

CITY OF SANTA CRUZ
Parks & Recreation Department
323 Church Street
Santa Cruz, California 95060



PARKS & RECREATION COMMISSION

Regular Meeting

UPDATE (12/12/2022 at 2:06 PM): Agenda Packet Includes Correspondence Received by 12/12/2022 for Item #4; Appeal Procedures Corrected.

December 12, 2022

4:00 PM GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS - ZOOM: [HTTPS://ZOOM.US/J/93143409514](https://zoom.us/j/93143409514)

Written material for every item listed on the agenda is available for review at the Parks & Recreation Administrative Office, 323 Church Street, and online at www.cityofsantacruz.com.

COVID-19 ANNOUNCEMENT: This meeting will be held via teleconference ONLY.

In order to minimize exposure to COVID-19 and to comply with the social distancing suggestion, the Council Chambers will not be open to the public. The meeting may be viewed remotely, using any of the following sources:

Online at <https://www.facebook.com/CityofSantaCruzParksandRecreation>

PUBLIC COMMENT and ORAL COMMUNICATIONS:

If you wish to comment on general business items, please see information below. Call at the start of the item.

Call any of the numbers below. If one is busy, try the next one.

(669) 900-9128

Enter the meeting ID number: **931 4340 9514**

When prompted for a Participant ID, press #.

Press *9 on your phone to "raise your hand" when the Chair calls for public comment.

It will be your turn to speak when the Secretary announces you. You will then be unmuted and the timer will be set. You may hang up once you have commented on your item of interest.

If you wish to speak on another item, two things may occur:

If the number of callers waiting exceeds capacity, you will be disconnected and you will need to call back closer to when the item you wish to comment on will be heard, or You will be placed back in the queue and you should press *9 to "raise your hand" when you wish to comment on a new item.

NOTE: If you wish to view the meeting and don't wish to comment on an item, you can do so at any time via one of the methods above.

Time limits set by Commission Policy are guidelines. Unless otherwise specified, procedures for all items, are:

Public comment - 3 minutes per speaker

Maximum total time may be established by the Chair at the beginning of an agenda item

No action will be taken on items listed under Presentations, Oral Communications, Announcements, Information Items and Subcommittee Reports.

Appeals - Any person who believes that a final action of this advisory body has been taken in error, that decision may or may not be appealable to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a fifty dollar (\$50) filing fee.

Tree Permit appeals must be received by the Parks & Recreation Department Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a one-hundred dollar (\$100) filing fee.

Additional Information

Visit the City's Web Site at www.cityofsantacruz.com with links including City Advisory Body Meeting Agendas and Minutes, Advisory Body Information, and the Santa Cruz Municipal Code.

A copy of the full agenda, agenda reports and attachments which are included in the meeting packet, is available for review at the Parks & Recreation Administrative Office on Church Street no later than three (3) days prior to the meeting date.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. If you wish to attend this public meeting and will require assistance, such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the department clerk at (831) 420-5270 or e-mail prcommission@cityofsantacruz.com at least five (5) days in advance so that arrangements for such assistance can be accommodated. The Cal-Relay system number: 1-800-735-2922.

Any writing related to an agenda item for the open session of this meeting distributed to the commission less than 72 hours before this meeting is available for inspection at the Parks & Recreation Administrative Office at 323 Church Street. These writings will also be available for review at the Parks & Recreation Commission meeting in the Council Chambers.

Parks & Recreation Commission - 831-420-5270 - prcommission@cityofsantacruz.com.

Parks & Recreation Commission

Call to Order

Roll Call - Commissioners: Bradley Angell, Leonardo Cruz, Hollie Locatelli, Jane Mio, Jacob Pollock; Vice Chair Gillian Greensite, Chair Kristina Glavis.

Staff: Tony Elliot, Travis Beck, Lindsay Bass, Iseth Rae, Leslie Keedy, Brian Burguno, Samantha Haschert, John Barisone, Timothy Maier, and Tremain Hedden-Jones.

Presentations - *(No Action Shall Be Taken)*

1. Department Budget: An Overview

Review department presentation on city budget formulation, development, policy and procedures.

NOTE: Presentations will take place at the end of the meeting to

accommodate the public hearing item.

Statements of Disqualification - *Section 607 of the City Charter states that ...All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made. The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that no person shall make or participate in a governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public generally.*

Oral Communications - *(No Action Shall Be Taken)*

Announcements - *(No Action Shall Be Taken)*

2. Commission and Department Updates.

Receive announcements from the following:

1. Presiding Officer
2. Commissioners
3. Department Staff (written submission)
4. Director of Parks & Recreation

Approval of Minutes

3. Approval of Minutes for the October 10, 2022, regular meeting of the Parks & Recreation Commission.

Approve the meeting minutes from the regular meeting of the Parks & Recreation Commission on October 10, 2022, as submitted.

Consent Agenda - None.

Public Hearings

4. 113, 119 Lincoln St: [CP22-0128; TR22-0201] (APNs 005-141-11, -21) - Appeal of the decision of the Director of Parks and Recreation to approve a Heritage Tree Removal Permit for removal of nine (9) Heritage Trees in conjunction with the Downtown Library and Affordable Housing Project (DLAHP) at a Site Located in the CBD/FP-O (Central Business District/Floodplain Overlay) Zoning Districts and on land within the Cedar Street Village subarea of the Downtown Area Plan. (Owner: City of Santa Cruz).

Open and continue the public hearing to a date certain (February 13, 2023) to all for review of the CEQA document which will provide a comprehensive analysis of the environmental impacts associated with proposed tree removal necessitated by the Downtown Library Affordable Housing Project.

Appeal Procedure:

- A. Staff Report
- B. Written Protests or Endorsements
- C. Appellant Presentation Supporting Appeal
- D. Applicant Presentation Opposing Appeal
- E. Public Comment
- F. Appellant Rebuttal of any New Information Presented
- G. Applicant Rebuttal of any New Information Presented
- H. Close Public Hearing
- I. Commission Deliberation
- J. Findings and Actions

General Business

5. Children's Fund Oversight Panel Appointment.

Appointment of a commission member to the newly established council advisory body for oversight of the children's fund.

6. Selection of a Retreat Date in January 2023.

Review future meeting calendar and schedule a date for the annual retreat.

Information Items - (No Action Shall Be Taken) - None.

Subcommittee Oral Reports - None.

Adjournment



Parks & Recreation Commission

Staff Update

December 12, 2022

Mission:

To provide quality public spaces and experiences that build a healthy community, foster equity, and better the environment.

Vision:

We envision a thriving Parks & Recreation system that creates recreational and cultural opportunities, improves quality of life, and strengthens the health of the local environment and economy for all.

Values: Communication, Openness, Service, Collaboration

The parks and recreation department is essential to the community. To that end, we commit to:

- *transparent and honest communication as the foundation of great relationships.*
- *a spirit of equity, openness and innovation, welcoming differences and diversity.*
- *service to the community in a manner that is sustainable, safe, responsive and accessible to all.*
- *collaboration to achieve results that reflect our department vision, leveraging the strengths of the community.*

Recreation Division Update

Highlight #1: Santa Cruz Civic Auditorium continues to have a busy Winter Season.

The Civic Auditorium is having a busy Winter season with more bookings/events than a normal pre-pandemic winter. In the last two weeks alone, three events have kept the streamlined staffing team on its toes: the 66th annual Dad's Club basketball tournament featured eight different high school teams from the Bay Area; the Dancenter Winter Showcase attracted more than 500 attendees; and finally, Santa Cruz Ballet Theatre's annual Nutcracker performance had four performances over the December 10th weekend drawing 2,400 attendees. Hats off to the staff for their energy and professionalism in loading equipment into the venue for each event, providing quality front and back of house experiences to patrons and promoters, and then loading equipment out to begin the cycle again!

Highlight #2: P&R Participated in the Downtown Holiday Parade for the first time since 2019.

The Department's Recreation Team along with the Santa Cruz Junior Guard Booster Club entered floats in the Downtown Holiday Parade held on Saturday, December 3. A vintage VW bus was the feature of one float accompanied by a very energetic grinch! Over 50 Junior and Little Guards joined the celebratory parade despite it being a rainy morning. Several hundred members of the public lined up along Pacific Avenue to watch the entire parade!

Parks Division Update

HIGHLIGHT #1: San Lorenzo Park Redesign

The Parks & Recreation Department has hired Bionic Landscape of San Francisco to lead a conceptual redesign process for San Lorenzo Park. With the closure of the Benchlands encampment and this winter's restoration of San Lorenzo Park, this project will set the stage for future use and development of the park. The process will involve extensive community outreach and public discussion of the desired

vision for the park, beginning in the new year. The consultants will ultimately deliver a conceptual master plan for the park that identifies the desired uses for this park in the coming decades and how they can fit together in a cohesive design. Bionic Landscape has considerable experience designing public spaces and waterfront areas throughout the Bay Area.

HIGHLIGHT #2: Friendship Garden cleanup

The City's Homelessness Response Team identified Friendship Garden and adjacent natural areas as the focus of our first major encampment abatement effort following the San Lorenzo Park Benchlands Restoration Project. Campers in this area had damaged park facilities, disturbed reserved events, harassed Parks staff, and left considerable garbage. With support from the Homelessness Response team, Police Department, and Public Works staff, Parks staff led a major weeklong cleanup, removing over 60 cubic yards of garbage from the area. Nine campers accepted the City's offer of shelter and moved to the Overlook program at the Armory.

HIGHLIGHT #4: West Cliff Restoration and other projects

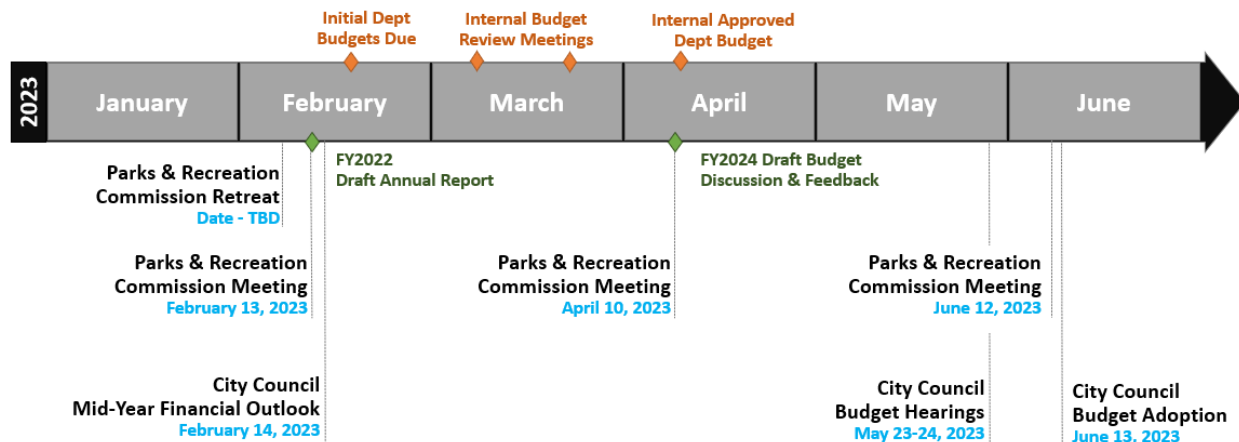
The Parks & Recreation Department has completed three landscape improvement projects along West Cliff this fall. In coordination with Public Works' West Cliff Storm Damage Repair project at the far end of the West Cliff path, the Department hired Confluence Restoration to remove existing ice plant and install native coastal bluff plants that support native fauna, including the monarch butterflies that overwinter at Natural Bridges State Park. At Lighthouse Point, K&D Landscaping installed new turfgrass sod on the east side of the Lighthouse. This has been a challenging area to maintain turf in and we are hopeful that the new installation will succeed. At a landscape bed south of the Cowell surf access stairs, Department staff designed and installed a new planting that is designed to increase the attractiveness of the area while keeping the focus on the broader setting.

Administrative Division Updates

HIGHLIGHT #1: FY2024 Budget Development Timeline

The FY2024 budget process is getting underway and will officially kick-off in January for internal city staff. The following process timeline includes high-level internal city budget milestones, as well as City Council and Commission meetings that will include FY2024 budget-related items.

FY2024 City Budget Development Timeline



The Finance Director has outlined three broad guiding principles for budget development: 1) Fiscal Responsibility; 2) High Service Levels; and 3) Transparency. Along with these principles, the following goals for future fiscal planning were shared:

- Services must align with the budget
- Fiscal policy requires reserves of two months budgeted expenditures (or approximately \$20M)
- Fiscal Sustainability requires new revenues

HIGHLIGHT #2: Administrative Staffing Changes

After eliminating the Special Event Coordinator position at the height of the COVID-19 pandemic, the department secured support and approval in the FY2023 budget to bring back the position. We are happy to welcome aboard our new special event (permit) coordinator, Mike Murray. With a long history of producing events in Santa Cruz, Mike comes from the Seaside Company, where he managed event sales, branding strategies and bookings. In addition, Mike has a background in public relations management and has been a champion of continuous improvement of customer experience. As the new Special Event Coordinator, he will lead the permitting of all events in the city, inclusive of major and minor public special events, film permits, neighborhood block parties and major park facility rental reservations.

Other FY2023 approved changes to the Administrative team have also been implemented with Betsy Powers assuming a half-time Administrative Assistant III role, which will allow her to provide higher level support to the department management team as well as serve in a leadership capacity for our frontline administrative services. Further, Corinna Harrison will depart her Accounting Assistant role to assume new Administrative Assistant II duties. This adjustment creates greater equity within the administrative frontline team and adds more flexibility to how work assignments are shared. Many congratulations to our new and existing staff as they settle into their new roles!

CITY OF SANTA CRUZ
Parks & Recreation Department
323 Church Street
Santa Cruz, California 95060



PARKS & RECREATION COMMISSION

Regular Meeting Minutes - DRAFT

October 10, 2022

**4:00 PM GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, COUNCIL
CHAMBERS - ZOOM: [HTTPS://ZOOM.US/J/93143409514](https://zoom.us/j/93143409514)**

Parks & Recreation Commission

Call to Order - 4:02 PM

Roll Call - Commissioners: Bradley Angell, Leonardo Cruz, Gillian Greensite, Hollie Locatelli, Jane Mio, Jacob Pollock; Vice Chair Kristina Glavis.

Staff: Tony Elliot, Travis Beck, Lindsay Bass, Iseth Rae, Leslie Keedy and Tremain Hedden-Jones.

Presentations - None.

Statements of Disqualification - None.

Oral Communications

Vice Chair K. Glavis opened oral communications to the public at 4:06 PM.

The following members of the public spoke:

None.

Announcements

1. Commission and Department Updates.

Item heard at 4:07 PM.

1. Presiding Officer
 - a. Vice Chair K. Glavis welcomed new commissioner Leonardo Cruz, resident of the city of Santa Cruz; works for City of Watsonville (public works); originally from Mexico City.
 - b. Announced that Children's fund (Item 3) will be pulled for commission comments and deliberation.
2. Commissioners
 - a. No announcements.
3. Department Staff
 - a. No announcements
4. Director of Parks & Recreation
 - a. Director T. Elliot commented on closure of zones in San Lorenzo Park benchlands; commented on other encampments in the parks system; illegal camps can be reported at cityofsantacruz.com/crps.

Approval of Minutes

2. Approval of Minutes for the August 8, 2022, regular meeting of the Parks & Recreation Commission.

Vice Chair K. Glavis opened item at 4:26 PM and asked for any corrections.

MOTION: Commissioner H. Locatelli, seconded by Commissioner G. Greensite, moved to approve the meeting minutes from August 8, 2022, with a correction to list Commissioner B. Angell in the record.

ACTION: The motion was carried by the following vote:

AYES:	Angell, Cruz, Greensite, Locatelli, Mio, and Pollock; Vice-Chair Glavis
NOES:	None.
ABSENT:	None.
ABSTAIN:	None.

Consent Agenda - None.

Public Hearings - None.

General Business

3. Election of Officers.

Vice Chair K. Glavis opened the item at 4:29 PM.

Secretary T. Hedden-Jones commented on the election procedure.

The secretary asked for nominations for the position of chair. The following member(s) were nominated:

Kristina Glavis

MOTION: Commissioner H. Locatelli, seconded by Commissioner B. Angell, moved to close the nominations for the position of chair.

ACTION: The motion was carried by the following vote:

AYES:	Angell, Cruz, Greensite, Locatelli, Mio, and Pollock; Vice-Chair Glavis
NOES:	None.
ABSENT:	None.
ABSTAIN:	None.

Commissioner K. Glavis received the following votes for the position of chair:

VOTES: Unanimous.

Chair K. Glavis opened the election of vice chair at 4:33 PM.

The secretary asked for nominations for the position of chair. The following member(s) were nominated:

Gillian Greensite

MOTION: Commissioner H. Locatelli, seconded by Commissioner J. Pollock, moved to close the nominations for the position of vice chair.

ACTION: The motion was carried by the following vote:

AYES:	Angell, Cruz, Greensite, Locatelli, Mio, and Pollock; Chair Glavis
NOES:	None.
ABSENT:	None.
ABSTAIN:	None.

Commissioner G. Greensite received the following votes for the position of chair:

VOTES: Unanimous.

4. Acceptance of a License Agreement and Use of Park Facilities Tax Funds for Pickleball Court Improvements at University of California, Santa Cruz's Court Facility at 2300 Delaware Avenue.

Chair K. Glavis introduced the item at 4:36 PM.

Planner N. Downing provided background on the development of pickle ball in Santa Cruz.

Commissioners asked about to play for both pickleball and tennis.

Chair K. Glavis opened to the public for comment at 5:03 PM.

The following members of the public spoke (38 in attendance):

Joan Fierry (sp?)
Thad Nodine
Melissa
Jenny Nixen
Tony Sloss
Maia Zohara
***-4678 (Kathryn Mintz)
***-5164 (Mark Dettle)
Kate Roberts
***-0473 (Dave Allenbaugh)

Returned to commissioner deliberation at 5:28 PM.

Commissioners deliberated and provided comments on the item.

MOTION: Vice Chair G. Greensite, seconded by Commissioner J. Mio, moved to recommend the City Council authorize a license agreement with the University of California, Santa Cruz for pickleball courts at 2300 Delaware Avenue and appropriate funds for the project.

ACTION: The motion was carried by the following vote:

AYES:	Angell, Cruz, Locatelli, Mio, and Pollock; Vice-Chair Greensite, Chair Glavis
NOES:	None.

ABSENT: None.
ABSTAIN: None.

MOTION: Vice Chair Greensite, seconded by Commissioner J. Pollock, moved to extend the meeting end time by 30 minutes.

5. Heritage Tree Mitigation Requirements Update.

Chair K. Glavis opened the item at 5:42 PM.

Superintendent T. Beck introduced item to the commission; provided background on tree in-lieu fees.

Commissioners asked about fees for heritage trees.

Chair K. Glavis opened the item for public comment at 6:11 PM.

The following members of the public spoke:

None.

Commissioners deliberated on fees for replacing unapproved street trees.

MOTION: Commissioner J. Pollock, seconded by Vice Chair G. Greensite, moved to 1) approve the proposed heritage tree mitigation requirements; and 2) recommend City Council adopt a resolution governing those requirements with newly calculated fees; and 3) base the calculated maintenance fee amount on five (5) years instead of two (2) years; and 3) double the fees for unapproved removals of heritage trees and heritage shrubs.

FRIENDLY AMENDMENT: to 1) remove the five (5) year maintenance fee calculation for approved tree permits; and 2) keep in place the higher fee calculation for unapproved heritage tree and heritage shrub removals. Accepted.

ACTION: The motion was carried by the following vote:

AYES: Angell, Cruz, Mio, and Pollock;
Vice-Chair Greensite, Chair Glavis
NOES: Locatelli.
ABSENT: None.
ABSTAIN: None.

Information Items

6. Children's Fund and Bill of Rights - Updates

NOTE: Item tabled to a future meeting.

Subcommittee Oral Reports - None.

Adjournment - 6:41 PM

DRAFT



Parks & Recreation Commission AGENDA REPORT

DATE: 12/05/2022

AGENDA OF: 12/12/2022

DEPARTMENT: Parks and Recreation

SUBJECT: **113, 119 Lincoln St: [CP22-0128; TR22-0201] (APNs 005-141-11, -21) –**
Appeal of the decision of the Director of Parks and Recreation to approve a Heritage Tree Removal Permit for removal of nine (9) Heritage Trees in conjunction with the Downtown Library and Affordable Housing Project (DLAHP) at a Site Located in the CBD/FP-O (Central Business District/Floodplain Overlay) Zoning Districts and on land within the Cedar Street Village subarea of the Downtown Area Plan. (Owner: City of Santa Cruz).

RECOMMENDATION: Open and continue the public hearing to a date certain (February 13, 2023) to all for review of the CEQA document which will provide a comprehensive analysis of the environmental impacts associated with proposed tree removal necessitated by the Downtown Library Affordable Housing Project.

BACKGROUND: On October 12, 2022, an application for Heritage Tree Removal Permit was submitted to the Director of Parks and Recreation in conjunction with proposed development of the Downtown Library Affordable Housing Project (DLAHP). The application proposes removal of nine non-native trees of Heritage size, defined by the City of Santa Cruz Municipal Code Section 9.56 as any tree whose trunk measures 44 inches or larger in diameter at a height of 54” or greater above underlying ground.

The proposed DLAHP, encompasses construction of a new, approximately 273,194 square-foot, eight-story building and associated site improvements in the Cedar Street Village subarea of land within the Downtown Area Plan. The approximately 1.55-acre project site is situated at the southeast corner of Lincoln Street and Cedar Street, spanning the full block from Lincoln Street southward to Cathcart Street. The building comprises a new, approximately 38,000 sq. ft. City library; parking structure with 243 parking spaces; 100% affordable housing component containing approximately 124 residential units; approximately 10,000 sq. ft. commercial tenant space; 1,800-2,500 sq. ft. commercial childcare facility; new roof deck(s); and associated site improvements.

As proposed, the footprint of the new building would occupy nearly the entire project site and would replace all existing features on the subject lot. With an emphasis on efficient utilization of space and integration of a variety of uses achieving the City Council’s directive for construction of a project including a new downtown library, affordable residential housing with 100 to 125 dwelling units, parking facility with up to 400 parking spaces, commercial childcare component,

and commercial tenant space, the mixed-use project would require demolition of the existing commercial building located at 113 Lincoln St. and existing surface parking lot on each of the two (2) existing parcels composing the project site, and would necessitate removal of all trees within the bounds of the properties at 113 Lincoln St. and 119 Lincoln St.

A Heritage Tree Removal Permit is required for removal of any trees of Heritage size per Municipal Code Section 9.56.060(a), which states

- No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any heritage tree or heritage shrub without first obtaining a permit pursuant to this section. No person shall root prune, relocate, or remove any heritage tree or heritage shrub without first obtaining a permit pursuant to this section.

A Heritage Tree Removal Permit constitutes a discretionary permit reviewed through a process in parallel with, the application for other entitlements for any project. The City's Municipal Code, including Chapter 9.56, Preservation of Heritage Trees and Heritage Shrubs ("Heritage Tree Ordinance"), contains no requirement for approval of land-use permits prior to, or concurrent with, granting of entitlement for a Heritage Tree Removal Permit associated with a project. In the case of the DLAHP, other entitlements include a Nonresidential Demolition Authorization Permit, Special Use Permit, Design Permit, and Lot-Line Adjustment\ established in Title 24, Zoning, of the Municipal Code and which must be reviewed for recommendation by the Planning Commission and heard for a final decision by the City Council. An appeal of a Heritage Removal Permit, as presently considered, is regulated by Section 9.56.070, Right of Appeal.

Pursuant to the provisions of Section 9.56, Preservation of Heritage Trees and Heritage Shrubs, an application for Heritage Tree Removal Permit was submitted on October 12, 2022, by applicant Jim Rendler of For the Future Housing, Inc. As required by Code Section 9.56.100 and code section 9.56.060(f), payment of a tree replanting mitigation bond was provided by the applicant, which would accommodate installation of a minimum of nine, 24-inch box-sized replacement trees as street trees along the perimeter of the project area. Additionally, the landscape plan submitted in support of the DLAHP would integrate 13 City Street trees, adding further to the stock of trees replaced in conjunction with the proposed project.

In support of the application, an arborist report dated January 18, 2022, was prepared by International Society of Arboriculture (ISA)-Certified arborist Torrey Young of Dryad, LLC in accordance with Municipal Code Section 9.56.060(f).

Subsequently, an addendum, dated September 9, 2022, was submitted by the same arborist, clarifying findings and recommendations included in the original arborist report dated January 18, 2022, which are further described below.

On October 18, 2022, City Urban Forester Leslie Keedy tentatively approved a Heritage Tree Removal Permit allowing removal of nine Heritage Trees, making the required findings in accordance with Municipal Code Section 9.56.060(e). On October 27, 2022, an appeal of the Heritage Tree Removal Permit was submitted by Pauline M. Seales and is the subject of the present hearing

DISCUSSION:

Heritage Tree Removal Permit

On October 18, 2022, approval of a Heritage Tree Removal Permit was tentatively granted by the Director of Parks and Recreation for removal of nine Heritage Trees in conjunction with the proposed redevelopment of 113 and 119 Lincoln Street to accommodate the Downtown Library and Affordable Housing Project. In support of the application, an arborist report dated January 18, 2022, was prepared and submitted by Registered Consulting Arborist Torrey Young of Dryad, LLC. The arborist report includes a discussion of site observations of the health and vitality of each of twelve trees, including recommendations for retention or removal. The arborist report serves as a baseline assessment of the status of trees contained on the subject site, based on physical inspection and evaluation, inventory, measurement, photography, and tagging, and includes a determination of the viability of relocation of any trees assessed.

Arborist Report and Addendum

As identified in the arborist report, nine of the twelve trees are characterized as Heritage-sized trees. All twelve trees represent exotic (non-native) varieties, each tree displaying an array of adverse health conditions. Detrimental conditions observed include restricted growing areas; severe pruning; structural weaknesses and evidence of past failures; limb and stem decay; and the presence of buried root collars, which may disguise root disease and resulting decay.

The arborist report specifies four Heritage-size trees as worthy of preservation, including one such specimen as viable for relocation, with the remaining three trees of questionable potential for long-term viability, the success of which would require implementation of a range of measures, including physical modifications to the project site. The report relays that, as the subject trees grow, existing detrimental conditions will worsen, with retention of any existing trees ill-advised absent extensive design accommodations to enhance their growing conditions and reduce risk of structural failure which may result in injury to members of the public or damage to property. The report additionally incorporates recommendations, including, among others, removal and replacement of all existing trees. It should be noted that the project includes replacement, at a ratio 1:1, the nine heritage trees proposed to be removed, with each replacement tree a minimum of 24-inch box-size, as well as placement of additional trees and foliage per an approved landscape plan associated with the Downtown Library Affordable Housing Project, assuming future project entitlement.

An addendum to the original arborist report, dated September 9, 2022, was additionally prepared by Dryad, LLC in order to clarify the viability for retention and relocation of existing trees in light of the proposed development of the DLAHP based on a review of the plans and documents submitted for that project. The addendum underscores the findings and recommendations of the original report and clarifies that only one Heritage-sized tree constitutes a candidate for relocation, stipulating that the likelihood for success of such relocation can be assessed only through an evaluation of the tree's root system requiring removal of existing hardscape, which falls outside the purview of an arborist report. The addendum describes the low likelihood for long-term health of any relocated tree and highlights the significance of a tree's existing vitality in determining the success of transplantation off-site.

Evaluation by City Urban Forester/Arborist

The City's Urban Forester concurs with the findings contained in the arborist report and subsequent addendum and, anticipates that relocation of any existing trees from the project site to a nearby location would incur practical difficulties and high costs associated with minimal available land area and related to the complex nature of existing downtown infrastructure, which

includes many potential limitations including the presence of on-street parking and narrow intersections, and the prevalence of existing utilities such as low wires and service drops. Further, no City land within the downtown area can feasibly accommodate relocation of trees of the number and size considered.

Tentative approval of the Heritage Tree Removal Permit for the removal of nine Heritage Trees was granted on October 18, 2022. In accordance with Municipal Code Section 9.56.060(h), the permits “shall be conspicuously posted near the subject(s) of the permit.” Accordingly, each of the nine Heritage Trees proposed for removal was posted with a conspicuous notice, placed by the City’s Urban Forester, each displaying a Notice of Action effective from October 18, 2022, to October 31, 2022 at 5:00 PM. The placed notices clearly stated that proposed tree removal would remain contingent upon the certification of the election results of Measure O, as well as the rendering of a decision by the City Council regarding entitlement of the Downtown Library and Affordable Housing Project, and the issuance of Building Permit(s) for the same project. As stated in the permit postings, no tree removal would be allowed to take place prior to issuance of Building permit for the DLAHP, should entitlements for that project be granted by the City Council, and all necessary funding to finance the project be obtained.

Appeal

Following tentative approval of the Heritage Tree Removal Permit, on October 27, 2022, an appeal was filed by Pauline M. Seales. In submitting the appeal, the appellant states the following:

“This appeal is based on City Council Resolution, Criteria and Standards, Exhibit A, specifically,

A heritage tree shall only be removed if:

(c)(3) A construction project design cannot be altered to accommodate existing heritage trees.

No evidence is presented that the project design cannot be altered.

Health of Existing Trees

Twelve total trees are proposed to be removed in connection with the Downtown Library Affordable Housing Project. Of the twelve, six existing trees, in varying states of vigor as detailed in the submitted arborist report and addendum, are situated in the middle of the subject lot. Two trees located at the site’s perimeter currently demonstrate very poor health, and retention of the remaining four trees cannot be accommodated to achieve the project goals and objectives of the DLAHP, as directed by the City Council, without significant root loss and impacts leading to further decline or destabilization of those trees.

Response to Appeal

On June 23, 2020, the City Council adopted a resolution to approve in concept and make the recommendation for staff to proceed with a mixed-use downtown library project including relocation of the existing downtown library; inclusion of an affordable housing project containing a minimum of 50 low-income dwelling units; integration of a parking garage with no more than 400 parking spaces, which will provide vehicular parking for patrons and employees of the project and residents and guests of the proposed housing units, and furnish replacement public parking to offset the loss of parking capacity associated with recent and anticipated future

development in the downtown area; and limitation of the total height of the building not to exceed the height of the University Town Center development or, if infeasible, the development at 1010 Pacific Avenue.

Following the June 23, 2022 meeting of the City Council, the Council and staff engaged the community in an extensive public outreach process, including six stakeholders' meetings and two public community workshops. Such outreach efforts produced a diversity of feedback which collectively informed programming actions and recommendations for revisions to project design. Subsequent to such community engagement, the City Council took action to update the stated objectives of the Downtown Library Affordable Housing Project. By a vote of 6-1, the Council adopted a resolution, establishing revised project priorities, including an increase in the number of affordable housing units from a minimum of 50 to a minimum range of 100 to 125 units; reduction of the parking count from 400 to 310 parking stalls; expansion of the scope program to incorporate an onsite daycare facility; effectuation of design changes to include a two-story library facing Cedar and Lincoln Streets with a green roof and adjacent roof deck and other design elements as presented by the Master Library Architect; and direction of staff to return to Council with a preliminary cost model based on the updated Library design and site program changes (including the library, commercial tenant space, and childcare use). At the same hearing, the Council directed staff to bring back a preliminary cost model which includes sources and uses of funds, including, but not limited to, Measure S funding.

In response to the contention which forms the basis of the appeal of staff's decision to approve the Heritage Tree Removal Permit, it is notable that retention of most of the existing Heritage-sized trees would physically preclude placement of enclosed area in the locations occupied by trees, thereby requiring design of a building with a footprint limited to the perimeter of the subject site, where removal of some Heritage-sized trees would still prove a necessity. Moreover, given the limited size of the lot and constraints inherent to its dimensions in relation to the project objectives, no reasonable alteration of the proposed site plan that would allow for preservation of all Heritage Trees at the subject site while simultaneously affording attainment of the DLAHP's objectives for development of a mixed-use library project integrating 124-unit affordable housing development, as envisioned, can be achieved. Reasonable development of the subject site of a scale and of any conceivable project design capable of achieving the City Council's stated objectives for the DLAHP project necessitates removal of trees at the subject site.

The applicant has provided information regarding the design of the Downtown Library Affordable Housing Project as submitted for CP22-0128 (the formal application for the DLAHP). The two attached memoranda (Exhibit 6 and Exhibit 7) prepared by For the Future Housing, applicant for the DLAHP, and Jayson Architecture, architect for the library component of the DLAHP, respectively, contain detailed evaluations explaining why the design of the project cannot be altered to accommodate the existing Heritage trees on the project site.

As stated in the attached memoranda, programming requirements of the DLAHP necessitate a total building area of 273,194 square feet, while the land area bounded by the project site contains 66,921 square feet. Provision of access to adjacent properties through retention and improvement of an alley on the east side of the parcel requires reservation of some land, which reduces the site's usable area to 60,381 square feet. Placement of stormwater and landscape

infrastructure further winnows the buildable area to 58,441 square feet. Configuration of required building elements of the DLAHP (including library, housing, and parking, among others), requires design for minimum building dimensions affording basic functionality of the various program elements (i.e., book stacks for the library, unit corridors and windows for the housing, parking spaces and drive aisles for the parking, and the like). Any narrowing of the building or removal of portions of the project to accommodate existing Heritage Trees would jeopardize required building layouts and nullify basic operations of the project's uses as directed by the City Council. The project design, as proposed, maximizes efficiency of space utilization, and both the constrained area of the lot, in combination with limitations inherent to existing site dimensions, provide no opportunity for discovery of additional building area on the site. Restrictions to the building's height imposed by the City's Downtown Plan further limit the buildable space available for elements of the project, including the library, parking facility, childcare use, and commercial component, precluding options for alternative designs which would allow for preservation of existing trees.

Further, should the Downtown Library Affordable Housing Project receive entitlements, it can be reasonably expected that project construction will involve major site disturbance required to support the building's foundation and associated improvements. Preservation of existing trees would almost certainly require maintenance of open area beyond the land covered by existing tree canopies. As stated above, achievement of project goals established by the City Council provide no opportunity for use of land not already proposed to be occupied by the project. As reinforced by the attached memorandum, For the Future Housing, as project applicant, and Jayson Architecture, as the Library Master Architect, have evaluated impacts to the library associated with the on-site locations of Heritage Trees and have determined that the project design cannot be altered to both accommodate such existing trees and simultaneously continue to fulfill the requirements of the project as established by the City Council. As expounded in the attached memorandum, the architect has concluded that, should Heritage Trees remain, the library would necessarily be diminished to a size no longer adequate to serve as the central branch of the Santa Cruz Public Libraries, thereby invalidating a key goal of the overall Downtown Library Affordable Housing Project. Pursuit of alternative designs avoiding tree removal would also require modifications to the DLAHP, yielding adverse consequences to aspects of project design of likely concern to the community, such as increased bulk and visible mass of the building, effecting impacts to views and loss of sunlight exposure to neighboring properties. Redesign of the project to preserve existing trees may also prompt relocation of project components underground, thus minimizing the availability of natural light to the building's interior; diminish ready access to the library, parking, and other components; and eliminate desirable features, such as the proposed rooftop deck and expansive exterior glazing, as well as mandatory facilities, such as outdoor uncovered childcare space. Finally, retooling of the project to avoid loss of on-site trees would, by default, result in a haphazard project design lacking in unified exterior presentation and logical interior floor plan. Achievement of program requirements as confirmed by the City Council on a lot confined to the constructable areas, compels design of the DLAHP to maximize density and height, rendering preservation of existing trees on-site a practical impossibility.

FINDINGS

Pursuant to City Council Resolution No. NS-23,710, removal of Heritage-sized trees may be permitted contingent upon the Director of Parks and Recreation's making one or more of the following findings:

- 1) the heritage trees have, or are likely to have, an adverse effect on the structural integrity of a building, utility, or public/private right-of-way;
- 2) the physical condition or health of the trees warrants removal; or
- 3) construction of project design cannot be altered to accommodate existing heritage trees.

Should one or more of the above criteria be satisfied, existing heritage trees at the project site may be removed in conformance with the standards for tree replacement set forth by City Resolution No. NS-30,072, which requires replanting of three, 15-gallon trees or one, 24-inch size specimen; or through payment of the equivalent current retail value to be determined by the Director of Parks and Recreation. The applicant has deposited a bond in the amount of \$2,250.00 to ensure that a minimum of nine, 24-inch box-sized replacement trees will be planted on-site near the perimeter of the proposed building.

Minimally two of the criteria of Resolution No. NS-23,710 can clearly be demonstrated to have been met. The submitted arborist report, supported by its addendum, confirms that all subject trees exhibit various states of decline, with only a handful serving as potential candidates for retention or relocation, and, even then, only through extensive intervention, addressing the physical health criterion of Resolution No. NS-23,710. Per the submitted arborist report, two of the trees on-site exhibit severe decline, six existing trees are situated in the approximate center of the subject lot, and a further four would suffer from significant impacts associated with project construction or may become destabilized. Of the twelve total, nine constitute Heritage Trees as defined in the Municipal Code. Maintaining the trees in their current form would severely restrict the area of the library, and possibly preclude construction of both the library and residential building entirely, and would prevent fulfillment of the project objectives previously recommended by the City's Downtown Commission and Planning Commission and as confirmed by the City Council, including creation of a mixed-use project featuring a flagship downtown central branch library, additional affordable housing stock, integrated commercial tenant space, community-serving commercial childcare use, and public parking capacity to serve the proposed use and to address loss or parking capacity prompted by downtown development. It is noteworthy that the City Council resolution adopted December 14, 2021 was borne of an extensive public outreach process, including a series of community meetings as described in Attachment 6, collectively contributing to the evolution, and currently proposed design, of the project.

Given the limited size of the lot and constraints inherent to its dimensions, as supported by the narratives included in the memoranda by the project architects, with which City staff concur, no reasonable alteration of the proposed site plan would allow retention of the trees while simultaneously achieving the Project's objectives of creating a mixed-use development inclusive of a library and 124-units of affordable housing, thus, obviating the necessity for removal of such trees, addressing the third criterion of Resolution No. NS-23,710 above.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Appeal of any Heritage Tree Removal Permit constitutes a quasi-judicial (discretionary) application, subject to review under the California Environmental Quality Act (CEQA). Proposed tree removal alone (i.e., not submitted in conjunction with the DLAHP) remains categorically exempt from the provisions of the California Environmental Quality Act (CEQA)

pursuant to CEQA Section 15304 (Class 4) related to “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.” As proposed, removal of nine Heritage-sized trees would result in no significant environmental impacts at the project site. Planting of replacement trees as recommended in the arborist report is required; per City Council Resolution No. NS-30,072, replacement trees are required to be installed in a ratio of three 15-gallon trees or one, 24-inch box-sized tree for each Heritage-sized tree removed. A bond for purchase and planting of a total of nine, 24-inch box-sized replacement trees has been paid by the applicant, and additional trees, shrubs, and associated vegetation will be provided in accordance with an approved landscape plan, should the Downtown Library Affordable Housing Project be entitled.

As the subject Heritage Tree Removal Permit application has been submitted in conjunction with the proposed DLAHP project, the application for Heritage Tree Removal Permit may also be contemplated in light of the overall DLAHP. An in-depth analysis of environmental impacts associated with the DLAHP, including potential environmental effects associated with proposed tree removal, has not yet been finalized; preparation of said analysis is anticipated to be complete by mid-January 2023. To provide the Parks and Recreation Commission with a comprehensive assessment of the impacts of proposed tree removal in connection with the proposed Downtown Library Affordable Housing Project, staff recommends that the Commission defer hearing of the subject appeal until a date certain, namely, the next scheduled hearing scheduled to be held on February 13, 2023, by which time the aforementioned analysis under CEQA is expected to have been completed.

For the Commission’s consideration, conditions of approval, attached as Exhibit A, have been prepared for potential future action by the Commission in rendering of a decision in response to the submitted appeal, which is the subject of this hearing. A condition of approval states that exercise of the Heritage Tree Removal Permit would remain contingent upon simultaneous or subsequent approval of the land use permit application for the DLAHP. That is, as stated in the condition of approval, no tree removal may take place prior to issuance of Building permit for the DLAHP, should entitlements for that project be granted by the City Council.

Health in All Policies (HiAP)

HiAP is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. HiAP is based on 3 pillars: equity, public health, and sustainability. The goal of HiAP is to ensure that all decision-makers are informed about the health, equity, and sustainability impacts of various policy options during the policy development process. The Heritage Tree Removal Permit supports the pillar of equity by facilitating the review of the DLAHP, which integrates affordable housing units on a site in an area that is improved with sidewalks and new street trees providing replacement canopy, and that lies in close proximity to public transportation, commercial goods and services, and recreational areas. The development of residential units in this central location encourages a sustainable and healthy lifestyle by promoting alternative forms of transportation. Therefore, the project is considered to be consistent with the three pillars of the HiAP and is recommended as an efficient use of the land.

SUMMARY

An appeal of the Heritage Tree Removal Permit approved for 113 and 119 Lincoln Street has been submitted based on the contention that no evidence has been presented that alternative designs were considered of the proposed Downtown Library and Affordable Housing Project that would avoid removal of the existing trees on-site. Any project of a reasonable design accommodating the number of residential units, size of library, integration of childcare and commercial components, and the volume of parking capacity per the directive of the City Council, would necessitate development of the majority of land area bounded by the project site, including construction activity and site disturbance precluding adequate protection of trees' root systems, therefore requiring removal of the existing trees. Staff have made the findings necessary to support a Heritage Tree Removal Permit in conformance with City Council Resolution No. NS-23,710 and No. Resolution NS-30,072. Nevertheless, as the Heritage Tree Permit application for which an appeal has been filed, has been submitted in conjunction with the Downtown Library Affordable Housing Project whose environmental analysis remains forthcoming, it is recommended that the Parks and Recreation Commission continue the hearing related to the submitted appeal pending completion of the CEQA document which will provide a comprehensive analysis of the environmental impacts associated with proposed tree removal necessitated by the Downtown Library Affordable Housing Project.

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission open the public hearing and continue the hearing to a date certain, namely February 13, 2023, at which time a full analysis of the potential environmental impacts associated with proposed tree removal as part of the Downtown Library Affordable Housing Project is anticipated to have been prepared, and that the Commission consider for future potential action the Conditions of Approval attached as Exhibit "A". Staff additionally recommends that the Commission accept testimony from members of the public who will not be available to testify at the continued hearing on February 13, 2023.

FISCAL IMPACT: Not applicable.

Prepared By:
Timothy Maier, Senior
Planner
Leslie Keedy, Urban Forester

Submitted By:
Samantha Haschert
Principal Planner

Approved By:
Tony Elliot
Director of Parks and
Recreation

ATTACHMENTS:

1. Draft Conditions of Approval
2. Application of Appeal of the Heritage Tree Removal Permit by Pauline M. Seales, dated October 27, 2022
3. Appellant Supplemental Information and Statement
4. Tree Survey & Preliminary Impact Assessment (Arborist Report) dated January 18, 2022, prepared by Dryad, LLC
5. Addendum to the Arborist Report dated September 9, 2022, by Dryad, LLC
6. Memorandum of For the Future Housing regarding impacts to the DLAHP associated with retention of existing trees at the project site
7. Memorandum of Jayson Architecture regarding impacts to the DLAHP associated with retention of existing trees at the project site
8. Notice of Action (Posting) Tentatively Approving the Heritage Tree Permit
9. Heritage Tree Permit Application Submitted by City date 10/12/2022
10. Proof of Tree Mitigation Bond Submittal

11. Resolution No. NS-23,710
12. Resolution No. NS-30,072
13. Notice of Public Hearing
14. Correspondence received as of 12/07/2022

EXHIBIT "A"

FOR CONSIDERATION BY THE PARKS AND RECREATION COMMISSION – CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

**113, 119 Lincoln St. – TR22-0201 (in conjunction with CP22-0128)
Heritage Tree Removal Permit for removal of nine (9) Heritage Trees in conjunction with
the Downtown Library and Affordable Housing Project (DLAHP) at a Site Located in the
CBD/FP-O (Central Business District/Floodplain Overlay) Zoning Districts and on land
within the Cedar Street Village subarea of the Downtown Area Plan.**

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All plans for future modification to the project site which are not covered by this review shall be submitted to the City Council for review and approval.
3. This permit shall be exercised within three (3) years of the date of final approval or it shall become null and void.
4. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
5. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.
6. The proposed tree removal shall be in substantial accordance with the approved plans and associated documents submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
7. All requirements of the Building, Fire, Public Works and Water Departments shall be satisfied and continuously maintained thereafter.
8. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
 - a. Immediately cease all further excavation, disturbance, and work on the project site;
 - b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet

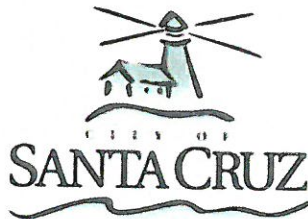
from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;

- c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
 - d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.
9. Exercise of the Heritage Tree Removal Permit shall remain contingent upon final approval of all entitlements required for the Downtown Library Affordable Housing Project (CP22-0128). No tree removal may take place prior to issuance of all necessary Building permits required for construction of the Downtown Library Affordable Housing Project (CP22-0128) for which removal of Heritage Trees at 113 Lincoln St. and 119 Lincoln St. has been proposed. Should removal of any Heritage Trees be conducted and the Downtown Library Affordable Housing Project not subsequently built, replacement trees pursuant to all applicable Municipal Code provisions and any pertinent policy/ies shall be planted at the project site.
10. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

“I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final.”

Signature of Building Contractor

Date



HERITAGE TREE REMOVAL/ALTERATION PERMIT APPLICATION
APPEAL FORM C

IN ACCORDANCE WITH ORDINANCE ADOPTED BY CITY COUNCIL


APPELLANT: Pauline M. Seales ADDRESS: 328 Getchell St. ZIP: 95060

PHONE: 831-428-2080 DATE OF APPEAL: 10/27/22 TREE APPLICATION NO: 22-0201

TREE ADDRESS: LOT 4 119 LINCOLN ST. TREE SPECIES: Magnolia Pistache Ginkgo
Liquidambar

TREE LOCATION: Please use map below to indicate tree(s) location on property.

PLEASE NOTE: THE APPELLANT SHALL STATE THE BASIS FOR THE APPEAL AND SHALL SPECIFICALLY CITE WHICH PROVISION OF THIS ORDINANCE OR CITY COUNCIL RESOLUTION IS RELIED UPON TO SUPPORT THE APPELLANT'S CONTENTION THAT THE DIRECTOR OF PARKS AND RECREATION ERRED IN GRANTING OR DENYING THE PERMIT. ANY REPORTS WHICH MAY BE SUBMITTED BY THE APPELLANT AND/OR STAFF ARE ADVISORY ONLY AND SHALL NOT BE DEEMED CONCLUSIVE OR BINDING ON THE COMMISSION'S FINDINGS.

REASON FOR APPEAL: <u>See Attachment A</u>	LOCATION MAP: Please site and label all structures and heritage tree(s).
<u>This Appeal is based on City Council Resolution, Criteria & Standards, Exhibit A specifically,</u> <u>1. A heritage tree shall only be removed if:</u> <u>(c)(3) A construction project design cannot be altered to accommodate existing heritage trees.</u> <u>No evidence is presented that the project design cannot be altered.</u> x <u>Pauline M Seales</u> PLUS OTHER APPELLANT SIGNATURE SEE LIST ATTACHED B, C	<u>Lot 4, 119 Lincoln St.</u> <u>9 heritage trees</u> <u>See arborist's report</u>
	 NORTH

THERE IS A \$100.00 FILING FEE

FOR OFFICE USE ONLY:

RECEIVED BY: B. Powers DATE: 10/27/22 FEE: \$100.—

PARKS & RECREATION COMMISSION MEETING DATE: _____

COMMISSION DECISION: APPROVED _____ DENIED _____

APPEAL OF TENTATIVE TREE REMOVAL PERMIT FOR 9 HERITAGE TREES
LOT 4, 119 Lincoln St. SANTA CRUZ

APPENDIX A

This page is an attachment to Appeal Form C. and expresses the Reason for the Appeal

This Appeal is based on City Council Resolution, Exhibit A, Criteria and Standards. The Criteria and Standards are the legal bases for the city granting any Tree Removal Permit.

The specific section cited for this Appeal is 1. "A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances:

(c) (3) A construction project design **cannot** (emphasis added) be **altered** to accommodate existing heritage trees or shrubs."

Despite numerous letters to the city from community groups, including the Sierra Club, that drew attention to the above criterion that a design be developed to accommodate some existing onsite heritage trees, there is no indication that this requirement was followed. In fact, the evidence suggests it was ignored.

The applicant for the Tree Removal Permit and the city's consulting arborist state that the reason for the trees' removal is that "all trees are in the construction footprint." The city Parks Department then applies Criterion 1 (c) (3) and grants the Tentative Tree Removal Permit. There is no evaluation of the project design, no requests for alternative designs or explanations of why and how the design **cannot** be **altered** to accommodate some of the heritage trees.

Based on the above, appellants respectfully request that the hearing body uphold this Appeal and rescind the Tentative Tree Removal Permit 22-0201

October 27, 2022

APPEAL OF TENTATIVE TREE REMOVAL PERMIT FOR HERITAGE TREES
LOT 4, 119 LINCOLN ST, SANTA CRUZ
APPENDIX B – LIST OF CO-APPELLANTS

Youth for Climate Justice,

Tamarah Minami, tamarahminami19@gmail.com

Citizens' Climate Lobby Santa Cruz Chapter,

Lynda Marin, lmartin@cruzio.com

Santa Cruz Climate Action Network,

Pauline Seales, paulineseales120@gmail.com

Yes on Measure O for Our Downtown, Our Future,

Lira Filippini, lirafilippini@gmail.com

Santa Cruz for Bernie,

Magi Amma, magi@hippocampus.com

Peoples Democratic Club of Santa Cruz County,

Ed Porter, eporter95@gmail.com

Ecosystem Restoration Communities,

Ellen Farmer, elf17work@gmail.com

Electric Vehicle Assn CA Central Coast Chapter,

Beverly DesChaux, bdchaux@gmail.com

Eat for the Earth,

Beth Love, beth@wholenessworks.com

Campaign for Sustainable Transportation,

Rick Longinotti, longinotti@baymoon.com

Downtown Commons Advocates,

John Hall, jrhall103@mac.com

Eva Leuthold
evamaleuthold@gmail.com

MAGI AMMA, SIERRA CLUB
MAGI@HIPPOCAMPUS.COM

APPEAL OF TENTATIVE TREE REMOVAL PERMIT FOR HERITAGE TREES
LOT 4, 119 LINCOLN ST, SANTA CRUZ
Application No. 22-0201
APPENDIX C – LIST OF Local Supporters

Based on the 7am 10/27/22 results of google form

<https://docs.google.com/forms/d/1QZbBD7SbAstfVHAK50wETMgpS1WtS05NfoleFV1HRK4/edit>

All the people listed below replied YES to the question

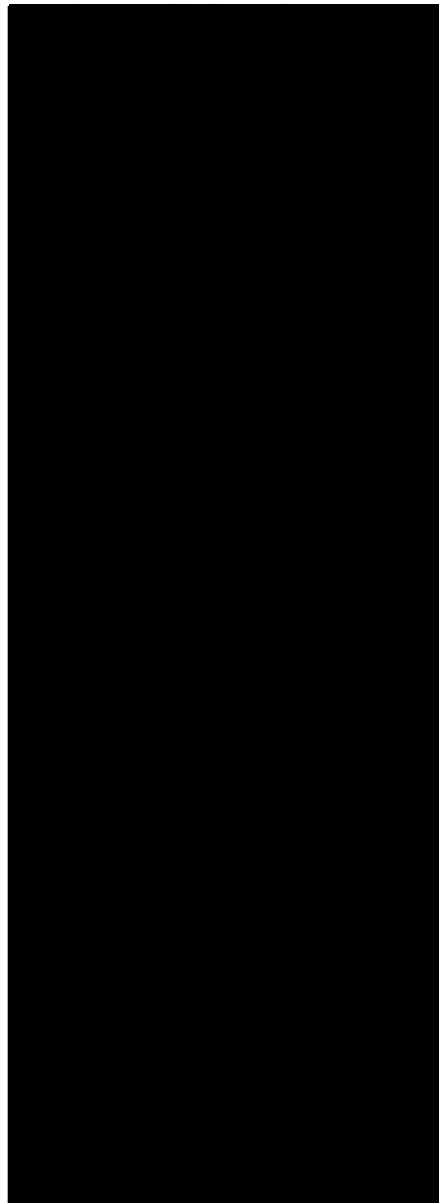
Do you agree that the tree-cutting permit should be stopped or voided or put on hold?

Note - 19 No replies are not included

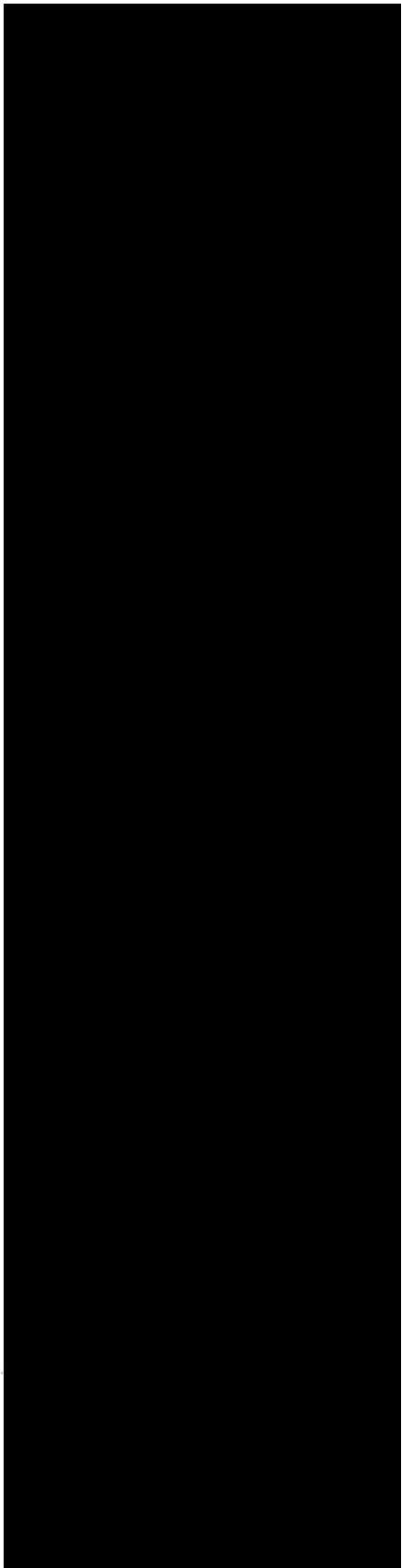
Your name?

