



NOTICE OF MEETING

CITY OF PACIFIC GROVE
CITY COUNCIL
ERRATA SHEET

(To view full Errata, press "Print Agenda" and "Yes" to include Agenda Items.)



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

ERRATA SHEET

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Staphany Arriola, Management Analyst (Confidential)
MEETING DATE: 03/19/2025
SUBJECT: City Council Meeting Agenda- Errata Sheet

Attached is additional information for your consideration at the **March 19, 2025** City Council Meeting:

Agenda Item	Information Provided/Corrected
11B	This attachment includes the Appeal Form received on January 31, 2025. The attached Appeal Form minimally differs from the prior BNRC Appeal Form received on November 19, 2024 and attached in the Staff Report. Differences include: additional text under "Grounds for Appeal" and two additional photos. This does not impact any information provided in the staff report.

Attachments

Appeal Application



CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T :: 831.648.3190 • F :: 831.648.3184 • www.ci.pg.ca.us/cdd

Appeal Form

Appeal #:

Date:

Received By:

Total Fee:

1.31.25

PAID

\$46.00 CR# 1866 1.31.25

Project Information

Project Address:

105 20th Street

APN:

006-145-016-000

☐ On HRI ☐ Not on HRI

Application & No.:

TP 24-176

Applicant Name:

Dana Annereau

Phone #:

831-277-8267

Mailing Address:

721 Spruce Avenue Pacific Grove CA 93950

Email Address:

dana@annereau.net

Owner Name:

Phone #:

Mailing Address:

Same

Email Address:

RECEIVED
CITY MANAGER'S OFFICE
2025 JAN 31 A 10:36
CITY OF PACIFIC GROVE

Action¹

☐ ARB: Architectural Review Board

☐ CDD: Planning Staff

☐ HRC: Historic Resources Committee

☐ PC: Planning Commission

☐ NRC: Natural Resources Committee

☐ SPRC: Site Plan Review Committee

☐ ZA: Zoning Administrator

Date of Action:

Action Taken:

Appeal Information

Appellant Name:

Dana Annereau

Phone #:

831-277-8267

Mailing Address:

721 Spruce Avenue Pacific Grove CA 93950

Email Address:

dana@annereau.net

Appeal Deadline:

5:00 p.m. on JAN 1 31 12025

Grounds for Appeal:

During the BNRC hearing on 1-21-2025 the commission failed to address the detailed report by independent arborist Amanda Gates indicating removal of the 12 palm trees as soon as practical. If necessary, use additional pages. See Reports and photos attached

Fees

Discretionary Fees²

Appeal Fee = 25% of discretionary fees

Cost of publication of legal notice³

Photocopies _____ copies @ 10¢ each

Postage⁴ _____ stamps @ 45¢ each

Other _____

Total Appeal Fee

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ 46.00

Appellant Signature

Dana Annereau

Date

1.30.2025

¹ See Table 23.70.012-1 in the Pacific Grove Zoning Code, which identifies roles of review authorities as they relate to appeals.

² Whatever fee was collected by the city for the application for use permit, architectural approval, variance, etc., or combination of more than one fee if more than one decision is being appealed.

³ Currently averaging \$250-300.

⁴ Typically the number of address labels for parcels (or portions thereof) found within a 300 ft radius of the subject parcel (350 ft radius for homes in the Asilomar Dunes area) is approximately 120. Mailing is sent to owners and occupants (including most individual apartments) of properties.

TP-24 176

FROM: Dana & Kathryn Annereau
721 Spruce Avenue
Pacific Grove, CA 93950

DATE: 11/18/2024

TO: Beautification & Natural Resources Committee
City of Pacific Grove, CA

RE: Appeal for Denial of Tree Removal Permit # TP 24-176 / 10/1/2024
105 20th Street, Pacific Grove, CA APN: 006-145-016-000

Please note that the non-native declining palms are **not listed** in The Official City Guide to Landscape Trees for Pacific Grove, nor the Recommended Landscaping Trees Spreadsheet. (see attached)

