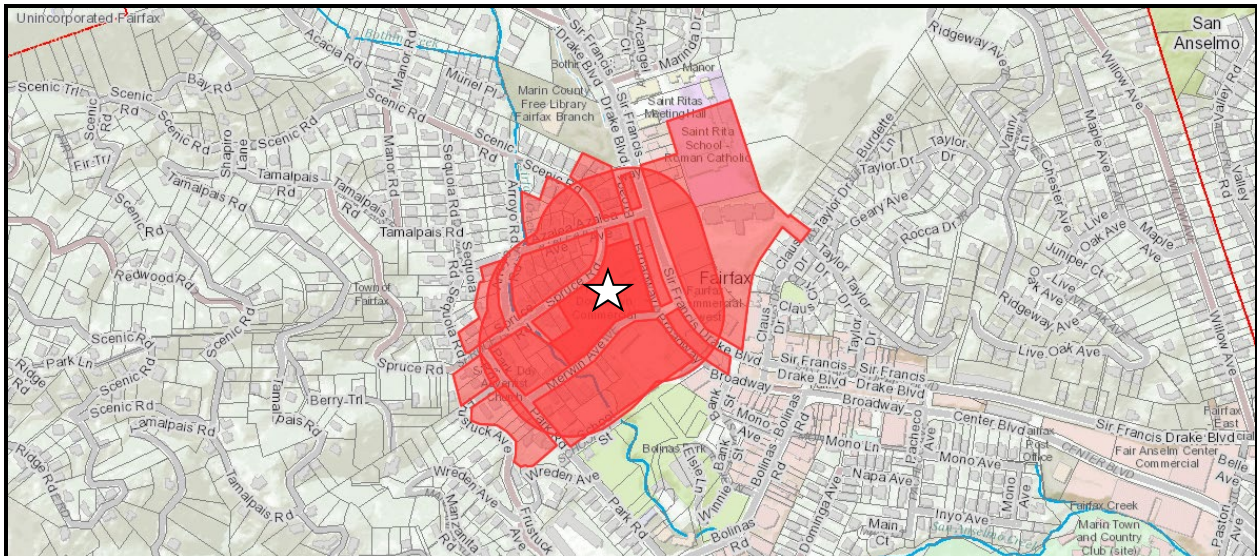


TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO: Planning Commission
DATE: July 20, 2023
FROM: Linda Neal, Principal Planner
LOCATION: 109 Broadway; Assessor's Parcel No. 001-148-13
ZONING: CS Service Commercial Zone
PROJECT: 8-foot-tall fence
ACTION: Fence Height Variance, Tree Removal Permit and Design Review Permit; Application 22-22
APPLICANT: Fairfax Lumber
OWNER: San Rafael Lumber Company
CEQA STATUS: CEQA categorically exempt, § 15303(e)



109 BROADWAY

PROJECT DESCRIPTION

Construction of an 8-foot-tall fence along the approximately 344-foot Fairfax Lumber and Hardware site's rear property line fronting Spruce Road. The proposed fence will be made of decorative metal sheet panels in a natural rust color (or dark brown) with pressure treated wood framing and base plate (see page L2.2 of the project plan set). The corrugated panels come in many different colors and the applicants are open to using brown panels if the Commission would prefer that in place of the natural rust metal sheet panels. An approximately 49-foot section of southwestern section of the fence and an approximately 32-foot section of the northeastern section of the fence will have 2-feet of horizontal western red cedar fence boards affixed at the top (see pages

L2.0, L2.1 and L2.2 of the project plan set and Attachment C, applicant's supplemental information).

BACKGROUND

At the October 27, 2022, meeting the Planning Commission continued this application and requested the following from the applicants and staff:

Site Plan

Provide a site plan with all features of the plan drawn to scale showing all the following:

1. Property boundaries with lot dimensions.
2. Distances of the proposed fence from the edge of the paved portion of Spruce Road, called out at 10-foot intervals.
3. Street right-of-way line(s), curb line(s) or pavement edges(s) street trees and label the distance between the fence and the edge of the paved road at 10-foot intervals along the length of the proposed fence.
4. Location, size, species, and dripline/canopy of all trees four inches in diameter or greater, measured four ½ feet above grade. If in the landscaping design process, it is determined that any trees need to be removed a tree removal, recommendation permit from the Fairfax Tree Committee is required with the application submittal.
5. Existing and proposed Fence and wall locations.
6. Yards and open space areas
7. Storage areas and screening
8. Existing visible landmarks (utility poles, streetlights, fire hydrants)

For additional information see Attachment B – minutes from the October 27, 2023, Planning Commission meeting.

