



**AGENDA**  
**Parks, Beaches, and Recreation Commission**  
**City of Pacifica**

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**Regular Meeting – 7 PM**  
Wednesday, May 24, 2023  
2212 Beach Blvd. Pacifica, CA 94044

**CALL TO ORDER**

**7:00 PM REGULAR MEETING**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES:**  
04/26/2023 Meeting Minutes

**IV. ADOPTION OF AGENDA**

**V. ORAL COMMUNICATION**

This is the time set aside for the public to address the Commission on items not appearing on the agenda, public input will be considered for items at this time. Please state your name for the record when addressing the Commission. Statements will be limited to three (3) minutes.

**VI. PUBLIC HEARING**

A. Tree Appeal #HT-015-23- 1164 Rosita Road

**VII. ITEMS FOR CONSIDERATION**

**VIII. REPORTS, ANNOUNCEMENTS, AND CORRESPONDENCE FROM COMMISSIONERS**

**IX. REPORTS FROM STAFF**

Director Bob Palacio

**X. ADJOURNMENT**

**Next Regular Meeting:** Regular meeting – June 28, 2023, 7:00pm

**The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7301). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.**



**Minutes**  
**Parks, Beaches, and Recreation Commission**  
**City of Pacifica**

**REGULAR MEETING – 7 PM**

Wednesday, April 26, 2023  
2212 Beach Blvd. Pacifica, CA 94044

**CALL TO ORDER:**

**Chair Abbott:** called the meeting to order at 7:01 pm.

**I PLEDGE OF ALLEGIANCE:**

**Commissioner Heywood:** led the Pledge of Allegiance.

**II ROLL CALL:**

**Commissioners Present:** Chair Abbott, Commissioners: Benton-Shoemaker, Heywood, Lusson, Nicolari, Phillips and Rodriguez

**Staff Present:** Director Bob Palacio, Recreation Supervisor Amber Shong, Recreation Coordinator Lexi Macario and Recreation Specialists Rebecca Collier

**III APPROVAL OF MINUTES:**

**Chair Abbott** called for a motion to approve the minutes 02/22/2023. **A motion was made by Commissioner Heywood, seconded by Commissioner Lusson, motion carried 6-0, Chair Abbott abstained.**

**IV ADOPTION OF THE AGENDA:**

**Chair Abbott** called for approval of the agenda of the 04/26/2023 meeting. **By a show of hands, motion carried 7-0.**

**V ORAL COMMUNICATION:**

None

**VI ITEMS FOR CONSENT:**

- A. Administrative Narrative
- B. Aquatics Update
- C. Child Care Update
- D. Recreation, Youth and Teen Program Update
- E. Senior Services and Food Services Update

**Commissioner Benton-Shoemaker:** Asked, if the Child Care division has programs at all the school district locations in Pacifica? She had seen social media posts with inquiries for recruitment of staff to contact the school district.

**Director Palacio:** Responded, Parks, Beaches, and Recreation (PB&R), two locations are City owned and four locations are rented space by the City from school district. The district will have interested parties contact the City.

**Chair Abbott:** Asked if the PB&R Commission could get an update on the funding for the CaR program in a future meeting.

**Director Palacio:** Replied, staff is in the process of researching grants and other funding resources to keep the CaR program going for the future.

**Chair Abbott** called for a motion to approve the Items for Consent. **Motion was made by Commissioner Benton-Shoemaker, seconded by Commissioner Lusson, motion carried 7-0**

**VII ITEMS FOR CONSIDERATION**

None

**VIII REPORTS FROM STAFF**

**Director Palacio:** Gave updates on the following:

- **Programs and Events:** Jr Olympics track event returned for the first time since 2019, first day event was Wednesday, April 26, 2023, at Terra Nova High School. Future event dates, Wednesday, May 3, 2023, and Saturday, May 6, 2023. Spring Egg Hunt at Frontierland Park on April 8, 2023, included new activities such as food vendors, rides, DJ music, face painting and games.
- **Surf Camp/School Policy:** Staff and California Coastal Commission (CCC), have been working on an operating agreement since December 2021. CCC wanted to rework some main points. Most of the point have been resolved and agreed by both parties. The main issue, CCC wanted the City to re-open their State of California operation agreement, which took five years to complete and was a very involved process. To re-open the process would not be in the best interest of the City. The CCC issue, sections of Linda Mar Beach that are state owned property, and the surf camps would have to cross to access the water. The State of California gave approval for the City not to re-open the agreement because the Surf Camp would not be operating on the State portion of the beach and would issue a letter to the CCC. On May 11, 2023, at 8:00am, CCC meeting via zoom will have City of Pacifica Surf Camp permit agreement will be on their meeting agenda.
- **Lifesaving Buoy Stations:** First station was installed by City Public Works Department (PW) on the promenade and the other five will be installed by June 2023 at the designated locations on the promenade. City reapplied for an installation permit from the CCC for the beach locations. The number of locations requested was reduced from 39 to 20, by reducing the number of stations the permit request would have a better chance of approval by the CCC. Each station cost about \$4,500.00-\$5,000.00 and the City is excited to partner with Sea Valor Organization on the project. Staff will send the Commissioners the locations of the Lifesaving Buoy Stations
- **Parks:** City purchased new play equipment for Fairway Park and Oddstead Park, equipment will be installed once the construction company receives new equipment and turnaround time is usually quick once the project starts.
- **PB&R Department Staff:** Supervisor Beth Phipps officially retired and new Recreation Supervisor for Senior Services, Amber Shong, started in April and Recreation Coordinator Lexi Macario started in March. Food Services Coordinator position, an offer has been made to a candidate.
- **Bike Park Project:** Staff and Commissioner Phillips have partnered with Bike Park Committee to move the project forward. They are working with Santa Cruz Stewardship on a quote for project concept designs. Staff has applied for a grant with San Mateo County in the amount of \$159,000.00 to start the project.
- **Tree Appeal:** May 24, 2023, PB&R Commission agenda will have an appeal. Staff will send the Commissioners the updated tree ordinance and asked for the

Commissioner to review and before the next meeting.

- **Youth Advisory Board (YAB):** City Council are interested in the opinions from youth of Pacifica on several topics. YAB could discuss topics at future meetings and information would be conveyed back. City Council discussed having YAB as an official committee of the City, staff is advocating against for several reason among them the constraints on City committees and Brown Act restriction could be challenging.
- **PB&R Commission Meeting Minutes:** Condensed version will continue and asked Commissioners for continued input.
- **Security Cameras:** Staff reviewing different options for installation of cameras at the community center exterior and PB&R Commission will be updated throughout the process.
- **Department Marketing:** In a future meeting staff will present new or re-vamped logo designs to be used by all PB&R divisions to create department brand recognition.

**Chair Abbott:** Asked, if Oddstead park equipment could be replace before Fairmont Park? She also supports YAB not becoming an official City committee due to all the reasons that Director Palacio explained. She is hesitant to have less detailed PB&R Commission minutes, mainly when research is needed on past topics it is important to have details.

**Director Palacio:** Replied, he will make the request to the company to install equipment at Oddstead Park before Fairmont Park, if play equipment for both parks arrive at the same time.

**Commissioner Benton-Shoemaker:** She agreed with Chair Abbott about the minutes, and she acknowledged staff's work and improvements with PB&R Special Events.

**Commission Heywood:** Asked, for a timeframe on the completion of construction on restroom facilities at Linda Mar Beach?

**Director Palacio:** Replied, spoke with the Public Works and project contractor, earliest timeline would be August. Supply chain issues and winter storms have been the cause of the delays.

