

**CITY OF CARMEL-BY-THE-SEA  
FOREST AND BEACH COMMISSION  
MEETING AGENDA**

**Thursday, January 14, 2016  
Tour of Inspection – 2:30 p.m.  
Regular Meeting – 3:30 p.m.**

City Hall, Council Chambers  
East side of Monte Verde St. between Ocean & 7<sup>th</sup> Avenues  
Carmel, California

**CALL TO ORDER AND ROLL CALL**

COMMISSION MEMBERS:                    DAVID REFUERZO – CHAIR  
    KAREN FERLITO – VICE CHAIR  
    KATHY BANG  
    JEFF BARON  
    MAGGIE EATON

**TOUR OF INSPECTION**

Shortly after 2:30 p.m., the Commission will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda. The Tour may also include projects previously approved by the City and not on this agenda. Prior to the beginning of the Tour of Inspection, the Commission may eliminate one or more on-site visits. The public is welcome to follow the Commission on its tour of the determined sites. The Commission will return to the Council Chambers at **3:30 p.m.** or as soon thereafter as possible.

1. SW Monte Verde St. and 2<sup>nd</sup> Ave. – tree removal
2. Devendorf Park – holiday tree

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**EXTRORDINARY BUSINESS – ELECTION OF CHAIR AND VICE CHAIR**

**INTRODUCTION OF PUBLIC WORKS STAFF**

Tim Wood, Senior Maintenance Worker  
Jaime Aquino, Senior Maintenance Worker

**APPEARANCES**

Thank you for attending the meeting. Anyone wishing to address the Commission on matters not on the agenda, but within the jurisdiction of the Commission, may do so now. Please state the matter on which you wish to speak. Matters not appearing on the Commission's agenda will not receive action at this meeting but may be referred to staff for a future meeting. Presentations will be limited to three minutes, or as established by the Commission. Persons are not required to give their name or address, but it is helpful for speakers to state their name in order that the Secretary may identify them.

### **CONSENT AGENDA**

1. Consideration of the Minutes for the December 10, 2015 Regular Meeting

### **PUBLIC HEARINGS**

2. Consideration of an application to remove a 40" diameter Monterey pine on City property due to concerns of damage to a retaining wall and threat to adjacent homes. The tree is located in front of the home at the southwest corner of Monte Verde St. and Second Ave. The applicant is Michael Phillips, and the owner is the City of Carmel.

### **ORDERS OF BUSINESS**

3. Receive a report on the City Replacement Tree Tagging Program.
4. Verbal report from the Centennial ad hoc committees.

### **REPORTS FROM STAFF AND COMMISSIONERS**

5. City Forester's Report
  - A. December tree data
  - B. Parks activities
  - C. Beach activities
  - D. Future agenda items
6. Public Works Director's Report
  - A. Updates on City Council and Planning Commission Items
  - B. Other Items of Interest to the Commission
7. Commissioner Announcements

### **ADJOURNMENT**

Any writings or documents provided to a majority of the Forest and Beach Commission regarding any item on this agenda will be made available for public inspection in the Planning and Building

Department located at City Hall, on Monte Verde between Ocean and 7<sup>th</sup> Avenues during normal business hours.

The next regular meeting of the Forest and Beach Commission will be:

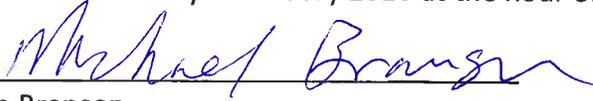
February 11, 2016  
Tour of Inspection – as required  
3:30 p.m. – Regular Agenda

The City of Carmel-by-the-Sea does not discriminate against persons with disabilities. The City of Carmel-by-the-Sea Telecommunication's Device for the Deaf /Speech Impaired (TDD) number is 1-800-735-2929.

**AFFIDAVIT OF POSTING**

*I, Mike Branson, City Forester, for the City of Carmel-by-the-Sea, DO HEREBY CERTIFY, under penalty of perjury under the laws of the State of California, that the foregoing notice was posted at the Carmel-by-the-Sea City Hall bulletin board, at the Harrison Memorial Library on Ocean and Lincoln Avenues, the Carmel Post Office, and distributed to members of the media on January 11, 2016.*

Dated this 11th day of January 2016 at the hour of 1:00 p.m.