Email Address

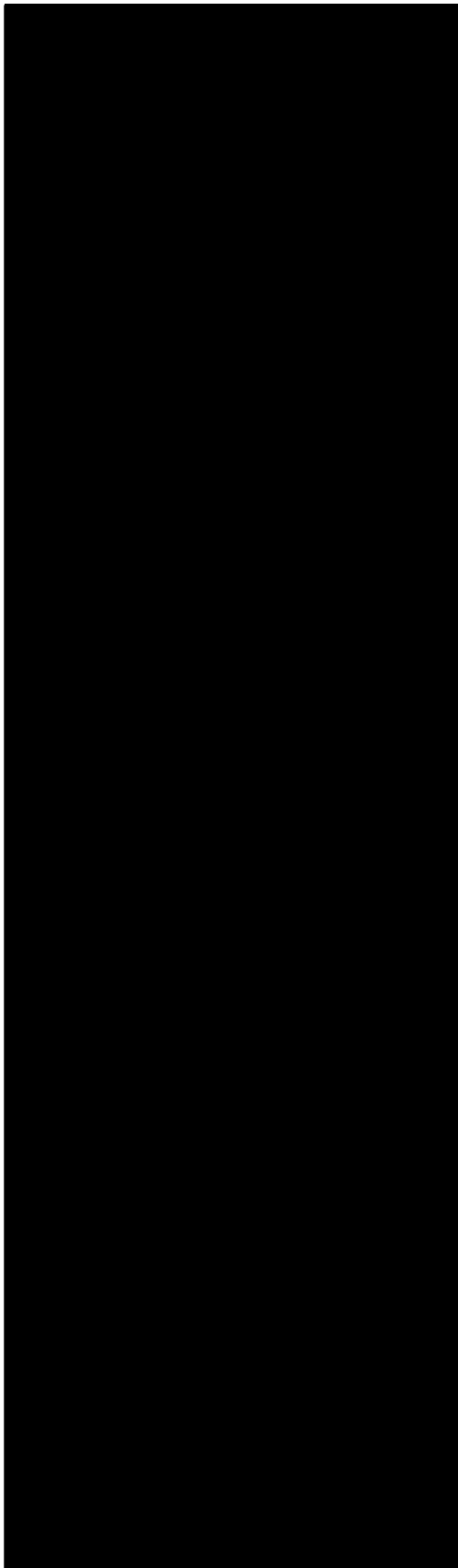
Aaron
Aaron void all cuts
Abigail Putnam
Adam Goodman
Adrian Marquez
Adrien Saso
Adrienne Frisbee
Aimee
Aja Bond
Akiko Minami
Akshay Chandra
Alain
Alan Chettero
ALDO GIACCHINO
Alec Webster and Claudia Webster
Alex Albarran
Alex Darocy
Alex Moore
Alex Vargas
Alexis Whitman
Alfredo Gama Salmeron
Alice Pennes
Alicia Keen
Alison Buchter
Alison Maupin
Alison Reason
Allan
Allan Koehler
Alyssa Barnes
Amanda Prejger
Amber Khan
Amber Wallin
Amber Watkins



Ambria mclean
Amelia Eichel
Andrea Webster
Andrew Bear
Andy Carman
Angela Hartley
Angelee Dion
Anina Van Alstine
Anita Webb
Ann Bodine
Ann Meyer
Ann Simonton
Anne Marie Russell
Anne Mitchell
annie newman
Anny Mogollon
Anthony Dold
Antoinette Corrigan
April Ridlon
Ara Johnson
Ari Meister
Arnold Arcolio
Arthur Wood
Ashraya Riggio
August Materazzi
Aukjen Kalai Herrick
Avery Addae
Avi Conant
Barbara Crum
Barbara Lawrence
Barbara Novelli
Barbara Riverwoman
barbara tyger
Becky O'malley
Benjamin Scheer
Beth Love
Beth Sherman
Betsy Jones
Betty
Betty
Beverly DesChaux
Bhavananda Lodkey
Bill Denevan
Blake Milam
Bob Langis
Bob Morgan
Bonita Mugnani
Bonnie Christensen
Bonnie G Friedmann
Bonnie Stoehn
Brandi F.
Brandy Little



Brett Garrett
Brian voenell
Brittany Cole
Brittney Harville
Bruce Sawhill
Bruce Van Allen
Bryana Garcia
C Grenier
Calvin Dees
Camila Mascarenhas
Cappy Israel. (aka Carolyn)
Carey Ruwe
Carla King
Carol Colin
Carol Long
Carol Severson
carol wilhelmy
carolina martinez
Caroline Elam
Caroline Hoggatt
Caroline McDonald
Caroline Power
Carolyn Rudolph
Carolyn Trupti Israel. (aka Cappy)
Carrie Koscielak
Cassandra Brown
Catherine Hudson-Webb
Catherine Rusmore
Cathryn C Arnold
Cayley
Cece
Cedar johnson
Celine Grenier
Changhua Rich
Charles Buttrey
Cher Bergeon
Chris Greenwood
Chris Hables Gray
Chris Sherertz
Chris Zegers
Christian Kadner
Christina Bailey
Christina Perez
Christine Barrington
Christine Hawley
Christopher Lang
Christopher Williams
Christopher Zegers
CiCi Williams
Cindy haug
Cindy Hirsch
Claire Foster

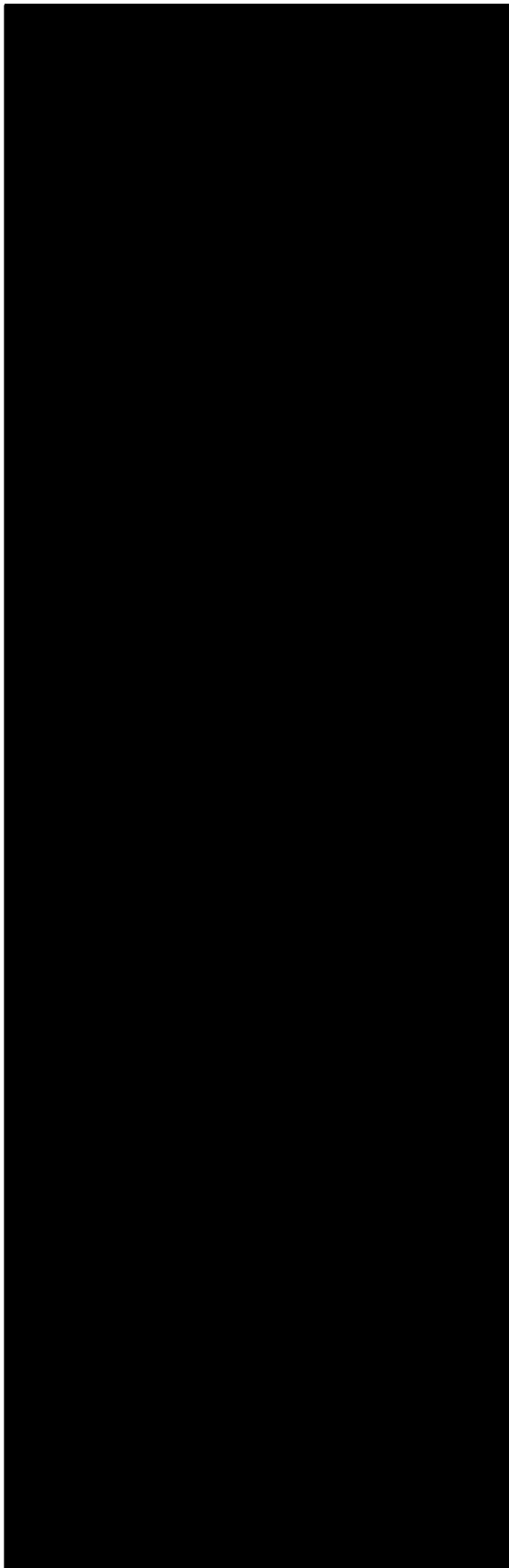


Claudia schlachter
Claudia Webster
Clive Bagshaw
Coleen Douglas
Colin
Connie Gabriel Wilson
Connie Sutherland
Conrad Seales
Consuelo Holguin
Cooper Young
Coral Brune
Cori Land
Courtney Kelleher
Crystal Geiger
Curt Simmons
Cynthia Adams
Cynthia Chace
Cynthia Strauss
D. Robbins
Dakotah Bertsch
Dana Bagshaw
Dana Damm
Dana Peleg
daniel
Daniel Frechette
Danilyn Rutherford
Daun Wallace
David Bomstein
David Cody Morris
David Forbes
David North
David Ross
Dean Norris
Debbie Bulger
Debora Bone
Deborah Hayes
Deborah Marks
Debra Artura
Debra Donna
Dede Eckhardt
Dee Vogel
Dennis A. De Mille
Desiree Banzhaf
Detlef Adam
Devi Tong
Diana Delgadillo
Diane L Auclair
Diane Morgenstern
Dolores Bornstein
Dominic Brown
Don Burgett
Donna Ramos

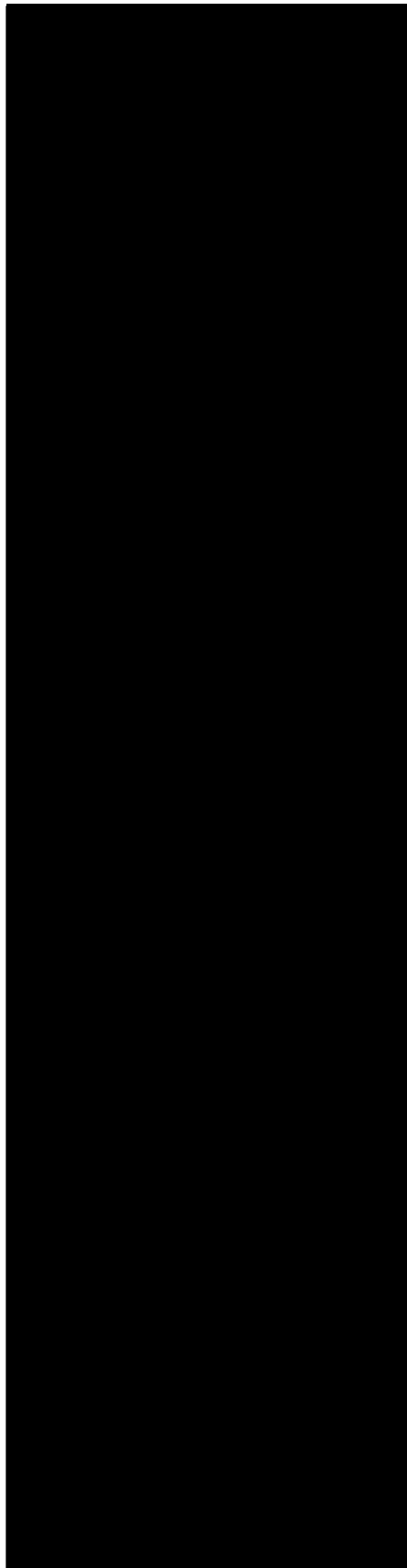


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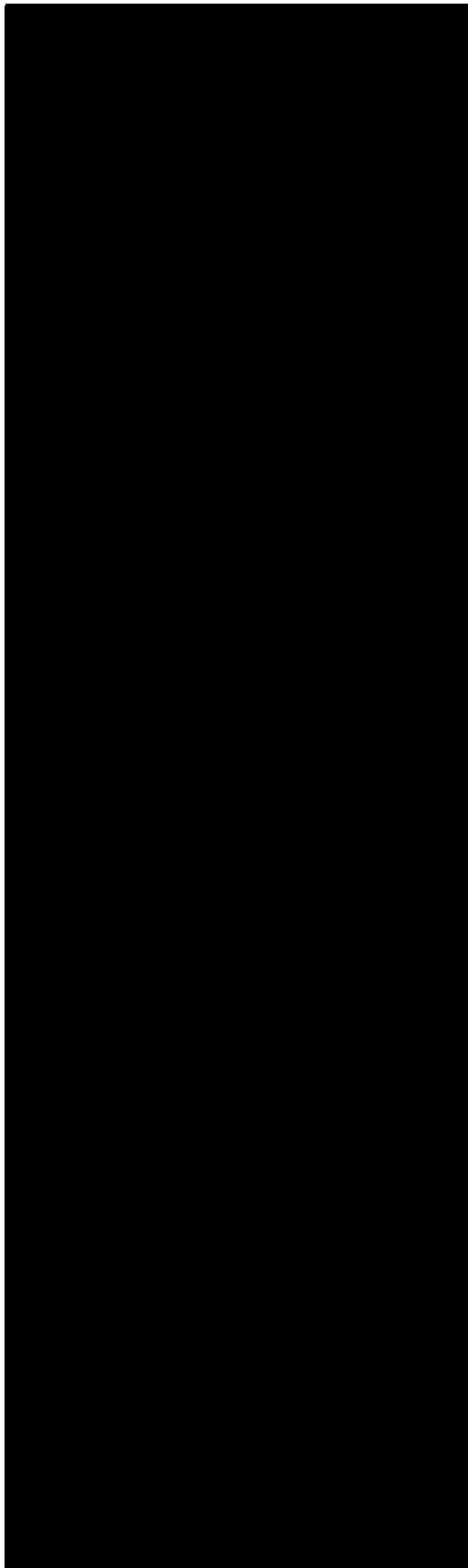
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Douglas Greenfield
Douglas M Greenfield
Douglas Murray
Dr. Michelle Merrill
E. Foresta
E. Joseph Wampler
Ed Porter
Eileen Zurbriggen
Elaine lee
Elana Sifry
Eliah Tumalan
Eliot Guemsey
Elisabeth Potts
Elissa Wagner
Eliyahu Goodman
Elizabeth Ignizio
Elizabeth MacKenzie Somers
Elizabeth Plageman
Ella Carrokk
Ellen
Ellen Baker
Ellen Farmer
Ellen Manko
Emily Abbink
Emily Burton
Emily Christensen
emily lewis
Emily S
Emma Saso
Enriqueta
Eric child
Eric Schneider
erica aitken
Erica Stanojevic
Erika Kightlinger
Erin
Erin Oneto
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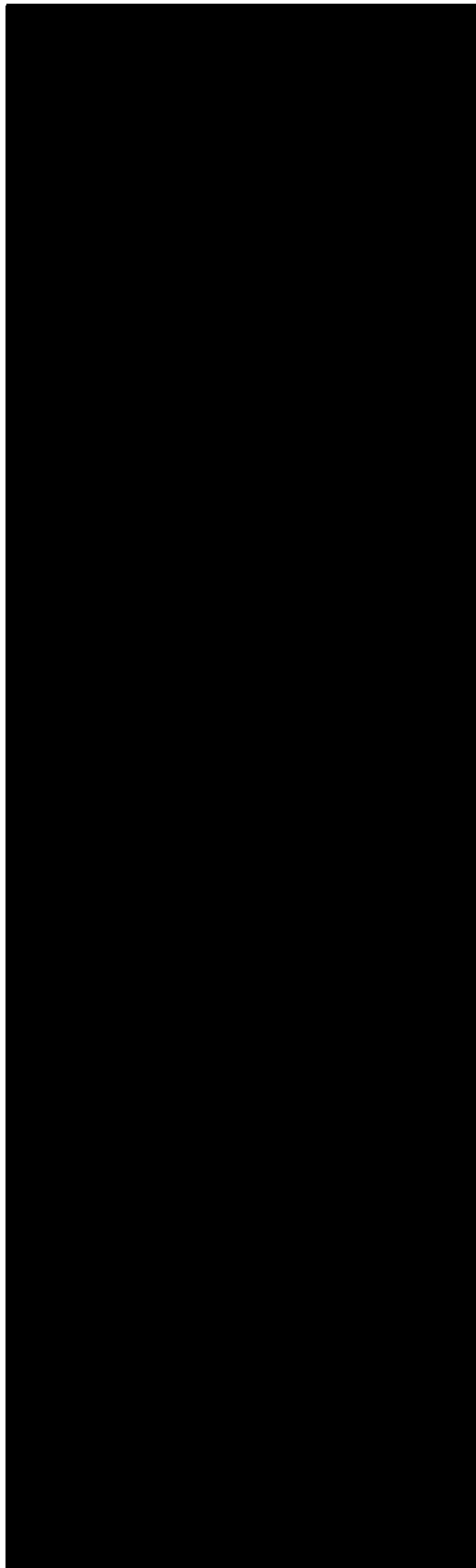
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George "Woody" Carroll
George Merilatt
Gerald Brown
Grace Jones
Grant Pew
Grant Wilson
Hannah
Haran Kandadas/Dolores Talbert
Hayley Sanchez
HEATHER COX
Hector Marin
Heidi Dunson
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Iliana
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INGRIDA MEDNIS
Irana Shepherd
Isaac Recinos
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Janice Kelly
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Jeannette Isabella Calvin
Jeffrey Smedberg
Jen (jennifer) Hastings
Jenna Weitzman
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Jonah Goodman
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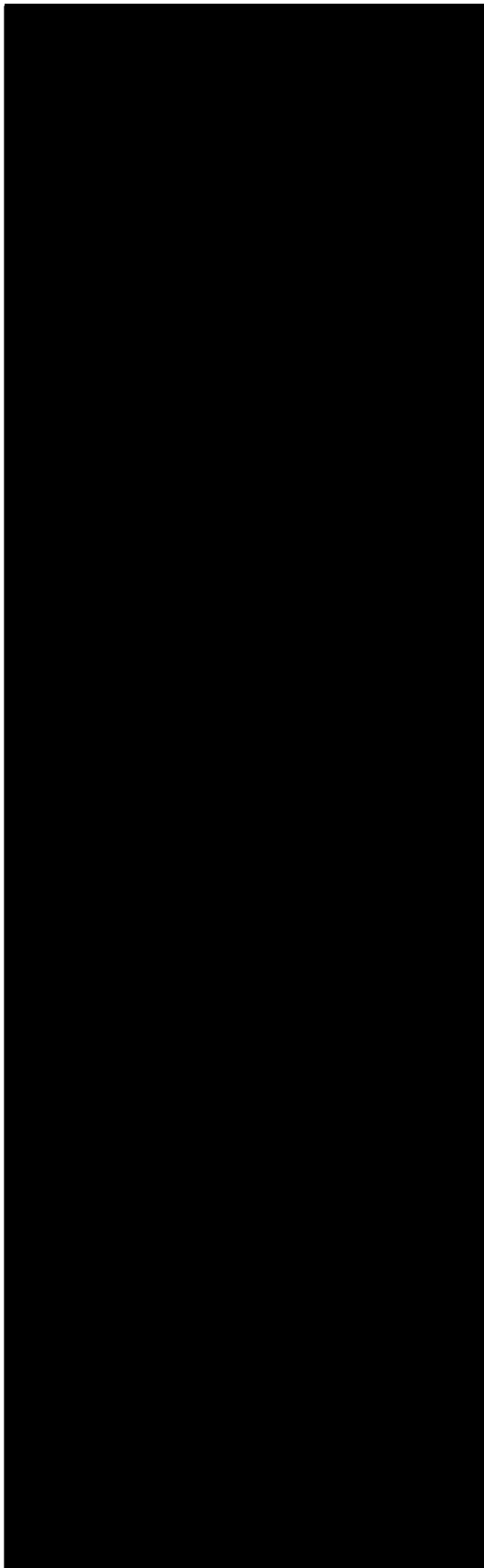
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Kate Gilligan
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Katie Hansen
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Kay Goodwin
Kayla
Keith Reason
Kelly Brown
Kelly Santillana
Kendra payne
Keresha Durham
Keri Hyatt
Keven Cook
Kevin Paul Keelan
Kim Beer
Kim Clark
Kirra McColl
Kris Damhorst
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Kristen Sandel
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LeAnn Bjelle
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Leonie Sherman
Leslie Elkind
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Linnea Edwards
Lisa Coppock
Lisa Ekström
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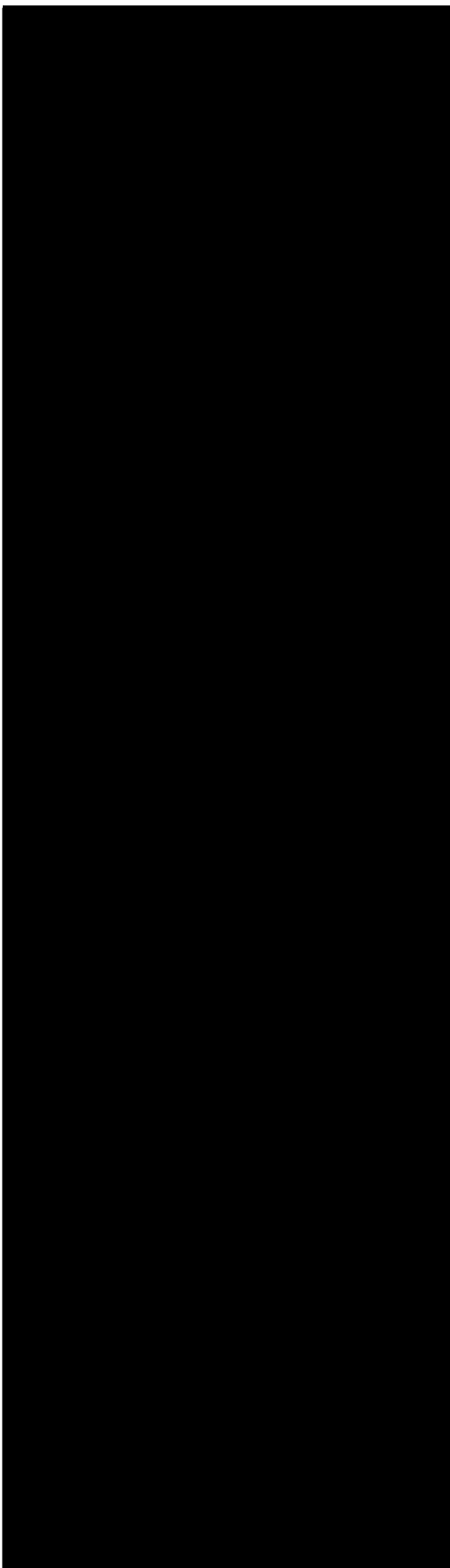
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Mark Tanaka
Marlene Pitkow
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Martabel Wasserman
Martha Arciniega
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Marv Lewis
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Mary Latta
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Mary McGranahan
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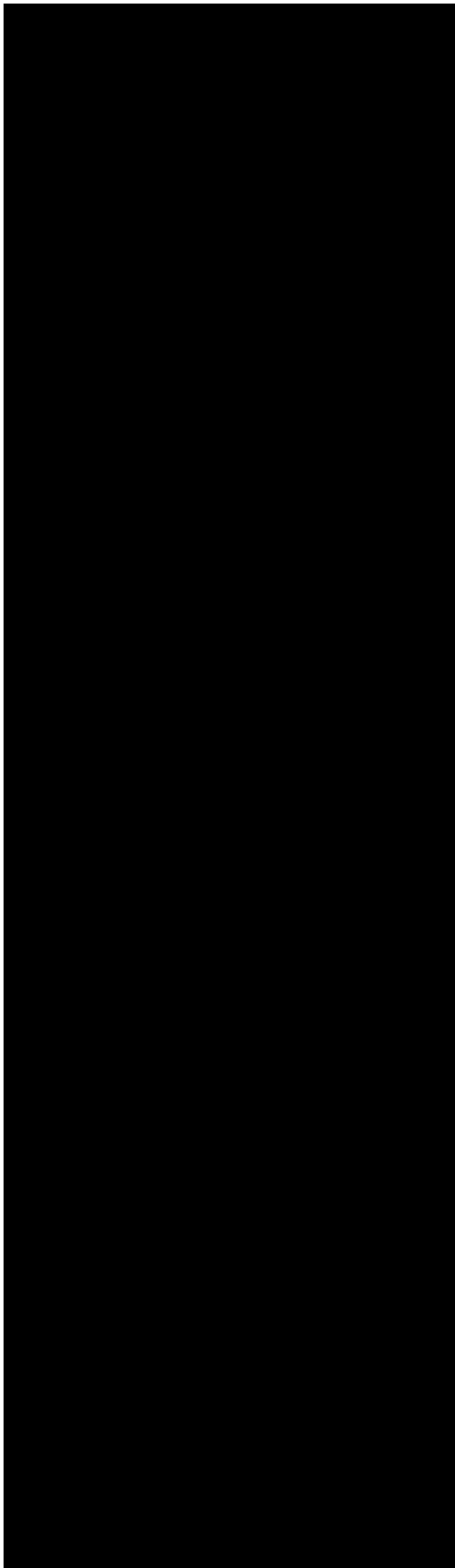
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Matt Jamieson
Maura Kelsea and Michael Brownlee
Maureen Davidson
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Maureen Loftus
max rogozienski
Maya Elson
Megan Dawson WAIT FOR THE VOTE!!!!
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Mel & Vicki Nunez
Melinda Ellestad
Melissa Beren
Melissa Cara Rigoli
Melissa Dallesandro
Melody Culver
Michael A. Scott
Michael Funari
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Michael Keenan
Michael Levy
Michael Logue
Michael Nussbaum
Michael Santa Cruz
Michael Saso
Michaelyn Logue
Micheal Saint
Michele D. Wolfe
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Miguel Olvera
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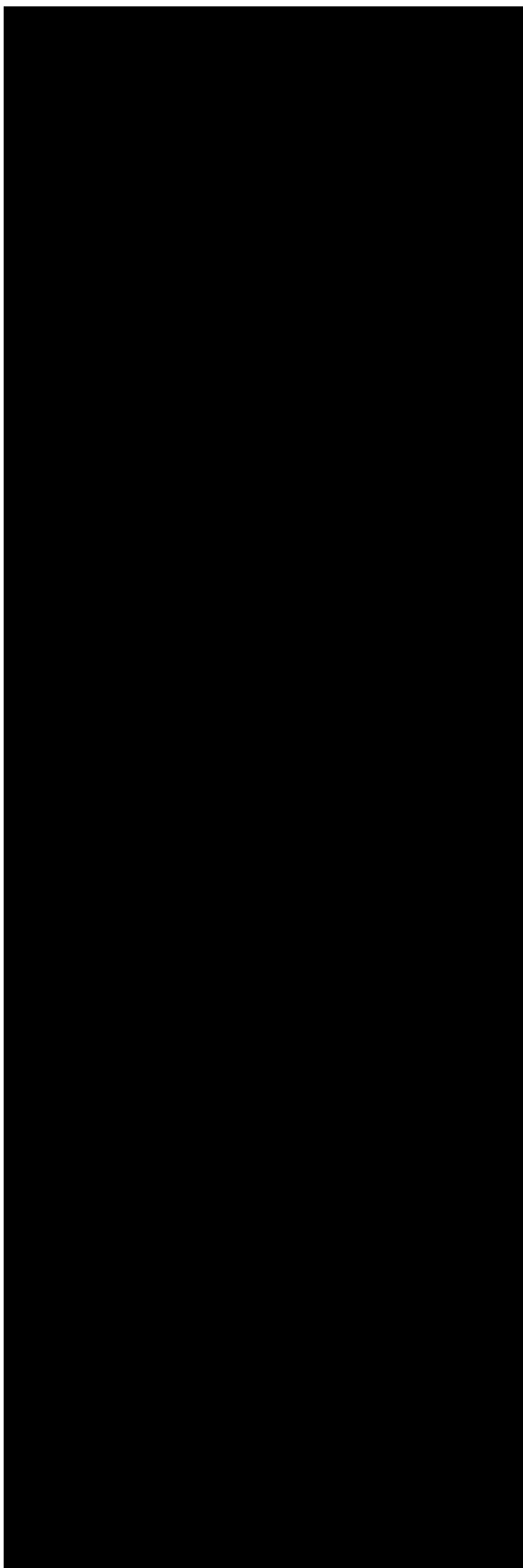
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Oliver Abbitt
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Pamela Cooke
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Pat Park
Patrice Boyle
Patrice Wallace
Patricia Damron
Patricia mcveigh
Patti G Barnett
Paul Aguilar
Paul Rangell
Pegatha Hughes
Peggy Snider
Peggy Young
Penny Ellis
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Pete Shanks
Peter Forbes
Peyton Quijano
Phoenix Buddeberg
Phyllis Daney
Quinn Armentrout
Rachel O'Malley
Ralph Lombreglia
Ramon Mentor
Randa Solick
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Raymond Love
Rebecca Bogdan
Rebecca Rockom
Reed Alper
Regan Brashear



Renata Langis
Reverend Alexandra Childs
Rhonda Nelson
richard perper
Richard Stover
Rick Longinotti
Rita Hestet
Robert Caplan
Robert Corrigan
Robert G. Bowen
Robert Milby
Robert Perala
Robert Stayton
Robin Stone
Roger Anderson
Roland Saher
Ron Goodman
Ron Pomerantz
Rose Connell
Ruth Appleby
Sabine Fraley
Sabra Cossentine
Sally Bass
Sally Gwin-Satterlee
Samantha
Samantha Infeld
sandie swanson
Sandra
Sandra Cohen
Sandy Silver
Sara Atsatt
Sara Bassler
Sara Kane
Sarah Cadman
Sarah lindsay wasserman
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Sean Murray
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Shauna Gunderson
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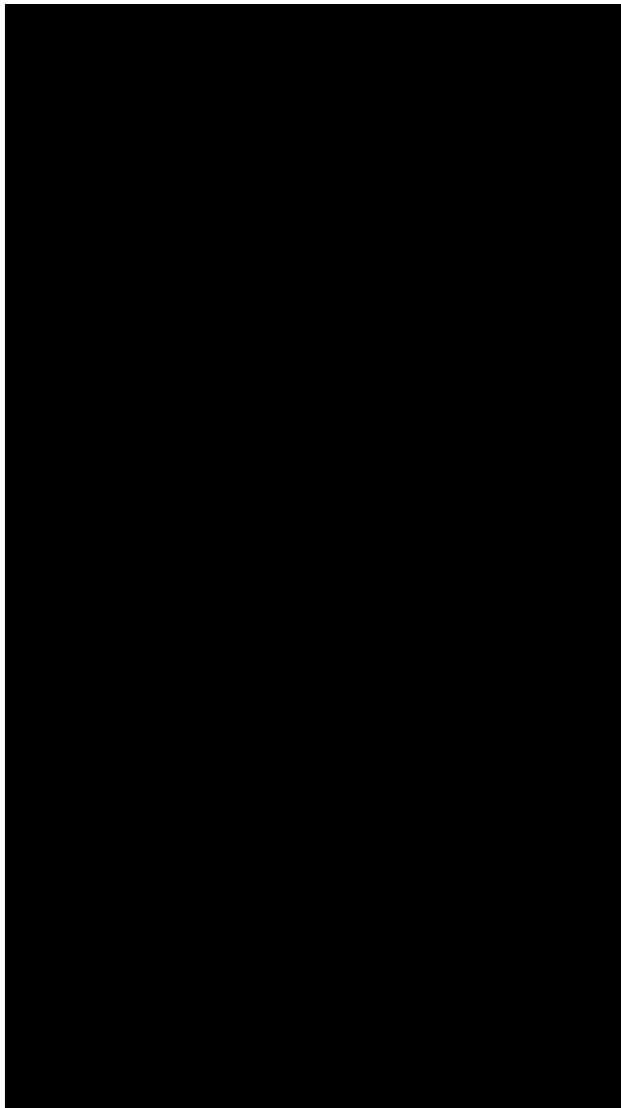


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Stephen Svete
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Steve Schnaar
Stewart Jenkins
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tom kidwell
Tom McAllister
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Valerie Byrne
Valerie Girsh
Vanessa Wilson
Victor Aguiar
Victoria (Vicki) Downey
Virginia Schwingel
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Wesley Somers
William Range
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Woutje Swets
Yuri Morales
Yvette
Zachariah Allen Buck

Robert Werdmuller von Elgg



**Santa Cruz Parks and Recreation Commission
Appeal of Heritage Tree Removal Permit Application 22-0201**

**Santa Cruz Climate Action Network and Co-Appellants
Contact: Pauline Seales, paulineseales120@gmail.com**

Statement of Appeal, December 6, 2022

Introduction.

We are a diverse group of organizations who are jointly appealing the tree removal permit TR-22-201 (attachment 1) applied for on October 12, 2022, for the removal of all heritage trees from Lot 4. Granting this permit would violate the city's heritage tree ordinance.

It should be noted that many citizens are greatly upset by the proposed tree removal. The value of mature trees in urban communities is not simply the purview of "tree huggers." It is well documented by scientific research (attachments 2 & 3). Trees have been found especially valuable in urban neighborhoods.

Commissioners should also be aware that the City's Climate Action Plan 2030, passed by the Council in 2022, includes planting many more trees and maintaining existing trees to absorb greenhouse gasses and other toxins (attachment 4).

In this statement, we present findings of facts, analysis of facts, and the specifics of our appeal requests. We conclude that the tree removal permit should be rejected. The garage/ library/ housing plan could and should include retention of at least a few of the heritage trees. The City's failure to accommodate any of the heritage trees violates its own laws.

Findings of fact.

1. City Council resolution NS-23, 710 (attachment 5) references SCMC 9.56 (webpage 1) and states, in part, that "this resolution, and the criteria and standards hereby adopted, shall be used to determine the only circumstances under which any heritage tree ... may be altered or removed," and includes Exhibit A, "Criteria and Standards," which states, "A heritage tree ... shall only be altered or removed in the following circumstances. (c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation: ... (3) A construction project designed cannot be altered to accommodate existing heritage trees" [emphases added].

2. Beginning as early as July 6, 2021, numerous organizations and individuals have communicated with City staff and the City Council, drawing attention to the heritage tree ordinance and requesting that the City and its developer adhere to the ordinance in relation to the development of the Lot 4 project. The City's Director of Economic Development and the Mayor acknowledged receipt of certain of these communications.
3. The arborist's report submitted by Torrey Young of Dryad LLC on January 18, 2022 (webpage 2), states that "all twelve [trees] could be retained on site." According to the report, using its tree number notation, trees #4, 7, 9, 10, and 11 are "worthy of preservation"; other trees on Lot 4 would require extensive preservation and site improvement efforts. Of these trees, trees #4, 10, and 11 – all heritage trees – are on the perimeter of Lot 4, adjacent to the Cedar Street sidewalk; they are recommended for preservation with "specific maintenance." They are thus strong candidates for accommodation in a Lot 4 development project. The other trees – trees #1, 2, 3, 5, 6, 7, 8, 9, 12 – either are not judged worthy of preservation or fall in the interior of the Lot 4 footprint and thus could not easily be accommodated in a project design.
4. In a June 17, 2022 letter (attachment 6), Michael Guth, executive committee chair of the Sierra Club, wrote, "It appears that the city and the architect are failing to follow the legal requirements of the city's Heritage Tree Removal Resolution," and requested a "mid-course correction" to "alter the current design" to conform with the City's heritage tree ordinance.
5. A June 21 email (attachment 7) from Leslie Keedy, City arborist, to Tony Elliot, Bonnie Lipscomb [cc: Travis Beck, Brian Borguno], asked, "Have any design changes been asserted that would save any trees per the res[olution] requirement?" The email spells out a plan for the City to have Dryad LLC review the Lot 4 plan and draft a follow-up so that the Economic Development department can respond to the Sierra Club with reports about the trees assessment in relation to the actual Lot 4 plan.
6. On June 22, 2022, the City's Director of Economic Development, Bonnie Lipscomb, emailed Michael Guth of the Sierra Club (attachment 8), stating that designs for the Lot 4 project to that point were "conceptual in nature," that the project architect was aware of the heritage tree ordinance, and that the project team was reviewing the site layout and trees to see if any of them "could be accommodated in the new design."
7. There is no evidence in the public record that the project architect for the project team made any statements concerning adherence to the heritage tree ordinance.

8. On August 22, 2022, a Senior Planner for the City advised City project coordinator Brian Borguno (attachment 9) that the project land use application “required a Heritage Tree Removal Permit.”
9. On September 9, 2022, Torrey Young of Dryad LLC sent an addendum to its January 18, 2022, arborist report (webpage 3) to Economic Development Director Bonnie Lipscomb. The addendum refers to “Review of the impact of construction based on revised site plans entitled ‘*Entitlements Package 04/29/22*’,” and states that “all 12 trees on site must be removed to accommodate construction. Specifically, the building footprint encompasses an area including all twelve trees.”
10. On September 9, 2022 (the same day that Dryad submitted its arborist report addendum), Eden Housing and For the Future submitted development application CP 22-0018 with plans for the Lot 4 project (webpages 4). The project narrative (webpage 5) does not include any mention of heritage trees or the heritage tree ordinance. Neither the project submission letter (webpage 6) nor the project narrative includes any discussion of the Dryad LLC arborist’s report of January 18, 2022. The project submission cover letter states that “reports in progress” include a tree removal application. The footprint of the project design for Lot 4 does not represent any substantial change from earlier “conceptual” plans presented to the City Council in December 2021 and May 2022.
11. The application for the heritage tree removal permit, TR22-0201, dated October 12, 2022, states that the Removal Permit is “Requesting permit issuance at time of building permit” (emphasis added).
12. The application for the heritage tree removal permit, October 12, 2022, includes a “For office use only” statement signed by Leslie Keedy, Forester, stating that, as of October 14, 2022, she has completed an inspection and recommends, “Remove trees as planning & E.D. approved by staff plan for construction.” Leslie Keedy adds a parenthetical statement, “(NOTE! No cutting prior to council funding & measure approvals.)”
13. The October 22, 2022, heritage Tree Removal application notice (attachment 10) for the Lot 4 development states that the application is conditional on “Measure O election results and City Council deliberation of library project agenda item and issuance of building permit.” (The City website [webpage 7] states the matter differently, namely that “The Heritage Tree Removal Permits are conditional on the Planning Application approval and requested to be issued at the time of construction expected to take place in 2024” [emphasis added].)

14. In relation to SCMC 9.56.020(d), the public record does not demonstrate that the Director of Parks and Recreation has reviewed all development and construction plans for the purpose of determining their negative impact.
15. In relation to SCMC 9.56.020(g), the public record does not show that the Director of Parks and Recreation has determined mitigation requirements pursuant to the City Council resolution NS-23, 710.
16. In relation to SCMC 9. 56.060(e), the public record does not demonstrate that the Director of Parks and Recreation has made findings of fact upon which he/she would base granting the permit applied for, after a city official inspection report.
17. In relation to 9. 56.070(a)(11), no development permit for the project has been approved, and the permit applicant thus is not in a position to conform with the ordinance requirement that all work be completed within 45 days of the effective date of the permit.
18. Although the permit application is framed as “conditional,” there is no citation of any general Santa Cruz precedent or provision in chapter 9.56 of the SCMC for granting a permit conditionally.

Analysis of facts

1. Unless the developer and the Santa Cruz Parks and Recreation director can demonstrate that they have followed the procedures set forth in SCMC and the criteria and standards set forth in City Council resolution NS-23, 710, there is no basis for granting a heritage tree removal permit.
2. The application for a development permit made on September 9, 2022, makes no reference to the Dryad arborist’s report of January 22, 2022. It provides no indication that the project architect considered alternatives in design that might accommodate heritage trees. The application also does not include any discussion of why the project design could not be altered to accommodate selected heritage trees. Unless it can be demonstrated that such alternatives were considered in advance of submitting an application for a development permit, it has to be concluded that the developer failed to conform to SCMC 9.56 and City Council resolution NS-23, 710 prior to submitting its application.

3. The arborist's report addendum sent on September 9, 2022, makes statements about the necessity of removing all trees on Lot 4 to "accommodate construction" in reference to "entitlement" site plans dated April 29, 2022, that is, *before* the date of June 22, 2022. On that date, Economic Development Director Bonnie Lipscomb emailed Michael Guth, stating that designs for the Lot 4 project were "conceptual in nature," that the project architect was aware of the heritage tree ordinance, and that the project team was reviewing the site layout and trees to see if any of them "could be accommodated in the new design." Because the arborist's addendum conclusions are based on a "conceptual" plan set predating the June 22, 2022, email, that addendum is irrelevant to any claim that the heritage tree ordinance has been followed.
4. The arborist report addendum does not indicate that the arborist was asked to consider or did consider whether any alternative approach to construction would accommodate keeping some of the trees on Lot 4.
5. The submission of the development application on the same day that the arborist report addendum was sent, September 9, 2022, demonstrates that the development application could not have taken into substantial account any statements in the arborist report addendum.
6. The applicant for the project development is applying for a tree removal permit for a project that has not received a development permit. Such an application is premature. In the absence of any City legal precedent or SCMC stipulation of such a process, a "conditional" application for heritage tree removal has no standing for consideration by either the City or its Parks and Recreation Commission.

Appeal

We hope that the Commission takes seriously the science and human experience that demonstrates the invaluable benefits offered by trees, heritage or not. Although our appeal recognizes those benefits, it is based upon adherence to laws that govern heritage trees in the city of Santa Cruz. The City and the developer have failed to comply with those laws in applying for and issuing a conditional permit for their removal.

1. We request that the Parks and Recreation Commission deny the Heritage Tree Removal Permit on the grounds that the developer has not demonstrated a good-faith effort to accommodate the heritage trees in the plans for the Lot 4 development.
2. We request that the Parks and Recreation Commission deny the Heritage Tree Removal Permit on the grounds that the procedures specified in SCMC 9.56.060(e) have not been

properly followed in that the Director has not reviewed development and construction plans and the City inspection report, and made findings of fact on that basis.

3. We request that the Parks and Recreation Commission withhold any further consideration of a permit for removal of Heritage trees on Lot 4 until such time as the developer has demonstrated a good faith effort to accommodate heritage trees in the design for the development, which certainly could include preservation of trees #4, 10, and 11, along the west side of the development, adjacent to the sidewalk, facing Cedar Street.
4. We request that the Commission not issue any “conditional” permit, as there is no basis in the SCMC 9.56 or City Council resolution NS-23, 710 for the issuance of conditional permits, nor is there any such procedure to be found more widely in the SCMC.
5. If our appeal is not granted, we request that the Commission direct the Director of Parks and Recreation to issue a Heritage tree removal permit for trees on Lot 4 only at such time, and if and only if the development proposal for the Lot 4 mixed-use project has received full City Council approval, all necessary permits, and complete financing to fund construction.

List of Referenced Webpages and Attachments

Webpages.

Webpage 1. Santa Cruz Municipal Code chapter 9.56, “Preservation of Heritage Trees and Heritage Shrubs,” <https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz09/SantaCruz0956.html>.

Webpage 2. Arborist Report, <https://www.cityofsantacruz.com/home/showpublisheddocument/91505>.

Webpage 3. Arborist Report Addendum,
<https://www.cityofsantacruz.com/home/showpublisheddocument/91507>.

Webpage 4. Project Plans Set Package, 9-8-22,
<https://www.cityofsantacruz.com/home/showpublisheddocument/90869/638001412453600000>.

Webpage 5. Project Narrative,
<https://www.cityofsantacruz.com/home/showpublisheddocument/90875/638001412470630000>.

Webpage 6. Project Cover Letter 9-8-22,
<https://www.cityofsantacruz.com/home/showpublisheddocument/90871/638001412459870000>.

Webpage 7. Downtown Library & Affordable Housing Project,
<https://www.cityofsantacruz.com/government/city-departments/economic-development/development-projects/mixed-use-library-project>.

Attachments.

1. October 12, 2022, Tree Removal Permit Application 22-0201.
2. Cavalieri, Susan, and Pauline Seales, "Benefits of trees."
3. Weiss, Peter, et al., "Shade as a climate option."
4. Seales, Pauline, "Considerations based on the *City of Santa Cruz 2030 Climate Action Plan*."
5. City Council resolution NS-23, 710.
6. June 17, 2022, letter of Michael Guth, executive committee chair of the Sierra Club, to Bonnie Lipscomb, Director of Santa Cruz Department of Economic Development.
7. June 21, 2022, email from Leslie Keedy, Santa Cruz City arborist, to Tony Elliot, Bonnie Lipscomb [cc: Travis Beck, Brian Borguno].
8. June 22, 2022, email from Bonnie Lipscomb, Director of Santa Cruz Department of Economic Development, to Michael Guth, executive committee chair of the Sierra Club.
9. August 22, 2022, email from Timothy Maier to Brian Borguno, with attached Land Use Application form.
10. October 18, 2022, Tree removal permit application TR22-0201, posted notice #2.



NOTICE of ACTION

HERITAGE TREE ALTERATION/REMOVAL/RELOCATION TENTATIVE PERMIT

Posting Date: 10/18/2022

Application #: TR22-0201

Applicant: For the Future Housing
433 MARSH ST
SANTA CRUZ, CA 95060

Site Location: 119 LINCOLN ST, SANTA CRUZ, CA 95060-4422

PERMIT APPLICATION for: Remove 2 Chinese Pistache
Remove 4 Magnolia sp
Remove 2 Liquidambar
Remove 1 Ginkgo

Effective Date: 10/28/2022 at 5:00 P.M.

APPEAL PROCEDURE

Pursuant to Chapter 9.56 of the Santa Cruz Municipal Code pertaining to Heritage Trees, section 9.56.070, titled "Right of Appeal" paragraph (a) items (1) through (11) and paragraph (b) items (1) through (3); and chapter 13.30 of the Municipal Code pertaining to Street Trees, sections 13.30.160, titled "Right of Appeal" through 13.30.200, titled "Hearing on Appeal": Appellant has ten calendar days from the notification date in which to file an appeal. A written appeal using Form C, available at the Parks and Recreation Department must be filed with the Secretary of the Parks and Recreation Commission at 323 Church Street from 8:00 AM to 5:00 PM Monday through Friday. **There is a \$100.00 filing fee.** The appellant shall state the basis for the appeal and shall specifically cite which provision of this ordinance is relied upon to support the appellant's contention that the Director of Parks and Recreation erred in granting or denying the permit. The Secretary will notify appellant as to the next most convenient commission meeting to which the appeal can become a part of the agenda. At such time appellant can verbally state the appeal before the Commission. If the Commission reverses staff's decision, applicant shall be issued a permit after 10 calendar days except where the tenth day occurs on a Saturday, Sunday or holiday, in which case the effective date shall be extended to the next following business day, allowing for an appeal of the Commission's decision.

Any person, public agency or utility aggrieved or affected by any decision or action taken by the Commission may appeal that decision or action to the City Council. All such appeals shall be made pursuant to Chapter 1.16 of the Santa Cruz Municipal Code. A written appeal using form C, available at the Parks and Recreation Department is filed with the City Clerk's office located at 809 Center Street. **An appeal fee of \$100.00 is paid when appellant files the appeal.** The City Clerk's office will notify appellant as to the next most convenient council meeting to which the appeal can become a part of the agenda. At such time, the appellant can verbally state the appeal before the City Council. If the City Council reverses the Commission's decision, applicant will be issued a permit within a short period of time. If the city council concurs with the Commission, the permit will be denied and the matter will be closed.

Authority:

Leslie Keedy
City Urban Forester/Arborist



Parks & Recreation Department
323 Church St, Santa Cruz CA 95060
Ph: (831) 420-5270 | Fax: (831) 420-5271

For Office Use Only: Application #TR 22-0201

- ☒ Heritage Tree Alteration/Removal - \$50 fee
(2 or more trees additional \$20/tree)
- ☐ Emergency Tree Alteration/Removal
- ☐ Dead Tree Verification
- ☐ Non-Heritage Street Tree Alteration/Removal
- ☐ Street Tree Planting

TREE PERMIT APPLICATION
(This form is not a permit)

Property Owner Name: City of Santa Cruz (Applicant For the Future Housing) Date: 10/12/2022
Tree Site Address: 119 Lincoln Street Phone: (408) 374-1553
Mailing Address: 433 Marsh Street City: San Luis Obispo State: CA Zip: 93401
Email: jrendler@ftfhousing.com
Authorized Signature: _____ ☐ Property Owner ☒ Applicant

State the reason for your request for tree removal/alteration: Other

Other: Removal Permit request is in conjunction with Dev. Project Planning Application CP22-0128

REQUESTING PERMIT ISSUANCE AT TIME OF BUILDING PERMIT

SPECIES	QTY	REMOVE	PRUNE	DEAD	PLANT	RELOCATE	ADDITIONAL COMMENTS
Chinese Pistache	2	<input checked="" type="checkbox"/>					See Attached Arborist's Reports (1 Ginkgo & 2 LIQUID AMBAR Ginkgo)
Ginkgo	1	<input checked="" type="checkbox"/>					
Magnolia sp	4	<input checked="" type="checkbox"/>					
LIQUID AMBAR	2	<input checked="" type="checkbox"/>					
(9 TOTAL TREES)		<input checked="" type="checkbox"/>					

This section is only to be completed if you are a property agent or tree service representing the above referenced property:

Agent Name: N/A Phone: _____
(If other than Property Owner or Applicant)
Agent Signature: _____

Qualified Person or Tree Service Performing Work: TBD (if getting bids, leave blank)

Address: _____ Phone: _____

City or State Business License # _____

In order to process a Tree Permit Application, the City Arborist and/or designed City staff must enter onto your property to inspect the tree(s). By applying for a Tree Permit, you are consenting to an on-site inspection.

For Office Use only:

Inspected by: Ukehn Position: Forester Date: 10/18/22
Recommendations: Remove trees as planning E.D. approved by staff plan
Received by: CG Entered by: CG Fees Paid: \$ 210 For Construction
Date: 10/14/22 Date: 10/14/22 Received by: CG

(9 Bonds received also for replanting)
on site \$2250.00

(NOTE:
no cutting prior to council, funding
& measure approvals)

9.56.060 PERMITS REQUIRED FOR WORK SIGNIFICANTLY AFFECTING HERITAGE TREES

(a) No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any heritage tree or heritage shrub without first obtaining a permit pursuant to this section. No person shall root prune, relocate or remove any heritage tree or heritage shrub without first obtaining a permit pursuant to this section.

(b) All persons, utilities and any department or agency located in the city of Santa Cruz shall submit a permit application, together with the appropriate fee as set forth by city council resolution, to the department prior to performing any work requiring a permit as set forth in subsection (a) of this section. The permit application shall include the number, species, size, and location of each subject heritage tree or heritage shrub, and shall clearly describe the scope of work being proposed and the reason for the requested action. Any supplemental reports which may be submitted by the applicant and staff are advisory only and shall not be deemed conclusive or binding on the director's findings.

(c) An authorized representative of the department shall inspect the tree or shrub which is the subject of the application. Pursuant to that inspection, the authorized representative shall file with the director written findings.

(d) If, upon said inspection, it is determined that the tree or shrub which is the subject of the permit application meets none of the criteria set forth in Section 9.56.040, no further action on the part of the director or the permit applicant is necessary.

(e) If the tree or shrub which is the subject of the permit application meets any of the criteria set forth in Section 9.56.040 based upon a review of the permit application and the inspection report, then the director shall make findings of fact upon which he/she shall grant the permit, conditionally grant the permit specifying mitigation requirements, deny the permit or allow a portion of the proposed work outlined in the permit application to be done.

(f) Where three or more heritage trees or three or more heritage shrubs are the subject of any proposed work to be performed, the director shall require that the applicant sign an agreement for preparation and submission of a consulting arborist report. As part of said agreement, the applicant shall be required to deposit with the department an amount of money equal to the estimated cost of preparing the report, as contained in said agreement.

(g) The decision of the director shall be final unless appealed to the commission by the permit applicant or any other aggrieved person pursuant to Section 9.56.070.

(h) The director shall issue any permit granted pursuant to this section, which permit shall be conspicuously posted near the subject(s) of the permit.

(i) Unless appealed, the permit shall take effect ten calendar days after it is issued, except where the tenth day occurs on a Saturday, Sunday or holiday, in which case the effective date shall be extended to the next following business day.

(j) All work performed on any designated heritage tree or heritage shrub pursuant to a permit as provided in this section shall be completed within forty-five days from the effective date of the permit, or within such longer period as the director may specify.

IMPORTANT <i>Please Read and Initial</i>	LOCATION MAP: Please site and label all structures and heritage tree(s).
<p>CRITERIA AND STANDARDS FOR TREE REMOVAL APPROVAL</p> <ul style="list-style-type: none">• The heritage tree or shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility or public or private right of way; Or• The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; Or• A Construction project design cannot be altered to accommodate existing heritage trees or shrubs. <p>APPROVED TREE(S) REMOVAL REPLACEMENT REQUIREMENTS</p> <ul style="list-style-type: none">• On-site replanting is the primary intent for replacement.• The Director shall make a determination regarding tree replacement based on the chart below:• Category I: A Heritage tree as defined by criteria in section 9.56.04 of the ordinance.• Tree Replanting Requirement: A) Replanting three (3) fifteen gallon (15 gallon) or one (1) twenty-four inch (24") size specimen or the current value which shall be determined by the Director. <div data-bbox="673 1606 755 1680"><div>JR</div><div>Initials</div></div>	<p>SEE ARBORIST REPORT</p> <p><i>If submitting electronically, please attach location map</i></p>

SAN CRUZ

IMPORTANT TREE REPLANTING REQUIREMENT INFORMATION

PLEASE READ

If your application receives tentative approval, a notice will be conspicuously posted on your property for 10 days for public appeal. If there is no appeal, the tentative permit will be valid provided conditions of the tree replanting requirements have been met. The tree replanting requirements are the last step to complete the permit process [Municipal Code 9.56.100, paragraph (a) Replanting Resolution.

If it is deemed inappropriate to replant on-site.