## **IX SPECIAL PRESENTATION**

Introduction of New Staff- Recreation Supervisor, Senior Services Amber Shong introduced herself to the PB&R Commission and gave overview of her background. Recreation Coordinator, Lexi Macario introduced herself to the PB&R Commission and gave review of her experience before coming to the City of Pacifica.

## **X REPORTS, ANNOUNCEMENTS, AND CORRESPONDENCE FROM COMMISSIONERS:**

**Commissioner Rodriguez:** Attended Youth Advisory Board (YAB) meetings over the last two months and is excited to work with new Recreation Coordinator Macario in the future. She is pleased, YAB board wants to become more involved in City decision and policy making process. In a future meeting, she would like PB&R Commission to review how to improve support for YAB.

**Commissioner Nicolari:** Attended the Open Space and Parkland Advisory Committee (OSPAC) meeting and monthly trail maintenance workday will become a regular event on the second Saturday of each month 9am-11am. The last trail maintenance workday was a successful with 11 participants, worked on clean-up and improvement at various local trails, making visible impact. During the meeting the subject of illegal motorcycle riding on Cattle Hill and Pedro Point, the committee commented in past PB&R was able to post signage. He asked could PB&R staff help with placing new signage in the areas?

**Director Palacio:** Replied, he and Commissioner Nicolari could have a more detailed conversation about best placement on signage.

**Commissioner Lusson:** Announced he would be leaving the PB&R Commission at the end of his term, and it would be his last meeting. He thanked the Commissioners for their service to the community and wished staff best of luck in the future.

**Director Palacio:** Thanked, Commissioner Lusson for his service and commitment over the last four years and presented Commissioner Lusson with a certificate of achievement for his time on the PB&R Commission.

**Commissioner Benton-Shoemaker:** She gave updates on the following: She served at the Senior Volunteer Appreciation dinner. Attended March and April Beautification Committee, worked on awards that were announce by the City Council and learned about Bio swells. Attended Tree City Pacifica meetings, planning for Arbor Day 2023 have started.

**Commissioner Heywood:** He attended Eric J memorial skate jam at the skatepark on April 16, 2023. There were several attendees that had issues with the condition of the skatepark. He asked if staff had received emails about the subject?

**Director Palacio:** Replied, he has not received any correspondence regarding skatepark conditions and would like more information on the subject.

**Commissioner Phillips:** She served at the Senior Volunteer Appreciation Dinner and attended meetings with the Bike Park Committee and staff on funding for the project.

**Chair Abbott:** She gave brief updates on the following: She served at the Senior Volunteer appreciation dinner and on April 21<sup>st</sup>. She did an Earth Day activity with seniors during lunch. Age Friendly Community Coalition working on updating plans to get recertified and create age friendly businesses in Pacifica. Thanked Public Works and Director Palacio for getting ballers installed at Sanchez field to prevent vehicles from going onto the field.

## **XI ADJOURNMENT:**

**Chair Abbott:** asked for motion to Adjourn. **A motion was made by Commissioner Lusson, seconded by Commissioner Phillips.**  
**Motion carried 7-0.**

**Next Regular Meeting:** Regular Meeting – May 24, 2023, 7:00pm

Respectfully submitted by,  
Rebecca Collier, Recreation Specialist  
Pacifica Parks, Beaches, and Recreation

X  
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Pacifica Parks, Beaches, and Recreation Commission  
Chair Cindy Abbott



Scenic Pacifica  
Incorporated Nov. 22, 1957

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## Parks, Beaches, and Recreation Commission Staff Report

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**DATE:** May 24, 2023

**FILE:** HT-015-23

**SUBJECT:** Hearing to consider an appeal of the Director of Public Works' approval of a Tree Removal Permit (HT-015-023) for the removal of one Monterey cypress tree on private property.

**PROJECT LOCATION:** 1164 Rosita Rd (APN 023-252-140)

**BACKGROUND/PROJECT DESCRIPTION:** On June 24, 2020, the applicant originally submitted an application (HT-019-20) for the removal of one Redwood tree, one Pine tree, and one Monterey Cypress tree at 1164 Rosita Road. The application was granted to remove the Redwood and Pine tree, while the Monterey Cypress was not permitted to be removed without further evaluation by a certified arborist. On March 27, 2023, the applicant/property owner, Janice Hanlon, submitted an application for a Tree Removal Permit ("Application") to the City of Pacifica to remove the Monterey cypress tree (60 inches diameter at breast height, or dbh) located in the southeast corner of the rear yard at 1164 Rosita Road. The Monterey cypress tree is considered a protected tree pursuant to Pacifica Municipal Code (PMC) section 4-12.04(a) as it's located on private property with a diameter greater than twelve (12") inches. As a protected tree, a permit for removal must be issued by the City before removal of the tree.

PMC section 4-12.04(c) establishes five criteria that must be considered in order for the City to approve a tree removal permit:

- (1) The condition of the tree, presence of disease, pest infestation, damage, public nuisance, risk, proximity to existing or proposed structures, and/or interference with utility services;
- (2) Whether the requested action is necessary for the economically viable use of the property;
- (3) The topography of the land and effect of the requested action on it;
- (4) The number, species, size, and location of existing trees in the area and the effect of the requested action upon shade, noise buffers, protection from wind damage, air pollution, historic value, scenic beauty and upon the health, safety, and general welfare of the area and the City as a whole; and
- (5) The number of healthy trees the parcel is able to support.

Unlike findings, it is not necessary for all criteria to apply to a particular tree removal application. However, the specified criteria identify the range of relevant considerations for approval of a tree permit.

PMC section 4-12.04(a) also requires an applicant to submit an arborist's report including an International Society of Arboriculture (ISA) basic tree risk assessment form with an application for a tree removal permit.

Tree Removal Permit Application

The Application indicated several reasons for tree removal as stated in the arborist report prepared by Kevin Pineda, ISA certified Arborist:

- Existing moderate risk of structural failure due to size and entirely imbalanced canopy, structural defects, with exposure to high-wind storm events off the nearby Pacific Ocean.
- The tree’s canopy and scaffold branch structure are overweight and leaning toward the neighbor’s property.
- The tree is over mature and overgrown for the small site.
- Tree protection zone appears to be violated and therefore compromised the structural root plate and anchoring capacity.

The following is a summary of the permit processing events leading up to the appeal:

Date	Action
June 24, 2020	Janice Hanlon (“Applicant”) applied for a Tree Removal Permit to remove one Redwood, one Pine, and one Monterey cypress tree (HT-019-20). Redwood and Pine Tree were approved to be removed.
March 27, 2023	Applicant applied for a Tree Removal Permit to remove one Monterey cypress tree (HT-015-23) ( <b>Attachment B</b> )
March 29, 2023	Permit was reviewed and approved by City’s consulting arborist on behalf of the Director of Public Works.
April 5, 2023	Public Works Department posted and mailed notice of approval to adjacent neighbors abutting the subject property ( <b>Attachment C</b> )
April 11, 2023	John Beckmeyer (“Appellant”) submitted an appeal of the tree removal permit to the City Clerk ( <b>Attachment D</b> )

**BASIS OF THE APPEAL:** The appellants’ specific basis of appeal of the Director’s decision is summarized below the related quotes in *italics*. Where appropriate, the staff evaluated the basis for appeal and provided a response.

- *“The tree is not half a tree and the branches of the tree are not diseased, dead, or growing vigorously. The branches do overhang a fence, but that is typical of trees.”*

The City’s consulting arborist concurs with the report’s findings as the tree only has foliage on one side and has codominant stems which make it more prone to failure. As noted in the arborist report prepared by Kevin Pineda, the existing tree has a moderate risk of structural failure due to the size and entirely imbalanced canopy. The tree’s canopy and scaffold branch structure are overweight, and the tree is overgrown for the small site. Therefore, the tree is proposed for removal and consistent with the criteria for removal per PMC Section 4-12.04.

