



## NOTICE OF MEETING

### CITY OF PACIFIC GROVE BEAUTIFICATION AND NATURAL RESOURCES COMMISSION MEETING AGENDA

4:00 p.m., September 20, 2016

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

**1. Call to Order**

**2. Public Comments**

**a. Written Communications**

**b. Oral Communications**

*Comments must deal with matters subject to the jurisdiction of the Commission that are not on the Agenda. Comments from the public will be limited to three minutes and will not receive Commission action. Whenever possible, letters should be submitted to the Commission in advance of the meeting.*

**3. Approval of Minutes**

**a. Approval of August 16, 2016 Meeting Minutes**

**4. Reports Not Requiring Action**

**a. Council Liaison Announcements**

**Reference:** Councilman Peake

**b. Public Acknowledgement**

**c. Berwick Park Public Art**

**Reference:** Jean Anton

**d. Monarch Sanctuary Management Plan Update**

**Reference:** Daniel Gho, Public Works Director

**e. Tree Replant Letter Update**

**Reference:** Daniel Gho, Public Works Director

**5. Unfinished/Ongoing Business**

**6. New Business**

**a) Tree Appeal 66 17 Mile Drive**

**Reference:** Daniel Gho, Public Works Director; Albert Weisfuss, City Arborist

**7. Commissioner's Reports**

**8. Staff Reports**

**9. Items for Next Agenda**

## **10. Adjournment**

*This meeting is open to the public and all interested persons are welcome to attend. The City of Pacific Grove does not discriminate against individuals with disabilities and meetings are held in accessible facilities. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department at (831) 648-3183.*



## MINUTES

### CITY OF PACIFIC GROVE BEAUTIFICATION AND NATURAL RESOURCES COMMISSION REGULAR MEETING MINUTES 4:00 p.m., Tuesday, August 16, 2016

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

*Copies of the agenda packet are available for review at the Pacific Grove Library located at 550 Central Avenue; the CDD counter in City Hall at 300 Forest Avenue, Pacific Grove from 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m., Monday through Thursday; and on the internet at [www.cityofpacificgrove.org/sites/default/files/beautification-and-natural-resources-commission](http://www.cityofpacificgrove.org/sites/default/files/beautification-and-natural-resources-commission). Recordings of the meetings are available upon request.*

#### **DRAFT MINUTES OF REGULAR MEETING**

**MEMBERS PRESENT:** Jean Anton (C ), Mary Flaig (VC), Frances Grate, Dave Myers, Kelly Terry, Thom Akeman (S)

**STAFF PRESENT:**

Daniel Gho

**1. CALLED TO ORDER** at 4 p.m.

**2. PUBLIC COMMENT**

a. Written Communications:

Lisa Ciani sent emails to the commission yesterday asking for support of local language a Planning Commission subcommittee has proposed for the local coastal plan, explaining the uniqueness of the Pacific Grove coastline in terms of natural science.

b. Oral Communications:

Cynthia Garfield introduced herself as a City Council candidate and asked people to contact her about concerns, especially Perkins Park.

Lisa Ciani confirmed the emails she sent and said she was pleased to have been one of the collaborators on the natural science language proposed for the local coastal plan.

Lynn Mason, who picks up trash she sees while walking along the shoreline, reported that trash piles up beside dumpsters next to the golf course and behind the golf course fence from Asilomar to Lighthouse avenues.

### **3. APPROVAL OF THE MINUTES of July 19, 2016**

On a motion by Commissioner Grate, seconded by Commissioner Myers, the Commission voted 5-0 to approve. Commissioner Flaig abstained as she wasn't at that meeting.

### **4. REPORTS NOT REQUIRING ACTION**

#### **a. Council liaison announcements**

Councilmember Bill Peake reported on the city's new police Chief, placing an admissions tax on the November ballot, and he also outlined a few upcoming City Council topics.

#### **b. Public acknowledgement**

Chair Anton publicly thanked recently departed Jessica Kahn for her polished staff work on behalf of the city and the BNRC.

#### **c. Berwick Park public art**

Chair Anton noted the carving work to create two breaching whales from twin Cypress tree snags is proceeding and looking good.

### **5. UNFINISHED/ONGOING BUSINESS**

None

### **6. NEW BUSINESS**

#### **a. Monarch Sanctuary management plan**

Daniel Gho, Public Works Director, presented the annual report from Stuart Weiss, the city's consultant for Monarch Grove Sanctuary planting and maintenance. He said a site walk to view the area and discuss the plan will be held at 10 a.m. Sept. 1. All work would have to be finished by Oct. 1.

During public comment, Robert Pacelli said he believes the information in the report is scientifically inaccurate and continuing to act on it could destroy the monarch sanctuary. He believes the recommendations implemented last year cost the city 10,000 monarch butterflies midway through the season. Damage is being done and he wants a public meeting about it, Pacelli said.

Commissioner Grate wanted to stress the report's recommendations on nectar plants but regretted that it veered from the 2011 management plan and didn't note the importance of shelter and nectar in the spring. She also reported someone in Toronto has been studying monarch urine samples Robert Pacelli collects for him and thinks the butterflies may return to the same places every year because they mark their territories.

Commissioner Myers expressed his disappointment that Robert Pacelli and the city haven't been working together on monarchs.

**b. Lovers Point access project**

Daniel Gho outlined a plan to reconfigure parking on Ocean View Boulevard at Lovers Point so the recreation trail could be linked to Forest Avenue with a ramp, overlook, educational and directional signage. The plan presented would actually add a few parking spaces in the area for both vehicles and motorcycles, and could improve drainage to keep rain runoff from flooding across the volleyball courts and beach. The changes will require approval from the California Coastal Commission.