Landscaping Plan

Provide a landscaping plan drawn to scale showing proposed planting locations, plant species, initial planting size in relation to existing trees. Identify existing landscaping to be removed to accommodate the new plantings and the automatic irrigation drip system improvements, including the location of the system clock (also provide clock manufacturers name and clock cut sheet). Plant materials must satisfy PG § E planting specifications.

When the landscape architect is designing the landscaping and irrigation plan, the individual or team shall keep in mind the Commission directed the on-street parking spaces shall be maintained. The Commission also commented on the lack of any protective separation between the landscaping and the public parking spaces. Fairfax Lumber should consider including a hardscape feature or some other design element between the landscaping beds and the public parking spaces to protect the landscaping from vehicular damage.

Elevation

Provide an elevation drawn to scale of the proposed fence along its entire length showing the sections that will be metal and the sections that will be wood panels and calling out the fence, kick panel, fence post and fence cap materials and treatments. Include estimated life span of the materials from the manufacturers.

A concern was mentioned about the use of fir as opposed to redwood or pressure treated wood materials to better assure durability of the materials over time.

Direct the landscape architect preparing the plans to keep in mind that a metal fence is preferable to the Ross Valley Fire Department and that safety must be considered a priority when designing the fence structure.

Rendering

Provide a rendering of the fence showing what the fence and new landscaping will look like in relation to the neighboring residences and fences on either side of the proposed fence when viewed from the street. Have the landscape architect consider the repetition and rhythm of the fence when determining how the alternating material panels will be spaced and what size is proposed. Consider using a "Green Screen" fence and if that option is not feasible, explain in writing why not.

Metal Fence Conductivity Around Downed Power Lines

The Commission also directed staff to contact the Ross Valley Fire Department to see if they have any concerns relating to how a metal fence might increase fire risk if power lines come down and contact the metal fence.

Both Ross Valley Fire and the Fairfax Building Official indicated that a metal fence has less chance of burning in a fire than a wooden fence and does not pose any increased risk of electrocution for passers-by if power lines come down in the vicinity. The fence would pose the same risk as any vehicle parked underneath a power line.

DISCUSSION

The meeting tonight is focused on the height and design of a proposed fence and whether landscaping is feasible, based on fire and power line clearance requirements and recommendations to mitigate the visual impacts of the lumber yard on the adjacent residential neighborhood.

Town Code § 17.044.080(A) limits fence heights along rear lot lines to 6-feet and provides that fences may be maintained at higher heights only after obtaining approval of a Variance from the Planning Commission.

Town Code § 17.020.030(B) requires that a Design Review Permit be obtained for any new construction occurring in the CS Service Commercial Zone. The lumber yard site is zoned CS Service Commercial, so the project also requires the approval of a Design Review Permit.

Fence Height Variance

Town Code § 17.028.010 describes the purpose of the Variance process which is to allow variance from the strict application of zoning regulations when there is some physical feature or other extraordinary situation or condition of the piece of property or of the use or development of the properties immediately adjoining a property where strict enforcement of the regulations would cause undue hardship inconsistent with the spirit and purpose of the regulations.

Increasing the allowed height of the rear fence to 8-feet will not obstruct visibility for any vehicles or pedestrians using the developed portion of the Spruce Road right-of-way because the rear property line is located approximately 14-feet from the edge of the road pavement. During a site visit on October 19, 2022, staff noted vehicles parked off the paved road between the large existing Trees on the south side of Spruce Road with a dirt strip approximately 5-feet wide between the side of the vehicles and the existing Fairfax Lumber fence. The current proposed fence replacement plan preserves those parking spaces.

The location of the lumber yard immediately adjacent to residentially developed sites warrants the construction of a fence that exceeds the permitted six feet in height to provide a visual barrier between the commercial business and the adjacent residences.

Findings to support the variance for the 8-foot-tall fence can be viewed in their entirety in the attached Resolution No. 2022-30.

