

**CITY OF CARMEL-BY-THE-SEA
FOREST AND BEACH COMMISSION
MEETING AGENDA
Thursday, August 11, 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 & 7th Avenues
Carmel, California

CALL TO ORDER AND ROLL CALL

COMMISSION MEMBERS: KAREN FERLITO – CHAIR
 DAVID REFUERZO
 JEFF BARON
 MAGGIE EATON
 STEPHANIE LOCKE

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. E side of Torres St., 5 north of 4th Ave. – Application to remove seven oak trees on a vacant lot for construction of a new home.
2. Santa Rita St. bet. Ocean Ave. and Mt. View Ave. – street reconstruction project.

PLEDGE OF ALLEGIANCE

EXTRODINARY BUSINESS

Introduction of New Commissioner Stephanie Locke

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 July 14, 2016 Meeting.

PUBLIC HEARING

2. Consideration of an application to remove seven coast live oak trees (15", 6", 5", 5", 5", 10", 2"), two of which are significant trees, on a vacant lot for construction of a new single-family home. The site is located on the east side of Torres Street, 5 parcels north of 4th Avenue. The applicant is the Bolton Design Group for the owner, Ms. Andrea Carr.

ORDERS OF BUSINESS

3. Receive a report on the Beach Fire Management Pilot Program from Public Works staff and on beach fires related enforcement from Police Department staff
4. Review and comment on the FY 2016-17 street paving projects
5. Review and comment on the City's revised tree removal/pruning permit
6. Verbal reports from the Centennial ad hoc committees

REPORTS FROM STAFF AND COMMISSIONERS

7. City Forester's Report
 - A. July tree data
 - B. Parks activities
 - C. Beach activities
 - D. Tree Planting and Watering
 - E. Future agenda items
8. Public Works Director's Report
 - A. Updates on City Council Items
 - B. Other Items of Interest to the Commission
9. 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 7th Avenues during normal business hours.

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

Regular Meeting – September 8, 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 August 8, 2016.

Dated this 8th day of August 2016 at the hour of 2:00 p.m.

_____

Mike Branson
City Forester

**ITEM 1. MINUTES FROM 7/14/2016
FOREST AND BEACH COMMISSION
MEETING**

THIS ITEM WILL BE PROVIDED SEPERATELY



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

August 11, 2016

To: Chair Ferlito and Forest & Beach Commissioners

From: Mike Branson, City Forester

Subject: Tree Removal (Private)
Block: 38, Lot: 10
E side of Torres St., 5 north of 4th Ave.
Applicant: Bolton Design Group Inc.
Owners: Andrea and Noel Carr

Introduction and Previous Review

An earlier proposal for a tree removal permit for this project on Torres Street 5 NE of 4th was reviewed and approved by the Forest and Beach Commission during the July 14, 2016 meeting. Although there were some concerns about small intrusions into the six foot root protection zone near two significant trees and possible pruning for the second story element of the new home, the Forest and Beach Commission approved the application, with certain conditions. During the July meeting and tour of inspection, the neighbor to the north expressed objections to the location of the proposed detached garage and maintained that the proposed placement of the garage created a safety and visibility problem. The applicant has submitted a new concept design for this site that incorporates several changes to address the Commission and neighbor concerns: the new home is single level and does not require any significant pruning to accommodate the building, the garage is set back 15 feet from the front property line, and the footprint of the home maintains a six-foot root protection zone around the remaining significant trees.

Site Condition

The site is a relatively level, 4,000-square-foot undeveloped lot. The property to the north is slightly higher in elevation in comparison to the subject lot, and there currently is no fence or other structures between the two properties. The home on the property to the south is approximately 3 feet lower in elevation than the subject property. The western side of the site abuts Torres St., which is paved to within 5 feet of the property line.

The property was overgrown with various shrubs and invasive plants, and the owners received permission from staff to clear the lot of the undergrowth in May. There were sixteen trees of various sizes originally on the site, three of which are upper canopy trees. Staff gave permission

to remove two 5" diameter oaks and one 2" diameter oak that were severely stunted and suppressed that did contribute to the tree canopy of the site. Subsequently staff also authorized some minor pruning of the remaining trees to remove dead limbs and some marginal limbs. During this pruning tree #13, a moderately significant 10" oak, was mistakenly removed by a tree service. This mistake was immediately reported to staff and the owner. The tree had some structural issues which caused its determination as a moderately significant tree. The remaining trees on the site appear to be in good overall condition without any significant insect, disease, or structural problems.

A preliminary site assessment was performed by Assistant City Forester Matt Feisthamel on April 27, 2016. His significant tree evaluation form (Attachment 2) for each of the trees on the site is included for reference.

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

The applicant is requesting the removal of seven coast live oaks (with diameters of 6", 15", 10", 5", 5", 5", and 2") to allow for the construction of a new 1,600 sq. ft., two-story residence and a 200 sq. ft. detached garage. The proposed house footprint is 1,372 sq. ft. The first two of these are considered significant (the 6" and 15" coast live oaks), from an undeveloped vacant lot. In addition, the 10" oak tree and two of the 5" oaks have already been removed.

Health and condition of tree requested for removal

The trees on the site that are requested for removal appear to be in good overall condition without any significant insect, disease, or structural problems.

Previous requests and decisions

None, although one moderately-significant tree (the 10" oak) was removed without prior City approval.

Reason for request

The owner is planning to construct a new single story, single-family residence with an attached garage on this underdeveloped lot, as the property acquired the right to install a new water meter. The application is included as Attachment 1. This application is a new plan that addresses concern from the Commission, the neighboring property owner, and staff regarding the application that was reviewed last month. The new plan is a single level home with an attached garage and extends the house to the rear of the property. The proposed home is 1,600 sq. ft. and the garage is 200 sq. ft. The new plan removes the same number of trees but is removing significant oak tree #5 in the new garage location and retaining significant oak tree #7 which is the opposite of the last proposal. Staff does not consider this exchange of significant oak trees to be a significant change in the overall forest composition of the site.

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

The trees contribute to the lower canopy forest for the lot and this neighborhood; however, their significance is lessened due to the number and location of the remaining trees on the site.

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

Coast live oaks: 7", 14", 15", 7", and 15" in diameter

Monterey pines: 35", 24", and 30" in diameter

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

The applicant is proposing a slab on-grade foundation, so there should not be a need for any significant excavation within and beyond the footprint of the proposed home. The revised footprint of the residence has been sited to avoid significant trees on the site, and does not encroach into the six-foot protected zone around the significant trees. With the slab foundation, root issues could be resolved by bridging around any significant roots that may intrude into the area of the perimeter footing. While the proposed footprint of the new structure is outside of the six-foot protected area, there is a concern that the over excavation for the foundation would intrude into the six-foot protected area. Conditions of approval have been drafted to require a minor redesign of the footprint to provide a larger buffer and ensure that all ground disturbance avoid encroaching into the six-foot root protection zone. Alternatively, the applicant would need to indicate what construction measures they will take to refrain from excavation in the protected area: for example through cantilevering portions of the structure near the trees.