  
\_\_\_\_\_  
Mike Branson  
City Forester

**CITY OF CARMEL-BY-THE-SEA  
FOREST AND BEACH COMMISSION – MINUTES  
THURSDAY, DECEMBER 10, 2015**

**CALL TO ORDER AND ROLL CALL**

COMMISSION MEMBERS PRESENT:     Jeff Baron  
  Maggie Eaton  
  Kathy Bang  
  Karen Ferlito – Vice Chair  
  David Refuerzo – Chair

STAFF PRESENT:                         Rob Mullane, AICP, Public Works Director  
  Matt Feisthamel, Assistant City Forester  
  Rob Culver, Public Works Superintendent  
  Jesse Garibay, Streets Supervisor  
  Yvette Oblander, Admin. Coordinator/Commission Secretary

**TOUR OF INSPECTION**

The Forest and Beach Commission toured the following site:

1. NE Guadalupe St. and 2<sup>nd</sup> Ave.

**ROLL CALL**

**PLEDGE OF ALLIGIANCE**

Members of the audience joined the Commission in the Pledge of Allegiance.

**NOTE**

Chair Refuerzo noted that Item 3 on the agenda would be continued, at the request of the applicant. It will be heard on the January or February meeting.

**INTRODUCTION OF PUBLIC WORKS STAFF**

Rob Mullane, Public Works Director, introduced Jesse Garibay, Streets Supervisor, to the Commission:

**APPERANCES**

No appearances

**CONSENT AGENDA**

1. Consideration of the minutes for the November 12, 2015 Regular Meeting

Commissioner Eaton noted an error on the Commissioners present on page 1 of the minutes. Mr. Mullane noted that staff will correct the error.

Vice Chair FERLITO moved **to approve the minutes for the November 12, 2015 regular meeting with the correction as noted**, second by Commissioner EATON and **carried** by the following vote:

AYES:	Bang, Baron, Eaton, Ferlito and Refuerzo
NOES:	None
ABSTAIN:	None
ABSENT:	None

### **PUBLIC HEARINGS**

Mr. Mullane noted that Mike Branson is out today, and that Matt Feisthamel, Assistant City Forester, will fill in at today's meeting.

2. Consideration of an application to remove a 20" diameter coast redwood tree on City property. The applicant is Dieter Back, and the owner is the City of Carmel.

Mr. Feisthamel presented the staff report. Chair Refuerzo opened the public hearing at 3:45 p.m.

Speaker #1: Dieter Back, applicant, expressed support for the requested tree removal.

Speaker #2: Peter Quintanilla, noted his support for retaining the tree.

There being no other appearances, the public hearing was closed at 3:48 p.m.

Vice Chair FERLITO moved **to support the staff recommendation and deny the application, with the recommendation that root pruning can resolve the current and potential future damage**, seconded by BANG and **carried** by the following roll call vote:

AYES:	Bang, Baron, Eaton, Ferlito, and Refuerzo
NOES:	None
ABSTAIN:	None
ABSENT:	None

3. Item 3 will be heard at a later date, as noted above.

### **ORDERS OF BUSINESS**

4. Report on the Status of the North Dunes Habitat Restoration Project

Mr. Mullane noted that the City has a 5-year contract with Native Solutions, for implantation of the Habitat Restoration Plan. He noted that Joey Canepa from Native Solutions will present a summary of the report on the Year 1 activities. Mr. Mullane noted that Attachment 2 is a staff report from the November 2, 2015 Council meeting regarding changes that were incorporated into the final North Dunes Habitat Restoration Project.

Speaker #1: Joey Canepa gave a brief summary of the dune project and the current activity of all of the planting.

- Weed eating taking place
- 1500 plants almost ready for be put into restoration areas
- Coastal Development Permit application is in the process of being prepared.

Chair Refuerzo opened the item to public comment at 4:21 pm

Speaker #2: John Lambert of Save our North Dunes (SAND), noted that the September 30, 2015 workshop was very positive and expressed support for the Habitat Restoration Project

There being no other public appearances, the public hearing was closed at 4:22 pm.

5. Verbal report from the ad hoc committees

Commissioner Eaton presented a slide show of trees and the pictures that were taken of the suggestions for future of the next holiday tree. Commissioner Bang believes that a public workshop would be important regarding the location of the next holiday tree.

Mr. Mullane noted that Scott Hall’s work on the landscaping of the Scenic Road pathway areas is in progress, and that there will be an opportunity for sub-committee involvement later in the process.