You may choose to:

- Place a refundable bond of \$250.00 and replant appropriate tree(s) on private property if approved by the Director of Parks and Recreation; or
- Contribute in cash or check, payable to the City of Santa Cruz Tree Trust Fund, the equivalent value of the tree(s) in the amount of \$150.00.

On-site replanting is the primary intent for tree replanting.

You may choose to replant either:

- Three (3) fifteen (15) gallon trees

or

- One (1) twenty-four inch (24") box size specimen tree for each approved tree removal.

If you choose to replant, Municipal Code 9.56.100 (a) requires you to post a bond, pay cash or submit a check payable to the City of Santa Cruz, 323 Church St., Santa Cruz, CA 95060. No interest will be paid on the bond. No permit shall be issued until the bond has been posted and or a contribution is made to the Santa Cruz Tree Trust Fund.

Please use this form to facilitate this process. The effective date of the permit shall be determined by the date the bond and/or Santa Cruz Tree Trust Fund contribution is received.

Name: JIM RENDLER (FOR THE FUTURE) Application number: CP22-0128
Address: PROJECT SITE 119 CROWN MARSH Bond Submitted: _____
City: SANTA CRUZ State: CA Zip: 95060 (Date)
Telephone: 408 374 1553
Mailing Address: (If different from above)
Address: 433 MARSH ST.
City: SAN JUAN DOWNS State: CA Zip: 95010

Please check one (1) of the following two options:

☒ I have enclosed a check made payable to: City of Santa Cruz, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ 2250 as a refundable bond. This amount includes \$250.00/per tree removed. I understand it is my responsibility to notify the City Urban Forester at (831)420-5246 to make arrangements for inspection ninety (90) days after planting.

☐ I have enclosed a check for a monetary contribution to replant trees off-site by contributing to the Santa Cruz Tree Trust Fund made payable to: City of Santa Cruz Tree Trust Fund, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ _____. This amount includes \$150.00 for each 24" box tree or \$50.00 for each of three - 15 Gallon trees for each tree removed.

JIM RENDLER (FIFTH)
(Please Print Full Name)

(Agent-Please Print Full Name)

Jim Rendler
(Signature of Applicant)

(Signature of Agent)

OFFICE USE ONLY:

Check #: credit card Date Received: 10/14/20
By: CG

Receipt & Agreement

Receipt # **148491**
 Payment Date: 10/14/2022
 Household: 19549



JIM RENDLER
 433 MARSH ST
 SAN LUIS OBISPO CA 93401

Parks & Recreation Administration
 323 Church St.
 Santa Cruz CA 95060
 Phone: (831)420-5270
 www.cityofsantacruz.com

OS Service Item Details: Tree Permit Application-Appeal (Tree Application Permit)

Service Item Type:	Miscellaneous					
Quantity:	1					
		<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
		0.00	0.00	0.00	0.00	0.00
Family Member:	Jim Rendler	Deposit: 2,250.00	2,250.00	2,250.00	2,250.00	0.00
Fee Details:	Fee Description	<u>Amount</u>	<u>Count</u>	<u>Discount</u>	<u>Sales Tax</u>	<u>Total Fee</u>
	Tree Bond (Deposit)	250.00	9.00	0.00	0.00	2,250.00

Special Questions: CRW TrackIt#: TR22-0201
 Permit Status: In Review

Processed on 10/14/22 @ 11:59 am by cgreen

Total New Deposit Fees	2,250.00
Total New Fees	0.00
Discount Applied	0.00
Total Due	2,250.00
Total Deposit Fees Paid	2,250.00
Total Fees Paid	0.00
Total Paid	2,250.00

Household Balance Information

Overall Household Credit Balance Available 0.00
 Overall Household Balance Due 0.00

Payment of: 2,250.00 Made By: CREDIT CARD Auth: 037322 Card#: xxxxxxxxxxxx1087 With Reference: TR22-0201, 119
 Lincoln St Santa Cruz

Receipt & Agreement

Receipt # 148488
Payment Date: 10/14/2022
Household: 19549



JIM RENDLER
433 MARSH ST
SAN LUIS OBISPO CA 93401

Parks & Recreation Administration
323 Church St.
Santa Cruz CA 95060
Phone: (831)420-5270
www.cityofsantacruz.com

OS Service Item Details: Tree Permit Application-Appeal (Tree Application Permit)

Service Item Type:	Miscellaneous	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Quantity:	1	210.00	210.00	210.00	210.00	0.00
Family Member:	Jim Rendler					

Fee Details:	Fee Description	<u>Amount</u>	<u>Count</u>	<u>Discount</u>	<u>Sales Tax</u>	<u>Total Fee</u>
	Permit Fee	50.00	1.00	0.00	0.00	50.00
	Discount Trees (QTY)	20.00	8.00	0.00	0.00	160.00

Special Questions: CRW TrackIt#: TR22-0201
Permit Status: In Review

Processed on 10/14/22 @ 11:45 am by cgreen

Total New Fees	210.00
Discount Applied	0.00

Total Due	210.00
------------------	---------------

Total Fees Paid	210.00
-----------------	--------

Total Paid	210.00
-------------------	---------------

Household Balance Information

Overall Household Credit Balance Available	0.00
Overall Household Balance Due	0.00

Payment of: 210.00 Made By: CREDIT CARD Auth: 074048 Card#: xxxxxxxxxxxx1087 With Reference: TR22-0201, 119
Lincoln St

Catherine Green

From: Lindsay Bass
Sent: Friday, October 14, 2022 10:06 AM
To: Catherine Green
Subject: Fees for Heritage Tree Permit

Importance: High

Catherine,

This will be the entity that will be paying the associated permit fees:

JIM RENDLER
PRINCIPAL & VICE PRESIDENT

For the Future Housing, Inc.

O: 408.374.1553
C: 408.891.8303

Office & Mailing Address:
433 Marsh St.
San Luis Obispo, CA 93401

Thanks,
LB

Benefits of trees

by Susan Cavalieri and Pauline Seales

The following is a short review of a wide range of current literature about the benefits of trees with brief excerpts from each source.

Why large trees are essential for healthy cities 2022 City Monitor

Trees are important elements of our urban landscape. With more than 50 per cent of the world's population living in cities, it is impossible to imagine cities without the many services and benefits trees provide to residents and ecosystems.

Trees with a larger trunk diameter have a greater woody biomass (amount of wood), which allows them to store more carbon than smaller trees. Similarly, trees' ability to intercept precipitation and air pollutants increases with greater canopy size (the tops of dominant trees) and total leaf area (the total area of all leaves), which are both associated with greater overall tree size. As a result, larger trees are generally more effective than smaller ones at providing essential regulating services for urban environments and, especially, in a changing climate.

Benefits of Urban Trees: University of Illinois Extension, 2019

On an annual basis, it is estimated that US urban trees provide \$18 million in economic benefits by reducing air pollution, energy use, and pollutant emissions while increasing carbon sequestration. A more diverse and mature urban forest has been shown to increase both environmental and economic benefits of trees. While other infrastructure depreciates over time, trees appreciate as they mature. Compared to planting or maintenance costs, the annual benefit from trees far outweighs their costs.

Urban Trees and Human Health: A Scoping Review By National Library of Medicine, 2020

Overall, urban trees and forests appear to remove a variety of air pollutants, which may in turn reduce some of the negative health outcomes associated with air pollution, although the magnitude of this benefit varies under different circumstances.

Overall, findings indicate that trees may reduce the incidence of various types of crime and possible influencing factors include the size, location, and health status of the trees.

Our findings support the growing public recognition of urban trees as an essential component of health-supportive environments

6 Ways Trees Benefit All of Us Nature Conservancy 2020

#1: Trees eat the greenhouse gases that cause climate change—for breakfast.

More like breakfast, lunch and dinner. Trees' food-making process, photosynthesis, involves absorbing carbon dioxide from the air and storing it in its wood. Trees and plants will store this carbon dioxide throughout their lives, helping slow the gas's buildup in our atmosphere that has been rapidly warming our planet. Smarter management of trees, plants and soil in the US alone could store the equivalent carbon of taking 57 million cars off the road!

STREET TREES SF Urban Forest Plan 2014

San Francisco's trees work hard each day to improve our quality of life and the urban environment. They purify the air, reduce stormwater runoff, beautify neighborhoods, increase property values, and improve our health and well-being. Trees increase San Francisco's desirability as a place to live, work and visit. This "green infrastructure" is essential to the city's sustainability. These pages describe some of the specific social, economic and environmental services provided by trees and other forms of landscaping

Trees In Urban Design

This article contained the following summary

Trees are living organisms and vital elements of a city's infrastructure that must be considered at every stage of planning, design and development. If designed properly trees can provide a significant return on investment and become assets that increase with value over time (Hall, Vonderscher & Adkins 2010). In order to properly design for trees it is important to understand the value that trees can provide to any project.

Economic

- 🌳 Increase Property Values
- 🌳 Enhances Sense of Place
- 🌳 Reduce Cooling Costs
- 🌳 Increase Economic Stability
- 🌳 Reduce Expenditures on Gray Infrastructure
- 🌳 Longer Pavement Life
- 🌳 Reduces Stormwater Runoff

Health/Social

- 🌳 Improve Human Health
- 🌳 Provide Shade
- 🌳 Create Visual and Sound Buffers
- 🌳 Improve Neighborhoods
- 🌳 Create Walkable Streets

Environmental

- 🌳 Reduce Greenhouse Gases
- 🌳 Improve Air and Water Quality
- 🌳 Decrease Urban Heat Island Effect
- 🌳 Reduce Energy Consumption
- 🌳 Decrease Top Soil Erosion
- 🌳 Provide Wildlife Habitat

Source: Hall, Vonderscher & Adkins 2010

Trees: The Critical Infrastructure Low-Income Neighborhoods Lack | The Pew Charitable Trusts 2021

Trees provide important public health benefits, starting with the cooling shade they provide. A [study](#) published last year in the journal *Environmental Epidemiology* found that heat causes thousands of excess deaths in the United States each year, far above official estimates. City and state leaders expect climate change to worsen the threat.

"Trees are nature's air conditioners, and we're starting to talk about them as a real adaptation investment," said Shaun O'Rourke, a managing director at the Rhode Island Infrastructure Bank who also serves as the state's chief resilience officer.

Even in cities with strong tree planting programs, leaders have found they're still losing canopy cover each year as urban sprawl and development :uproots existing trees to make way for housing. Forestry experts say cities need strong tree protection ordinances to have a chance of reaching their goals.

5 reasons why cities need a healthy tree cover | World Economic Forum 2022

1. Tree cover acts as natural climate control mitigating the urban heat island effect
2. Carbon dioxide vacuums with large trees storing more CO₂ which is released back into the environment when the tree is cut down.
3. General health indicators improve with urban trees
4. Local community builders as trees improve the quality of life that can attract greater business opportunities and raise real estate prices by 3-15%.
5. A good tree cover promotes urban biodiversity for birds that live off insects, sap and fruits of urban trees.

Short Video: <https://www.youtube.com/watch?v=t4eE9Fqu1yE> 3 minute Nat Cons video

Shade as a Climate Option - Temperature measurements at paired sun-shade locations in Santa Cruz, CA during a heat wave

Peter Weiss-Penzias, Jarett Jones, Saleem Mokatrin, Isabella Trask
University of California, Santa Cruz, Department of Environmental Studies

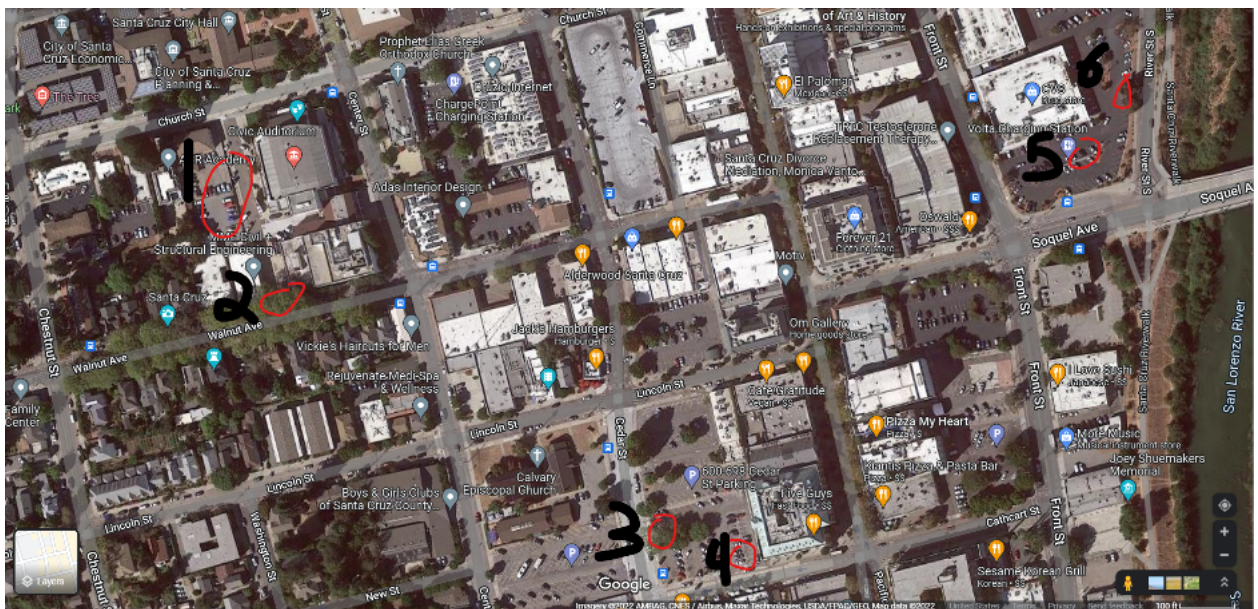
October 25, 2022 pweiss@ucsc.edu

Introduction

Prevalence of shade trees in urban areas significantly controls the temperature of the surface in these areas, moderating the temperature fluctuations. This is especially important in minimizing summertime temperature extremes during heat waves, which can reach unhealthy levels in some urban areas. Many people are susceptible to extreme heat which causes life threatening conditions and mortality. Tree cover in urban areas is also associated with socioeconomic class, with poorer neighborhoods having many fewer trees resulting in average temperatures that can be 4-8°C hotter in poorer neighborhoods compared to richer neighborhoods, which presents a disproportionate risk to human health across classes (Macdonald et al., 2021).

Localized temperature measurements may in fact reveal even more disparity in temperatures between areas with shade and without much shade. Previous studies used temperature measurements from satellites on a kilometer grid scale, but this may be too coarse to understand the effects of shade on temperature moderation on the spatial scale of a city-block.

This research project set out to compare temperatures taken on a 1-min timescale at six locations in a relatively small region of downtown Santa Cruz. Three locations were chosen based on each location having a large sunny area with no shade and a group of trees where there was shade all day. The basic question we wanted to address was if there was a significant difference between the three locations in the shade-sun paired temperatures and whether that difference could be explained by relative amounts of tree cover between the three locations.



Locations

The above map shows the 6 locations used for the deployment of thermometers. Locations 1 and 2 were the sun/shade pair at the Civic Auditorium and Walnut St., respectively. Locations 3 and 4 were at the Farmer's Market parking lot (sun and shade, respectively). Locations 5 and 6 were in the Trader Joe's parking lot (sun and shade, respectively). Of the three locations, the Trader Joe's parking lot has the lowest overall tree coverage on the scale of a city block.

Temperature Measurement Device and Deployment

We used six identical devices purchased from Amazon.com: Gove Hygrometer Thermometer, Wireless Thermometer, Mini Bluetooth Humidity Sensor. These have a bluetooth range of up to 262 ft and the data were retrieved weekly during the experiment.

The Govee thermometers were deployed on August 18, 2022 until September 10, 2022 using a power lift truck and zip-ties with the help of the City of Santa Cruz. The thermometers were attached to tree branches in the shade, and to light poles where there was no shade ("in the sun") at a height of 5-7 meters. The data in this report are from August 31 until September 10 when a severe heat wave occurred.

Results - The Labor Day Heat Wave of 2022

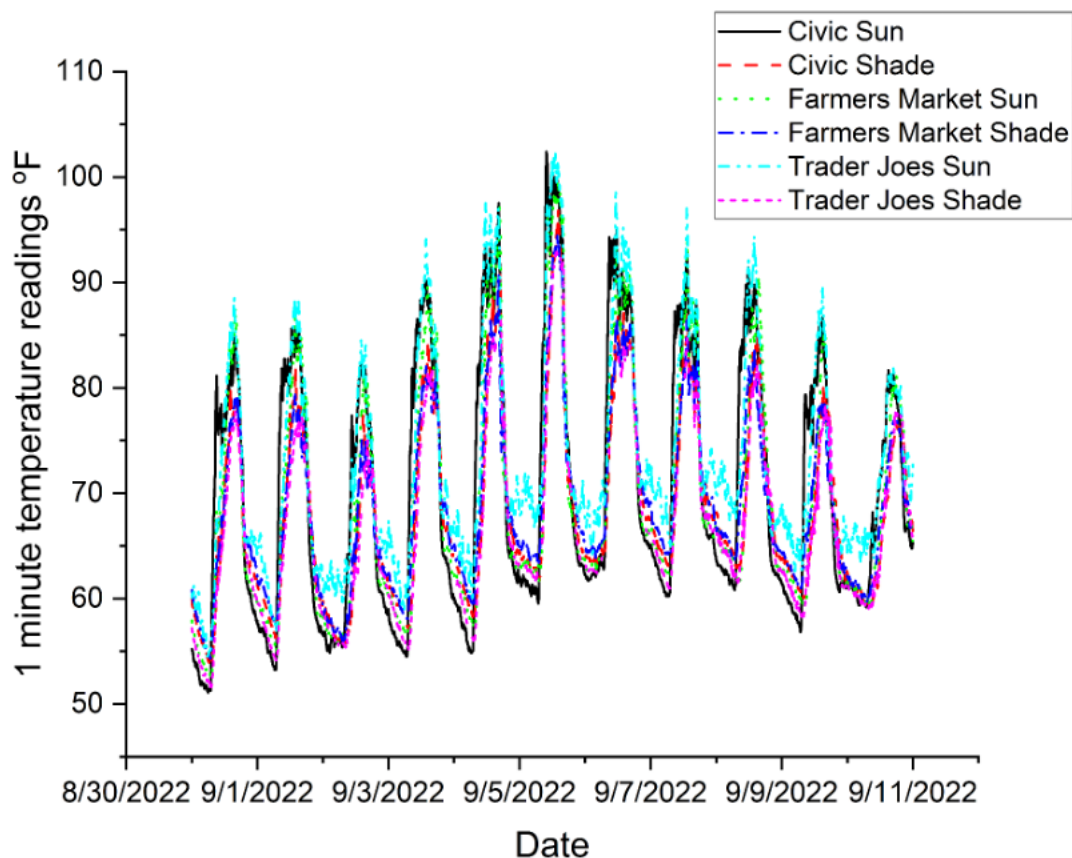


Figure 1: Raw 1-min temperature data from six thermometers in Downtown Santa Cruz over the time period when a severe heat wave occurred.

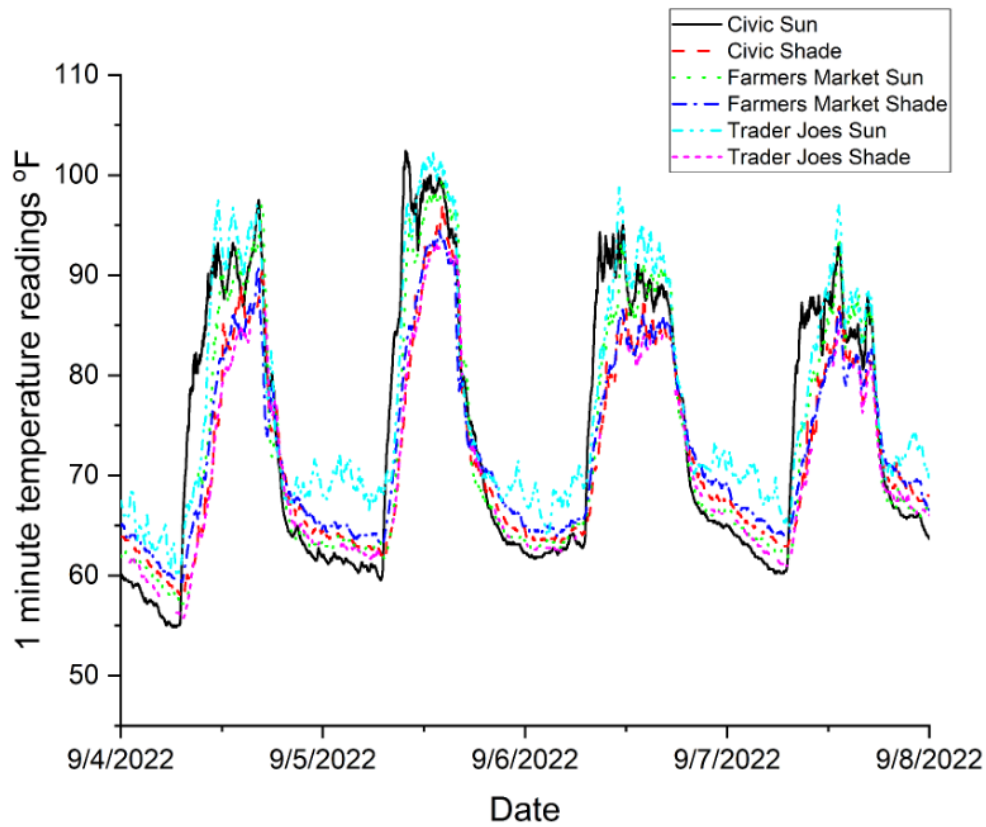


Figure 2: Close up in time showing the hottest 4 days in downtown Santa Cruz

	N total (1 min data)	Mean °F	Standard Deviation °F	Minimum °F	1st Quartile °F	Median °F	3rd Quartile °F	Maximum °F
Civic Sun	15840	70.5	12.1	51.1	60.8	66.0	81.0	102.4
Civic Shade	15648	68.4	8.6	53.8	62.2	66.0	74.5	96.8
Farmers Market Sun	15444	69.4	10.9	52.3	61.3	65.5	77.9	99.5
Farmers Market Shade	15840	68.9	8.2	54.3	63.1	66.7	74.5	94.5
Trader Joes Sun	15840	73.0	10.2	54.5	65.7	70.0	80.1	102.2
Trader Joes Shade	12294	66.7	8.3	51.6	60.8	64.8	72.3	93.2

Table 1: Statistics on the measurements from six thermometers over the period Aug 31 - Sep 10, 2022.

	avg delta T (sun - shade) all times	avg delta T (sun - shade) morning	avg delta T (sun - shade) afternoon
Civic	1.79	-2.56	5.27
Farmers Market	0.57	-1.47	4.94
Trader Joes	5.53	4.92	8.93

Table 2: The average temperature differences between the sun and shade pairs at the same location. Positive numbers indicate the thermometer in the sun is warmer than the one in the shade and negative numbers indicate the opposite. Afternoon is defined as 12:00 to 17:00 and morning is 01:00 to 06:00.

Discussion

Not surprisingly the thermometers in the sun had higher mean temperatures than the ones in the shade (Table 1). However, when we look at the difference between temperatures between the sun/shade pair of thermometers, we see that while daytime temperatures were higher at the sunny location, at night for two of the sites (Civic and Farmer's Market) the temperatures were higher on the thermometer in the shade (Table 2). This indicates that the presence of the trees moderated both the high and low temperatures.

The temperature trends at the Trader Joes parking lot locations were quite different from the other two sites. The thermometer in the sun at this site had the highest mean temperature (Table 1) and the highest daily maximum temperature (Figure 1 and 2). The sun thermometer also had the highest nighttime temperature (Figure 1 and 2), much different than any of the other thermometers.

The difference between the sun and shade thermometers at the Trader Joes parking lot was 4.92°C during the morning and 8.93°C during the afternoon, indicating the anomalously high temperatures experienced at this site compared to the others.

The Trader Joes parking lot has very few trees and this could be a reason why we observed this anomalous temperature behavior. However, we can't rule out other explanations such as being closer to the river and great air flow coming from the ocean/upriver. However, that a clear temperature pattern was observed in line with our original hypothesis, suggests that further study is warranted to determine the effects of shade cover on temperature patterns in urban spaces.

Reference:

McDonald RI, Biswas T, Sachar C, Housman I, Boucher TM, Balk D, et al. (2021) The tree cover and temperature disparity in US urbanized areas: Quantifying the association with income across 5,723 communities. PLoS ONE 16(4): e0249715. <https://doi.org/10.1371/journal.pone.0249715>

Appeal of Permit for removal of Lot 4 heritage trees

Pauline Seales,

Considerations based on the *City of Santa Cruz 2030 Climate Action Plan*

[The City Climate Action Plan 2030](#) adopted by city council in 2022 has extensive references to maintaining and expanding the city urban forest.

City of Santa Cruz | CLIMATE ACTION PLAN

CLIMATE RESTORATION

MEASURE CR-1: Develop an Urban Forest Master Plan and plant 3,000 new trees by 2030.

Measure Overview

The following actions focus on maintaining and increasing tree cover within the City by developing and implementing an Urban Forest Master Plan. Additionally, tree planting in neighborhoods will be done through the implementation of the Street Tree Master Plan. The Amah Mutsun Tribal Band is interested in contributing indigenous knowledge on trees and help forests during CAP 2030 implementation.

Measure Actions

CR1.1 Plant Trees in Frontline Neighborhoods

Prioritize planting trees in and with low income or frontline neighborhoods and other neighborhood groups as per the Street Tree Master Plan and protect and replace urban trees on public and private property per Ordinance Chapter 9.56.

GHG Reduction	Department	Co-Benefits	Pillars
<ul style="list-style-type: none"> 2030: Supportive 2035: Supportive 2045: Supportive 	<ul style="list-style-type: none"> Parks and Recreation Economic Development 	    	<ul style="list-style-type: none"> Equity

CR1.2 Enhance Landscaping Capacity






Ensure that the city has the resources and staff to effectively plant and maintain street trees and landscape.

GHG Reduction	Department	Co-Benefits	Pillars
<ul style="list-style-type: none"> 2030: Supportive 2035: Supportive 2045: Supportive 	<ul style="list-style-type: none"> Parks and Recreation 	    	<ul style="list-style-type: none"> Funding and Financing



CR1.3 Forest Management

Pursue funding to expand forest management to promote carbon sequestration and reduce threat of intense fires.

GHG Reduction	Department	Co-Benefits	Pillars
<ul style="list-style-type: none"> 2030: Supportive 2035: Supportive 2045: Supportive 	<ul style="list-style-type: none"> Parks and Recreation Fire Department 	    	<ul style="list-style-type: none"> Education and Engagement

CR1.4 Street Tree Master Plan

Implement the City's Street Tree Master Plan 2021 and address barriers to implementation.

GHG Reduction	Department	Co-Benefits	Pillars
<ul style="list-style-type: none"> 2030: Supportive 2035: Supportive 2045: Supportive 	<ul style="list-style-type: none"> Parks and Recreation 	    	<ul style="list-style-type: none"> Education and Engagement Structural Change

CR1.5 Urban Forest Restoration Outreach

Increase urban forest restoration outreach opportunities with frontline and other neighborhood groups.

GHG Reduction	Department	Co-Benefits	Pillars
<ul style="list-style-type: none"> 2030: Supportive 2035: Supportive 2045: Supportive 	<ul style="list-style-type: none"> Parks and Recreation City Manager's Office 	    	<ul style="list-style-type: none"> Equity Partnerships

Clearly cutting down mature trees and replacing them several years later with immature saplings does not fit with this plan.

In addition the plan includes this about reducing parking for single passenger vehicles.

T3.5 Limit Single-Passenger Vehicle Parking

Consider limiting parking options for single-passenger vehicles in downtown and other commercial areas of the city balanced with needs of sustaining downtown employees, businesses and tourists.

GHG Reduction	Department	Co-Benefits					Pillars
<ul style="list-style-type: none">• 2030: Supportive• 2035: Supportive• 2045: Supportive	<ul style="list-style-type: none">• Planning• Public Works	 Community Health	 GHG Reduction	 Resilience	 Local Green Jobs	 Env. Restoration	<ul style="list-style-type: none">• Economics

So cutting down heritage trees to build a garage violates the Climate Action Plan as well as the heritage tree ordinance.

RESOLUTION NO NS-23,710

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
RESCINDING RESOLUTION NO. NS-21,433 REGARDING THE ADOPTION
OF CRITERIA AND STANDARDS FOR THE ALTERATION OR REMOVAL
OF HERITAGE TREES AND SHRUBS

WHEREAS, Chapter 9.56 of the Santa Cruz Municipal Code titled "Preservation of Heritage Trees and Heritage Shrubs" authorizes the alteration or removal of any heritage tree or heritage shrub only under circumstances to be set forth by City of Santa Cruz City Council resolution; and

WHEREAS, it is the intention of the City Council of the City of Santa Cruz that this resolution, and the criteria and standards hereby adopted, shall be used to determine the only circumstances under which any heritage tree or heritage shrub may be altered or removed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby adopts the criteria and standards set forth in Exhibit A attached hereto and by this reference incorporated herein for the determination of the circumstances under which any heritage tree or heritage shrub may be altered or removed, and that Resolution No. NS-21,433 is hereby rescinded.

PASSED AND ADOPTED this 14th day of April, 1998, by the following vote

AYES: Councilmembers: Beiers, Rotkin, Hernandez, Mathews, Kennedy,
Mayor Scott.

NOES: Councilmembers: None

ABSENT: Councilmembers: Campbell

DISQUALIFIED: Councilmembers: None.

APPROVED: Celia Scott
Mayor

ATTEST: Norma Bolden
City Clerk

EXHIBIT A

CRITERIA AND STANDARDS

1. A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances.

(a) Alteration of a heritage tree or heritage shrub would only affect less than twenty-five percent (25%) of the crown of said heritage tree or heritage shrub;

(b) Findings by the Director of Parks & Recreation can be established in conformity with the City's Urban Forest and Wildland Interface Policy Statement; or

(c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation:

(1) The heritage tree or heritage tree shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;

(2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal, or

(3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

2. For every heritage tree or heritage shrub altered, damaged or removed, mitigation shall occur in accordance with the City Council resolution establishing mitigation requirements for alterations, damage and removals of heritage trees and shrubs.

3. During the pendency of any appeal arising out of the approval or disapproval of a heritage tree removal/alteration permit application processed pursuant to S.C.M.C. 9.56, the tree, grove of trees or shrub which is the subject of that appeal shall be maintained in the same condition as on the permit application date and shall not be pruned or altered in any fashion whatsoever whether or not the pruning or alteration would otherwise require a permit.



SANTA CRUZ COUNTY GROUP
of the Ventana Chapter
P.O. Box 604, Santa Cruz, CA 95061
EMAIL: sierraclubsantacruz@gmail.com
WEB: www.sierraclub.org/ventana/santa-cruz

Bonnie Lipscomb
Economic Development Director
City of Santa Cruz

June 17, 2022

Dear Ms. Lipscomb,

The Sierra Club is monitoring the proposed mixed-use project for Lot 4 in downtown Santa Cruz. Among other concerns, we are especially attentive to the preservation of the onsite heritage trees.

We watched the recent presentation to council on the project from Jayson Architecture. Given the widespread interest in this project it was surprising that no public comment was allowed.

It appears that the city and the architect are failing to follow the legal requirements of the city's Heritage Tree Removal Resolution. As you know, among other criteria, a heritage tree can be removed only if *"a construction project design cannot be altered to accommodate existing heritage trees or shrubs."* 1. (3) Criteria and Standards Exhibit A. You may also recall that the Criteria and Standards were subject of a lawsuit in 2015 in the published case, *Save Our Big Trees v. City of Santa Cruz*, when the city sought to change and weaken the Heritage Tree Removal Criteria. The Appellate Court judges ruled against the city.

Sierra Club members have shared with us that they wrote to you at the beginning of this process, drawing your attention to the above-mentioned criterion and asking that whoever was chosen as architect for the project be advised of the city's legal requirement vis a vis its Heritage Trees. Apparently, you agreed to do so.

Since that time, Jayson Architecture was selected to design the mixed-use project and has publicly shared the initial project design both in a community zoom and at council. The presented design makes no accommodation for any of the existing heritage trees. The architect made no mention of the heritage trees at either the zoom meeting or in his presentation to

council. That omission suggests he was either not advised of the city's law or he was advised and ignored it. When a council member asked about the heritage trees following the architect's presentation to council, he replied that the trees were in the center of the lot so couldn't be preserved and the new project will have a lot of greenery to make up for the loss of heritage trees.

That is not how the Heritage Tree Resolution works. Either the architect should have developed a design to accommodate as many trees as possible given that some are next to the sidewalk or explained in detail why and how a design to accommodate any heritage tree was impossible. Not, less appealing but impossible.

That there is an arborist's report expected at some point and after the design is fixed does not make sense. Obviously the first step was for an arborist evaluation of each tree, then deliberation with the architectural team on design options for preserving as many viable heritage trees as possible. That none of these steps was apparently taken demonstrates a disregard for the public, for heritage trees and the city's obligation to both.

It is not too late to make a mid-course correction. The design is still preliminary. The Sierra Club respectfully requests that considering the above, the city give direction to Jayson Architecture to alter the current design to comply with city's legal obligations with respect to its heritage trees.

We look forward to hearing back from you on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael Guth". The signature is fluid and cursive, with the first name "Michael" being more legible than the last name "Guth".

Michael A. Guth
Executive Committee Chair
Sierra Club, Santa Cruz Group

cc.

City Manager Matt Huffaker
mhuffaker@cityofsantacruz.com

Jayson Architects
abe@jaysonarch.com

Mayor Sonja Brunner
sbrunner@cityofsantacruz.com

Julia Wood

From: Leslie Keedy
Sent: Tuesday, June 21, 2022 1:58 PM
To: Tony Elliot; Bonnie Lipscomb
Cc: Travis Beck; Brian Borguno
Subject: RE: Letter
Attachments: Letter-report, Dryad, LLC, 21045, 01-18-22.pdf; Letter-report COPY, Dryad, LLC, 21045, 01-18-22.pdf; Sierra Club ltr to City of Santa Cruz lot 4 trees.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi the attached arborist report was prepared as somewhat of a pre-project review, to address if trees are worthy of preservation in general terms, to evaluate their current condition tree by tree, & also to speak to relocation potential which is not recommended by the consultant or myself. It appears that the arborist report was not shared at the council presentation if the SC letter is accurate.

Have any design changes been asserted that would save any trees per the reso requirement?

Also it is std that the project arborist review the actual development plans & make a recommendation based on the plan for removal & retention so Dryad should be paid to review the plan & then draft a follow-up letter specific to the plan stating that trees will not be retained for this project given the plan & reiterate that many are not worthy of retention.

When ED responds to SC it should contain the tree reports & the current assessment of the trees relative to the actual proposed plan.

In the future if you want me to be a panelist when you go to council I'm happy to sit in on these tree technical matters.

LKeedy

From: Tony Elliot <telliott@cityofsantacruz.com>
Sent: Tuesday, June 21, 2022 12:42 PM
To: Leslie Keedy <lkeedy@cityofsantacruz.com>
Cc: Travis Beck <tbeck@cityofsantacruz.com>
Subject: Letter

FYI – Please do not share. For your information.

Tony Elliot

Director

City of Santa Cruz Parks & Recreation Department

323 Church St. Santa Cruz, CA 95060

(831) 420-5366

www.santacruzparksandrec.com

The Parks & Recreation Department's mission is to provide quality public spaces and experiences that build a healthy community, foster equity, and better the environment.

City of Santa Cruz response to Sierra Club letter re: Lot 4 trees (June 17, 2022)

On 6/22/2022 5:29 PM, Bonnie Lipscomb wrote:

Hello Mr. Guth,

Acknowledging receipt of your letter. As you may not be aware, we have not formally submitted an application for the total mixed-use project which includes multiple project components including housing, commercial, and a daycare center in addition to the library. The designs and presentations to Council have been project updates on the library component of the project specifically and have been conceptual in nature.

Our project architect is also aware of the heritage tree ordinance and the project team has been reviewing the site layout and trees to see if any could be accommodated in the new design. We have been in regular communication with our City attorney regarding full compliance with the heritage tree ordinance. As we move forward in the process, we will return to Council with more information.

Sincerely,

Bonnie

From: [Timothy Maier](#)
To: [Brian Borguno](#)
Cc: [Bonnie Lipscomb](#); [Samantha Haschert](#)
Subject: Required Steps for Submittal of Land Use Application - Library Mixed-Use/Affordable Housing Project, 119 Lincoln St. (CP22-0128)
Date: Monday, August 22, 2022 11:45:47 AM
Attachments: [image001.jpg](#)
[Lincoln St 119 Application CP22-0128.pdf](#)
[Form 4 Use Permit Information.pdf](#)
[Form 5 Variance.pdf](#)
[Form 10 Demolition-Conversion Authorization Permit.pdf](#)
[Form 14 Lot Line Adjustment.pdf](#)
[Form 17 Density Bonus.pdf](#)
[Form 2 - Project Design Data.pdf](#)

Hi Brian,

Attached, please find the project application form and supplemental information forms for review of the Library Mixed-Use/Affordable Housing Project, 113 and 119 Lincoln St. (CP22-0128). As proposed, the scope of work requires a Nonresidential Demolition Authorization Permit, Special Use Permit, Design Permit, Lot-Line Adjustment, Sign Permit, and Heritage Tree Removal Permit to demolish the existing surface parking lot and structures and construct the project encompassing a new, approximately 38,000 sq. ft. City library; parking structure with up to 350 parking spaces; 100% affordable housing component comprising approximately 124 residential units; approximately 10,000 sq. ft. commercial tenant space; 1,800-2,500 sq. ft. commercial childcare facility; new roof deck(s); and associated site improvements at 113 and 119 Lincoln St. (CP22-0128).

The project application form includes the estimated fees, list of required application materials, and associated forms. The application has been given the project number CP22-0128.

Please complete the following steps to submit your application:

1. Plans can be uploaded and payment can be made on the "My City of Santa Cruz" website.
 - a. If you are a first-time user, visit the following link to register. Your temporary password will be sent to you. <https://www.mycityofsantacruz.com/register>
 - b. If you are already registered, simply log in at www.mycityofsantacruz.com
2. Navigate to "Business Center"
3. Select "Building and Planning Permits" button
4. Enter Application/Permit Number, as shown above
5. Follow online prompts


Please note that submittal of an uploaded application form, plans, and required documents and payment of all fees is required to initiate staff review of the project proposal. You will receive a confirmation email message once the application has been submitted and is under review.

Feel free to contact me, should you have any questions.

Best regards,
Tim

Timothy Maier, AICP
Senior Planner
City of Santa Cruz
(831)420-5129
cityofsantacruz.com



LAND USE APPLICATION Department of Planning & Community Development 809 Center Street, Room 100 Santa Cruz, CA 95060 www.cityofsantacruz.com (831) 420-5100 phone (831) 420-5434 fax				APPLICATION # CP22-0128 RECEIVED BY TM ZONING CBD/FP-O CODE ENFORCEMENT N/A	DATE STAMP	
PROJECT ADDRESS <div style="font-size: 1.2em; font-weight: bold; text-align: center;">119/113 Lincoln St.</div>		ASSESSOR'S PARCEL NUMBER (APN) <div style="font-size: 1.2em; font-weight: bold; text-align: center;">005-141-21</div>				
PROPERTY OWNER		APPLICANT*				
NAME	City of Santa Cruz	NAME	City of Santa Cruz Econ. Develop. Dept./For the Future Housing, Inc.			
ADDRESS	809 Center St.	ADDRESS	809 Center St./945 W. Julian St.			
CITY/STATE/ZIP	Santa Cruz, CA 95060	CITY/STATE/ZIP	Santa Cruz, CA 95060/San Jose, CA 95126			
PHONE	831-420-5150	PHONE	831-420-5150/408-374-1553			
EMAIL	blipscomb@cityofsantacruz.com	EMAIL	blipscomb@cityofsantacruz.com/jrendler@ftfhousing.com			
CERTIFICATION						
<p>"I hereby certify that the facts given on this application are true and correct to the best of my knowledge and I agree to, and authorize, such investigations as are deemed necessary by the City of Santa Cruz City Planning Department for the preparation of reports related to this application, include the right of access to the property involved. In submitting this application, I agree to defend, indemnify and hold harmless the City, its officials, officers, employees and agents ("City Parties"), from and against any claim, action, or proceeding against City Parties (including payment of attorney fees and litigation costs), arising out of or in any way related to the City's processing, consideration or approval of this application to the fullest extent permitted by law."</p> <p>Electronic, scanned, and emailed signatures are accepted and treated as an original and legally binding on the parties.</p>						
APPLICANT'S SIGNATURE* If applicant is not the property owner, an owner-agent form is required. <div style="font-size: 1.5em; font-weight: bold;">X</div>				DATE		
APPLICATION TYPE(S) – STAFF USE ONLY FROM THIS POINT						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border: none;"> <input type="checkbox"/> APPEALS <input checked="" type="checkbox"/> BOUNDARY/LOT LINE ADJUSTMENT (14) <input type="checkbox"/> CERTIFICATE OF COMPLIANCE <input type="checkbox"/> COASTAL PERMIT (11) <input type="checkbox"/> CONDITIONAL FENCE PERMIT (6) <input type="checkbox"/> CONDITIONAL DRIVEWAY PERMIT <input checked="" type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – RESIDENTIAL (10) <input type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – HISTORIC (2) <input checked="" type="checkbox"/> DESIGN PERMIT (2) <input type="checkbox"/> DEVELOPMENT AGREEMENT <input type="checkbox"/> EXTENSION AREA (15) <input type="checkbox"/> GENERAL PLAN AMENDMENT (12) <input type="checkbox"/> HISTORIC ALTERATION PERMIT (7) <input type="checkbox"/> HISTORIC BUILDING SURVEY DELETION <input type="checkbox"/> HISTORIC DESIGNATION </td> <td style="width: 50%; vertical-align: top; border: none;"> <input type="checkbox"/> MINOR MODIFICATION (2) <input type="checkbox"/> MAJOR MODIFICATION (2) <input type="checkbox"/> PLANNED DEVELOPMENT <input type="checkbox"/> RECONSTRUCTION PERMIT (2) <input checked="" type="checkbox"/> SIGN PERMIT (2) <input type="checkbox"/> SLOPE MODIFICATION (2,5) <input type="checkbox"/> SPECIFIC PLAN <input type="checkbox"/> SUBDIVISION (13) <input type="checkbox"/> USE PERMIT – ADMINISTRATIVE (2,4) <input checked="" type="checkbox"/> USE PERMIT – SPECIAL (2,4) <input type="checkbox"/> VARIANCE (5) <input type="checkbox"/> WATERCOURSE DEVELOPMENT PERMIT <input type="checkbox"/> WATERCOURSE VARIANCE <input type="checkbox"/> ZONING MAP AMENDMENT (12) <input checked="" type="checkbox"/> OTHER </td> </tr> </table>					<input type="checkbox"/> APPEALS <input checked="" type="checkbox"/> BOUNDARY/LOT LINE ADJUSTMENT (14) <input type="checkbox"/> CERTIFICATE OF COMPLIANCE <input type="checkbox"/> COASTAL PERMIT (11) <input type="checkbox"/> CONDITIONAL FENCE PERMIT (6) <input type="checkbox"/> CONDITIONAL DRIVEWAY PERMIT <input checked="" type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – RESIDENTIAL (10) <input type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – HISTORIC (2) <input checked="" type="checkbox"/> DESIGN PERMIT (2) <input type="checkbox"/> DEVELOPMENT AGREEMENT <input type="checkbox"/> EXTENSION AREA (15) <input type="checkbox"/> GENERAL PLAN AMENDMENT (12) <input type="checkbox"/> HISTORIC ALTERATION PERMIT (7) <input type="checkbox"/> HISTORIC BUILDING SURVEY DELETION <input type="checkbox"/> HISTORIC DESIGNATION	<input type="checkbox"/> MINOR MODIFICATION (2) <input type="checkbox"/> MAJOR MODIFICATION (2) <input type="checkbox"/> PLANNED DEVELOPMENT <input type="checkbox"/> RECONSTRUCTION PERMIT (2) <input checked="" type="checkbox"/> SIGN PERMIT (2) <input type="checkbox"/> SLOPE MODIFICATION (2,5) <input type="checkbox"/> SPECIFIC PLAN <input type="checkbox"/> SUBDIVISION (13) <input type="checkbox"/> USE PERMIT – ADMINISTRATIVE (2,4) <input checked="" type="checkbox"/> USE PERMIT – SPECIAL (2,4) <input type="checkbox"/> VARIANCE (5) <input type="checkbox"/> WATERCOURSE DEVELOPMENT PERMIT <input type="checkbox"/> WATERCOURSE VARIANCE <input type="checkbox"/> ZONING MAP AMENDMENT (12) <input checked="" type="checkbox"/> OTHER
<input type="checkbox"/> APPEALS <input checked="" type="checkbox"/> BOUNDARY/LOT LINE ADJUSTMENT (14) <input type="checkbox"/> CERTIFICATE OF COMPLIANCE <input type="checkbox"/> COASTAL PERMIT (11) <input type="checkbox"/> CONDITIONAL FENCE PERMIT (6) <input type="checkbox"/> CONDITIONAL DRIVEWAY PERMIT <input checked="" type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – RESIDENTIAL (10) <input type="checkbox"/> DEMOLITION AUTHORIZATION PERMIT – HISTORIC (2) <input checked="" type="checkbox"/> DESIGN PERMIT (2) <input type="checkbox"/> DEVELOPMENT AGREEMENT <input type="checkbox"/> EXTENSION AREA (15) <input type="checkbox"/> GENERAL PLAN AMENDMENT (12) <input type="checkbox"/> HISTORIC ALTERATION PERMIT (7) <input type="checkbox"/> HISTORIC BUILDING SURVEY DELETION <input type="checkbox"/> HISTORIC DESIGNATION	<input type="checkbox"/> MINOR MODIFICATION (2) <input type="checkbox"/> MAJOR MODIFICATION (2) <input type="checkbox"/> PLANNED DEVELOPMENT <input type="checkbox"/> RECONSTRUCTION PERMIT (2) <input checked="" type="checkbox"/> SIGN PERMIT (2) <input type="checkbox"/> SLOPE MODIFICATION (2,5) <input type="checkbox"/> SPECIFIC PLAN <input type="checkbox"/> SUBDIVISION (13) <input type="checkbox"/> USE PERMIT – ADMINISTRATIVE (2,4) <input checked="" type="checkbox"/> USE PERMIT – SPECIAL (2,4) <input type="checkbox"/> VARIANCE (5) <input type="checkbox"/> WATERCOURSE DEVELOPMENT PERMIT <input type="checkbox"/> WATERCOURSE VARIANCE <input type="checkbox"/> ZONING MAP AMENDMENT (12) <input checked="" type="checkbox"/> OTHER					
PROJECT DESCRIPTION						
Nonresidential Demolition Authorization Permit, Special Use Permit, Design Permit, Lot-Line Adjustment, Sign Permit, and Heritage Tree Removal Permit to demolish the existing surface parking lot and structures and						
construct the Library Mixed-Use/Affordable Housing Project encompassing a new, approximately 38,000 sq. ft. City library; parking structure with up to 350 parking spaces; 100% affordable housing component comprising approximately 124 residential units;						
approximately 10,000 sq. ft. commercial tenant space; 1,800-2,500 sq. ft. commercial childcare facility; new roof deck(s); and associated site improvements (anticipated environmental determination: statutory, categorical exemptions).						

HEARING BODY		ENVIRONMENTAL REVIEW		COASTAL REVIEW	
<input type="checkbox"/> Staff Review (OTC) <input type="checkbox"/> Zoning Administrator <input type="checkbox"/> Historic Preservation Commission <input checked="" type="checkbox"/> Planning Commission <input checked="" type="checkbox"/> City Council		<input checked="" type="checkbox"/> Categorical Exemption <input type="checkbox"/> (Mitigated) Negative Declaration <input type="checkbox"/> Environmental Impact Report (EIR)		<input checked="" type="checkbox"/> Outside of CZ-O <input type="checkbox"/> Exclusion – Zone ____ <input type="checkbox"/> Exemption <input type="checkbox"/> State Coastal Commission <input type="checkbox"/> Appealable to State Coastal Commission <input type="checkbox"/> Not Appealable to State Coastal Commission	
APPLICATION FEES – ALL APPLICATIONS MADE TO CORRECT VIOLATIONS OF THE ZONING ORDINANCE ARE SUBJECT TO DOUBLE FEES.					
APPLICATION INTAKE – NO PUBLIC HEARING	<input type="checkbox"/> \$126	BOUNDARY ADJUSTMENT	<input checked="" type="checkbox"/> \$1,567	PLANNED DEVELOPMENT	<input type="checkbox"/> \$8,392
DOCUMENT HANDLING – NO PUBLIC HEARING	<input type="checkbox"/> \$94	CERTIFICATE OF COMPLIANCE	<input type="checkbox"/> \$1,706	RECONSTRUCTION PERMIT	<input type="checkbox"/> \$3,086
APPLICATION INTAKE – PUBLIC HEARING	<input checked="" type="checkbox"/> \$250	COASTAL PERMIT	<input type="checkbox"/> \$1,509	SIGN PERMIT	<input checked="" type="checkbox"/> \$350
DOCUMENT HANDLING – PUBLIC HEARING	<input checked="" type="checkbox"/> \$176	COASTAL PERMIT EXCLUSION	<input type="checkbox"/> \$139	SLOPE MODIFICATION- BETWEEN 10'-20'	<input type="checkbox"/> \$852
PUBLIC NOTICE	<input checked="" type="checkbox"/> \$286	RESIDENTIAL/COMMERCIAL DEMOLITION PERMIT	<input checked="" type="checkbox"/> \$1,509	SLOPE VARIANCE – LESS THAN 10'	<input type="checkbox"/> \$3,214
ENVIRONMENTAL REVIEW – CATEGORICAL EXEMPT	<input checked="" type="checkbox"/> \$139	DESIGN PERMIT – MULTI-RES/ COMMERCIAL \$428/1,000 SF	<input checked="" type="checkbox"/> \$ 137,045.76	SUBDIVISION: <4: \$8,566 + \$428/ LOT OR >5: \$17,059 + \$428/ LOT	<input type="checkbox"/> \$
ENVIRONMENTAL REVIEW – NEG DEC/INITIAL STUDY	<input type="checkbox"/> \$5,032	DESIGN PERMIT – LARGE HOUSE/SUBSTANDARD	<input type="checkbox"/> \$3,086	USE PERMIT – ADMINISTRATIVE	<input type="checkbox"/> \$2,165
ENVIRONMENTAL REVIEW – STATUTORY EXEMPTION	<input checked="" type="checkbox"/> \$5,373	DESIGN PERMIT – REMODEL/ SITE ALTERATION	<input type="checkbox"/> \$1,509	USE PERMIT – SPECIAL	<input checked="" type="checkbox"/> \$3,433
MITIGATION MONITORING – MINOR (DEPOSIT)	<input type="checkbox"/> \$500	BUILDING REVIEW <small>(Additional fees may be charged for multiple reviews.)</small>	<input checked="" type="checkbox"/> \$125/hr	VARIANCE	<input type="checkbox"/> \$3,086
MITIGATION MONITORING – MAJOR (DEPOSIT)	<input type="checkbox"/> \$6,222	GREEN BUILDING REVIEW <small>(Additional fees may be charged for multiple reviews.)</small>	<input checked="" type="checkbox"/> \$125/hr	WATERCOURSE DEVELOPMENT PERMIT	<input type="checkbox"/> \$690
ARBORIST REVIEW	<input checked="" type="checkbox"/> \$544	FIRE REVIEW	<input checked="" type="checkbox"/> \$115	WATERCOURSE VARIANCE	<input type="checkbox"/> \$3,149
ARCHAEOLOGICAL REVIEW	<input checked="" type="checkbox"/> \$73	POLICE REVIEW	<input checked="" type="checkbox"/> \$351	ZONING MAP AMENDMENT (DEPOSIT)	<input type="checkbox"/> \$6,222
ARCHITECTURAL REVIEW (DEPOSIT)	<input type="checkbox"/> \$	EXTENSION AREA	<input type="checkbox"/> \$2,988	OTHER	\$130/hr.
BIOTIC REVIEW	<input type="checkbox"/> \$144	FENCE – NO PUBLIC HEARING (OTC)	<input type="checkbox"/> \$1,653	OTHER	\$
DEVELOPMENT AGREEMENT (DEPOSIT)	<input type="checkbox"/> \$5,297	FENCE – PUBLIC HEARING	<input type="checkbox"/> \$2,162	SUBTOTAL	\$ 151,032.76
STAFF RESEARCH/ ZONING INFO (\$144/HR)	<input type="checkbox"/> \$	HISTORIC ALTERATION PERMIT	<input type="checkbox"/> \$335	TECHNOLOGY FEE (5% OF SUBTOTAL)	\$ 7,551.64
ABANDONMENT	<input type="checkbox"/> \$5,163	MAJOR MODIFICATION	<input type="checkbox"/> \$2,934	TOTAL	\$ 158,584.40
APPEAL	<input type="checkbox"/> \$673	MINOR MODIFICATION	<input type="checkbox"/> \$1,509		
REFERRAL ROUTING					
<input type="checkbox"/> Architectural Consultant <input checked="" type="checkbox"/> Bicycle/Transportation <input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> City Manager <input checked="" type="checkbox"/> County Environmental Health <input type="checkbox"/> County Fire Marshall		<input checked="" type="checkbox"/> Economic Development <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Housing (≥5 units) <input type="checkbox"/> Parks & Recreation <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input checked="" type="checkbox"/> Traffic Engineer		<input checked="" type="checkbox"/> Transit District <input checked="" type="checkbox"/> Urban Forester <input checked="" type="checkbox"/> Wastewater <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Water Conservation ____ ____	
NOTES					

REQUIRED MATERIALS

The following materials must be submitted in order for the application to be deemed complete. All sheets within a plan set must be internally consistent and must be consistent with associated technical reports. Note: Details, plan sheets, and reports that are not required as part of the Planning Application may be required as part of the Building Permit application.

