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Community Development Department

13777 Fruitvale Avenue Saratoga, CA 95070

www.saratoga.ca.us/171/trees

408.868.1276

CITY OF SARATOGA ARBORIST APPROVAL

Conditions of Approval and Tree Protection Plan

Prepared by Christina Fusco, City Arborist

Phone: (408) 868-1276

Email: cfusco@saratoga.ca.us

Application No.

ARB19-0039

Address:

14500 Fruitvale Avenue

Owner:

Oddfellows Home of California

APN:

397-12-012

Date:

June 28, 2020

REPORT HISTORY:

Report 1:

November 25, 2020

Report 2: This report replaces Report 1

June 28, 2021

PROJECT SCOPE:

The applicant has submitted plans to build five new structures on the campus. They include three buildings with independent living units, an auditorium, and a fitness building. A total of 60 protected trees are requested for removal to construct the project. They include trees 1-9, 11-15, 17-19, 21, 23, 24, 26, 31, 32, 24, 46, 48, 53, 72, 75, 79-81, 89-100, 109-112, 115-122, 136-139, 140-142, and 144-149.

PROJECT DATA IN BRIEF:

Tree security deposit –	Required - \$133,300
Tree protection –	Required – See Conditions of Approval and attached map.
Tree removals –	Trees <u>listed above</u> are approved for removal once building permits have been issued.
Replacement trees –	Required = \$223,340

ATTACHMENTS:

- 1 Findings and Tree Information
- 2 Tree Removal Criteria

- 3 Conditions of Approval
- 4 Maps Showing Tree Protection

FINDINGS:

Tree Removals

According to Section 15-50.080 of the City Code, whenever a tree is requested for removal as part of a project, certain findings must be made and specific tree removal criteria met. Sixty (69) trees protected by City Code are in conflict with the project, and meet the City's criteria allowing them to be removed and replaced as part of the project, once building division permits have been obtained. They include trees 1-9, 11-15, 17-19, 21, 23, 24, 26, 31, 32, 24, 46, 48, 53, 72, 75, 79-81, 89-100, 109-112, 115-122, 136-139, 140-142, and 144-149. Attachment 2 contains the tree removal criteria for reference.

New Construction

Based on the information provided, and as conditioned, this project complies with the requirements for the setback of new construction from existing trees under Section 15-50.120 of the City Code.

Tree Preservation Plan

Section 15-50.140 of the City Code requires a Tree Preservation Plan for this project. To satisfy this requirement the following shall be copied onto a plan sheet and included in the final sets of plans:

- 1) The tree information, recommendations and maps showing tree protection from the revised arborist report dated **May 27, 2021**;
- 2) The Project Data in Brief and the Conditions of Approval from this report June 28, 2021.

Table 1: Tree Removal Criteria that are met from May 27, 2021 report.

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL	CITY CRITERIA	APPRAISED VALUE
1	California fan palm	18	Grading, w/in wlkwy, joint trench, storm drain	1, 3 thru 9	\$240
2	Coast redwood	81	Grading, w/in wlkwy, Bldg B	3 thru 9	\$21,800
3	California fan palm	21	w/in Bldg B footprint	3 thru 9	\$270
4	California fan palm	20	w/in Bldg B footprint	3 thru 9	\$290
5	California fan palm	20	w/in Bldg B footprint	3 thru 9	\$290
6	California fan palm	18	w/in Bldg B footprint	3 thru 9	\$290
7	California fan palm	17	w/in Bldg B footprint	3 thru 9	\$290
8	Canary Island date palm	28	w/in future drive aisle	3 thru 9	\$3,100
9	Canary Island date palm	27	w/in future drive aisle	3 thru 9	\$2,880
11	Coast redwood	51	Grading, w/in Colfax Ln	3 thru 9	\$14,700
12	Valley oak	27	Grading, wlkwy, Colfax Ln, bioswale	3 thru 9	\$14,000
13	Columbia London plane	11	Grading, Colfax Ln, Bldg C	3 thru 9	\$990
14	Columbia London plane	14	w/in Bldg C footprint	3 thru 9	\$1,430
15	Bloodgood London plane	23	w/in Bldg C footprint	3 thru 9	\$2,550
17	Columbia London plane	11	w/in Bldg C footprint	3 thru 9	\$760
18	Columbia London plane	11	w/in Bldg C, low SFP	1, 3 thru 9	\$0
19	Columbia London plane	10	w/in Bldg C footprint	3 thru 9	\$710
21	Tulip tree	10	Grading, wlkwy	3 thru 9	\$320
23	Tulip tree	10	Grading	3 thru 9	\$290
24	Tulip tree	11	Grading, wlkwy	3 thru 9	\$570
26	Tulip tree	11	Grading	3 thru 9	\$340
31	Tulip tree	14	Grading, wlkwy	3 thru 9	\$600
32	Tulip tree	12	Grading, wlkwy	3 thru 9	\$540
34	Tulip tree	12	Grading, w/in wlkwy	3 thru 9	\$450
46	Columbia London plane	13	W/in Bldg C footprint	3 thru 9	\$880
48	Columbia London plane	8	w/in drive aisle, at Bldg C, low SFP	1, 3 thru 9	\$750