6. Review and adopt the Regular Meeting Calendar for 2016

- Baron – not available for the August date
- Bang – not available for the March date
- Eaton – not available for March date, and possibly not for the May date
- Refuerzo – may not be available for the July date

Because of conflicting dates in March, the date of the meeting for that month will be moved from March 10, 2016 to March 17, 2016

**REPORTS FROM STAFF AND COMMISSIONERS**

7. City Forester’s Report

- A. November tree data
  - 7 City trees removed
  - 19 private removal permits (upper/lower)
  - 11 private planting requirements
  - 1 construction permits (remove/prune)
  - 4 private pruning permits
- B. Parks activities
  - Shoring up landscape barriers
  - Taking down dead City trees before the storms hit
- C. Beach activities
  - High tides
  - Closing the stairwells
  - Putting the delineator up in the beach
- D. Future agenda items

The Commission noted that refinements to the tree report would be beneficial. The Commission also requested a future agenda item regarding the City's tracking of required plantings.

Chair Refuerzo asked to send any other future agenda items to him, for discussion when he meets with Mr. Branson.

8. Public Works Director's Report

A. Updates on City Council and Planning Commission items

Mr. Mullane noted the following:

Chief Calhoun will serve as Interim City Administrator for as long as needed.

Greenwaste's service to the City was discussed and a date for the cessation of loose cardboard collection was also discussed.

Council adopted the update to housing element.

The Council conducted re-introduction of an ordinance declaring beach fires as a public nuisance on a 3-2 vote.

The Council conducted first reading of an ordinance with reaffirmed regulations related to medical marijuana, denied an appeal protesting the approval of a Design Study along Scenic Road, and continued an appeal of a denial of a Use Permit for a Chocolate store.

B. Other items of interest to the Commission

Mr. Mullane noted the addition of a new line-item on Agenda for Commissioner announcements, and that City staff and officials will attend tomorrow's Coastal Commission hearing on the City's beach fire management pilot program.

9. Commissioner announcements

None at this time

**ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at 5:48 p.m.

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Yvette Oblander, Commission Secretary

ATTEST:

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David Refuerzo, Chair



CITY OF CARMEL-BY-THE-SEA  
Forest and Beach Commission Report

January 14, 2016

**To:** Chair Refuerzo and Forest & Beach Commissioners  
**From:** Mike Branson, City Forester  
**Subject:** Tree Removal (Public)  
Block: II; Lot: 40  
SW corner of Monte Verde St. and 2nd Ave. (on Monte Verde)  
Applicant: Michael Phillips  
Owner: City of Carmel

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**Site Condition:**

The site for this application is within the public right-of-way adjacent to the applicant's property on Monte Verde St. The 40" diameter Monterey pine tree is growing in a relatively narrow, 7-foot wide open space that is parallel and basically level with the street, but about 4 feet above the level of the applicant's house. The base of the east side of the tree is about 2-3 feet from the top edge of a 4-foot high Carmel stone wall. The house is about 6 feet from the base of the tree with a pathway along the house and the 4-foot tall Carmel stone retaining wall between the tree and the pathway. The wall turns and terminates at the southern edge of wood steps that connect the street to the house. There are many visible cracks in the stone wall near where the tree is and farther away from the tree. On the north side of the steps there is an old pine stump about 33 inches in diameter.

**Size and species of trees(s) requested for removal/pruning:**

Remove one Monterey pine (40") in the public right-of-way.

**Health and condition of tree requested for removal:**

The tree appears to be in good overall condition without any significant insect, disease, or structural problems. The trunk has a slight lean to the southeast, and most of the tree canopy originates from the south and east side of the tree trunk. The lack of canopy on the north side of the trunk may be due to former competition for growing space with the tree that is now a stump.

**Previous requests and decisions:**

This item was initially scheduled for the December 10, 2015 Forest and Beach Commission meeting, but was continued at the request of the applicant.

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**Reason for request and Description of Project:**

The applicant is concerned about safety issues regarding the retaining wall, and with a possible risk to the neighboring homes.

**The importance of the tree(s) to the urban forest in the area:**

The tree contributes to the upper canopy of the forest for this neighborhood.