The below information may be presented on combined or individual plan sheets. If sheets are combined, please make sure that the information is clearly presented or the application may not be deemed complete.

Please speak with the Planning Counter in advance of submitting an application if there are extenuating circumstances related to the project or parcel that could affect the required application materials.

ALL PROJECTS

1. Digital Application

Materials must be submitted in .pdf format and on a flash drive. Hardcopy materials will not be accepted. Other forms of delivery such as email attachments, downloadable links, and third party transfer services (ex. Dropbox) will not be accepted.

2. Land Use Application and all additional required forms

3. Signed Owner-Agent Form

4. Fee Payment (cash, check, VISA, MasterCard)

5. Site Plan (1"=1/8" scale or larger)

- Contact information for preparer, property owner, business owner, architect, etc.
- Date of preparation and dates of revisions
- Property address
- Assessor's Parcel Number
- North arrow
- Scale
- Vicinity map
- Property lines with dimensions
- Adjacent Streets and alleys
- All existing and proposed easements for parking, access, utility, sewer, water, stormdrain, and all easements on surrounding properties benefiting the subject property.
- Existing structures and their uses
- Building footprints of adjacent properties and use of adjacent properties
- Building setbacks
- Off-street parking, bike parking, and loading and circulation areas. Include dimensions, and labeled as compact, standard, accessible, and/or electric vehicle supply equipment installed (EVSE), bike parking labeled as Class 1 or Class 2. Parking and bike calculations must be provided on a separate 8.5" x 11" sheet.
- Fencing labeled as existing to remain, existing to be demolished, and/or proposed new.
- Slope contours (contour interval shall be two feet for slopes up to 20% and 5 feet for slopes over 20%)
- Existing trees and shrubs labeled as to be preserved or to be removed. Indicate circumference of all existing trees measured 4.5 feet from grade. If circumference is larger than 44 inches (14 inches in diameter) and tree is proposed for removal, a Heritage Tree Removal Permit is required.
- The centerline, riparian corridor, development setback area, and management area of any creeks or waterways in close proximity to the area of proposed disturbance or on the subject parcel. Setbacks must be consistent with the Citywide Creeks and Wetlands Management Plan.
- Locations of existing and proposed on-site lighting features.
- Locations, dimensions, and design (elevations) of trash enclosures designed to Public Works specifications.
- Accurate location of all existing and proposed utilities.
- Location of existing and proposed sewer, water and storm drain lines, manholes, inlets, outlets etc.
- For projects less than 2500 square feet of new and replaced impervious surface area, preliminary drainage improvements clearly showing proposed and existing low impact design measures identified in City's Best Management Practices for Development Projects. See attached stormwater plan requirements and materials for projects greater than 2500 square feet.

- In accordance with the prohibition on natural gas infrastructure, projects that require Design Permit approval must include the following statement on the cover sheet of the architectural plans ("Natural Gas-Free Design as required by SCMC 6.100") and must be designed in accordance with Chapter 6.100 of the Municipal Code. Existing buildings undergoing alterations, additions, or tenant improvements are exempt. For new construction not requiring a Design Permit, the prohibition effective date is October 29, 2020. The ordinance may be viewed at: <http://www.cityofsantacruz.com/home/showdocument?id=79473>
Note: The 2019 Santa Cruz Green Building checklists contain many features to optimize all-electric building design and may be viewed at: <http://www.cityofsantacruz.com/greenbuilding>
It is strongly advised your energy professional is engaged with the project's design team at the project's outset.

6. Improvement Plans

Required for any project that includes a modification of a property line, the division of land, the construction of a new building, or the expansion of an existing building footprint, except for single-family dwellings and projects that only require Design Review due to the zone district or due to substandard lot.

- Survey prepared by a licensed surveyor that includes: the footprints of existing buildings and retaining walls on the site, fully dimensioned public right-of-way improvements for both sides of the adjacent streets showing accurate locations for existing and proposed facilities such as streets, curbs, sidewalks, street trees, utility poles, electroliners, traffic signals, storm sewers, sanitary sewers, fire hydrants, median islands, project driveways, driveways on adjacent street frontages, bus stops, drainage inlets, and manholes.

7. Topographic Map Required for any lot with slopes 10% or greater and prepared by a licensed surveyor.

- Clearly differentiate 30% to 49% slope areas and 50% or greater slope areas with shading or cross-hatching.
- Provide gross lot area and net lot area.
- For lots with slopes greater than 30% the topographic map must show all proposed improvements and existing buildings and structures to remain.

8. Floor Plan(s) (1/4"=1' scale)

- Total gross floor area
- Total square footage of leasable floor area
- Room labels for each room
- Identify existing walls to remain (solid line), existing walls to be removed (dashed line), and new walls (bold/colored solid line)
- Seating areas with tables and chairs for commercial restaurants

9. Elevations (1/4"=1' scale) Required for all sides of buildings.

- Building heights
- Existing and proposed grade lines.
- Exterior materials and colors. A full color and materials board is required for projects that require Planning Commission or City Council approval.
- Vertical or diagonal setback lines, if project subject to a setback/height ratio.
- Finished floor and top of plate elevations

10. Context

The following materials are required for all projects with the exception of single-family residential development on residentially-zoned, standard-sized parcels that meet all of the site development standards for the zone district or as permitted by front yard averaging.

- One schematic streetscape elevation illustrating building height and mass in relationship to both structures on either side of the applicant's property, if applicable. The schematic elevation may be a single-line drawing at a scale of 1/8" = 1' and must include building height and roof pitch. (See attached examples)
- Detailed rendering of the project with accurate site context. An accurate depiction of the structure(s) superimposed on the project site in the proposed location either as a photosimulation or rendering. Include both structures on each side of the applicant's property, accurate streetscape improvements, topography, and trees/landscaping. The rendering must accurately reflect the location, height, and design of the structure(s) and improvements, as shown on the final set of plans proposed for approval.

11. Landscape Plan

Required for all projects that include front or exterior side yard open space area. Include planting plan (location, common and botanical name, container size, and quantity), paving, exterior lighting, fences/walls, screening, existing trees and vegetation. The landscape plan may be subject to the City's Water Efficient Landscaping Ordinance.

12. Building and Site Sections (See attached example)

- Required for all projects involving new multi-family residential, commercial or industrial development, or any development proposing stepped or terraced buildings. Building Sections that include existing and finished grades, building height measured from finished grade to the midpoint of the roofline, except finished floor elevations, and ceiling height.
- Street Cross Section including the proposed improvements on the subject property, the accurate width of the right of way, and structures/improvements on the opposite side of the street.
- Site Cross Sections that include the proposed improvements on the subject property and the two adjacent parcels and improvements on either side of the property. The cross section should be through the tallest element of the building.

13. Roof Plan

- Include roof dimensions, shape, pitch, and location, size, and screening of all exterior mechanical equipment.
- Include locations of all new downspouts and show if they will be connected to drainage piping or disconnected to downspouts.

14. Demolition Plan

- Identify existing structures and their uses and show structures to be removed in dashed lines.
- Investigative demolition is required for all projects that include the demolition of exterior walls on a nonconforming structure to ensure that the walls proposed to remain in place are in good condition and are structurally safe to remain. Investigative demolition shall be completed by a California licensed structural engineer and shall include a report prepared by the engineer detailing the process, results/conclusions, and recommendations.

15. Stormwater and LID Assessment Checklist

The appropriate Stormwater and LID Assessment Checklist (Appendix A of the City's Best Management Practices Manual Stormwater BMP's) must be completed and submitted with all projects: <http://www.cityofsantacruz.com/LID>

16. Preliminary Grading Plan (1"=10' minimum scale)

A grading plan, prepared by a licensed civil engineer, is required if project includes over 50 cubic yards of grading. Over excavation and recompaction does not in itself require the submittal of a separate grading plan. Grading plan shall include:

- Cut and fill quantities and typical cross sections
- Limits of grading
- Existing and proposed contours. Contour interval shall be two feet for slopes up to 20% and 5 feet for slopes over 20%.
- Details and sections for new retaining walls including top and bottom of wall elevations, type of material, drainage for walls, temporary over excavation limits, type of wall construction.

17. Shadow Study

Diagram for new multi-family residential, commercial and industrial development that clearly demonstrates shading effects on adjacent properties. Shadow study shall include the following:

- Winter/Summer shadow lines at 9:00 am, noon, and 3:00 pm on June 21st and December 21st.
- All structures on adjacent properties.
- Height and number of stories of adjacent structures.

18. Wall Section(s)

Required for projects that include new buildings or additions for multi-family residential, commercial, or industrial uses.

- Show roof parapet, window recesses, trim details, wall treatments, etc.

19. Details of Exterior Architectural Elements

Show canopies, balconies, parapets, trim, doors, eaves, reveals, soffits, returns, finish materials, recesses, etc.

20. Storm Water Control Plan

See attached form

21. Preliminary Engineered Improvement Plans

Required for all large multi-family projects, for projects where street improvements are proposed within a public right-of-way, and/or for projects where off-site improvements will be necessary. The preliminary engineered improvement plan shall be prepared by a licensed civil engineer and shall include:

- Drainage details and calculations
- Circulation: Circulation details including points of ingress and egress; existing right-of-way (full street) and proposed right-of-way, utilizing guidelines established by the Public Works Department.

22. Historic Evaluation

Prepared by a qualified historian for additions and remodels on parcels that are listed in the City's Historic Building Survey or that are located in a designated Historic District.

23. Sign Plans

Required for all projects that include new signs subject to approval of a Sign Permit.

- Site plan including property boundaries, existing buildings/structures, landscaping and parking areas, proposed sign locations.
- Elevations including sign locations, building height, and building and/or tenant space width for wall signs.
- Sign Design including size (area and key dimensions), materials, size, colors, and lettering.
- Attachment/Mounting Details/Sections
- Lighting Specifications/Details/Sections
- Photographs of existing signs and proposed sign locations as needed)

24. Use Information

Required for projects that include uses subject to approval of a Use Permit.

- Total gross floor area of building and tenant space measured to the exterior of the walls and including all areas of the building such as corridors/hallways, bathrooms, storage areas, etc.
- Labels for each room
- Identify all tenant improvements. Existing walls to remain shall be identified by a solid line, existing walls to be removed shall be identified by a dashed line, and new walls shall be identified by a bold/colored solid line
- Seating areas with the accurate number of tables and chairs proposed for new restaurants.
- Location of existing and proposed grease traps and vent ducts.
- A copy of the menu for new food service facilities with alcohol service.
- Design details and dimensions for new or existing extension seating areas.
- Operations Narrative: Indicate the hours of operation, number of employees, frequency and type of commercial vehicles entering and exiting the site per day, potential nuisance features such as nature and extent of noise, smoke, dust, fumes, and other such features generated by the use and types of controls proposed, list any corrosives, gases or chemical agents which will be used at the site and the method of storage, handling and disposal of such products, description of live entertainment proposed and frequency, and ABC license type if alcohol service is proposed.
- Food Service Facility Wastewater Discharge Questionnaire
- For Community and Day Care Facilities, submit the number and ages of children or adults to be served.

25. Other: _____

SUBMIT THE FOLLOWING MATERIALS IF REQUIRED BY THE PLANNING DEPARTMENT:

☐ Department of Parks and Recreation (DPR) Form 523

Prepared by a qualified historian for the demolition of structures that are greater than 50 years old.

Reason: _____

☐ Geotechnical/Soils Report

Prepared by a licensed engineer for: new construction located within 20 feet of a 30% or greater slope; for new multi-family residential projects of more than four units located on a mapped high liquefaction area; new commercial, industrial, public, or quasi-public structures proposed for construction within a mapped high liquefaction areas; and for any new habitable structures located in the Coastal Zone seismic hazard area.

Reason: _____

☐ Acoustical Study

Prepared by an acoustic professional for all new development capable of producing noise or exposing residents or commercial tenants to noise in excess of the noise standards in the General Plan. The acoustical study shall evaluate existing noise conditions, estimate future noise impacts based on the noise level classifications in the General Plan, and recommended noise attenuation methods.

Reason: _____

☐ **Traffic Impact Study (TIS)**

City Staff will determine a need for and level of TIS based on an initial assessment of the transportation attributes, motor vehicle traffic generation, and parking generation of the proposed project. A TIS will be required if a proposed project disrupts existing pedestrian, bicycle, or transit circulation. Projects that are estimated to generate 50 or more vehicle trips during the p.m. peak hour require a TIS. At a minimum the parking component of a TIS will be required for any project not meeting the City parking requirement for parking. See *Transportation Impact Study Guidelines*.*

Reason: _____

☐ **Arborist Report**

Prepared by a certified arborist for projects that include the removal of heritage tree or that include land disturbance within 10-feet of the trunk of a heritage tree on the subject or adjacent property. The arborist report should include a full tree survey of the site, identification of heritage trees, and recommendations for removal and mitigation or preservation.

Reason: _____

☐ **Archaeological Report** (see list of archaeological consultants)

Prepared by a qualified archaeologist for projects located within areas that are mapped as highly sensitive for archaeological resources and for sites that are mapped as sensitive for archaeological resources and include projects that are not eligible for an exemption.

Reason: _____

☐ **Biotic Report** (see list of biological consultants)

Prepared by a qualified biologist for all projects that are mapped for sensitive species/habitats or for land disturbance adjacent to a creek, wetland, or other mapped watercourse.

Reason: _____

☐ **Geologic Investigation**

Prepared by a qualified professional and consistent with the California Division of Mines and Geology guidelines for all development proposed within one hundred feet of a coastal bluff

Reason: _____

☐ **Notice of Violation**

A Notice of Violation has been issued and requires the timely submittal of information to determine if unpermitted work can be retained. The following additional information is required:

Reason: _____

SUBMIT THE FOLLOWING ADDITIONAL FORMS:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Form 2 Project Design Data | <input checked="" type="checkbox"/> Form 10 Demolition – Conversion Authorization Permit |
| <input type="checkbox"/> Form 3 Multi-Tenant Parking Matrix | <input type="checkbox"/> Form 11 Coastal Permit |
| <input checked="" type="checkbox"/> Form 4 Use Permit | <input type="checkbox"/> Form 12 Amendments |
| <input checked="" type="checkbox"/> Form 5 Variance | <input type="checkbox"/> Form 13 Subdivisions and Minor Land Divisions |
| <input type="checkbox"/> Form 6 Conditional Fence Permit | <input checked="" type="checkbox"/> Form 14 Lot Line Adjustment |
| <input type="checkbox"/> Form 7 Landmark- Historic Alteration | <input type="checkbox"/> Form 15 Application for Revocable License to Operate Ext. Area |
| <input type="checkbox"/> Form 8 Relocation of Structures | <input type="checkbox"/> Form 16 Fee Waiver Supplemental Application |
| <input type="checkbox"/> Form 9 Residential Allocation | <input checked="" type="checkbox"/> Form 17 Density Bonus |



NOTICE of ACTION

HERITAGE TREE ALTERATION/REMOVAL/RELOCATION TENTATIVE PERMIT

Posting Date: 10/18/2022

Applicant: For the Future Housing
433 MARSH ST
SAN LUIS OBISPO, CA 93401

Application #: TR22-0201

Site Location: 119 LINCOLN ST, SANTA CRUZ, CA 95060-4422

PERMIT APPLICATION for: Remove 2 Chinese Pistache
Remove 4 Magnolia sp
Remove 2 Liquidambar
Remove 1 Ginkgo

Effective Date: 10/31/2022 at 5:00 P.M.

CONDITIONAL UPON

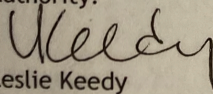
Measure O election results and City Council deliberation of library project agenda item and issuance of building permit.

APPEAL PROCEDURE

Pursuant to Chapter 9.56 of the Santa Cruz Municipal Code pertaining to Heritage Trees, section 9.56.070, titled "Right of Appeal" paragraph (a) items (1) through (11) and paragraph (b) items (1) through (3); and chapter 13.30 of the Municipal Code pertaining to Street Trees, sections 13.30.160, titled "Right of Appeal" through 13.30.200, titled "Hearing on Appeal": Appellant has ten calendar days from the notification date in which to file an appeal. A written appeal using Form C, available at the Parks and Recreation Department must be filed with the Secretary of the Parks and Recreation Commission at 323 Church Street from 8:00 AM to 5:00 PM Monday through Friday. **There is a \$100.00 filing fee.** The appellant shall state the basis for the appeal and shall specifically cite which provision of this ordinance is relied upon to support the appellant's contention that the Director of Parks and Recreation erred in granting or denying the permit. The Secretary will notify appellant as to the next most convenient commission meeting to which the appeal can become a part of the agenda. At such time appellant can verbally state the appeal before the Commission. If the Commission reverses staff's decision, applicant shall be issued a permit after 10 calendar days except where the tenth day occurs on a Saturday, Sunday or holiday, in which case the effective date shall be extended to the next following business day, allowing for an appeal of the Commission's decision.

Any person, public agency or utility aggrieved or affected by any decision or action taken by the Commission may appeal that decision or action to the City Council. All such appeals shall be made pursuant to Chapter 1.16 of the Santa Cruz Municipal Code. A written appeal using form C, available at the Parks and Recreation Department is filed with the City Clerk's office located at 809 Center Street. **An appeal fee of \$100.00 is paid when appellant files the appeal.** The City Clerk's office will notify appellant as to the next most convenient council meeting to which the appeal can become a part of the agenda. At such time, the appellant can verbally state the appeal before the City Council. If the City Council reverses the Commission's decision, applicant will be issued a permit within a short period of time. If the city council concurs with the Commission, the permit will be denied and the matter will be closed.

Authority:


Leslie Keedy
City Urban Forester/Arborist

City of Santa Cruz
Parks and Recreation Department
323 Church Street, Santa Cruz, CA | Ph : (831) 420-5270
Monday through Friday - 8am to 5pm (Except Holidays)

January 18, 2022

Bonnie Lipscomb, Economic Development Director
City of Santa Cruz
337 Locust St.
Santa Cruz CA 95060

Re.: Tree inventory and evaluations.
Project/Site: Downtown Library Project

Ms. Lipscomb;

I am writing in response to your request for an inventory and evaluations¹ of trees relative to pending construction for the Downtown Library Project. We^A inspected², tagged, measured³, photographed^B, GPS-located⁴, and evaluated⁵ twelve trees on December 20, 2021. While on site, I also met and discussed the project with Leslie Keedy, Santa Cruz Urban Forester. Ms. Keedy emphasized that preserving trees was desirable and that the feasibility of relocating trees should be addressed.

SUMMARY: Nine of the twelve trees inspected qualify as protected, Heritage Trees^C. All twelve trees are exotic (non-native) and adapted to different environments. All twelve trees exhibit myriad detrimental conditions and although all twelve could be retained on site, I only judged two (nos. 7 & 9) as viable candidates for relocation based upon their existing condition and longevity potential. I judged five trees (nos. 4, 7, 9, 10 & 11) as worthy of preservation. The remaining seven trees could be retained on site if extensive preservation and site improvements are implemented, but their existing condition renders such efforts questionable.

The detrimental conditions I observed include the effects of severely restricted growing areas, severe pruning⁶, structural⁷ weaknesses and evidence of past failures, limb and stem⁸ decay, and buried root collars⁹, which may disguise root disease and resulting decay.

RECOMMENDATIONS:

1. Before deciding to relocate any trees, judiciously remove surrounding hardscape, excavate buried root collars to determine if the roots are sufficient, structurally and architecturally¹⁰ sound, and absent of disease and/or decay.
2. For trees to be retained, expand and enhance rooting areas to at least the driplines¹¹ or preferably, the fall zones¹².
3. Install fencing or other deterrents to pedestrians and traffic surrounding the trees at the driplines or preferably the fall zones, to reduce risk from failures¹³.
4. Consider removing and replacing all twelve trees with sound specimens that will not achieve large size, and provide sufficient growing spaces.

DISCUSSION: Tree protection and long-term planning is not included in this report, as per the scope of work^D, and I have not reviewed construction plans. The included tree protection guidelines (page 20) are for reference only. The physiological condition of these trees is typical for mature trees in restricted growing spaces surrounded by hardscape and capable of attaining very large size. Inherent structural and architectural weaknesses have not been addressed and/or were enhanced by pruning. These trees will continue to increase in size, exacerbating current conditions. Many of the conditions observed can be expected to worsen over time.

^A Assistant Arborist: I was assisted in the field work by Jennifer Tso, Consulting Arborist; ISA Certified Arborist no. WE- 10270A, ISA Tree Risk Assessment Qualified. J. Tso is an employee of Traverso Tree Care, Inc., under contract with, and not an employee of, Dryad, LLC.

^B The photographs in this report are intended to illustrate an overview of each tree. Additional photographs are on file at the office of Dryad, LLC.

^C City of Santa Cruz Municipal Code, Title 9 Peace, Safety and Morals, Chapter 9.56 Preservation of Heritage Trees and Heritage Shrubs.

^D Dryad, LLC proposal dated 11/18/2021.

Significant issues are as follows:

- Decline (thin canopy, chlorotic foliage with tip dieback)¹⁴
- Insufficient rooting area and encroaching hardscape
- Absence of organic mulch¹⁵ soil cover
- Excess soil over root collars
- Weak, generally irreparable structure
- Poor architecture¹⁰
- Poor pruning technique (e.g., overpruning, lion-tail pruning¹⁶, excessive raising¹⁷, thinning¹⁸, inattention to structure, etc.)⁶

In my opinion, it is ill advised to retain these trees on site unless extensive design accommodation can be undertaken to both enhance their growing conditions and reduce risk. Increasing the rooting areas, free of hardscape and with an organic mulch cover, is critical to improving physiological condition. Fencing trees at least at the driplines or preferably, at the perimeters of fall zones, can reduce the risk of failures and resulting injury or damage. Judicious pruning may improve structure and can reduce but not eliminate the risk of future failures.

Pruning: Pruning is not a health treatment and trees and shrubs do not need to be pruned to thrive. Excessive, inappropriate and/or unnecessary pruning is detrimental to plant health. Foliage density is critical to tree/plant health. While acknowledging that aesthetic preferences or practical needs (clearance, structural improvement, etc.) may necessitate pruning, it is critical that the minimum pruning be performed that is necessary to achieve the goal. Unnecessary and/or excessive pruning (e.g., thinning, raising) results in tree stress and structural weaknesses. Lion-tailing and raising for clearance can result in poor stem and branch taper and eventually, failures (refer to images, page 7). In all cases, pruning should target improving tree structure. Removal of significant branches should be avoided, with the preference being multiple small cuts or branch reduction over removal of an entire branch.

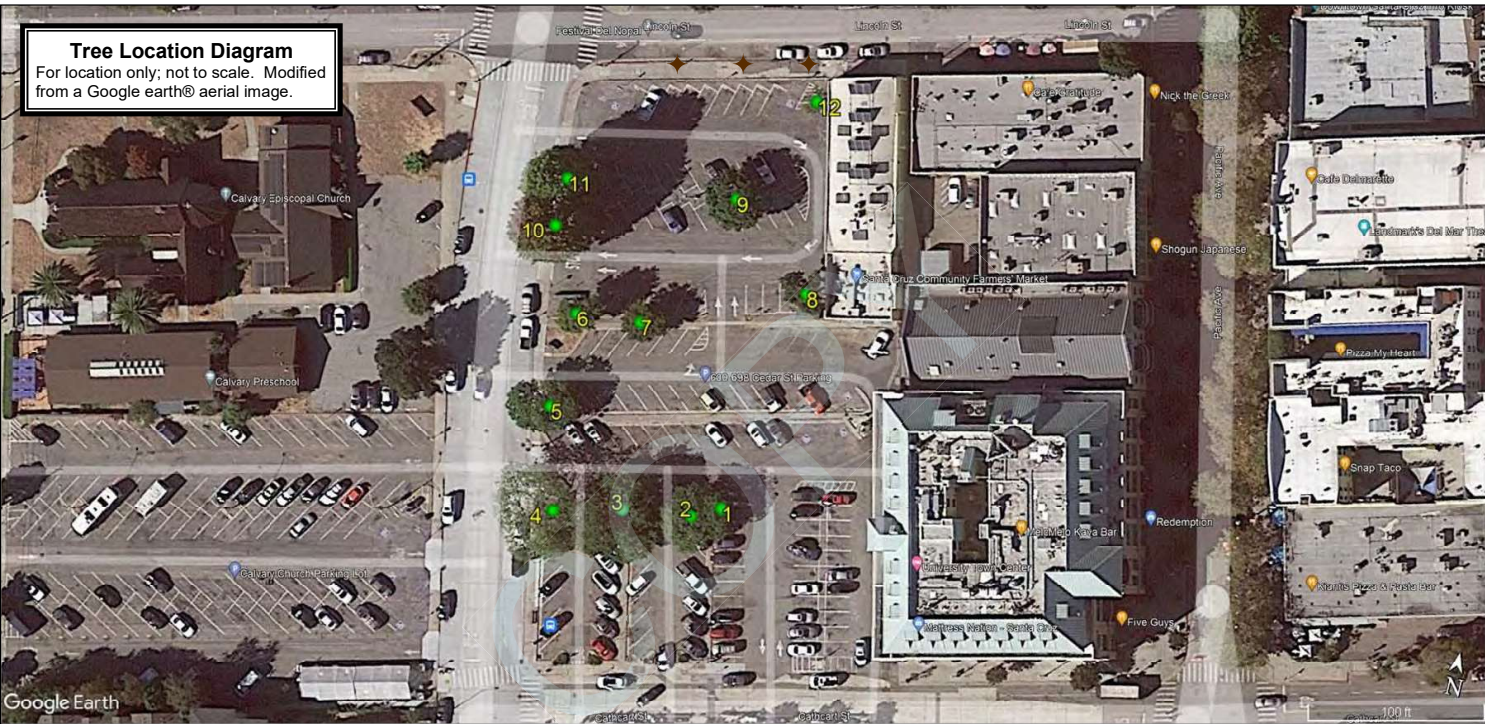
Rooting area: Many trees appear to thrive in planters or when surrounded with hardscape to within a few feet of their trunks. However, as trees grow, an increasing rooting area is required to provide sufficient moisture, nutrients, and to allow for physiological processes. Hardscape precludes percolation of rainfall into the soil, interferes with root aeration and the often compacted base material inhibits root development. Soil compaction¹⁹ also results from pedestrian and vehicular traffic. While adequate mulching provides some protection, fencing or other barriers protecting root zones is preferable. Dense groundcovers and turf are heavy competitors for trees, and often require maintenance (e.g., mowing) that results in tree damage.

Mulch: If planting spaces can be enlarged and/or trees are relocated, a layer of organic mulch, whether natural or installed, is critical to maintain soil moisture, moderate soil temperatures, enhance soil biology and reduce erosion. I strongly recommend installing and maintaining mulch to a settled depth of 3-4". Allowing natural mulch to accumulate over the years will reduce the need to maintain the mulch cover.

Excess soil over root collars : This condition likely resulted from planting nursery stock too deeply. The soil may cover root structural issues or disease that may in some cases, prove irreparable. It is critical that root collar exposure and inspection²⁰ be performed both to discover rooting structural problems, and to discover or prevent root disease. I recommend that buried root collars of any trees to be retained or transplanted first be excavated and inspected.

Transplanting (relocating): It is my opinion that mature trees proposed for relocation should exhibit high vigor, desirable architecture, strong structure, and be free of significant disease and decay. Under the best of circumstances, transplanting is severely traumatic on tree physiology and weak trees are likely to decline over time. Trees at risk of decline or structural failure are poor candidates for relocation. I also do not recommend relocation where operations would result in either an undersized rootball or damage to adjacent trees.





Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552
PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com

SUMMARIES OF TREE DATA AND EVALUATIONS:

Data Summaries	Quantity	Ratio	Descriptions/Comments
Total trees inventoried	12	100%	All trees within the construction zone
Heritage trees	9	75%	As defined by City of Santa Cruz ³ (≥14" dia.) (nos. 1-4, 6, 9-12)
Trees not protected	3	25%	As defined by City of Santa Cruz (<14" dia.)
Trees to retain & protect	5	42%	Management codes A & B (nos. 4, 7, 9-11)
Trees that are of poor condition but can be retained	7	67%	Management code C (nos. 1-3, 5, 6, 8, 12)
Trees that are transplant viable	2	17%	Tree nos. 7 & 9
Trees recommended for removal	0	0%	Management code D
Management Codes	Quantity	Ratio	Definitions/Comments
A	0	0%	Preserve, condition warrants long-term preservation.
B	5	42%	Preserve, specific maintenance recommended.
C	7	58%	Preservable, but not worthy of extensive effort or design accommodation.
D	0	0%	Remove due to existing condition.
Species Variation & Ratio	4	- - -	Species variation on site.
Common Name	Quantity	Ratio	Botanical Name (Genus-species)
Chinese pistache	4	33%	<i>Pistache chinensis</i>
Maidenhair tree	1	8%	<i>Ginkgo biloba</i>
Southern magnolia	5	42%	<i>Magnolia grandiflora</i>
Sweetgum	2	17%	<i>Liquidambar styraciflua</i>

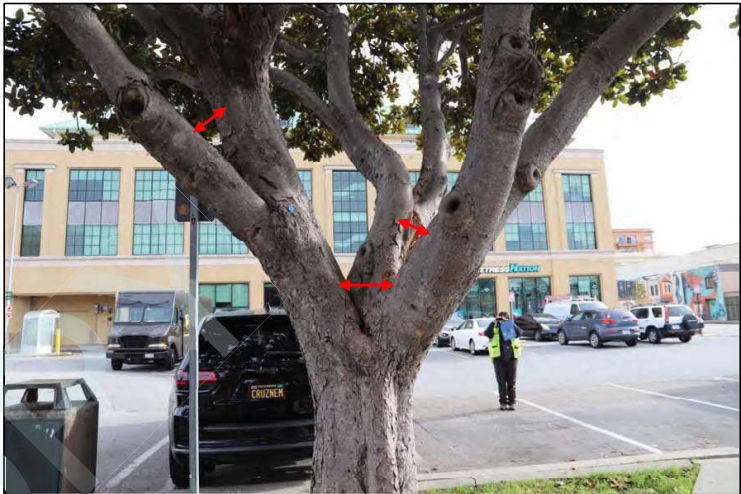
TREE INVENTORY DATA & EVALUATIONS:

No.	Common name	Genus-species	Trunk diameter			Canopy				Hgt.	Heritage status	Mgt. code	Transplant viable	Observations/Comments
			1	2	3	N	E	S	W					
1	Southern magnolia	<i>Magnolia grandiflora</i>	20.5			17	18	19	14	27	Yes	C	No	Codominant stems and major limbs Many weak acute-angle attachments ²¹ Evidence of previous limb failures Bacterial exudant ²² present Twig growth stunted ²³ and tip dieback Pruning: raised and lion-tailed; many large pruning cuts Restricted rooting area (Diameter measured at ~30" above grade)
2	Southern magnolia	<i>Magnolia grandiflora</i>	20.5			20	22	0	0	30	Yes	C	No	Codominant stems and major limbs Many weak acute-angle attachments Evidence of previous limb failures Twig growth stunted and tip dieback Pruning: raised and lion-tailed; many large pruning cuts (Diameter measured at ~36" above grade)
3	Southern magnolia	<i>Magnolia grandiflora</i>	21.5	17.5		13	14	23	18	41	Yes	C	No	Codominant stems and major limbs Cable installed between primary stems Some weak acute-angle attachments Evidence of previous limb failures Bacterial exudant present Twig growth stunted Pruning: raised and lion-tailed; many large pruning cuts Root pruning apparent (Diameter measured at ~36" above grade)
4	Southern magnolia	<i>Magnolia grandiflora</i>	33.0	21.5		27	23	22	29	42	Yes	B	No	Good architecture other than codominant stems Canopy thin, stunted and chlorotic with tip dieback Pruning: raised and lion-tailed; many large pruning cuts with decay Root pruning apparent (Low codominant limb measured 16" diameter)

No.	Common name	Genus-species	Trunk diameter			Canopy				Hgt.	Heritage status	Mgt. code	Transplant viable	Observations/Comments
			1	2	3	N	E	S	W					
5	Southern magnolia	<i>Magnolia grandiflora</i>	13.5	12.5	12.0	19	18	15	16	26	No	C	No	Codominant stems and major limbs Many weak acute-angle attachments Evidence of previous limb failures and one currently splitting Bacterial exudant present Twig growth stunted One stem has a large, decaying necrotic ²⁴ area near the base Pruning: raised and lion-tailed; many large pruning cuts Surface roots damaged (bark missing) (Diameter of stem 1 measured at ~48" above grade)
6	Chinese pistache	<i>Pistachia chinensis</i>	14.0			13	5	9	14	28	Yes	C	No	Foliage dense and twig growth vigorous Poor architecture (few lateral limbs/top-heavy) Evidence of major branch failures Pruning: raised Extremely small rooting space
7	Chinese pistache	<i>Pistachia chinensis</i>	8.0			11	13	13	11	21	No	B	Yes	Foliage dense and twig growth vigorous Pruning: raised and lion-tailed Extremely small rooting space
8	Chinese pistache	<i>Pistachia chinensis</i>	12.5			9	11	10	14	29	No	C	No	Foliage dense and twig growth vigorous Poor architecture (few lateral limbs/top-heavy) Pruning: raised and lion-tailed, topped Buried root collar, extremely small rooting space
9	Chinese pistache	<i>Pistachia chinensis</i>	17.5			13	16	17	17	28	Yes	B	Yes	Foliage dense and twig growth vigorous Poor architecture (few lateral limbs/top-heavy) Pruning: raised and lion-tailed Buried root collar, extremely small rooting space
10	Sweetgum	<i>Liquidambar styraciflua</i>	34.0			20	20	17	16	66	Yes	B	No	Foliage dense and twig growth vigorous Poor architecture (few lateral limbs/top-heavy) Evidence of a major branch failures Pruning: raised, lion-tailed and thinned Small rooting space
11	Sweetgum	<i>Liquidambar styraciflua</i>	28.0			19	17	16	18	68	Yes	B	No	Numerous codominant stems and limbs, many with weak, acute-angle attachments Pruning: raised, lion-tailed and thinned Small rooting space (Diameter measured at ~36" above grade)
12	Maidenhair tree	<i>Ginkgo biloba</i>	17.0			3	0	8	8	22	Yes	C	No	Poor architecture Topped Entire canopy headed (stubbed) Buried root collar, extremely small rooting space



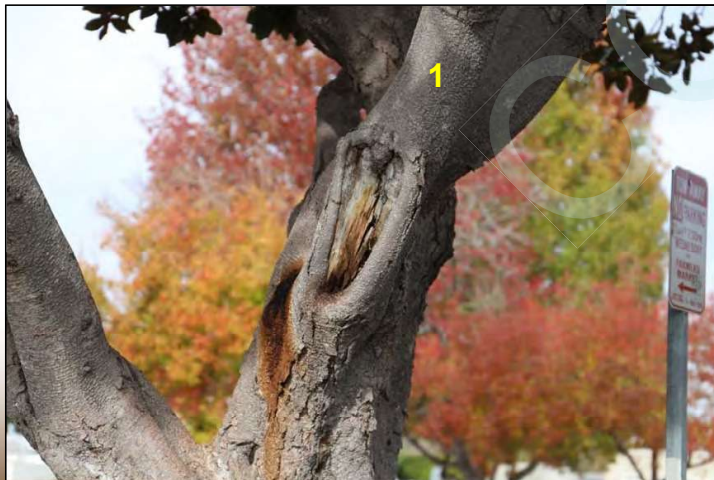
TREE IMAGES: Numbers refer to tree identification tags.



Above right: Codominant stems with weak, acute-angle attachments.
Below left: Restricted rooting area.

Dryad, LLC

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Castro Valley CA 94552
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Left: Profuse acute-angle attachments, codominant limbs, lion-tail pruning, excessive thinning.
Below right: Large decaying wound from limb failure.
Below left: Decaying wound from past limb failure and bacterial exudate.



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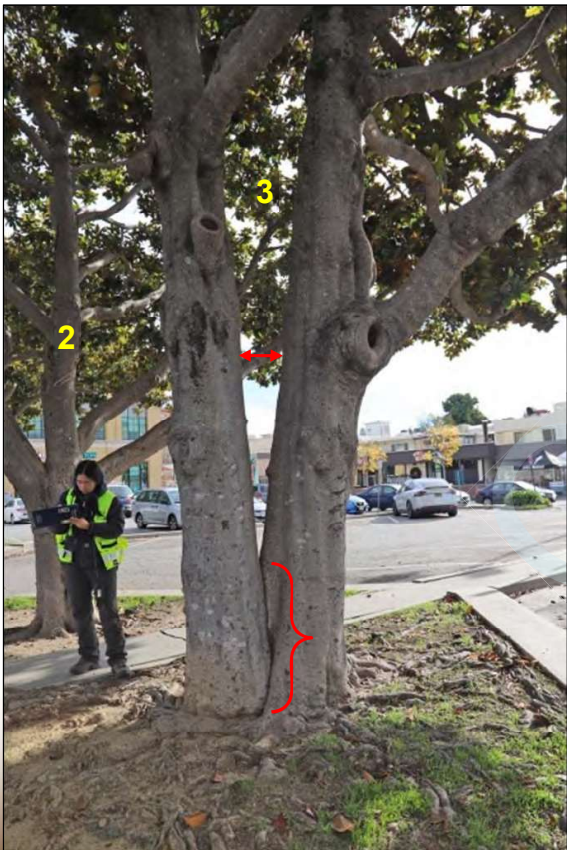
Above left: Restricted rooting area and close proximity.
Above right: Acute-angle attachments and lion-tail pruning.
Below left: Codominant limbs, lion-tail pruning, excessive thinning, acute-angle attachments.
Below right: Large decaying wound from limb failure encompassing an acute-angle attachment.



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Below and above right: Codominant stems with acute-angle attachment.
Below right: Decayed flush cut and acute-angle attachments.



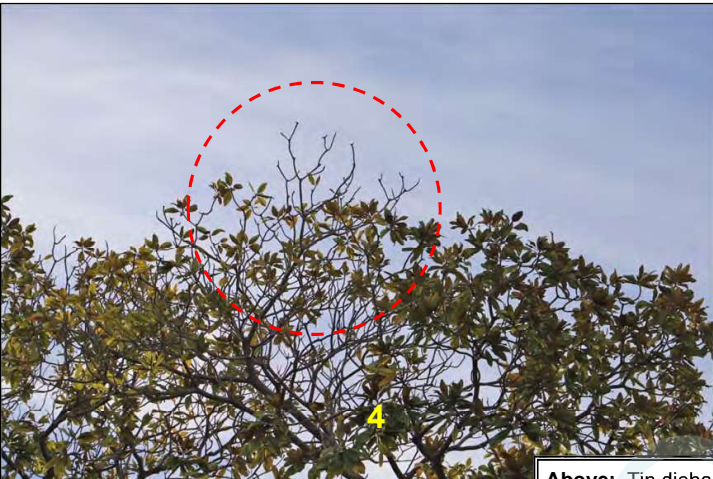
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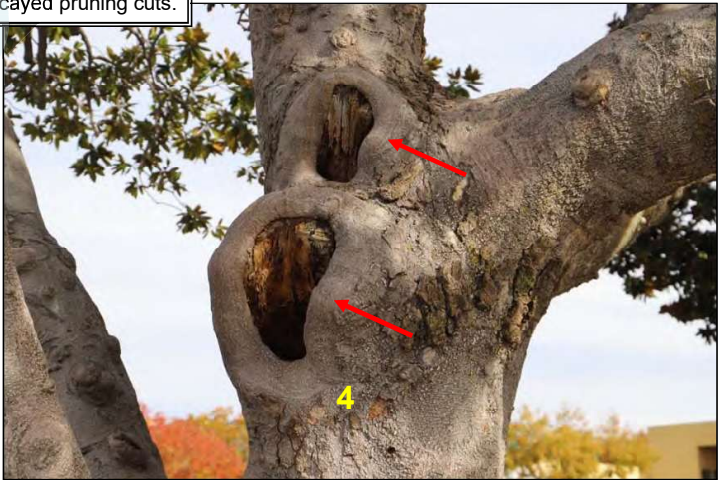


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Above: Tip dieback, thin canopy.
Below right: Large, decayed pruning cuts.

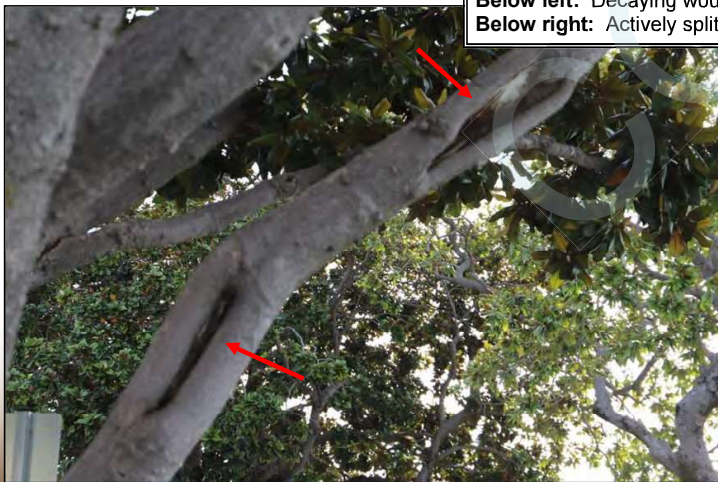


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Castro Valley CA 94552
PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com

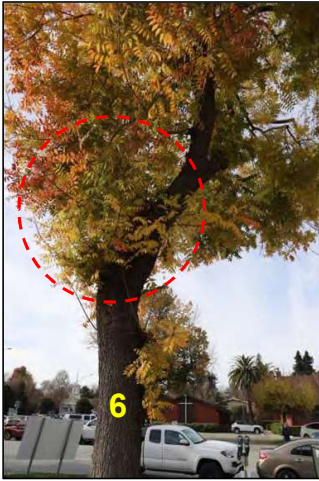


Above middle: Codominant stems with weak attachments.
Above right: Large decaying wound on stem.
Below left: Decaying wounds from past limb failures.
Below right: Actively splitting acute-angle attachment.



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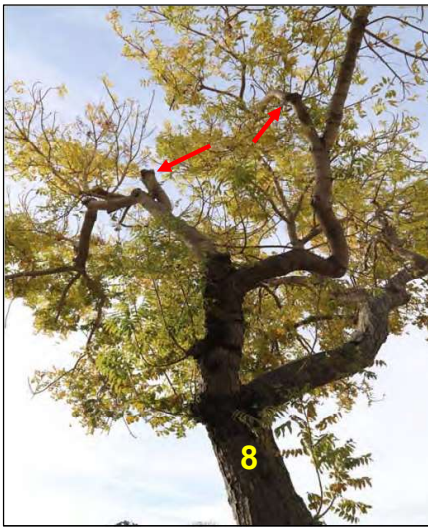
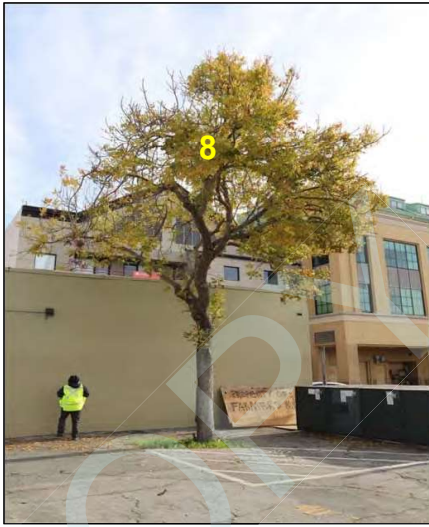
35570 Palomares Rd.
Castro Valley CA 94552
PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com



Above: Buried root collar and restricted growing space.
Above right: Area of two major limb failures, i.e., poor remaining architecture.
Below left: Poor but manageable architecture; excessive pruning.
Below right: Buried root collar and restricted growing space.

Dryad, LLC

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WEB SITE: www.dryadllc.com

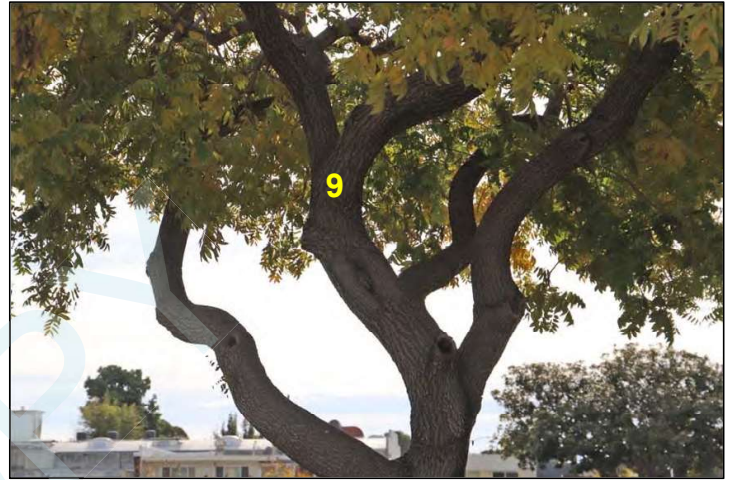


Above: Poor architecture, overpruning and restricted growing space.
Above right: Poor architecture, heading (topping) cuts.
Below right: Buried root collar and restricted growing space.



Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552
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E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com

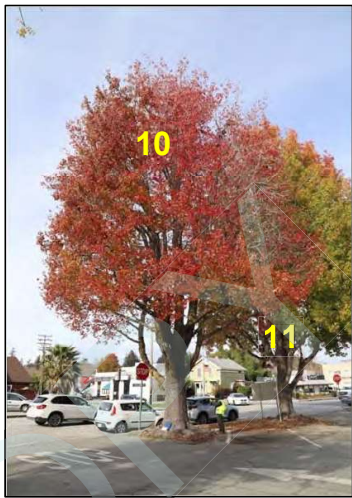


Above: Poor architecture, overpruning and restricted growing space.
Left: Buried root collar and restricted growing space.

Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552

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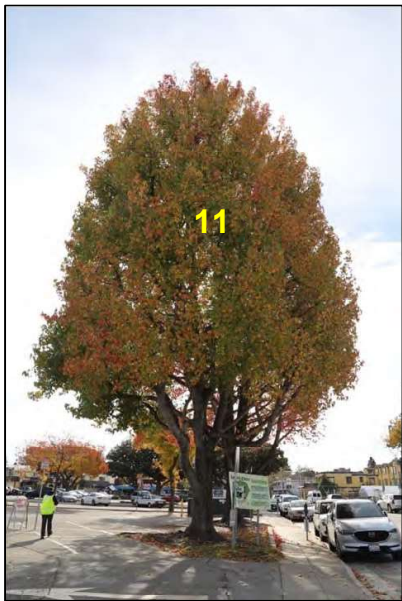


Upper right: Profuse acute-angle attachments, codominant limbs, lion-tail pruning, excessive thinning.
Below: Restricted growing space.



Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552
PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com



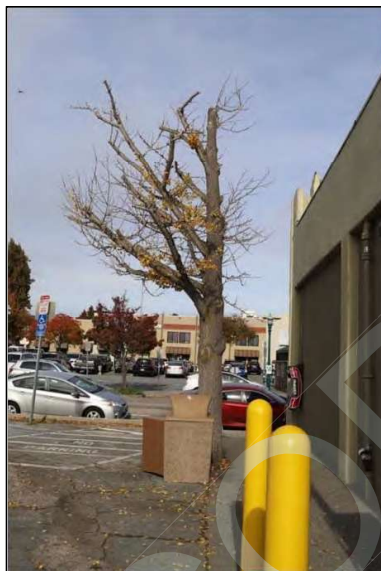
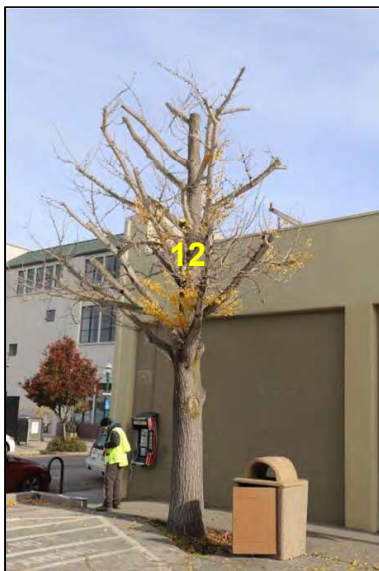
Right: Profuse acute-angle attachments, codominant limbs, lion-tail pruning, excessive thinning.
Below: Restricted growing space.



Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552

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E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com



Above: Topped and headed throughout the canopy, all limbs removed on building side. Severe pruning has destroyed the structure and architecture of this tree.
Right: Restricted growing space.

Dryad, LLC

35570 Palomares Rd.
 Castro Valley CA 94552

PHONE: (510) 538-6000
 FAX: (510) 538-6001
 E-MAIL: tyoung@dryadllc.com
 WEB SITE: www.dryadllc.com

GENERAL CONSTRUCTION SITE TREE PRESERVATION GUIDELINES (Not site or entity-specific)

1. **Tree Protection Zone**²⁵:

- a. The Tree Protection Zone (TPZ) should consist of the largest possible area surrounding trees to be preserved that can remain undisturbed. Ideally, an area of 1.5 times the longest dripline radius (measured from the trunk). Alternatively, follow the TPZ guidelines as described in the most recent version of current industry standards and best management practices publications²⁶. The TPZ can be continuous for trees with overlapping driplines.
- b. Surround the TPZ with protective fencing.
 - i. Fencing should consist of chain link, at least 6 feet in height, surrounding the perimeter of the TPZ designated distance or beyond.
 - ii. Anchor fence posts into the soil (i.e., do not use portable footings).
 - iii. Protective fencing should remain in place until all grading and construction is complete.
- c. Do not allow vehicles, equipment, pedestrian traffic, building materials, debris storage, or disposal of phytotoxic²⁷ materials inside of the fenced-off areas (TPZ).

2. **Mulching and irrigation:**

- a. Soil moisture:
 - i. Determine the status of soil moisture to a depth of 18-24" below grade within the dripline of all (each) trees to be preserved, via tensiometer, granular matrix sensor or manual soil probing.
 - ii. Irrigate as/if necessary, via slow-application (drip) irrigation, to achieve approximately field capacity²⁸ to a depth of 12-18".
- b. Mulch: Cover exposed soil within all TPZ's with an organic mulch to a settled depth of no less than 3-4 inches.

3. **Excavation, root pruning & repair:**

- a. Excavation and root pruning should be performed by a Tree Worker currently certified by the International Society of Arboriculture (ISA). Excavation and root pruning should be directly supervised by an arborist currently credentialed as at least one of the following:
 - i. Certified Arborist by the ISA,
 - ii. Board Certified Master Arborist by the ISA,
 - iii. Registered Consulting Arborist by the American Society of Consulting Arborists (ASCA).
- b. Determine and mark (marking paint and stakes) the outside edge (towards trees) of required excavation, and adjacent to/surrounding any excavations within an area 1.5 times the dripline radius of trees to be preserved (or at large an area as feasible).
- c. Excavate a trench approximately 6-12" beyond the area to be disturbed (towards tree), or where roots have been damaged, to a depth of at least 18", by hand excavation²⁹ or with specialized hydraulic³⁰ or pneumatic³¹ equipment.
 - i. Wherever possible, relocate excavations or tunnel beneath encountered roots >1" in diameter.
 - ii. Cut encountered roots cleanly with hand pruners or power saw. Avoid tearing, dislodging of bark (or epidermis) or otherwise disturbing that portion of the root(s) to remain.
 - iii. Immediately back-fill with soil to cover, and moisten.
 - iv. If backfilling cannot be completed immediately, cover exposed roots with several layers of untreated burlap (or other similar absorbent material) or sand, mulch or soil and keep moist until permanent backfilling can be completed.
- d. Future excavations within the TPZ:
 - i. If possible, relocate any future excavations (irrigation, landscape features, etc.) outside the TPZ and perimeter of previously pruned roots.
 - ii. If encroachment is required within the TPZ, endeavor to avoid pruning roots by tunneling beneath.
 - iii. If relocation or tunneling is not possible, handle any required root pruning as previously described.

4. **Tree care and maintenance work:** (pruning, cabling/bracing³², root pruning, etc.)

- a. All tree care or maintenance work:
 - i. All tree care work should be performed by a Tree Worker currently certified by the International Society of Arboriculture (ISA) or a current ISA Certified Arborist.
 - ii. All tree care work should be directly supervised by an arborist currently credentialed as at least one of the following:

- (1) Certified Arborist by the ISA,
 - (2) Board Certified Master Arborist by the ISA,
 - (3) Registered Consulting Arborist by the American Society of Consulting Arborists (ASCA)
 - b. All tree care or maintenance work should be performed in accordance with current industry standards³³.
 - c. Tree pruning:
 - i. Avoid pruning that removes green foliage or live wood immediately before, during or within 2-3 years after construction.
 - ii. Prune to remove large deadwood only, or the minimum required for clearance purposes, in accordance with current pruning standards³⁴.
5. **Post-construction:**
- a. Avoid pruning that removes live foliage for several years after construction. Perform only that pruning that is necessary for clearance purposes.
 - b. Arrange for periodic (biannual) inspection of the condition of the trees by a competent Consulting Arborist, and treatment of damaging conditions (insects, diseases, nutrient deficiencies, soil moisture, etc.), as they occur, or as deemed appropriate by the consultant for effective management.

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Please feel free to contact me with questions or comments.

Respectfully,

Torrey Young
Registered Consulting Arborist

ASCA Registered Consulting Arborist, no. 282
ISA Board Certified Master Arborist, no. WE-0131BM
CUFC Certified Urban Forester, no. 121
ISA Tree Risk Assessment Qualified (TRAQ)
ASCA Tree & Plant Appraisal Qualified (TPAQ)
CA Contractors License no. 363372 (C-27 & D-49; inactive)



ENDNOTES:

¹ This project and report does not include a tree protection plan, as it was not included in the scope of work (Dryad, LLC proposal dated 11.18.21). Construction plans were neither reviewed nor provided.