Design Review Permit

The purpose of the Design Review process is to “foster a good design character through consideration of aesthetic and functional relationships to surrounding development and to further enhance the town’s appearance and the livability and usefulness of properties.”

To approve a Design Review Permit the Commission must apply specific design review criteria set forth in Town Code § 17.020.040 when reviewing a project and must be able to find that the project design conforms to those design review criteria (Town Code § 17.020.080).

The wood framed corrugated metal fencing along with the trees to be maintained will provide substantial screening of the lumber yard site. The use of the wood framed corrugated metal fencing in a natural rust color will create an articulated structure presenting a pleasing façade along the Spruce Road right-of-way. As an alternative, the applicant has indicated they would consider a plain brown color for the metal fence panel if that is preferred by the Planning Commission. The design will comply with the required design review criteria along with the fire hardened decorative panels and will be fire resistant.

Staff heard many comments prior to the October meeting that the corrugated metal paneling does not age well. The Commission can consider including an additional condition in the Resolution approving the fence height variance and design review permit as follows:

The fence shall be maintained in good repair by Fairfax Lumber. Failure to properly maintain the fence will result in code enforcement proceedings being taken against the Lumber Yard to restore the fence to its original condition.

Note: The manufacturers website indicates the corrugated metal panels have a warranty starting at 25 years (warranty can be extended up to "lifetime" through the use of certain finishes).

Approval of the Design Review Permit also requires the Commission approve a preliminary planting and irrigation plan.

The submittal indicates that the only new vegetation proposed are two 24-inch box Holly-Leaf Cherry Trees (*Prunus ilicifolia*), one at each end of the fence planted on the Lumber Yard side (see plan sheet L1.2). The six London Plane trees are all being retained as are one Valley Oak, one Coast Live Oak and one Oregon Ash.

Eleven Black Acacias are scheduled for removal because they are fire prone and listed in the Town Code 8.36.020 as an undesirable tree species. Additionally, a Tree-of-Heaven, which is in an advanced state of decline with split gill fungi, is scheduled for removal. And finally, two Valley Oaks, a Cherry Plum, a Peach tree and one California Bay need to be removed because they are in the footprint of the proposed fence.

The project description includes a drip irrigation system (see page L0.0 of the project plan set). Staff has included a condition in the resolution recommending approval of the project that the system shall be designed by the project Landscape Architect, its installation shall be overseen by him, and the system shall be controlled by an automatic timing system.

Neighbors have requested that some type of screening plants be planted along the fence. Complying with PG & E pole and wire clearance requirements and the Ross Valley Fire Department clearance area on either side of public roads leaves very few and very narrow areas where landscape screening can be located. These are depicted in green on page L1.1 of the project plan set. The project ISA certified arborist does not recommend replacing the trees to be removed and has indicated that the continued good health of the trees requires that additional trees not be planted in the area (Attachment E – Arboroscience LLC. Letter of 6/9/23). Ross Valley Fire is not in favor of vegetation adjacent to fences that include wood elements because that vegetation can be additional fuel for the wood to catch fire and carry flames from property to property increasing the fire hazards to an area.

Tree Removal Permit

The tree removal application is to remove a total of 17 trees from the area where the fence is proposed, and the power poles and lines are located.

A majority of the Fairfax Tree Committee voted to recommend the following, two, action options on the requested tree removal application to the Fairfax Planning Commission (see Attachment D):

- 1) Deny the application and direct the applicants to resubmit a revised fence location that does not require the removal of any trees; or,

- 2) Approve the application except for tree #4 with the following conditions under the authority of the Town of Fairfax Code § 8.36.060(D);
 - i. Replace the removed trees at a minimum 1:1 ratio.
 - ii. Replacement trees shall be a minimum of 15 gallon size.
 - iii. The trees shall be planted thoughtfully so as to maintain the existing character of the street.
 - iv. The timing of the planting of the trees shall be planned so as to minimize the amount of time between when the trees are removed, and the replacement trees are planted.

It is not clear where the Tree Committee believes a one for one replacement of the trees could occur. If additional trees are planted within the right-of-way along the property frontage, parking spaces will be removed and the business ability to manage the landscaping will be difficult due to the area being open to animals that eat plant material. Planting additional trees within the Lumberyard property may be possible but might also disrupt the business operations.

