⊕ LOCATION OF SOIL BORING  
 → DIRECTION OF FALL OF SITE SLOPES

SITE PLAN		
SCALE: 1" = 26 feet	APPROVED BY:	DRAWN BY JEF
DATE: FEB. 1994		REVISED
<b>LANDS OF McVEY</b>		
<b>1090 LOS TRANCOS ROAD - PORTOLA VALLEY, CA</b>		
FREEMAN - KERN ASSOCIATES, INC.		DRAWING NUMBER PROJECT 2008

MAP SOURCE: "McVEY RESIDENCE", BY THURLOW BUILDING, 2-2-94. NO TOPOGRAPHY.

FIGURE 3

February 11, 2015

Jessica Koehne  
1090 Los Trancos Rd  
Portola Valley, CA 94028

RE: Arborist Report for Trees at 1090 Los Trancos Rd, Portola Valley

Dear Ms. Koehne:

Thank you for contracting with Davey Resource Group regarding the above project. In support of your objectives, Davey Resource Group (DRG) is pleased to provide you with the attached report.

A DRG International Society of Arboriculture (ISA) Certified Arborist and Qualified Tree Risk Assessor conducted the site inspection of the tree located at the above address in Portola Valley, California on January 28, 2015. The trees were assessed for location, size, current condition and overall health. The attached report can be used to make informed decisions about maintenance and/or removal and for submission to the Town of Portola Valley for a removal permit.

The survey determined the following:

- The Jeffery pine measured 15 inches and the black oak measured 28 inches at approximately 4.5 feet above grade (DBH).
- The trees are situated in the northwest corner of the property.
- Based on ISA ratings, both trees were determined to be in Poor condition (38%)
- The trees were recommended for removal based on risk to public safety.

Please feel free to contact me at 669-236-7619 or Elizabeth.Lanham@davey.com if you would like more information or have any questions.

Sincerely,

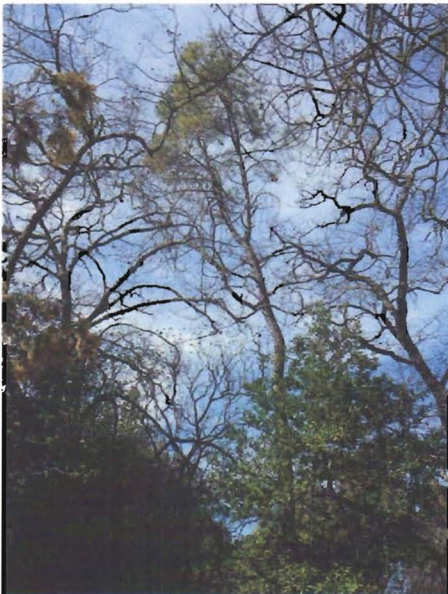


Elizabeth Lanham  
Davey Resource Group  
Certified Arborist #WE-9234A  
ISA Tree Risk Assessment Qualified





Photos 1 and 2: Showing black oak with poor structure (left) and bark inclusion (Right)



Photos 3 and 4: Showing Jeffrey pine in poor condition (left) and buried root flare (Right)

**Appendix B – Tree Inventory and Condition Assessment**

Tree #	DBH (in)	Species	Roots		Trunk		Scrubbed Branches		Twigs	Foliage	Condition Rating (%)	Condition	Approx. Canopy Radius (feet)	Approx. Height (feet)	Comments	Large DW (6" +)	Small DW (1-2")	Weak Union	Stressed	Decline
			H	S	H	S	H	S												
1	15"	Jeffrey pine	1.5	1.5	1.5	1.5	1.5	1	2	1.5	38%	Poor	10	50	Forked top, defoliated, chlorotic, declining, leaning, buried root flare	X	X		X	x
2	28"	Black oak	1	1	1.5	1	2	1.5	2	2	38%	Poor	27	45	Buried root flare, poor structure, bark inclusion, poor pruning, decay in upper canopy	X	X	X		X



# Application for Appeal

## Planning and Building Department

County Government Center • 455 County Center, 2nd Floor  
Redwood City • CA • 94063 • Mail Drop PLN 122  
Phone: 650 • 363 • 4161 Fax: 650 • 363 • 4849