All other standard Carmel tree protection measures will apply to the site during construction.

Options:

1. Approve the application as submitted.
2. Approve the application with revisions.
3. Do not approve the application.
4. Continue the item for more information or study.

Staff Analysis

Per CMC 17.48.070 (B), removal of significant trees for construction requires specific findings to be met:

17.48.070 Findings Required for Significant Trees.

B. Related to Construction. Removal of significant trees to facilitate construction or development is prohibited unless one of the two following findings is met:

1. That removal of the tree is required to protect public health or safety; or
2. That the following four conditions exist:
 - a. The existing site is vacant or is developed to an extent less than one-third of the base floor area allowed by the zoning applicable to the site; and
 - b. The available land area of the site not occupied by significant trees (including land within six feet of the trunk of significant trees) does not adequately and practically provide space for development of at least one-third of the base floor area allowed by the zoning for the site; and
 - c. The issuance of a variance for development in one or more setbacks has been considered and would not provide a remedy or would be inappropriate due to a significant overriding inconsistency with another policy or ordinance of the LCP; and
 - d. Failure to authorize removal of the tree(s) would deprive the owner of all reasonable economic use of the property. (Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

Due to the site being an undeveloped vacant lot, finding (a) is met. The maximum base floor area allowed for a 4,000 sq. ft. lot in the R-1 zoning district is 1,800 sq. ft. including a garage, and a third of that is 600 sq. ft. The project designers evaluated the buildable space on the lot considering the tree and lot setback requirements, and determined that the site will not adequately and practically provide for development of one-third of the allowed base floor area (600 sq. ft.) without the removal of significant trees, and that hence, finding (b) is met. City staff did not make a determination of what can adequately and practically be built on the site. However, it is possible that by reducing the proposed size of the house, tree impacts from development would be reduced. During the Tour of Inspection, the Commission should consider if a project redesign to reduce the building footprint would be beneficial.

Providing setback variances for the home footprint as proposed would not avoid impacting significant trees on the site. As noted above, the proposed 1,800 sq. ft. development is the maximum development allowed under the Municipal Code, and a reduced size and footprint may allow more reasonable development. Hence, determining if the proposed development meets the conditions of finding (c) is subjective and should be discussed by the Commission. Finding (d) is also subject to interpretation, and a reduced footprint through a revised design could potentially reduce impacts to one or more significant trees in comparison to the current proposal. The Commission should consider whether the proposed site plan is reasonable for the site in consideration of retaining eight significant trees.

Staff Recommendation

Option #1. Approve the application as submitted, subject to the attached conditions of approval (Attachment 3). Allowing the removal of two significant trees (#4 and #6), one moderately significant tree (#13) and four non-significant trees (#5, #8, #9, and #12) to allow development of the lot while retaining eight significant trees, three of which are upper canopy trees, seems to be a reasonable accommodation for construction of a new home on this undeveloped site.

The Commission can accept the project as presented and adopt findings and conditions (Attachment 3) to support their decision or ask the applicant to consider additional modifications to the project to eliminate impacts to the significant trees particularly as the project may affect tree protection zones during construction, or allow removal of additional trees for the project.

Next Steps

If approved by the Forest and Beach Commission, this project will continue on to the Planning Commission for that commission's consideration of the proposed Design Study. At the Planning Commission meeting, the overall scope of the development and the proposed variances for the garage location will be considered in light of the Forest and Beach Commission's recommendations and findings. If the Planning Commission directs substantial changes to the project design that affect more significant trees, it is recommended that the Forest and Beach Commission provide a condition that the tree issues be remanded back to them for approval.

Attachments

1. July 22nd Revised Tree Removal Permit Application for Carr
2. Significant Tree Evaluation for Carr – 4/27/16
3. Forest and Beach Commission Findings and Conditions of Approval



CITY OF CARMEL -BY-THE-SEA
 PO BOX DRAWER G
 CARMEL, CA 93921
 Phone: (831) 620-2010

Date Received: 7.22.16
 FEE: \$ 234.05
 RECEIPT #: 26716
TR 16-015

APPLICATION FOR PERMIT TO REMOVE OR PRUNE TREES FOR THE PRUPOSE OF CONSTRUCTION/DEMOLITION

Location of property: Torres Street 5th NE of 4th Avenue

BLOCK: 38 LOT: 10 APN: 010-103-012

Name of Property Owner: Carr Name of Applicant/Contractor: Bolton Design Group, Inc.

Mailing Address: P.O. Box 299 Mailing Address: P.O. Box 5488

Pebble Beach, CA 93953 Carmel-by-the-Sea, CA 93921

Phone #: 916-716-5670 Phone #: 831-659-6200

WHO WILL REMOVE/PRUNE TREE(S): E. Valdez Tree Service (Lic. #659821)

PLEASE NOTE IF TREE(S) ARE ON CITY OR PRIVATE PROPERTY

Number, size and species of **tree(s)** to be removed: 7 Trees - #4(6"Oak), #5(5"Oak) #6(15" Oak), #8(5"Oak), #9 (5"Oak), #12(2"Oak), #13 (10"Oak)

Number, size and species of **limb(s)** to be removed: N/A

Number, size and species of **root(s)** to be removed: N/A

Reason for removal or pruning: Construction of New Single Family Dwelling

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 Beach Commission to act on your absence by signing on the following line: _____ Date: _____

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. Existing and proposed site coverage.
5. ALL areas that are to remain for landscaping and the total square feet of open space.
6. 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 needed to comply with which guideline.
7. Will excavation other than standard footings be required as part of your construction? NO / YES

If YES, you **MUST** show the area of cut, its depth and total cubic yards to be removed.

- > Any decision of the Forest and Beach Commission is based on information submitted with this application.
- > In order to properly consider your application it is necessary that the footprint of your purposed construction be clearly defined on the lot and height poles are installed prior to the Commission's Tour of Inspection. Any decision of the Forest and Beach Commission is based on information submitted with this application. If the design is altered or the location of the structure changes, another application for a tree permit is required.
- > **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.

RECEIVED
JUL 22 2016
 City of Carmel-by-the-Sea
 Planning & Building Dept.