14500 Fruitvale Avenue

Table 1 continued: Tree Removal Criteria that are met from May 27, 2021 report.

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL	CITY	APPRAISED VALUE
53	Mexican fan palm	16	w/in future street alignment	3 thru 9	\$200
72	Coast redwood	16	Grading, at Meeting Room	3 thru 9	\$2,790
75	Coast redwood	19	w/in Meeting Room footprint	3 thru 9	\$3,780
79	Coast live oak	24	Grading, wikwy, poor condition	3 thru 9	\$3,970
80	Coast live oak	6	Grading, wlkwy, low SFP	1, 3 thru 9	\$310
81	Coast live oak	7	Grading, w/in wlkwy	3 thru 9	\$730
89	Coast live oak	18	Grading	3 thru 9	\$3,030
90	Coast redwood	48	w/in Bldg A footprint	3 thru 9	\$12,900
91	Coast redwood	45	w/in Bldg A footprint	3 thru 9	\$10,100
92	Coast live oak	12, 11	w/in Bldg A footprint	3 thru 9	\$2,010
93	Coast live oak	6	w/in Bldg A footprint, low SFP	1, 3 thru 9	\$0
94	Coast live oak	12	w/in Bldg A footprint	3 thru 9	\$1,060
95	Coast live oak	16	w/in Bldg A footprint	3 thru 9	\$2,210
96	Coast live oak	9	w/in Bldg A footprint	3 thru 9	\$630
97	Coast live oak	7	w/in Bldg A footprint, low SFP	1, 3 thru 9	\$0
98	Coast live oak	9	w/in Bldg A footprint, low SFP	1, 3 thru 9	\$0
99	Coast live oak	13	w/in Bldg A footprint	3 thru 9	\$1,090
100	Coast live oak	20, 13	w/in Bldg A footprint	3 thru 9	\$4,060
109	Coast redwood	25	Grading, Bldg A, w/in wlkwy	3 thru 9	\$2,850
110	Coast redwood	26	w/in Bldg A footprint	3 thru 9	\$4,620
111	Coast live oak	24	w/in Bldg A footprint	3 thru 9	\$4,250
112	Coast live oak	38	w/in Bldg A footprint	3 thru 9	\$8,700
115	Tuscarora crape myrtle	5, 4(4), 3(3), 2	Near edge of Bldg A	3 thru 9	\$780
		w/in Bldg A footprint	3 thru 9	\$200	
117	Tuscarora crape myrtle	6, 5, 4, 3, 2	w/in Bldg A footprint	3 thru 9	\$640
118	Coast redwood	25, 22	Grading, w/in wlkwy	3 thru 9	\$7,100

Table 1 continued: Tree Removal Criteria that are met from May 27, 2021 report.