To the Planning Commission

To the Board of Supervisors

### 1. Appellant Information

Name: THOMAS V. URIDEL &  
NILERAT T. URIDEL

Address: 1111 LOG TRANCOS ROAD  
PORTOLA VALLEY

Phone, W: \_\_\_\_\_ H: 650  
851-7091

Zip: 94028

### 2. Appeal Information

Permit Numbers involved:

PLN 2015-00072  
(APN 080-082-070)

I have read and understood the attached information regarding appeal process and alternatives.

yes

no

I hereby appeal the decision of the:

- Staff or Planning Director
- Zoning Hearing Officer
- Design Review Committee
- Planning Commission

Appellant's Signature: Thomas V. Uridel

Date: 4/10/15

made on 4/10 2015, to approve deny the above-listed permit applications.

### 3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

SEE ATTACHED STATEMENT AND  
SUPPORTING DOCUMENTATION

**RECEIVED**

APR 10 2015

San Mateo County  
Planning and Building Department

#### Planning Commission Meeting

**PLN 201) -00\$+&**

Case

**9**

Attachment

Appeal of Planning Department Decision  
County File Number: PLN 2015-00072  
APN 080-082-070

Submitted on 4/10/15 by Thomas and Nusrat Uridel  
1111 Los Trancos Road  
Portola Valley, CA 94028

1. Relief Being Requested:

Withdrawal of Planning Department's 3/27/15 approval of applicant's request for removal of a black oak tree pending the results of a site visit and objective evaluation by the County Arborist. Should the documented results of the requested visit confirm the staff finding that no reasonably feasible mitigation is available; and that in an unmitigated condition the black oak will, in scientific fact, pose a substantial safety threat to adjacent public and private property, we will not pursue a further appeal of this decision. However, if the County arborist were to conclude otherwise, we are requesting that the Planning staff's approval be vacated and this action formally communicated in a subsequent disapproval letter to the applicant. In the meantime, we wish to make perfectly clear, that we have no objection to the Planning staff's approval for removal of the Jeffrey pine tree located on the applicant's property.

2. Bases for Requested Relief (see discussion in paragraph 3., below):

- A. Failure by Planning staff to identify and objectively consider a material misstatement of fact in the report prepared by applicant's arborist, and its potential negative implication for that report's overall credibility.
- B. Failure by Planning staff to fully and fairly interpret and consider key findings contained in the report prepared by appellants' arborist.
- C. Inappropriate Planning staff consideration of information not relevant to the applicant's officially stated bases for removal of the black oak.

3. Discussion of Bases for Requested Relief:

A. Material misstatement of fact in report prepared by applicant's arborist.

In the subject report, the condition of the black oak's foliage is reported as "poor" and is factored into the arborist's conclusion as to the tree's overall "poor" condition. Given the fact that the black oak is a deciduous tree that sheds all of its foliage during winter and that the site visit was performed in February when the tree was without foliage, Planning staff should have noted this as a material misstatement of fact and basis for reasonable concern about the report's credibility otherwise (see charting data provided in applicant arborist's report).



B. Failure of Planning staff to fully and fairly interpret and consider key findings and recommendations contained in the report prepared by appellants' arborist.

In its approval 3/27/15 approval letter, Planning staff failed to address any of the concerns noted in subparagraph A., above, and inaccurately interprets appellants' arborist as agreeing with the overall condition rating assigned by the applicant's arborist. The claimed agreement between the 2 arborists, together with Planning's conclusion that more and better tree photographs had been submitted by the applicant's arborist, are identified as principal reasons for the approval action. The approval letter then finds that both "trees are in danger of falling" and "*could* cause substantial damage to public or private property" (italicized emphasis added).

In both his 3/1/15, initial report and subsequent supplemental letter dated 4/7/15 (see Enclosure) appellants' arborist states the following regarding the black oak's vitality and overall condition, the availability of appropriate mitigation strategies, and the desirability of its preservation thru implementation of those available strategies:

- ✓ On page 2 of the initial report, the arborist states that he did not observe the presence of significant insect or disease problems; and on p. 3., that there was a strong flush of new leaf growth throughout the tree canopy that appeared to be healthy and vigorous and that the new foliage density and cover was indicative of good health and vitality.
- ✓ On page 3 of the initial report, the arborist concludes that the black oak should be preserved because any structural concerns can be effectively managed through utilization of appropriate pruning work and the installation of a support cable system.
- ✓ On page 2., of the enclosed supplemental letter, appellants' arborist states the following:

"I have absolutely no doubt that this tree can be effectively pruned and cabled properly as prescribed in the report in order to significantly improve its structural rating and mitigate concerns regarding its safety."