Owner's Signature: _____ Date: _____
 Agent for Owners: Michael Bolt Date: 7/22/16

INCOMPLETE APPLICATIONS WILL BE RETURNED

Significant Tree Evaluation Worksheet

Block: 38 Lot(s): 10 Street Location: E/Torres 5 north of 4th

Part One: Initial Screening:

Complete Part One to determine if further assessment is warranted. Trees must pass all criteria in Part One to be considered significant or moderately significant.

A. Does the tree pose an above-normal potential risk to life and property?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
YES																
NO	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Any tree with structural impairment likely to cause failure should be marked as unsafe and removed. Use page four of this worksheet to document the safety risk. Trees that have limited and specific defects that can be remedied with selective pruning or other mitigation should be marked as safe and specific recommendations should be given to the owner for tree care. Such trees may still be assessed for significance.

B. Is the tree one of the following native species on the Carmel-by-the-Sea recommended tree list?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Species	CO	MP	MP	CO	OT	MP										
YES	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X
NO															X	

- | | |
|----------------------------|------------------------|
| MP – Monterey pine | MC – Monterey cypress |
| BP – Bishop pine | CR – Coast redwood |
| CO – Coast live oak | CI – Catalina Ironwood |
| CS – California sycamore | BL – Big leaf maple |
| OT – Other, Tree #15 Toyon | |

(Note: Other species on the recommended tree list may be determined to be Significant Trees only if they are exceptional examples of the species. Such trees also must exhibit excellent health, form, vigor, and substantial size to rate an overall score of at least 7 points in Part Two of the assessment.)

C. Does the tree meet the minimum size criteria for significance?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
YES	X	X	X	X		X	X			X	X		X	X		X
NO					X			X	X			X			X	

	Diameter	Height
Monterey pine, Monterey cypress, Bishop pine, Coast redwood	4 inches @ dbh	15 Feet
Coast live oak – single trunk tree	6 inches @ dbh	N/A
Coast live oak – cluster or multi-trunk tree measured as an average diameter of all the trunks that reach breast height	6 inches @ dbh	N/A
California sycamore, Big leaf maple, Catalina ironwood	10 inches @ dbh	25 Feet

dbh = diameter at breast height or 4.5 feet above the adjacent ground surface

Part Two: Assessment For Tree Significance

For each of the criteria below assign points as shown to assess the tree. If any criteria score is zero the assessment may stop as the tree cannot qualify as significant or moderately significant.

D. What is the health and condition of the tree?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
score	2	2	2	2	-	2	2	-	-	3	2	-	1	2	-	2

0 points: The tree is heavily infested with pests or has advanced signs of disease that indicates the tree is declining and has very limited life expectancy.

1 point: The tree shows some pests or disease that impair its condition, but which does not immediately threaten the health of the tree. The tree may recover on its own, or with appropriate intervention.

2 points: The tree appears healthy and in good condition.

3 points: The tree shows excellent health, is free of pests and disease and is in very strong condition.

E. What is the overall form and structure of the tree?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
score	2	2	2	2	-	2	2	-	-	2	2	-	1	2	-	2

0 points: Prior pruning, disease or growth habit have left the tree deformed or unsound to an extent that it cannot recover or will never be a visual asset to the neighborhood or will likely deteriorate into a structural hazard.

1 point: The tree has poor form or structure but (a) can recover with proper maintenance or (b) it provides visual interest in its current form, and does not have structural defects that are likely to develop into a safety hazard.

2 points: The tree has average form and structure for the species but does not exhibit all the qualities of excellent form and structure.

3 points: The tree exhibits excellent form and structure. For all species there will be a good distribution of foliage on multiple branches with no defects. For conifers, the tree will have a single straight leader with balanced branching and with good taper. Oaks will exhibit a well-developed canopy with no suppressed branches. Oaks may be single-trunked or multi-trunked and will have a balanced distribution of foliage on each trunk/branch.

F. What is the age and vigor of the tree?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
score	2	2	1	2	-	2	2	-	-	3	2	-	2	3	-	2

0 points: The tree is over-mature or shows signs of poor or declining vigor such as die-back of major limbs or of the crown, small leaves/needles and/or minimal new growth.

1 point: The tree is mature but retains normal vigor and is likely to continue as a forest asset for a substantial period into the future.

2 points: The tree is young to middle age and shows normal vigor.

3 points: The tree is young to middle age and shows exceptional vigor.

G. Are environmental conditions favorable to the tree?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
score	1	2	2	1	-	2	2	-	-	2	2	-	1	2	-	2

0 points: The tree is crowded or has no room for growth to maturity. The tree has poor access to light, air or has poor soil for the species.

1 point: The tree has average environmental conditions including room for growth to maturity, access to light, air and soils suitable for the species.

2 points: The tree has room for growth to maturity with no crowding from other significant trees or existing buildings nearby. The tree also has excellent access to light, air and excellent soils for root development.

Part Three: Final Assessment

Please record the total points scored on pages two and three for each tree.

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Total Score	7	8	7	7	-	8	8	-	-	10	8	-	5	9	-	8

A. Did all assessment categories in Part Two achieve a minimum score of 1-point?

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
YES	X	X	X	X	-	X	X	-	-	X	X	-	X	X	-	X
NO					-			-	-			-			-	

B. Are there any other factors that would disqualify a tree from a determination of significance? (Explain any 'yes' answer)

No X Yes

(Explanation)

NOTES:

Tree # 13 contains co-dominant stems which can lead to poor attachment of the trunks.

Tree # 9 was re-measured and was determined to be 5" in diameter at breast height.

Conclusion: Does The Tree Qualify As Significant Or Moderately Significant?

If the tree meets the species, size and safety criteria identified in Part One and scores at least one point under each of the criteria in Part Two, it shall be classified as Significant if it achieves a score of **6 or more points** or shall be classified as Moderately Significant if it achieves a score of **4 or 5 points**. Tree species not listed in Part One-B that meet other screening criteria in Part One may be classified by the City Forester as Significant if they score **at least 7 points**, or as Moderately Significant if they score **at least 4 points**. All other trees are classified as non-significant.