- *“The tree is the only remaining tree that screens the Quonset Hut shaped architectural eyesore of the proposed house that the neighbors are building. The house was supposed to be [a] remodel, but somehow the house was approved and is hideous, tall, and large.”*

The criteria for removal of a protected tree in PMC section 4-12.04(c) do not include factors related to building screening. Therefore, this basis for appeal does not address applicable criteria that the City may consider related to tree permit issuance.

- *“The root system of the two trees they cut down and the root system of this last remaining tree help stabilize the hillside immediately below the homes behind them on Palou Drive. There is no remediation for the removal of the trees supporting the hillside.”*

The proposed removal of the tree was evaluated by the City’s consulting arborist and found to be necessary as the tree is a hazard for the site, as described above. Additionally, a condition of approval has been added to the project to require the applicant to plant two replacement trees to mitigate any potential adverse effects of the tree removal. No evidence has been submitted to indicate a specific impact to slope stability from removal of the tree.

- *“The removal of the tree and prior trees is contrary to the purpose of the Tree Preservation Ordinance (Section 4-12.01).”*

The purpose of the Tree Preservation Ordinance (PMC Section 4-12.01) is to preserve protected trees on public and private property for various reasons, including “to protect the environment”, “reduce air pollution”, and “continue to encourage and ensure quality development”. However, any person who desires to remove a protected tree is required to apply for a tree removal permit to be assessed and approved by the Director of Public Works or designee. The Director’s designee, a licensed landscape architect, assessed the tree removal request and found that the permit shall be granted based on criteria consistent with PMC Section 4-12.04. In addition, a condition of approval has been added to the project that requires the applicant to replant two trees on the site to mitigate any potential adverse effects of the tree removal.

- *“When the first two trees were cut down, the intent was to cut down the third tree as well. The City asked for an arborist report before the third tree could be permitted. The permit includes an illegible and undated inspected by line and no arborist report appears to accompany the request. We need to ensure that the request is consistent with the Pacifica Municipal Code, not just an arborist signature.”*

On June 24, 2020, the applicant originally submitted an application (HT-019-20) for the removal of one Redwood tree, one Pine tree, and one Monterey Cypress tree at 1164 Rosita Road. The application was granted to remove the Redwood and Pine tree, while the Monterey Cypress was not permitted to be removed without further evaluation by a certified arborist. The proposed tree removal for the Monterey Cypress tree was requested by the applicant on March 27, 2023, and an arborist report was submitted for review as requested. The arborist report prepared by ISA-certified arborist Kevin Pineda who recommended removal of the Monterey Cypress tree as there are concerns of the health of the tree and its moderate risk of structural failure. The City’s consulting arborist reviewed the arborist report for consistency with the criteria to grant a tree removal pursuant to PMC 4-12.04(c) and concurs with the removal request based on the criteria provided in PMC section 4-12.04(c).



- *“The City of Pacifica’s website states that a Tree Protection and Preservation Plan is required to be submitted when engaging in new construction within fifty (50) feet of a protected tree or heritage tree.” The City should ensure that this was submitted and if not, reject permit HT-015-23 and halt all construction at 1164 Rosita Road until this matter is resolved.”*

The initial Building Permit (#54674-21) to reconstruct and add to the existing single-family residence was submitted for plan review on January 7, 2021 and issued on November 11, 2021. The City’s Tree Preservation Ordinance (PMC Title 4, Chapter 12) was enacted on October 12, 2022, and any permits prior to this ordinance were not subject to the requirements of the current ordinance. Thus, the current construction would not be subject to the tree protection zone and exclusionary fencing requirements of the current ordinance. In any case, the tree in question is proposed for removal and protection of the tree is not necessary.

- *“The owners of 1164 Rosita Road created the issue by cutting down the first two trees in the first place and now the remaining tree is a problem. They created the aesthetic issue they suffer – do not let them compound the problem.”*

Pursuant to PMC Section 4-12.01, any person who desires to remove a protected tree shall obtain a tree removal permit. The property owners at 1164 Rosita Road applied for a tree removal permit that was reviewed and approved by the City’s consulting arborist, who is the Director’s designee, based on the criteria for protected tree removal in PMC Section 4-12.04(c). The prior tree removals and construction of the residence are separate matters and do not contribute to the proposed removal of the Monterey Cypress tree (HT-015-23). However, to mitigate adverse effects on tree removal the project has been conditioned to require planting of two new trees.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW**

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15304.

**CONCLUSION:** The City’s consulting Arborist reviewed the proposed tree removal and agrees with the findings to remove the tree as evaluated in the arborist report prepared by Kevin Pineda based on the criteria for removal in PMC Section 4-12.04(c). With respect to the Tree Removal Permit, the following findings granting the tree removal have been made based on the criteria consistent with PMC section 4-12.04(c):

- 1) *The condition of the tree, presence of disease, pest infestation, damage, public nuisance, risk, proximity to existing or proposed structures, and/or interference with utility services;*

The City’s consulting arborist concurs with the arborist report prepared by Kevin Pineda in that the structural integrity of the tree is compromised because the tree only has foliage on one side with codominant stems which make it prone to failure. Accordingly, it will not be possible to re-establish canopy growth and the tree is a hazard. Therefore, removal is necessary to avoid risk to existing structures.

- 2) *Whether the requested action is necessary for the economically viable use of the property;*

The proposed removal is not directly necessary for the economically viable use of the property because the site is already developed with an economic use (single-family residence).

3) *The topography of the land and effect of the requested action on it;*

The City's consulting arborist concurred with the arborist reports determination that the trees structural integrity was compromised because the tree only has foliage on one side with codominant stems that make it more prone to failure. Therefore, the City's consulting arborist found the removal to be adequate for the site. Additionally, the project has been conditioned to ensure that tree removal is performed by a licensed tree removal specialist to ensure best practices are achieved. The licensed tree removal specialist is required as improper removal could present a hazard to life and property, which is similar to why tree removal is recommended. Furthermore, the site conditions for the tree were found to be small for the mature tree as stated in the arborist report, thus, proper removal by a licensed tree removal specialist would ensure best practices are achieved to avoid a hazard. There is no evidence to indicate an adverse impact to the site's topography that would result from removal of the tree.

4) *The number, species, size, and location of existing trees in the area and the effect of the requested action upon shade, noise buffers, protection from wind damage, air pollution, historic value, scenic beauty and upon the health, safety, and general welfare of the area and the City as a whole; and*

The existing Monterey Cypress tree is currently screening adjacent properties to the rear and contributes to reduced air pollution; however, the tree's current condition may impact the health, safety, and general welfare of the area. The tree's condition was assessed in the arborist report prepared by Kevin Pineda and by the City's consulting arborist that found the tree was not suitable for the site and issues with the structural integrity, as discussed in further detail above. Therefore, the tree is recommended for removal to improve the site and reduce potential impacts of the tree failing due to the current structure.

5) *The number of healthy trees the parcel is able to support.*

The parcel appears to have sufficient space to support trees in the rear and front yard of the property. However, the existing Monterey Cypress tree was determined to be overgrown for the site and recommended for removal. Two replacement trees are recommended to mitigate potential adverse impacts of removing the tree and to provide healthy trees in place of the Monterey Cypress that is structurally failing.