As noted in the Tree Hazard Evaluation Form completed by Certified Arborist Inspector Amanda Gates, there are two Non-Native Palm Trees located very close to one another, with **all 9 specified multiple targets that cannot be removed nor restricted.** (building, parking, traffic, pedestrian, recreation, landscape, hardscape, small features, and utility lines). These targets include our neighbors, with two small children, who have voiced their concern about the dangers with the palms being located directly above their outdoor deck, leading us to address the problem. (see photos attached)

The failure potential was also listed as **High**, with immediate action needed. As noted in the Tree Inspector's report : "This palm requires special maintenance care which **doesn't completely mitigate all potential risk. It may be more beneficial and less risk to the targets to remove this palm.**"

As these palms are allowed to continue to grow they will also be interfering with **overhead utility power lines, which they are currently touching.** (see photos attached) These power lines service four residences.

The Inspecting Arborist also states, "**To eliminate all potential risk, these Palms should be removed as soon as practical.**" **Her number 1 Recommendation was for removal as the primary mitigation option.**

We are willing to replant with a more suitable species in this area.
Respectfully submitted,

Dana & Kathryn Annereau



Attachments: Extension of Appeal Period Email correspondence with Public Works Director Daniel Gho; Tree Report with Hazard Evaluation Form & Photos 8/9/2024 by Consulting Arborist Amanda Gates ISA Certified #W-11839A; Tree Permit Application, City Guide to Landscape Trees, and Recommended Landscape Tree Spreadsheet.

TP-24 176

From: Dana Annereau dana@annereau.net
Subject:
Date: January 31, 2025 at 9:59 AM
To: Dana Annereau Dana@annereau.net

105 20th Street



Palm Trees intersecting with power lines

TP-24 176

From: **Dana Annereau** dana@annereau.net
Subject:
Date: January 31, 2025 at 10:00 AM
To: dana Annereau Dana@annereau.net

105 20th Street



Palm trees intersecting with power lines



AMANDA GATES
CONSULTING ARBORIST
ISA CERTIFIED #WE-11839A

105 20th St
Pacific Grove, CA 93950
APN: 006-145-016-000

RE: Two Palms

Background

August 9th, 2024, I went to the address above to assess two Palms that are a concern to the owner. These palms potentially exhibit hazardous structural conditions that commonly lead to failure. I conducted a Visual Tree Assessment (VTA) for this report and written below are my findings and recommendations. There was no bird nesting or animal activity at the time of the assessment

Palm #228

Species	Height	DBH	Hazard Rating
<i>Washingtonia filifera</i>	30ft	20"	10

This Palm tree appears to be in fair condition. Although, there appears to be a large amount of retained dry fronds. It does not appear to have been maintained as of recently. There has been some reported frond drop, which can become hazardous.

Palm #241

Species	Height	DBH	Hazard Rating
<i>Washingtonia filifera</i>	45ft	24"	10

This Palm tree appears to have an abundance of retained dried fronds. These dead fronds can be hazardous to pedestrians and targets around it if they are to drop. The health of this Palm is fair; however, it appears to have more dead fronds than #228, and has not been maintained. This palm exhibits conditions that can be potentially hazardous.

Conditions Concerning both Palms

These California fan palms appear to be in fair condition; however, they exhibit some dried and yellowing fronds. Dead or yellowing fronds may indicate possible decline, pests, or lack of nutrients. These conditions can contribute to decline. Declining palms can be more susceptible to pests, diseases and reduced structural strength which could lead to sloughing of fronds. Palm trees are notoriously hazardous when it comes to properly maintaining them. It is not recommended for tree workers to climb up palms due to safety risk. Workers have been injured from fronds with their density and sharp hooks. An aerial device is required to conduct maintenance of palm trees.