The applicants are proposing to plant two Holly-Leaf Cherry Trees that will reach ten (10) to twenty-five (25) feet in height, one at the northeast end of the fence and the other at the southwest corner of the fence to provide additional screening. No other planting is proposed at this time by the applicants.

Staff recommends that the Planning Commission grant the requested tree removal permit based on the following findings and conditions:

1. The pruning of the trees to be retained shall occur prior to the start of construction of the new fence under the supervision of an ISA Certified Arborist, an ISA Board Certified Master Arborist, or the equivalent.
2. The pruning work shall be completed as described on page 7 of the May 10, 2023, Arborist report by Dr. Kent and Sadie Kulin and no replacement trees are required to ensure the continued good health of the trees to be retained.
3. The International Society of Arborist professional shall provide a letter to the Town, prior to the start of the fence construction, verifying that the pruning and the tree protection plan were implemented under their supervision and as directed in his 5/10/23 report and 6/9/23 letter.

RECOMMENDATION

Receive the staff report, take public testimony, and move to approve Resolution No. 2022-30 approving application # 22-22 setting forth the findings and the conditions for the project approval.

ATTACHMENT

Attachment A – Resolution No. 2022-30

Attachment B – Minutes from the October 27, 2022, Planning Commission meeting

Attachment C – Applicant's supplemental project information

Attachment D – Tree Committee action and tree removal application including the minutes from the May 22, 2023, meeting

Attachment E – Letter from project arborist Kent Julin, dated 6/9/23 including the tree protection plan

RESOLUTION NO. 2022-30

A Resolution of the Fairfax Planning Commission Approving Application # 20-22 for a Fence Height Variance, Tree Removal Permit and Design Review Permit to Allow Erection of an 8-Foot-Tall Fence Along the Rear Property Line

WHEREAS, the Town of Fairfax received an application for an 8-foot-tall privacy fence and landscaping along an approximately 330-foot-long section of Fairfax Lumber's rear property line that runs along Spruce Road on October 18, 2022; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on October 27, 2022, and July 20, 2023, at which time all interested parties were given a full opportunity to be heard and to present evidence, and at which time the Planning Commission approved the Fence Height Variance and Design Review Permit; and

WHEREAS, based on the plans and supplemental information provided by the applicant, as well as the testimony at the public hearing, the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary for the Project's requested discretionary Fence Height Variance and Design Review Permit; and

WHEREAS, the Commission has determined the project conforms to the following 2010-2030 General Plan Policies (including Text Amendments, Town Council Resolution No. 21-51 adopted 12/1/21):

LU-7.1.1: The existing village-like qualities of the commercial center of the Town, designated as the Town Center Area, shall be maintained and enhanced. Additional commercial development outside of the designated Town Center Area shall be discouraged except for limited neighborhood-serving uses.

LU-7.1.1.2: New and/or renewed development in the Town Center Area should preserve and enhance the village-like qualities of Town Center Area in the mix of land, uses, architectural styles and ornamentation, materials, colors, and textures.

WHEREAS, the Commission has made the following findings:

Fence Height Variance Findings (Town Code § 17.028.070)

1. The lumber yard is located between the Fairfax Park and Fairfax Manor Subdivisions which are developed with residential structures. The location of the commercial business between these two residential subdivisions is the special circumstance applicable to the property, which warrants the approval of the Fence Height Variance to allow construction of an 8-foot-tall fence along a 330-foot section of the rear property line on the south side of Spruce Road.

2. The variance will not constitute a grant of special privilege, is consistent with the limitations upon other properties in the vicinity and under identical zone classification, and is consistent with the objectives of this title because the fence is set back approximately 13-feet from the edge of the improved Spruce Road roadway improvements, it will be articulated through the use of corrugated metal fence panels framed in wood with two sections at the southwest and northeast end topped with two feet of horizontal wooden plants. Granting the Fence Height Variance will not be a special privilege and is for the benefit of the entire neighborhood.
3. The strict application of the fence height regulations would limit the fence to 6-feet in height, diminishing the effectiveness of the structure to provide adequate visual screening between the lumber yard and the residential properties on Spruce Road which would be a hardship for the neighboring sites.
4. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated because the 8-foot-tall fence will maintain approximately a 13-foot setback from the edge of the paved public road, will not obstruct vehicular visibility and will maintain the existing on-street public parking spaces.