Tree #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
SIGNIF	X	X	X	X		X	X			X	X			X		X
MOD SIGNIF													X			
NOT SIGNIF					X			X	X			X			X	

Attachment 3 – FBC Findings and Conditions for Approval – Bolton Design Group / Carr Project 2

Forest and Beach Commission Findings and Conditions for Approval – Bolton Design Group / Carr Project		
Municipal Code Finding for Significant Trees – 17.48.070	Yes	No
1. Tree removal is required to protect public health and safety.		X
2. The existing site is vacant or is developed to an extent less than one-third of the base floor area allowed by the zoning applicable to the site.	X ^a	
3. The available land area of the site not occupied by significant trees (including land within six feet of the trunk of significant trees) does not adequately and practically provide space for development of at least one-third of the base floor area allowed by the zoning for the site.	X ^a	
4. The issuance of a variance for development in one or more setbacks has been considered and would not provide a remedy or would be inappropriate due to a significant overriding inconsistency with another policy or ordinance of the LCP.	X ^a	
5. Failure to authorize removal of the tree(s) would deprive the owner of all reasonable economic use of the property.	X ^a	
Additional recommendations:		
6. If significant design changes are directed that will require removal of more significant trees, this project should be remanded back to the Forest and Beach Commission for approval of the tree issues.		
7. All construction activities including excavation or over-excavation shall avoid encroaching into the 6-foot tree protection zone area.		
8. Plans submitted to the Planning Commission shall be revised to ensure that the 6-foot tree protection zone is maintained for all construction areas.		

^a - All four of these findings must be met to allow significant trees to be removed.



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

August 11, 2016

To: Chair Ferlito and Forest & Beach Commissioners
From: Mike Branson, City Forester
Subject: Report on the Beach Fires Management Pilot Program and on Beach Fires-Related Enforcement

Public Works Director Rob Mullane will provide an update on the City's implementation of the Beach Fires Management Pilot Program. The City was authorized to implement the Pilot Program on July 28, 2016, after Coastal Commission staff determined that the appellant of the City's Pilot Program Coastal Development Permit did not have the requisite standing. However, also on July 28, 2016, the Monterey Bay Air Resources District (MBARD) staff issued an order prohibiting beach fires during the Soberanes Fire Event. The letter from MBARD is included as Attachment 1.

Carmel Police Commander Paul Tomasi will then present a report on the beach fire data that the Police Department has collected for June 2016 and July 2016. Commander Tomasi will also provide a comparison with the data for the same periods in 2015 and update the Commission on enforcement for the new pilot program. The data is included as Attachment 2.

The Commission will have the opportunity to provide feedback on the Pilot Program, as well as on the City's enforcement of beach fire-related activities.

Attachments

1. MBARD Letter of July 28, 2016 enacting a temporary prohibition on beach fires
2. Fire data for June 2015 & 2016 and 4th of July 2015 & 2016

VIA HAND DELIVERY AND ELECTRONIC MAIL

July 28, 2016

Chip Rerig
City Administrator
City of Carmel-by-the-Sea

RE: PROHIBITION ON BEACH FIRES DURING SOBERANES FIRE EVENT

Dear Mr. Rerig:

As you know, the region is experiencing significant and detrimental air quality impacts as a result of the Soberanes Fire. These air quality impacts extend to the City of Carmel-by-the-Sea, which is within the Monterey Peninsula/Carmel Valley Smoke Sensitive Area as designated by our District. Pursuant to Health and Safety Code section 40752 I am empowered to enforce both state law and local District rules relating to air quality. Health and Safety Code section 41700 prohibits any person from discharging air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of person or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. There is no applicable exception to this prohibition. In addition District Rule 438, section 3.9 prohibits any fire that constitutes a nuisance.

I am informed that the City is continuing to permit open outdoor fires on Carmel Beach during this time when local air quality has degraded and is unhealthy, and that numerous large fires have been observed on recent evenings. I believe these fires are contributing to the poor air quality in the region, and specifically in the City. I have determined that such fires constitute a nuisance and contribute to the endangerment of the health and safety of the citizens of and visitors to the City.

Accordingly, I am requesting that the City prohibit open outdoor fires using combustible material of any type during the time in which the local air quality is degraded and unhealthy as a result of the Soberanes Fire event. We will continue to monitor the air quality in the region and will inform you when air quality reaches acceptable levels and when beach fires may resume.

At such time as the beach fires may resume, I remind you that District Rule 438 prohibits open outdoor recreational fires in excess of 3 feet in diameter and 2 feet in height. We expect the City to enforce this probation as long as it permits open outdoor beach fires.

Thank you for the City's anticipated cooperation. Please contact me if you have any questions.