² **Inspection limitations:** The inspection of these trees consisted solely of a visual inspection from the ground. While more thorough techniques are available for inspection and evaluation, they were not requested and/or not considered necessary or appropriate at the time.

³ **Height, distance and/or diameter measurements:** Diameters were measured via calculating diameter tape measurement of circumference. Height and distance (canopy) measurements were taken with a laser rangefinder/hypsometer (TruPulse 360R or OptiLogic LH400). If measured, the reported height was averaged from several sets of measurements. Where tree trunks or views were obstructed or inaccessible, either or both heights and diameters may have been estimated.

⁴ **GPS data:** GPS (Global Positioning System) data was collected with a Garmin 64 or 64st GPS device, described by the manufacturers as accurate to within 9 meters. Accuracy may vary because of weather, canopy cover, etc. This data is intended only to assist with tree location and is not intended to be of survey precision.

⁵ **Arborist Disclosure Statement:** Arborists are tree specialists who use their education, knowledge training and experience to examine trees, recommend measures to enhance their health and beauty and to 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. Trees and other plantlife are living, changing organisms affected by innumerable factors beyond our control. Trees fail in ways and because of conditions we do not fully understand. Arborists cannot detect or anticipate every condition or event that could possibly lead to the structural failure of a tree. Conditions are often hidden within the trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, for any specific period or when a tree or its parts may fail. Further, remedial treatments, as with any treatment or therapy, cannot be guaranteed. Treatment, pruning, bracing and removal of trees may involve considerations beyond the scope of the arborists skills and usual services such as the boundaries of properties, property ownership, site lines, neighbor disputes and agreements and other issues. Therefore, arborists cannot consider such issues unless complete and accurate information is disclosed in a timely fashion. Then, the arborist can be expected, reasonably, to rely upon the completeness and accuracy of the information provided. Trees can be managed but not controlled. To live near trees, regardless of their condition, is to accept some degree of risk. Tree removal is the only way to eliminate the risks associated with trees.

⁶ **Pruning:** Proper pruning is performed in a manner intended to achieve a specific objective while minimizing the negative effects on the plant (tree). Improper pruning is that which may not be coupled with a specific objective, may not employ techniques consistent with the identified objective, or may result in significant negative physiological and/or structural impacts on the plant.

Pruning standards: The most current revisions of the following standards, developed by a consensus of representatives from various industry professional organizations; American National Standards Institute, *Standard Practices for Tree, Shrub and other Woody Plant Maintenance (Pruning)*, American National Standards Institute (ANSI A300 Part 1) and International Society of Arboriculture, *Best Management Practices, Tree Pruning*, International Society of Arboriculture.

⁷ **Structure:** The nature, character, physical integrity and attachments of tree; primarily refers to the wood in limbs, branches, stems (trunks) and roots.

⁸ **Stem:** The primary portion of a plant's supportive and transportive architecture (synonymous with 'trunk').

⁹ **Root collar (trunk flare, root flare, root crown):** One of several accepted terms describing the junction of trunk and buttress roots at the original soil grade. Synonymous terms: root crown, root collar, root flare, trunk flare.

¹⁰ **Architecture:** For the purposes of this evaluation and/report, the arrangement of the (external) parts of a tree; primarily refers to the foliage crown including major (scaffold) limbs, lateral branches and trunks.

¹¹ **Dripline area:** The soil area surrounding the tree trunk whose outer perimeter is defined by the unaltered length of the outermost branch tips.

¹² **Fall zone/target zone:** The area where a tree or tree part is likely to land if the tree or parts were to fail.

¹³ **Tree risk:** For the purposes of this evaluation and/report, a tree or tree part that presents a threat to humans, livestock, vehicles, structures, landscape features or other entity of civilization from uprooting, falling, breaking or growth development (e.g., roots). While all large landscape trees in proximity to such targets present some degree of risk regardless of their condition, such inherent risk is not intended as within this definition and its usage in this evaluation and report.

¹⁴ **Decline (in trees):** The deteriorating condition of trees manifested most notably in chlorotic, thinning foliage and dying branch tips and entire twigs, branches and/or limbs. Decline is the deficit condition of various plant cells and tissues (roots, foliage, wood) becoming inactive at a faster rate than new tissue can be formed. Plant/tree decline can be indicative of pending plant death.

¹⁵ **Mulch:** Organic materials (e.g., brush chips, compost, processed wood chips, etc.) spread upon the soil for a variety of benefits: aesthetics, retains soil moisture, moderates soil temperatures, improves soil structure and increases fertility, protects against compaction, suppresses weeds, etc. Torrey Young, Dryad, LLC highly recommends fresh, brush chip mulch in lieu of processed materials. (Note: elsewhere, the definition of mulch may include non-organic materials).

¹⁶ **Lion-tail pruning:** An extremely damaging pruning practice that consists of removing the interior lateral branches from individual limbs. This practice displaces the distribution of weight to the tips of branches, interferes with the dissipation of energy from wind-stress, redistributes (suddenly) the character of limb movement, and changes areas of stress. It reduces the development of appropriate branch taper, interferes with the balance of foliage/wood, and can contribute to the development of watersprouts and sunburned limbs and stems. Foliage, limb and branch distribution determines the degree of individual limb and stem (trunk) taper. A lack of sufficient taper results in concentration of stress from movement towards the base of the limb or stem and to areas not adapted for such stress, resulting in a greatly increased potential for breakage or uprooting. A lack of symmetry increases movement and resulting stress due to unequal wind resistance.

¹⁷ **Raising:** Arboricultural term referring to pruning of branches to provide vertical clearance below the crown. (ANSI A300 Standards Part 1 – Pruning, 2017)

¹⁸ **Thinning pruning (crown thinning):** An antiquated pruning term that refers to the removal of live branches throughout the tree foliage crown (canopy). Not included as a viable pruning method in current industry standards.

¹⁹ **Compaction (soil):** An increase in soil bulk density through a process by which the porosity is decreased because of its mineral grains being squeezed together. Compaction can occur intentionally for engineering purposes, or through natural or normal processes such as traffic, rainfall, sedimentation, etc. Insufficient soil porosity is detrimental to plantlife, reducing soil and root aeration and affecting soil moisture drainage and retention.

²⁰ **Root collar excavation and inspection:** Excavation of the junction of trunk and buttress roots and immediate vicinity below grade for the purpose of inspection for biological and structural condition and/or to restore the original grade. In a mature tree, root collar excavation should include clearing excess soil, rocks, planting containers and other debris within at least 24" of the tree base. Sufficient soil should be removed from the tree's root collar region to expose at least 50-75% of the upper circumference of each buttress root, within at least 12-24" of the tree trunk. Soil should be graded in a manner that directs drainage away from the tree base (where possible). All such excavation should be performed by hand, with only the aid of hand tools, or via appropriate pneumatic or hydraulic excavation equipment, in such a fashion as to avoid traumatic damage to roots and trunk. Where indicated, root collar excavations should be performed prior to any other required maintenance work. In the event of discovery of significant root defects (root disease, girdling roots, concave trunk areas, etc.) in sizable trees, other maintenance work shall be postponed and such defects reported to the property owner or other proper authority.

²¹ **Acute-angle attachments:** Branch/limb, limb/trunk, or codominant trunks originating at acute angles from each other. Bark often remains between such attachment, preventing the development of a branch-bark ridge (branch collar) or grafting of the parts. The inherent weakness of such attachments increases with time, through the pressure of opposing growth and increasing weight of wood and foliage, frequently resulting in failure.

²² **Bacterial infection exudates:** Often exhibited as dark liquids or staining of the trunk or limbs along trunk limb and/or from wounds. While generally not significantly damaging, continuous fluxing can be indicative of **wetwood**, which can result in significant necrosis and decay.

²³ **Twig growth:** The length of annual growth of a twig (smallest branch), measured between the twig tip and the last bud scar; also may include measuring previous years' growth by measuring between bud scars; often used as a generalized measure of tree vigor based upon expectations for the species, and also as a rough guide to schedule of impacts or events affecting vigor.

²⁴ **Necrosis:** The death of most or all of the cells in tissue of a circumscribed area due to disease, injury, or physiological failures.

²⁵ **Tree Protection Zone (TPZ):** A delineated area of the rooting zone of a tree or group of trees to be protected from encroachment by construction activities. Such activities may include excavation or grading, vehicle, equipment and pedestrian traffic; storage of vehicles, building materials, soil or debris; or disposal of phytotoxic materials.

²⁶ American National Standards Institute, 2012. *Standard Practices for Tree Care Operations - Management of Trees and Shrubs During Site Planning, Site Development and Construction* (ANSI A300, Part 5, current revision); International Society of Arboriculture, Best Management Practices, *Managing Trees During Site Planning, Site Development and Construction* (current revision).

²⁷ **Phytotoxic (phytotoxin):** Any substance or material capable of killing plant cells, parts or plants in their entirety.

²⁸ **Field capacity:** The maximum volume of moisture a soil can hold after drainage has occurred. An expression of the water-holding capacity and moisture status of soils.

²⁹ **Hand excavation:** Manual soil excavation via the use of hand tools only. Use of hand tools for initial excavation should be avoided. Hand tools shall not be used in a manner that results in breakage of roots, bark penetration or separation of bark from roots. Hand tool use should be limited to small tools (e.g., spade, trowel) for minor excavations or in restricted spaces. Picks, mattocks, digging bars or similar implements requiring striking the earth shall not be used for excavation. Hand shovels may be used for minor excavations, or where access is limited for vacuum equipment, or hydraulic slurry cannot be flushed out of the excavation. Such usage shall not result in breakage of roots, bark penetration or separation of bark from roots.

³⁰ **Hydraulic excavation:** Soil excavation performed using pressurized, focused water via 1) pressure washer, portable fire pump, or similar equipment or 2) hydraulic truck-mounted equipment (Hydra-vac). Equipment should be used at the minimum pressure required to remove the soil from around roots and out of the resulting excavation void, without causing breakage of roots, bark penetration or separation of bark from roots.

³¹ **Pneumatic excavation:** Soil excavation performed via supersonic compressed air excavation with a tool called an air spade. This tool removes soil from roots (or pipes, wires, etc.) with little or no damage to the roots (or utilities). Soil is separated and blown away via highly focused, supersonic velocity compressed air, which separates the soil particles without penetrating roots.

³² **Cabling & Bracing:** The installation of hardware in and/or about trees for the purpose of providing supplemental support of weak, defective or otherwise suspect limbs and/or stems; supporting of newly planted trees; bracing cracks; propping trees or limbs, or otherwise providing support. The installation of cables, bolts and other hardware in trees is intended to reduce the potential for failure (breakage/uprooting). Such bracing does not permanently remedy structural weaknesses, and is not a guarantee against failure. The trees and hardware must be inspected periodically for hardware deterioration, adequacy and changes in the tree's and site's condition.

³³ **Current industry standards:** The most current and applicable publications of 1) *Best Management Practices*, International Society of Arboriculture; 2) American National Standards Institute, A300 and Z133 (all parts).

³⁴ **Pruning standards:** The following standards were developed by a consensus of representatives from various industry professional organizations; ♦ American National Standards Institute, *Standard Practices for Tree, Shrub and other Woody Plant Maintenance (Pruning)*, American National Standards Institute (ANSI A300 Part 1-current revision) ♦ International Society of Arboriculture, *Best Management Practices, Tree Pruning*, International Society of Arboriculture (current revision) ♦

September 9, 2022

Bonnie Lipscomb, Economic Development Director
City of Santa Cruz
337 Locust St.
Santa Cruz CA 95060

Re.: Consulting Arborist services for development – addendum report
Site: City Lot #4, Cedar St. between Cathcart St. & Lincoln St., Santa Cruz

Ms. Lipscomb;

I am writing in response to the request for an addendum to my report 21045-40027, dated 01/18/2022. This addendum letter is as per my discussions with Brian Borguno and Leslie Keedy. The intent of this letter and included data is to clarify determinations as to:

1. Tree diameters and Heritage Tree status¹.
2. Evaluation & ratings relative to tree protection during construction.
3. Feasibility for relocation of trees to be removed.
4. Review of the impact of construction based upon revised site plans entitled “*Entitlements Package 04/29/22.*”

SUMMARY: My review of the revised plans, collected data and categorizations remain unchanged from my original report (01/18/22). All twelve trees on site must be removed to accommodate construction. Specifically, the building footprint encompasses an area including all twelve trees. Only two trees (nos. 7 & 9) might be viable for transplant, but that evaluation could change if their root systems are structurally poor, which can only be determined when surrounding curbs and pavement is removed. Of these two, only tree no. 9 is a Heritage Tree¹.

DISCUSSION:

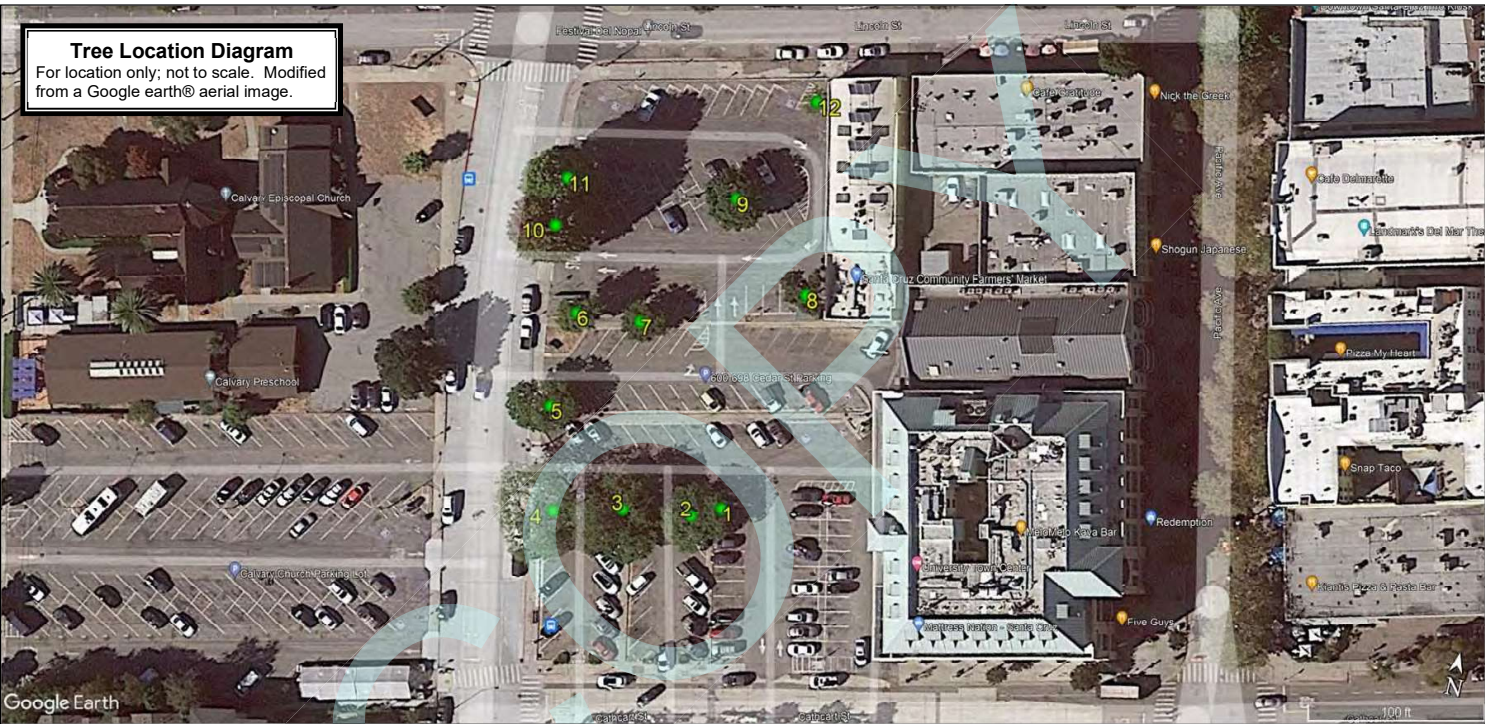
Transplanting (relocating): Under the best of circumstances, transplanting is severely traumatic to tree physiology, and weak trees are likely to decline over time. The relocation process includes severing much of the root system, reducing the tree's ability to recover. The demolition of curbing and pavement required to relocate, close to tree trunks and covering roots systems, exposes the trees to further root system damage.

The trees on this site exhibit many existing conditions that render them poor candidates for relocation². It is my opinion that mature trees proposed for relocation should exhibit high vigor, desirable architecture, strong structure, and be free of significant disease and decay. Trees at risk of decline or structural failure are poor candidates for relocation. I also do not recommend relocation where operations would result in either an undersized rootball or damage to adjacent tree root systems.



¹ City of Santa Cruz Municipal Code, Title 9 Peace, Safety and Morals, Chapter 9.56 Preservation of Heritage Trees and Heritage Shrubs.

² Refer to Dryad, LLC report 21045-40027, dated 01/18/2022.



Dryad, LLC

35570 Palomares Rd.
Castro Valley CA 94552
PHONE: (510) 538-6000
FAX: (510) 538-6001
E-MAIL: tyoung@dryadllc.com
WEB SITE: www.dryadllc.com

SUMMARIES OF TREE DATA AND EVALUATIONS:

Data Summaries	Quantity	Ratio	Descriptions/Comments
Total trees inventoried	12	100%	All trees on site
Heritage trees	9	75%	As defined by City of Santa Cruz ($\geq 14"$ dia.) (nos. 1-4, 6, 9-12)
Trees not protected	3	25%	As defined by City of Santa Cruz ($< 14"$ dia.) (nos. 5, 6-8)
Trees in conflict with construction	12	100%	All trees are within the construction footprint
Heritage Trees in conflict with construction	12	100%	All trees are within the construction footprint
Trees that are relocation viable	2	17%	Tree nos. 7 & 9 (relocation not recommended)
Heritage Trees that are relocation viable	1	8%	Tree no. 9 (relocation not recommended)
Species Variation & Ratio	4	- - -	Species variation on site.
Common Name	Quantity	Ratio	Botanical Name (Genus-species)
Chinese pistache	4	33%	<i>Pistache chinensis</i>
Maidenhair tree	1	8%	<i>Ginkgo biloba</i>
Southern magnolia	5	42%	<i>Magnolia grandiflora</i>
Sweetgum	2	17%	<i>Liquidambar styraciflua</i>



TREE INVENTORY DATA & EVALUATIONS:

- Trunk diameters: Unless otherwise described under Comments, trunk diameters were measured (12/20/21) at 54 inches above grade, as per the City of Santa Cruz¹. In a few cases, it was not physically possible to measure the diameter at 54 inches, but it was possible to determine that diameters were well above 14 inches diameter.
- Heritage status: Includes all trees with a single stem equal to or larger than 14 inches at 54 inches above grade¹.
- Transplant viable: The evaluations in this column were determined using the criteria described under Discussion on page 1.

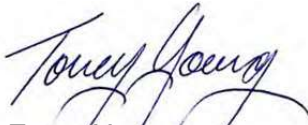
Tag no.	Common name	Genus-species	Trunk diameter (ins.)			Heritage status	Transplant viable	Comments
			1	2	3			
1	Southern magnolia	<i>Magnolia grandiflora</i>	20.5			Yes	No	Heritage status: Qualifies as a Heritage Tree as multiple stems are >14" diameter. Diameter: • Multiple stems >14" at 54" above grade, at juncture of multiple codominant limbs. • Primary stem diameter measured at ~36" above grade. Relocation potential: Poor candidate due to weak, irreparable canopy structure and damaged root system.
2	Southern magnolia	<i>Magnolia grandiflora</i>	20.5			Yes	No	Heritage status: Qualifies as a Heritage Tree as the multiple stems are each >14" diameter. Diameter: • Multiple stems >14" at 54" above grade, at juncture of multiple codominant limbs. • Primary stem diameter measured at ~42" above grade. Relocation potential: Poor candidate due to weak, irreparable canopy structure, damaged root system, and overlapping rooting space with tree no. 3.
3	Southern magnolia	<i>Magnolia grandiflora</i>	21.5	17.5		Yes	No	Heritage status: Qualifies as a Heritage Tree as both codominant stems are >14" diameter. Diameter: • Codominant (2) stems >14" at 54" above grade. • Codominant stem diameters measured at 54" above grade. Relocation potential: Poor candidate due to weak, irreparable canopy structure, severely damaged root system, and overlapping rooting space with tree no. 2.
4	Southern magnolia	<i>Magnolia grandiflora</i>	33.0	21.5		Yes	No	Heritage status: Qualifies as a Heritage Tree as codominant stems and limb are >14" diameter. Diameter: • Codominant (2) stems >14" at 54" above grade. • Codominant stems & limb diameters measured at 54" above grade. • Low, codominant limb measured 16" diameter. Relocation potential: Poor candidate due to canopy decline, decay, and damaged root system.
5	Southern magnolia	<i>Magnolia grandiflora</i>	13.5	12.5	12.0	No	No	Heritage status: Does not qualify as a Heritage Tree as none of the multiple stems are >14" diameter. Diameter: • Diameter of stem 1 measured at ~48" above grade) • Codominant stems & limb diameters measured at 54" above grade. Relocation potential: Poor candidate due to weak structure, decay, traumatic stem damage, limb failures, bacterial exudate, and damaged root system.

Tag no.	Common name	Genus-species	Trunk diameter (ins.)			Heritage status	Transplant viable	Comments
			1	2	3			
6	Chinese pistache	<i>Pistachia chinensis</i>	14.0			Yes	No	Heritage status: Qualifies as a Heritage Tree as the stem is 14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Poor candidate due to weak structure, poor architecture, limb failures, and severely restricted root system.
7	Chinese pistache	<i>Pistachia chinensis</i>	8.0			No	Yes	Heritage status: Does not qualify as a Heritage Tree as the primary stem is <14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Possible, but not recommended due to severe pruning and likely poor root system due to severely restricted rooting space.
8	Chinese pistache	<i>Pistachia chinensis</i>	12.5			No	No	Heritage status: Does not qualify as a Heritage Tree as the stem is <14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Poor candidate due to weak structure, poor architecture, and severely restricted root system and buried root crown.
9	Chinese pistache	<i>Pistachia chinensis</i>	17.5			Yes	Yes	Heritage status: Qualifies as a Heritage Tree as the stem is >14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Possible, but not recommended due to severe pruning, and likely poor root system due to severely restricted rooting space with a buried root crown.
10	Sweetgum	<i>Liquidambar styraciflua</i>	34.0			Yes	No	Heritage status: Qualifies as a Heritage Tree as the stem is >14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Poor candidate due to weak structure, poor architecture, severe pruning, and severely restricted and damaged root system.
11	Sweetgum	<i>Liquidambar styraciflua</i>	28.0			Yes	No	Heritage status: Qualifies as a Heritage Tree as the primary stem is >14" diameter (at 54" above grade). Diameter: • Multiple codominant limbs at 54" above grade. • Primary stem diameter measured at ~36" above grade. Relocation potential: Poor candidate due to weak structure, poor architecture, severe pruning, and severely restricted and damaged root system.
12	Maidenhair tree	<i>Ginkgo biloba</i>	17.0			Yes	No	Heritage status: Qualifies as a Heritage Tree as the stem is >14" diameter. Diameter: Diameter measured at 54" above grade. Relocation potential: Poor candidate for relocation due to severe pruning (topping/heading), extremely poor structure and architecture, likely poor root system due to severely restricted rooting space and buried root crown.



Please feel free to contact me with questions or comments.

Respectfully,



Torrey Young
Registered Consulting Arborist

ASCA Registered Consulting Arborist, no. 282
ISA Board Certified Master Arborist, no. WE-0131BM
CUFC Certified Urban Forester, no. 121
ISA Tree Risk Assessment Qualified
ASCA Tree & Plant Appraisal Qualified
CA Contractors License no. 363372 (C-27 & D-49; inactive)





November 17, 2022

Ms. Leslie Keely
City Urban Forester/Arborist
City of Santa Cruz Parks Department
323 Church St.
Santa Cruz, CA 95060

Re: CP22-0018 Downtown Library & Affordable Housing Project- Tree Removal Application

Dear Ms. Keely,

On behalf of For the Future Housing, Inc., and Eden Housing, enclosed please find additional information relating to the design considerations as they relate to our tree removal application associated with our project application. Enclosed are a design diagram with proposed tree removal areas overlayed onto the proposed site plan (Exhibit A) and December 14, 2021 City Council approved required project programming direction (Exhibit B).

A heritage tree or heritage shrub, as defined in chapter 9.56 of the Santa Cruz Municipal Code shall only be altered or removed under the following circumstances:

(c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation.

(3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

Per item (c)(3) of the Heritage Tree ordinance, it is respectfully submitted that the 119 Lincoln Street Library and Affordable Housing Project, project design cannot be altered to accommodate the existing heritage trees located on site for the following reasons:

- A. Per Santa Cruz City Council direction given December 14th 2021, the project must provide:
 - 1. 100-125 affordable housing units and required support spaces, including an onsite daycare facility
 - 2. 300-315 parking stalls and required circulation and bicycle parking
 - 3. Library design to include a 30,000 – 35,000 SF two-story Library facing Cedar and Lincoln Streets with a green roof and adjacent roof deck and other design elements as presented by Jayson Architecture.

In order to accommodate these building program requirements a total building area of 273,194 SF is needed. The project site area is 66,921 SF of which 60,381 SF is usable due to the area needed for access to the adjacent existing buildings to the east, including University Town Center, which has been developed to the shared property line. Of this 60,381 SF area, 58,441 SF is buildable, with 1,940 SF set aside for landscaping and stormwater management facilities around the ground floor perimeter.

It is estimated that in order to preserve the existing heritage trees, at a minimum, areas the size of the tree canopies would need to be protected at the ground level and above (see Exhibit A). An estimated area of 7,774 SF is needed to preserve the 9 existing heritage trees (see Exhibit C). As this is a multistory building, this loss of area would result in a loss of available building program area of 30,974 SF. The three major program elements for Library, Housing and Parking that were set by City Council cannot be met if 30,974 SF is removed from the available building area. The building density and height have already been maximized in the proposed design, as allowed by the building code, providing no other opportunities to add building area on the site. As such, all trees must be removed to accommodate the required program onto the site.

- B. Site proportions and buildable area: The site is approximately 326' x 181', with a taper along Cedar Street. Each of the three major program elements (Library, Housing and Parking) require minimum widths to accommodate their specific programs. Book stacks for the library; units, corridors & windows for the housing; parking spaces and drive aisles for the parking garage. Narrowing the building or removing sections of the building to accommodate the existing heritage trees would jeopardize the functionality and layouts of the required building program elements. The result would require more square footage to meet the required building program due to increased circulation needs and inefficiencies. As noted above, there are no further opportunities to add required building area on the site.
- C. Major site disturbance: Due to the existing soil conditions and high-water table as identified in the site's geotechnical investigation, the project will require extensive disturbance of the entire building footprint in order to prepare for and accommodate the foundation system. This major disturbance, occurring directly adjacent to the trees, may further increase the building carve-outs needed to preserve the trees. Here again, there are no opportunities to reduce building area and still meet the required program.

Based on above, it is respectfully submitted that the design cannot be altered to accommodate the existing heritage trees and still meet the City Council's program direction.



Please contact me with any questions and we appreciate your consideration of our application.

Sincerely,

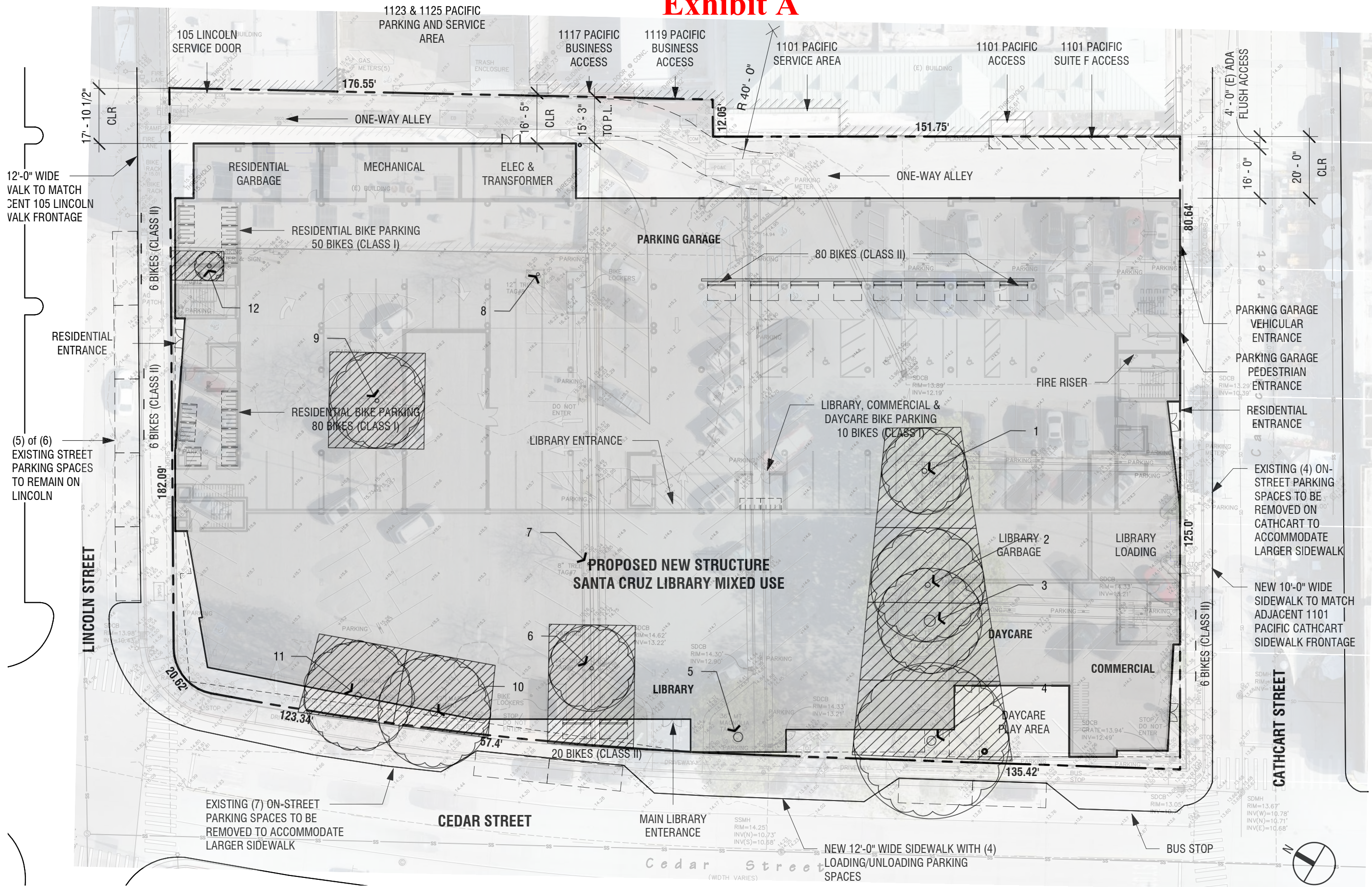
A handwritten signature in blue ink that reads 'Jim Rendler'.

Jim Rendler

Vice President
For the Future Housing, Inc.
433 Marsh St.
San Luis Obispo, CA 93401
(408)891-8303 Cell
jrendler@ftfhousing.com

cc: Tony Elliot- Director Parks & Recreation

Exhibit A



SITE PLAN

SCALE: 1" = 50'-0"

Exhibit B

HOUSING

100 - 125 UNITS TOTAL
STUDIO/1 BED: 50 - 65 UNITS
2 BEDROOM: 25 - 30 UNITS
3 BEDROOM: 25 - 30 UNITS
COMMUNITY SPACE:
2,500 - 3,500 SF
RESIDENTIAL ROOF DECK:
14,000 - 16,000 SF

LIBRARY

LIBRARY INTERIOR:
30,000 - 35,000 SF
ROOF DECK: 3,000 - 5,000 SF

PARKING

TOTAL PARKING COUNT:
300 - 315 SPACES
(REDUCED FROM 400)

COMMERCIAL & DAY CARE

COMMERCIAL:
7,000 - 9,000 SF
DAYCARE:
1,800 - 2,500 SF
(INCLUDES OUTDOOR PLAY AREA)

PROGRAM SUMMARY

Exhibit C

119 Lincoln St Library Downtown & Afforrdable Housing Project - Tree Area Estimates

Arborist Report Canopy Size

Tree Number	N	E	S	W	Average Radius	Approx. Area of Canopy		Impact to Site Area	1st floor	2nd	3rd	4th	5th	6th	7th	8th
1	17	18	19	14	17	908		924	924	924	924	924	924	924	924	924
2	20	22	16	16	19	1075		867	867	867	867					
3	13	14	23	18	17	908		1063	1063	1063	1063					
4	27	23	22	29	25	2003		1214	1214	1214	1214					
5	19	18	15	16	17	908		Non Heritage								
6	13	5	9	14	10	330		1097	1097		1097					
7	11	13	13	11	12	452		Non Heritage								
8	9	11	10	14	11	380		Non Heritage								
9	13	16	17	17	16	779		961	961	961	961	961	961	961	961	961
10	20	20	17	16	18	1046		724	724		724					
11	19	17	16	18	18	962		763	763		763					
12	3	0	8	8	5	71		163	163	163	163	163	163	163	163	163
Totals								7774	7774	5191	7774	2047	2047	2047	2047	2047

Site Area Total	7774
Building Total	30974

Heritage Tree Memo

Santa Cruz Downtown Library

Date: December 1, 2022

JAYSON
ARCHITECTURE

50 29th Street
San Francisco CA 94110
jaysonarch.com

Taken together, if all Heritage Trees on the site were to remain, the impact to the library would be significant. Programmatic adjacencies would need to be reconsidered, and additional square footage around trees would potentially be lost due to the remaining boundaries of buildable square footage resulting in infeasible proportions and configurations. Egress paths and fire life safety would need to be reevaluated, and significant changes made to maintain safety and code compliance. The civic street presence, as developed and presented over a series of community workshops, would no longer be viable. Community input that was provided over 6 stakeholder meetings and 2 community workshops was instrumental in shaping the design of the project, and would largely be invalidated if the Heritage Trees were to be accommodated. The library as currently designed, which is in the Construction Documents stage of the documentation process, would no longer be feasible, even with significant modifications. The project would need to completely restart the design process at the conceptual design phase, with reduced programmatic and square footage goals. It is our determination that the construction project design cannot be altered to accommodate existing heritage trees and still meet the requirements established for the project by the City Council.

Based on the square footage and layout of the tree canopies, the programmatic impact of accommodating the existing Heritage Trees on the site of the Downtown Library would be as follows:

Tree #1:

- Tree #1 if taken in isolation would impact the main electrical and IT rooms for the library, including considerations of underground routing of conduit and utility services. The electrical and IT rooms would potentially need to be relocated.
- When taken into consideration with Trees #2 & #3, the library would no longer have access to the delivery area and loading dock, which is critical for the proper operation of the main branch in the County library system.
- At the 2nd floor the mechanical room would need to be reconfigured, and it is possible the units as currently designed and specified would no longer fit.

Tree #2:

- The combined impact of Trees #2,3, & 4 would eliminate nearly half the space dedicated to staff at the library, including two private offices, the IT room, the staff bathroom, half the staff breakroom, the staff entry, and three quarters of the staff workstations. The remaining square footage would be too small to support a staff area as required for a public library of this size.

- At the 2nd floor these trees would also reduce the Special Collections/Local History Room by over half and reduce the Adult Non-Fiction Collection by nearly a third.
- At the mezzanine level, these trees would reduce the conditioned space by nearly a third, and completely cut off access to the library roof deck, eliminating the viability of this programmatic amenity.

Tree #3:

- The combined impact of Trees #2,3, & 4 would eliminate nearly half the space dedicated to staff at the library, including two private offices, the IT room, the staff bathroom, half the staff breakroom, the staff entry, and three quarters of the staff workstations. The remaining square footage would be too small to support a staff area as required for a public library of this size.
- At the 2nd floor these trees would also reduce the Special Collections/Local History Room by nearly half and reduce the Adult Non-Fiction Collection by nearly a third.
- At the mezzanine level, these trees would reduce the conditioned space by nearly a third, and completely cut off access to the library roof deck, eliminating the viability of this programmatic amenity.

Tree #4:

- In addition to the impacts outlined with Trees #2 & #3, Tree #4 would eliminate the code required means of egress at the southwest corner of the library.
- The location at the façade would also require a significant re-design of the civic street presence of the library.

Tree #5:

- If this tree was to remain the Community Room would be reduced in size by approximately a third, and the maximum capacity would drop from roughly 150 to 100 occupants, significantly impacting the types of programs and events the library could support.
- The location at the façade would also require a significant re-design of the civic street presence of the library.

Tree #6:

- If this tree was to remain the public lobby and multi-purpose room would both need to be reconfigured, and the circulation through the lobby and to the main stair redesigned.
- The location at the façade would also require a significant re-design of the civic street presence of the library.

Tree #7:

- Not Applicable, not listed as a Heritage tree.

Tree #8:

- Not Applicable, not listed as a Heritage tree.

Tree #9:

- No impact on library unless changes to the parking garage to accommodate this tree impacted the separation of occupancies along Grid Line F between the library and parking garage.

Tree #10:

- The combined impact of Trees #10 & 11 would require a reduction the Children's Area by approximately 10%, and the entry to the Children's area would need to be completely redesigned.
- It would also result in a reduction in the Adult Fiction collection by approximately 50%.
- The location at the façade would also require a significant re-design of the civic street presence of the library.

Tree #11:

- The combined impact of Trees #10 & 11 would require a reduction the Children's Area by approximately 10%, and the entry to the Children's area would need to be completely redesigned.
- It would also result in a reduction in the Adult Fiction collection by approximately 50%.
- The location at the façade would also require a significant re-design of the civic street presence of the library.

Tree #12:

- No Impact on Library.

If all Heritage Trees were to remain, the library would be reduced in size by approximately 10,000 square feet, dropping from 38,000 square feet to approximately 28,000 square feet. At this scale, the library would no longer be adequate in size to function as the central branch of the Santa Cruz Public Libraries system. In summary, preservation of the Heritage Trees would require a complete redesign of the library, set the project timeline back over a year, increase costs because of escalation, and result in an inferior and smaller public facility that does not meet the programmatic requirements for the project stipulated by the City Council on December 14th, 2021.

Please refer to exhibit A1.2 and the arborist report for more information regarding locations and sizes of each tree identified in this memo.



NOTICE of ACTION

HERITAGE TREE ALTERATION/REMOVAL/RELOCATION TENTATIVE PERMIT

Posting Date: 10/18/2022

Application #: TR22-0201

Applicant: For the Future Housing
433 MARSH ST
SAN LUIS OBISPO, CA 93401

Site Location: 119 LINCOLN ST, SANTA CRUZ, CA 95060-4422

PERMIT APPLICATION for: Remove 2 Chinese Pistache
Remove 4 Magnolia sp
Remove 2 Liquidambar
Remove 1 Ginkgo

Effective Date: 10/31/2022 at 5:00 P.M.

CONDITIONAL UPON

Measure O election results and City Council deliberation of library project agenda item and issuance of building permit.

APPEAL PROCEDURE

Pursuant to Chapter 9.56 of the Santa Cruz Municipal Code pertaining to Heritage Trees, section 9.56.070, titled "Right of Appeal" paragraph (a) items (1) through (11) and paragraph (b) items (1) through (3); and chapter 13.30 of the Municipal Code pertaining to Street Trees, sections 13.30.160, titled "Right of Appeal" through 13.30.200, titled "Hearing on Appeal": Appellant has ten calendar days from the notification date in which to file an appeal. A written appeal using Form C, available at the Parks and Recreation Department must be filed with the Secretary of the Parks and Recreation Commission at 323 Church Street from 8:00 AM to 5:00 PM Monday through Friday. **There is a \$100.00 filing fee.** The appellant shall state the basis for the appeal and shall specifically cite which provision of this ordinance is relied upon to support the appellant's contention that the Director of Parks and Recreation erred in granting or denying the permit. The Secretary will notify appellant as to the next most convenient commission meeting to which the appeal can become a part of the agenda. At such time appellant can verbally state the appeal before the Commission. If the Commission reverses staff's decision, applicant shall be issued a permit after 10 calendar days except where the tenth day occurs on a Saturday, Sunday or holiday, in which case the effective date shall be extended to the next following business day, allowing for an appeal of the Commission's decision.

Any person, public agency or utility aggrieved or affected by any decision or action taken by the Commission may appeal that decision or action to the City Council. All such appeals shall be made pursuant to Chapter 1.16 of the Santa Cruz Municipal Code. A written appeal using form C, available at the Parks and Recreation Department is filed with the City Clerk's office located at 809 Center Street. **An appeal fee of \$100.00 is paid when appellant files the appeal.** The City Clerk's office will notify appellant as to the next most convenient council meeting to which the appeal can become a part of the agenda. At such time, the appellant can verbally state the appeal before the City Council. If the City Council reverses the Commission's decision, applicant will be issued a permit within a short period of time. If the city council concurs with the Commission, the permit will be denied and the matter will be closed.

Authority:


Leslie Keedy
City Urban Forester/Arborist

UPDATED



Parks & Recreation Department
323 Church St, Santa Cruz CA 95060
Ph: (831) 420-5270 | Fax: (831) 420-5271

For Office Use Only: Application #TR 22-0201

- ☒ Heritage Tree Alteration/Removal - \$50 fee
(2 or more trees additional \$20/tree)
- ☐ Emergency Tree Alteration/Removal
- ☐ Dead Tree Verification
- ☐ Non-Heritage Street Tree Alteration/Removal
- ☐ Street Tree Planting

TREE PERMIT APPLICATION
(This form is not a permit)

Property Owner Name: City of Santa Cruz (Applicant For the Future Housing) Date: 10/12/2022
Tree Site Address: 119 Lincoln Street Phone: (408) 374-1553
Mailing Address: 433 Marsh Street City: San Luis Obispo State: CA Zip: 93401
Email: jrendler@ftfhousing.com
Authorized Signature: _____ ☐ Property Owner ☒ Applicant

State the reason for your request for tree removal/alteration: Other

Other: Removal Permit request is in conjunction with Dev. Project Planning Application CP22-0128

REQUESTING PERMIT ISSUANCE AT TIME OF BIDDING PERMIT

SPECIES	QTY	REMOVE	PRUNE	DEAD	PLANT	RELOCATE	ADDITIONAL COMMENTS
<u>Chinese Pistache</u>	<u>2</u>	<input checked="" type="checkbox"/>					See Attached Arborist's Reports
<u>Ginkgo</u>	<u>4</u>	<input checked="" type="checkbox"/>					
<u>Magnolia sp</u>	<u>2</u>	<input checked="" type="checkbox"/>					
<u>Liquidambar</u>	<u>1</u>	<input checked="" type="checkbox"/>					
<u>(9 TOTAL TREES)</u>							<u>(1 Ginkgo & 2 LIQUID AMBAR Ginkgo)</u>

This section is only to be completed if you are a property agent or tree service representing the above referenced property:

Agent Name: N/A Phone: _____
(If other than Property Owner or Applicant)
Agent Signature: _____

Qualified Person or Tree Service Performing Work: TBD (if getting bids, leave blank)

Address: _____ Phone: _____

City or State Business License #

In order to process a Tree Permit Application, the City Arborist and/or designed City staff must enter onto your property to inspect the tree(s).
By applying for a Tree Permit, you are consenting to an on-site inspection.

For Office Use only:

Inspected by: Ukechi Position: Forester Date: 10/18/22
Recommendations: Remove trees as planning E.D. approved by staff plan
Received by: CG Entered by: CG Fees Paid: \$ 210 For Construction
Date: 10/14/22 Date: 10/14/22 Received by: CG

(9 Bonds received also for replanting)
on site \$2250.00

(NOTE: no cutting prior to council, funding & measure approvals) (Reso 1. C(3))
memo to Follow

Please use this form to facilitate this process. The effective date of the permit shall be determined by the date the bond and/or Santa Cruz Tree Trust Fund contribution is received.

Name: JIM RENDLER (FOR THE FUTURE) Application number: CP22-0128
Address: PROJECT SITE 119 CARMONA HARBOR Bond Submitted: _____
City: SANTA CRUZ State: CA Zip: 95060 (Date)
Telephone: 408 374 1553
Mailing Address: (If different from above)
Address: 433 MARSH ST.
City: SAN JUAN BOSCO State: CA Zip: 95010

Please check one (1) of the following two options:

☒ I have enclosed a check made payable to: City of Santa Cruz, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ 2250 as a refundable bond. This amount includes \$250.00/per tree removed. I understand it is my responsibility to notify the City Urban Forester at (831)420-5246 to make arrangements for inspection ninety (90) days after planting.

☐ I have enclosed a check for a monetary contribution to replant trees off-site by contributing to the Santa Cruz Tree Trust Fund made payable to : City of Santa Cruz Tree Trust Fund, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ _____. This amount includes \$150.00 for each 24" box tree or \$50.00 for each of three - 15 Gallon trees for each tree removed.

JIM RENDLER (FFTH)
(Please Print Full Name)

(Agent-Please Print Full Name)

(Signature of Applicant)

(Signature of Agent)

OFFICE USE ONLY:

Check #: credit card Date Received: 10/14/22
By: CG

Please use this form to facilitate this process. The effective date of the permit shall be determined by the date the bond and/or Santa Cruz Tree Trust Fund contribution is received.

Name: JIM RENDLER (FOR THE FUTURE) Application number: CP22-0128
Address: PROJECT SITE 119 CARMONA HARBOR Bond Submitted: _____
City: SANTA CRUZ State: CA Zip: 95060 (Date)
Telephone: 408 374 1553
Mailing Address: (If different from above)
Address: 433 MARSH ST.
City: SAN JUAN BOSCO State: CA Zip: 95010

Please check one (1) of the following two options:

☒ I have enclosed a check made payable to: City of Santa Cruz, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ 2250 as a refundable bond. This amount includes \$250.00/per tree removed. I understand it is my responsibility to notify the City Urban Forester at (831)420-5246 to make arrangements for inspection ninety (90) days after planting.

☐ I have enclosed a check for a monetary contribution to replant trees off-site by contributing to the Santa Cruz Tree Trust Fund made payable to: City of Santa Cruz Tree Trust Fund, 323 Church Street, Santa Cruz, CA 95060 in the amount of \$ _____. This amount includes \$150.00 for each 24" box tree or \$50.00 for each of three - 15 Gallon trees for each tree removed.

JIM RENDLER (FFTH)
(Please Print Full Name)

(Agent-Please Print Full Name)

Jim Rendler
(Signature of Applicant)

(Signature of Agent)

OFFICE USE ONLY:

Check #: credit card Date Received: 10/14/22
By: CG

Reinstated by Resolution No.
NS-29,092

RESOLUTION NO. NS-23,710

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
RESCINDING RESOLUTION NO. NS-21,433 REGARDING THE ADOPTION
OF CRITERIA AND STANDARDS FOR THE ALTERATION OR REMOVAL
OF HERITAGE TREES AND SHRUBS

WHEREAS, Chapter 9.56 of the Santa Cruz Municipal Code titled "Preservation of Heritage Trees and Heritage Shrubs" authorizes the alteration or removal of any heritage tree or heritage shrub only under circumstances to be set forth by City of Santa Cruz City Council resolution; and

WHEREAS, it is the intention of the City Council of the City of Santa Cruz that this resolution, and the criteria and standards hereby adopted, shall be used to determine the only circumstances under which any heritage tree or heritage shrub may be altered or removed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby adopts the criteria and standards set forth in Exhibit A attached hereto and by this reference incorporated herein for the determination of the circumstances under which any heritage tree or heritage shrub may be altered or removed, and that Resolution No. NS-21,433 is hereby rescinded.

PASSED AND ADOPTED this 14th day of April, 1998, by the following vote:

AYES: Councilmembers: Beiers, Rotkin, Hernandez, Mathews, Kennedy;
Mayor Scott.

NOES: Councilmembers: None.

ABSENT: Councilmembers: Campbell.

DISQUALIFIED: Councilmembers: None.

APPROVED: _____

Calvin Scott

Mayor

ATTEST: _____

Kimberly Freden
City Clerk

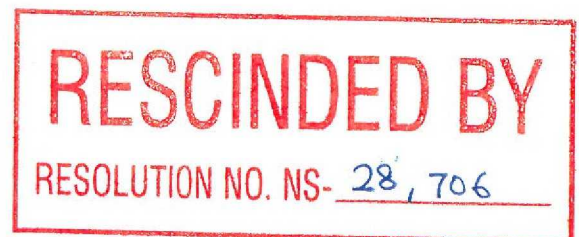


EXHIBIT A

CRITERIA AND STANDARDS

1. A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances:

(a) Alteration of a heritage tree or heritage shrub would only affect less than twenty-five percent (25 %) of the crown of said heritage tree or heritage shrub;

(b) Findings by the Director of Parks & Recreation can be established in conformity with the City's Urban Forest and Wildland Interface Policy Statement; or

(c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation:

(1) The heritage tree or heritage tree shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;

(2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or

(3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

2. For every heritage tree or heritage shrub altered, damaged or removed, mitigation shall occur in accordance with the City Council resolution establishing mitigation requirements for alterations, damage and removals of heritage trees and shrubs.

3. During the pendency of any appeal arising out of the approval or disapproval of a heritage tree removal/alteration permit application processed pursuant to S.C.M.C. 9.56, the tree, grove of trees or shrub which is the subject of that appeal shall be maintained in the same condition as on the permit application date and shall not be pruned or altered in any fashion whatsoever whether or not the pruning or alteration would otherwise require a permit.

RESOLUTION NO. NS-30,072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
ESTABLISHING MITIGATION MEASURE REQUIREMENTS FOR THE REMOVAL OF A
HERITAGE TREE OR HERITAGE SHRUB PURSUANT TO CHAPTER 9.56 OF THE
MUNICIPAL CODE AND RESCINDING RESOLUTION NO. NS-28,707

WHEREAS, Section 9.56.100 of the Santa Cruz Municipal Code requires certain mitigation requirements for approved and unapproved removals of heritage trees or heritage shrubs, pursuant to a mitigation requirement chart to be adopted by City of Santa Cruz City Council resolution; and

WHEREAS, on October 22, 2013, the City Council adopted Resolution No. NS-28,707, whereby the City Council established certain mitigation measure requirements from any person who removes a heritage tree or heritage shrub; and

WHEREAS, it is the intent of the City Council of the City of Santa Cruz to by this resolution rescind Resolution No. NS-28,707 and update the mitigation measure requirements, and that this resolution, and the mitigation requirements hereby adopted, shall be used to determine the mitigation measures required from any person who alters or removes a heritage tree or heritage shrub with the conditional approval of the City, or who alters, damages, or removes a heritage tree or heritage shrub without the approval of the City; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby rescinds Resolution No. NS-28,707 and adopts the mitigation requirements set forth in Exhibit A attached hereto, respectively and by this reference incorporated herein, for the determination of the mitigation measures required pursuant to Section 9.56.100 of the Santa Cruz Municipal Code.


PASSED AND ADOPTED this 15th day of November, 2022 by the following vote:


AYES: Councilmembers Kalantari-Johnson, Golder, Meyers; Vice Mayor Watkins; Mayor Brunner.

NOES: Councilmembers Cummings, Brown.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: 
Sonja Brunner, Mayor

ATTEST: 
Bonnie Bush, City Clerk Administrator

RESOLUTION NO. NS-30,072
EXHIBIT A
APPROVED AND UNAPPROVED HERITAGE TREE(S)/SHRUB(S) REMOVAL
MITIGATION REQUIREMENTS

The Director of Parks and Recreation shall make a determination pursuant to Section 9.56.100 regarding replacement mitigation for any removal of heritage trees/shrubs based on the chart below. On-site replanting is the primary intent for mitigation. Unapproved removal of a heritage tree is also subject to penalties per 9.56.110.

	MITIGATION REQUIREMENT
Removal of a Heritage Tree or Heritage Shrub as defined in Section 9.56.010 of the City of Santa Cruz Municipal Code.	<p>A) Replant three (3) #15 container-size trees or one (1) twenty-four inch (24”) box size tree on the same property as the removed tree.</p> <p>B) In circumstances where replacement of the removed heritage tree is not feasible due to conflicts with existing or planned public or private infrastructure or other trees or shrubs, the Director of Parks and Recreation or his/her designee may in his or her sole discretion, authorize the payment of an in-lieu fee in the amount of \$1,705* per removed tree.</p> <p>C) If the property owner meets the criteria described in subdivision (a) or (b) of Government Code Section 68632 and has complied with the permit requirements of Section 9.56.060, the city shall waive the in lieu fee.</p> <p>D) For any removal of heritage trees that falls under the purview of the City of Santa Cruz’s Local Coastal Program (“LCP”), property owners shall be subject to any requirements under the LCP, including but not limited to, a two-for-one planting and maintenance program when tree removal is necessary for new development.</p>

* The in-lieu fee may be upwardly increased to the next whole dollar on January 1 of each year in accordance with the San Francisco/Oakland Bay Area (All Items) Consumer Price Index for all urban consumers provided by the U.S. Bureau of Labor Statistics.



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Tree Permit Appeal for TR22-0201 (119 Lincoln St.)

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COVID-19 ANNOUNCEMENT: This meeting will be held via teleconference ONLY.

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Online at <https://www.facebook.com/CityofSantaCruzParksandRecreation>

PUBLIC COMMENT and ORAL COMMUNICATIONS:

If you wish to comment, please see information below.

- Call at the start of the item.
- Call (669) 900-9128 and enter the meeting ID number when prompted: **931 4340 9514**
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\$10 per day

- Add time to existing purchase
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Located on your receipt is your six digit add time number.