During public comment, Lisa Ciani said she hopes the change would catch the rustic feeling of the area and not be a concrete swirl.

Robert Pacelli called it a "wonderful idea" and asked if cell phone alerts could be incorporated.

Don Murphy wondered about interaction between disabled people utilizing a ramp to the recreation trail and the many bicycles on the trail.

Commissioners discussed the plan and all expressed their support.

**c. Tree replant letters**

Daniel Gho reported the city is preparing to send letters to 160 property owners who haven't replanted trees to replace those they removed, as they agreed to do in city permits. They will be asked to comply within 10 days and notify the city of compliance. Some time after that, the city will send second letters telling scofflaws their cases will be forwarded to code compliance if the trees aren't planted and they will be subject to fines of a minimum \$200.

Commissioners said they are willing to help with the labor involved if the city wants.

**7. COMMISSIONER'S REPORTS**

Commissioner Flaig said she watched the Coastal Commission's Aug. 12<sup>th</sup> meeting and heard they are planning a third round of grants to help communities develop local coastal plans. The commission said it underestimated how long and how much expertise the plans required and that none of the first round funded, including Pacific Grove, had yet completed a plan.

Commissioner Akeman reported on a recent census that found more than a third of the harbor seals that live along the Monterey, Pacific Grove, Pebble Beach shoreline have vanished in the past 18 months.

Most are believed to have starved because of the food shortage in the warmer than normal ocean water.

## **8. STAFF REPORTS**

### **a. Follow up reports**

Daniel Gho reported that a Calfire crew expected to clean up George Washington Park has been delayed fighting the Big Sur fire.

He said a plant that might have interfered with drivers' views at a downtown intersection has been trimmed.

Chair Anton reported that news racks have been cleaned and thanked Public Works for getting the Monterey Herald, which owns the boxes, to do that.

## **9. ITEMS FOR NEXT AGENDA (August 16, 2016)**

Tentatively, a report on the Point Pinos Trail project and formation of a subcommittee.

**10. ADJOURNED** at 5:15 p.m.



State of California – The Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN, Jr., Governor  
CHARLTON H. BONHAM, Director



September 6, 2016

Daniel Gho, Superintendent  
Public Works Department  
City of Pacific Grove  
300 Forest Avenue  
Pacific Grove, California 93950  
[dgho@ci.pg.ca.us](mailto:dgho@ci.pg.ca.us)

**SUBJECT: Pacific Grove Monarch Butterfly Sanctuary  
City of Pacific Grove, Monterey County**

Dear Mr. Gho:

The Department of Fish and Wildlife (Department) has received and reviewed the report *Proposed Management Activities for Monarch Grove Sanctuary and George Washington Park, September 2016* (Report), prepared by Steward Weiss, Ph.D. and provided by the City. Department staff also attended the September 1, 2016 public walk through presentation of the proposed maintenance actions to gain a more complete understanding of the proposed work.

The Department holds the Conservation Easement (CE) for the Pacific Grove Monarch Butterfly Sanctuary (PGMBS) and must determine if proposed management actions are consistent with the requirements and restrictions of the CE. Although the Report includes recommendations for management activities on George Washington Park, the park is not included within the CE and is not reviewed in this letter. Actions proposed in the Report include limited tree removal, tree boxing, tree planting, and trimming of limbs over trails for public safety or good forestry practices.

The Report identifies three larger Monterey Pine (*Pinus radiata*) trees that have died due to pitch canker (including trees "OO" and "QQ" from Figure 4 in the Report) which need to be removed for public safety purposes. This is consistent with the CE. If it is possible to leave part of the pine tree identified for removal in Zone 7 partially standing at a height that would no longer present a hazard to public safety and still provide wildlife snag values, that would be the Department's preference. Replacement coast live oak (*Quercus agrifolia*), Monterey cypress (*Cupressus macrocarpa*) or Monterey pine should be replanted at the site as space allows. The Report states that pine transplants seem to be having a hard time getting established. The Department agrees that using larger sized transplants in the 5 gallon range (pitch canker resistant strain if available) may have more chance of success.

Daniel Gho  
September 6, 2016  
Page 2

The City wishes to plant coast live oak trees to help fill in the understory in Zone 2 (Figure 4. map from Report) in place of Monterey pines because several of the pine tree plantings have not survived. This is consistent with the CE.

The report states all management activities within PGMBS need to be completed prior to the fall arrival of overwintering monarch butterflies. We recommend the city arborist be present to direct the work to be carried out this year. As holders of the CE the Department looks forward to a continued dialog with the City on management of PGMBS. In the future, we would appreciate receiving your annual report as early as possible so we may provide you a response in a timely manner. If you have any questions please contact Jeff Cann Environmental Scientist, at (831) 649-7194; or Rocky Thompson, Senior Environmental Scientist, at (805) 594-6175.

Sincerely,



Julie A. Vance  
Regional Manager

ec: T. Palmisano, R. Thompson, J. Cann, B. Sanderson, Sacramento Lands files,  
R4 Lands files  
Department of Fish and Wildlife

AUG 15 2016

**JOSEPH E. BILECI JR.**  
**INTERNATIONAL SOCIETY OF ARBORICULTURE**  
**CERTIFIED ARBORIST NUMBER 985**  
**ISA QUALIFIED TREE RISK ASSESSMENT**  
POST OFFICE BOX 1029  
PACIFIC GROVE, CALIFORNIA 93950  
TELEPHONE (831) 277-2604

CITY OF PACIFIC GROVE  
COMMUNITY DEV DEPT

July 27, 2016

Emil Font  
66 17 Mile Drive  
Pacific Grove, CA 93950

RE: Evaluation of One Monterey Pine Tree at 66 17 Mile Drive, Pacific Grove, CA

Dear Mr. Font:

On July 8, 2016, I inspected one Monterey Pine (*Pinus radiata*) tree at your residence at 66 17 Mile Drive, Pacific Grove, California. The purpose of the inspection was to determine whether the tree poses a significant risk of harm to persons or damage to property. The following are my findings (measurements are approximate):

#### **TREE CHARACTERISTICS AND CONDITION**

The subject tree is identified by Tag #47 and is located 11' feet from the southeast corner of your house. It is 40" in diameter, 65' in height, and has a foliage spread of 70'. It is mature to over-mature, with the live foliage located in the top 35% of the tree, resulting in wind-loading at the top. Vigor is between fair and poor, with significant dieback, some of which has been removed by pruning.