**RECOMMENDED ACTION:** Adopt the attached resolution to deny the appeal and approve Tree Removal Permit HT-015-23.

**PREPARED BY:** Brianne Harkousha, AICP, Senior Planner

RESOLUTION NO. 2023-\_\_\_\_\_

**A RESOLUTION OF THE PARKS, BEACHES AND RECREATION COMMISSION OF THE CITY OF PACIFICA UPHOLDING THE DIRECTOR OF PUBLIC WORKS' APPROVAL OF A TREE REMOVAL PERMIT (HT-015-23) GRANTING THE REMOVAL OF ONE MONTEREY CYPRESS TREE WITH A 60 INCH DIAMETER AT BREAST HEIGHT LOCATED IN THE SOUTHEAST CORNER OF THE REAR YARD AT 1164 ROSITA ROAD (APN 023-252-140), AND FINDING THE REMOVAL EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

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**WHEREAS**, on March 27, 2023, an application ("Application") for a tree removal permit to remove one (1) Monterey cypress tree with 60-inch diameter at breast height (dbh) located in the southeast corner of the rear yard at 1164 Rosita Road (APN 023-252-140) ("Property") was filed by Janice Hanlon; and

**WHEREAS**, the project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 (b) of title 14, California Code of Regulations, §§ 15000 et seq. (the "CEQA Guidelines"); and

**WHEREAS**, the designee of the Director of Public Works reviewed the tree removal permit based on the criteria under Section 4-12.04(c) of the Pacifica Municipal Code and recommended approval of the application with conditions on March 29, 2023; and

**WHEREAS**, the notice of decision was provided as required by PMC Section 4-12.07(a), informing recipients of the applicable appeal period; and

**WHEREAS**, the City Clerk of the City of Pacifica received an appeal of the Director of Public Works' approval of the tree removal permit submitted by John Beckmeyer ("Appellant") on April 11, 2023 ("Appeal"); and

**WHEREAS**, the Parks, Beaches and Recreation Commission of the City of Pacifica did hold a duly noticed public hearing on May 24, 2023, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Parks, Beaches and Recreation Commission of the City of Pacifica as follows:

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Parks, Beaches and Recreation Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

**BE IT FURTHER RESOLVED** that Parks, Beaches and Recreation Commission of the City of Pacifica denies the Appeal for the following reasons:

[INSERT APPROPRIATE DISCUSSION FROM THE STAFF REPORT AFTER CITY ATTORNEY'S OFFICE REVIEW OF THE REPORT]

**BE IT FURTHER RESOLVED** that the Parks, Beaches and Recreation Commission of the City of Pacifica does hereby make the finding that the Project qualifies for a Class 4 exemption under CEQA. Guidelines Section 15304, as described below, applies to the Project:

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. An example includes, but is not limited to:

\* \* \* \* \*

(b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire-resistant landscaping.

\* \* \* \* \*

The subject proposal is to remove one unhealthy tree that has the potential for structural failure and may be a hazard for existing structures on-site. The proposal also includes replacement planting to mitigate potential adverse effects of removing a tree on this property. Therefore, the proposal includes new landscaping. For the foregoing reasons, there is substantial evidence in the record to support a finding that the Project is categorically exempt from CEQA pursuant to Section 15304 of the CEQA Guidelines.

**BE IT FURTHER RESOLVED** that Parks, Beaches and Recreation Commission of the City of Pacifica does find the project to be consistent with five criteria to grant a tree removal permit established by PMC Section 4-12.04(c):

- 1) *The condition of the tree, presence of disease, pest infestation, damage, public nuisance, risk, proximity to existing or proposed structures, and/or interference with utility services;*

The City's consulting arborist concurs with the arborist report prepared by Kevin Pineda in that the structural integrity of the tree is compromised because the tree only has foliage on one side with codominant stems which make it prone to failure. Accordingly, it will not be possible to re-establish canopy growth and the tree is a hazard. Therefore, removal is necessary to avoid risk to existing structures.

- 2) *Whether the requested action is necessary for the economically viable use of the property;*

The proposed removal is not directly necessary for the economically viable use of the property because the site is already developed with an economic use (single-family residence).

- 3) *The topography of the land and effect of the requested action on it;*

The City's consulting arborist concurred with the arborist reports determination that the trees structural integrity was compromised because the tree only has foliage on one side with codominant stems that make it more prone to failure. Therefore, the City's consulting arborist found the removal to be adequate for the site. Additionally, the project has been conditioned to ensure that tree removal is

performed by a licensed tree removal specialist to ensure best practices are achieved. The licensed tree removal specialist is required as improper removal could present a hazard to life and property, which is similar to why tree removal is recommended. Furthermore, the site conditions for the tree were found to be small for the mature tree as stated in the arborist report, thus, proper removal by a licensed tree removal specialist would ensure best practices are achieved to avoid a hazard. There is no evidence to indicate an adverse impact to the site's topography that would result from removal of the tree.

- 4) *The number, species, size, and location of existing trees in the area and the effect of the requested action upon shade, noise buffers, protection from wind damage, air pollution, historic value, scenic beauty and upon the health, safety, and general welfare of the area and the City as a whole; and*

The existing Monterey Cypress tree is currently screening adjacent properties to the rear and contributes to reduced air pollution; however, the tree's current condition may impact the health, safety, and general welfare of the area. The tree's condition was assessed in the arborist report prepared by Kevin Pineda and by the City's consulting arborist that found the tree was not suitable for the site and issues with the structural integrity, as discussed in further detail above. Therefore, the tree is recommended for removal to improve the site and reduce potential impacts of the tree failing due to the current structure.

- 5) *The number of healthy trees the parcel is able to support.*

The parcel appears to have sufficient space to support trees in the rear and front yard of the property. However, the existing Monterey Cypress tree was determined to be overgrown for the site and recommended for removal. Two replacement trees are recommended to mitigate potential adverse impacts of removing the tree and to provide healthy trees in place of the Monterey Cypress that is structurally failing.

**BE IT FURTHER RESOLVES** that the Parks, Beaches and Recreation Commission of the City of Pacifica hereby approves Tree Removal Permit HT-015-23 subject to the conditions of approval in Exhibit A to this Resolution.

\* \* \* \* \*

Appeal of Tree Removal Permit HT-015-23  
1164 Rosita Road (APN 023-252-140)  
May 24, 2023

**PASSED AND ADOPTED** at a regular meeting of the Parks, Beaches and Recreation Commission of the City of Pacifica, California, held on the 24<sup>th</sup> day of May, 2023, by the following vote:

AYES, Commissioner:

NOES, Commissioner:

ABSENT, Commissioner:

ABSTAIN, Commissioner:

\_\_\_\_\_  
Cindy Abbott, Chair

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Bob Palacio  
Parks, Beaches and Recreation Director

\_\_\_\_\_  
Michelle Kenyon  
City Attorney

## **Exhibit A**

### **Conditions of Approval: Tree Removal Permit HT-015-23, to remove one Monterey Cypress with a 60-inch Diameter at Breast Height located in the southeast corner of the rear yard at 1164 Rosita Road (023-252-140)**

#### **Parks, Beaches and Recreation Commission Meeting of May 24, 2023**

1. Applicant shall maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the Pacifica Municipal Code.
2. The applicant/property owner shall provide replacement planting of a minimum of two (2) 15-gallon trees that are of the same species or species of similar mature stature to be planted in a similar location as the subject tree to be removed to the satisfaction of the Director of Public Works or their designee to be consistent with PMC Section 4-12.04(e).

In the event replacement trees are not feasible, the Director of Public Works or their designee may request that the applicant pay the replacement value of the mature protected tree minus the cost of the replacement trees or trees in lieu thereof if on-site replacement is not feasible. No applicant shall be required to spend more on the replacement trees than the appraised value of the trees for which a permit is required. The Director shall determine the replacement value of the trees utilizing the most recent edition of the Guide for Plant Appraisal by the Council of the Tree and Landscape Appraisers.