**Size and species of tree(s) that are to be preserved:**

N/A

**Impacts construction may have on trees that are to be preserved and suggested mitigation:**

N/A

**Options:**

1. Approve the application.
2. Do not approve the application.
3. Postpone consideration.

**Staff Recommendations:**

Option #2. Do not approve the application. The tree is in good health and condition at this time. I recommend staff continue to monitor the tree to assess any issues that may be causing any problems to the property.

If the tree is approved for removal, I recommend the applicant plant a new 5-gallon upper canopy tree in the public right-of-way in the general vicinity of the applicant's property.

**Attachment**

1. Tree Removal Permit Application for Phillips

CITY OF CARMEL-BY-THE-SEA

PO DRAWER G  
CARMEL, CA 93921  
Ph: (831) 620-2010 FAX: (831) 620-2014

Date Received: 8/15/15  
FEE: \$ 32.50 + \$201.54  
RECEIPT# 08 03044  
+63966

**APPLICATION FOR PERMIT TO REMOVE OR PRUNE TREES  
NO CONSTRUCTION**

Location of property: SW corner Monte Verde + 2nd  
Block: II Lot: 40 APN# 010-223-001

Name of Property Owner: MICHAEL C. PHILLIPS Name of Applicant/Contractor: Same

Mailing Address: 30 WINCHESTER DRIVE Mailing Address: Same  
ATHERTON, CA 94027

Phone #: (650) 323-1618 650 454-0678 Phone #: \_\_\_\_\_  
cell

WHO WILL BE REMOVING/PRUNING THE TREE(S): \_\_\_\_\_  
(PLEASE NOTE IF TREE(S) ARE ON CITY OR PRIVATE PROPERTY)

Number, size and species of tree(s) to be removed: 1 Pine circumference approx. 40"  
height 75'-85"

Number, size and species of limb(s) to be removed: \_\_\_\_\_

Number, size and species of root(s) to be removed: \_\_\_\_\_

Reason for removal or pruning: Safety issue regarding retaining wall: threat to house + neighbor  
house

You will be notified in writing the date and time that your request is scheduled for a hearing. If you or your representative is unable to attend the hearing, your application will be tabled. You may reschedule by contacting the Secretary to the Forest and Beach Commission at (831) 620-2070. You may waive your right to speak at the hearing and authorize the Forest and Beach Commission to act on your request in your absence by signing on the following line:  
Date: 8

A SITE PLAN **MUST** ACCOMPANY THIS APPLICATION AND **SHOW** THE FOLLOWING:

1. Location, size and species of ALL trees on the lot.
2. Location and species of tree(s)/limb(s) to be removed or pruned
3. Footprint of the structure.
4. Location of areas for tree replanting - The City has adopted Design Review Guidelines which include a minimum tree density per lot. Please review the attached Policy and indicate on the site plan where you intend to plant trees necessary to comply with this guideline.

- > Any decision of the Forest and Beach Commission is based on information submitted with this application - PLEASE BE ACCURATE.
- > **NO WORK IS PERMITTED** until you have picked up your permit for tree work - The Permit must be posted on the job site when work is being performed.

Owner's Signature: [Signature] Date: 8/15/15  
Agent for Owners: \_\_\_\_\_ Date: \_\_\_\_\_

