



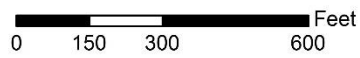
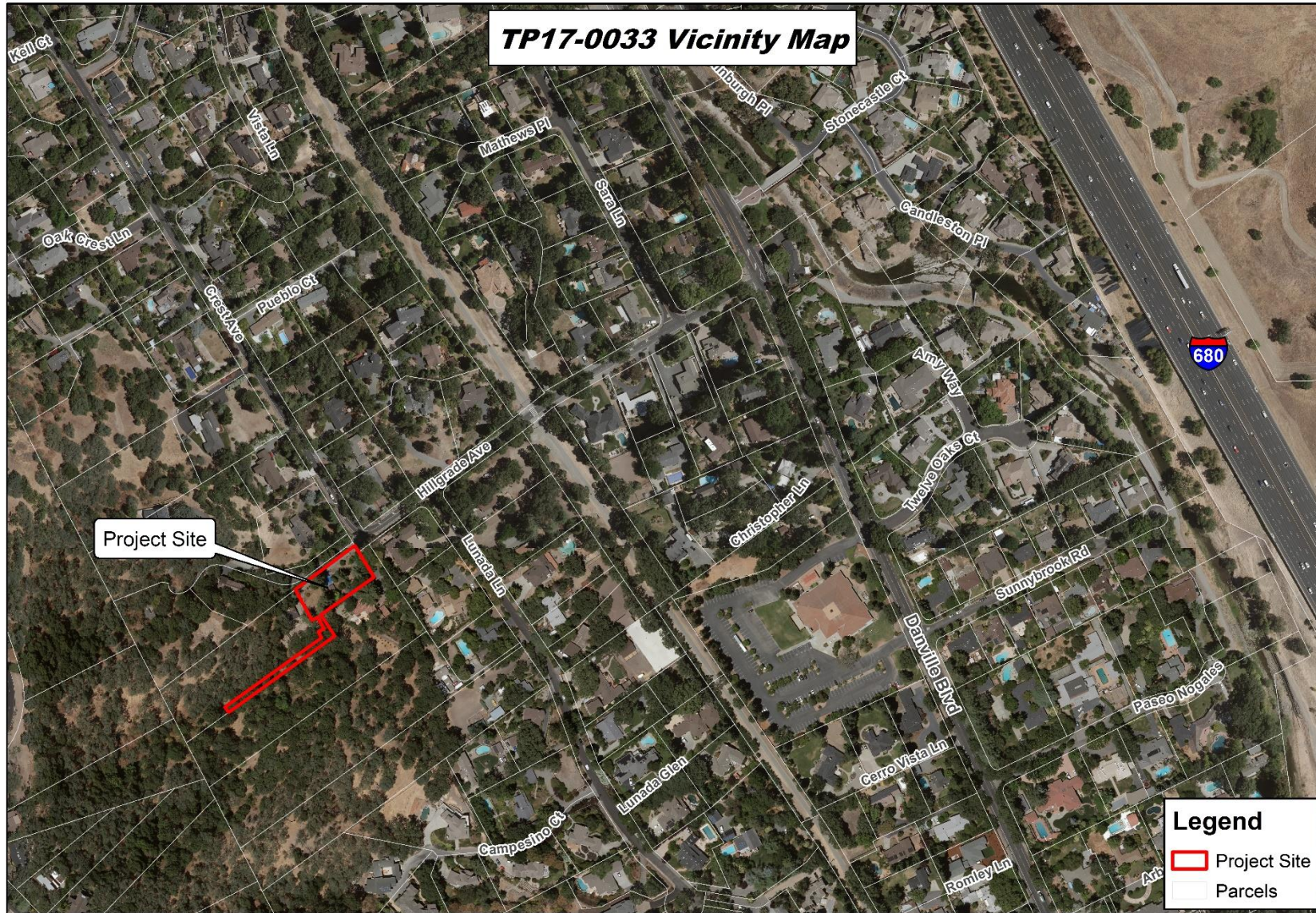
Gibson Tree Permit Appeal