3. All tree removal activities shall be performed by a licensed tree removal specialist to ensure best practices are achieved.
4. The Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the Applicant's project ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, City, and/or parties initiating or bringing such Proceeding. If the Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

\*\*\*END\*\*\*



CITY OF PACIFICA

DEPARTMENT OF PUBLIC WORKS - FIELD SERVICES DIVISION
540 Crespi Dr. Pacifica, CA 94044
650-738-3760, 650-738-9747 (fax), DPWassistance@ci.pacifica.ca.us
TREE PERMIT APPLICATION

THIS SECTION IS A PERMIT APPLICATION ONLY
IT DOES NOT GUARANTEE ISSUANCE OF PERMIT NOR GIVE PERMISSION TO BEGIN WORK

PERMIT NUMBER: HT-015-23
DATE: 27 MARCH 2023
PAID: \$ 238
RECEIPT NUMBER: 165 357

APPLICANTS NAME: JanNiece Hanlon
PHONE NUMBER: 650 219-5491
ADDRESS: 1164 Rosita Road, Pacifica, Calif. 94044

1) LOCATION OF TREE(S): TREE in LEFT REAR YARD (UPPER CORNER)
(ATTACH A SITE PLAN OR PLOT OF THE PROPERTY)

2) VARIETY OF TREE(S): MONTEREY CYPRESS (HESPEROYPPONIS MACCARPE)
TOTAL NUMBER OF TREE(S): ONE

3) ACTION REQUESTED\*: (NO OPS) mag60hanlon@gmail.com

- Removal / destruction
construction affecting dripline
other (please specify)
move
designate as Heritage Tree
pruning
tree encroachment

\*Applicant to submit an arborist's report and an ISA basic tree risk assessment form for removal of a protected tree(s).

4) JUSTIFICATION (STATE THE REASON WHY THE ACTION IN SECTION 3 IS BEING REQUESTED): THE TREE IS HALF A TREE FOR A REDWOOD WAS GROWING RIGHT TO IT WHICH CAUSE THE CYPRESS TO DIE OFF TO MAKE IT HALF A TREE WHICH MAKES FOR OVER WEIGHT IN OUR NEIGHBOR'S YARD WITHOUT WEATHER CHANGING & THOSE TREES TO HELP PROTECT IT...

5) SIGNATURE OF PROPERTY OWNER: JanNiece Hanlon
(by signing, you are granting permission for the City of Pacifica to inspect tree(s) on your property)
New House & our neighbors around us

THE PERMITTEE AND/OR PROPERTY OWNER BY ACCEPTANCE OF THIS PERMIT, AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF PACIFICA FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS AND LEGAL ACTIONS FOR INJURIES OR DAMAGES TO PERSONS OR PROPERTY RESULTING FROM OPERATIONS OR MAINTENANCE UNDER THIS PERMIT, REGARDLESS OF PASSIVE NEGLIGENCE OF THE CITY OF PACIFICA, ITS OFFICERS, EMPLOYEES, CONSULTANTS AND AGENTS, AND AGREES TO COMPENSATE THE CITY IN FULL FOR ALL DAMAGES TO PROPERTY OF THE CITY OR TO PUBLIC PROPERTY UNDER ITS JURISDICTION RESULTING FROM OPERATIONS OR MAINTENANCE UNDER THIS PERMIT.

\*\*\*\*\*APPLICANT - DO NOT COMPLETE BELOW THIS LINE\*\*\*\*\*

TREE ORDINANCE - PERMIT

IN ACCORDANCE WITH THE APPLICATION EXECUTED ABOVE, PERMISSION IS: [ ] GRANTED [ ] DENIED

EFFECTIVE DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_ EXTENTION EXPIRATION: \_\_\_\_\_

SUBJECT TO THE FOLLOWING CONDITIONS:

- [ ] to be done by a professional tree service with a City of Pacifica Business License
[ ] debris to be removed when work is completed
[ ] mitigation measures (specify): \_\_\_\_\_

NOTE: ANY COSTS FOR THE REMOVAL OF TREE(S) IS AT THE EXPENSE OF THE PROPERTY OWNER

INSPECTED BY: [Signature] DATE: \_\_\_\_\_
APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TREE ORDINANCE APPEAL

NAME OF APPELLANT: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_
ADDRESS: \_\_\_\_\_
REASON TO APPEAL THE ADMISTRATIVE DECISION ABOVE FOR THE FOLLOWING REASON: \_\_\_\_\_



25 March, 2023

Re: Application to Remove Tree at 1164 Rosita Road

To Whom It May Concern:

We are writing in fervent support for the application to remove the tree at the southernmost corner of 1164 Rosita Road. Our property at 1167 Palou Drive is adjacent directly south of 1164. The center of the tree trunk is approximately 5 feet from our shared property line.

**Falling Hazard**

At over 55 feet tall, this represents a direct structure hazard to 3 homes, 1164 Rosita Road, 1168 Rosita Road and ours, 1167 Palou Drive. If it were to fall it could also damage fences and yard property at 1160 Rosita Road, 1176 Rosita Road, 1163 Palou Drive and 1171 Palou Drive.

**Canopy and Health**

Due to lack of maintenance and being planted too close to a tree to the north (removed about a year ago,) the canopy for this tree grew to the south only, over our property. That means the health and stability of this tree is largely the result of a canopy that hangs 15+ feet south over our property. We have been informed in the past that as long as it doesn't harm the tree, we have the right to remove all overhanging branches at the property line, but due to the canopy coverage we can not do that without compromising the tree. This puts us in the position of having to maintain a tree we don't own and have no control over. Over the years, this tree has also extended its root system into our yard, destroying our landscaping and creating tripping hazards.

This tree is just too big, too unbalanced and too dangerous to keep. We love our trees in Pacifica and value the habitat they offer to local wildlife. They absolutely improve the character of our community and the health of our environment. But sometimes a tree, like this one, is more danger than delight. Please allow the owners at 1164 to proceed with the removal of this tree.

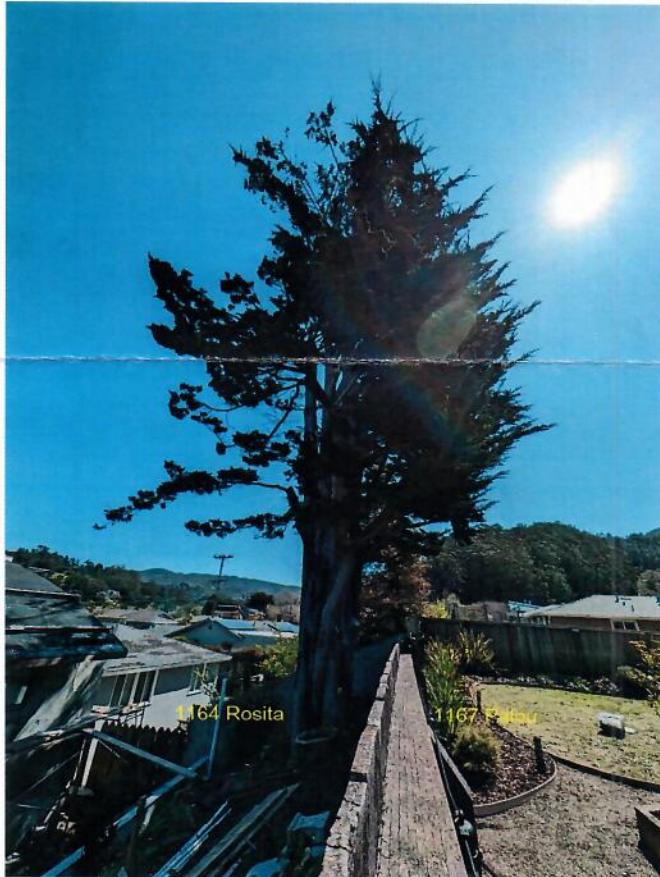
Sincerely,



Theodore Bisson & Zanmei Yang

1167 Palou Drive

650-922-4957





# Arborist Report

## Tree Risk Assessment

1164 Rosita Road Pacifica, CA 94044

March 20, 2023



*Prepared for the homeowner:*

**JanNice P Hanlon**

1164 Rosita Rd.

Pacifica, CA 94044

*Prepared by:*

**Kevin Pineda**

ISA Certified Arborist

[pinedakevin1990@gmail.com](mailto:pinedakevin1990@gmail.com)

with

**Donald Cox**, advisor

ISA Certified Arborist

[drtreelove@gmail.com](mailto:drtreelove@gmail.com)

## **Arborist Assignment**

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Kevin Pineda and Don Cox, independent certified-arborist associates, have been contracted by the owner of the property at 1164 Rosita Road in Pacifica, CA, to assess a tree on the residential property in relation to a concern of the property owner as well as from a next-door neighbor about potential risk of tree structural failure and property damage. The arborist site visit by Kevin Pineda took place March 4.