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL	CITY CRITERIA	APPRAISED VALUE
119	Coast redwood	21, 17	New wikwy, grading	3 thru 9	\$5,400
120	20 Coast redwood		New wikwy, grading, storm drain and water lines	3 thru 9	\$8,400
121	Coast redwood	27	Grading, w/in wlkwy	3 thru 9	\$4,970
122	Coast redwood	45	Grading, weak structure	3 thru 9	\$9,400
136	Cork oak	56	Grading, w/in wlkwy, bioswale	3 thru 9	\$18,900
137	Columbia London plane	16	w/in future street/parking area	3 thru 9	\$1,990
138	Columbia London plane	12	w/in future street/parking area	3 thru 9	\$780
139	Canary Island date palm	24	Fire dept. road width clrnce	3 thru 9	\$2,340
141	Valley oak	15	Grading for secondary EVA	3 thru 9	\$3,600
142	Coast live oak	19	Grading for secondary EVA	3 thru 9	\$2,700
144	Purple-leaf cherry plum	10	Nearly dead, grading for wlkwy	1, 3 thru 9	\$0
148	Valley oak	31	Grading for secondary EVA	3 thru 9	\$17,200
149	Mexican fan palm	20	w/in secondary EVA	3 thru 9	\$320

TREE INFORMATION:

Project Arborist:

David L. Babby, Arbor Resources

Date of Report:

February 22, 2019, revised March 18, 2020 and May 27, 2021

Table 2: Tree information from May 27, 2021 arborist report.

		DISPOS	ITION		APPRAISED VALUE	
TREE #	NAME	RETAIN	RMV	DIAM. (in.)	RETAIN	RMV
1	California fan palm	12,100	X	18	X.	\$240
2	Coast redwood	usēt	Х	81	X	\$21,800
3	California fan palm	-	X	21	1	\$270
4	California fan palm	-	X	20	-	\$290
5	California fan palm	=	X	20		\$290
6	California fan palm	000018	X	18	1/2	\$290
7	California fan palm	-	X	17	*	\$290

Table 2 continued: Tree information from May 27, 2021 arborist report.

		DISPOS	ITION		APPRAIS	SED VALUE
TREE #	NAME	RETAIN	RMV	DIAM. (in.)	RETAIN	RMV
8	Canary Island date palm	-	X	28		\$3,100
9	Canary Island date palm	1.E = 1	X	27	-	\$2,880
10	Coast redwood	X	aug, m	89	\$43,900	trockwood
11	Coast redwood	m * ×	X	51	1.00	\$14,700
12	Valley oak	- 500	X	27	1 11	\$14,000
13	Columbia London plane	- Tool	X	11		\$990
14	Columbia London plane		X	14	-	\$1,430
15	Bloodgood London plane		Х	23	-	\$2,550
17	Columbia London plane	F 61-	X	11		\$760
18	Columbia London plane	-	Х	11	61	\$0
19	Columbia London plane	6,12 00	X	10	0.7	\$710
21	Tulip tree	8.E - 3.E	X	10	J.F	\$320
23	Tulip tree	18 - A	X	10	- N-	\$290
24	Tulip tree	-	X	11	-	\$570
26	Tulip tree	-	X	11	-	\$340
31	Tulip tree	-	X	14		\$600
32	Tulip tree	nietic s	X	12	Per 22 201	\$540
34	Tulip tree		X	12	Par .	\$450
38	Tulip tree	X	pri k aline	d 10 00 .	\$210	of residence
39	Tulip tree	X		14	\$660	-
41	Coast live oak	X	-	27	\$7,400	- m
42	Coast live oak	X	-11	15, 12, 11	\$2,800	ming null
43	Coast live oak	X	File	10	\$580	10 tyl
46	Columbia London plane		X	13		\$880
48	Columbia London plane		X	8	•	\$750
53	Mexican fan palm	.=	Х	16	*	\$200
67	Coast redwood	X*	- 81	12	\$1,720	Type of the last

Table 2 continued: Tree information from May 27, 2021 arborist report.