The main concern for the targets around palms is the potential sloughing of palm skirts. Sloughing is when dead fronds hang on the stem below the living fronds. These dead fronds are called skirts, and any target under them can be in danger of them breaking free or sloughing. These fronds have sharp, attachments like hooks on the stem base of the leaves. Contact with these hooks can be dangerous to adults, children and pets. Although the palm tree appears to be in fair condition, it can still cause hazardous conditions with frond sloughing, to the targets. This palm requires special maintenance care which doesn't completely mitigate all potential risk. It may be more beneficial and less risk to the targets to remove this palm. Once removed, replanting with a more suitable species in this area could be of benefit. Coast live oaks would be a more suitable tree for this property, and would fit better with the current landscape. Coast live oaks are valued trees, and by replacing these high maintenance palms with a Coast live oak, it would reduce risk to the targets. **To eliminate all potential risk, these Palms should be removed as soon as practical.**

Targets

Targets are people who can be injured, property that may be damaged or activities that could be disrupted by a tree failure. There are high valued targets that are within the target zone, if failure were to occur the targets that could be impacted are:

- Occupied residence
- Pedestrians
- Vehicles
- Overhead lines
- Hardscape
- Landscape

Recommendations

Palms #241 and #228

1. Removal

I recommend removal as the primary mitigation option, as removal would eliminate all possible risk to the targets. Palm trees are difficult to maintain, which can be a reason that regular maintenance is prolonged for too long. Due to the targets within the area, the two Palms should be removed.

2. Pruning/thinning

Specialized pruning only conducted by a certified tree service with experience of pruning palm trees, knowing its potential hazards. These palms shed old fronds naturally, and can become a great hazard once they "shed" to the targets within the target zone. Removal of older fronds by an experienced tree service is recommended to reduce the likelihood of sudden shed if removal is not authorized.

3. Monitor

Monitor the palm after tree work and abnormal weather for any sudden changes. This could include an increased lean, soil mounding or sudden health decline. These changes could indicate that failure is occurring and needing removal or a further assessment.

Conclusion

After having the proper authorization, have a licensed professional tree service perform this tree work. Tree removal should be done with safe arboricultural work practices as to not damage any of the surrounding trees. After tree removal, there may be replacement conditions as part of the tree removal permit. If you have any questions or comments about this report, please feel free to call, text or email me.

Thank you!

Sincerely,



Amanda Gates
Certified Arborist #WE- 11839A



DISCLOSURE STATEMENT

This Disclosure Statement supplements and is an integral part of the tree report (the "Report") to which it is attached.

1. The author of the Report is a Certified Arborist (an "Arborist"), certified by the International Society of Arboriculture ("ISA"). The Arborist has performed its services as detailed in the Report in a manner consistent with the standard of care and skill ordinarily exercised by Arborists certified by the ISA in the geographic area where Client's property is located.
2. Arborists are professionals with specialized education, training, and experience who examine trees and, depending on the scope of the services requested by the Client, recommend measures (a) to reduce to the extent reasonably possible and determinable the dangers to life and property from trees, (b) to enhance the health of trees, and (c) to enhance the beauty of trees.
3. The Report reflects only the examination of the specific trees identified in the Report and as authorized and directed by the Client. Unless specifically stated in the Report, no other trees have been examined by the Arborist, whether such trees are on the Client's property or a neighboring property, and no representation is made regarding any tree not specifically identified in the Report.
4. Unless otherwise stated in the Report, the examination of the trees included only a visual inspection. More invasive examination techniques are available and these techniques may include, but are not limited to, boring (core sampling), digging to examine roots, aerial examinations, and similar techniques.
5. No inspection, whether visual or employing more invasive examination techniques, can detect every possible condition that could lead to the failure of a tree. Trees often fail for reasons that cannot be detected in advance or controlled, and even healthy trees may fail in exceptional conditions, including but not limited high winds, heavy rains, earthquakes, droughts, and the like. Conditions which adversely affect a tree's health, longevity, or safety are often hidden within the tree or below ground, and a visual inspection alone will not reveal these conditions. Even for a tree that is healthy at the time of the Arborist's inspection, the Arborist cannot guarantee that that tree will remain healthy and safe for a specific period of time. Therefore, except as otherwise expressly stated in the Report, no warranty, representation, or guarantee, express or implied, is made by the Arborist concerning the tree or trees that are the subject of the Report.
6. Similarly, the effectiveness of any remedial treatment recommended by the Arborist cannot be guaranteed. The work of an Arborist is to achieve a balance between the inherent risks presented to humans living near trees and the

inherent value of trees as part of the environment (whether urban, suburban, or rural). The only way to eliminate the dangers that trees present to human life and property is to eliminate trees.