County File: #TP17-0033

BOARD OF SUPERVISORS

MAY 22, 2018

Vicinity Map



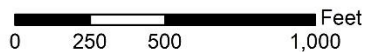
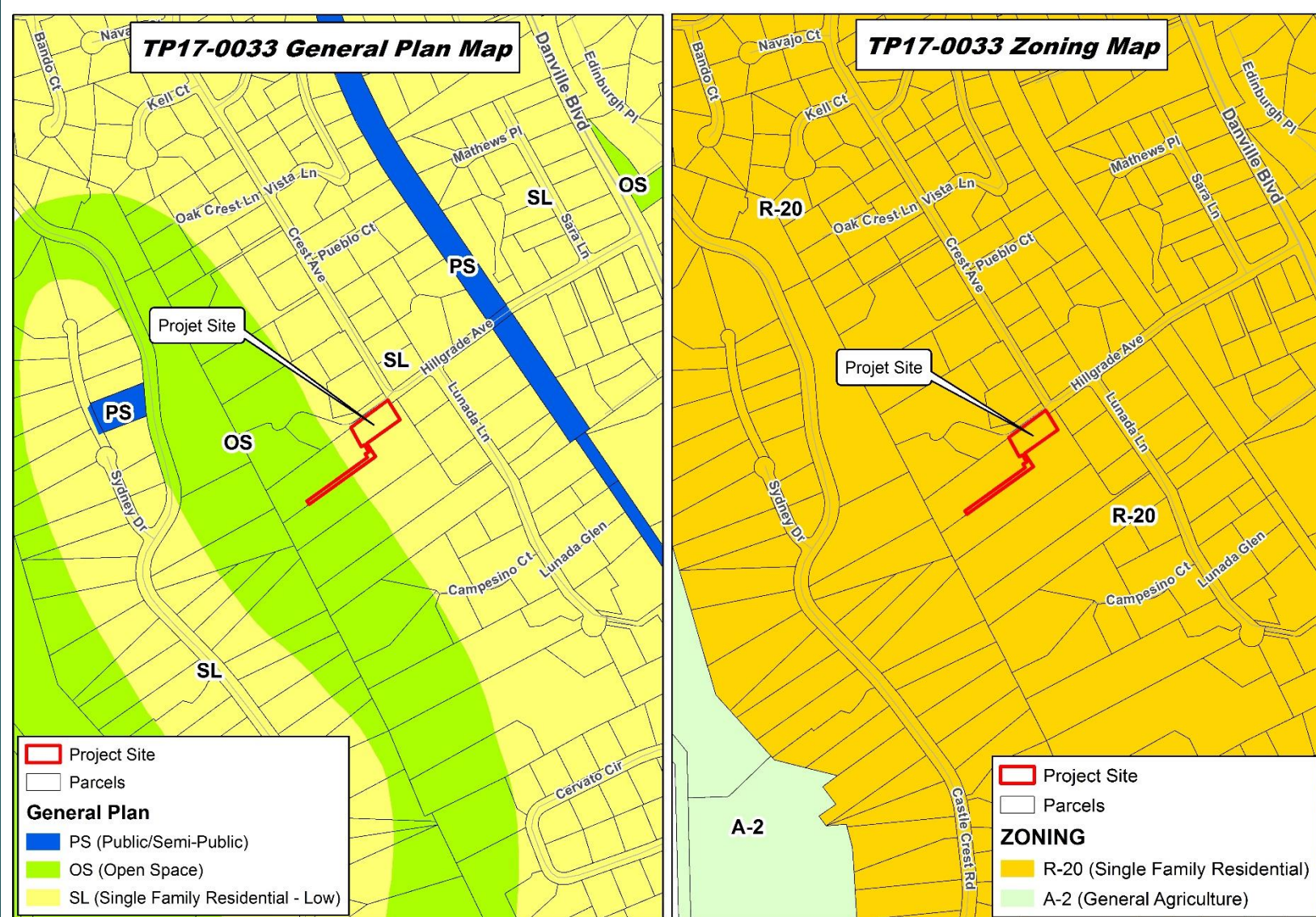
Aerial Photo taken 2014