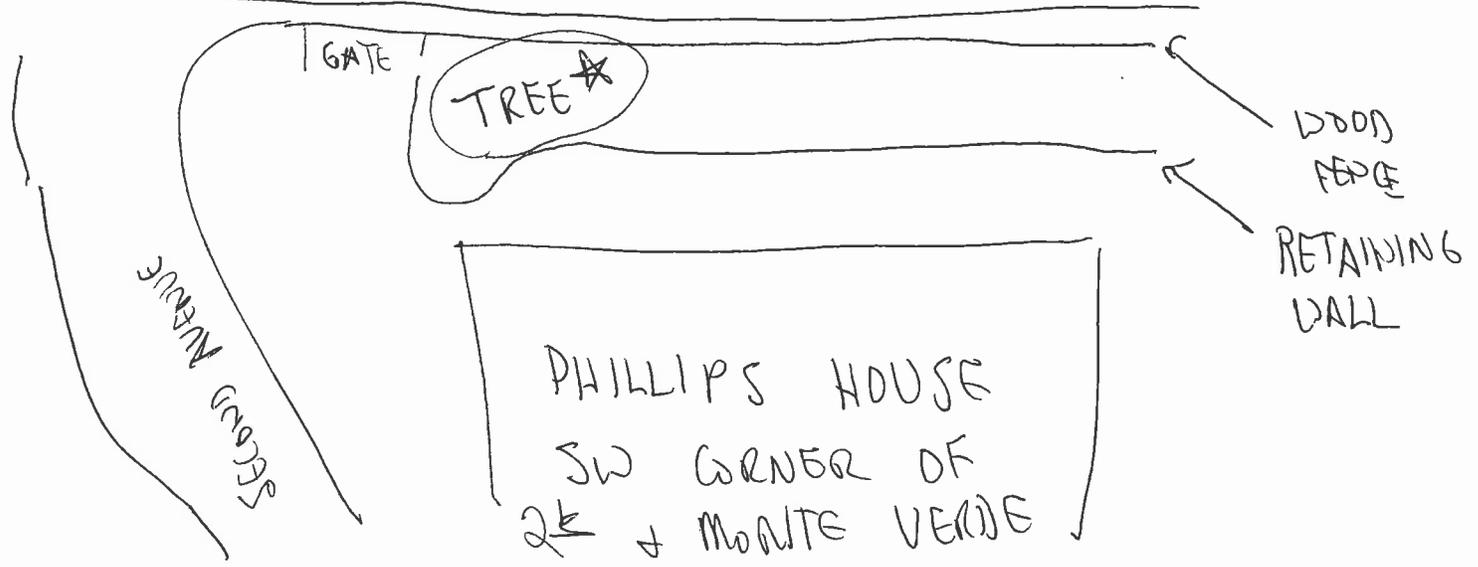
RECEIVED  
AUG 14 2015  
City of Carmel-by-the-Sea  
Planning & Building Dept.

NEIGHBOR HOUSE

Attachment 1

★ PINE TREE FOR WHICH PERMIT IS SOUGHT.

MONTE VERDE



Paid By.: MIKE PHILLIPS



CITY OF CARMEL-BY-THE-SEA  
Forest and Beach Commission Report

January 14, 2016

**To:** Chair Refuerzo and Forest & Beach Commissioners  
**From:** Mike Branson, City Forester  
**Subject:** Report on the Replacement Tree Tagging Program

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In order to achieve better compliance with replacement tree planting when trees are removed on private property, the City amended Municipal Code Section 12.18.350 to include a tagging and inspection procedure (Attachment 1). The tagging program began in July of 2014. From July 2014 through September 2015, 70 permits with a tree replacement condition were issued.

Of the 70 permits issued, 12 are still open construction projects, 15 have confirmed replacement trees on site, and 43 have not confirmed any replacement tree planting (some may not have completed their authorized work). The planting confirmation return rate, excluding the open construction permits, is 26%. If all of the construction permits comply with their requirements, the rate goes up to 39%.

Follow up letters to the non-responsive 43 permit holders will be sent to notify them of their replanting requirement, asking them to plant their trees, and to send back their certification of replanting to the City. In cases where the permit holder does not have their original tree tag, a new tag will be placed on the tree when staff inspect the new trees.

Going forward, in order to achieve better response rates, staff has several system improvements that will be implemented over the next 2 to 3 months.

1. Send a letter advising the property owner of their responsibility for any applications that are picked up by an agent for the owner.
2. Have an agent initial the replanting requirement on the permit so they have full knowledge of the responsibility to plant a new tree.
3. Verifying the name of the person signing for the application – printed name.
4. Accepting only fully completed applications – complete contact information, site plan, exact location, etc.
5. Revising the City application form and permit to make certain requirements more prominent.
6. Use of iWorq software to facilitate permit tracking and compliance.
7. Accepting applications and issuing permits at the Public Works Dept. office.

**Attachments**

1. Municipal Code Section 12.28.350

**Carmel-by-the-Sea Municipal Code**

**12.28.350 Safeguarding Trees That Are Required to Be Planted as a Condition of Tree Removal Permit Approval.**

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A. All trees shall be planted within 30 days of tree removal or before final inspection if a construction permit. All trees will be identified with a tag provided by the City, which will remain attached to the tree until the required five-year inspection period has expired. Trees required to be kept on a building site and trees required to be planted as a condition of tree removal permit approval shall be maintained according to accepted arboricultural practices for a minimum of five years from the completion of construction or the date that the tree is planted.

The City will inspect the replacement trees annually on or around each October, with proper notification.