Plans, laws, and standards used for site and tree assessment:

### **City of Pacifica Municipal Code Chapter 12. – Tree Preservation**

**Best Management Practices: Tree Risk Assessment** (2<sup>nd</sup> Edition 2017)  
(A publication of the International Society of Arboriculture)

**Best Management Practices: Managing Trees During Construction** (2<sup>nd</sup> Edition 2016)  
(A publication of the International Society of Arboriculture)

## **Summary Of Tree Assessment**

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**One large Monterey cypress tree** (*Hesperocyparis macrocarpa*) is located in the rear yard and adjacent to a new retaining wall and a fence, which borders a neighboring property to the rear.

The subject tree is only **half a tree**, due to structural deformity and canopy growth restrictions which resulted from crowding with a previously adjacent tree and topping. It is over-mature and over-grown for the small site.

With the one-sided canopy and scaffold branch structure, the tree is overweighted and leaning toward the neighbor's property to the rear. The one-sided over-weighting presents a risk of structural failure and wind-throw tree toppling. There is no possibility of re-establishing canopy growth and balance in weight distribution within a reasonable amount of time for preventive management.

History of the new retaining wall construction and tree root damage impacts are unknown and are a large concern for tree structural integrity. It is obvious that the recommended tree protection zone has been violated and therefore compromised the structural root plate and anchoring capacity.

Entire tree removal is required to abate risk and replant with a more suitable species for the site.



## **Regulated Trees In The City Of Pacifica**

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### **Sec. 4-12.02. - Definitions.**

"Protected tree" shall mean and include:

All trees on public and private property within the City of Pacifica, which have a trunk with a diameter of twelve (12") inches or greater at DBH.

Any heritage tree designated by the Director.

Any grove of trees.

Eucalyptus and any species determined invasive by the California Invasive Plants Council are not protected by this chapter, except groves of trees and as the director may deem otherwise.

### **Sec. 4-12-08. - Designation of heritage trees.**

*Ord. No. 88-C.S., § 2, effective October 12, 2022, repealed ch. 12, §§ 4-12.1—4-12.11 and enacted a new ch. 12 as set out herein.*

All trees currently known to meet the following criteria within the City of Pacifica are hereby designated as heritage trees:

- Any trees that are of the species *Quercus agrifolia* (coast live oak), *Quercus lobata* (valley oak), *Aesculus californica* (California buckeye), *Pinus radiata* (Monterey pine), or *Sequoia sempervirens* (redwood), which have a trunk diameter of twelve (12") inches or more; or
- Any trees that are of the species *Heteromeles arbutifolia* (toyon) which have a trunk diameter of four (4") inches DBH or more.
- The Director may also designate heritage trees that meet any of the following criteria:
- Tree(s) of historic value; Specimen tree(s) of any species; Any tree of substantial size of its species; is one of the largest and oldest trees in Pacifica; or Significant habitat value.

## **Subject Tree Description**

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**Monterey cypress** (*Hesperocyparis macrocarpa*)

**Size:** 60-inches in trunk diameter at breast height. 60-feet in height'

**Age and Condition:** Over-mature, estimate <sup>60</sup>70 years old. Fair physiological health, poor structural condition. **There is existing moderate risk of structural failure**, due to size and entirely imbalanced canopy, structural defects, with exposure to high-wind storm events off the nearby Pacific Ocean.

**City Code Protection Status:** A "Protected tree" by City Ordinance Definition (... a trunk with a diameter of twelve (12") inches or greater at DBH.)

Not classified as a 'heritage tree' according to current ordinance definition.

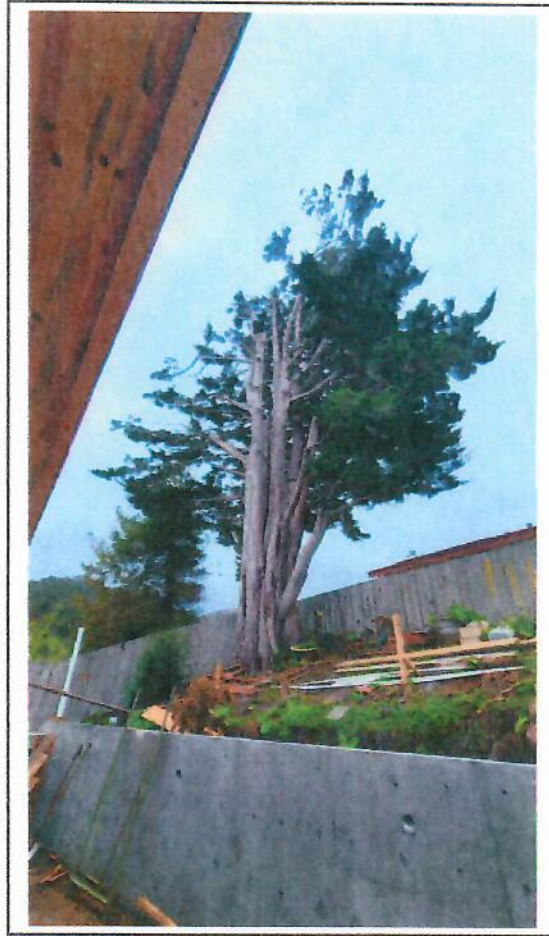
**Potential construction impacts:** Significant damage to the tree would be inevitable with any root cutting, grading and paving or other construction within the recommended TPZ . This can result in severe negative physiological impact and possible destabilization contributing to structural failure. (This has already occurred.)

**Risk and potential targets:**

Tree parts most likely to fail: One or more entire vertical stems with foliar crown, or entire tree.  
Targets for falling tree parts: Property of neighbor to the rear.

**TPZ:** A Tree Protection Zone recommendation is **25-feet** distance from the tree trunk in all directions as a non-intrusion, no root cutting zone for tree preservation.





*One-sided large cypress with heavy lean and structural defects.*



*Compromised root plate. Root cutting at less than eight feet from the tree trunk.*



***Leaning one-sided tree with multiple co-dominant stems – prone to failure  
Compromised structural root zone***



## **ARBORIST RECOMMENDATIONS**

Considering the compromised structural condition of the subject tree (structural defects and root-zone excavation), there is risk of structural failure and impact on high-value potential targets for a falling tree or tree parts. Tree removal and replacement with a suitable species should be considered.

The recommendation is for pre-emptive hazard abatement, to eliminate the risk of catastrophic property damage and personal injury. Remove and replace with one or two medium-size evergreen trees that are more in scale with the residential site, and will be much safer over the next 20 years or more.