The tree has a significant lean in the southeasterly direction, and you advised me that the lean has recently increased. Additionally, the soil has lifted on the opposite side of the lean, raising the concrete walkway in that area 6 - 10". A large root is exposed in the lawn opposite the lean and the exposure has recently increased, with some soil separation. Based on this evidence, it appears the tree stability is gradually failing.

The lower limbs have been removed, some with flush cuts resulting in decay at the wound site. The tree appears to have been topped in the distant past, resulting in three large, codominant trunks at a height of 25-30'. Co-dominant trunks are considered a serious structural defect. In order for a branch to be securely attached to the trunk, the branch must be significantly smaller than the trunk. When branches are close to the same size and neither can take the dominant role, they grow into co-dominant trunks or branches that are poorly attached to each other, and highly susceptible to splitting at the

point of attachment. Further, topping exposes the trunk to the elements, insects, and decay-causing fungus, and generally results in an area of decay in the trunk below the topping site. This decay further weakens the codominant trunks.

The site has a history of tree failure and is located in an area prone to windthrow (failure of the tree at the base during windy conditions). In fact, there is a decayed stump from a fallen Monterey Pine 2' away from the base of the tree. The roots of this fallen tree are in contact with the roots of the subject tree, and there is potential for spread of decay through grafted roots.

The tree is within striking distance of the residence as well as high voltage lines across the street, and vehicular and pedestrian traffic on the street. Considering the above conditions, the tree rates an "11" on the enclosed ISA Tree Hazard Evaluation Form. The Tree Hazard Evaluation Form scale rates tree hazards from 3-12, with twelve being the most hazardous.

### **CONCLUSION AND RECOMMENDATIONS**

Based on the above, the subject tree poses a significant risk of harm to persons and damage to property. There is no reasonable method of eliminating the risk posed by the tree other than removal. It is thus recommended that the tree be removed and replaced with a Monterey Pine or Monterey Cypress (*Cupressus macrocarpa*) preferably planted at least 20' from the house and spaced a reasonable distance from remaining trees so as not to compete with their growth.

Enclosed herewith are a completed International Society of Arboriculture Tree Hazard Evaluation Form, photographs of the subject tree depicting the above-described conditions, and a Google Earth satellite image on which the approximate location of the tree on the property is indicated.

Thank you for the opportunity to provide this report. Please contact me if you have any questions or I can be of further assistance.

Very truly yours,

A handwritten signature in blue ink that reads "Joseph Bileci Jr." with a stylized flourish at the end.

Joseph Bileci Jr.