Design Review Finding [Town Code § 17.020.080(A)]

The fence design using alternating corrugated panels and decorative hardened wood panels will create an articulated façade facing Spruce Road. As currently designed, the project complies will comply with the design review criteria contained in Town Code § 17.020.040.

Tree Removal Permit Finding [Town Code sections

WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. The project is limited to the development depicted in the plans and attachments submitted by the Applicant's on 10/17/22.
2. "The fence shall be a rust/brown color and shall be maintained in good repair by the lumber yard. Failure to properly maintain the fence will result in code enforcement proceedings being taken against the Lumber Yard to restore the fence to its original condition.
3. The pruning of the trees to be retained shall occur prior to the start of construction of the new fence under the supervision of an ISA Certified Arborist, an ISA Board Certified Master Arborist, or the equivalent.

4. The pruning work shall be completed as described on page 7 of the May 10, 2023, Arborist report by Dr. Kent and Sadie Kulin and no replacement trees are required to ensure the continued good health of the trees to be retained.
5. The International Society of Arborist professional shall provide a letter to the Town, prior to the start of the fence construction, verifying that the pruning occurred under their supervision and was performed to improve the continued good health of the six London Plane Trees (tree numbers 5, 7, 10, 17, 23 and 25 in the May 10, 2023 Arborist report by Dr. Kent and Sadie Kulin), the 16 inch Coast Live Oak (Tree number 6 in the May 10, 2023 Arborist report by Dr. Kent and Sadie Kulin), and the 14 inch Oregon Ash (Tree number 11 in the May 10, 2023 Arborist report by Dr. Kent and Sadie Kulin).
6. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to, the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32, and the Americans with Disabilities Act.
7. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use their best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly. T
8. The irrigation system shall be designed by the project Landscape Architect, its installation shall be overseen by him, and the system shall be controlled by an automatic timing system. The installation shall be documented in writing to the Planning Department once the system is installed.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the Fence Height Variance, Tree Removal Permit, and Design Review Permit can occur without causing significant impacts on neighboring businesses or residences; and

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 20th day of July 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair Cindy Swift

Attest:

Linda Neal, Principal Planner

**3. 109 Broadway (Fairfax Lumber); Application #2022-22
Request for a Fence Height Variance, Design Review, and an Encroachment Permit
to erect an 8-foot tall fence along approximately 350 linear feet of the rear property line
along Spruce Road and install a planting buffer within the Spruce Road right-of-way:
APN #001-148-13; Service Commercial CS Zone; Fairfax Lumber, applicant; San Rafael
Lumber Company, owner; CEQA Categorically exempt per Section 15303(e)**

Chair Fragoso disclosed that she had a discussion with a staff member at Fairfax Lumber about the neighbor concerns prior to the Council meeting. She did not think she needed to recuse herself from this item.

Principal Planner Neal presented the staff report. Staff is recommending adding the following to the resolution: 1) "The fence shall be maintained in good repair by the Lumber Yard and failure to properly maintain the fence will result in Code Enforcement proceedings being taken against the Lumber Yard to restore the fence to its original condition". 2) "A Landscaping Plan shall be prepared by a licensed architect and shall include the plant species, size, and planting locations and the location of the irrigation system drip lines and automatic timing system for approval by the Planning Director prior to the start of construction. Specific screening material used to create the visual vegetative barrier will be determined as part of the Landscape Plan". She answered questions from the Commission regarding whether the fence at the increased height would need a Building Permit; where the privacy panels are being proposed; the use of the art deco panels; the neighborhood concerns.

Chair Fragoso opened the Public Hearing.

Augie Cain, representing Fairfax Lumber, made the following comments:

- They are addressing three issues: visual, longevity, and fire safety.
- He understood the drawings were inadequate. They will submit better plans.
- Shrubbery placed in front of the panel would help to break up the visual aspect of the panels.
- Steel panels will last a long time and are noncombustible.

The Commission took a 5-minute break.

Ms. Susie Bergen, Spruce Road, made the following comments:

- A subcommittee has met which includes two Councilmembers and several residents.
- All fences in the neighborhood are wood- this is not a commercial neighborhood.
- A long stretch of corrugated metal fencing would be unsightly.
- She supported the eight foot variance but would like the subcommittee to discuss the other issues.