7. Where specific remedial work is recommended to the Client (whether in the form of treatment, pruning, removal, or otherwise), it is the Client's responsibility (a) to engage competent professionals to implement the recommendations, (b) to advise the Arborist and any professionals hired by the Client concerning any issues known to the Client that may affect the completion of the work, including boundary issues, ownership issues, views or site lines from or across Client's property, disputes with neighbors, and the like, and (c) to determine and secure any needed approvals (whether from governmental bodies, homeowners associations, co-owners, neighbors, or others) for implementation of the work.
8. While Arborist may, at Client's request, provide names of local professionals who can perform recommended remedial work, Arborist makes no representation or warranty to Client regarding the qualifications of any such local professionals. Unless otherwise agreed to in writing by Arborist, Arborist has no duty to supervise or inspect the work performed by third parties, and Arborist shall have no liability or responsibility for the acts or omissions of third parties.

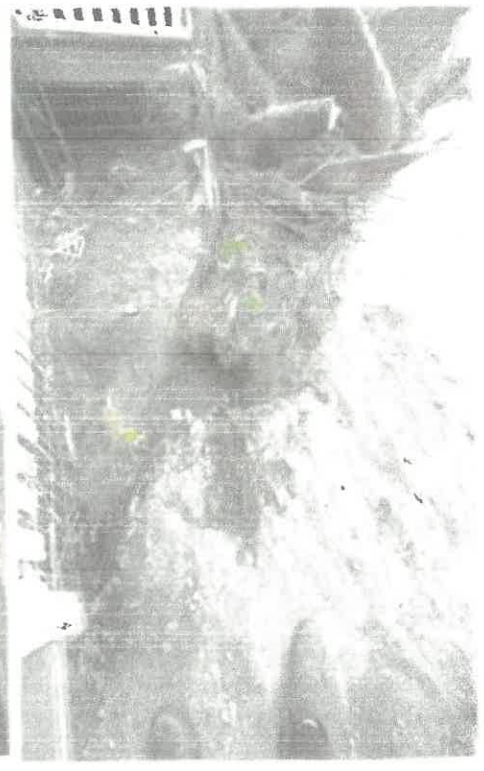
Palm #241- Photos

This Palm tree appears to have an abundance of retained dried fronds. These dead fronds can be hazardous to pedestrians and targets around it if they are to drop. The health of this Palm is fair; however, it appears to have more dead fronds than #228, and has not been maintained. This palm exhibits conditions that can be potentially hazardous.



Palm #228- Photos

This Palm tree appears to be in fair condition. Although, there appears to be a large amount of retained dry fronds. It does not appear to have been maintained as of recently. There has been some reported frond drop, which can become hazardous.



Site Plan

105 20th St

Pacific Grove, CA 93950

APN: 006-145-016-000

The red circles indicate the approximate location of the palms within the report.





A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

TREE HAZARD EVALUATION FORM

2nd Edition

Site/Address: 105 20TH ST PACIFIC GROVE, CA 93950
 Map/Location: 006-145-016-000
 Owner: public ☐ private ☒ unknown ☐ other ☐
 Date: 8-9-84 Inspector: GATES
 Date of last inspection: UNKNOWN

HAZARD RATING:						
<u>3</u>	+	<u>3</u>	+	<u>4</u>	=	<u>10</u>
Failure Potential		Size of part		Target Rating	=	Hazard Rating
☒ Immediate action needed ☐ Needs further inspection ☐ Dead tree						

TREE CHARACTERISTICS

Tree #: 241 Species: PALM
 DBH: 24" # of trunks: 1 Height: 45 Spread: MED
 Form: ☐ generally symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-headed
 Crown class: ☒ dominant ☐ co-dominant ☐ intermediate ☐ suppressed
 Live crown ratio: 40 % Age class: ☐ young ☐ semi-mature ☒ mature ☐ over-mature/senescent
 Pruning history: ☐ crown cleaned ☐ excessively thinned ☐ topped ☐ crown raised ☐ pollarded ☐ crown reduced ☐ flush cuts ☐ cabled/braced
☐ none ☐ multiple pruning events Approx. dates: UNKNOWN
 Special Value: ☐ specimen ☐ heritage/historic ☐ wildlife ☐ unusual ☐ street tree ☐ screen ☐ shade ☐ indigenous ☒ protected by gov. agency