Enclosures



**DECAYED STUMP NEAR BASE OF TREE**



**TREE LIFTING GROUND AND  
SIDEWALK**



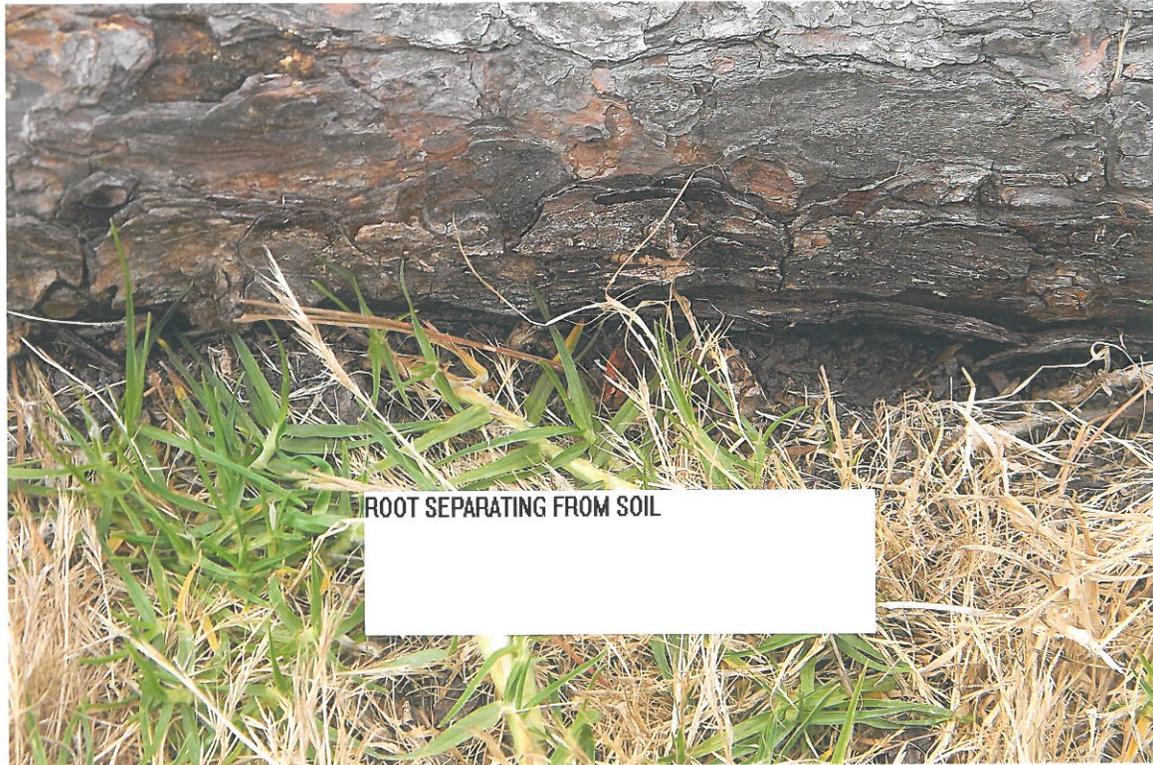
**RAISED SIDEWALK**



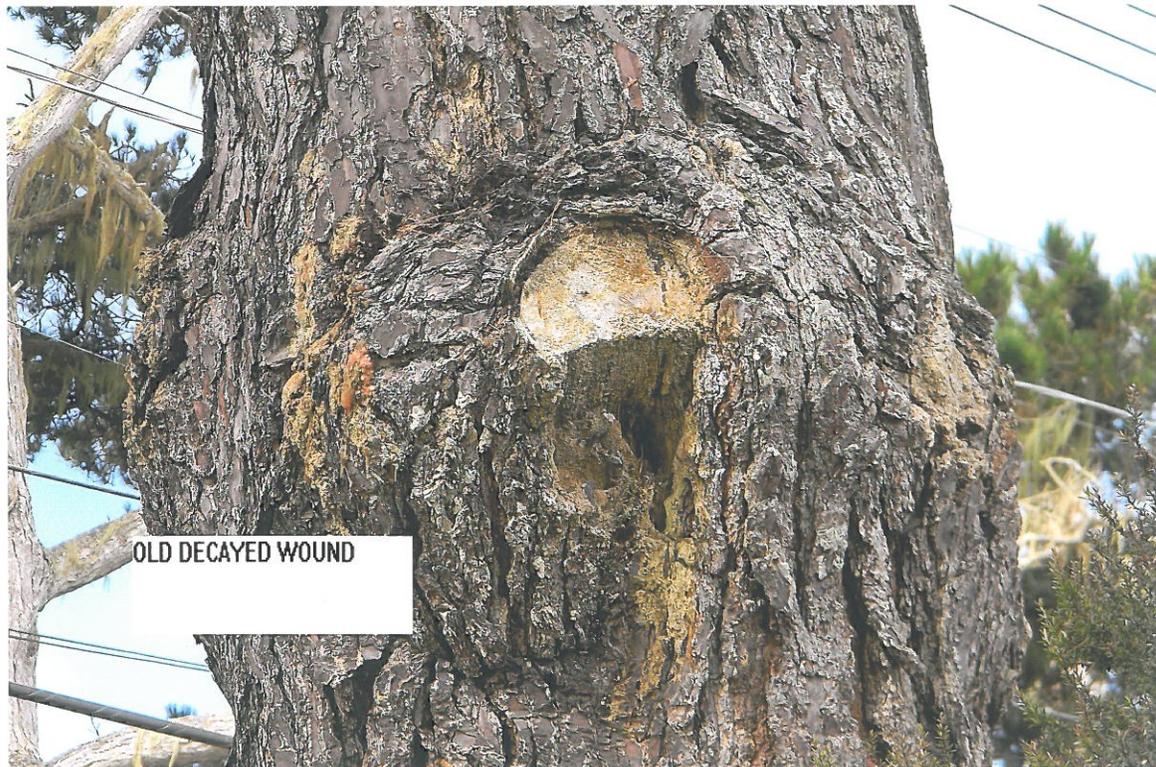
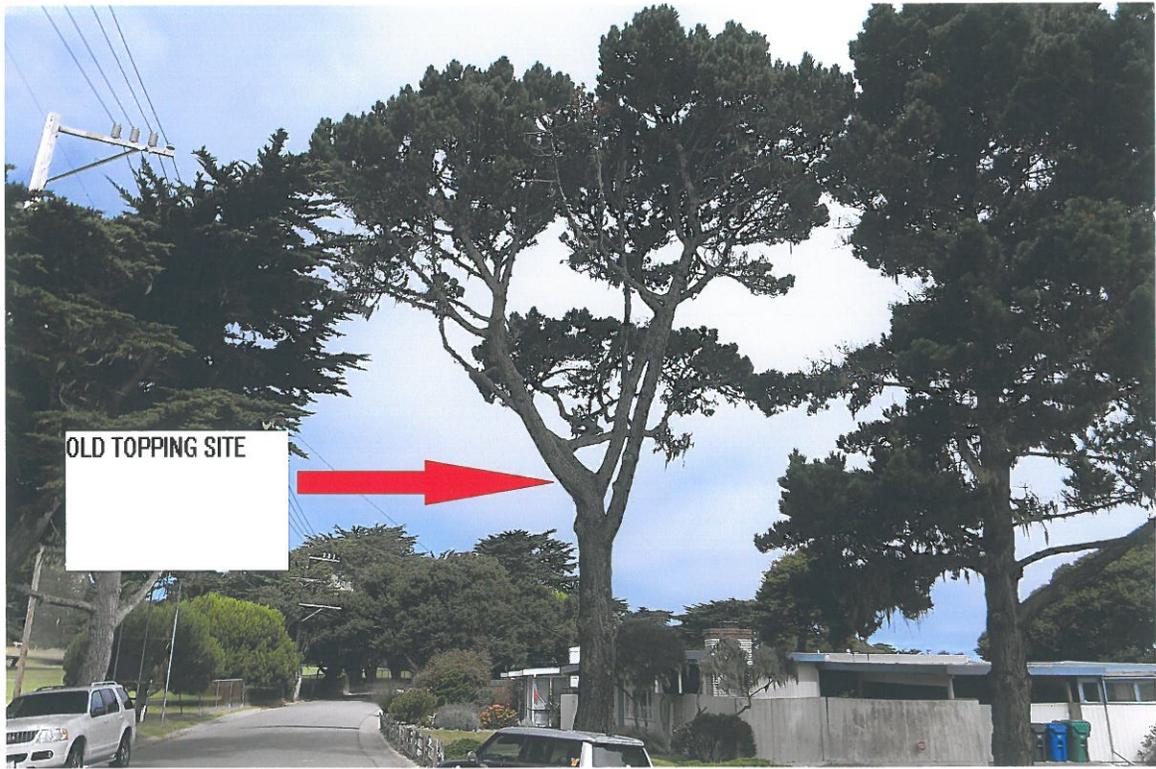
**SIDEWALK RAISED AND CRACKED IN MULTIPLE PLACES**