Ms. Kendra Scott, Spruce Road, made the following comments:

- PG&E transformers along that road have exploded with live wires on the ground.
- These wires could hit that metal fence.

Ms. Hillary Wittman, Spruce Road, made the following comments:

- She was not in favor of a corrugated metal fence.
- She supports a wood fence – it would be in keeping with the neighborhood.

Mr. Ryan Morgan, Spruce Road, made the following comments:

- They want the business to thrive.
- He agreed with the other neighbors- metal is out of character.
- The neighbors want some say in the final Design Review application.

- The scale is odd in this neighborhood.
- He suggested considering the following design elements: the repetition and rhythm, breaking down the length, the materiality.
- Parking needs to be considered.
- The “greenness” and plantings should be a priority.
- He did not want to see a big, long, tall, eight-foot barrier.
- He cannot make a decision based on the information that has been submitted.
- This is a classic case of “good fences make good neighbors”.

Commissioner Feffer provided the following comments:

- There were two, distinct issues with respect to the metal fence.
- Fire safety experts should be relied upon with respect to materials.

Chair Fragoso provided the following comments:

- They do not have enough information.
- She does not have a problem with the height.
- The “elephant in the room” is the parking.

Commissioner Green provided the following comment:

- He has a problem with the drawings.
- He is not sure about the placement of any of the elements.
- The fence is necessary.

M/s, Swift/Kelly, motion to continue Resolution No. 2022-30 to a date uncertain.

AYES: Feffer, Green, Jansen, Kelly, Newton, Swift, Chair Fragoso

4. Gas Station Ordinance: Discussion/Consideration of a proposed ordinance prohibiting new gas stations and prohibiting expansion of fossil fuel infrastructure at existing gas stations: CEQA categorically exempt per Section 15307, 15308, and 15061(b)(3)

Interim Planning Director Woltering presented the staff report. He noted a minor typographical error in the staff report and the ordinance. Staff answered questions from the Commission regarding anticipated requests for future gas stations; how this policy would reduce traffic congestion; proposed change in the definition of a gas station and unintended consequences; the impact of identifying businesses as legal non-conforming; if existing gas stations would be able to expand the business; allowable uses; how underground storage tanks are used; does the replacement of tanks require a Building Permit.

Chair Fragoso opened the Public Hearing.

Mr. Woody Hasting, representing the Coalition Against New Gas Stations, made the following comment:

- He supported the ordinance.
- The ordinance would help the Town deal with undesirable land use applications that would have negative consequences.

Dr. Jody Timms, Chair of the Climate Action Committee, made the following comment:

- She supported the ordinance.
- Fairfax adopted a Climate Emergency Resolution setting a goal of zero emissions by 2030.
- The ordinance moves the Town in this direction.

Chair Fragoso closed the Public Hearing.

**Fairfax Lumber and Hardware
109 Broadway Ave, Fairfax**

Narrative for Planning Commission review

Project description:

We are proposing to construct an 8-foot-tall fence the length of the North property line to accomplish significant screening of the lumber yard, for the residents along Spruce Road. There are existing mature Sycamore trees which will be preserved and pruned properly to balance their form from PG&E's line clearance pruning in order to both maintain good form and clearances from the road, per Fire Department requirements.

The fence will span 344 linear feet to enclose the north limit of the Lumber Yard. Please see Sheet LI.2, Concept Plan.

We discussed the project with Rob Bastianon, Senior Fire Inspector for Ross Valley Fire Department. The plan presented herein reflects the discussion and the recommendations for plant removals, tree pruning and clearances from power lines, street clearance, and adjacent trees. Maintaining the 10-foot fire clearance along this roadway is of the utmost importance. Please see Sheet LI.1, Constraints Plan for clearance zones, tree locations and power pole locations. This clearance area does allow for the design to maintain all existing informal roadside parking in this area.

Addressing concerns noted in the letter from the Town of Fairfax dated November 11, 2022, following a continued Planning Commission meeting:

Construction Materials:

The fence will be composed of mixed materials including decorative corrugated metal panels, wood posts and trim, wood paneling at the top of the fence higher elevation, and pressure treated wood at locations of ground contact. The panels of the fence will be stepped to follow the existing grade along Spruce Road. See Sheets L2.0, L2.1 and L2.2

Planting materials:

It is important to understand that planting continuous plantings in a hedge form is not allowed by California State fire code as adopted by the Ross Valley Fire Department. There has been some desire to add plantings along the fence line to soften the fence, but it is not possible to plant significant screening in this area due to the protection of existing trees, locations of existing wood power poles and guy wires, and the required 10' clear zone required by the Ross Valley Fire Department.