Suggestions for replacement trees:

**Red flowering gum** *Corymbia ficifolia*  
(Preferred - red flower variety is spectacular)

**Eucalyptus "willow-leaf peppermint"** *Eucalyptus nicholii*  
(second preference – beautiful tree but not known for flowering)

*Other possibilities:*

**New Zealand Christmas tree** *Metrosideros excelsa*

**Southern magnolia** *Magnolia grandiflora* 'Majestic Beauty' or 'Little Gem'

**Brisbane box** *Lophostemon confertus*

## **Arborist Disclosure Statement:**

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

Arborists cannot detect every condition that could lead to the structural failure of a tree. Trees are living organisms that fail in ways that we sometimes do not fully understand. Conditions are often hidden within trees and below ground.

Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist.

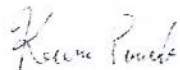
Trees can be managed, but all factors cannot be controlled. To live near trees is to accept some degree of risk.

Information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection.

The inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

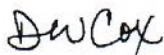
### **Certification:**

We hereby certify that all the statements of fact in this report are true, complete, and correct to the best of our knowledge and belief, and are made in good faith, in the best interests of the trees, the property owners and the community.



---

Kevin Pineda  
ISA Certified Arborist WE-12118A  
Tree Risk Assessment Qualification



---

Donald W. Cox,  
ISA Board Certified Master Arborist WE-3023BUM



## Suzuki, Maria

---

**From:** Schaufelberger, Bea  
**Sent:** Monday, April 3, 2023 3:39 PM  
**To:** Suzuki, Maria  
**Subject:** RE: 2 tree applications you sent me

Matthew did approved 1164 Rosita in greenvue.

---

**From:** Suzuki, Maria <[msuzuki@pacificagov](mailto:msuzuki@pacificagov)>  
**Sent:** Monday, April 3, 2023 3:25 PM  
**To:** Schaufelberger, Bea <[bberger@pacificagov](mailto:bberger@pacificagov)>  
**Cc:** Kent, Jennifer <[jkent@pacificagov](mailto:jkent@pacificagov)>  
**Subject:** RE: 2 tree applications you sent me

Addresses below

- 1) 1383 Solano Dr. ( has a sticky note with "Matt approved"
- 2) 1164 Rosita Rd. – not note attached

---

**From:** Schaufelberger, Bea <[bberger@pacificagov](mailto:bberger@pacificagov)>  
**Sent:** Monday, April 3, 2023 3:18 PM  
**To:** Suzuki, Maria <[msuzuki@pacificagov](mailto:msuzuki@pacificagov)>  
**Cc:** Kent, Jennifer <[jkent@pacificagov](mailto:jkent@pacificagov)>  
**Subject:** RE: 2 tree applications you sent me

What are the addresses? As to the signature, that is a question to be asked in the next tree meeting.

---

**From:** Kent, Jennifer <[jkent@pacificagov](mailto:jkent@pacificagov)>  
**Sent:** Monday, April 3, 2023 12:27 PM  
**To:** Schaufelberger, Bea <[bberger@pacificagov](mailto:bberger@pacificagov)>  
**Cc:** Suzuki, Maria <[msuzuki@pacificagov](mailto:msuzuki@pacificagov)>  
**Subject:** FW: 2 tree applications you sent me  
**Importance:** High

Hi Bea,

I think this message is for you. May you please respond? I don't know the addresses.

Sincerely,  
Jennifer



**Jennifer Kent | Permit Technician**

City of Pacifica  
540 Crespi Dr., Pacifica, CA 94044  
Building: (650) 738-7344 | Planning: (650) 738-7341  
[jkent@pacificagov](mailto:jkent@pacificagov)

---

**From:** Suzuki, Maria <[msuzuki@pacificagov](mailto:msuzuki@pacificagov)>  
**Sent:** Friday, March 31, 2023 1:57 PM



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## CITY OF PACIFICA

540 Crespi Drive • Pacifica, California 94044-3422  
[www.cityofpacifica.org](http://www.cityofpacifica.org)

---

**MAYOR**  
Tygarjas Bigstycck

**MAYOR PRO TEM**  
Sue Vaterlaus

**COUNCIL**  
Sue Beckmeyer  
Mary Bier  
Christine Boles

April 5, 2023

\* \* \* \* **NOTICE** \* \* \* \*

On **April 3, 2023** an application was submitted by **Jannice Hanlon** the owner(s) of the property located at **1164 Rosita Rd.** to remove **One (1) Heritage Tree(s)**. City Staff is recommending removal of the tree and is now processing the application. The process requires that notification be mailed to adjacent property owners. **If you are not in favor of the removal you need to notify the City in writing (phone calls DO NOT qualify as notice) before April 14, 2023.** In accordance with the requirements established by the Heritage Tree Ordinance, this Department will make a final decision on the permit by that date.

If you desire to appeal the proposed administrative decision, please complete the bottom portion of the application and return it by the date specified. This appeal needs to be mailed to: City of Pacifica, City Clerk, Attention: Tree Appeal, 540 Crespi Dr., Pacifica, CA 94044. Appeals mailed to a different Department may not reach the City Clerk in time to be considered. If you are planning to hand-deliver your appeal, please deliver it to 540 Crespi Dr. Hand-delivering the appeal to another Department will most likely not reach the City Clerk in time for consideration. The filing fee for an appeal is \$426.00. Thank you for your cooperation

If you have any questions regarding this matter, please contact the Public Works office at 650-738-3760, 650-738-9747 (fax) or email:  
[DPWassistance@ci.pacificaca.us](mailto:DPWassistance@ci.pacificaca.us)

Sincerely,

Gino Assereto

Public Works Superintendent



Mailing address: 540 Crespi Dr.  
Corporation Yard: 155 Milagra Drive  
Pacifica, CA 94044  
650-738-3760 (P)  
650-738-9747 (F)

**City of Pacifica  
Public Works**  
[www.CityofPacifica.org](http://www.CityofPacifica.org)

# Memo

**To:** Janice Hanlon  
**From:** Gino Assereto  
**Date:** April 5, 2023  
**Re:** Heritage Tree Permit Application # HT-015-23

---

**\*\*THIS IS NOT AN APPROVED PERMIT, BUT INFORMATIONAL IN PURPOSE ONLY! \*\***

Enclosed is a copy of the notification letter that I have sent to the adjacent & abutting property owners regarding the tree removal application at **1164 Rosita Road**.

This "Notice" letter and a copy of the permit application are out for delivery via U.S. Postal Service. The appeal period for this application will be over on **April 14, 2023** and pending no appeals, we will issue the permit on or around that date. A copy of the approved permit will be mailed to you. **DO NOT SCHEDULE WORK WITH THE TREE COMPANY UNTIL YOU HAVE THE PERMIT IN HAND.** If you wish to pick up the permit, have it emailed or faxed to you, please call our office.

**Please be advised that this permit has not been approved yet, and is still being processed. Tree removal work cannot begin unless a copy of the approved & signed permit is on site.** If you have any questions regarding this matter, please do not hesitate to call our office at 650-738-3760.

Sincerely,



Gino Assereto  
Public Works Superintendent

CITY OF PACIFICA  
PUBLIC WORKS DEPARTMENT  
PARKS & STREAMS DIVISION

# NOTICE

PERMIT # HT-015-23  
Date Posted: 4-5-23

An application has been submitted to remove this heritage tree under the provisions of the City's Heritage Tree Ordinance (Chapter 12, Title 4, of the Pacifica Municipal Code). A heritage tree is defined as a tree, exclusive of Eucalyptus, which has a trunk circumference of fifty (50") inches (approximately sixteen (16") inches in diameter or more), measured at twenty-four (24") inches above the natural grade, or a tree or grove of trees including Eucalyptus designated by resolution of the city Council to be a special historical, environmental or aesthetic value. No person may trim, cut down, destroy, remove, or move a heritage tree for which a permit application is in process.