RAISED ROOT



ROOT SEPARATING FROM SOIL





# A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

## TREE HAZARD EVALUATION FORM 2nd Edition

Site/Address: 66 17 Mile Drive  
 Map/Location: Pacific Grove, CA 93950  
 Owner: public \_\_\_\_\_ private  unknown \_\_\_\_\_ other \_\_\_\_\_  
 Date: 7/8/16 Inspector: Joseph Bileci, Jr., Cert. Arb. # WE 0985A  
 Date of last inspection: Unknown

### HAZARD RATING:

<u>3</u>	+	<u>4</u>	+	<u>4</u>	=	<u>11</u>
Failure Potential		Size of part		Target Rating		Hazard Rating
_____		_____		_____		_____
_____ Immediate action needed						
_____ Needs further inspection						
_____ Dead tree						

### TREE CHARACTERISTICS

Tree #: TAG#47 Species: M  
 DBH: 40" # of trunks: 1 Height: 65' Spread: 70'  
 Form:  generally symmetric  minor asymmetry  major asymmetry  stump sprout  stag-headed  
 Crown class:  dominant  co-dominant  intermediate  suppressed  
 Live crown ratio: 30 % Age class:  young  semi-mature  mature  over-mature/senescent  
 Pruning history:  crown cleaned  excessively thinned  topped  crown raised  pollarded  crown reduced  flush cuts  cabled/braced  
 none  multiple pruning events Approx. dates: Unknown  
 Special Value:  specimen  heritage/historic  wildlife  unusual  street tree  screen  shade  indigenous  protected by gov. agency

### TREE HEALTH

Foliage color:  normal  chlorotic  necrotic Epicormics? Y  N  
 Foliage density:  normal  sparse Leaf size:  normal  small  
 Annual shoot growth:  excellent  average  poor Twig Dieback? Y  N  
 Woundwood development:  excellent  average  poor  none  
 Vigor class:  excellent  average  fair  poor  
 Major pests/diseases: \_\_\_\_\_  
 Growth obstructions:  stakes  wire/ties  signs  cables  
 curb/pavement  guards  
 other \_\_\_\_\_

### SITE CONDITIONS

Site Character:  residence  commercial  industrial  park  open space  natural  woodland/forest  
 Landscape type:  parkway  raised bed  container  mound  lawn  shrub border  wind break  
 Irrigation:  none  adequate  inadequate  excessive  trunk wetted  
 Recent site disturbance? Y  N  construction  soil disturbance  grade change  line clearing  site clearing  
 % dripline paved: 0%  10-25% 25-50% 50-75% 75-100% Pavement lifted? Y  N  
 % dripline w/ fill soil:  0%  10-25% 25-50% 50-75% 75-100%  
 % dripline grade lowered:  0%  10-25% 25-50% 50-75% 75-100%  
 Soil problems:  drainage  shallow  compacted  droughty  saline  alkaline  acidic  small volume  disease center  history of fail  
 clay  expansive  slope \_\_\_\_\_° aspect: \_\_\_\_\_  
 Obstructions:  lights  signage  line-of-sight  view  overhead lines  underground utilities  traffic  adjacent veg.  \_\_\_\_\_  
 Exposure to wind:  single tree  below canopy  above canopy  recently exposed  windward, canopy edge  area prone to windthrow  
 Prevailing wind direction: NW Occurrence of snow/ice storms  never  seldom  regularly

### TARGET

Use Under Tree:  building  parking  traffic  pedestrian  recreation  landscape  hardscape  small features  utility lines  
 Can target be moved? Y  N  Can use be restricted? Y  N   
 Occupancy:  occasional use  intermittent use  frequent use  constant use

The International Society of Arboriculture assumes no responsibility for conclusions or recommendations derived from use of this form.

**TREE DEFECTS** 66 17 MILE DRIVE, PACIFIC GROVE, CA

**ROOT DEFECTS:**

Suspect root rot:  Y  N Mushroom/conk/bracket present: Y  N ID: NA  
 Exposed roots:  severe  moderate  low Undersized:  severe  moderate  low  
 Root pruned: 5-10' distance from trunk Root area affected: 20 % Buttress wounded:  Y  N When: NA  
 Restricted root area:  severe  moderate  low Potential for root failure:  severe  moderate  low  
 LEAN: 5-10 deg. from vertical  natural  unnatural  self-corrected Soil heaving: Y  N NOT OBSERVED  
 Decay in plane of lean:  Y  N Roots broken  Y  N Soil cracking:  Y  N  
 Compounding factors: TREE MOVING, GROUND RAISING, ROOT RAISING, SOIL SEPARATION Lean severity:  severe  moderate  low