Map Created 5/8/2018
by Contra Costa County Department of
Conservation and Development, GIS Group
30 Muir Road, Martinez, CA 94553
37:59:41.791N 122:07:03.756W

This map was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



Zoning and General Plan Maps

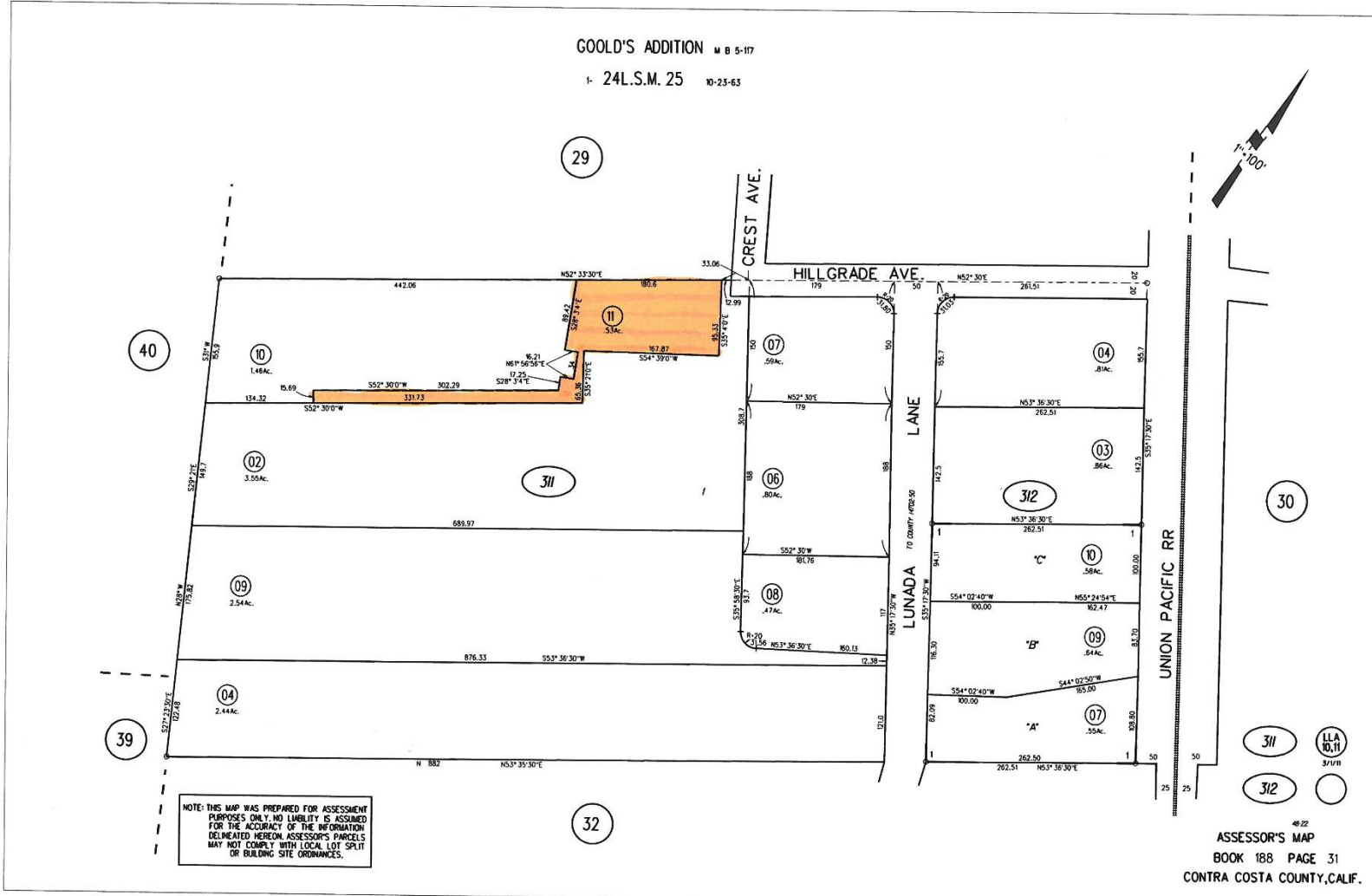


Map Created 5/8/2018
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Muir Road, Martinez, CA 94553
 37.5841791N 122.0703756W