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Price:
\$1.25 per hour
or
\$10 per day

How to use this Pay Station:
Press any key to start screen and follow the prompts.
For service call 420-5552.
• Payment services

- Payment services

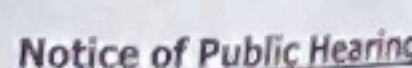
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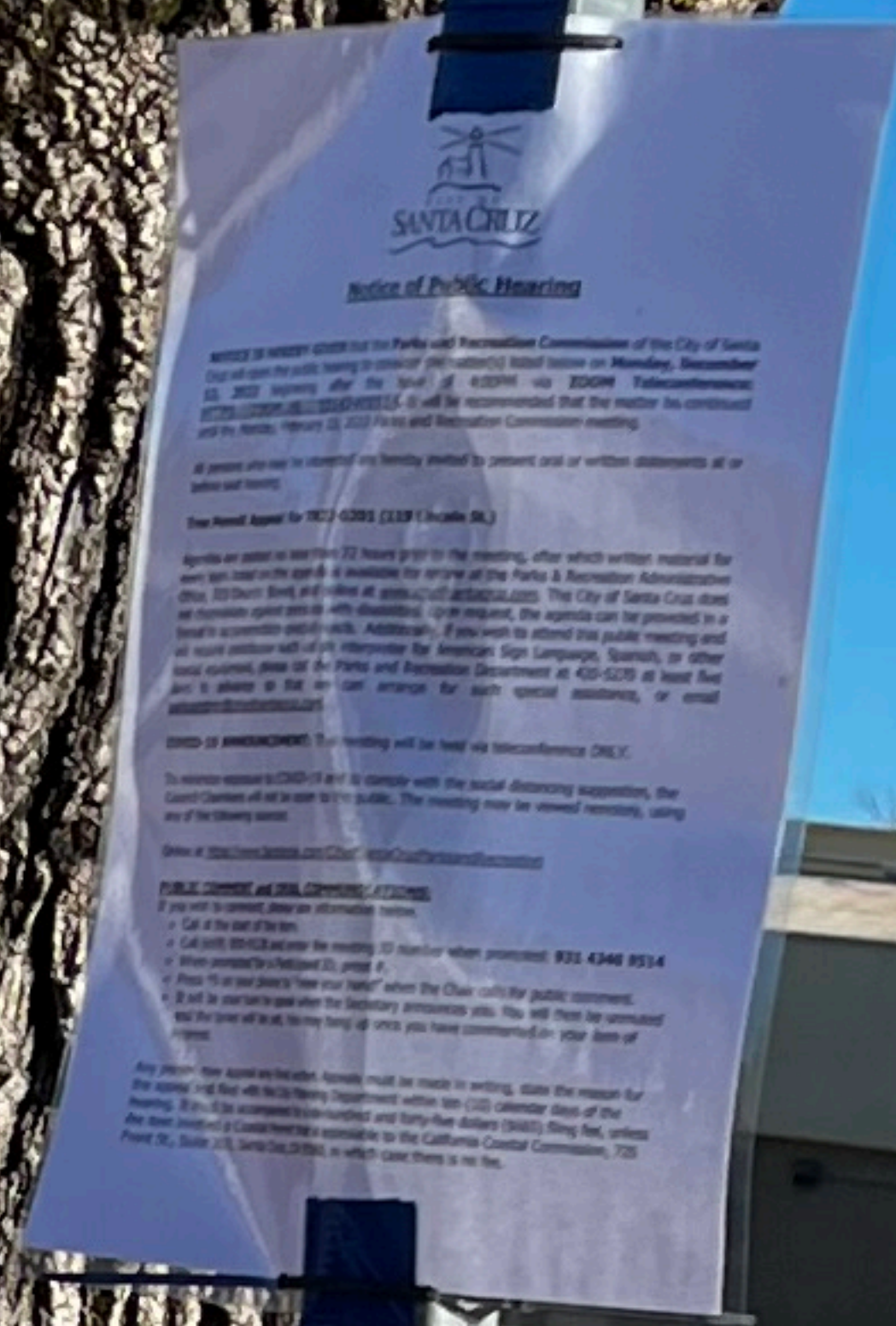
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person may appeal any final action. Appeals must be made in writing, state the reason for appeal and filed with the City Planning Department within ten (10) calendar days of the issuance of the final action. The fee for filing an appeal is \$100.00. If the appeal is successful, the fee must be accompanied by a six-hundred and forty-five dollars (\$645) filing fee, unless the appeal is for a Coastal Permit that is accessible to the California Coastal Commission, 725





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[illegible]


November 1st

FARMERS' MARKET

COMMUNITY

Est. 1990

www.santacruzfarmersmarket.org


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PUBLIC COMMENT AND ORAL COMMUNICATIONS:

If you wish to comment, please see information below:

- Call at the start of the item.
- Call (408) 527-1219 and enter the meeting ID number when prompted: 921 4340 9514
- Press 99 on your phone to "raise your hand" when the Chair calls for public comment.
- It will be your turn to speak when the Secretary announces you. You will then be unmuted and the timer will be set. You may hang up once you have commented or your item of interest.

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TEMPORARY NO PARKING
CITY OF SANTA CRUZ
STREETS DEPT

TEMPORARY NO PARKING
CITY OF SANTA CRUZ
STREETS DEPT

Appeal to the commission on 12/12/22

Susan Cavalieri <susanwcavalieri@gmail.com>

Thu 01/12/2022 13:19

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

To Parks and Recreation Commission members,

I am writing to the Commission, in advance of the appeal on 12/12/22, to save the heritage trees on Lot 4. Large trees are essential for the health of our urban environment. According to a study from Laval University in Quebec, Canada, large trees have more wood biomass, storing more carbon than smaller trees. In addition these trees have large canopies which purify the air, provide shade and cool the surrounding area to protect our urban environment, and our health, as the climate heats. (<https://citymonitor.ai/environment/green-space/large-tree-cities>)

To protect our heritage trees, the lot 4 multi-use project needs to be redesigned to accommodate these trees. This is required by city law. Saving the heritage trees will also provide those living in lot 4 affordable housing with an improved quality of life which large green trees provide. This is, therefore, a climate justice issue.

I hope the commission accepts the permit appeal, complying with city law, to save our heritage trees and make Santa Cruz a more livable, equitable, and beautiful city.

Our climate is in peril and we have little hope for a livable future if we do not protect our heritage trees.

Thank you,
Susan Cavalieri

December 12, 4-6pm: Tree Appeal - Save Heritage Trees in Santa Cruz Farmers Market Lot 4

Karen Kaplan <kaplanks@hotmail.com>

Mon 05/12/2022 01:16

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>; City Council
<citycouncil@cityofsantacruz.com>

Dear Santa Cruz Parks & Recreation Commissioners:

RE: December 12, 4-6pm

Parks and Recreation Commission Hearing and Appeal to Stop Cutting Trees in Lot 4, the Farmers Market Lot.

Santa Cruz City Council Chambers & on Zoom

809 Center Street, Santa Cruz, CA 95060

[Parks & Rec Commission Meeting via Zoom](#)

Please accept the appeal and save heritage trees in the Farmers Market Lot 4, in Downtown, Santa Cruz.

Although many Santa Cruz city citizens voted for a new library and parking structure, most did not realize that precious and cherished heritage trees would be chopped down and lost forever, when they voted!

Trees could be saved, if buildings were designed around them.

- Trees are beautiful and provide great value to our community.
- Heritage trees are unique and are a tourist attraction.
- Most people feel good when they can see and touch ancient trees and connect with nature.
- There are not very many trees in downtown, Santa Cruz.
- There are many climate benefits from trees; they absorb CO₂ and filter pollution.
- Trees provide shade and habitat for birds and small animals, such as squirrels.
- The Santa Cruz City Climate Action Plan calls for more trees; not less.
- Trees will continue to provide benefits, as long as they remain alive.
- There is no reason to cut the trees now, rather than later.
- Cutting these trees would violate the heritage tree ordinance.
- The proposed library and parking structure building is not permitted yet, so trees should not be cut, in advance.
- No tree should be removed until all final plans are approved, financing is complete, and the project is "shovel ready" which may take more than a year.
- Heritage trees need to be preserved. They deserve to keep on living!

Thank you for your immediate and urgent consideration.

Sincerely,

Karen Kaplan

Resident of Santa Cruz County Since 1974

Don't cut down any trees!

Gail Jack <gailsharon4.5@gmail.com>

Mon 05/12/2022 09:47

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

I am a Santa Cruz City resident and adamantly opposed to cutting down any trees in the city, especially heritage trees. Wouldn't cutting these trees be a violation of the heritage tree ordinance? Our city's Climate Action Plan calls for more trees NOT less. We do not even know yet whether the proposed building will be permitted, as I am also against moving the downtown library to the Farmer's Market site.

Keep these important and beautiful trees for the community's sake!

Thank you,
Gail Jack

Farmers Mkt heritage trees

fred geiger <fredjgeiger@yahoo.com>

Sun 04/12/2022 22:42

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

I am requesting that these trees not be removed.

There is no pressing need for the purposes of the library garage project as it is not commencing for some time (if ever).

Furthermore, The City's climate action plan and heritage tree ordinance would also unnecessarily be violated if these trees are Removed..

If / when construction is done on this site the plans should be modified to preserve these trees

Fred J. Geiger

Santa Cruz Ca

Heritage trees

Lisa Lachlan-Hache <lisalachlan@gmail.com>

Mon 05/12/2022 08:29

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Commissioners,

I am writing today to request that you reconsider cutting down the heritage trees in the Farmers Market parking lot. Trees are so important to the look and feel of any space, but this place in particular - our downtown - is so in need of the value and beauty that heritage trees provide. The benefits are myriad- the shade they provide, the sense of history, the fresh air, the changing beauty of the seasons, the reminder of our connection to nature to name but a few. The Santa Cruz City Climate Action Plan calls for more trees for these very reasons. The Heritage Tree ordinance was passed for circumstances like this.

Please follow these plans and consider ways to protect these trees and mitigate their loss. These trees are important to our community now and will be important to future generations as well. Please go the extra mile to make sure these trees are not removed.

Sincerely,

Lisa Lachlan

Seabright Avenue, Santa Cruz

Heritage Trees on City Lot 4

julie mascarenhas <julie.thayer.mascarenhas@gmail.com>

Tue 06/12/2022 09:58

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

Dear Commission,

I am appalled that the City of Santa Cruz would consider allowing the Heritage Trees on Lot 4 to be cut. We are in the middle of climate change! It would be extremely short-sighted as a responsible decision-making body to keep allowing tree cutting, particularly trees of this age, stature, and carbon-sequestering capacity.

Additionally, trees are what keep our city beautiful and liveable. Have you seen the fall colors on the two towering heritage maples on Lot 4? Irreplaceable.

The proposed construction project for Lot 4 is opposed by almost half of city residents. Unfortunately not enough to stop the project, but at the very least these construction plans should be altered to retain the heritage trees. The construction does not need to encroach all the way to the sidewalk! Liveability in our city is key, and monstrous buildings at the expense of our Heritage Trees are really unacceptable.

It does not appear that there was any effort by the developers to retain the trees. The city code should be enforced and require construction plans to be altered to retain the trees.

Additionally, since these trees are irreplaceable, no trees should even be considered for removal until all final construction plans are approved, financing is complete, and the project is ready to break ground. The current cut permit (for which an appeal was filed) was egregiously premature.

Sincerely,
Julie Mascarenhas
Santa Cruz
95060

Heritage Trees

leeseve <leeseve@aol.com>

Mon 05/12/2022 11:31

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

Parks and Recreation Commission:

I ask your commission to recommend that the trees at the farmers' market site be saved.

Please remember the city's Heritage Tree Resolution and the value of trees for the community – for example, providing shade in hot weather, or sinking carbon and producing oxygen in a world beset by the climate crisis.

I ask also that you include the following specific recommendation:

No trees be taken out until all final plans are approved, financing is complete, and the project is "shovel ready."

Thank you for your consideration.

Elissa Wagner

Aptos 95003

JUNE MAGNALDI

PO Box 1766

SANTA CRUZ, CA 95061

4 NOVEMBER 2022

TEL 831/426-5282

LESLIE KEEDY, ARBORIST

CITY of SANTA CRUZ PARKS & REC

323 CHURCH ST. SANTA CRUZ, CA 95060

SAVE THE HERITAGE TREES

ON 414 CALIFORNIA STREET, SANTA CRUZ

DEAR Ms. KEEDY,

WE MUST SAVE THESE FOUR TALL GRACIOUS HERITAGE TREES WHICH THE CITY HAS APPROVED CUTTING DOWN EFFECTIVE 10 NOVEMBER (5 p.m.). THESE TREES GIVE US BEAUTY, CLEAN AIR, A HABITAT FOR BIRDS & INSECTS. CITIES WORLDWIDE ARE PRESERVING TREES & CREATING URBAN FORESTS, AND WE ARE CUTTING DOWN OUR HERITAGE TREES.

LET'S SAVE WHAT WE HAVE AND EDUCATE PRESERVATION RATHER THAN WIPE OUT — IN ONE FELL SWOOP, FROM HERITAGE TREES ~~RATHER~~ TO WOOD CHIPS!

WE MUST SAVE THESE TREES, PROTECTING OUR PAST, PRESENT & FUTURE.

Sincerely

P.S. THE CITY'S "PUBLIC" NOTICE SIGN

June Magaldi (SANTA CRUZ RESIDENT for 30 YEARS)
CONCERNING THESE TREES IS EXCEEDINGLY INCONSPICUOUS, PLACED VERY LOW, WITH THE MAIN TEXT ABOUT TWO FEET FROM THE GROUND. IS THIS A VALID NOTIFICATION?

cc: • TONY ELLIOT, DIRECTOR, PARKS & REC.

• SONJA BRUNNIER, MAYOR,

AND CITY COUNCIL MEMBERS.

FW: Leave The Trees on Lot 4 Alone

Leslie Keedy <lkeedy@cityofsantacruz.com>

Mon 05/12/2022 09:32

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

[Please add to public comment](#)

From: gdavidson@cruzio.com <gdavidson@cruzio.com>

Sent: Thursday, December 01, 2022 8:35 PM

To: Leslie Keedy <lkeedy@cityofsantacruz.com>

Subject: Leave The Trees on Lot 4 Alone
Leslie-

I want to voice my strong opposition to the permits authorizing eradication of the heritage trees surrounding the Farmers Market.

It is my understanding that the city does not yet have the funds to begin their misbegotten garage/library/housing project, and may not for years to come.

Do not allow the trees to be touched until final plans for the project have been approved! Our citizens have the right to enjoy the trees until such time as the project has funding and permits! And on THAT note, they should incorporate the trees as has been suggested.

G. Davidson
Santa Cruz resident

Lot 4 heritage trees

Bob Morgan <robertmorgan@baymoon.com>

Fri 02/12/2022 09:33

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

Dear Commissioners,

This letter confirms my support of the City's Heritage Tree Ordinance and directly involves the 9 heritage trees on lot 4.

Citing the ordinance: 1. "A heritage tree shall only be removed in the following circumstances: A construction project design cannot be altered to accommodate existing heritage trees or shrubs". The ordinance is being disregarded in respect to the notice of removal the city posted in late October on Lot 4. I ask that the city abide by ordinance and design any buildings on Lot 4 to accommodate the heritage trees.

Some of the heritage trees on the site, including the five magnolias and two liqedambar trees, were planted over 60 years ago. They are a community landmark and an iconic, important addition to our downtown urban tree-scape. In addition, these trees have provided shade and solace to the residents and visitors at the Farmers Market for over twenty years.

These mature trees are a critical counterbalance to the heat-island effect produced by the built environment in Santa Cruz Downtown.

They provide necessary shade and give residents and visitors enormous visual pleasure--in the spring when new green growth begins; in summer when these broad leaf trees are full and the magnolia have beautiful white blooms; in the fall when the liqedambar glow in orange and red.

They play an important role in providing habitat for all kinds of local birds and fauna.

I ask you not to allow a continuance of this tree removal posted by the city.

We need to preserve these mature heritage trees in our downtown and, hopefully, nurture and care for them to become even more healthy.

Thank you for your work to help preserve and promote our natural environment.

With best regards,

Bob Morgan

Resident 27 years in Santa Cruz

831-454-6290

Lot 4

bossost@cruzio.com <bossost@cruzio.com>

Mon 05/12/2022 12:21

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

Dear Commissioners: We support the upcoming project slated for Lot 4. We are especially supportive of the affordable housing that will be built there. So, while we value trees, we trust the planners of this project regarding preparation for construction, including tree removal. Best regards, Gigo deSilvas and Robert deFreitas, 45-year residents of downtown Santa Cruz

Parks

Judi Grunstra <judiriva@hotmail.com>

Wed 30/11/2022 14:50

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

To the Parks and Rec Commissioners:

We residents look to you to protect and advocate for our city's resources and open space. This includes city trees, and especially our remaining heritage trees. These seem to be getting cut down with greater frequency, and this really must stop! The Heritage Tree Ordinance seems to be ignored over and over again.

One especially upsetting example is the looming prospect of loss of all the trees on Lot 4. The Economic Development Director and Master Architect were well aware that the ordinance requires the design of new buildings to accommodate existing heritage trees. This was not done by Jayson Architects. Instead we hear that the new project will include saplings on a roof deck, or similar placement. There is no way that young trees can replace the environmental benefits of mature trees! Even if the arborist's report identified some issues with the magnolias and other trees, they are by no means at the end of their lives, and probably could benefit from watering and other care they have not received in the asphalt parking lot. Yet they bless us all with their presence, whether shopping at the farmer's market or just walking past them.

The mixed use project has not secured funding and it could be years before it does. Until all funding for all aspects of that project are secured, the trees should not be removed or otherwise threatened by excavations on Lot 4. Please make that clear to other city departments and the City Council.

Thank you.

Judi Grunstra

Please Accept the Appeal of Heritage Tree Removal on Lot 4

Knitsnpaints <knitsnpaints@gmail.com>

Mon 05/12/2022 09:12

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Santa Cruz Parks & Recreation Commissioners:

RE: 12/22 meeting.

Parks and Recreation Commission Hearing and Appeal to Stop Cutting Trees in Lot 4, the Farmers Market Lot.

Please accept the appeal and save the heritage trees in the Farmers Market Lot 4, in Downtown, Santa Cruz.

At this time there is no reason to rush cutting down these beautiful trees. The proposed library/garage plan is still in the planning stage. It may or may not happen for several years or at all.

Why denude the landscape and create an eyesore for no apparent reason? These trees are continually sequestering carbon for our benefit as long as they stand. Please be good stewards of our community. That's your appointed job.

Susan Martinez

Santa Cruz Resident since 1971

95060

Please do not let the developers and city council murder those beautiful Heritage trees

Susan Worth <susanworthone@gmail.com>

Mon 05/12/2022 16:12

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Please save the trees on lot 4 - deny tree cutting permit

Erica Stanojevic <ericast@gmail.com>

Sun 04/12/2022 12:29

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

Hello,

Please save the trees on lot 4. Those are beautiful beings, old and with many ties to our community. I have a young son and during the farmer's market he is able to play in the trees with friends while I am shopping; it has been joyous for him. The trees of course shelter us and clean our air; and provide much needed beauty to our paved downtown.

Please deny the permit to cut down the beautiful trees on lot four.

Blessings,

Erica Stanojevic

Preserve the heritage trees near the current Farmer's Market - for the birds, insects, shade, beauty.

Vivienne <aviva2@baymoon.com>

Sun 04/12/2022 22:05

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Preserve the heritage trees near the current Farmer's Market - for the birds, insects, shade, beauty.

Vivienne Orgel, MSW

www.rustandindigo.com

aviva2@baymoon.com

RE: Downtown Lot 4 Tree Appeal

Jim Montoya <jmtech@sonic.net>

Mon 05/12/2022 19:39

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Tremain Hedden-Jones,

As a supporter of green spaces in our downtown, I am very much against the removal of the trees on Lot 4. There is no compelling reason to approve removal of these trees at this time.

Thank you,

Jim Montoya
Santa Cruz Downtown Resident

Save Downtown Trees

Mavel Armijo <maarmijo2@gmail.com>

Mon 05/12/2022 12:05

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Hello,

Please consider/reconsider the invaluable need for trees in the downtown area. Just a few, of many, points are:

- The Santa Cruz city Climate Action Plan calls for more trees not less.
- * Trees will continue to provide benefits as long as they remain alive.
- * There is no compelling reason to cut the trees now rather than later.
- These are heritage trees and need to be saved.

We will be watching for your "right, moral action". Thank you.

M. Armijo

Save the heritage trees.

Unhae Langis <ulangis@gmail.com>

Mon 05/12/2022 08:37

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Tremain Hedden-Jones:

Every heritage tree (which often took hundred plus years to grow) does so much for carbon capture. Here's a rough estimate, based on nine, 100+ year old trees of less than 7' 3/4" circumference:

Produces 5 tons of
Oxygen.

Allows 5600 people to
breath for an entire day.

Stores 2 tons of carbon.

Equal to 12 miles
travelled in a commercial
plane.

106990 gallons of water
evaporation.

Which in turn has the
cooling effect of 5 air
conditioners working for
750 days!

Do not externalize its carbon-removal asset during this time of carbon crisis. Trees are the sustainers of earth while gas-propelled cars and cement parking lots replacing them are the destroyers of sustainability.

The death of every tree is another shovel digging humanity's grave. A wanton waste. A sacrilege. A preposterous action, meaning, literally, led by the ass rather than the head: moving backwards, propelled by ego-logic rather than eco-logic!

No tree should be taken out until all final plans are approved, financing is complete, and the project is "shovel ready," which may take a year or more.

Sincerely,
Unhae Langis

Save the Heritage trees

Constance Kreemer <ckreemer@gmail.com>

Mon 05/12/2022 11:29

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Hello,

Please accept the appeal to save the Heritage trees downtown and keep the parking lot as is. There are hardly any trees downtown. We are paving paradise for "progress," and it will be regrettable. We need more trees and green space - it will beautify downtown rather than make another eye sore.

Please do the right thing - save the trees and accept the appeal.

Sincerely,

Constance Kreemer

TREE APPEAL

Ara Johnson <arajhnsn@gmail.com>

Mon 05/12/2022 13:00

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

I am very frustrated that these heritage trees are scheduled to be removed, before permits are even in place to build. These trees bring value to our community; there aren't many heritage trees left in the downtown area! Please save our trees!!

~Ara Johnson

Sincerely,
Kevin Bell

https://outlook.office365.com/mail/prcommission@cityofsantacruz.com/inbox/fd1AAQkADUwMWViZDU2LTk3NjctNDVhOS05NDgyLWEyZml5NjA5... 1/1

Tree Appeal (Lot 4)

David Bornstein <daveborn@gmail.com>

Mon 05/12/2022 06:37

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Tremain,

As you know, the Santa Cruz City arborist has recommended preserving 4 of the 9 heritage trees on Lot 4.

I think the City should abide by its own heritage tree ordinance and preserve at least these 4 trees. Preserving heritage trees provides many benefits to the community. Some of these are shade, habitat for birds, and beauty.

The design plan for the upcoming library complex can accommodate the preservation of the heritage trees.

Thank you for your efforts.

David Bornstein
221 Hubbard Street
Santa Cruz, CA 95060

Leslie Keedy

From: gdavidson@cruzio.com
Sent: Thursday, December 01, 2022 8:35 PM
To: Leslie Keedy
Subject: Leave The Trees on Lot 4 Alone

Leslie-

I want to voice my strong opposition to the permits authorizing eradication of the heritage trees surrounding the Farmers Market.

It is my understanding that the city does not yet have the funds to begin their misbegotten garage/library/housing project, and may not for years to come.

Do not allow the trees to be touched until final plans for the project have been approved! Our citizens have the right to enjoy the trees until such time as the project has funding and permits! And on THAT note, they should incorporate the trees as has been suggested.

G. Davidson
Santa Cruz resident



**SANTA CRUZ COUNTY GROUP
of the Ventana Chapter**

P.O. Box 604, Santa Cruz, CA 95061

EMAIL: sierraclubscruz@gmail.com

WEB: www.sierraclub.org/ventana/santa-cruz

City of Santa Cruz
Parks and Recreation Commission
809 Center Street
Santa Cruz, CA 95060

December 5, 2022

Meeting Date: December 12, 2022

Agenda Item: Appeal of Heritage Tree Permit TR22-0201

Dear Commissioners,

The Sierra Club encourages your Commission to deny this permit application. The required findings cannot be made to support this application for the removal of Heritage Trees on this parcel. Namely, with a complex development project such as seen here (Dev. Project Planning Application CP-22-0128), the finding that “(a) construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs”¹ cannot be made, as that finding is not made until the final discretionary permit hearing before the Santa Cruz City Council. In addition, the Sierra Club makes official notice of the refusal of City staff to allow independent appeal under City of Santa Cruz Code 9.56.070(a)(1).

Required Findings

The Criteria and Standards require one of more of the findings to be made for removal of a heritage tree or heritage shrub:

- (1) The heritage tree or heritage shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way; or
- (2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or
- (3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

The Sierra Club asserts that any determination that this project design cannot be altered to accommodate existing trees is premature, and thus cannot be made. The discretionary development permit for the large project proposed for this location has not had its development permit hearings yet, at which point numerous determinations will be made by the decisional body for the project permit – the Santa Cruz City Council.

¹ Heritage Tree Ordinance Criteria and Standards; City of Santa Cruz Resolution No. NS-23,710

It will not be until that body has reviewed all aspects of the plans and impacts that it will have been decided that the “construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.” Although City staff can make recommendations to the City Council regarding the project design, no decision about possible alteration will have been made until the City Council has voted to approve the overall project (and the appeal period for that decision has run).

The addition to this Heritage Tree removal permit of a condition that no trees will be cut until that final project approval, and the issuance of subsequent building permits, does not cure the circumstance – the City Code requires that the finding be made to have issued this permit, and it cannot be made. The Parks and Recreation Commission cannot make or sustain such a finding at this appeal, as the reviewing body (the City Council) for the overall development project is the body with the authority to make this decision, and it has not yet made that decision.

Trees/Design

Although the Sierra Club believes that this appeal is not a proper forum for argument about the design and specific trees, as discussed above, it must be noted that the arborist’s report² had “judged five trees (nos. 4, 7, 9, 10 & 11) as worthy of preservation.” Of these, trees 4, 10, and 11 are streetside and appear not to interfere with any buildings, even as currently designed. A later arborist’s report states that “(a)ll twelve trees on site must be removed to accommodate construction.”³ This statement cannot be made affirmatively, as the project must undergo a discretionary development permit hearing where all such determinations will be made.

Potential Adverse Implication

With the Parks and Recreation Commission hearing this appeal,⁴ should this Commission uphold the permit it may be later argued by the Applicant and/or the City that a final determination on this issue (of design alteration to preserve trees) has already been made, thus precluding it from further deliberation. Yet the Parks and Recreation Commission is not tasked with the overall project design review. Should this Commission uphold this permit, it may interfere with later productive discussion on this issue.

Standing

The Sierra Club makes official notice that it attempted to follow the Appeal Procedure posted on the Tentative Permit, sending a designated representative to retrieve a “Form C” from the Parks and Recreation Department. The City refused to provide that form, saying that the Sierra Club could only be added onto the existing appeal. This occurred prior to the end date of the period for appeal. There is no basis in the City Code for this refusal by City staff to accommodate independent appeal. The Sierra Club did add itself to the list of Appellants for that

² Dryad, LLC report entitled Tree inventory and evaluations, dated January 18, 2022

³ Dryad, LLC report entitled Consulting Arborist services for development – addendum report, dated September 9, 2022

⁴ City of Santa Cruz Ordinance 2013-18, 9.56.070 Right Of Appeal

singular appeal (as that was all it was allowed to do), but is not bound by any assertions or statements made in that appeal filing. The Sierra Club also asserts that it maintains standing as an independent appellant in any future proceedings with regard to this matter.

Summary

The Sierra Club urges the Parks and Recreation Commission to deny this permit application.

Sincerely,

Michael A. Guth

A handwritten signature in dark ink, appearing to read "Michael Guth", written in a cursive style.

Executive Committee Chair

Santa Cruz Group of the Ventana Chapter of the Sierra Club

JUNE MAGNALDI

PO Box 1766

SANTA CRUZ, CA 95061

4 NOVEMBER 2022

TEL 831/426-5282

LESLIE KEEDY, ARBORIST

CITY of SANTA CRUZ PARKS & REC

323 CHURCH ST. SANTA CRUZ, CA 95060

SAVE THE HERITAGE TREES

ON 414 CALIFORNIA STREET, SANTA CRUZ

DEAR MS. KEEDY,

WE MUST SAVE THESE FOUR TALL GRACIOUS HERITAGE TREES WHICH THE CITY HAS APPROVED CUTTING DOWN EFFECTIVE 18 NOVEMBER (5 p.m.). THESE TREES GIVE US BEAUTY, CLEAN AIR, A HABITAT FOR BIRDS & INSECTS. CITIES WORLD-WIDE ARE PRESERVING TREES & CREATING URBAN FORESTS, AND WE ARE CUTTING DOWN OUR HERITAGE TREES.

LET'S SAVE WHAT WE HAVE AND EDUCATE PRESERVATION RATHER THAN WIPE OUT — IN ONE FELL SWOOP, FROM HERITAGE TREES ~~RATHER~~ TO WOOD CHIPS!

WE MUST SAVE THESE TREES, PROTECTING OUR PAST, PRESENT & FUTURE.

Sincerely

P.S. THE CITY'S "PUBLIC" NOTICE SIGN *June Magnaldi* (SANTA CRUZ RESIDENT for 30 YEARS) CONCERNING THESE TREES IS EXCEEDINGLY INCONSPICUOUS, PLACED VERY LOW, WITH THE MAIN TEXT ABOUT TWO FEET FROM THE GROUND. IS THIS A VALID NOTIFICATION?

cc: TONY ELLIOT, DIRECTOR, PARKS & REC.

SONJA BRUNNIER, MAYOR,

AND CITY COUNCIL MEMBERS.

From: [Celine Grenier](#)
To: [Tremain Hedden-Jones](#)
Subject: Tree Appeal
Date: Tuesday, December 06, 2022 3:53:45 PM

Dear M. Hedden-Jones,

We would ask that the trees that are to be cut down in the parking lot downtown be spared as long as possible, ideally until they die of natural causes. One reason we go "all the way" to Santa Cruz from Capitola is because of the trees that we don't have many of here. Why make downtown Santa Cruz less attractive -- especially sooner than what may be seen as necessary.

Thanks for you time,

Celine Grenier and Jon Fatula

Tree Appeal

mary eriksen <m42eriksen@gmail.com>

Mon 05/12/2022 11:17

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Dear Tremain

I am writing to ask that the Parks and Rec commissioners please spare the heritage trees in the Farmers Market Lot 4 in downtown! We cannot afford to lose what few precious large trees we have downtown especially in advance of the proposed building even being permitted? And I had thought there was a heritage tree ordinance??? Things may still change so there is no reason to deprive us of those lovely trees until absolutely necessary.

Thank you for understanding and caring for the people who live in santa cruz and the trees themselves!

Mary Eriksen

Tree Appeal

Mary Nelson <mnelsonsc@comcast.net>

Mon 05/12/2022 16:50

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Please preserve the heritage trees on Lot 4. Our Santa Cruz Climate Action Plan calls for more trees, not less. There is no compelling reason to cut the trees now. No trees should be cut until all final plans are approved and financing is complete for the new library.

Thank you for taking care of our trees and our green future.

Mary Nelson
1036 Cayuga St.

Sent from my iPad

From: [Nita nita](#)
To: [Tremain Hedden-Jones](#)
Subject: Tree Appesl
Date: Tuesday, December 06, 2022 1:52:28 PM

Dear commissioner,

I'm writing on behalf of quality of life in downtown Santa Cruz in the life of the heritage trees on lot four. With a little greenery there is in the downtown, and the lack of an actual solid plan I think removal of the trees is premature.

No tree should be taken out until all final plans are approved, financing is complete, and the project is "shovel ready," which may take a year or more.

It is a delight to have greenery and living things surrounding us in the very concreteness of the downtown. I urge you to forestall any removal until it's absolutely necessary if that time ever comes.

Thank you,

Nita Hertel

tree at Farmers Market

Dennis Morton <dmorton@sasq.net>

Sun 04/12/2022 23:16

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Hello,

I just heard that the city is planning to cut down that gorgeous tree

in the lot that houses The Farmers Market.

PLEASE DON'T DO THAT.'

I'm sure I'm just one of many many people who love that tree.

DON'T CUT IT DOWN.

PROTECT IT, PLEASE

Dennis Morton



Virus-free. www.avast.com

From: [Pauline Seales](#)
To: [Tremain Hedden-Jones](#); [Leslie Keedy](#); [Parks and Rec](#); [John Hall](#); [Lynda Marin](#); [Magi Amma](#); [Susan Cavalieri](#)
Subject: Tree Cut Permit Appeal
Date: Tuesday, December 06, 2022 3:45:54 PM

Dear Parks & Rec,

My co-appellants insist that we restate our position about any "continuance" or other potential delay.

We strongly request that the appeal be not just agendized but actually heard on 12/12/22.

To fail to do this would violate the specific regulation 9.56.070 (a) (3).

"The commission shall complete its action within thirty days from the date the matter is first scheduled for public hearing, unless appellant and appellee mutually agree to extend said thirty-day period."

[Here is the link](#) to the regulation.

I previously stated clearly that I did not agree to extend the period.

Thanks for all your work on behalf of the people of the city.

Sincerely Pauline Seales

Tree Cutting on Lot 4 Appeal

reed alper <reedalper@gmail.com>

Mon 05/12/2022 21:07

To: Parks & Recreation Commission <prcommission@cityofsantacruz.com>

I am writing to express my support for the appeal which has been filed of the Heritage tree-cutting permit, posted on the Farmers' Market (Lot 4) trees. I think this permit should be reconsidered. since there is no evidence that preservation of these heritage trees has been included in the design process. This consideration appears to be required by our Municipal Code. These trees are valuable to our community for their beauty and for the oxygen that they provide. Other projects have found ways to avoid cutting down heritage trees. This should be considered seriously prior to cutting down this important resource.

I hope that the Commission will recommend that no trees be taken out until all final plans are approved, financing is complete, and the project is "shovel ready and that the preservation of these trees should be strongly encouraged.

Thank you for your consideration.

Ann Reed Mangels Alpe

Downtown Santa Cruz resident and property owner

Tree removal

Cheryl VanDeVeer <bsktcheryl@gmail.com>

Mon 05/12/2022 08:10

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Please do not remove any trees until the very last minute when construction begins.

Cheryl vanDeVeer

409 avalon St

Santa Cruz 95060

FW: Trees

Leslie Keedy <lkeedy@cityofsantacruz.com>

Mon 05/12/2022 09:29

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

[Please add to public correspondence](#)

From: Ellen Farmer <ellen.farmer@yahoo.com>

Sent: Monday, December 05, 2022 7:09 AM

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Cc: Fred Keeley <frederickkeeley2016@gmail.com>; Leslie Keedy <lkeedy@cityofsantacruz.com>

Subject: Trees

Please do not cut down the trees on Lot 4 until there is no other option.

The proposed building is not even permitted yet. How can the trees be cut in advance?

No tree should be taken out until all final plans are approved, financing is complete, and the project is "shovel ready," which may take a long time.

Killing a tree to satisfy a political position makes the city staff and elected officials look really cruel.

There is no way I can feel good about cutting trees now when it is unnecessary, and I will remember this next time I vote.

Thank you for taking my opinion into consideration.

Warmly,

Ellen

Ellen Farmer

621 Fairmount Ave

Santa Cruz, CA 95062

831-750-9799

Ellen Farmer Collaborative Ventures 831-750-9799 ellen.farmer@yahoo.com

Trees

Randa Solick <rsolick@gmail.com>

Mon 05/12/2022 07:26

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

Please don't cut down those beautiful trees in lot four yet. The project is not even started, it will be months and months if not years before that place needs to be cleared. We need all the trees we can get, as you all know. And maybe something can be done to work around them. In any case, please don't cut them down now.

From: [Susie](#)
To: [Tremain Hedden-Jones](#)
Subject: Trees on Lot 4
Date: Wednesday, December 07, 2022 8:16:39 AM

Good morning,

Please consider leaving these trees intact for as long as possible. They add so much beauty to Cedar Street.

Thank you.

Melinda Ellestad
124 Averitt Street

...

From: [sheila carrillo](#)
To: [Tremain Hedden-Jones](#)
Subject: Trees on lot 4
Date: Tuesday, December 06, 2022 2:46:59 PM

Hello Tremain,

I hope that you will let the trees stay standing as long as is viable. To me, it makes sense that no tree should be taken out until all final plans are approved, financing is complete, and the project is "shovel ready," which may take a year or more. There are many things that can delay or postpone this project and I don't see any reason to remove the trees prematurely.

Thank you for taking community input into account!!

Sheila

From: [Roland Saher](#)
To: [Tremain Hedden-Jones](#)
Subject: trees on lot 4
Date: Wednesday, December 07, 2022 10:46:34 AM

The trees do not need to be taken out at this point at all! All city rules need to be followed to begin with, and then we can wait until any buildings - if there will be any! - are shovel ready.

Respectfully, Roland Saher

trees on lot 4

Roland Saher <rolandsaher@gmail.com>

Mon 05/12/2022 10:56

To: Tremain Hedden-Jones <tjones@cityofsantacruz.com>

I strongly object to the cutting of the trees on lot 4, especially before the future plans for the lot have been settled.

The city needs to follow its own rules regarding the felling of trees!

Roland Saher





From: [Leslie Keedy](#)
To: [Parks & Recreation Commission](#)
Cc: [Tremain Hedden-Jones](#)
Subject: FW: Our Heritage Tree Ordinance Speaks for Lot 4 Trees
Date: Friday, December 09, 2022 10:23:20 AM
Attachments: [Lot 4 Maples.heif](#)
[Lot 4 Magnolias .heif](#)

From: Keresha Durham <the.earth.needs.small.families@gmail.com>
Sent: Friday, December 09, 2022 7:45 AM
To: Leslie Keedy <lkeedy@cityofsantacruz.com>; Parks & Recreation Commission <prcommission@cityofsantacruz.com>
Cc: Sandy Brown <sbrown@cityofsantacruz.com>; Justin Cummings <[jcummings@cityofsantacruz.com](mailto:jcumings@cityofsantacruz.com)>; City Council <citycouncil@cityofsantacruz.com>; Martine Watkins <mwatkins@cityofsantacruz.com>; Donna Meyers <dmeyers@cityofsantacruz.com>; Renee Golder <rgolder@cityofsantacruz.com>; sjohnson-kalihari@cityofsantacruz.com; Sonja Brunner <sbrunner@cityofsantacruz.com>
Subject: Our Heritage Tree Ordinance Speaks for Lot 4 Trees

Esteemed Tree Decision-makers- City Council, Leslie and Tremain,

“It's not about what it is, it's about what it can become.
I am the Lorax. I speak for the trees. I speak for the trees, for the trees have no tongues.”
— Dr. Seuss, [The Lorax](#)

OUR AWESOME TREE ORDINANCE

Please refer to and follow our beautifully-written The Heritage Tree Ordinance (read it below) which calls to protect, design around and preserve our urban trees, which include the Lot 4, three magnificent, 50 and 100 year old Magnolias and two elder 40 foot, towering, colorful, lovely, Liquid Amber trees! **(PHOTOS ATTACHED)** This ordinance advises against destruction since "the removal of mature, heritage trees can take generations to restore."

TREE CANOPY BENEFITS

Santa Cruz City is unique in that **we have fought to preserve our large tree canopy**, which is so **beneficial in this era of human-caused climate crisis**. Large, mature trees sequester the most carbon, clean air pollutants and prevent pavement heat. They provide needed habitat, spiritual renewal and joy! Were you lucky enough to have a large tree friend to climb as a kid? I was!

TREES NEED CAREGIVERS

These trees are not getting the care they deserve. Being surrounded by cement and soaking up oil from this parking lot weakens our beloved trees. If recycled water is used to water trees, this can cause large trees to die from too much salt content. They need fertilizer, amended soil and clean water.

MOVE THE TREES AS A LAST RESORT

If the project designers uncreatively refuse to build around these trees, moving large trees is possible, rather than destroying them.

REPLANT LARGER NATIVE TREES

If you must create a replacement canopy for lost or moved trees, re-plant with large, native-to-this-region trees, not the diminutive, decorative trees on Pacific Avenue. Think of the trees that are planted around city hall and on the former Pacific Garden Mall, they were gorgeous, artful, tall trees providing so much joy!

SANTA CRUZ'S TREE ORDINANCE STATES:

ORDINANCE NO. 2013-18
SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE PRESERVATION
OF HERITAGE TREES

WHEREAS, the City of Santa Cruz has actively encouraged the development of a safe, healthy and attractive environment in which its residents can live and work; and

WHEREAS, in pursuit of these goals the City recognizes the substantial environmental, aesthetic and economic importance of its diverse urban forest consisting of indigenous as well as non-native trees; and

WHEREAS, this invaluable urban forest has been, and continues to be, an asset to the community inasmuch as it contributes to the environmental, aesthetic and economic stability of the community; and

WHEREAS, the citizens of Santa Cruz recognize that the preservation of this invaluable resource is a heritage to the community at large; and

WHEREAS, the citizens of Santa Cruz therefore understand that the preservation of their urban forest existing on both public and private property is important to them and their community in order to:

(a) Protect, conserve and enhance the City's attractiveness and its aesthetic and scenic environment;

(b) Develop and promote an awareness and understanding of the importance of urban forests to the citizens of Santa Cruz;

- (c) Encourage and assure the continuation of quality community development where existing trees are incorporated into any development and accorded proper maintenance and protection as a part of the City's urban forest;
- (d) Act as a buffer against urban traffic noise and wind damage, provide protection from wind erosion, and provide a privacy screen;
- (e) Aid in the reduction of air pollution given the known capacity of trees to ingest carbon dioxide and produce oxygen thereby enhancing air quality;
- (f) Assist in the absorption of rain waters thereby protecting against soil erosion by flooding; and

WHEREAS, the citizens of Santa Cruz recognize the right of individuals to develop, maintain and enjoy private property to the fullest possible extent consistent with the public interest in preserving and maintaining the City's urban forest in general.

PURPOSE

This Chapter is enacted to recognize, protect, optimize and responsibly manage the community urban forest by establishing standards and policy consistent with private rights to develop and use property in a manner not prejudicial to the public interest while maintaining the health and safety of both the urban forest and citizenry.

It is the purpose of this Chapter to promote and protect a thriving urban forest and to facilitate proper management practices that include the City's ability to protect and preserve tree resources through regulating their removal, and

to effectively enforce tree preservation and zoning regulations, and to promote an appreciation and understanding of trees and their intrinsic value.

(a) Among the environmental assets that contribute to the livability and attractiveness of the City of Santa Cruz are its trees, both indigenous and introduced. Growing in urban settings, neighborhoods, business and commercial districts, in parks and in open spaces, as single specimens or in groves, trees contribute significant tangible benefits, both psychological and environmental, for the residents and visitors to our community alike.

ORDINANCE NO. 2013-18

3

(b) Trees contribute beneficially to the urban environment and contribute to our community's and the state's climate action goals.

Tree canopy coverage reduces heat buildup, noise and air pollutants; improves air quality, reduces particulates, and provides oxygen.

Trees also enhance the aesthetic environment and contribute visually to the City by providing scenic views, scale, color, silhouette and mass.

Trees contribute to the protection of other natural resources by providing erosion control, management of storm water and urban runoff, increased infiltration and groundwater recharge, and improved water retention capacity of soils.

Trees provide screens and buffers to separate land uses and are often landmarks or contribute to the significance of the City's history.

Trees contribute to the economy of the City by increasing and sustaining property values, creating employment and training opportunities, and reducing energy costs.

(c) The urban forest requires stewardship from both community members and the City to maximize its benefits, such as tree canopy coverage, shaded areas, and enhanced habitat for wildlife on private and public lands.

(d) The City's trees collectively constitute an urban forest and an ecosystem. Removal and planting of trees can create both negative impact, affecting the urban forest and the City as a whole. The removal of mature trees may in some cases take generations to fully restore.

(e) Appropriate management of non-native invasive species is encouraged by the City of Santa Cruz. Tree replacement requirements are designed to bolster native plant and animal communities and habitats.

Clearly this ordinance would have you care for and save these precious trees in lot 4 and include them in the design of any project.

Sincerely,
K. Durham
Environmental Activist
Resident of Santa Cruz since 1981
Educator since 1987
Proud Tree Hugger, Happy Tree Caregiver

--

Keresha Durham ~ educator, environmentalist
"care-sha"

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For a quality future for all living things, the earth needs small families

Balance population with finite natural resources
Reduce human-caused carbon

From: [Robin](#)
To: [Parks & Recreation Commission](#)
Subject: 4th Generation Santa Cruzan
Date: Friday, December 09, 2022 10:55:15 PM

Thank you for taking my email.
I have grown up with the trees in this town.
I've lived on
Ocean St. Extension
California St.
Washington St.
Soquel Ave.
Seabright Ave.
King St.
Kenneth St.
Sycamore St.
Clares St.
Portola Ave.
Alice St.
and
Westmoor Ct.

In the constantly changing landscape as a child and now, on my street as an adult, few things have remained a constant. I could always count on the beach and the trees to remind me as to where I was.
Please repeal the permit to remove the heritage trees in lot 4.
They are part of the fabric that is Santa Cruz.
They are our history.
I feel confident that the construction design can accommodate such beauties.

Thank you
Robin Burns Lerios
Owner of York Framing Gallery

Sent from my iPhone

From: [Lira Filippini](#)
To: [Parks & Recreation Commission](#)
Subject: Agenda Item 4; 12/12/22; Support the Appeal
Date: Friday, December 09, 2022 3:59:49 PM

Dear Parks and Recreation Commissioners,

I write in support of the appeal and urge you to revoke the tentative tree removal permits on the grounds that it violates the Heritage Tree Ordinance.

As you know, "A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

The applicants contend that the design cannot be modified to accommodate the heritage trees without nullifying the project's operations or uses, as directed by City Council. **There is a glaring omission in this argument.**

The City Council voted to continue the conceptual design for a project to include 100-125 affordable housing units, 310 parking stalls, and a new library at the subject site. **However, the design currently also includes roughly 9,000 square feet of new commercial space.**

The stated main project components are the library, parking, and housing. We have an abundance of empty commercial space downtown and commercial space is not a stated project goal voted on by City Council.

A reduction or deletion of the 9,000 square feet of commercial space and subsequent redesign to accommodate the perimeter heritage trees would honor the Heritage Tree Ordinance and in no way impact the ability for the project's stated goals to be fulfilled. If the design cannot accommodate the perimeter heritage trees, how would the applicant's "replacement trees" be given enough room to be adequate replacements that could someday become "healthy" large heritage trees along the perimeter?

The ordinance makes clear that an attempt be made by construction project applicants to design in a way that preserves heritage trees on a construction site. Currently, the applicants have designed first and then attempted to justify why the trees cannot be preserved due to their design. As stated above, a redesign is absolutely possible that can preserve perimeter trees while still fulfilling the project goals. Additionally, the arborist report does not support the applicant's argument. As noted by the arborist reports, the trees have not been adequately cared for (lack of mulching, too much topsoil, inadequate root space, poor pruning), and can be preserved with proper care.

We can have the full scope of library, housing, and parking in the project, eliminate the commercial and redesign to accommodate some of the trees.

Urban forests are crucial to our long term survival and mature old trees are central to that. The order and manner in which this design has been pursued not only violates our Heritage Tree Ordinance but it does a disservice to our HiAP, our Climate Action Plan, and both our current and future community.

Please uphold the appeal and ask that the applicant redesign to accommodate some of the

heritage trees.

Thank you for your thoughtful consideration,

Lira Filippini

130 Belvedere Terrace

Santa Cruz, CA 95062

From: [Margaret Lamanuzzi](#)
To: [Parks & Recreation Commission](#)
Subject: Appeal of the Heritage Tree Removal Permit
Date: Friday, December 09, 2022 8:41:09 PM

I am writing to voice my support for the Appeal of the Heritage Tree Removal Permit. I feel that the heritage tree ordinance should be honored, and the design for the mixed use library should have to at least attempt to preserve some of the heritage trees in Lot 4.

Sincerely,
Margaret Lamanuzzi

From: [Nettie Calvin](#)
To: [Parks & Recreation Commission](#)
Subject: Appeal of the Heritage Tree Removal Permits
Date: Saturday, December 10, 2022 9:12:10 PM

Dear Santa Cruz Parks and Recreation Commission,

I am writing to voice my support for the appeal of the decision to approve a Heritage Tree Removal Permit for removal of nine Heritage Trees on Lot 4. The grounds for appeal are based on the Heritage Tree Ordinance which states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

Any worthwhile plan can and should accommodate trees as they are irreplaceable. Please do not let these trees be removed for any reason. People who came before us were generous enough to leave them so that we could enjoy them today. If we respect their protection now, they will be available to grace the space and air for future generations.

The trees provide a meditative, peaceful space downtown, where the air is cleaned and we can marvel at the unique formation of each tree and how it has stood so long as to be contorted by its environment. The trees, on public land, provide much craved and beloved green space for those of us who walk downtown, especially people like me who do not have the privilege of having *any* yard space. The trees provide shade and a place to reflect in the bustle of the city. The trees provide visual respite from the concrete and make the city feel like it is a place where citizens care about the quality of life. The trees are a delight, the most precious resource of Santa Cruz's downtown, giving it a "what a nice city" feel.

Please do not let us be the era of citizens who take this away from ourselves and future generations who could marvel at our precious heritage trees. This is what the Heritage Tree Ordinance is meant to protect. Of course we need housing, but housing can be built around trees or elsewhere. Established trees are priceless, truly, in that they cannot be brought back at that age at any cost within our lifetimes. Trees in downtowns are so rare and therefore so classy and exquisite, like works of art, to me far more visually stunning than a famous painting. Please respect the Heritage Tree Ordinance and prevent the removal of these valuable and treasured resources.

Respectfully,
Nettie Calvin

Graduate Student Researcher
jicalvin@ucsc.edu
828.424.0407
215 Raymond St. Apt. F
Santa Cruz, CA 95060

From: [Aharona Shackman](#)
To: [Parks & Recreation Commission](#)
Subject: Appeal of the Heritage Tree Removal Permits
Date: Friday, December 09, 2022 11:43:55 PM

I am writing in support of the appeal of the heritage tree removal permits.
Please save Lot 4's heritage trees! They provide our city and citizens with many benefits, and especially in this time of climate crisis, we need to protect these trees!
Thank you,
Susan Shackman

Sent from my iPhone

From: patricia@coastroad.us
To: [Parks & Recreation Commission](#)
Subject: appeal to save trees on Lot 4
Date: Sunday, December 11, 2022 9:18:06 PM

TO whom it may concern:

Please support the appeal of the heritage tree Removal Permits. Santa Cruz is about to lose 100 or so trees in the rail trail construction that was recently approved and funded. Downtown needs the trees and the citizens deserve to enjoy the beauty of these trees. If the City of Santa Cruz is truly committed to climate action, the trees should stay. Thank you -

Patricia Damron
Santa Cruz

From: [Kristen Sandel](#)
To: [Parks & Recreation Commission](#)
Cc: [Tremain Hedden-Jones](#)
Subject: City Lot 4 Tree Removal Permit--Please Deny Permit
Date: Wednesday, December 07, 2022 8:05:11 PM

City of Santa Cruz Parks & Recreation Commission
809 Center St.
Santa Cruz, CA 95060
prcommission@cityofsantacruz.com

December 7, 2022

Dear Commissioners,

I am writing in support of the appeal filed by multiple appellants, including SCCAN and the Sierra Club, against issuance of a permit allowing removal of the 10 heritage trees on City Lot 4. Please deny the tree-cutting permit for development on Lot 4. The tree removal permit issued by the city is premature, as there is currently no final and approved design or building permit for the mixed-use project, and it appears no effort has been made to preserve or accommodate any of the lot's trees, even those which border the Cedar Street sidewalk and might be kept. Following the city's own Heritage Tree Ordinance, the project design should be altered to accommodate as many of the heritage trees as feasible. To do otherwise violates the ordinance's plain intention.

The City of Santa Cruz has recently created an ambitious Climate Action Plan (CAP), calling for an increase in the city's urban canopy and acknowledging the numerous benefits of both tree preservation and new forestation. The destruction of Lot 4's fully mature, carbon-sequestering trees is a notable loss to the city landscape, particularly given the relatively low number of extant mature trees in the downtown area, and the probable removal of up to 404 trees during scheduled construction of the Monterey Bay Scenic Coastal Rail Trail Segments 8 & 9. Although it is a valuable mitigation to plant new saplings in other sites, those small trees can in no way replace the environmental benefits of mature existing trees, which provide shade and urban habitat, preserve moisture and cool temperatures in what is a heavily paved zone of downtown.

This issue deserves the Parks and Recreation Commission's close attention and consideration. Please deny the permit. Thank you for considering my views.

Respectfully,

Kristen Sandel

From: [joanne katzen](#)
To: [Parks & Recreation Commission](#)
Cc: [Sonja Brunner](#)
Subject: City Tree Removal
Date: Monday, December 12, 2022 11:37:43 AM

Dear commissioner Tremain Hedder-Jones,

I am writing in regards to the proposal to remove the 12 Heritage trees on lot 4 in the city of Santa Cruz. I do not believe that it is in anyone's best interest to remove these trees. When faced with a future of climate catastrophe and disruption, it would appear that trees, especially this large, should be valued for their ability to sequester carbon. Why do developers have the right to destroy these trees, when individuals must abide by the Heritage Tree Ordinance within the city limits?

I would hope that we all can work together to find a better solution than to take down such beautiful, valuable trees.

Respectfully,

Joanne Katzen

From: [Iwalani Faulkner](#)
To: [Tremain Hedden-Jones](#)
Subject: Considerations regarding proposed tree cutting on Lot4 downtown for Dec 12, 2022 meeting
Date: Friday, December 09, 2022 1:56:52 PM

Hi Tremain,

I am writing a letter regarding the City's proposal to cut down the large heritage trees on Lot4. These beautiful magnolia trees have taken decades to grow and sequester carbon and are critical to providing shade, helping to lower temperatures downtown, and are appreciated by thousands of community members throughout the county. I hope that none of the trees will be removed until all of the final plans for the development on Lot4 are fully approved, financing is complete, and the project is shovel ready.