**CROWN DEFECTS:** Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper	NA			
Bow, sweep	NA			
Codominants/forks		S	S	S
Multiple attachments				
Included bark	NA			
Excessive end weight		M	M	
Cracks/splits	NA			
Hangers	NA			
Girdling	M-S		M	
Wounds/seam		M		
Decay <u>NOT OBSERVED IN ROOT CROWN</u>		M		
Cavity	NA			
Conks/mushrooms/bracket	NA			
Bleeding/sap flow		M-S		
Loose/cracked bark	L			
Nesting hole/bee hive	NA			M
Deadwood/stubs				
Borers/termites/ants	NA			
Cankers/galls/burls	NA			
Previous failure	NA			

**HAZARD RATING**

Tree part most likely to fail: ROOTS, CODOMINANT TRUNKS  
 Inspection period: \_\_\_\_\_ annual \_\_\_\_\_ biannual \_\_\_\_\_ other NA  
 Failure Potential + Size of Part + Target Rating = Hazard Rating  
3 + 4 + 4 = 11

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe  
 Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm);  
 3 - 18-30" (45-75 cm); 4 - >30" (75 cm)  
 Target rating: 1 - occasional use; 2 - intermittent use;  
 3 - frequent use; 4 - constant use

**HAZARD ABATEMENT**

Prune:  remove defective part  reduce end weight  crown clean  thin  raise canopy  crown reduce  restructure  shape NA  
 Cable/Brace: NA Inspect further:  root crown  decay  aerial  monitor NA  
 Remove tree:  Y  N Replace?  Y  N Move target: Y  N Other: Replace with Monterey Pine or Monterey Cypress (Cupressus macrocarpa)  
 Effect on adjacent trees:  none  evaluate  
 Notification:  owner  manager  governing agency Date: 7/8/16

**COMMENTS**

Soil raised opposite LEAN. Owner advises LEAN HAS RECENTLY INCREASED. ROOT RAISED OPPOSITE LEAN WITH SOME SOIL SEPARATION. TOPPED WITH LARGE CODOMINANT TRUNKS.



66 17 Mile Dr

Tree Tag #47

Data MBARI

GOO



# CITY OF PACIFIC GROVE

Community & Economic Development Department - Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T :: 831.648.3183 • F :: 831.648.3184 • www.ci.pg.ca.us/cdd

## Permit & Request Application

### for Tree Permit (TP)

Request Form

Post: \_\_\_\_\_  
 Pull: \_\_\_\_\_  
 Replant: \_\_\_\_\_  
 Tree Health: \_\_\_\_\_  
 Arborist Report Required: yes  
 App #: 16-0132  
 Fee: \_\_\_\_\_

**PAID**

\$ 25.00 3-29-16

Tree Inspection Liability Disclosure: The City shall not be responsible for any damage to property or persons caused by, or related to, trees located on private property. It is the owner's responsibility to maintain all trees on their property in a reasonable and safe manner, and any inspection performed by the City is a limited advisory assessment only. For a more thorough inspection, the owner should contact a certified arborist. All tree work within the City of Pacific Grove requires an application to be on file.

A permit will be issued based on the City of Pacific Grove Tree Ordinance 12.20.040 Pruning and Removal of Protected trees.

**Property Address:** 66 17 MILLER DRIVE

Owner: EMIL FONT Applicant: \_\_\_\_\_  
 Phone: 402-202-1945 Phone: \_\_\_\_\_  
 E-mail: eFont@goodLifeFoods.com E-mail: \_\_\_\_\_

RECEIVED

MAR 29 2016

CITY OF PACIFIC GROVE  
COMMUNITY DEV DEPT

Tree #	Type/Species	Requested Action: (trim, <u>remove</u> )
<u>1</u>	<u>MONTEREY PINE</u>	

\*Attach additional sheets if required for above listings.  Trimming less than 25% of tree OR branches are less than 6"  Dead Tree

Reason for Request (Please provide brief description. Details may follow in the report)  
HIGH-RISK TREE. LEANING, IN DANGER OF FALLING. LEAN HAS ACCELERATED OVER PAST 6 MONTHS, EXPOSING ROOTS AND PULLING UP CONCRETE SIDEWALK. NEIGHBORS HAVE EXPRESSED CONCERN, COMPLAINED TO MAYOR.

Is there an active Planning/Building permit for this property?  Yes  No

- The following conditions must be met prior to any tree removal or trimming:
1. NO WORK IS PERMITTED until you have picked up and paid the application fee for an approved permit for tree work.
  2. A live tree request for removal requires an arborist report and tree hazard evaluation form completed by a Certified Arborist and submitted with this application.
  3. All tree work activity shall comply with the provisions of the PGMC Title 12, Trees and the Urban Forest.
  4. A site plan must accompany the application showing the location of the trees to be worked on and the location of replants.
  5. Substantial Pruning or Removal of any Protected Tree requires a permit except in an Emergency, in compliance with PGMC 12.20.040
  6. All trees to be removed must be marked with a bright ribbon around the trunk of the tree.
  7. After the permits have been received and processed, the City Arborist will do a site visit and post the permit at the job site for 10 working days.
  8. Any protected tree removed must be replaced with a 1:1 ratio of species approved by the City Arborist within 60 days of removal.
  9. Permits expire 60 days after its effective date. The City Arborist may grant up to one extension not to exceed 30 days.
- \*This list is not comprehensive of all conditions that may be required for tree removal and trimming work.  
 This particular tree permit is Exempt - CEQA Exemption Class 4s.15304 Minor Alterations to Land.

I request to pay in lieu fees (\$687/tree) in place of replanting 1 trees, in the amount of \$ 687.  
\*Request will be approved or denied by the City Arborist

I have read and agree with the conditions of this application and hereby grant permission for City Personnel to inspect the trees on my property.