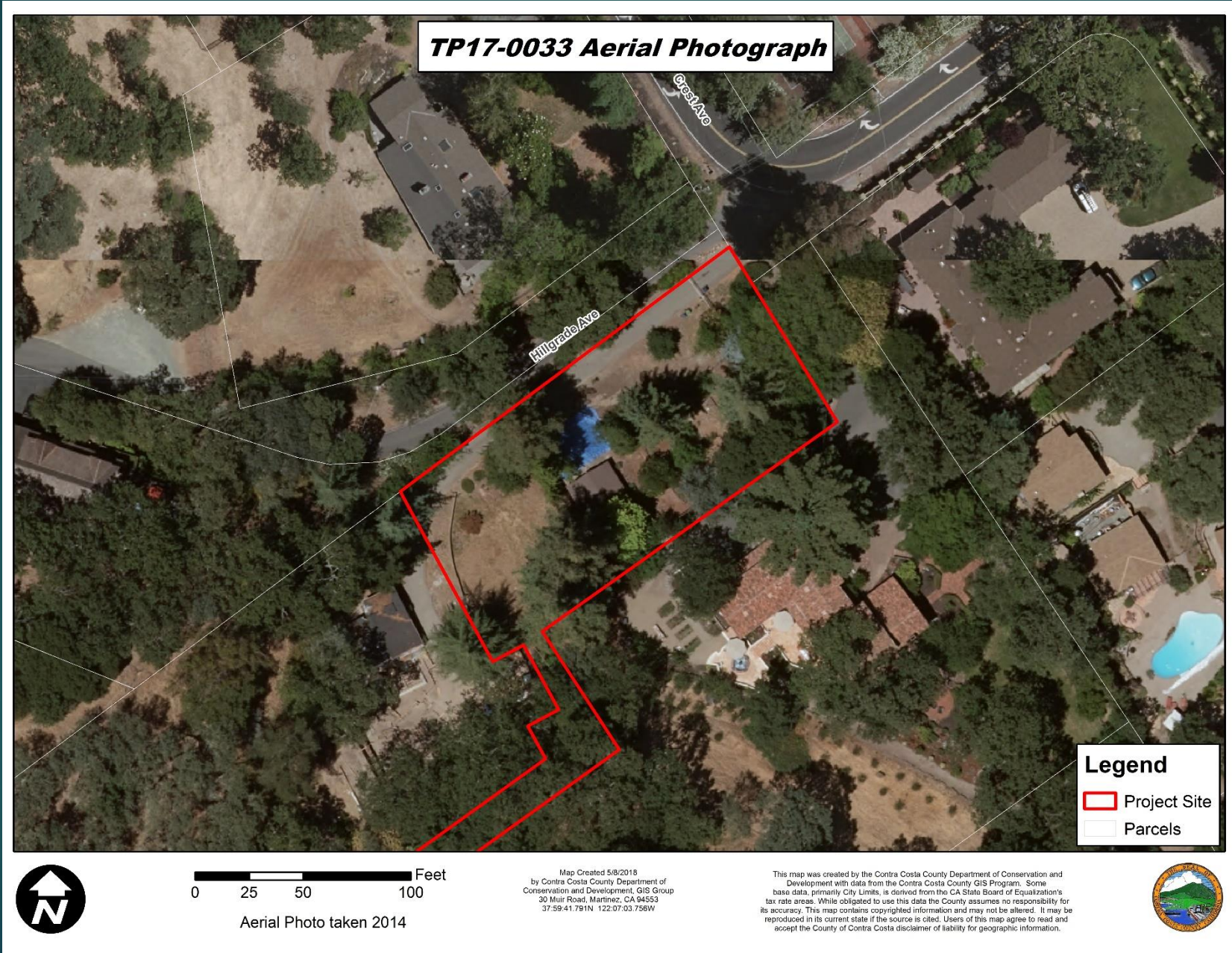
This map was created by the Contra Costa County Department of Conservation and
 Development with data from the Contra Costa County GIS Program. Some
 base data, primarily City Limits, is derived from the CA State Board of Equalization's
 tax rate areas. While obligated to use this data the County assumes no responsibility for
 its accuracy. This map contains copyrighted information and may not be altered. It may be
 reproduced in its current state if the source is cited. Users of this map agree to read and
 accept the County of Contra Costa disclaimer of liability for geographic information.