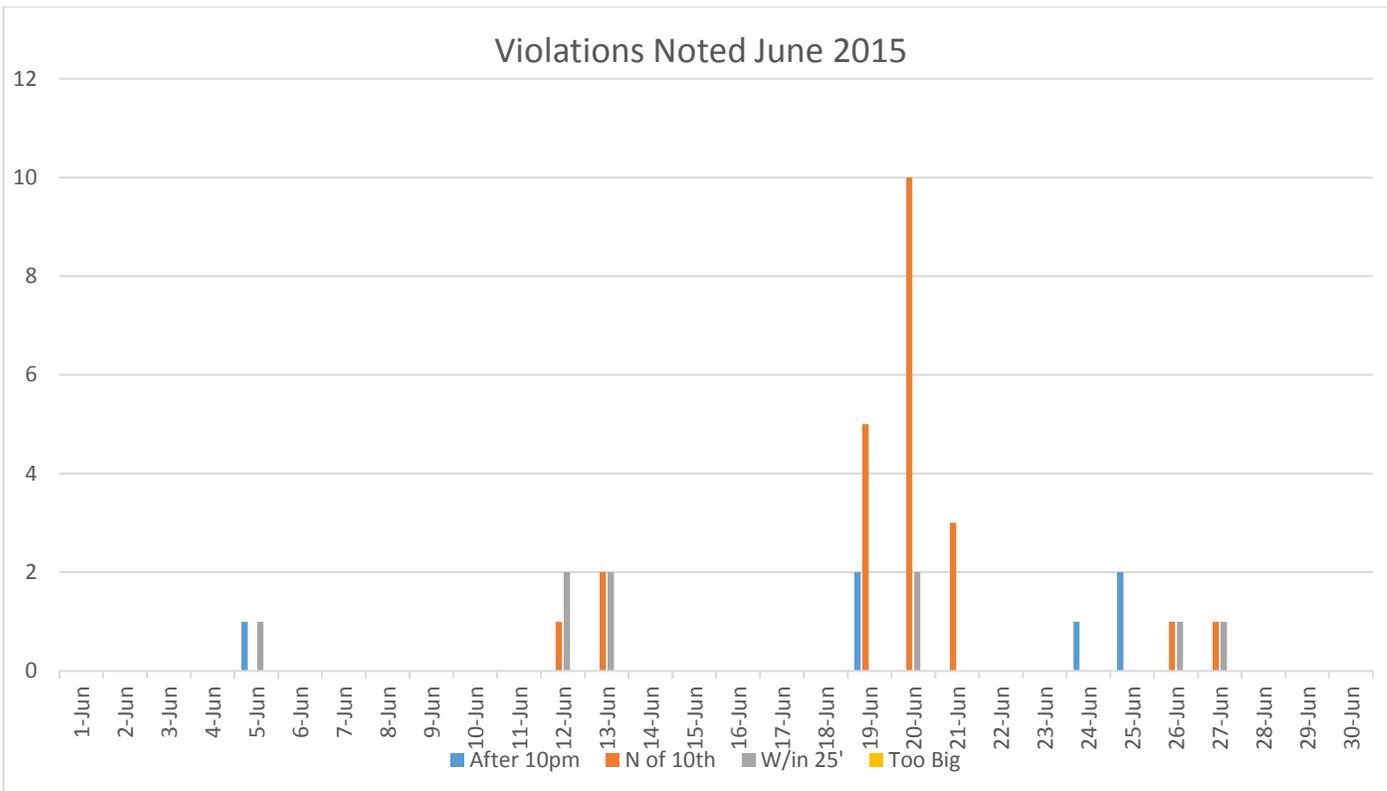
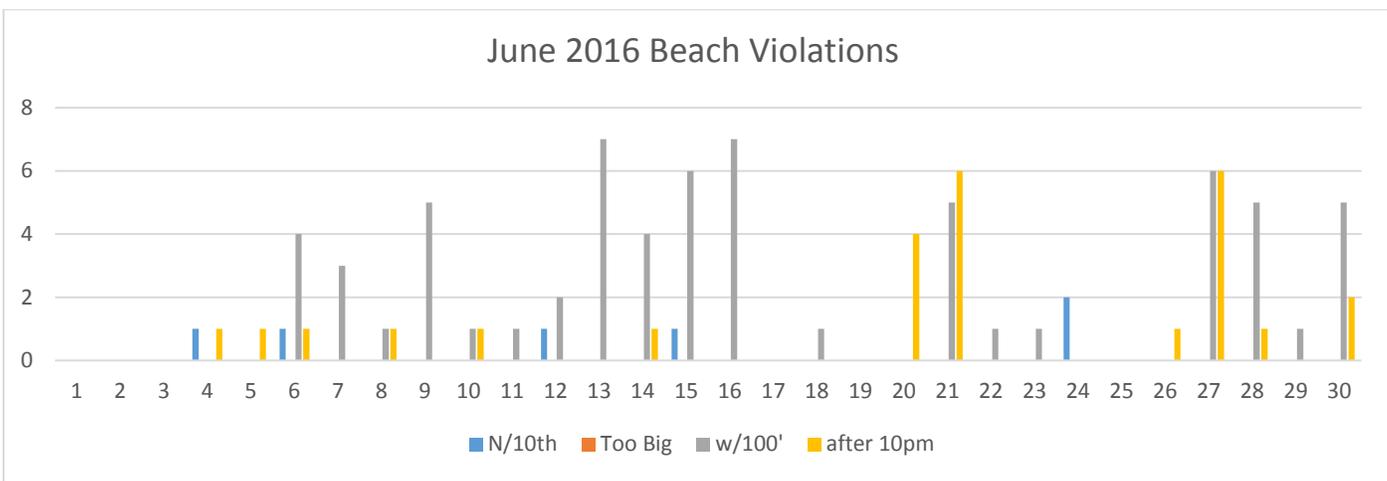
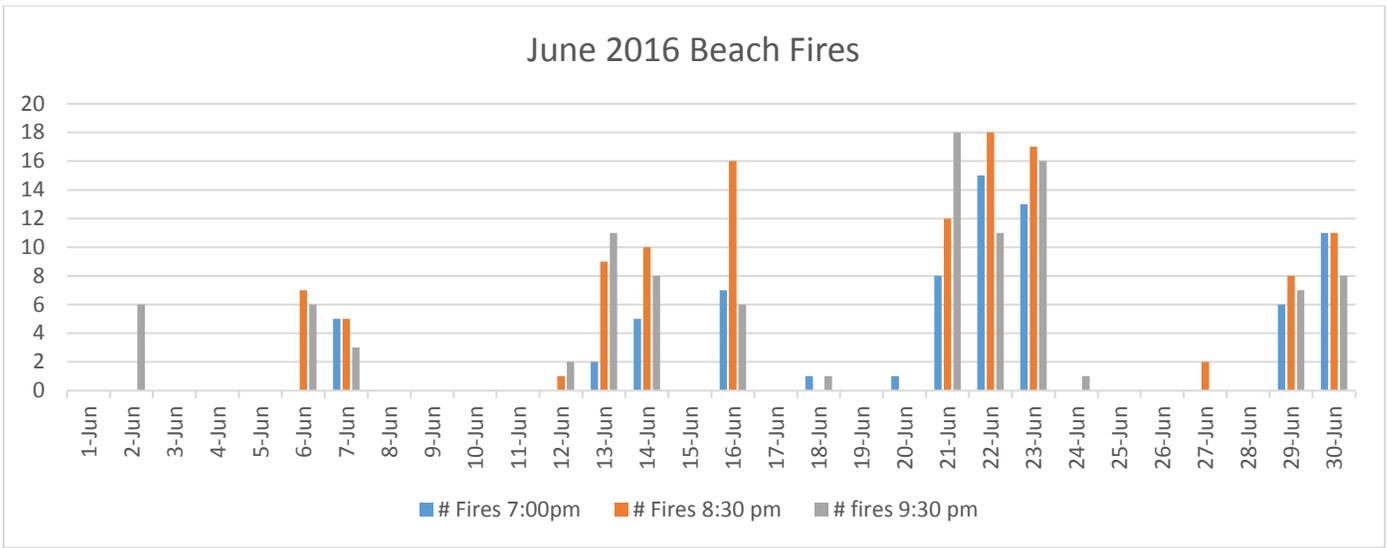
Sincerely,