C. Inappropriate Planning staff consideration of information not relevant to the applicant's officially stated bases for removal of the black oak.

The applicant's request to remove the black oak is exclusively premised on a claim that it is in bad and deteriorating health, poses an imminent and substantial danger to unidentified adjacent public and private properties. However, subsequent to submission of the removal request, the applicant verbally acknowledged to appellants that the "real intention" of that request was to clear the area currently occupied by the black oak in order to allow for construction of a 2-story carport. A recent visit to the Planning and Building Department revealed that no building permit application had been submitted by or on behalf of the applicant.

Nonetheless, beginning at paragraph 6., on page 2., of the Planning approval letter, there is extensive discussion regarding the preparation and maintenance of site conditions during "construction." We believe that any consideration of possible future construction activities at the requested removal site would be completely outside the scope of the applicant's stated basis for the removal request, and entirely inappropriate. To the extent that such inappropriate criteria may have influenced Planning's initial decision in this matter, we believe that that decision should be withdrawn. If it was not considered, then planning staff should explain to all interested why the language beginning at par. 6., of its 3/27/15, decision letter was included.

In closing, we wish to thank the Planning staff for its willingness to extend submission deadlines and respond to our various inquiries, and the Planning Commission for its willingness to fully and fairly consider the various bases for our appeal. We will both be present at the scheduled hearing and will likely be accompanied by potentially affected neighbors.

***Enclosure: Arborist's Supplemental Letter Dated 4/7/15.***

# Nigel Belton

## Consulting Arborist

April 7, 2015

Tom Uridel  
1111 Los Trancos Road  
Portola Valley, CA 94028

**SUBJECT – A LETTER IN RESPONSE TO THE DENIAL BY THE COUNTY OF SAN MATEO PERTAINING TO THE APPEAL OF THE APPROVED TREE REMOVAL PERMIT CONCERNING THE BLACK OAK LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD, PORTOLA VALLEY (Planning case No – PLN 2015-00072)**

Dear Tom,

Thank you for contacting me regarding the County's finding that the tree removal permit approval still stands despite your appeal of that decision.

I am very concerned that the observations and conclusions of my report (Job – Tom Uridel – 3-15-15) have been misinterpreted and misrepresented in the comments within the County's ruling. The County stated that I agreed with the other Arborist that the tree is in poor condition. That statement is a misrepresentation of my observations.

I actually stated clearly on page 2 of this report that I did not observe the presence of significant insect or disease problems. I further noted that there was a strong flush of new leaf growth throughout the tree canopy that appeared to be healthy and vigorous and that the new foliage density and color was indicative of good health and vitality.

I noted in the discussion and recommendations on page 3 that the tree has a fair to poor structural rating due to its co-dominant growth pattern, heavy limb structure and the recent damage caused by the falling trees that struck it.

I then recommended that this tree should be preserved because these structural concerns can be effectively managed through the utilization of appropriate pruning work and the installation of a support cable system. The report then further provides more detail as to how these mitigating measures should be undertaken and provides guidelines regarding the selection of a licensed and qualified tree service provider.

Page 1.



Ph / Fax (831) 688-1239

P.O. Box 1744 - Aptos, CA 95001 - CCL # 657930 - beltonnigel@gmail.com



**SUBJECT – A LETTER IN RESPONSE TO THE DENIAL BY THE COUNTY OF SAN MATEO PERTAINING TO THE APPEAL OF THE APPROVED TREE REMOVAL PERMIT CONCERNING THE BLACK OAK LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD, PORTOLA VALLEY (Planning case No – PLN 2015-00072)**

I have absolutely no doubt that this tree can be effectively pruned and cabled properly as prescribed in the report in order to significantly improve its structural rating and mitigate concerns regarding its safety. I stand by the observations and the conclusion of this report that this tree is worthy of preservation on the understanding that the recommended remedial work should be undertaken.