A person violating any of the provisions of the Heritage Tree Ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$1,000 or six months imprisonment, or a combination thereof, and may be subject to administrative civil penalties as provided by the Municipal Code.

City Staff is recommending removal of this tree and the Public Works Superintendent has issued his proposed decision on this application as follows:

Removal of (one) Redwood tree Reacted Per Arborist report

Individuals wishing to appeal the proposed decision upon this application may do so within seven (7) days of the posted date above. The fee to appeal this removal is \$405.00 by check made out to the City of Pacifica. Please submit all appeals in writing to the information below. Copies of the Heritage Tree ordinance are available upon request. Any comments or questions; please contact Public Works at (650) 738-3760. Please submit all appeals in writing to the information below.

City of Pacifica  
City Clerk-Tree Appeal  
540 Crespi Drive  
Pacifica, CA 94044



RECEIVED

APR 11 2023  
Sawley in person  
CITY CLERK

CITY OF PACIFICA

DEPARTMENT OF PUBLIC WORKS - FIELD SERVICES DIVISION

540 Crespi Dr. Pacifica, CA 94044

650-738-3760, 650-738-9747 (fax), DPWassistance@ci.pacifica.ca.us

TREE PERMIT APPLICATION

THIS SECTION IS A PERMIT APPLICATION ONLY

IT DOES NOT GUARANTEE ISSUANCE OF PERMIT NOR GIVE PERMISSION TO BEGIN WORK

PERMIT NUMBER: HT-015-23	DATE: 27 MARCH 2023	PAID: \$ 238	RECEIPT NUMBER: 165357
-----------------------------	------------------------	-----------------	---------------------------

APPLICANTS NAME: Jannice Hanlon PHONE NUMBER: 650 219-5491  
 ADDRESS: 1164 Rosita Road, Pacifica, Calif. 94044

1) LOCATION OF TREE(S): TREE IN LEFT REAR YARD (UPPER CORNER)  
 (ATTACH A SITE PLAN OR PLOT OF THE PROPERTY)

2) VARIETY OF TREE(S): MONTAREY CYPRESS (HESPEROYPARIS MACCARPE) TOTAL NUMBER OF TREE(S): ONE

3) ACTION REQUESTED\*: (NO OPS) mag660hanlon@gmail.com

- removal / destruction  construction affecting dripline  other (please specify)
- move  designate as Heritage Tree
- pruning  tree encroachment OVER OUR NEIGHBORS YARD'S

\*Applicant to submit an arborist's report and an ISA basic tree risk assessment form for removal of a protected tree(s).

4) JUSTIFICATION (STATE THE REASON WHY THE ACTION IN SECTION 3 IS BEING REQUESTED): THE TREE IS HALF A TREE FOR A REDWOOD WAS GROWING RIGHT TO IT WHICH CAUSE THE CYPRESS TO DIE OFF TO MAKE IT HALF A TREE WHICH MAKES FOR OVER WEIGHT IN OUR NEIGHBORS YARD WITHOUT WEATHER CHANGING & THO TREES TO HELP PROTECT IT...

5) SIGNATURE OF PROPERTY OWNER: Jannice P. Hanlon we are afraid of damage to our New House & our neighbors around us  
 (by signing, you are granting permission for the City of Pacifica to inspect tree(s) on your property)

THE PERMITTEE AND/OR PROPERTY OWNER BY ACCEPTANCE OF THIS PERMIT, AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF PACIFICA FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS AND LEGAL ACTIONS FOR INJURIES OR DAMAGES TO PERSONS OR PROPERTY RESULTING FROM OPERATIONS OR MAINTENANCE UNDER THIS PERMIT, REGARDLESS OF PASSIVE NEGLIGENCE OF THE CITY OF PACIFICA, ITS OFFICERS, EMPLOYEES, CONSULTANTS AND AGENTS, AND AGREES TO COMPENSATE THE CITY IN FULL FOR ALL DAMAGES TO PROPERTY OF THE CITY OR TO PUBLIC PROPERTY UNDER ITS JURISDICTION RESULTING FROM OPERATIONS OR MAINTENANCE UNDER THIS PERMIT.

\*\*\*\*\*APPLICANT - DO NOT COMPLETE BELOW THIS LINE\*\*\*\*\*

TREE ORDINANCE - PERMIT

IN ACCORDANCE WITH THE APPLICATION EXECUTED ABOVE, PERMISSION IS:  GRANTED  DENIED

EFFECTIVE DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_ EXTENTION EXPIRATION: \_\_\_\_\_

SUBJECT TO THE FOLLOWING CONDITIONS:

- to be done by a professional tree service with a City of Pacifica Business License
- debris to be removed when work is completed
- mitigation measures (specify): \_\_\_\_\_

NOTE: ANY COSTS FOR THE REMOVAL OF TREE(S) IS AT THE EXPENSE OF THE PROPERTY OWNER

INSPECTED BY: pu arborist DATE: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TREE ORDINANCE APPEAL

NAME OF APPELLANT: John Beckmeyer PHONE NUMBER: 650-738-1248  
 ADDRESS: 1163 Palou Dr., Pacifica CA 94044  
 REASON TO APPEAL THE ADMISTRATIVE DECISION ABOVE FOR THE FOLLOWING REASON: See Attached Letter There is insufficient space at the bottom of this form to supply all reasons the appeal is needed. -John Beckmeyer 4/11/2023

Appeal of HT-015-23 to cut down "Tree in left rear yard (upper corner)" at 1164 Rosita Rd submitted by JanNice Hanlon on 27 March 2023.

I am appealing this request to cut down the requested in permit number HT.015-23 for the following:

The tree is not "half a tree" as stated in the request - the tree is complete. The reason for there being fewer branches is that the residents cut down two adjacent trees prior. The tree has been filling out on the side where the two trees which were removed were standing.

The branches of the healthy tree - no disease, no dead limbs, vigorous growth - do overhang the fence, but that's typical of trees.

That tree is the only remaining tree that hides the Quonset Hut shaped architectural eyesore of a "new house" they built. (That was supposed to be a "remodel" of an existing Linda Mar Rancher but somehow they got this "new" hideous, *tall*, large, ½ beer barrel of a structure permitted.)

The root system of the two trees they cut down AND the root system of this last remaining tree help stabilize the hillside immediately below the homes behind them on Palou Dr. I see NO remediation for the removal of the trees supporting the hillside.

The removal of the tree in question (and the prior trees), is contrary to Pacifica Municipal Code:

- 4-12-01 (a) (2) To protect and conserve the attractiveness, aesthetic and scenic beauty, and historic atmosphere of the City;
- 4-12-01 (a) (3) To protect the environment;
- 4-12-01 (a) (4) To reduce air pollution;
- 4-12-01 (a) (5) To decrease wind velocity and reduce potential wind damage;
- 4-12-01 (a) (6) To provide shade and reduce the effects of urban heat islands;
- 4-12-01 (a) (7) To act as a noise buffer;
- 4-12-01 (a) (8) To reduce stormwater runoff and improve infiltration into the ground, thereby protecting against potential damages from soil erosion, mudslides and flooding, as well as reducing the cost of handling storm water by artificial means
- 4-12-01 (a) (9) To sequester carbon dioxide in woody and foliar biomass;
- 4-12-01 (a) (10) To lower the demand for electricity and natural gas

I believe when the first two trees were cut down, the intent was to cut down the 3rd tree as well. The City of Pacifica asked for an arborist's report before the third tree could be permitted. Although there is an *illegible and undated* "inspected by" line in the requested permit, no such "arborist report" appears to accompany the request. We need to ensure that the request is, in its content, in support of the City of Pacifica's Municipal Code - not just that an "arborist" signature appears on the request.