I, \_\_\_\_\_ authorize \_\_\_\_\_ to represent me in the application and processing of this permit.  
(Owner Name) (Agent Name)

Owner Signature Emil J. Font

Date 29 MARCH 2016



# CITY OF PACIFIC GROVE

Community & Economic Development Department – Planning Division

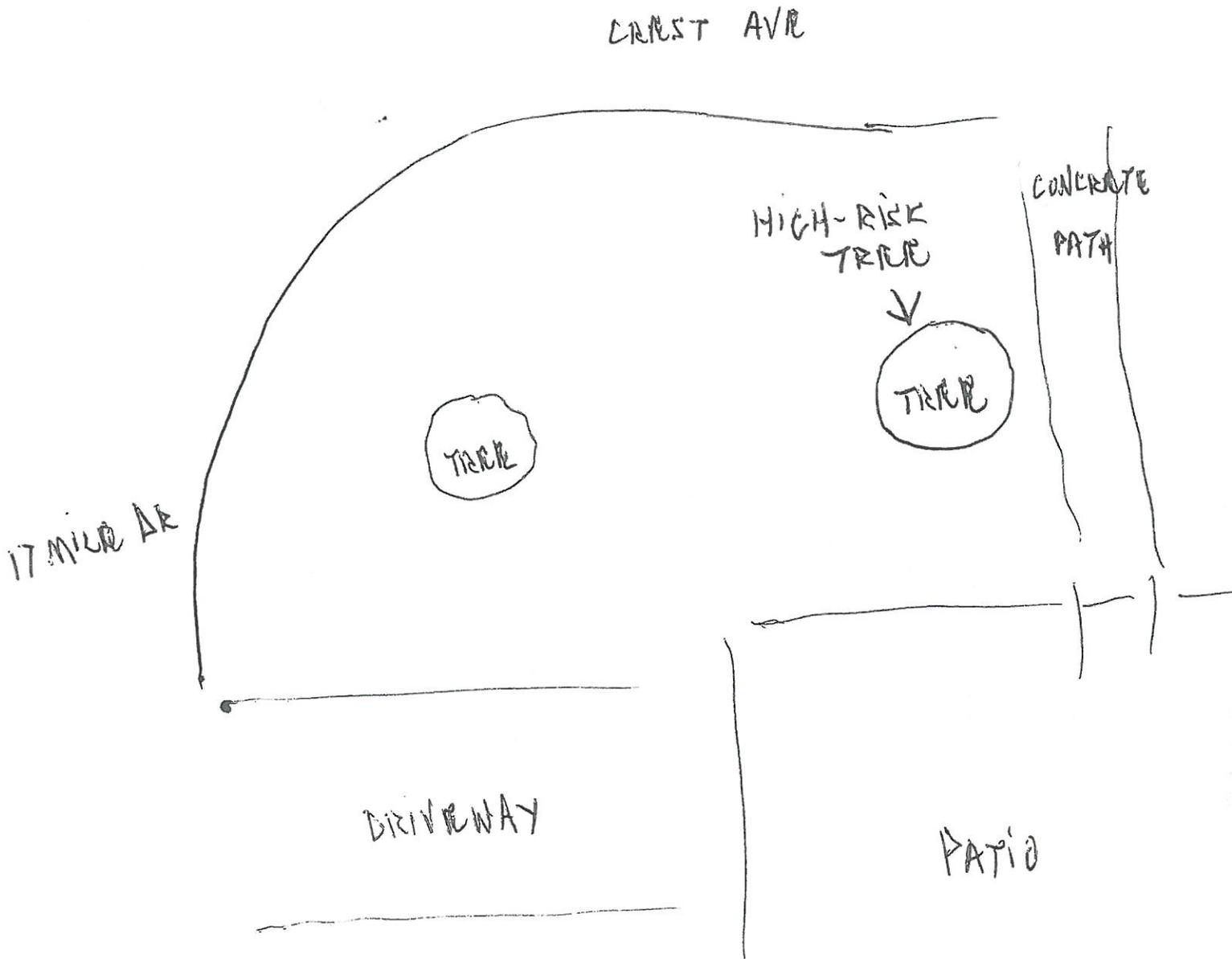
300 Forest Avenue, Pacific Grove, CA 93950

T :: 831.648.3190 • F :: 831.648.3184 • www.ci.pg.ca.us/cdd

Permit & Request Application for Tree Permit (TP)

App#: 16-0132

Please draw a Site Plan on this page indicating where the tree(s) is located on the property.



**PAID**  
500.00

8-15-16

RECEIVED

AUG 15 2016



# CITY OF PACIFIC GROVE

Community Development Department - Planning Division

300 Forest Avenue, Pacific Grove, CA 93950  
T :: 831.648.3190 • F :: 831.648.3184 • www.ci.pg.ca.us/cdd

## Appeal Form

Appeal #: \_\_\_\_\_  
Date: \_\_\_\_\_

Received By: \_\_\_\_\_  
Total Fee: \_\_\_\_\_

**Project Information**

Project Address: 66 17 MILK DRIVE APN: 006-054-012-000  
 On HRI /  Not on HRI

Application & No.: \_\_\_\_\_

Applicant Name: EMIL J. FONT Phone #: 402-202-1945

Mailing Address: 66 17 MILK DRIVE P.G. 93950

Email Address: eFont@goodlifeFoods.com

Owner Name: EMIL J. FONT Phone #: SAME

Mailing Address: SAME

Email Address: SAME

**Action<sup>1</sup>**

ARB: Architectural Review Board  
 CDD: Planning Staff  
 HRC: Historic Resources Committee

PC: Planning Commission  
 NRC: Natural Resources Committee  
 SPRC: Site Plan Review Committee  
 ZA: Zoning Administrator

Date of Action: \_\_\_\_\_  
Action Taken: \_\_\_\_\_

**Appeal Information**

Appellant Name: Emil J. Font Phone #: 402-202-1945

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

Email Address: eFont@goodlifeFoods.com

Appeal Deadline: 5:00 p.m. on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Grounds for Appeal: see arborist report