There are relatively few large carbon sequestering trees downtown. The Cities proposal to place a number of trees in planters on the outside upstairs deck of the new structure cannot compare to the positive environmental benefits that trees provide when they are grown in the ground soil and have grown for decades. We hope everything can be done to spare these large shade trees enjoyed by our community and should they be removed, far more trees be planted throughout downtown to remediate the significant heat island that the proposed giant asphalt garage structure will produce. The shade these large magnolias create is necessary to reduce the heat island produced by the asphalt and buildings of downtown. As our temperatures increase, we need more large trees, not fewer. We need to prioritize the creation of urban forests and welcoming gathering centers along side the proposed growing development projects.

Let's do whatever we can to ensure we do not cut down our large heritage trees until we have solid urban reforestation remediation in place in tandem with the shovel ready project which proposes to destroy them.

Thank you.

Best regards,
Lani Faulkner
831-278-1007

From: [Matt Farrell](#)
To: [Parks & Recreation Commission](#)
Subject: Continue Appeal of Heritage Tree Removal Appeal
Date: Thursday, December 08, 2022 3:04:38 PM

Parks and Recreation Commissioners,

I understand that the Parks and Recreation Commission will be considering a Heritage Tree Removal Permit Appeal at your December 12 meeting. I wanted to write in support of the staff recommendation to continue this item to your February 13, 2023 meeting to allow for the completion of a more detailed environmental analysis. That way the commission and the public will have access to all appropriate information as part of this decision.

If you do decide to hear the appeal on December 12, I urge you to deny it. The city arborist has approved the appeal after reviewing both the original arborist report and a supplemental evaluation. The architect has stated that re-designing the project to accommodate heritage trees on the perimeter of the property would fundamentally compromise the project. The city arborist did not recommend relocating any of the heritage trees, given their condition, the lack of suitable sites, and the risks of transplanting.

Finally, the results of the Measure O election have shown that almost 60% of our city's voters supported the benefits of this project, understanding that removing these trees would be a consequence of moving forward.

The heritage tree permit applicant has agreed to meet the requirements of tree replacement established under the ordinance; and the project architect is proposing additional trees as part of the streetscape improvements. This property will have more green space and landscaping than it currently does.

Thanks for your consideration,

Matt Farrell
922 Windsor Street
Santa Cruz, CA 95062

From: [Carol @ Cruzio](#)
To: [Parks & Recreation Commission](#)
Subject: cutting of trees on new library site
Date: Monday, December 12, 2022 11:52:13 AM

I urge the members of the Parks and Recreation commission to deny the appeal of the tree removal permit on the site of the new Library and Affordable housing site/lot 4. The voters have spoken and they are strongly in favor of the new project. The city arborist has said the trees are neither native or healthy. Enough obstructionism. Time to move on.

Carol Fuller

513 Olive Street

Santa Cruz

From: [A Webb](#)
To: [Parks & Recreation Commission](#)
Subject: Dec 12, 2022, Agenda Item #4 - Heritage Tree Removal Permit
Date: Sunday, December 11, 2022 11:39:53 AM

To all P&R Commissions and decision makers,

The whole point of a Heritage Tree ordinance is to Protect and Preserve them, their enormous value to our environment, history, wildlife and community. As part of our urban canopies, these icons help reduce climate impacts of glare and heat generated by concrete, blacktop, and building walls with each added massive structure - clearly needed in our downtown areas! They are worth their weight in gold. Our Heritage tree policy must be evenly and consistently applied whether it's a city project, state project, private property, developer project, or PG&E utility.

Projects should be required to **demonstrate** that they cannot design around Heritage trees vs. the bad habit of simply claiming it's "not feasible" (UCSC manages to build among our forests with very little to no impacts). Incorporating Heritage trees can actually raise the prestige and value of property development.

There were public comments during community meetings for THIS project **in which community repeatedly asked** for the Liquidambar trees and at least some, if not all, of the rest of these heritage trees be incorporated into the project. No plans were ever presented or discussed that included any of them.

For example, the corner where the 2 Liquidambar trees are will have a concrete sidewalk/plaza area in front of library doors, with a couple tiny trees. These heritage trees CAN be incorporated into this wide corner sidewalk/plaza area, with seating placed around the base of their trunks for reading/relaxing with those Library books.

If saved, the community can continue to enjoy these grand trees that have been a dominant part of our history, community events, gatherings, and healing following the destructive 1989 earthquake. They matter. Just as people lean up against them today to enjoy snacking on farmers market fruits in their shade and dappled sunlight, while hawks and other birds perch above, they could have seating installed to continue these benefits. I can't imagine **a better reflection** on all that floor to ceiling glass building, or a **better natural view** from all windows and rooftops (including for the buildings across the street), whether lush green or gold, enormous blossoms, or fiery waterfall of color with the seasons. They can help efficiency in keeping inside the buildings cool on hot afternoons. They can help **reduce bird strikes** (which I hope is being considered in glass selection) and **reduce hot afternoon sun glare, sidewalk reflective glare, temper radiated heat from the bordering blacktop roads**, and act as a **natural noise buffer** from the road traffic. And next to a parking

garage is a no-brainer for reducing air pollution - they are workhorses on scrubbing the air.

These trees did not appear to have been directed or attempted to be incorporated into the project. This is unacceptable.

I'm calling on all decision makers to UPHOLD THE APPEAL for the reasons stated. Take a careful 2nd look as stewards of our valuable natural and social heritage, and require another tweek of the plans to incorporate these distinct ancient trees. And to the extent some cannot ultimately be saved, under no circumstances should **any** of them be removed prior to the actual start of the project unless a danger eventually presents itself.

Thank you in advance for your careful evaluation and upholding this Appeal.

Anita Webb
Santa Cruz

From: [Cynthia Mathews](#)
To: [Parks & Recreation Commission](#)
Subject: DENY the appeal of heritage tree removal permit for Lot 4
Date: Monday, December 12, 2022 1:25:38 AM

Dear Parks and Recreation Commissioners

I am writing to urge you to DENY THE APPEAL of the Heritage Tree Removal Permit for Lot 4 in downtown Santa Cruz, which has been scheduled for consideration at your December 12 meeting.

Approval of the permit and denial of the appeal is clearly supported by the extensive agenda report and attachments that have been provided for you. Your decision should reflect the process outlined by City's the Heritage Tree Ordinance, the findings of qualified professionals regarding the status of the trees, and — equally importantly — the detailed explanations offered by both the project architect and affordable housing developer that the project cannot be redesigned to incorporate the trees and still meet the objectives of the project.

The multiple objectives of this mixed-use project have been repeatedly endorsed by the City Council over a period of several years, and decisively supported by Santa Cruz voters in the recent election. The Library/Affordable Housing Project has been designed to fulfill strongly held community priorities including a new modern downtown library, 124 units of permanently affordable housing, a child care center, and shared parking that can serve the full range of downtown users: residents, workers, customers, and visitors.

Repeating: the project cannot be redesigned to incorporate the trees — non-native, with multiple problematic conditions, in a setting that further compromises their health — and still deliver on the full package of features that has already been endorsed by the council and is on the path to planning review and construction. The overall project will not only help meet community goals for affordable housing and downtown infrastructure; it will reflect a very high level of environmental features for both construction and operation. The new library, affordable housing and childcare center all embody the city and community commitment to social equity; and the project overall represents a major investment in the future of the City's downtown.

Bear in mind: the city's Heritage Tree ordinance does not prohibit the removal of heritage trees. It simply requires a process when a request for removal is made. The process requires consideration of the trees' condition and prospects, and appropriate mitigations if the permit is approved. In this case, the requested tree removal clearly meets the standards and conditions set out in the city's ordinance, and approval of the request is justified. This is one part of the overall planning and approval process for the project; the city's standard process is being observed, and denial of the appeal is the appropriate action.

Given the nature, condition and prospects of the trees in questions, and the fact that the project cannot be redesigned and still achieve its clearly stated objectives, I urge you to DENY the appeal before you.

Sincerely,
Cynthia Mathews

From: [Shannon Greene](#)
To: [Parks & Recreation Commission](#)
Subject: deny the tree removal appeal
Date: Friday, December 09, 2022 1:15:26 PM

Dear Parks and Recreation Commission,

I am a homeowner in Santa Cruz, and a resident since 1985. I love big trees but I am writing to urge you to deny the tree removal appeal filed by project opponents and allow the Library & Affordable Housing Project to move forward without additional delays to build 124 units of desperately needed affordable housing, a brand new library and a childcare center. I believe these points provided to be accurate and compelling:

- A professional arborist says the trees are non-native, in poor condition and are poor candidates for preservation.
- The architect and affordable housing developer say: the project cannot be redesigned and still achieve the goals of this important project, which has been overwhelmingly supported by the community and council action.
- The Library & Affordable Housing Project will mitigate the removal of the trees by planting more trees than removed and delivering environmentally beneficial features of the project (green roof, native plant landscaping, habitat for pollinators and more).

Thank you for your consideration,
Shannon Greene
831-419-4656

From: [Laura Lee](#)
To: [Parks & Recreation Commission](#)
Subject: [CAUTION: Verify Sender Before Opening!] For Monday's Meeting on the Tree Removal
Date: Friday, December 09, 2022 11:56:42 AM
Attachments: [THE QUESTION OF OUR STORY.docx](#)

Please read and include the attached document. The community is asking for a Tree Retrieval.

Thank you all for your consideration,

Laura Lee

Resident 24 years in Santa Cruz

Sent from [Mail](#) for Windows

From: [Parks and Rec](#)
To: [Parks & Recreation Commission](#)
Subject: FW: Hearing on Lot 4 trees
Date: Monday, December 12, 2022 8:12:15 AM

From: Debbie Bulger <dfbulger@cruzio.com>
Sent: Sunday, December 11, 2022 4:33 PM
To: Parks and Rec <parksandrec@cityofsantacruz.com>
Cc: City Council <citycouncil@cityofsantacruz.com>
Subject: Re: Hearing on Lot 4 trees

Dear Parks and Rec Commissioners,

I would like to see the City of Santa Cruz follow its Heritage Tree ordinance and investigate altering the design of the new library to save some of the trees in Lot 4.

Some of the trees are right next to the sidewalk.

If the city decides the trees cannot be saved, **I urge you to recommend that they be allowed to live until the City is ready to build.** That recommendation if adopted, would give us more time to enjoy their shade, beauty and carbon capture function.

Debbie Bulger

From: [joanne katzen](#)
To: [Parks & Recreation Commission](#)
Cc: [Sandy Brown](#); [Justin Cummings](#); [Martine Watkins](#); [Donna Meyers](#)
Subject: Heritage Tree Ordinance
Date: Monday, December 12, 2022 11:19:58 AM

Dear Ms Keedy,

I am writing to you in reference to the proposed destruction of the Heritage trees in what is currently a downtown parking lot where new buildings will eventually be constructed. It is disappointing to learn that the Heritage Tree Ordinance will not protect these trees, since it appears that the developers are much more powerful than the individuals who would choose to uphold the intent of this ordinance. I do believe that in an era of consciousness around Climate Catastrophe we must do everything possible to maintain our largest, and oldest trees—especially those located within the city limits. The loss of these trees will in no way be mitigated by the planting of a few young saplings, which will take years to replace the kind of oxygen-producing, carbon sequestering effects of these "oldsters."

Respectfully,

Joanne Katzen

From: [Jeanie Elliott](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage tree removal
Date: Saturday, December 10, 2022 2:53:28 PM

Dear Parks and Recreation Commission,
Please heed the appeal submitted by Our Future Our Downtown regarding the removal of heritage trees on Lot 4.
These trees offer us beauty and shade, adding so much to the welcoming feel of that part of downtown.
Thank you for all your work on our behalf.
Jeanie Elliott
728 Darwin St
Santa Cruz

Sent from my iPhone

From: [Mitchell Goldstein](#)
To: [Parks & Recreation Commission](#)
Subject: heritage tree removal - NO
Date: Monday, December 12, 2022 1:57:42 PM

I strongly urge the commission to repeal the decision to remove the 10 wonderful heritage trees on city lot 4. These trees are an important part of the diminishing green aspect of our urban center. Their importance cannot be quantified.

Thank you for caring,

Mitchell Goldstein

250 Dufour St.

Santa Cruz, CA 95060

From: [Sandra Ward](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Tree Removal from Lot 4
Date: Monday, December 12, 2022 1:36:39 PM

Dear Tremain Hedden-Jones and Commissioners,

The Santa Cruz Community Farmers Market (SCCFM) respectfully requests that the removal of the Heritage trees on Lot 4 not be done while the

Farmers Market is still operating there. The removal should occur, ideally, when the market is no longer on Lot 4. This delay will minimize possible upset

and turmoil to the community and to the operation of the market in the remaining time the market is on Lot 4. Removing the trees earlier than necessary

will negatively impact the community's ability to have a peaceful environment and interfere with the market's ability to conduct business.

We ask that you delay the removal of the trees until the last possible time.

Thank you
Sandra Ward President, SCCFM Board of Directors
Nesh Dhillon, SCCFM Executive Director

From: [eric.grodberg](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Tree Removal permit appeal
Date: Friday, December 09, 2022 10:11:16 AM

Dear Commissioners,

Please reject the appeal of the removal permit issued by the City Arborist.

This is not a permit to decimate an urban forest as the appellants would have it. Rather as noted by a second, independent arborist, the trees are

“non-native ... exhibiting myriad detrimental conditions including structural weaknesses, evidence of past failures, limb and stem decay, and buried root collars which may disguise root disease and resulting decay.”

More importantly, the voters overwhelmingly rejected Measure O. The community has spoken on the future library project. The removal of these diseased, non-native trees is a requirement for the project to go forward. Upholding the appeal would thwart the voters will and subvert the democratic process.

Furthermore, the extremely small amount of carbon that nine diseased, non-native trees remove from the atmosphere is negligible in comparison to the GHG reductions in the library project which will be built to the highest Leeds standards. This, in addition to specific mitigations for the tree removal. Accepting the appeal and preventing the library project would result in a net increase in GHG emissions.

Regards,

-Eric Grodberg

From: [Peggy Curran](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage tree
Date: Saturday, December 10, 2022 6:54:21 AM

I am writing to support the appeal of the heritage tree removal permit. Please do not remove the heritage trees from downtown Santa Cruz. We need our trees and our future generations need these living things to survive, so we all can survive. Figure out a way to work around them. You are smart people.

Peggy Curran
217 Stockton Avenue
Santa Cruz, CA 95060
209/985-4070

From: [Deborah Hayes](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees
Date: Saturday, December 10, 2022 1:52:07 PM

I do not understand how we can be concerned about global climate change and yet willfully cut down our heritage trees if they seem in the way of development. We are supposed to be saving the trees, who can't speak up for themselves!

Please, do the right thing and save the trees.

Deborah Hayes

From: [Timmi Pereira](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees
Date: Sunday, December 11, 2022 9:24:55 AM

I ask that the design of the parking garage/library/housing be revised to allow for the Heritage trees to remain.

Timmi Pereira
Cell: 831-239-6564
Home: 831-426-1150

From: [Lynn Dunn](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees Lot 4
Date: Saturday, December 10, 2022 12:06:55 PM
Attachments: [lynnemailsignature2.png](#)

Thank you for seriously reconsidering removal of the Heritage Trees. Moving forward your compromising, is an olive branch in the nurturing of the broken trust. Thank you.



Lynn Dunn
Marie Dunn's Daughter
Whistle Blower, PF 2021-45
165 13th Avenue
Santa Cruz, CA 95062
808-255-4797
dunnreimers@mac.com

From: [Cassandra Brown](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees on Lot 4
Date: Sunday, December 11, 2022 7:01:38 PM

I would like to support the Appeal of the city permits to remove and destroy the Heritage trees from Lot 4.

Why can't the construction design include keeping the large trees as a part of that design? In keeping with the city ordinance, there needs to be a way to allow for both the project and the continued growth of these trees.

the Heritage Tree Ordinance which states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

It will benefit the building project to have those big Magnolia trees incorporated into their plan. It will also benefit our city, the residents who live at the new housing site, and the people visiting the library will enjoy those trees. It takes a long time to grow such big trees and it will be ever unlikely to have trees that big as our climate gets drier. Also those trees have a habitat of their own that supports many non human residents. For the sake of those species homelessness, maybe consider working around those trees.

Thank you,
Cassandra Brown
25 year Santa Cruz County resident

Again the Heritage Tree Ordinance which states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

From: [Kathleen Tyger Wright](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees on Lot 4
Date: Sunday, December 11, 2022 3:38:37 PM

A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees.

There was no attempt to design the Downtown Library Mixed-Use project in a way that would preserve or accommodate any of the 9 heritage trees on Lot 4. Therefore, a permit allowing their removal violates the ordinance on tree removal.

It is unlawful to grant such a permit.

Repeat: It is unlawful to grant such a permit.

Citizens of Santa Cruz are aware and watching.

Kathleen Wright

From: [Brigitte Desouches](#)
To: [Tremain Hedden-Jones](#)
Subject: Heritage trees on Lot 4 in Santa Cruz
Date: Wednesday, December 07, 2022 8:12:50 PM

Dear Supervisor Hedden-Jones,

I am writing to you to ask you to protect the heritage trees on Lot 4 in downtown Santa Cruz. I know a large project is to be built at this place and I know that at least 4 of the 12 trees (9 of them heritage trees), have been recommended by the arborist contracted by the city council, to be preserved.

I am asking you to please preserve these trees. Wouldn't cutting these trees be a violation of the heritage tree ordinance?

Respectfully,
Brigitte Desouches

From: [Nina Rose Odegaard](#)
To: [Parks & Recreation Commission](#)
Subject: Heritage Trees on Lot 4
Date: Saturday, December 10, 2022 4:35:28 PM

Hi there!

I am writing to you to urge you not to remove the heritage trees on lot 4 in downtown Santa Cruz unless it is absolutely necessary and only once you have complied with the following Heritage Tree Ordinance:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

I am stunned that the mixed use building plan has been designed and pushed forward with so little regard to respecting and acknowledging the universal benefits of open spaces in urban areas and with complete disregard to the majesty and beauty of the trees on this lot. To regard them as just something that needs to be removed for "progress" is sadly misguided. Once it is done, you will not be able to bring them back. I urge you to reconsider your plan.

Thank you for your time and attention,

NinaRose Odegaard

From: [Russell Brutsche](#)
To: [Parks & Recreation Commission](#)
Subject: heritage trees
Date: Friday, December 09, 2022 4:51:22 PM

Please don't cut the heritage trees on Lot 4.

Russell Brutsché
133 glenwood av
santa cruz

From: [Nadia Peralta](#)
To: [Parks & Recreation Commission](#)
Subject: in support of protecting the heritage trees on lot 4
Date: Friday, December 09, 2022 9:45:47 PM

To Whom It May Concern:

Please protect the heritage trees located at lot 4. These trees are old Magnolia trees that provide much needed shade, beauty, and habitat for the downtown birds and squirrels. I also think they play a large role in helping to protect against flooding by drinking a lot of water in a river-bed zone. They are magnificent trees, and they deserve to be allowed to live and continue their journey as old heritage trees despite the city's library plans. I am deeply concerned about their removal, and concerned about what precedent it sets for other heritage trees downtown, of which I'm sure you know there are many. I know the old trees grow large roots and are cumbersome to maintain because of the damage they cause to roads, but their value is so much more important. With impending climate catastrophe it is important we treat old trees with respect. Planting new ones does not guarantee shade for a long time, and pretends to solve the problem of ending the life of trees that are perfectly healthy and have been a cornerstone of our communities for many years. Please hear us and protect these trees.

Sincerely,
Nadia

--

Clinical Herbalist
Pre-Medicine Student
Early Childhood Educator
949-939-2216

From: [Lynne Nicol](#)
To: [Parks & Recreation Commission](#)
Subject: It is important to protect our Lot 4 trees!
Date: Sunday, December 11, 2022 10:34:29 PM

The City of Santa Cruz environs are becoming more and more urbanized. For all of our health and wellbeing, we humans and creatures in the environment sorely need a natural landscape. We need the beauty of the trees, and we need the history, and we need the shade of the trees. We value the Lot 4 trees and we look forward to them getting a good healthy trim, so that they can continue to grow and grace our environment. Hardscape is necessary in our downtown, and we need to preserve our mature trees surrounding our buildings.

These trees have a life and a history of their own and we need to protect them. Hardscape can be built around these trees, which will have the added benefit of making the buildings more interesting, and not just cold monoliths. We love the personality of our downtown, and we want to pay respect to our Lot 4 trees. Please preserve our Lot 4 trees.

Respectfully,

Lynne Nicol (Santa Cruz resident since 1967.)
216 Naglee Ave.
Santa Cruz, CA 95060

From: [Nina Donna](#)
To: [Keresha Durham](#)
Cc: [Leslie Keedy](#); [Parks & Recreation Commission](#); [Sandy Brown](#); [Justin Cummings](#); [City Council](#); [Martine Watkins](#); [Donna Meyers](#); [Renee Golder](#); [sjohnson-kalihari@cityofsantacruz.com](#); [Sonja Brunner](#)
Subject: keeper of our elders
Date: Saturday, December 10, 2022 9:21:20 AM

What a rich story U tell Keresha. Most of us are aware of these trees, but need reminding of their importance to our daily life.
There is a sizable amount of new construction in my area, Live Oak. Tho' I know housing is needed, when I ALSO hear the wood chopper whirring...
trees humans
Nina

Sent from my iPhone

On Dec 10, 2022, at 09:01, Keresha Durham <the.earth.needs.small.families@gmail.com> wrote:

If you could not open the photos, I attached the 60 foot lovely Liquid Ambers and 3 elder Magnolias again.
Preserve these trees
They have been here for several generations
Before most of us arrived.

On Fri, Dec 9, 2022 at 7:45 AM Keresha Durham
<the.earth.needs.small.families@gmail.com> wrote:

Esteemed Tree Decision-makers- City Council, Leslie and Tremain,

"It's not about what it is, it's about what it can become.
I am the Lorax. I speak for the trees. I speak for the trees, for the trees have no tongues."
— Dr. Seuss, [The Lorax](#)

OUR AWESOME TREE ORDINANCE

Please refer to and follow our beautifully-written The Heritage Tree Ordinance (read it below) which calls to protect, design around and preserve our urban trees, which include the Lot 4, three magnificent, 50 and 100 year old Magnolias and two elder 60 foot, towering, colorful, lovely, Liquid Amber trees!

(PHOTOS ATTACHED) This ordinance advises against destruction since "the removal of mature, heritage trees can take generations to restore."

TREE CANOPY BENEFITS

Santa Cruz City is unique in that we have fought to preserve our large tree

canopy, which is so **beneficial in this era of human-caused climate crisis**. Large, mature trees sequester the most carbon, clean air pollutants and prevent pavement heat. They provide needed habitat, spiritual renewal and joy! Were you lucky enough to have a large tree friend to climb as a kid? I was!

TREES NEED CAREGIVERS

These trees are not getting the care they deserve. Being surrounded by cement and soaking up oil from this parking lot weakens our beloved trees. If recycled water is used to water trees, this can cause large trees to die from too much salt content. They need fertilizer, amended soil and clean water.

MOVE THE TREES AS A LAST RESORT

If the project designers uncreatively refuse to build around these trees, moving large trees is possible, rather than destroying them.

REPLANT LARGER NATIVE TREES

If you must create a replacement canopy for lost or moved trees, re-plant with large, native-to-this-region trees, not the diminutive, decorative trees on Pacific Avenue. Think of the trees that are planted around city hall and on the former Pacific Garden Mall, they were gorgeous, artful, tall trees providing so much joy!

SANTA CRUZ'S TREE ORDINANCE STATES:

ORDINANCE NO. 2013-18
SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE
PRESERVATION OF HERITAGE TREES

WHEREAS, the City of Santa Cruz has actively encouraged the development of a safe, healthy and attractive environment in which its residents can live and work; and

WHEREAS, in pursuit of these goals the City recognizes the substantial environmental, aesthetic and economic importance of its diverse urban forest consisting of indigenous as well as non-native trees; and

WHEREAS, this invaluable urban forest has been, and continues to be, an asset to the community inasmuch as it contributes to the environmental, aesthetic and economic stability of the community; and

WHEREAS, the citizens of Santa Cruz recognize that the preservation of this invaluable resource is a heritage to the community at large; and

WHEREAS, the citizens of Santa Cruz therefore understand that the preservation of their urban forest existing on both public and private property is important to them and their community in order to:

- (a) Protect, conserve and enhance the City's attractiveness and its aesthetic and scenic environment;
- (b) Develop and promote an awareness and understanding of the importance of urban forests to the citizens of Santa Cruz;
- (c) Encourage and assure the continuation of quality community development where existing trees are incorporated into any development and accorded proper maintenance and protection as a part of the City's urban forest;
- (d) Act as a buffer against urban traffic noise and wind damage, provide protection from wind erosion, and provide a privacy screen;
- (e) Aid in the reduction of air pollution given the known capacity of trees to ingest carbon dioxide and produce oxygen thereby enhancing air quality;
- (f) Assist in the absorption of rain waters thereby protecting against soil erosion by flooding; and

WHEREAS, the citizens of Santa Cruz recognize the right of individuals to develop, maintain and enjoy private property to the fullest possible extent consistent with the public interest in preserving and maintaining the City's urban forest in general.

PURPOSE

This Chapter is enacted to recognize, protect, optimize and responsibly manage the community urban forest by establishing standards and policy consistent with private rights to develop and use property in a manner not prejudicial to the public interest while maintaining the health and safety of both the urban forest and citizenry.

It is the purpose of this Chapter to promote and protect a thriving urban forest and to facilitate proper management practices that include the City's ability to protect and preserve tree resources through regulating their removal, and to effectively enforce tree preservation and zoning regulations, and to promote an appreciation and understanding of trees and their intrinsic value.

(a) Among the environmental assets that contribute to the livability and attractiveness of the City of Santa Cruz are its trees, both indigenous and introduced. Growing in urban settings, neighborhoods, business and commercial districts, in parks and in open spaces, as single specimens or in groves, trees contribute significant tangible benefits, both psychological and environmental, for the residents and visitors to our community alike.

ORDINANCE NO. 2013-18

3

(b) Trees contribute beneficially to the urban environment and contribute to our community's and the state's climate action goals.

Tree canopy coverage reduces heat buildup, noise and air pollutants; improves air quality, reduces particulates, and provides oxygen.

Trees also enhance the aesthetic environment and contribute visually to the City by providing scenic views, scale, color, silhouette and mass.

Trees contribute to the protection of other natural resources by

providing erosion control, management of storm water and urban runoff, increased infiltration and groundwater recharge, and improved water retention capacity of soils.

Trees provide screens and buffers to separate land uses and are often landmarks or contribute to the significance of the City's history.

Trees contribute to the economy of the City by increasing and sustaining property values, creating employment and training opportunities, and reducing energy costs.

(c) The urban forest requires stewardship from both community members and the City to maximize its benefits, such as tree canopy coverage, shaded areas, and enhanced habitat for wildlife on private and public lands.

(d) The City's trees collectively constitute an urban forest and an ecosystem. Removal and planting of trees can create both negative impact, affecting the urban forest and the City as a whole. The removal of mature trees may in some cases take generations to fully restore.

(e) Appropriate management of non-native invasive species is encouraged by the City of Santa Cruz. Tree replacement requirements are designed to bolster native plant and animal communities and habitats.

Clearly this ordinance would have you care for and save these precious trees in lot 4 and include them in the design of any project.

Sincerely,
K. Durham
Environmental Activist
Resident of Santa Cruz since 1981

Educator since 1987
Proud Tree Hugger, Happy Tree Caregiver

--

Keresha Durham ~ educator, environmentalist
"care-sha"



For a quality future for all living things, the earth needs small families

Balance population with finite natural resources
Reduce human-caused carbon





From: [Erin Lee](#)
To: [Parks & Recreation Commission](#)
Subject: Let the Library and Affordable Housing project move forward
Date: Friday, December 09, 2022 1:22:13 PM

Hi,

I'm urging the Parks and Recreation Commission to deny the tree removal appeal filed by opponents of the Library & Affordable Housing Project. As Santa Cruz city voters demonstrated overwhelmingly with the defeat of Measure O, this project is needed and wanted by the community, but a few actors are doing anything they can to stop it. The trees that will be removed from the site of the new library are non-native, in poor condition, and are poor candidates for preservation, according to a professional arborist. They do not need to be "saved," and there's no way the city should halt the construction or alter the design of the Library & Affordable Project for the sake of some sick trees. This is simply an attempt from the same group who put forth Measure O to get around the fact that the people have voted, and Measure O lost.

Regards,
Erin Lee
Santa Cruz, CA

From: [Nadene Thorne](#)
To: [Parks & Recreation Commission](#)
Subject: Lot 4 Heritage Trees
Date: Saturday, December 10, 2022 3:18:31 PM

This is to register my concern for and opposition to the posting of the Lot 4 trees for removal.

With insufficient funding to even move ahead on this project, there is no reason to remove these trees so far in advance of what is clearly a wildly indeterminate time frame.

More importantly, however, is the fact that removal of such trees goes against the language and the intent of the city's Heritage Tree Ordinance and our climate action plan, Resilient Santa Cruz.

The Heritage Tree Ordinance states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

It appears that there was no attempt to design the Downtown Library Mixed-Use project in a way that would preserve or accommodate any of the 9 heritage trees on the project site. Our heritage trees are crucial for the urban forest and provide innumerable social and environmental benefits, especially amid a period of threatening and intense climate change.

Does Santa Cruz just pretend to care about environmental values, or do we actually do what we say we're going to do about protecting the environment?

Nadene Thorne
140 Averitt St.
Santa Cruz 95060
831-266-5552

From: [Maggie Duncan-Merrell](#)
To: [Parks & Recreation Commission](#)
Subject: Lot 4 Tree Removal
Date: Friday, December 09, 2022 9:07:57 AM

To Whom it May Concern on the SC City Parks and Recreation Commission,

I am writing today in support of Leslie Keedy's recommendation for the removal of 12 trees from Parking Lot 4 in preparation for the Mixed Use Affordable Housing/Library project.

The trees Ms Keedy recommends removing are not native, many are in their end stages of life and the Ginkgo tree in particular has been mauled by poor pruning. Many of the trees tagged for removal are not appropriate for urban planting and are inappropriately positioned next to paths where they heave pavement, causing dangerous trip hazards and destruction to infrastructure. The future project also calls for nearly 50 new, well suited trees to be planted in place of the 12 failing trees, creating a lovely new space that will be an asset to our community, unlike the tired, cracked up, surface parking lot currently in place.

The voters of Santa Cruz have weighed in and demonstrated clear support of this project. The group that put Measure O on the ballot was roundly defeated at the polls where they claimed they would respect the will of the voters. However, they have chosen to ignore the 60% of voters supporting the project and are now renegeing on their word, attempting yet another ill fated blockade of 124 affordable housing units and a beautiful library.

Please do not allow this defeated minority to continue to hold needed progress of this mixed use project hostage due to their attachment to sick trees and an old asphalt parking lot. Vote in support of our City Arborist's recommendation for removal of 12 trees and support smart urban planning for the City of Santa Cruz.

Thank you for your time and consideration.

Sincerely,

Maggie Duncan-Merrell, 3rd District Santa Cruz County Parks Commisioner

From: [\(null\) \(null\)](#)
To: [Parks & Recreation Commission](#)
Subject: Lot 4's Heritage Trees
Date: Sunday, December 11, 2022 9:33:20 AM

Dear To Whom is concerned,

My name is Werner Leung. I am a citizen of Santa Cruz. I am writing to ask your consideration of preserving the heritage trees at Lot 4 at downtown.

I have been raising my kid here in Santa Cruz. My kid has always been enjoying the big trees at Lot 4 when we went to the farmer's market. We would love to save the trees at Lot 4, which took many many years to grow big like that. We have a beautiful downtown. We need to preserve the beauty of it. Without the big trees, it would be different.

What is heritage? It means it is supposed to leave something for our future generations. Please save our big trees at Lot 4!

Sincerely
Werner

Sent from my iPad

From: [Karen Kaplan](#)
To: [Parks & Recreation Commission](#); [City Council](#)
Subject: Mon. Dec. 12, 4 pm: Hearing & Tree Removal Appeal
Date: Saturday, December 10, 2022 7:38:38 AM

Dear Tremain Hedden-Jones, Secretary to the Commission, Mayor & Santa Cruz City Council:

RE: Heritage Tree Removal Appeal

December 12, 4-6pm Meeting

Parks and Recreation Commission Hearing and Appeal to Stop Cutting Trees in Lot 4, the Farmers Market Lot.

Santa Cruz City Council Chambers & on Zoom

809 Center Street, Santa Cruz, CA 95060

Appeal:

Please accept the appeal and save heritage trees in the Farmers Market Lot 4, in Downtown, Santa Cruz.

Architectural Design:

There is no evidence of including existing trees in the Santa Cruz Public Library and Parking Lot design. Trees could be saved, if buildings were designed around them.

Disease:

There is no evidence of diseased trees, so they should not be removed.

Emergency:

Cutting heritage trees is not an emergency, so the trees should be saved.

Historical Importance:

For many years, the "Food Not Bombs" distribution site was at the base of the heritage trees, giving these trees historical significance, as the first free vegan food distribution site, in Santa Cruz. These trees deserve a plaque to commemorate the historical events, that took place there. All who were hungry, were fed. Serving free, organic, vegan food helped to mitigate the climate crisis and homeless issues. People gathered in peace and harmony. Everyone was welcome, treated with respect and dignity, while enjoying a healthy, hot meal. There was music and celebration with noteworthy musicians such as Russell Brutsche, Peter Weiss, Michael Levy and dignitaries spoke, such as current and past Mayors, City Councilmembers, members of the Senate, Congress and more.

More Reasons to Save Trees:

- Heritage trees have historical significance.
- Trees are beautiful and provide great value to our community.
- Heritage trees are unique and are a tourist attraction.
- Most people feel good when they can see and touch ancient trees and connect

with nature.

- There are not very many trees in downtown, Santa Cruz.
- There are many climate benefits from trees; they absorb CO2 and filter pollution.
- Trees provide shade and habitat for birds and small animals, such as squirrels.
- The Santa Cruz City Climate Action Plan calls for more trees; not less.
- Trees will continue to provide benefits, as long as they remain alive.
- There is no reason to cut the trees now, rather than later.
- Cutting these trees would violate the heritage tree ordinance.
- The proposed library and parking structure building is not permitted yet, so trees should not be cut, in advance.
- No tree should be removed until all final plans are approved, financing is complete, and the project has a groundbreaking date, which may take more than a year.
- Heritage trees deserve to live and be preserved.
- Since trees can't speak, we need to speak up for them.

RESOLUTION NO. NS-23,710, EXHIBIT A, CRITERIA AND STANDARDS:

1. A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances:

- (a) Alteration of a heritage tree or heritage shrub would only affect less than twenty-five percent (25%) of the crown of said heritage tree or heritage shrub;
- (b) Findings by the Director of Parks & Recreation can be established in conformity with the City's Urban Forest and Wildland Interface Policy Statement; or
- (c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation:
 - (1) The heritage tree or heritage tree shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;
 - (2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or
 - (3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

2. For every heritage tree or heritage shrub altered, damaged or removed, mitigation shall occur in accordance with the City Council resolution establishing mitigation requirements for alterations, damage and removals of heritage trees and shrubs.

3. During the pendency of any appeal arising out of the approval or disapproval of a heritage tree removal/alteration permit application processed pursuant to S.C.M.C. 9.56, the tree, grove of trees or shrub which is the subject of that appeal shall be maintained in the same condition as on the permit application date and shall not be pruned or altered in any fashion whatsoever whether or not the pruning or alteration would otherwise require a permit.

SANTA CRUZ CITY MUNICIPAL CODE, CHAPTER 9.56

1. A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances:

(c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation:

(3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

9.56.040 HERITAGE TREE AND HERITAGE SHRUB DESIGNATION

Any tree, grove of trees, shrub or group of shrubs, growing on public or private property within the city limits of the city of Santa Cruz which meet(s) the following criteria shall have the “heritage” designation:

(a) Any tree which has a trunk with a circumference of forty-four inches (approximately fourteen inches in diameter or more), measured at fifty-four inches above existing grade;

(b) Any tree, grove of trees, shrub or group of shrubs which have historical significance, including but not limited to those which were/are:

(1) Planted as a commemorative;

(2) Planted during a particularly significant historical era; or

(3) Marking the spot of an historical event.

(c) Any tree, grove of trees, shrub or group of shrubs which have horticultural significance, including but not limited to those which are:

(1) Unusually beautiful or distinctive;

(2) Old (determined by comparing the age of the tree or shrub in question with other trees or shrubs of its species within the city);

(3) Distinctive specimen in size or structure for its species (determined by comparing the tree or shrub to average trees and shrubs of its species within the city);

(4) A rare or unusual species for the Santa Cruz area (to be determined by the number of similar trees of the same species within the city);

(5) Providing a valuable habitat; or

(6) Identified by the city council as having significant arboricultural value to the citizens of the city.

(Ord. 2016-05 § 1 (part), 2016: Ord. 94-01 § 2, 1994).

9.56.050 PROTECTION OF HERITAGE TREES AND HERITAGE SHRUBS

No person shall allow to exist any condition, including but not limited to any one of the following conditions, which may be harmful to any heritage tree or heritage shrub:

- (a) Existence of any tree or shrub, heritage or otherwise, within the city limits that is irretrievably infested or infected with insects, scale or disease detrimental to the health of any heritage tree or heritage shrub;
- (b) Filling up the ground area around any heritage tree or heritage shrub so as to shut off air, light or water from its roots;
- (c) Piling building materials, parking equipment and/or pouring any substance which may be detrimental to the health of any heritage tree or heritage shrub;
- (d) Posting any sign, poster, notice or similar device on any heritage tree or heritage shrub;
- (e) Driving metal stakes into the heritage tree, heritage shrub, or their root area for any purpose other than supporting the heritage tree or heritage shrub;
- (f) Causing a fire to burn near any heritage tree or heritage shrub.

(Ord. 2016-05 § 1 (part), 2016: Ord. 94-01 § 2, 1994).

9.56.060 PERMITS REQUIRED FOR WORK SIGNIFICANTLY AFFECTING HERITAGE TREES AND/OR HERITAGE SHRUBS

(a) No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any heritage tree or heritage shrub without first obtaining a permit pursuant to this section. No person shall root prune, relocate or remove any heritage tree or heritage shrub without first obtaining a permit pursuant to this section.

(b) All persons, utilities and any department or agency located in the city of Santa Cruz shall submit a permit application, together with the appropriate fee as set forth by city council resolution, to the department prior to performing any work requiring a permit as set forth in subsection (a) of this section. The permit application shall include the number, species, size, and location of each subject heritage tree or heritage shrub, and shall clearly describe the scope of work being proposed and the reason for the requested action. Any supplemental reports which may be submitted by the applicant and staff are advisory only and shall not be deemed conclusive or binding on the director's findings.

- (c) An authorized representative of the department shall inspect the tree or shrub which is the subject of the application. Pursuant to that inspection, the authorized representative shall file with the director written findings.
 - (d) If, upon said inspection, it is determined that the tree or shrub which is the subject of the permit application meets none of the criteria set forth in Section 9.56.040, no further action on the part of the director or the permit applicant is necessary.
 - (e) If the tree or shrub which is the subject of the permit application meets any of the criteria set forth in Section 9.56.040 based upon a review of the permit application and the inspection report, then the director shall make findings of fact upon which he/she shall grant the permit, conditionally grant the permit specifying mitigation requirements, deny the permit or allow a portion of the proposed work outlined in the permit application to be done.
 - (f) Where three or more heritage trees or three or more heritage shrubs are the subject of any proposed work to be performed, the director shall require that the applicant sign an agreement for preparation and submission of a consulting arborist report. As part of said agreement, the applicant shall be required to deposit with the department an amount of money equal to the estimated cost of preparing the report, as contained in said agreement.
 - (g) The decision of the director shall be final unless appealed to the commission by the permit applicant or any other aggrieved person pursuant to Section 9.56.070.
 - (h) The director shall issue any permit granted pursuant to this section, which permit shall be conspicuously posted near the subject(s) of the permit.
 - (i) Unless appealed, the permit shall take effect ten calendar days after it is issued, except where the tenth day occurs on a Saturday, Sunday or holiday, in which case the effective date shall be extended to the next following business day.
 - (j) All work performed on any designated heritage tree or heritage shrub pursuant to a permit as provided in this section shall be completed within forty-five days from the effective date of the permit, or within such longer period as the director may specify.
 - (k) There shall be no fees or costs charged for permits which are limited in scope to the maintenance and repair work specified by Sections 13.30.060(b) and 15.20.210(c).
- (Ord. 2016-05 § 1 (part), 2016: Ord. 94-60 § 1, 1995: Ord. 94-01 § 2, 1994).

9.56.070 RIGHT OF APPEAL

- (a) Decision or Action of Director. Any person, public agency or utility aggrieved or affected by any decision or action taken pursuant to the authority of this

chapter by the director may appeal that decision or action to the commission according to the following rules and regulations:

- (1) A written notice of appeal, together with the appropriate fee as set forth by city council resolution, must be received by the secretary of the commission not later than ten calendar days following the date of the decision or action from which such appeal is being taken. If the final day for filing an appeal occurs on a weekend day or holiday, the final filing date shall be extended to the next following business day.
- (2) The appellant shall state the basis for the appeal and shall specifically cite which provision of this chapter is relied upon to support the appellant's contention that the director of parks and recreation acted in error. Any reports which may be submitted by the applicant, appellant or staff are advisory only and shall not be deemed conclusive or binding on the commission's findings. The appeal must be signed by the appellant or appellant's representative, and must set forth the mailing address to which the secretary of the commission may direct notice of a hearing.
- (3) Upon receipt of the appeal the secretary of the commission shall schedule the matter for a public hearing at the next regularly scheduled business meeting, but not sooner than ten business days after receipt. The commission shall complete its action within thirty days from the date the matter is first scheduled for public hearing, unless appellant and appellee mutually agree to extend said thirty-day period.
- (4) Notice of the public hearing shall be sent by first class mail to the permit applicant and appellant at least five calendar days prior to the meeting.
- (5) Notice of the public hearing shall be conspicuously posted by the director near the heritage tree(s) or heritage shrub(s) in question, at least ten calendar days prior to the meeting.
- (6) All notices shall include:
 - (A) The time, place and date of the public hearing;
 - (B) A brief description of the matter to be considered including a concise description of the heritage tree or heritage shrub in question, its location and scope of work being proposed;
 - (C) A brief description of the general procedure for submission of comments;
 - (D) The date of the filing of the permit application and the name of the applicant.
- (7) The commission shall make findings of fact on which it bases its action. The commission may conditionally grant the permit specifying mitigations, deny the permit or allow a portion of the proposed work outlined in the permit application to be done.
- (8) The commission shall direct the director to issue any permit granted by the commission pursuant to this section, which permit shall be conspicuously posted

near the subject(s) of the permit, and maintained at the reference desk of the central branch of the Santa Cruz City/County Library.

(9) The decision of the commission shall be final unless appealed to the city council by the permit applicant or any other aggrieved person.

(10) Unless appealed, the permit shall take effect ten calendar days after it is issued, except if the tenth day occurs on a weekend day or holiday, in which case the effective date shall be extended to the next following business day.

(11) All work performed on any designated heritage shrub pursuant to a permit as provided in this section shall be completed within forty-five days from the effective date of the permit, or within such longer period as the commission may specify.

(b) Decision or Action of Commission. Any person, public agency or utility aggrieved or affected by any decision or action taken pursuant to the authority of this chapter by the commission may appeal that decision or action to the city council. All such appeals shall be made pursuant to Chapter 1.16.

(1) Members of the city council shall be exempt from the appeal fee specified in Chapter 1.16 when acting in their official capacity.

(2) The city council shall determine all questions raised on appeal pursuant to Chapter 1.16, and the decision of the city council shall be final.

(3) Permit applications denied by the city council on appeal shall not be considered for reapplication for a period of one year from the date of the city council's decision, unless:

(A) There is a significant decline in the health of the subject heritage tree or heritage shrub as certified by a licensed arborist; and

(B) Said decline in health has not been caused by the applicant or any person associated with the applicant.

(Ord. 2016-05 § 1 (part), 2016: Ord. 94-01 § 2, 1994).

9.56.080 EMERGENCIES

In the event of an emergency whereby immediate action is required because of disease or because of danger to life or property, a heritage tree or heritage shrub may be pruned, altered or removed by order of the director, or by order of a responsible member of the police, fire or public works department. If not the director, the person ordering the pruning, alteration or removal shall file a comprehensive report immediately thereafter with the director. The director shall prepare the report if he or she orders the pruning, alteration or removal. The director shall forward copies of the report to the commission and council for their information.

(Ord. 2016-05 § 1 (part), 2016: Ord. 94-01 § 2, 1994).

Thank you for your urgent consideration to save heritage trees!

Sincerely,

Karen Kaplan

Resident of Santa Cruz County Since 1974

From: [Ann Simonton](#)
To: [Leslie Keedy](#); [Parks & Recreation Commission](#)
Cc: [Sandy Brown](#); [Justin Cummings](#); [City Council](#); [Martine Watkins](#); [Donna Meyers](#); [Renee Golder](#); [sjohnson-kalihari@cityofsantacruz.com](#); [Sonja Brunner](#)
Subject: Our Heritage Tree Ordinance Speaks for Lot 4 Trees
Date: Sunday, December 11, 2022 8:14:30 PM
Attachments: [Lot 4 Maples.jpeg](#)
[Lot 4 Magnolias.jpeg](#)

I wholeheartedly agree with Keresha Durham's brilliant letter and am sending it again for emphasis!!

Thank you, Ann Simonton, 46 year resident

Esteemed Tree Decision-makers- City Council, Leslie and Tremain,

"It's not about what it is, it's about what it can become.

I am the Lorax. I speak for the trees. I speak for the trees, for the trees have no tongues."

— Dr. Seuss, [The Lorax](#)

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Please refer to and follow our beautifully-written The Heritage Tree Ordinance (read it below) which calls to protect, design around and preserve our urban trees, which include the Lot 4, three magnificent, 50 and 100 year old Magnolias and two elder 40 foot, towering, colorful, lovely, Liquid Amber trees! **(PHOTOS**

ATTACHED) This ordinance advises against destruction since **"the removal of mature, heritage trees can take generations to restore."**

TREE CANOPY BENEFITS

Santa Cruz City is unique in that **we have fought to preserve our large tree canopy**, which is so **beneficial in this era of human-caused climate crisis**. Large, mature trees sequester the most carbon, clean air pollutants and prevent pavement heat. They provide needed habitat, spiritual renewal and joy! Were you lucky enough to have a large tree friend to climb as a kid? I was!

TREES NEED CAREGIVERS

These trees are not getting the care they deserve. Being surrounded by cement and soaking up oil from this parking lot weakens our beloved trees. If recycled water is used to water trees, this can cause large trees to die from too much salt content. They need fertilizer, amended soil and clean water.

MOVE THE TREES AS A LAST RESORT

If the project designers uncreatively refuse to build around these trees, moving large trees is possible, rather than destroying them.

REPLANT LARGER NATIVE TREES

If you must create a replacement canopy for lost or moved trees, re-plant with large, native-to-this-region trees, not the diminutive, decorative trees on Pacific Avenue. Think of the trees that are planted around city hall and on the former Pacific Garden Mall, they were gorgeous, artful, tall trees providing so much joy!

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SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE PRESERVATION OF HERITAGE TREES

WHEREAS, the City of Santa Cruz has actively encouraged the development of a safe, healthy and attractive environment in which its residents can live and work; and

WHEREAS, in pursuit of these goals the City recognizes the substantial environmental, aesthetic and economic importance of its diverse urban forest consisting of indigenous as well as non-native trees; and

WHEREAS, this invaluable urban forest has been, and continues to be, an asset to the community inasmuch as it contributes to the environmental, aesthetic and economic stability of the community; and

WHEREAS, the citizens of Santa Cruz recognize that the preservation of this invaluable resource is a heritage to the community at large; and

WHEREAS, the citizens of Santa Cruz therefore understand that the preservation of their

urban forest existing on both public and private property is important to them and their community in order to:

- (a) Protect, conserve and enhance the City's attractiveness and its aesthetic and scenic environment;
- (b) Develop and promote an awareness and understanding of the importance of urban forests to the citizens of Santa Cruz;
- (c) Encourage and assure the continuation of quality community development where existing trees are incorporated into any development and accorded proper maintenance and protection as a part of the City's urban forest;
- (d) Act as a buffer against urban traffic noise and wind damage, provide protection from wind erosion, and provide a privacy screen;
- (e) Aid in the reduction of air pollution given the known capacity of trees to ingest carbon dioxide and produce oxygen thereby enhancing air quality;
- (f) Assist in the absorption of rain waters thereby protecting against soil erosion by flooding; and

WHEREAS, the citizens of Santa Cruz recognize the right of individuals to develop, maintain and enjoy private property to the fullest possible extent consistent with the public interest in preserving and maintaining the City's urban forest in general.

PURPOSE

This Chapter is enacted to recognize, protect, optimize and responsibly manage the community

urban forest by establishing standards and policy consistent with private rights to develop and use property in a manner not prejudicial to the public interest while maintaining the health and safety of both the urban forest and citizenry.

It is the purpose of this Chapter to promote and protect a thriving urban forest and to facilitate proper management practices that include the City's ability to protect and preserve tree resources through regulating their removal, and to effectively enforce tree preservation and zoning regulations, and to promote an appreciation and understanding of trees and their intrinsic value.

(a) Among the environmental assets that contribute to the livability and attractiveness of the City of Santa Cruz are its trees, both indigenous and introduced. Growing in urban settings, neighborhoods, business and commercial districts, in parks and in open spaces, as single specimens or in groves, trees contribute significant tangible benefits, both psychological and environmental, for the residents and visitors to our community alike.

ORDINANCE NO. 2013-18

3

(b) Trees contribute beneficially to the urban environment and contribute to our community's and the state's climate action goals.

Tree canopy coverage reduces heat buildup, noise and air pollutants; improves air quality, reduces particulates, and provides oxygen.

Trees also enhance the aesthetic environment and contribute visually to the City by providing scenic views, scale, color, silhouette and mass.

Trees contribute to the protection of other natural resources by providing

erosion control, management of storm water and urban runoff, increased infiltration and groundwater recharge, and improved water retention capacity of soils.

Trees provide screens and buffers to separate land uses and are often landmarks or contribute to the significance of the City's history.

Trees contribute to the economy of the City by increasing and sustaining property values, creating employment and training opportunities, and reducing energy costs.

(c) The urban forest requires stewardship from both community members and the City to maximize its benefits, such as tree canopy coverage, shaded areas, and enhanced habitat for wildlife on private and public lands.

(d) The City's trees collectively constitute an urban forest and an ecosystem. Removal and planting of trees can create both negative impact, affecting the urban forest and the City as a whole. The removal of mature trees may in some cases take generations to fully restore.

(e) Appropriate management of non-native invasive species is encouraged by the City of Santa Cruz. Tree replacement requirements are designed to bolster native plant and animal communities and habitats.

Clearly this ordinance would have you care for and save these precious trees in lot 4 and include them in the design of any project.

Sincerely,
K. Durham
Environmental Activist
Resident of Santa Cruz since 1981
Educator since 1987
Proud Tree Hugger, Happy Tree Caregiver

--

Keresha Durham ~ educator, environmentalist
"care-sha"



For a quality future for all living things, the earth needs small families

Balance population with finite natural resources
Reduce human-caused carbon



From: [Cindy](#)
To: [Parks & Recreation Commission](#)
Subject: Parks and Recreation Commission Meeting 12/12/2022
Date: Thursday, December 08, 2022 1:16:06 PM

I'm writing in regard to agenda item #4, the proposed removal of 9 heritage trees on City owned property.

I believe the removal of these trees is in direct contradiction to the City of Santa Cruz's own Heritage Tree Ordinance. The Purpose of the Heritage Tree Ordinance stated in section 9.56.001 is to effectively enforce tree preservation and zoning regulations to promote the appreciation and understanding of trees and their intrinsic value.

Also for the record, the Ordinance states in section 9.56.001 paragraph

b) Trees contribute beneficially to the urban environment and contribute to our community's and the state's climate action goals. Tree canopy coverage reduces heat buildup, noise and air pollutants; improves air quality, reduces particulates, and provides oxygen. Trees also enhance the aesthetic environment and contribute visually to the City by providing scenic views, scale, color, silhouette and mass. Trees contribute to the protection of other natural resources by providing erosion control, management of storm water and urban runoff, increased infiltration and groundwater recharge, and improved water retention capacity of soils. Trees provide screens and buffers to separate land uses and are often landmarks or contribute to the significance of the City's history. Trees contribute to the economy of the City by increasing and sustaining property values, creating employment and training opportunities, and reducing energy costs.

So the question is, how can the City justify the removal of 9 heritage trees and at the same time enforce it's own Heritage Tree Ordinance?

I strongly oppose the removal of any heritage trees and encourage the City of Santa Cruz to comply with the provisions of the Heritage Tree Ordinance. I also encourage the City maintain the health of it's existing heritage trees.

Thank you for your thoughtful consideration,
Cindy Chace

425 Cleveland Avenue
Santa Cruz
Resident since 1989

From: [Chris Chang](#)
To: [Parks & Recreation Commission](#)
Subject: prcommission@cityofsantacruz.com
Date: Sunday, December 11, 2022 2:47:34 PM

Dear Parks and Recreation Commission,

Since there has been an appeal to deny tree removal for the new library project, I'd like to ask if the design did try to save the trees, especially the heritage trees, and will there be any sort of mitigation for heritage tree removal?

If so, I'm writing to urge you to deny the tree removal appeal filed by opponents of the downtown project who are denying the citizens of Santa Cruz the benefits of building 124 units of affordable housing, a brand new library and a childcare center. Please allow the project to move forward without additional delay.

The democratic process rejecting Measure O should allow this project to move forward.