B. At no time shall these trees be moved without the issuance of a valid permit.

C. If, at any time during a five-year inspection period, the original replacement tree(s) does not survive or is removed, the original replacement tree(s) shall be replaced with a new tree(s) that is equivalent in size to the measured or projected growth of the original replacement tree(s). The new replacement tree(s) shall be located in the same location(s) as the original replacement tree(s) unless granted permission by the City Forester or Forest and Beach Commission to change the location(s). The new replacement tree(s) shall be required to be replanted within 30 days of inspection, be identified by a tag and will restart a new five-year inspection period.

D. Nothing contained in this section shall be deemed to replace or revoke any requirements for the safeguarding of trees found elsewhere in this municipal code or in the ordinances and procedures of the City. (Ord. 2013-05 (Exh. A § C), 2013; Ord. 95-10 § 1, 1995; Ord. 84-6 § 1, 1984; Code 1975 § 1238).

City Trees Removed (upper/lower)		10(9/1)	162(132/30)	142	City Trees Planted (upper/lower)	23(18/5)	123(72/51)	39
ne San Carlos & Camino Del Monte	4" Monterey pine							
n/ 3rd bet. Carpenter & Guadalupe	12" black acacia							
e/ Junipero bet. 10th & 11th	3" Monterey cypress							
ci/ Junipero bet. 11th & 12th	10" Monterey pine							
e/ Monterey bet 2nd & 3rd	4" Monterey pine							
w/ Vizcaino bet. Mt. View & Flanders	10" Monterey pine							
s/ Alta bet. Junipero & Mission	6" Monterey pine							
sw Mt. View & Santa Fe	9" Monterey pine							
s/ 7th bet. Dolores & Lincoln	2- 4" Monterey pines							

e/ Mission bet 7th & 8th	15 gal. Podocarpus
s/ 7th bet Junipero & Mission	15 gal. Podocarpus
s/ 8th bet Monte Verde & Casanova	2 - 1 gal. cork oaks
w/ Torres bet 1st & 2nd	1 gal. Monterey pine
e/ San Carlos bet. 2nd & 3rd	1 gal. Monterey pine
sw Mission & 10th	1 gal. Monterey pine
n/ 10th bet Mission & San Carlos	1 gal. Monterey pine
e/ Santa Rita bet 4th & 5th	1 gal. Monterey pine
w/ San Antonio bet 8th & 9th	1 gal. Monterey cypress
nw Mission & 12th	5 gal. Monterey cypress
e/ San Carlos bet. 3rd & 4th	1 gal. Monterey pine
sw Guadalupe & 4th	1 gal. Monterey pine - r
w/ Lincoln bet. 9th & 10th	1 gal. Monterey cypress - r
w/ Scenic bet. 10th & 11th	1 gal. Monterey cypress - r
w/ San Carlos bet. 3rd & 4th	5 gal. Canary Island pine - r
w/ San Carlos bet. 12th & 13th	1 gal. Monterey pine - r
w/ Junipero bet 5th & 6th	5 gal. Monterey pine - r

Private Removal Permits (upper/lower)		9(5/7)	119(74/80)	114	Private Planting Requirements	5(1/5)	42(24/21)	49
ne 4th & Torres	2 - 14" oaks							
n/ Santa Rita bet. Ocean & Mt. View	19" oak							
ne Mt. View & Guadalupe	35" Monterey pine							
nw Mission & Santa Lucia	24" oak							
s/ Mission bet. 13th & Santa Lucia	24", 8" oak							
v/ Santa Rita bet. 2nd & 3rd	15", 24" Monterey pines							
v/ Casanova bet 13th & Santa Lucia	8" Monterey cypress							
v/ Santa Rita bet. 2nd & 3rd	20" Monterey pine							
6010 Ridgewood	10" black acacia							

Construction Permits (remove/prune)		1(0/2)	14(6/21)	15	Construction Planting Requirements	1	8(6/11)	9
v/ 9th bet. Lincoln & Monte Verde	4", 5" Oaks							
					24" box oak			

Private Pruning Permits		1	24	20
6010 Ridgewood	6 - >4" limbs over roof			
City Pruning by contractors				
vel I - total tree		2	36	227
vel II - hazard /emergency		0	9	24
vel III - specific purpose		0	9	17

Trees Under Care	
City watered	192
City irrigated	16
Private watered	4

Construction Finals		Planted