Assessor's Parcel Page



Aerial Photo

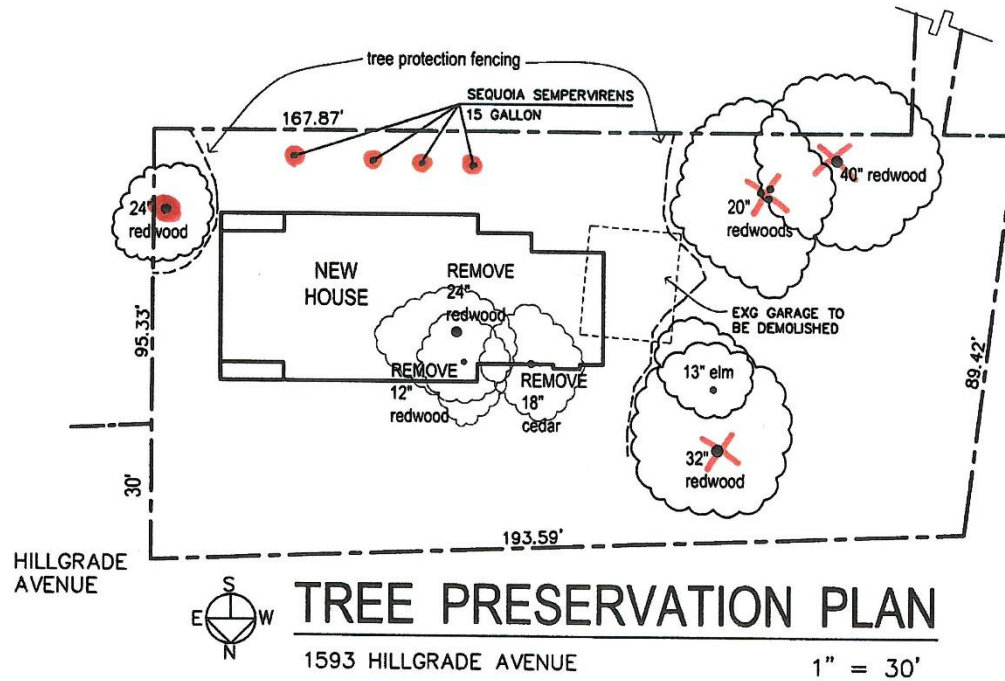


Background

- ▶ A tree permit (#TP14-0008) to remove three code-protected trees and work within the dripline of five additional trees was approved by the Zoning Administrator on September 4, 2014.
- ▶ Three 15-gallon trees were required to be planted as restitution for removal of the three protected trees.
- ▶ The property owner planted four 15-gallon redwood trees along the southern property line as part of the required restitution and an agreement with a neighboring property owner to plant an additional tree which was included on the final development site plan.
- ▶ Per the Tree Protection Ordinance, all of the trees on the property, including the replacement trees, became protected trees.
- ▶ One 24-Inch redwood and all four of the 15-gallon redwood trees were removed without approval prior to submittal of the current application to remove three trees.