I also noted that the County stated that the report I prepared did not include adequate photographs. It should be noted that I could only take photographs from the outside of the subject property due to trespassing concerns. I took the photograph of the subject tree from the best location available and to the best of my judgement it clearly shows the good health and fair to poor structural ratings discussed in the report. Further, I recommend that this photograph is reviewed objectively in conjunction with the other photographs provided in the report prepared on behalf of the property owner. This action will serve to provide photographs from other locations within the subject property that I could not access.

Please do not hesitate to contact me if you have any questions or require further information.

Respectfully submitted



Nigel Belton

Attachment – Assumptions and Limiting Conditions

### **Assumptions and limiting Conditions**

1. Any legal description given by the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.
2. The appraiser /consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of the appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser's/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which only could have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

### **Consulting Arborist Disclosure Statement**

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within the 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 medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Nigel Belton  
ISA Certified Arborist – WE 410A

RECEIVED

2015 MAR 16 P 12:43

SAN MATEO COUNTY  
PLANNING AND BUILDING  
DEPARTMENT

**A SUMMARY OF THE INSPECTION OF THE BLACK OAK  
LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD  
PORTOLA VALLEY**

Prepared at the request of:

Tom Uridel

1111 Los Trancos Road  
Portola Valley, CA 94028  
tvidel@earthlink.net

Site visit by:

Nigel Belton - ISA Certified Arborist WE-0410A  
March 11, 2015

Job – Tom Uridel – 3 – 15 – 15

**Planning Commission Meeting**

**PLN 201) -00\$+&**

Case

:

Attachment



**A SUMMARY OF THE INSPECTION OF THE BLACK OAK  
LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD  
PORTOLA VALLEY**

**Background:**

Tom Uridel contacted me concerning a large Black Oak located on his neighbor's property which is across the street from his residence. He requested that I inspect this tree which has been posted as being approved for removal by the County of San Mateo Planning and Building Department. Mr. Uridel received notification from the County of the tree removal permit application and he wishes to appeal the tree removal permit as he believes that the tree is in good condition and is an asset to the community. Mr. Uridel provided me with a copy of an arborist's report which was recently prepared in support of the removal of this tree. He asked me to inspect this tree and provide an independent analysis of its health and structure in order to determine if the reasons given for its removal in the permit application process are accurate.

**Assignment:**

This assignment entails the provision of an arborist's report which documents the inspection and an analysis of the condition of the Black Oak (*Quercus kelloggii*) located on the property at 1090 Los Trancos Road. The report includes observations pertaining to tree health and structural condition and makes recommendations for preservation and appropriate treatments to improve its structural integrity.

**Limiting Conditions:**

The inspection of this tree was made from the ground. The tree was not climbed to examine its above ground structure nor were any roots examined below the soil grade. The inspection of the tree structure and health was limited to a visual examination from the neighboring property to the west and the roadway area only.

All recommendations made in this report concerning the utilization of pruning work, support systems or other means to significantly improve the structural integrity and safety of the subject tree should serve to improve these concerns but must not be considered as a guarantee against partial or whole tree failure. Trees can and do fail unexpectedly and these events can occur even after such remedial work has been undertaken.

**Observations:**

**Tree health and vitality:**

The subject tree's trunk diameter and height appears to be consistent with those dimensions recorded in the arborist's report prepared for the owner of 1090 Los Trancos Rd (28 inches Diameter at Breast Height and 45 feet tall, respectively).

An examination of the trunk and limb structure from outside the subject property did not reveal the presence of significant insect or disease problems.

I noted that the strong flush of new leaf growth throughout the canopy of this deciduous tree appeared to be healthy and vigorous. The density and color of the rapidly expanding foliage was indicative of good health and vitality. I did not observe any evidence of a decline in tree health or vitality.



A SUMMARY OF THE INSPECTION OF THE BLACK OAK LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD  
PORTOLA VALLEY

Site visit by Nigel Belton, ISA Certified Arborist WE-0410A – March 11, 2015

### Tree Structure:

The subject tree has a single trunk that divides into two large scaffold limbs supporting a broad canopy.