L-MARKET		DISPOS	DISPOSITION		APPRAIS	ED VALUE
TREE #	NAME	RETAIN	RMV	DIAM. (in.)	RETAIN	RMV
72	Coast redwood	-	X	16	-	\$2,790
73	Coast redwood	X*	-	12	\$2,090	Nell INV
75	Coast redwood	-	X	19	*	\$3,780
79	Coast live oak	-	X	24		\$3,970
80	Coast live oak	-	X	6	-	\$310
81	Coast live oak	•	X	7	-	\$730
89	Coast live oak	•	X	18	-	\$3,030
90	Coast redwood		X	48		\$12,900
91	Coast redwood	-	X	45	4	\$10,100
92	Coast live oak	-	X	12, 11	-	\$2,010
93	Coast live oak	-	X	6	-	\$0
94	Coast live oak	dCl-24	X	12	74.	\$1,060
95	Coast live oak	TOT 953	X	16)-	\$2,210
96	Coast live oak	200-23	X	9	14	\$630
97	Coast live oak	-	X	7	*	\$0
98	Coast live oak	-0	X	9		\$0
99	Coast live oak	-	X	13	-	\$1,090
100	Coast live oak	9	X	20, 13		\$4,060
101	Coast redwood	X	N e Bit	37	\$10,200	400
102	Coast redwood	X	(± 8)	15	\$1,880	Vq e ulv
103	Coast redwood	X	i i	49	\$8,100	\$10.y
104	Coast redwood	X	_ () t	30	\$5,900	musy plan
105	Coast redwood	X	- 11	21	\$2,740	*1111
106	Coast redwood	×	11-11	22, 21, 20	\$6,800	ellog red
107	Blackwood acacia	X	4-47	20	\$0	-
108	Coast redwood	X	-	27	\$4,020	b <u>e</u> ff
109	Coast redwood	-	Х	25	-	\$2,850

Table 2 continued: Tree information from May 27, 2021 arborist report.

		DISPOSI			APPRAIS	APPRAISED VALUE	
TREE #	NAME	RETAIN	RMV	DIAM. (in.)	RETAIN	RMV	
110	Coast redwood	ALL COR	X	26	Jany Table	\$4,620	
111	Coast live oak	-	Х	24		\$4,250	
112	Coast live oak	08078	X	38	<u> </u>	\$8,700	
115	Tuscarora crape myrtle	-	X	5, 4(4), 3(3), 2	-	\$780	
116	Tuscarora crape myrtle	-	X	3(3), 2, 1		\$200	
117	Tuscarora crape myrtle	-	×	6, 5, 4, 3, 2	-	\$640	
118	Coast redwood	-	X	25, 22		\$7,100	
119	Coast redwood		X	21, 17	;=	\$5,400	
120	Coast redwood	-	X	33	ō ,=	\$8,400	
121	Coast redwood	Æ	X	27	**	\$4,970	
122	Coast redwood		X	45	47	\$9,400	
126	Coast redwood	X	-57	26	\$2,700	the con	
129	Valley oak	X	-01	36	\$21,200	At a line	
133	Valley oak	X*	- 0	13	\$5,600	XK= 95	
136	Coast live oak	-	X	56	.=	\$18,900	
137	Columbia London plane	-	X	16	-	\$1,990	
138	Columbia London plane	-	X	12		\$780	
139	Canary Island date palm	*	X	24		\$2,340	
141	Valley oak	006,800	X	15	-	\$3,600	
142	Coast live oak	0)05-14	X	19	4	\$2,700	
143	Valley oak	X		19	\$4,800	Tu s ubo	
144	Purple-leaf cherry plum	QON-US	X	10		\$0	
148	Valley oak	0.49=0.8	X	31	li i	\$17,200	
149	Mexican fan palm	n(it*sa	X	20	- "	\$320	

LEGEND

TOTALS: \$133,300

\$223,340

* = Retained and relocated

RMV = Remove

TREE REMOVAL CRITERIA

Criteria that permit the removal of a protected tree are listed below. This information is from Article 15-50.080 of the City Code and is applied to any tree requested for removal as part of the project. If findings are made that meet the criteria listed below, the tree(s) may be approved for removal and replacement during construction.