Tree Removal Site Plan Currently Under Consideration

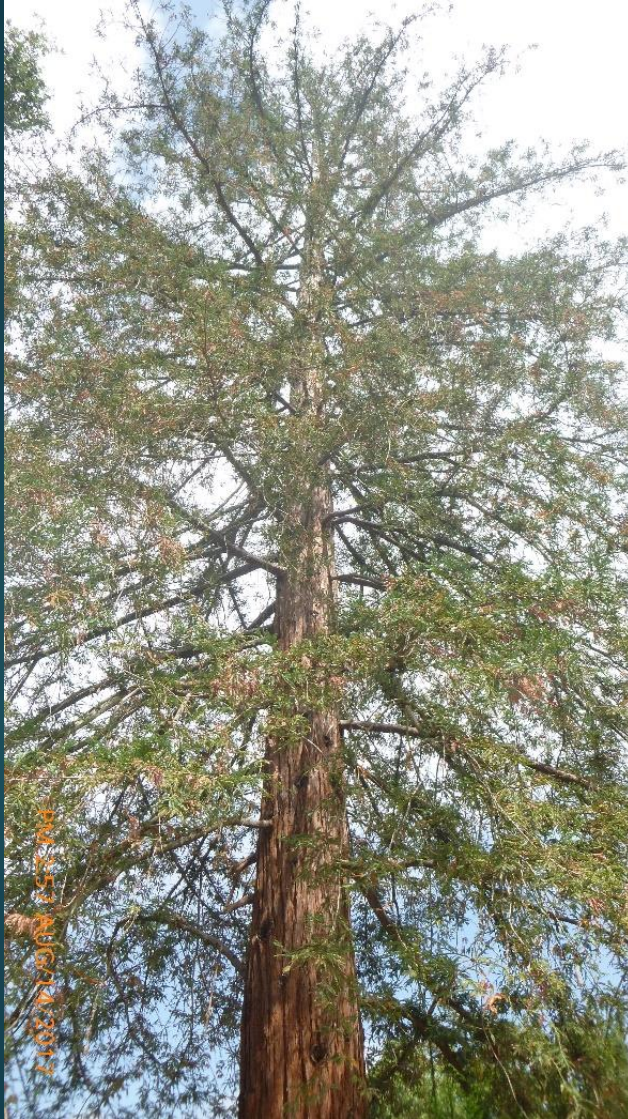
TP17-0033
Staff Study



X - Trees Proposed for Removal
● - Trees Removed w/out Permit



Trees to be Removed



Location of 5 Trees Removed w/out Approval



Zoning Administrator's Decision

- ▶ Tree permit approved by the Zoning Administrator on September 21, 2017
- ▶ Appealed by Gabriel Odell and Bruce Tarter and Sophia and Lomit Patel on October 2, 2017

County Planning Commission Decision

- ▶ Split vote (3-3) by the County Planning Commission on January 24, 2018
- ▶ This vote failed to approve the appeal and therefore upheld the Zoning Administrator's original approval of the project
- ▶ Appealed by Gabriela Odell and Bruce Tarter on February 5, 2018
- ▶ Appealed by Sophia and Lomit Patel on February 5, 2018

Patel Appeal

- ▶ Staff did not apply the Tree Protection Ordinance correctly and did not fully evaluate all of the arborist reports submitted.
- ▶ The existing trees are in fair condition.
- ▶ The trees currently prevent soil erosion and mudslides.
- ▶ The trees fall on the border on the Patel's property line.
- ▶ Staff failed to evaluate all arborist reports submitted.
- ▶ Staff recommended approval based on the number of reports submitted.
- ▶ The tree permit violates the County's Tree Protection Ordinance.

Odell and Tarter Appeal

13

- ▶ Staff didn't fully evaluate the arborist report submitted by the appellants.
- ▶ The existing trees provide protection against erosion and mudslides.
- ▶ No protective measures were enacted for trees permitted to be removed previously.
- ▶ Staff did not apply the Tree Protection Ordinance correctly.
- ▶ Staff relied on flawed information from previous arborist reports.
- ▶ Staff failed to evaluate points raised by a second arborist report submitted by the appellants.

Staff Response to Appeal

- ▶ Staff followed the requirements of the Tree Protection Ordinance.
- ▶ Staff evaluated all reports submitted and made a recommendation based on the information.
- ▶ The applicant is required to replant eight trees on the property including four near the Odell and Tarter property line and two near the Patel property line.

Questions?