An examination of the trunk below the area of the attachment of the co-dominant scaffold limb structure made from the road and neighboring property with binoculars and the naked eye revealed the tree has a normal root flare at the base of the trunk which indicates that it is likely growing in or near to the original soil grade and that it does not appear to have been buried by fill soil. I did not observe any evidence of dead bark tissue or the fruiting bodies of a decay fungus on the trunk of this tree at that time.

I examined the area of the attachment (the tree crotch) between the two co-dominant scaffold limbs from the street and the neighboring property. To the best of my judgment I determined that the area of bark inclusion (trapped bark) between these limbs is not extensive nor does it represent a significant structural defect. The attachment area is relatively open and a deep bark seam normally associated with a bad inclusion was not apparent to me.

I noted that much of the canopy comprises of a heavy limb structure, particularly on the west side of the canopy which encroaches over the property boundary of 1108 Los Trancos Road. I also noted that two large limbs on the south facing side of the tree canopy had been broken recently. It is my understanding that an oak tree and a California Bay Laurel (*Umbellularia californica*) had recently fallen across the road and had struck this tree.

### Discussion and Recommendations:

This tree exhibits good health and vitality. It has a fair to poor structural rating due to its co-dominant growth pattern, heavy limb structure and the recent damage caused by the falling trees. I recommend that it is preserved because these structural concerns can be effectively managed through the utilization of appropriate pruning work and the installation of a support cable system.

I recommend that this tree is pruned to improve its structure and safety by removing larger dead wood, crossing branches and broken limbs. The tree must also be pruned to reduce end weight on over extended and heavy limbs throughout the canopy (an especially on the west facing canopy which is particularly heavy). These actions should serve to effectively reduce the probability of limb failures to an acceptably low level concerning potential hazards near or under this tree.

I recommend that a support cable is installed between the two vertical scaffold limbs at approximately 2/3 up from the attachment area to their tops. Utilize 5/16 EHS grade cable attached to ½ or 5/8 inch diameter through rods (or threaded rods with amon eyes). This action should serve to significantly reduce any risk of tree failure in the proximity of the scaffold limb attachments.

Note that all tree pruning and support installation work must be undertaken by a State Licensed Tree Service Provider and be performed under the guidance of an International Society of Arboriculture Certified Arborist (ISA Certified Arborist). All pruning work must conform to ISA Pruning Standards. The installation of the support cable must conform to ANSI A300 Best Management Standards for Tree Support Systems.

Please contact me if you have any questions.

Respectfully submitted

Nigel Belton

Attachments:

- Assumptions and Limiting Conditions
- ISA Pruning Standards

# Nigel Belton

Consulting Arborist

RECEIVED

2015 MAR 16 P 12:43

**A SUMMARY OF THE INSPECTION OF THE BLACK OAK  
LOCATED ON THE PROPERTY AT 1090 LOS TRANCOS ROAD  
PORTOLA VALLEY**

SAN MATEO COUNTY  
PLANNING AND BUILDING  
DEPARTMENT

Prepared at the request of:

Tom Uridel

1111 Los Trancos Road

Portola Valley, CA 94028

tvuridel@earthlink.net

Site visit by:

Nigel Belton - ISA Certified Arborist WE-0410A

March 11, 2015

Job – Tom Uridel – 3 – 15 – 15



Ph - Fax (831) 688-1239

P.O. Box 1744 - Aptos, CA 95001 - CCL # 657930 - beltonnigel@gmail.com

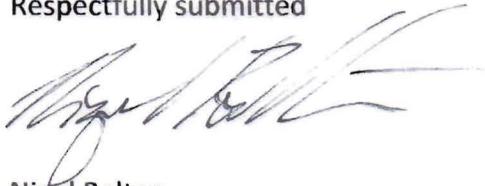


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Please contact me if you have any questions.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Nigel Belton', written in a cursive style.

Nigel Belton

Attachments:

- Assumptions and Limiting Conditions
- ISA Pruning Standards



### **Assumptions and limiting Conditions**

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3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of the appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser's/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which only could have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

### **Consulting Arborist Disclosure Statement**

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within the 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 medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Nigel Belton  
ISA Certified Arborist – WE 410A





***San Mateo County Planning Commission Meeting***

Owner/Applicant:

Attachment:

File Numbers:





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Owner/Applicant:

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