- (1) The condition of the tree with respect to disease, imminent danger of falling, proximity to existing or proposed structures and interference with utility services, and whether the tree is a Dead tree or a Fallen tree.
- (2) The necessity to remove the tree because of physical damage or threatened damage to improvements or impervious surfaces on the property.
- (3) The topography of the land and the effect of the tree removal upon erosion, soil retention and the diversion or increased flow of surface waters, particularly on steep slopes.
- (4) The number, species, size and location of existing trees in the area and the effect the removal would have upon shade, privacy impact, scenic beauty, property values, erosion control, and the general welfare of residents in the area.
- (5) The age and number of healthy trees the property is able to support according to good forestry practices.
- (6) Whether or not there are any feasible alternatives that would allow for retaining or not encroaching on the protected tree.
- (7) Whether the approval of the request would be contrary to or in conflict with the general purpose and intent of this Article.
- (8) Any other information relevant to the public health, safety, or general welfare and the purposes of this ordinance as set forth in Section 15-50.010
- (9) The necessity to remove the tree for economic or other enjoyment of the property when there is no other feasible alternative to the removal.
- (10) The necessity to remove the tree for installation and efficient operation of solar panels, subject to the requirements that the tree(s) to be removed, shall not be removed until solar panels have been installed and replacement trees planted in conformance with the City Arborist's recommendation.
- (11) The necessity to remove a tree following the creation of defensible space within 100 feet of a structure located within the Wildland Urban Interface, in accordance with defensible space standards established by CAL FIRE or as determined by Santa Clara County Fire Department, and that risk of increased wildfire cannot reasonably be addressed through maintenance or without tree removal.

CONDITIONS OF APPROVAL

1. Owner, Architect, Contractor: It is the responsibility of the owner, architect and contractor to be familiar with the information in this report and implement the required conditions.

2. Permit:

- a. Receipt of a Planning or Building permit does not relieve applicant of his responsibilities for protecting trees per City Code Article 15-50 on all construction work.
- b. No protected tree authorized for removal or encroachment pursuant to this project may be removed or encroached upon until the issuance of the applicable permit from the building division for the approved project.

3. Final Plan Sets:

- a. Shall include the tree information, protection recommendations, and the maps showing tree protection from the arborist report by **David L. Babby** dated **May 27, 2021** copied onto a plan sheet.
- b. Shall include the Project Data in Brief and the Conditions of Approval sections of the City Arborist report dated June 28, 2021.

4. Tree Protection Security Deposit:

- a. Is required per City Ordinance 15-50.080.
- b. Shall be \$128,500 for tree(s) 10, 38-43, 67, 73, 101-108, 126, 129, 133 and 143.
- c. Shall be obtained by the owner and filed with the Community Development Department before obtaining Building Division permits.
- d. May be in the form of cash, check, or a bond.
- e. Shall remain in place for the duration of construction of the project.
- f. May be released once the project has been completed, inspected and approved by the City Arborist.

Tree Protection Fencing:

- a. Shall be installed as shown on the attached map.
- b. Shall be shown on the Site Plan.
- c. Shall be established prior to the arrival of construction equipment or materials on site.
- d. Shall be comprised of six-foot high chain link fencing mounted on 2-inch diameter galvanized posts, driven into the ground and spaced no more than 10 feet apart.
- e. Shall be posted with signs saying "TREE PROTECTION FENCE DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST, CHRISTINA FUSCO (408) 868-1276".
- f. Wherever protection is needed outside of fences, unprocessed wood chips, or approved equivalent, shall be placed to the edge of the tree's canopy and to a depth of 6 inches.
- g. Call City Arborist, at (408) 868-1276 for an inspection of tree protection fencing once it has been installed. This is required prior to obtaining building division permits.
- h. Tree protection fencing shall remain undisturbed throughout the construction until final inspection.

6. Construction: All construction activities shall be conducted outside tree protection fencing unless permitted as conditioned below. These activities include, but are not necessarily limited to, the following: demolition, grading, trenching for utility installation, equipment cleaning, stockpiling and dumping materials (including soil fill), and equipment/vehicle operation and parking.

7. Work inside fenced areas:

- a. Requires field meeting with City Arborist before performing work.
- b. Requires City Arborist approval prior to performing work.
- c. Requires Project Arborist on site to monitor work.

8. Project Arborist:

- a. Shall be David L. Babby, unless otherwise approved by the City Arborist.
- b. Shall visit the site every two weeks during grading, trenching or digging activities and every six weeks thereafter.
- c. Shall provide a letter/email to the City after each inspection. The letters/emails shall document the work performed around trees, include photos of the work in progress, and provide information on the condition of the trees during construction.
- d. Shall supervise any permitted pruning or root pruning of trees on site. Roots of protected trees measuring two inches in diameter or more shall not be cut without prior approval of the Project Arborist. Roots measuring less than two inches in diameter may be cut using a sharp pruning tool.