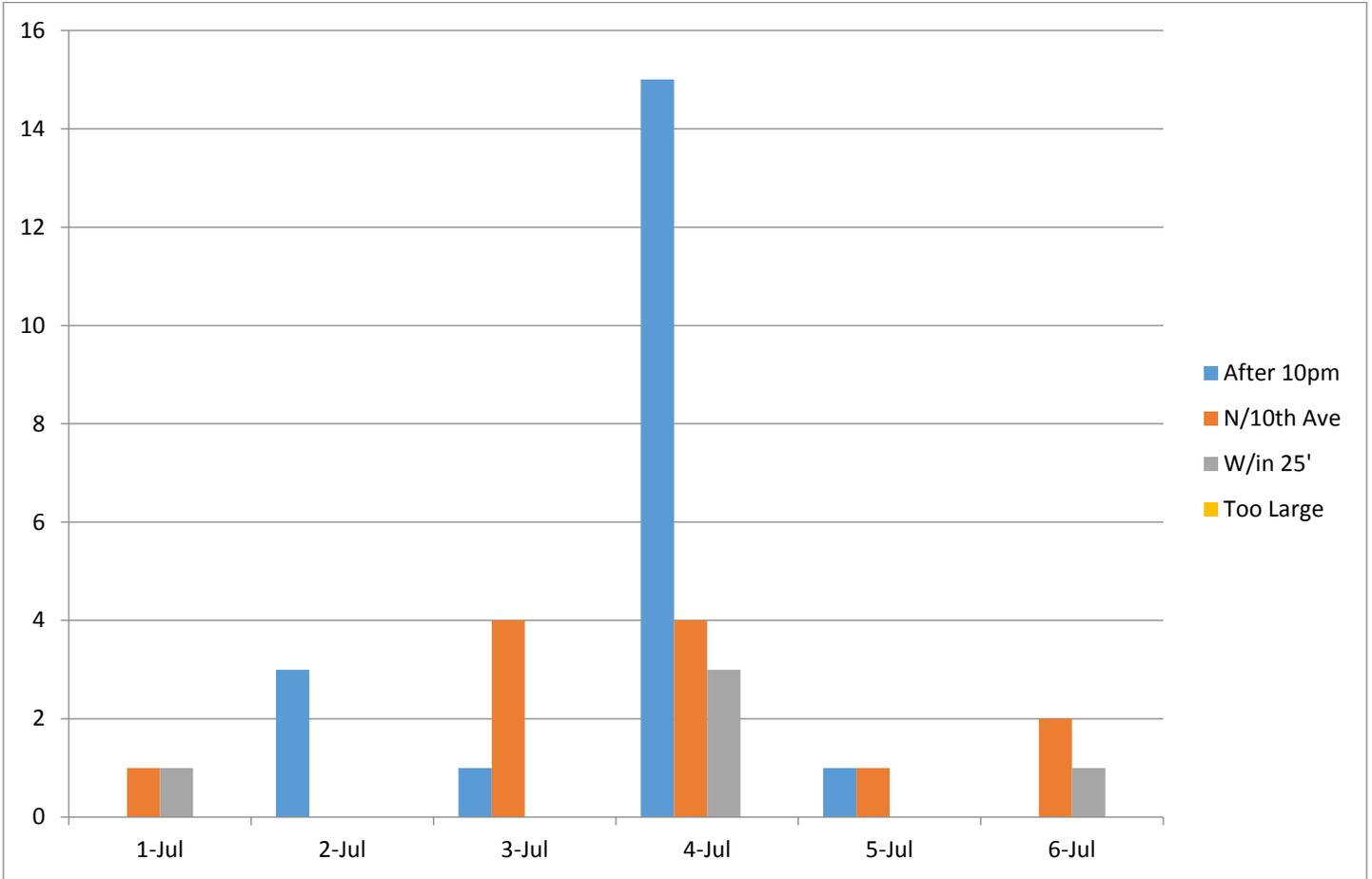
Richard A. Stedman
Air Pollution Control Officer

cc: Mayor Steve Dallas
Leslie J. Girard, District Counsel

Richard A. Stedman, Air Pollution Control Officer

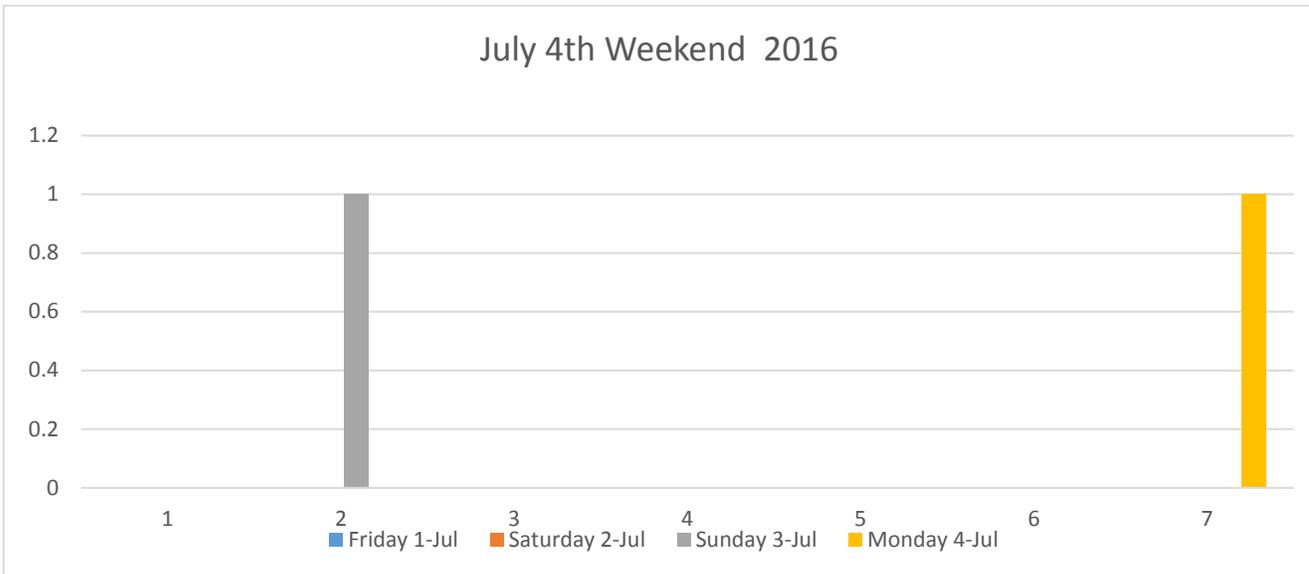


4th of July 2015



Security Officers: 1 Thursday/ 1 Sunday 6:00pm- 11:00pm

Security Officers: 3 Friday / 3 Saturday 11:00-11:00pm (2) 3:00-11:00 6:00pm- 11:00pm



(3) for July 1st 3:00pm -11:00pm, July 2nd, 3rd, & 4th- (2) from 1100am-3:00pm (6) from 3:00pm -11:00pm;