Sincerely,

Chris Chang
240 Walk Cir
Santa Cruz, CA 95060

From: [Carol Long](#)
To: [Sandy Brown](#); [Martine Watkins](#); [Sonia Brunner](#); [Justin Cummings](#); [Renee Golder](#); [Donna Meyers](#); [Shebreh Kalantari-Johnson](#); [Parks & Recreation Commission](#)
Cc: [scpel](#); [Santa Cruz Progressive Alliance](#); [SCCAN](#)
Subject: Parks Commission and Santa Cruz City council: Do not cut down the Farmers' Market Heritage Trees
Date: Saturday, December 10, 2022 1:06:49 PM

Dear Tremain Hedden-Jones, Secretary to the Commission, Mayor & Santa Cruz City Council:

RE: Heritage Tree Removal Appeal
December 12, 4-6pm Meeting

Parks and Recreation Commission Hearing and Appeal to Stop Cutting Trees in Lot 4, the Farmers Market Lot.
Santa Cruz City Council Chambers & on Zoom

I echo the words and spirit of Karen Kaplan and many others who are appealing the hasty destruction of our heritage trees at the site of Santa Cruz's Farmers' market, for the following reasons

Appeal:

Please accept the appeal and save our heritage trees in the Farmers Market Lot 4, in Downtown, Santa Cruz.

Architectural Design:

There is no evidence in the plan for the site that there was an effort to include existing trees in the Santa Cruz Public Library and Parking Lot design. These priceless trees could be saved, if buildings were designed around them.

Disease:

There is no evidence of diseased trees, so they should not be removed.

Emergency:

There is no emergency requiring the removal of the trees; the project itself has not been approved; therefore there is no reason to cut them down now.

Historical Importance:

For many years, the "Food Not Bombs" distribution site was at the base of the heritage trees, giving these trees historical significance, as the first free vegan food distribution site, in Santa Cruz. These trees deserve a plaque to commemorate the historical events, that took place there. All who were hungry, were fed. Serving free, organic, vegan food helped to mitigate the climate crisis and homeless issues. People gathered in peace and harmony. Everyone was welcome, treated with respect and dignity, while enjoying a healthy, hot meal. There was music and celebration with noteworthy musicians such as Russell Brutsche, Peter Weiss,

Michael Levy and dignitaries spoke, such as current and past Mayors, City Councilmembers, members of the Senate, Congress and more.

More Reasons to Save Trees:

- Heritage trees have historical significance.
- Trees are beautiful and provide great value to our community.
- Heritage trees are unique and are a tourist attraction.
- Most people feel good when they can see and touch ancient trees and connect with nature.
- There are not very many trees in downtown, Santa Cruz.
- There are many climate benefits from trees; they absorb CO2 and filter pollution.
- Trees provide shade and habitat for birds and small animals, such as squirrels.
- The Santa Cruz City Climate Action Plan calls for more trees; not less.
- Trees will continue to provide benefits, as long as they remain alive.
- There is no reason to cut the trees now, rather than later.
- Cutting these trees would violate the heritage tree ordinance.
- The proposed library and parking structure building is not permitted yet, so trees should not be cut, in advance.
- No tree should be removed until all final plans are approved, financing is complete, and the project has a groundbreaking date, which may take more than a year.
- Heritage trees deserve to live and be preserved.
- Since trees can't speak, we need to speak up for them.

A substantial number of Santa Cruz people have spoken up for the trees and our voices should be listened to.

Thank, you, Karen, for this research and for speaking up for the trees.

Thank you, council and commission, for listening to and heeding the trees' advocates.

Carol Long
Santa Cruz resident for 34 years

From: [Dan Chen](#)
To: [Parks & Recreation Commission](#)
Subject: Please Approve Tree Removal Permit for the Downtown Library and Affordable Housing Project
Date: Sunday, December 11, 2022 2:05:06 PM

Dear Parks and Recreation Commission,

I'm writing to urge you to deny the tree removal appeal filed by opponents of the downtown project who are desperate to deny the citizens of Santa Cruz the benefits of building 124 units of affordable housing, a brand new library and a childcare center. Please allow the project to move forward without additional delay.

The people have already spoken on this project by rejecting Measure O in the most recent election.

Sincerely,

Dan Chen
240 Walk Cir
Santa Cruz, CA 95060

From: [Alan Schlenger](#)
To: [Parks & Recreation Commission](#)
Subject: Please delay the Lot 4 tree removal
Date: Friday, December 09, 2022 4:18:55 PM

Dear Commissioners

I am requesting that the removal of the trees on Lot 4 not be done while the Farmers Market is still operating there. The removal should occur as close to when the market will have to move from Lot 4 as possible.

This delay would minimize possible upset and turmoil to the the community and to the operation of the market in the remaining time the market is on Lot 4.

Removing the trees earlier than necessary will negatively impact the community's ability to have a peaceful environment and interfere with the market's ability to conduct business.

I ask that you delay the removal of the trees until the last possible moment.

Thank you,
Alan Schlenger
Longtime city resident, strong market supporter and concerned community member

From: [Don Lane](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal and move forward with housing - library project
Date: Friday, December 09, 2022 1:07:37 PM

Greetings Commissioners

Please deny the appeal of the Lot 4 tree removal permits.

It's clear the voters have indicated support for the library/affordable housing project on Lot 4 and the project cannot be redesigned to accommodate the trees without significant negative changes to the project. These changes would either make the project infeasible or make it so reduced in size that it would not accomplish the principal purposes of the project.

Please help our community achieve a substantial affordable housing gain and a great new library.

Thank you for your consideration.

Don Lane

From: [Carol Gmail](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:49:48 PM

The city of Santa Cruz voted. We want the new library and housing. The trees are not worth saving. They are planting more trees with the new project. I can't believe this is still a talking point. Let's move forward already.

Carol Berberich
Resident of the City of Santa Cruz

From: [cathy.cavanaugh](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 1:37:59 PM

Dear Commissioner, As a retired, 20 year, parks worker, please move forward and deny the tree removal appeal.

Thank you,
Cathy Cavanaugh

Sent from my iPad

From: [Elan Emerson](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:50:39 PM

Hello Parks and Recs Commission,

I'm writing as a local business owner in Downtown Santa Cruz. I've been looking forward to the new Downtown Library. I understand that there will be new trees planted by professional landscapers which will last for generations to come. Please std deceitful me and deny the appeal of the Lot 4 tree removal.

Thank you,

Elan Emerson

Barceloneta
1541-B Pacific Avenue
Santa Cruz, CA 95060
www.eatbarceloneta.com
elan@eatbarceloneta.com
[Instagram](#)
[Facebook](#)

From: [Joe](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:51:07 PM

Please, please, please deny the appeal before you to stop the tree removal at LOT 4.

I understand the folks who don't want the mixed use project and yet 60% of the voters have spoken.

The time has come to move FORWARD!!

Joe Ferrara

From: [Dennis](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 1:05:21 PM

Please support the Library and Affordable Housing Project!
The trees that will be removed will be replaced with more trees that better fit the urban environment.
Please, please deny this appeal!
Dennis Hagen
322 Pelton Ave
Santa Cruz CA

From: [Robin Holland](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 2:46:42 PM

Robin Holland
Brand Strategy & Consulting
[RobinHollandInternational](#)
415-342-5546
robincreates@gmail.com

From: [Roberta Hunter](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Saturday, December 10, 2022 9:21:08 AM

I would like to urge you to accept the will of the voters of Santa Cruz, and deny the appeal to the Lot 4 tree removal. As Measure O demonstrated, the majority of city residents clearly want the new library comprehensive project to move forward. Tactics to delay the project are disrespectful to the community and costly.

Please say no to political tactics that would delay such a clearly desired project by the majority of the community.

Thank you,
Roberta Hunter

From: [Cara](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 3:26:44 PM

I love trees. If the trees on Lot 4 were healthy, were native, I'd feel really bad about sacrificing them. But even then, I would prioritize low-income housing. Please go forward with the project, and please find good places in our town where new, healthy, native trees can grow.

Thank you.

Caroline Lamb
130 Serra Court, Santa Cruz
8314590917

From: [Benjamin Levine](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 6:21:20 PM

Dearest planning commisioners,

We need housing amd a library, not a couple of old, nonnative parking lot trees that are nearing the end of their lifetime!!! The people and the city need to projext to go forward.

With love From Your humble citizen

Benji levine

From: [geri lieby](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 8:58:13 PM

My goodness. The trees are near the end of their natural life. They are not native. The new development will plant native trees. It's an ugly parking lot with the aforementioned trees. Please don't allow a few misguided people kill a beautiful well planned project.

Geri Lieby
310 Everson Drive
Santa Cruz

Sent from my iPhone

From: annelipman@comcast.net
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:41:06 PM

Please allow the city to move forward with this project without further delay. Thank you for all your work on this matter.

Best,

Anne Lipman

Sent from my iPhone

From: [Gerry Mandel](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Saturday, December 10, 2022 12:13:09 PM

Dear Parks & Recreation Commissioners,

As a resident of downtown Santa Cruz, a past commissioner on the Parks & Rec Commission, and supporter of the mixed-use library/affordable housing project on Lot 4, I urge you to deny the tree removal appeal and allow the project to move forward. It's always sad when large trees are cut down, but in time the greater number of replacement trees will grow tall and bring even more shade and color to the street. Sometimes difficult decisions must be made for the greater good, with an eye to the future.

Thanks for listening.

Gerry Mandel
512 Washington Street
Santa Cruz

From: [Rachel McKay](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 6:44:05 PM

Dear Parks and Recreation Commissioners,

I am writing to ask that you deny the appeal to save the trees in Lot 4. While I love trees, I also love the library and look forward to a new library with a living roof.

The trees in lot 4 are not native. Native trees support local critters much better than non-natives do. I have a magnolia in my back yard, not only is it messy, I don't see many birds using it. Liquid Amber trees, while beautiful, are known to lose limbs easily, as many have done in the downtown area. I also understand that an independent Arborist said that the trees are in poor health.

Thank you for doing the right thing by denying the appeal to save the trees.

Thank you,
Rachel McKay
Santa Cruz

From: [Valerie Mishkin](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 7:34:01 PM

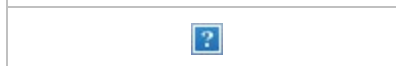
- A professional arborist says the trees are non-native, in poor condition and are poor candidates for preservation.
- The architect and affordable housing developer say: the project cannot be redesigned and still achieve the goals of this important project, which has been overwhelmingly supported by the community and council action.
- The Library & Affordable Housing Project will mitigate the removal of the trees by planting more trees than removed and delivering environmentally beneficial features of the project (green roof, native plant landscaping, habitat for pollinators and more).

Please move forward on this important project. without delays. This is one of the few projects that is focused on Affordability. It is desperately needed. The Library, the parking, and the daycare will all add great value to our city.

--



Valerie Mishkin
Bailey Properties
DRE# 02092111
VMishkin@BaileyProperties.com
Office 831 426 4100
Cell 831 238 0504
1602 Ocean Street Santa Cruz CA. 95060
Local Government Relations Committee
Smart Coast California Board of Directors
Santa Cruz City Master Recyclers



From: [Brian Creative design Smith](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 1:01:17 PM

To the commissioners on the Parks & Recreation committee:

Please deny this appeal as it does not align with what was voted on for this property as well as the well-documented facts that these trees are not native or healthy. The new facility will have a positive offset with the green roof with native plant landscaping that will be more beneficial to our community.

Please do not delay the library and affordable housing any further by submitting to this last-minute tactic to block this project.

Thank you,
Brian Smith
703 Spring St, Santa Cruz, CA 95060

PS: Thank you for your service to the community for serving on the Parks & Recreation Commission

Creative design & manufacturing
P: +1 831.621.4996 F: +1 831.426.0530

From: [fred willoughby](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Sunday, December 11, 2022 10:57:59 AM

Dear Commissioners,

Please deny the tree removal appeal for the Library Mixed-Use project. More and better trees are proposed to replace unhealthy non-native trees. It would be unconscionable to derail an important community improvement.

Tim Willoughby
Scotts Valley

From: [David Lieby](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Saturday, December 10, 2022 8:24:48 AM

I am writing to ask that you deny the appeal of the Lot 4 tree removal permit. Our city needs the Library and housing that the appeal would stop.

Thanks,
David Lieby
310 Everson Dr, Santa Cruz, Ca 95060

From: [Linda Snook](#)
To: [Parks & Recreation Commission](#)
Subject: Please deny the appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:35:01 PM

I support the new affordable housing and library project, and ask you to deny the appeal of tree removal. I would like to see the tree removal mitigated by planting of native trees in other areas of town.

Sincerely,
Linda Snook

From: [Matt Berger](#)
To: [Parks & Recreation Commission](#)
Subject: Please don't allow an appeal of the Lot 4 tree removal permit
Date: Friday, December 09, 2022 12:44:02 PM

I am a Santa Cruz homeowner and resident with two kids in high school. my wife is a public school teacher.

We and other citizens of the city are being held hostage by a bunch of obstructionists who are doing everything they can to protect their monopoly of high-prices single family rental properties that they acquired decades ago.

They are the worst special interest there is, protecting their own at the expense of everyone else.

They don't care about the future of our community. They care about keeping what they have and not sharing with up and coming generations.

Those trees are non native invasive species planted in the 1960s by the owner of a downtown business. They are not part of the dense natural green scape that surrounds our beautiful city. No indigenous community ever sat under those magnolia trees.

We deserve a modern library. We deserve homes for young families and professionals. We don't need a rundown parking lot with a few sucky trees.

Please shut down this appeal quickly and let these obstructions know that they can't hold us residents hostage

Matt Berger
Cleveland Ave

Sent from my iPhone

From: [JGrady](#)
To: [Parks & Recreation Commission](#)
Subject: Please don't remove the trees
Date: Sunday, December 11, 2022 3:44:46 PM

Please consider a way to leave the heritage trees on lot 4.
Obviously, they mean a lot to this community and cutting them down is short sighted.
Thank you,
Jennifer Grady
414 Avalon Street

From: [Sean Murray](#)
To: [Tremain Hedden-Jones](#)
Subject: Please Preserve Lot 4 Trees
Date: Friday, December 09, 2022 3:02:56 PM

Dear Mr. Hedden-Jones;

My name is Sean Murray; I am a monthly-donor "Friend" of SCPL who voted NO on O; and I am stoked for the new library and mixed-use facility.

I write to encourage you to preserve the 12 trees on Lot 4 while moving forward with the new project. The trees are heritage trees, recommended for preservation by the city arborist. They create shade and sequester carbon. They are beautiful, and the lungs of our city.

Some of those trees will long outlive the main branch of SCPL; let's respect them and leave them for future generations to enjoy.

Peace,

s

--

Be good.

From: [Dave Evans](#)
To: [Parks & Recreation Commission](#)
Subject: Please Proceed with Library & Downtown Housing (deny the "tree strategy" to block the community's will)
Date: Friday, December 09, 2022 12:42:36 PM

Dear Commission

I am writing in support of the continuation of the downtown library project and affordable housing. Please reject the attempt to thwart the will of the people as demonstrated in the recent election by the side technique of using tree preservation to block the project. The trees in question are not native, inappropriate, and will be more than compensated for with new plantings. The positive impact of the community particularly for affordable housing far at ways this meager attempt and using trees to stop taking care of our people. We have already voted on this and the community has spoken. Please proceed as the community has indicated.

Dave Evans
600 Pelton SC
18 year permanent resident

--

David J. Evans

djevans4@gmail.com | 408.857.1903

Co-Author: *Designing Your Life* and *Designing Your Work Life*

www.designingyour.life | www.designingyourwork.life

@DaveEvansDYL | facebook.com/DesigningYourLifeTheBook

Co-Founder: Stanford Life Design Lab

www.lifedesignlab.stanford.edu

From: [Maya Elson](#)
To: [Parks & Recreation Commission](#)
Subject: Please Save Lot 4's Heritage Trees
Date: Saturday, December 10, 2022 2:57:10 PM

I support the appeal to protect these ancient Magnolia trees.
Thanks

--

Maya Elson
Post Fire Biofiltration Program Manager at [CoRenewal](#)
MycoRenewal Specialist at [Mycopsychology](#)
Outreach Coordinator with [Mazu Mushrooms](#)

From: [Anina Van Alstine](#)
To: [Parks & Recreation Commission](#)
Subject: Please spare the trees!
Date: Friday, December 09, 2022 10:30:14 PM

Hello!

I implore you to save the Heritage Trees on the downtown lot!

--



831-818-0735

"Hope and fear cannot occupy the same space. Invite one to stay." Maya Angelou.

please contact me for any of your real estate needs at

www.aninaandjulia.com

Please see my website for exciting news about my real estate practice and associate, Julia Randall!



From: [Casey Beyer](#)
To: [Parks & Recreation Commission](#)
Cc: [Tony Elliot](#)
Subject: Public Hearing -- Item 4 -- Dec. 12, 2022 meeting
Date: Friday, December 09, 2022 4:03:43 PM

City of Santa Cruz
Parks & Recreation Commission
323 Church Street
Santa Cruz, CA 95060

Dear Chair Glavis, Vice Chair Greensite and Commissioners Angell, Cruz, Locatelli, Mio and Pollock:

I am writing on behalf of the Santa Cruz County Chamber regarding to the tree permit for Lot 4 in downtown Santa Cruz, the site of the Downtown Library and Affordable Housing project. **I urge the commission to deny the tree removal appeal filed by project opponents** and allow the project to move forward without additional delays to build 124 units of desperately needed affordable housing, a brand new library and a childcare center.

Based on an independent professional arborist examination and documentation of the condition of the trees. **All of the trees were identified as “non-native ... exhibiting myriad detrimental conditions including structural weaknesses, evidence of past failures, limb and stem decay, and buried root collars which may disguise root disease and resulting decay.”** The trees were found to be poor candidates for either relocation or preservation on site, because of the significant expense required and the questionable likelihood of success.

An independent consultant is still completing a more extensive environmental review. It has not been available in time for the upcoming commission meeting, so City staff recommends that the Commission open the hearing on Monday, but continue discussion and action to its next regular meeting, in February 2023.

Thank you for considering the views of the Santa Cruz County Chamber on this important project in our downtown.

Respectfully submitted,

Casey

Casey Beyer
Chief Executive Officer
Santa Cruz County
Chamber of Commerce
(831) 457-3713

From: [Jacquelyn Griffith](#)
To: [Parks & Recreation Commission](#)
Subject: Re Appeal: Please Respect Heritage Ordinance and Keep Our Heritage Trees As Long As Possible!
Date: Sunday, December 11, 2022 7:45:32 PM

Dear Parks and Rec Commissioners,

First, thank you for your time in volunteer service on our Parks & Rec Commission.

We need to honor our Heritage Tree ordinance. If the Commission does not honor our heritage trees and our City Heritage Tree Ordinance, then it becomes difficult to expect our citizens and visitors to respect and honor our heritage trees.

Now, with advancing climate change, these trees are even more important to us than they were when the ordinance was adopted. We especially need these trees downtown to allay pollution in this ever more dense area and for their ability to reduce the air temperature and provide shade from direct sunlight for residents and tourists alike with our decreased ozone layer. This last reason is utmost in my mind right now since my sister is going through skin cancer surgeries again on her nose and recovery is slow and painful.

Please save these trees on lot 4 for now. There is an unknown amount of time until this project is fully funded and even the possibility of design changes that could protect these precious resources, our heritage trees. A large section of our residents And tourists have shown their appreciation for the trees and desire to save them. I have had several people tell me they did not understand their vote on Measure O would take out the trees, or that they were confused and thought voting No on O meant it would save the trees and remodel the library where it now stands.

There is simply no reason to allow these protected heritage trees to be cut down at this time and leaving them in place allows our community to work for mutually acceptable solutions. Cutting them now only leads to rancor and pain and more division at a time even nationally when we truly need to find unity and work together.

Thank you for reading fully and considering my comments. I have lived and worked here for 41 years, including 12 years of volunteer work on City and County committees and commissions and I care deeply for our Santa Cruz community.

Jacquelyn Griffith
239 Calvin Pl.
Santa Cruz, CA 95060

From: [Judy Weaver](#)
To: [Parks & Recreation Commission](#)
Subject: Re the 10/28/22 Appeal of the Heritage Trees-Cutting Permit for Lot 4, Santa Cruz
Date: Sunday, December 11, 2022 11:53:27 PM

To the Commissioners of the Parks and Recreation Commission:

I respectfully request that the appeal by Pauline Seales against the Heritage Tree Cutting Permit for Lot 4 be upheld. That the staff recommendation, that the Commission defer hearing of the appeal until February 13, 2023, be honored to allow the CEQA analysis to be completed, for a comprehensive analysis of the environmental impacts of the proposed tree removal.

In addition, I especially request that none of the heritage trees at the site be cut down/removed unless funding and building permits for the garage/library/affordable housing project are on record and until the time of construction is expected to take place.

Thank you for your consideration.

Judy Weaver
Taylor St
Santa Cruz, CA 95060

From: [Lois Robin](#)
To: [Parks & Recreation Commission](#)
Cc: [Shebreh Kalantari-Johnson](#); [Sandy Brown](#); [Martine Watkins](#); [Sonja Brunner](#); [Justin Cummings](#); [Renee Golder](#); [Donna Meyers](#); [scpel](#); [Santa Cruz Progressive Alliance](#); [cjloug3@sbcglobal.net](#)
Subject: Re: [SCPEL] Do not cut down the Farmers' Market Heritage Trees
Date: Saturday, December 10, 2022 5:15:31 PM

Dear Tremain Hedden-Jones, Secretary to the Commission, Mayor & Santa Cruz City Council:

RE: Parks and Recreation Commission Hearing; December 12, 4-6pm Meeting
Heritage Tree Removal Appeal to Stop Cutting Trees in Lot 4, the Farmers Market
Lot

**The imminent destruction of the heritage trees on Lot L is at least premature,
and at base, a great mistake.**

**Several others have written about the reasons to halt this action, I add my own
points to theirs:**

Architectural Design?

There is no evidence in the plan for the site that there was an effort to include
existing trees in the Santa Cruz Public Library and Parking Lot design.

No Disease:

There is NO evidence of diseased trees, as was stated by the architects. Have
another look!

Contributions to Clean Air:

They absorb CO2 and filter pollution, the larger the canopy, the more that works...
Shade and habitat for birds and small animals, dazzlers for human babies,

No Urgency:

The project itself has not been approved; therefore there is no reason to cut
them down now.

The Heart of Santa Cruz:

Beyond it's use as the gathering site for the community as a Farmers Market, Lot
L has been a center of community activity in MANY ways and for many years.

The site of the Antique Fair—and other such colorful events.

The staging ground for community celebrations, festivals, political, arts and music
events and for demonstrations....all of which represent THE ESSENTIAL SANTA
CRUZ SPIRIT!

The "Food Not Bombs" distribution site was at the base of the heritage trees--the first free vegan food distribution site in Santa Cruz.

The back-of-a-truck performances for many audiences, for many reasons...

...The heart of our community.

The Santa Cruz City Climate Action Plan calls for more trees; not less.

Timing:

If indeed funding becomes available and the project groundbreaking date is established, it's unlikely to be within a year

...AND OUR COMMUNITY CAN CONTINUE TO BENEFIT FROM THE TREES' CONTRIBUTION TO AIR QUALITY AND CIVIC BEAUTY.

With respect, I join my fellow active citizens in requesting another look at this unnecessary action.

Lois Robin

Santa Cruz County resident 20+ years

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--

Lois Robin
4701 Nova Dr.
Santa Cruz, CA
831 464-3939
www.LoisRobin.com
climatechangehitshome.com

From: [Wesley Somers](#)
To: [Parks & Recreation Commission](#)
Subject: Re: Appeal of the Heritage Tree Removal Permits
Date: Friday, December 09, 2022 10:47:52 PM

To whom it may concern,

I am a PhD student at UCSC and an active community member of Santa Cruz since 2009. I am writing to voice my support for the appeal of the Heritage Tree Removal Permits in the downtown lot #4, where the new library construction is slated to begin.

The appeal contests the tentative tree removal permits issued by the City in October. The grounds for appeal are based on the Heritage Tree Ordinance which states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

The city must, under this ordinance, make all attempts to alter the building plan to accommodate the heritage trees in lot 4, which, as I understand, has not been attempted so far.

Ideally, accommodating these trees would mean 1) do not cut them down, 2) to ensure they can still obtain the same amount of sunlight as they otherwise would, 3) to see that their roots be undisturbed to prevent disease as a result of the building's presence, and 4) that the trees remain accessible to the public.

These trees are important to the people of Santa Cruz. Many of us have memories under these trees. They provide a lovely shade, a home for birds, a place to rest or meet with friends, and on top of that make our town beautiful. All of these things have a positive effect on our mental and physical well-being, and to remove them would be, frankly, demoralizing and shocking. It would send many of us into a long period of grief, and an even longer period of depression.

I have confidence that the council will unanimously agree that our heritage trees are important and will find a way to preserve them, even if not all of the ideal conditions can be met.

Thank you for your time,

--

Wesley Somers
PhD Student
Cross-Cultural Musicology a
University of California, Santa Cruz

From: [Pam Brown](#)
To: [Parks & Recreation Commission](#)
Subject: RE: Appeal of the Lot 4 Tree Removal
Date: Friday, December 09, 2022 2:49:59 PM

To the commissioners on the Parks & Recreation committee:

Please deny this appeal as it does not align with what was voted on for this property as well as the well-documented facts that these trees are not native or healthy. The new facility will have a positive offset with the green roof with native plant landscaping that will be more beneficial to our community. On a side note, I own 2 properties downtown and am fully supportive of the efforts to clean up and modernize our community spaces especially the main library facility.

Please do not delay the library project because the “squeaky wheels” continue to attempt to block the community’s desires.

Best Regards

Pamela Blanc Brown

931 High St Santa Cruz, CA 95060

PS: Thank you for your service to the community for serving on the Parks & Recreation Commission

From: [SUSAN KERRY](#)
To: [Parks & Recreation Commission](#)
Subject: Re: Heritage Tree Removal Permits
Date: Sunday, December 11, 2022 9:56:06 PM

Please add my voice to the many others in our city who are questioning this rush to remove these heritage trees from one of the last remaining open spaces in downtown Santa Cruz. In a town where "the need to mitigate 'climate change' due to excess CO2" is used to justify every new regulation to limit the local citizens' abilities to go about their business, our city has chosen to issue permits to remove ALL of the Lot 4 heritage trees, even as these trees continue to do what they've done since they were planted there long ago: take the CO2 being generated by life itself and convert it into Oxygen. And now you the 'selected', not 'elected', commission members, are about to decide whether these trees, the true climate-change fighters, spewing no CO2-filled hot air unlike those seeking to cut them down, should be sacrificed on the altar of housing, parking, and a new library, none of which will generate any oxygen, but will generate tons more of CO2. Oh where will those heritage trees be when you really need them?

Need I add that the city is issuing permits to cut these trees down well before they have even secured any funding for the structure they plan to build, and given the impending collapse of our financial system, both state and federal (or hadn't you heard), such funding appears to be less and less likely. Sounds like the city is just asserting its 'bully' rights after a serious challenge by its citizenry. But what's their hurry and why are they taking it out on these trees, truly the only significant source of fresh O2 in that block of downtown?

Please deny these permits as being unnecessary at this time, and, even better, unnecessary at all if any future building on this lot is required to accommodate these trees and build around them safely. That would certainly be to the benefit of any oxygen-breathing visitors to this lot, whatever the future has in store.

Theodora Kerry
43 year resident of the City of Santa Cruz

From: gdauidson@cruzio.com
To: [Parks & Recreation Commission](#)
Subject: Regarding the Heritage Trees
Date: Sunday, December 11, 2022 12:33:41 PM

To the Commissioners:

As a Santa Cruz citizen and homeowner since 2000, I support in the strongest terms an injunction against the removal of the heritage trees .

The absence of detailed funding for the library project, and the dismissive attitude toward these beautiful trees in the formation of a building plan is not congruent with the soul of our city. We should protect our past- especially that which is harmless and so beneficial to the community.

I opposed the new mixed-use library building with its emphasis on hotel parking, but-if eventually funded- it may yet come to pass.

At the very least let us come together, honor nature, support conservation, and find a way to integrate the trees.

Thank you,

Glenys Davidson
125 Sutphen St
Santa Cruz

From: [Martin Gomez](#)
To: [Parks & Recreation Commission](#)
Subject: Regarding Tree Removal Appeal
Date: Monday, December 12, 2022 7:02:14 AM

I am writing to urge the Parks and Recreation Commission to deny the appeal of the Heritage Tree Removal permit related to the Downtown Library and Affordable Housing project (DLAHP). By denying this appeal you will allow this DLAHP to go forward, resulting in the creation of over 140 affordable housing units and a new downtown library. If the appeal is approved by the Parks and Recreation Commission, it will for all intents and purposes, kill the DLAHP.

After years of public hearings, city council review and approval, public debate and recent voter approval, it would be an embarrassment to the city and a denial to voice of the people who voted to complete this project by defeating Measure O in recent November election.. Please deny the appeal. The appeal has little to do with the trees (which have been evaluated by a registered consulting arborist and determined to be unhealthy, and non-Native). Instead the appeal is an end run to deny the community a new library and sorely needed affordable housing.

Martín Gómez
Former member of the Downtown Library Advisory Committee.
(415) 999-9601

From: [Leslie Keedy](#)
To: [Tremain Hedden-Jones](#)
Subject: Fwd: Removal of Heritage Trees on City Lot 4
Date: Thursday, December 08, 2022 8:40:00 PM

On Dec 8, 2022, at 8:28 PM, Susan Monheit <smonheit74@gmail.com> wrote:

Dear Ms. Keedy,

I found it appalling that during an election with a measure on the ballot (Measure O) to determine the fate of Lot 4 and the heritage trees contained there on, that the City of Santa Cruz would post signage pushing forward the process for immediate removal of all trees on Lot 4.

Given that it may be many years before the ~\$1.8 million dollar deficit to build the library/mixed use project materializes, I request emphatically that the trees on Lot 4 not be cut down until the City is ready to break ground on building. Please, do not cut the trees until onsite construction requires their removal.

Sincerely,

Susan Monheit

Santa Cruz Citizen

From: [Eve Roberson](#)
To: [Parks & Recreation Commission](#)
Subject: Save Lot 4 heritage trees
Date: Sunday, December 11, 2022 2:46:31 PM

TO: City Planning Commission

Why must these invaluable trees be sacrificed? They deserve at least a hearing!

Thank you,

E. L. Roberson

From: [Tim Brattan](#)
To: [Parks & Recreation Commission](#)
Cc: [Parks & Recreation Commission](#)
Subject: Save Lot 4 trees / Section 9 trees/habitat
Date: Sunday, December 11, 2022 10:28:01 AM

Dear Parks and Recreation Commissioners and City Council,

We urge you to rescind the tentative tree removal permits issued by the City in October. Why remove the heritage trees with their beauty and shading benefits on Lot 4 so long before project funding is identified (if ever), final plan approval, parking concrete closer to pour, etc? What's the rush?

The City's own Heritage Tree Ordinance states: *"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."* Has Jayson Architecture offered a design in a way that would preserve or accommodate any of the 9 heritage trees on the project site? Heritage trees are crucial for the urban forest and provide innumerable social and environmental benefits, especially amid the threatening and intense climate emergency.

Please also vote to preserve trees - many heritage - and the natural habitat in the 1.6 mile Section 9 of the Coastal Rail Corridor that the City DPW EIR says will be uprooted to install a trail next to rather than over unusable rail tracks. The removal of 400 trees and their shading/dappling light, sensitive butterfly, bird and other insect/animal habitat should be a nonstarter, not aligned with our shared community values and should be rejected.

Are you so sure, so positive that passenger rail will ever be feasible in that corridor that you are willing to destroy the linear park's natural environment and beauty? We favor building a trail by removing the rails (since they would have to be replaced anyway), leaving the ties in place (to preserve rail option) and installing a gravel/DG trail bed while other future transit options are studied.

Sincerely,

Suzi Mahler and Tim Brattan
City of Santa Cruz residents

From: [Donna Wolper](#)
To: [Parks & Recreation Commission](#)
Subject: Save lot 4 trees
Date: Saturday, December 10, 2022 12:43:34 PM

Should be a no brainer. Pathetic I have to write to demand this.

Sent from my iPad

From: [Zack Schlesinger](#)
To: [Parks & Recreation Commission](#)
Subject: Save our Lot 4 heritage trees
Date: Monday, December 12, 2022 10:52:05 AM

I am writing to ask that you not cut down any Lot 4 heritage trees. These trees are important to the downtown environment and to the heritage of Santa Cruz.

Best,
Zack

Zack Schlesinger
160 Cypress Park
Santa Cruz, CA
95060

From: niczar@cruzio.com
To: [Tremain Hedden-Jones](#)
Subject: Save the Heritage Trees
Date: Friday, December 09, 2022 6:36:41 PM

Greetings! I implore you: Please save the Heritage trees at the Parking Lot where the weekly Wednesday Farmers Market is held. Below are some of the many reasons that they should be saved and appreciated for the beauty and contribution they make to our environment:

- Trees provide great value to the community and the planet.
- There are not very many trees downtown.
- There are many climate benefits from trees and the shade they provide.
- The Santa Cruz city Climate Action Plan calls for more trees not less.
- * Trees will continue to provide benefits as long as they remain alive.
- These are heritage trees and need to be saved.
- Wouldn't cutting these trees be a violation of the heritage tree ordinance?

* There is no compelling reason to cut the trees now rather than later. It was shocking for me to see the posted tree cutting notice in the Sentinel in October. Couldn't the trees somehow, someday be saved despite the vote to create a new library on that lot site? Can't the trees be incorporated into the design? Respect these mighty sentinels of time and beauty. Do not destroy the Heritage Trees!!

Thank you. Sincerely, Nicolette Czarrunchick, Santa Cruz resident

From: [Bob Majzler](#)
To: [Parks & Recreation Commission](#)
Subject: save the Lot 4 trees
Date: Sunday, December 11, 2022 8:28:44 AM

Hello,

I am writing to support the effort to save the Heritage trees in Lot 4. These are big, beautiful trees that do not deserve to be cut down. Please do everything you can to save them.

thank you,

Bob Majzler

From: [Nancy Maynard](#)
To: [Parks & Recreation Commission](#)
Subject: Save the trees
Date: Friday, December 09, 2022 7:10:26 PM

Keep our downtown trees... we need more trees downtown not less...
Trees contribute to our well being... and are welcoming to visitors

Nancy Maynard

From: [lisa ekström](#)
To: [Parks & Recreation Commission](#)
Subject: Support for the Appeal and for the Heritage Trees on Lot 4
Date: Monday, December 12, 2022 12:16:44 AM

To the Parks and Recreation Commissioners,

Please accept the appeal, deny the permit application, and preserve our Heritage Trees on Lot 4. There is no compelling reason to approve the destruction of these trees, especially at this point in a project that is still in planning stages — and apparently has not adequately investigated the possibilities of incorporating and preserving at least some of our Heritage Trees. And the funding for this project is far more than 50% short.

The City of Santa Cruz has a Heritage Tree Ordinance which needs to be followed.

I read that one argument for destroying our Heritage Trees was that they would be replaced, one to one. Replacing 9 destroyed Heritage Trees with 9 young trees — while sounding possibly reasonable in terms of mathematics — is not remotely sound in terms of Santa Cruz's ecosystems. Mature trees with larger trunk diameters store far more carbon than smaller trees, and the larger canopy of mature trees and Heritage Trees also means they're more effective at mitigating urban heat island effect as well as being more effective at intercepting air pollutants. These are all important and incredibly valuable in addressing the climate crisis. It's also important to remember that when a large tree (that has been industriously storing CO₂) is cut down, the CO₂ is released back into the environment.

Trees actually appreciate in their value as they mature, which is the opposite of other city infrastructure, including a new Library and Affordable Housing project.

Finally, there are so many vital benefits these Heritage Trees have brought to all of us, many of them quantifiable, and yet some of those real benefits are of other qualities altogether. These trees have shaded us, protected us, given us sense of place and a place for community in what would otherwise be just another parking lot.

Please protect these trees as they've protected us until it's absolutely and clearly necessary to consider otherwise, if that indeed ever becomes necessary.

Thank you,
Lisa Ekström
Downtown Santa Cruz

--

From: [Alyssa Kroeger](#)
To: [Parks & Recreation Commission](#)
Subject: SUPPORT the Downtown Library & Affordable Housing Project & DENY Tree Removal Permit Appeal
Date: Monday, December 12, 2022 9:40:14 AM

Dear Commission Parks and Recreation,

I join Downtown Forward in supporting the Downtown Library & Affordable Housing Project by denying the tree removal appeal. The Project would plant more trees than removed and provide additional environmentally beneficial features such as a green roof and encourages reduction of vehicle miles traveled ("VMT"). This project will also provide additional community benefits such as a state of the art library, childcare facility, bike parking, resources for all, and much-needed housing. It is also not clear whether the heritage trees are proper candidates for preservation.

Sincerely,

Alyssa Kroeger
9 Valmar Ct
Seaside, CA 93955
alyssakroeger@gmail.com

From: [amelia.gray](#)
To: [Parks & Recreation Commission](#)
Subject: Support the Library & Affordable Housing Project
Date: Friday, December 09, 2022 12:41:30 PM

Dear Parks and Recreation Commission,

As a life-long Santa Cruzian, parent, and someone passionate about making sure our community thrives, I am writing to you to strongly urge the Commission to deny the tree preservation appeal opponents of the new downtown library project are using in an attempt to halt the library and housing building.

Measure O failed. Environmental laws are being abused in California, and have been for a long time, by NIMBYs that fail to see the need for housing and public transit- this is ignoring the spirit of the laws and preventing a healthy society.

I urge denying the appeal for the above and following reasons:

- A professional arborist says the trees are non-native, in poor condition and are poor candidates for preservation.
- The architect and affordable housing developer say: the project cannot be redesigned and still achieve the goals of this important project, which has been overwhelmingly supported by the community and council action.
- The Library & Affordable Housing Project will mitigate the removal of the trees by planting more trees than removed and delivering environmentally beneficial features of the project (green roof, native plant landscaping, habitat for pollinators and more).

Sincerely,

Amelia Gray

THE QUESTION OF OUR STORY

The time to push back is way past due. How do I know? Because this is an old tattered, wore-out tale. Old by decades of repetition, and destructive consequences. But certainly not as old and deep-rooted as *'my family's story'*. Sadly, this tale is a result of State decrees. Which is another old account of 'follow the money'. As city officials grapple with attaining the unsubstantiated housing density demands, other cities band together to build a legal case to defend their environment and sanctity of place.

You ask, "Who am I to tell this story?" I am on Death Row appealing for my LIFE. I hold the TRUTH, the REAL, and am WITNESS, as well as home to many creatures sustained by my leaves, branches, and bark. I've thrived through winds, rains, drought, and earthquakes only to reach higher and broader for shelter and shade. My roots breed life and grow deep into Mother Earth, entwined with others of my stature, sending healing elements when needed, and rich sap and acorns for many a meal.

Lately, the chatter beneath my branches foretells that the empowered will tear at our roots and grind our spirits never again to clean the air, provide shade, while forcing families of creatures to impose their needs on others' territories.

The story is clear: many choose to follow the hungry, confident, unified team, enticing residents with digital pictures of bigger hard shiny landscapes, while touting promises of better days ahead. This team fights against the citizen voices and ignores opportunities, history, and value of life already here.

Repeatedly, the self-assured claws of this machinery have ripped away places of beauty and appeal. That's what makes this a very old and tired story. These forces have arrived in Santa Cruz salivating at chances to fatten their wallets as they mine our land and water. Couched in the guise of 'affordable homes', we pay the price for playhouses for those who can afford what most others cannot.

Our town, nestled in the wonderous Monterey Bay, is no different than other California coastal cities with water ways and mountainous skylines. They too have suffered under cement polluting garages and huge plate glass structures that rise to block the scenic views and create congestion on streets and highways. More wheeling and dealing developers have made their way to our special place convincing officials with righteous '*Stories*' of better days to come.

Is this then '*Our Story*'? Do you want aunt hills of people crowed together choking on dirty air? Plus, more boutique hotels for hard-working citizens to sit in traffic jams, but no longer able to enjoy open spaces and the beautiful canopies of our life-giving forms.

While many of you weep for our lives, who among you will speak **TRUTH TO POWER**? By saving '**US**' you can offer better solutions which reflect sanctity of our history and beauty of place. Plus, with less effort and cost, replenish and renovate all the empty and worn buildings. **You will write OUR story**. A better century is yours with the **WILL** and **WISDOM**. '**WE**' are living with tremendous climatic forces. '**WE**' cannot escape this authority. There is a greater need for improving not over-extending emergency services. Nature is shouting! Ignoring this message is irresponsible. Better to understand our **Interconnection** and **Oneness**: **PLEASE, SAY YES TO US!**

"Don't it always seem to go, that you don't know what you've got til its gone. They paved paradise and put up a parking lot."

From: [Debra Feickert](#)
To: [Tremain Hedden-Jones](#)
Subject: Tree Appeal
Date: Sunday, December 11, 2022 6:09:24 PM

Good evening,

I am writing as a concerned citizen about the possibility that heritage trees will be cut down to make way for the multipurpose project planned in downtown Santa Cruz.

There are many climate benefits from trees and the shade they provide, and the Santa Cruz city Climate Action Plan calls for more trees not less. Also, these are heritage trees and need to be saved.

Debra Feickert

From: [Pauline Seales](#)
To: [Tremain Hedden-Jones](#); [Leslie Keedy](#); [Parks and Rec](#); [John Hall](#); [Lynda Marin](#); [Magi Amma](#); [Susan Cavalieri](#)
Subject: Tree Cut Permit Appeal
Date: Tuesday, December 06, 2022 3:45:54 PM

Dear Parks & Rec,

My co-appellants insist that we restate our position about any "continuance" or other potential delay.

We strongly request that the appeal be not just agendized but actually heard on 12/12/22.

To fail to do this would violate the specific regulation 9.56.070 (a) (3).

"The commission shall complete its action within thirty days from the date the matter is first scheduled for public hearing, unless appellant and appellee mutually agree to extend said thirty-day period."

[Here is the link](#) to the regulation.

I previously stated clearly that I did not agree to extend the period.

Thanks for all your work on behalf of the people of the city.

Sincerely Pauline Seales

From: [Katie Fortney](#)
To: [Parks & Recreation Commission](#)
Subject: Tree removal appeal
Date: Friday, December 09, 2022 4:28:46 PM

Hello Parks and Recreation Commission,

I was disappointed to learn that opponents of the new downtown library plan are still trying to circumvent the long term planning and consultative, democratic process that has worked towards getting us a wonderful new library. Please deny this appeal about the non-native, not particularly healthy trees - it's a smokescreen. Proper procedures have been followed, the independent arborist and the city's Urban Forester have signed off, and there's no reasonable plan for a project like this that keeps those trees.

With thanks,
Katie Fortney
City of Santa Cruz resident

From: [Mary](#)
To: [Parks & Recreation Commission](#)
Subject: Tree removal in Downtown Santa Cruz
Date: Sunday, December 11, 2022 12:10:21 PM

Members of Parks and Recreation Committee,

It seems popular now to say, "I'm old enough to remember....(fill in the event)." Well, I am old enough to remember the beautiful Carnegie Library downtown (someone knew where a library should be located!), and to see the wrecking ball tear away at our beautiful courthouse, and the chainsaw go after the majestic spruce tree which hosted a 100ft strand of bougainvillea climbing through it at the bottom of Chestnut Hill. These things are gone forever, in the name of "progress." Our city is poorer by their absence.

On the bright side, we still have Lighthouse Field in it's natural splendor, rather than a convention center. We still have a few greenbelt areas in town, despite the gloomy outlook for the Great Meadow on the U.C.S.C. campus.

Since it has been 6 years since we voted to remodel the downtown library, please take a little more time to evaluate the benefits of the mature Magnolia trees on Lot 4. Without doubt a minor revision (and there have been a few) to the plans for a multi-purpose library/garage/child-care center/affordable housing project could be made to accommodate the survival of these trees. If for no other reason, think: Climate Change!

Thank you for your consideration.

Mary McGranahan

From: [Cory](#)
To: [Parks & Recreation Commission](#)
Subject: Tree Removal Permit - please deny the appeal
Date: Saturday, December 10, 2022 7:25:30 AM

Dear Parks and Recreation Commission,

Please deny the tree removal permit for the heritage trees at 113-119 Lincoln Street. As noted in the arborist report, all 12 trees display an array of adverse health conditions. The appeal is simply an attempt to stop the Downtown Library and Affordable Housing project. The results of Measure O were decisive - the voters of Santa Cruz clearly want the project to proceed. Please deny the appeal.

Regards,
Cory M.

From: [David Laughlin](#)
To: [Parks & Recreation Commission](#)
Subject: TREE REMOVAL
Date: Sunday, December 11, 2022 11:48:32 AM

Dear Commissioners, any and all public projects have a high standard to provide the best design possible; this would include retaining as many of the heritage trees as possible. And don't just accept the project sponsor's claims that we can't build the library unless you let us remove these trees. If they can design a new fantastic library, then they certainly can propose a design that saves these tree. Thanks.

From: [Pat Wright](#)
To: [Parks & Recreation Commission](#)
Subject: trees
Date: Saturday, December 10, 2022 5:17:27 AM

Please save our trees.

From: [mary odegaard](#)
To: [Parks & Recreation Commission](#)
Subject: Trees
Date: Saturday, December 10, 2022 2:18:48 PM

To All on the Park and Recreation Commission,

Accept the permit appeal for lot 4 and comply with the city,s Hetitage Tree Ordinance. The design for the proposed project on lot 4 should accommodate the 9 trees. All 9 trees should remain standing, providing the many benefits they offer us all.

Sincerely, Mary Odegaard

From: [Karin Grobe](#)
To: [Parks & Recreation Commission](#)
Subject: Trees on Lot 4
Date: Saturday, December 10, 2022 8:21:53 AM

I am in support of the appeal of tree removal on lot 4.

The appeal is contesting the tentative tree removal permits issued by the City in October. The grounds for appeal are based on the Heritage Tree Ordinance which states:

"A heritage tree shall only be removed if: (c)(3) A construction project design cannot be altered to accommodate existing heritage trees."

There was no attempt to design the Downtown Library Mixed-Use project in a way that would preserve or accommodate any of the 9 heritage trees on the project site.

Our heritage trees are crucial for the urban forest and provide innumerable social and environmental benefits, especially amid a period of threatening and intense climate change.

Please give all consideration to the appeal.

Karin Grobe

From: [Mitchell Iachman](#)
To: [Parks & Recreation Commission](#)
Subject: trees
Date: Friday, December 09, 2022 8:03:48 PM

save the Heritage Trees in the controversial parking, food sales on Wednesday- The lot across from the Calvary Church.

Good bye, Mitchell Iachman

From: [Susie Kavanagh](#)
To: [Parks & Recreation Commission](#)
Subject: We are all non-native and dying
Date: Saturday, December 10, 2022 4:49:21 PM

Please preserve Lot 4's heritage trees.

I've heard the argument that they are "non-native and dying."

Aren't we all?

As non-native beings on this land, it's our duty to take care of the land and the things living on it. In my book that means not cutting down trees that add beauty, shade, fresh air, a place to gather and connect in community.

I never bought this idea that a large concrete structure was better than an open space with beautiful trees.

Save the trees and the trees will save us all.

Thanks

Susie Kavanagh

From: [Keresha Durham](#)
To: [Leslie Keedy](#); [Parks & Recreation Commission](#)
Cc: [Sandy Brown](#); [Justin Cummings](#); [City Council](#); [Martine Watkins](#); [Donna Meyers](#); [Renee Golder](#); [sjohnson-kalihari@cityofsantacruz.com](#); [Sonja Brunner](#)
Subject: WITH PHOTOS- Our Heritage Tree Ordinance Speaks for Lot 4 Trees
Date: Saturday, December 10, 2022 9:03:04 AM

If you could not open the photos, I attached the 60 foot lovely Liquid Ambers and 3 elder Magnolias again.

Preserve these trees

They have been here for several generations

Before most of us arrived.

On Fri, Dec 9, 2022 at 7:45 AM Keresha Durham
<the.earth.needs.small.families@gmail.com> wrote:

Esteemed Tree Decision-makers- City Council, Leslie and Tremain,

“It's not about what it is, it's about what it can become.

I am the Lorax. I speak for the trees. I speak for the trees, for the trees have no tongues.”

— Dr. Seuss, [The Lorax](#)

OUR AWESOME TREE ORDINANCE

Please refer to and follow our beautifully-written The Heritage Tree Ordinance (read it below) which calls to protect, design around and preserve our urban trees, which include the Lot 4, three magnificent, 50 and 100 year old Magnolias and two elder 60 foot, towering, colorful, lovely, Liquid Amber trees!

(PHOTOS ATTACHED) This ordinance advises against destruction since **"the removal of mature, heritage trees can take generations to restore."**

TREE CANOPY BENEFITS

Santa Cruz City is unique in that **we have fought to preserve our large tree canopy**, which is so **beneficial in this era of human-caused climate crisis**. Large, mature trees sequester the most carbon, clean air pollutants and prevent pavement heat. They provide needed habitat, spiritual renewal and joy! Were you lucky enough to have a large tree friend to climb as a kid? I was!

TREES NEED CAREGIVERS

These trees are not getting the care they deserve. Being surrounded by cement and soaking up oil from this parking lot weakens our beloved trees. If recycled water is

used to water trees, this can cause large trees to die from too much salt content. They need fertilizer, amended soil and clean water.

MOVE THE TREES AS A LAST RESORT

If the project designers uncreatively refuse to build around these trees, moving large trees is possible, rather than destroying them.

REPLANT LARGER NATIVE TREES

If you must create a replacement canopy for lost or moved trees, re-plant with large, native-to-this-region trees, not the diminutive, decorative trees on Pacific Avenue. Think of the trees that are planted around city hall and on the former Pacific Garden Mall, they were gorgeous, artful, tall trees providing so much joy!

SANTA CRUZ'S TREE ORDINANCE STATES:

ORDINANCE NO. 2013-18

SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE PRESERVATION
OF HERITAGE TREES

WHEREAS, the City of Santa Cruz has actively encouraged the development of a safe, healthy and attractive environment in which its residents can live and work; and

WHEREAS, in pursuit of these goals the City recognizes the substantial environmental, aesthetic and economic importance of its diverse urban forest consisting of indigenous as well as non-native trees; and

WHEREAS, this invaluable urban forest has been, and continues to be, an asset to the community inasmuch as it contributes to the environmental, aesthetic and economic stability of the community; and

WHEREAS, the citizens of Santa Cruz recognize that the preservation of this invaluable resource is a heritage to the community at large; and

WHEREAS, the citizens of Santa Cruz therefore understand that the preservation of their urban forest existing on both public and private property is important to them and their community in order to:

- (a) Protect, conserve and enhance the City's attractiveness and its aesthetic and scenic environment;
- (b) Develop and promote an awareness and understanding of the importance of urban forests to the citizens of Santa Cruz;
- (c) Encourage and assure the continuation of quality community development where existing trees are incorporated into any development and accorded proper maintenance and protection as a part of the City's urban forest;
- (d) Act as a buffer against urban traffic noise and wind damage, provide protection from wind erosion, and provide a privacy screen;
- (e) Aid in the reduction of air pollution given the known capacity of trees to ingest carbon dioxide and produce oxygen thereby enhancing air quality;
- (f) Assist in the absorption of rain waters thereby protecting against soil erosion by flooding; and

WHEREAS, the citizens of Santa Cruz recognize the right of individuals to develop, maintain and enjoy private property to the fullest possible extent consistent with the public interest in preserving and maintaining the City's urban forest in general.

PURPOSE

This Chapter is enacted to recognize, protect, optimize and responsibly manage the community urban forest by establishing standards and policy consistent with private rights to develop and use property in a manner not prejudicial to the public interest while maintaining the health and safety of both the urban forest and citizenry.

It is the purpose of this Chapter to promote and protect a thriving urban forest and to facilitate proper management practices that include the City's ability to protect and preserve tree resources through regulating their removal, and to effectively enforce tree preservation and zoning regulations, and to promote an appreciation and understanding of trees and their intrinsic value.

(a) Among the environmental assets that contribute to the livability and attractiveness of the City of Santa Cruz are its trees, both indigenous and introduced. Growing in urban settings, neighborhoods, business and commercial districts, in parks and in open spaces, as single specimens or in groves, trees contribute significant tangible benefits, both psychological and environmental, for the residents and visitors to our community alike.

ORDINANCE NO. 2013-18

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(b) Trees contribute beneficially to the urban environment and contribute to our community's and the state's climate action goals.

Tree canopy coverage reduces heat buildup, noise and air pollutants; improves air quality, reduces particulates, and provides oxygen.

Trees also enhance the aesthetic environment and contribute visually to the City by providing scenic views, scale,

color, silhouette and mass.

Trees contribute to the protection of other natural resources by providing erosion control, management of storm water and urban runoff, increased infiltration and groundwater recharge, and improved water retention capacity of soils.

Trees provide screens and buffers to separate land uses and are often landmarks or contribute to the significance of the City's history.

Trees contribute to the economy of the City by increasing and sustaining property values, creating employment and training opportunities, and reducing energy costs.

(c) The urban forest requires stewardship from both community members and the City to maximize its benefits, such as tree canopy coverage, shaded areas, and enhanced habitat for wildlife on private and public lands.

(d) The City's trees collectively constitute an urban forest and an ecosystem. Removal and planting of trees can create both negative impact, affecting the urban forest and the City as a whole. The removal of mature trees may in some cases take generations to fully restore.

(e) Appropriate management of non-native invasive species is encouraged by the City of Santa Cruz. Tree replacement requirements are designed to bolster native plant and animal communities and habitats.

Clearly this ordinance would have you care for and save these precious trees in lot 4 and

include them in the design of any project.

Sincerely,

K. Durham

Environmental Activist

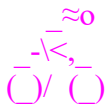
Resident of Santa Cruz since 1981

Educator since 1987

Proud Tree Hugger, Happy Tree Caregiver

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Keresha Durham ~ educator, environmentalist
"care-sha"



For a quality future for all living things, the earth needs small families

Balance population with finite natural resources
Reduce human-caused carbon