9. Tree removal:

- a. Trees 1 9, 11 15, 17 19, 21, 23, 24, 26, 31, 32, 24, 46, 48, 53, 72, 75, 79 81, 89 -**100, 109 – 112, 115 – 122, 136 – 139, 140-142** and **143-149** meet the criteria for removal and may be removed once building division permits have been obtained.
- b. Replacement values for new trees are listed below.

15 gallon = \$350

24 inch box = \$500

36 inch box = \$1,500

48 inch box = \$5,000 60 inch box = 7,000

72 inch box = \$15,000

- c. No trees are requested or approved for removal to construct the project.
- d. Should any tree be damaged beyond repair, new trees shall be required to replace the tree. If there is insufficient room to plant the necessary number of new trees, some of the value for trees may be paid into the City's Tree Fund.

10. New trees:

- a. New trees equal to \$233,340 shall be planted as part of the project before final inspection and occupancy of the new home. New trees may be of any species.
- b. Trees shall be replaced on or off site according to good forestry practices, and shall provide equivalent value in terms of aesthetic and environmental quality, size, height, location, appearance and other significant beneficial characteristics of the removed trees.
- c. Replacement values for new trees are listed below.

15 gallon = \$350

24 inch box = \$500

36 inch box = \$1,500

48 inch box = \$5,000 60 inch box = 7,00072 inch box = \$15.000

d. The rest of the replacement trees may be planted anywhere on the property as long as they do not encroach on retained trees.

11. Damage to protected trees that will be retained:

a. Should any protected tree be damaged beyond repair, new trees shall be required to replace the tree. If there is insufficient room to plant the necessary number of new trees, some of the value for trees may be paid into the City's Tree Fund. Replacement values for new trees are listed below.

15 gallon = \$350

24 inch box = \$500 36 inch box = \$1,500

48 inch box = \$5,000 60 inch box = 7,000 72 inch box = \$15,000

b. Water loving plants and lawns are not permitted under oak tree canopies. Only drought tolerant plants that are compatible with oaks are permitted under the outer half of the canopy of oak trees on site.

12. Final inspection:

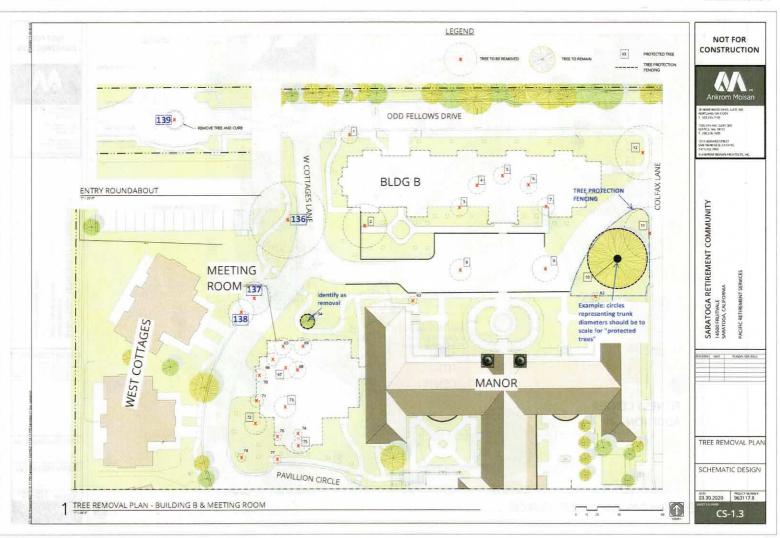
- a. At the end of the project, when the contractor wants to remove tree protection fencing and have the tree protection security deposit released by the City, call City Arborist for a
- b. Before scheduling a final inspection from the City Arborist, have the project arborist do an inspection, prepare a letter with their findings and provide that letter to the City for the project file. The and make an anomal and a land A toolast and in layoungs

tree. If there is insufficient room, to glant this non-voluty insuites a factor trees, name of

Attachment 4



Attachment 4



Attachment 4