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

August 11, 2016

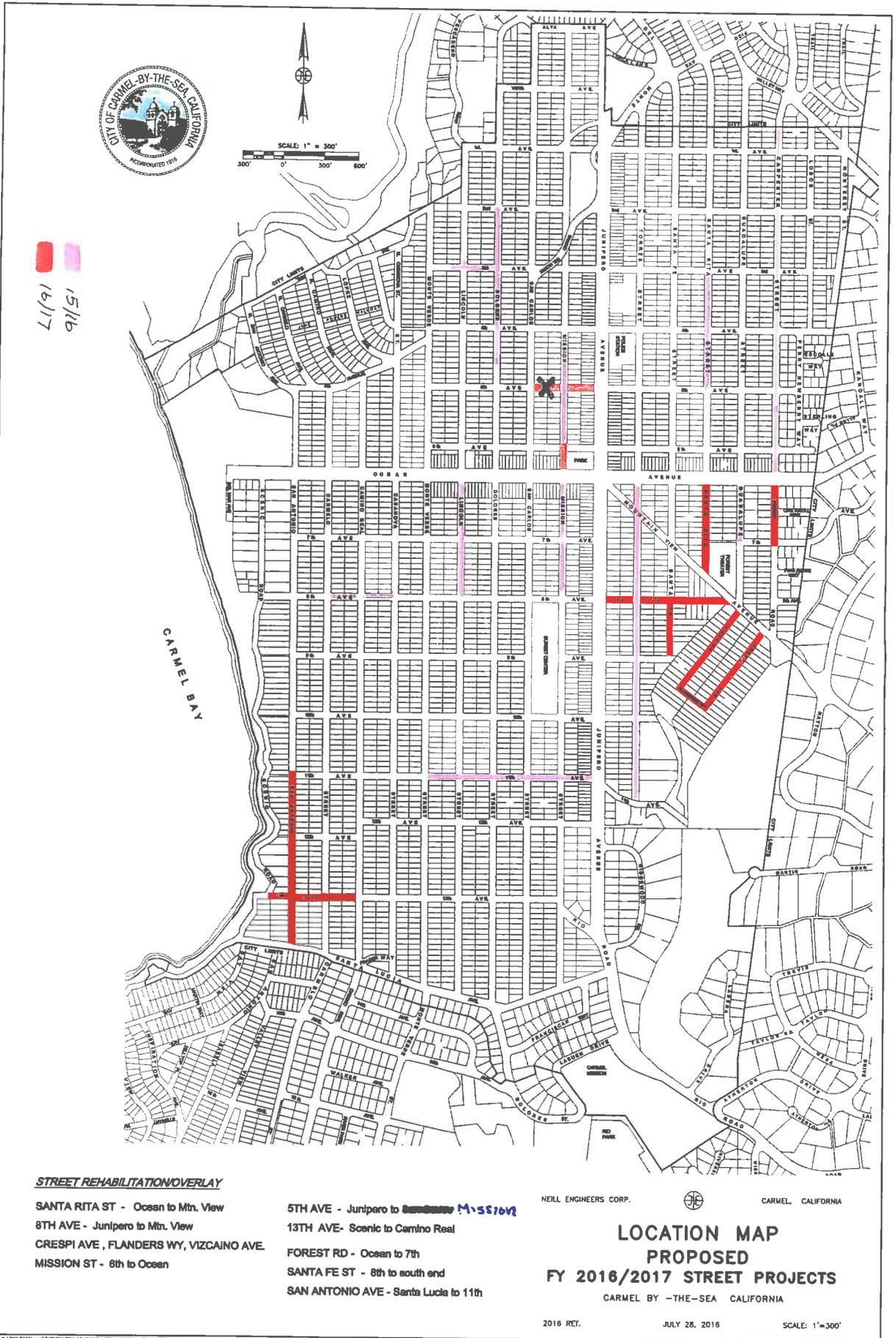
To: Chair Ferlito and Forest & Beach Commissioners
From: Mike Branson, City Forester
Subject: Report on the Fiscal Year 2016-17 Proposed Street Paving Projects

City Policy C90-04 (Attachment 2) provides an opportunity for input by the Forest and Beach Commission on undergrounding and street paving projects.

City Engineer Sherman Low will provide an overview the Fiscal Year 2016-17 proposed street paving projects. Most of the planned work will be paving overlays; however, Santa Rita St. between Ocean Ave. and Mt. View Ave. is being reconstructed. A map of the proposed streets is provided as Attachment 1.

Attachments

1. 2016-17 proposed street paving map
2. City Policy C90-04



SCALE: 1" = 300'

15/16
16/17

STREET REHABILITATION OVERLAY

- SANTA RITA ST - Ocean to Mtn. View
- 8TH AVE - Junipero to Mtn. View
- CRESPI AVE, FLANDERS WY, VIZCAINO AVE
- MISSION ST - 8th to Ocean
- 5TH AVE - Junipero to ~~San Antonio~~ Mission
- 13TH AVE - Scenic to Camino Real
- FOREST RD - Ocean to 7th
- SANTA FE ST - 8th to south end
- SAN ANTONIO AVE - Santa Lucia to 11th

NELL ENGINEERS CORP. CARMEL, CALIFORNIA

**LOCATION MAP
PROPOSED
FY 2016/2017 STREET PROJECTS**
CARMEL BY -THE-SEA CALIFORNIA

2016 RET. JULY 28, 2016 SCALE: 1"=300'

F:\PROJECTS\16\CARMEL\16-17\16-17-17.dwg 7:28:16 08/11/2016

**CITY OF CARMEL-BY-THE-SEA
POLICY AND PROCEDURE**

Subject: Review of street resurfacing and underground utility improvement projects by the Forest and Beach Commission	Policy/Procedure No: C90-04
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Effective Date: 10 July 1990	Authority: Resolution No. 90-83
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Purpose:
The greenbelt areas of the City are vitally important to the ambiance of our community. This policy is to establish a process whereby the Forest and Beach Commission will review street resurfacing and underground improvement projects from the concept stage through their completion to ensure that this greenbelt is preserved, protected and enhanced.

Policy/Procedure:
The Forest and Beach Commission shall be informed by the Director of Public Works of any proposed street resurfacing or underground utility improvement project in a timely manner, so as to allow for Commission input while the project is in the concept phase.

The Commission shall also review working drawings and final plans and specifications before the project goes to bid or, if no bid process is involved, before construction begins.

The Commission may also conduct a post-implementation tour of the project site and prepare an after-action report identifying ways future projects may be improved.

Responsible Party: City Forester

Department of Origin: Forest and Beach

Revision Dates:

Rescinded Date:

City Administrator Approval:

Signature

Date



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

August 11, 2016

To: Chair Ferlito and Forest & Beach Commissioners
From: Mike Branson, City Forester
Subject: Review and comment on the draft tree removal/pruning permit.

Public Works staff have revised the permit application for tree removals and pruning to make the City's requirements for tree planting, return notification, and on-site display of the permit more prominent.