TREE HEALTH

Foliage color: ☒ normal ☒ chlorotic ☒ necrotic Epicormics? Y N Growth obstructions:
 Foliage density: ☐ normal ☐ sparse Leaf size: ☒ normal ☐ small ☐ stakes ☐ wire/ties ☐ signs ☐ cables
 Annual shoot growth: ☐ excellent ☒ average ☐ poor Twig Dieback? Y N ☐ curb/pavement ☐ guards
 Woundwood development: ☐ excellent ☒ average ☐ poor ☐ none ☐ other
 Vigor class: ☐ excellent ☐ average ☒ fair ☐ poor
 Major pests/diseases: _____

SITE CONDITIONS

Site Character: ☒ residence ☐ commercial ☐ industrial ☐ park ☐ open space ☐ natural ☐ woodland/forest
 Landscape type: ☐ parkway ☐ raised bed ☐ container ☐ mound ☐ lawn ☐ shrub border ☐ wind break
 Irrigation: ☒ none ☐ adequate ☐ inadequate ☐ excessive ☐ trunk wetted
 Recent site disturbance? Y N ☐ construction ☐ soil disturbance ☐ grade change ☐ line clearing ☐ site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y N
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: ☐ drainage ☐ shallow ☒ compacted ☐ droughty ☐ saline ☐ alkaline ☐ acidic ☐ small volume ☐ disease center ☐ history of fail
☐ clay ☐ expansive ☐ slope _____° aspect: _____
 Obstructions: ☐ lights ☐ signage ☐ line-of-sight ☐ view ☒ overhead lines ☐ underground utilities ☐ traffic ☐ adjacent veg. ☐ _____
 Exposure to wind: ☐ single tree ☐ below canopy ☒ above canopy ☐ recently exposed ☐ windward, canopy edge ☐ area prone to windthrow
 Prevailing wind direction: _____ Occurrence of snow/ice storms: ☒ never ☐ seldom ☐ regularly

TARGET

Use Under Tree: ☒ building ☒ parking ☒ traffic ☒ pedestrian ☒ recreation ☒ landscape ☒ hardscape ☒ small features ☒ utility lines
 Can target be moved? Y N Can use be restricted? Y N
 Occupancy: ☐ occasional use ☐ intermittent use ☐ frequent use ☒ constant use

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: Y ☒ N Mushroom/conk/bracket present: Y ☒ ID: _____

Exposed roots: ☐ severe ☒ moderate ☐ low Undermined: ☐ severe ☒ moderate ☐ low

Root pruned: _____ distance from trunk Root area affected: _____ % Buttress wounded: Y ☒ When: _____

Restricted root area: ☐ severe ☒ moderate ☐ low Potential for root failure: ☐ severe ☒ moderate ☐ low

LEAN: _____ deg. from vertical ☒ natural ☐ unnatural ☐ self-corrected Soil heaving: Y ☒ N

Decay in plane of lean: Y ☒ N Roots broken Y ☒ N Soil cracking: Y ☒ N

Compounding factors: DECLINE W/ TARGETS Lean severity: ☐ severe ☒ moderate ☐ low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark	M			
Nesting hole/bee hive				
Deadwood/stubs		M	M	M
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

HAZARD RATING

Tree part most likely to fail: WHOLE TREE

Inspection period: _____ annual _____ biannual _____ other _____

Failure Potential + Size of Part + Target Rating = Hazard Rating

3 + 3 + 4 = 10

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm);

3 - 18-30" (45-75 cm); 4 - >30" (75 cm)

Target rating: 1 - occasional use; 2 intermittent use;

3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Prune: ☐ remove defective part ☐ reduce end weight ☐ crown clean ☐ thin ☐ raise canopy ☐ crown reduce ☐ restructure ☐ shape

Cable/Brace: _____ Inspect further: ☐ root crown ☐ decay ☐ aerial ☐ monitor

Remove tree: ☒ N Replace? ☒ N Move target: Y ☒ N Other: _____

Effect on adjacent trees: ☒ none ☐ evaluate

Notification: ☒ owner ☐ manager ☐ governing agency Date: 8.9.24

COMMENTS