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*If necessary, use additional pages.*

**Fees**

Discretionary Fees<sup>2</sup> \_\_\_\_\_ \$

Appeal Fee = 25% of discretionary fees \_\_\_\_\_ \$

Cost of publication of legal notice<sup>3</sup> \_\_\_\_\_ \$

Photocopies \_\_\_\_\_ copies @ 10¢ each \_\_\_\_\_ \$

Postage<sup>4</sup> \_\_\_\_\_ stamps @ 45¢ each \_\_\_\_\_ \$

Other \_\_\_\_\_ \$

**Total Appeal Fee** \_\_\_\_\_ \$

Emil J. Font  
Appellant Signature

8/15/2016  
Date

<sup>1</sup> See Table 23.70.012-1 in the Pacific Grove Zoning Code, which identifies roles of review authorities as they relate to appeals.  
<sup>2</sup> Whatever fee was collected by the city for the application for use permit, architectural approval, variance, etc., or combination of more than one fee if more than one decision is being appealed.  
<sup>3</sup> Currently averaging \$250-300.  
<sup>4</sup> Typically the number of address labels for parcels (or portions thereof) found within a 300 ft radius of the subject parcel (350 ft radius for homes in the





## CITY OF PACIFIC GROVE

### Community and Economic Development Department

300 Forest Avenue, Pacific Grove, CA 93950

T : 831.648.3183 • F : 831.648.3184 • [www.cityofpacificgrove.org/cdd](http://www.cityofpacificgrove.org/cdd)

May 2, 2016

Emil Font  
66 17 Mile DR  
Pacific Grove, CA

RE: Request for Monterey pine tree removal 66 17 Mile DR.

The request for removal has been denied based on the following reasons;

- A. The tree in question does not meet the criteria of high-risk tree per the city tree ordinance 12.40.010
- B. The city arborist has determined the tree in question continue to be monitored by a qualified professional.

In accordance with the City of Pacific Grove Urban Forestry Standards, the tree in question is considered to be in the low risk category; (2) insignificant-very minor issues. The tree shall continue to be monitored and maintained by the property owner.

#### **12.40.010 High-Risk Trees.**

A Tree with: (a) one or more defects (e.g., disease, significant lean, large cracks, a shallow root system); and (b) one or more targets (e.g., a use area or structure that would be struck or otherwise damaged in the event the Tree fell) imposes risks upon the community; or (c) because of age, is nearing mortality. Risk levels shall be determined using the International Society of Arboriculture (ISA) Hazard Tree Evaluation rating system, as detailed in the Urban Forestry Standards.

Protected Trees in the moderate risk category, with a potential failure rating of six to eight, shall be monitored by the property owner at least annually, as well as upon any significant change in condition. Actions should be considered that will ameliorate the risk and that may extend the life of the Tree. The property owner shall develop a course of action for any Protected Tree in the High-Risk category, with a potential failure rating of nine or higher. [Ord. 13-013 § 3, 2013; Ord. 12-017 § 6, 2012].

### **12.70.010 Appeal of city arborist decision.**

Any Person aggrieved by or objecting to any exercise of authority by the city arborist under this title shall have the right of appeal to the Beautification and Natural Resources Commission. Filing a timely and complete appeal with the city clerk shall suspend any permit or approval until the hearing on the appeal has been completed. A complete appeal shall include the: action being appealed; property address or location of the Tree impacted by the action; name and contact information of the Person or Persons filing the appeal; reasons for the appeal; and any fee for such appeal as adopted by the city council and included in the city's master fee schedule, which is available at city hall and on the city's website. (a) Appeals of the city arborist's action hereunder shall proceed as follows: (1) Any applicant or interested person may, upon payment of a fee established by the council, appeal a permit decision to the Beautification and Natural Resources Commission within the 10- day posting period. The appeal will suspend a permit approval pending the commission's hearing on the appeal. (2) Within 60 days of receipt of an appeal, the Beautification and Natural Resources Commission will hold a public hearing on the appeal unless the appeal is continued for good cause demonstrated. At least 10 calendar days prior to the hearing, the property on which the Tree or Trees subject to the appeal are located shall be posted with a notice of the date and time of the public hearing. Two identical notices shall be posted on public property within 200 feet of the property on which the subject Tree or Trees are located, in positions clearly visible to the public. The party appealing shall be notified by mail of the date and time of the hearing. (3) The Beautification and Natural Resources Commission may affirm, reverse, or modify the action of the city arborist, and in so acting, apply the standards set out in subsection (c) of this section. (4) The action of the Beautification and Natural Resources Commission may be appealed to the city council within 10 calendar days. 16 (5) Once the city council has considered an application for Removal or alteration of a Tree, all further applications relating to that Tree shall be made directly to the council.

Albert Weisfuss  
City Arborist



# CITY OF PACIFIC GROVE NOTICE OF PUBLIC HEARING

**TREE PERMIT APPLICATION NO:** 16-0132

**PROPERTY ADDRESS:** 66 17 Mile Drive

**APPELLANT:** Emil J. Font

**APPEAL:** Appeal decision by the City Arborist denying request for removal of one 40" DBH Monterey pine tree.

**WHERE AND WHEN:** A public hearing by the BNRC is to be held on Tuesday September 20, 2016 at 4:00 P.M. at the City Council Chambers, 300 Forest Avenue, Pacific Grove, California.

Dated: September 6, 2016

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Albert Weisfuss  
City Arborist

If you have any questions about this item, please call the Public Works Department, Albert Weisfuss, at (831) 648-5722.

Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center is an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Public Works Department Secretary at (831) 648-5722.

This notice may be removed after: September 20, 2016