Other revisions include:

- new permit numbering that is coordinated with the City iWorQ permit database
- an indicated space for the applicant to initial acknowledging the requirement for returning the tree planting sheet, and
- a space for the printed name of who is signing for the permit

A draft version of the new permit is provided as Attachment 1, and the Commission will have the opportunity to comment on the revised permit.

Attachment

1. Draft tree removal/pruning permit



TREE REMOVAL/PRUNING PERMIT

CITY OF CARMEL-BY-THE-SEA
P.O. Box 'SS'
Carmel, CA
Ph: (831) 620-2070/FAX: 831-624-2132

Permit # _____ Receipt # _____
Tree Tag # _____

Exact Location of property: _____
Block: _____ APN: _____

Name of Property Owner: _____ Agent for Owner: _____

Mailing Address _____ Mailing Address: _____

Email: _____ Email: _____

Phone #: _____ Phone #: _____

Approved for removal or pruning: _____

Standard Conditions/Requirements:

1. ALL Permits must be obtained before any tree is removed or pruned, i.e. Building, Demolition, Coastal Commission, etc.
2. The City Forester must be contacted no less than 2 working days but no more than 1 week before tree work commences.
3. All tree work must be done by a tree service company currently licensed by the City of Carmel-by-the-Sea.
4. This permit **MUST** be displayed on site in a publically-accessible location prior to the commencement of work (including staging).
5. All tree(s) required to be planted, shall be installed within 30 days after tree removal.
6. All replacement trees must be maintained in a healthy condition for a minimum of 5 years. Inspections will be performed annually.
7. I will return the attached page indicating where and when the replacement trees were planted within 30 days of permit approval, when replanting is required by the City. Applicant Initials _____

Replant: _____ upper / lower canopy trees // Species: _____ // _____ gal. / box

Additional conditions: _____

ISSUANCE OF A PERMIT IS BASED UPON PLANS AND SPECIFICATIONS ATTACHED HERETO SHALL NOT PREVENT THE BUILDING OFFICIAL OR THE CITY FORESTER FROM THEREAFTER REQUIRING THE CORRECTION OF ERRORS IN SAID PLANS AND PERMIT WHEN IN VIOLATION OF ANY CODE AND/OR ORDINANCE. ANY DEVIATIONS AND/OR CHANGE IN THESE PLANS SHALL BE APPROVED BY THE CITY FORESTER OR FOREST AND BEACH COMMISSION.

I understand and agree to comply with the above stated conditions.

Property Owner or Authorized Agent's Signature _____ Date: _____

Print name _____ as Property Owner Authorized Agent (check one)

Permit #: _____ Approved by: _____ Date: _____ 25

DATE PERMIT ISSUED/PICKED UP: _____

Your permit for tree removal/pruning has been issued to you by the City of Carmel-by-the-Sea with the condition that a tree(s) be planted as a replacement. It is the intent of the City of Carmel-by-the-Sea to fully implement its reforestation policy as outlined in the City of Carmel-by-the-Sea's Municipal Code (Chapter 12.28.180 and Chapter 17).

Tree replacement is vital to the health and continuance of your urban forest and is one of the conditions that have been agreed to by your signature on the tree removal permit.

Please sign this form and return it to the City with a sketch showing what species and location of the replacement planting(s). This must be done within 30 days from the approval date. The form may be dropped off to the Community Planning and Building Counter or the Public Works Counter. Alternatively, the mailing address is:

City of Carmel-by-the-Sea
Forest, Parks and Beach Department
Post Office Box "SS"
Carmel, CA 93921

Ph: (831) 620-2070
Fax: (831) 624-2132

Random inspection will be scheduled, at which time, if the replanting requirements are not satisfied, appropriate action will result. This action may lead to an issuance of a citation by the City, including fines or other legal action in compliance with Carmel Municipal Code Sections 1.16.010.A and 12.28.185.

Thank you for your cooperation.

Property Owner or Authorized Agent Signature _____

Please Print Name: _____

Mailing Address: _____

Location of Property: _____

Location of replacement tree(s): _____

Provide a simple sketch of the tree location below or on a separate sheet.

JULY 2016

City Trees Removed (upper/lower)		JULY	YTD	2015	City Trees Planted (upper/lower)		JULY	YTD	2015
		2(2/0)	111(99/12)	162			6(5/1)	33(18/15)	123
ci/ Junipero bet. 3rd & 4th	7" Monterey pine								
ci/ Junipero bet. Ocean & 7th	15" Monterey pine								

e/ Carpenter bet. 4th & 5th	1 gal. Monterey pine
w/ Lincoln bet 9th & 10th	1 gal. Monterey pine - r
ci/ Junipero bet. 9th & 10th	5 gal. Monterey pine - r
ci/ Junipero bet. 10th & 11th	5 gal. oak
s/ 6th bet. Dolores & Lincoln	15 gal. Canary Island pine
n/ 8th bet Torres & Junipero	5 gal. Monterey pine
e/ Carpenter bet. 4th & 5th	5 gal. Monterey pine
e/ Carpenter bet. 5th & 6th	5 gal. Monterey pine

r = replace of tree under care

Private Removal Permits (upper/lower)		JULY	YTD	2015	Private Planting Requirements
		5(3/3)	57(48/24)	154	
s/ 8th bet. Torres & Junipero	15" oak				
w/ Camino Real bet 2nd & 4th	46" Monterey cypress				5 gal. upper canopy
w/ Mission bet. Vista & 1st	34" Monterey pine				5 gal. upper canopy
w/ Monte Verde bet 10th & 11th	12" oak				

JULY	YTD	2015
3(3/1)	35(21/16)	45

Construction Permits (remove/prune)		JULY	YTD	2015	Construction Planting Requirements
		2(2/2)	14(6/16)	15	
w/ Camino Real bet 8th & 9th	20" eucalyptus, 3-4 oak limbs >4"				5 gal. upper canopy
2848 Santa Lucia	16" & 6" Catalina cherry				15 gal. lower canopy
sw corner of San Carlos & 12th	16" oak, 6" pine root				15 gal. lower canopy

JULY	YTD	2015
1(1/0)	6(3/3)	8

Private Pruning Permits		JULY	YTD	2015
		2	8	24
s/ 8th bet. Torres and Junipero	10" oak limb			
w/ Monte Verde bet. 10th & 11th	3-4 oak limbs > 4"			

Trees Under Care	
City watered	219
City irrigated	22

City Pruning by contractors		JULY	YTD	2015
		4	9	36
level I - total tree				
level II - hazard /emergency		0	1	9
level III - specific purpose		0	0	9

Construction Finals	Planted

Trees planted / removed 2013 to date 240 / 486 (49%)