Two large Prunus illicifolia trees are proposed for inside the fence, to further screen views into the site where possible, and allowed by the Fire Department. Please see Sheet LI.2

Conductivity of metal fence in case of downed power lines:

We discussed this concern with Rob Bastianon, Fire Inspector, Ross Valley Fire Department, and he has no concerns about this issue. There is no Fire Code which addresses this situation. There is a wood frame surrounding and interrupting all metal panels which acts to brake continuous conductivity along the fenceline.

Findings for Fence Height Variance:

To improve the face of Fairfax Lumber and Hardware for the residents along Spruce Road, the Owners of Fairfax Lumber have hired us to design and site a solid screening fence along their property line. It should be noted that Fairfax Lumber does not own the land outside of the fence line and cannot be expected to improve the land of another property owner.

The request for an 8' tall fence comes from requests of the neighbors for the business to act to improve the aesthetics of our clients' property. We believe the solid fence will help with the mitigation of some of the dust generated from the adjacent roadway in the lumber yard. It should be noted that this fence is not considered a fix to the dust issue but may help mitigate wind and sound along this frontage. It will act as a solid screen for the activity in the Lumber Yard from adjacent residences.

An 8' tall fence will not be harmful to the local residents, will not take any parking away from the area, will provide solid visual screening of activity in the lumber yard and may help with corralling dust from the Lumber Yard drive through by acting as a wind break. The Vegetation Management along this edge of the Lumber Yard property will improve public safety in clearing vegetation from overhanging or abutting the roadway and eliminating fire ladder issues beneath existing trees scheduled to remain.

The approval of a variance does not constitute the granting of special privilege, because the proposed fence is on the owner's property, allowing adjacent parking to remain, and is not directly abutting residences or other businesses. The design is at the behest of the local residents demands for more screening.

The design will not create a public nuisance or cause adverse physical or economic effects to adjoining properties, as they are separated from this work by the roadway of a distance of 40 feet or more. Vital existing parking will be maintained and the fire danger will be reduced and emergency egress along the street will be improved. We believe this fence construction will enhance the area for the general public as it screens the activity in the Lumber Yard and calms the sights and sounds on Spruce Road.

The granting of this variance is not contrary to any plans or goals of the Town or development. If anything, it enhances the goal of the Town to improve views, screen detrimental views, allow for residential use of streets and street edges, and enhance public safety with fire clearances.

Complying with the Town Ordinance of fence height requirements of 6' on the property line, would create a hardship for the owners and the adjacent neighbors because a 6' high fence

does not accomplish the screening of the Lumber Yard for neighbors and the public using the street, as requested by the neighbors.

Additional discussion relevant to the project as presented:

We would like to address the discussion of adding a "Green Screen" along the fence line, and why it is not possible or feasible for this location. Ross Valley Fire Department requires a 10' area clear of vegetation, adjacent to roadways, as requested by the Ross Valley Senior Fire Inspector. As illustrated on Sheet LI.1, the green areas are the spaces remaining outside of that clear zone and away from existing tree canopies or electrical infrastructure. These are outside of the root zones of existing mature trees, which may remain per the RVFD, and are clear of existing wooden power poles and other electrical infrastructure. It is not feasible to grow continuous plant material along this fence for the above reasons. Additionally, the land outside of the fence is not the owner's property and they cannot be expected to successfully maintain plant material in that impacted area or on another owner's property. And finally, the success of plants in this area is unlikely as it is on the north side of the fence, thus the shady side, overhung with branches of large trees, adding additional shade and water and nutrient competition in the soil. This area is also impacted by the use of that zone by the local residents for parking, and vehicular damage to plants and compaction of soils is ongoing and likely to continue. The areas is further open to deer browse and cannot be protected with the construction of a second fence. Plantings along this fence line are not advisable or maintainable for the reasons noted above.



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930
(415) 453-1584 / FAX (415) 453-1618

Date: June 2, 2023

Permit: 23-T-26

NOTICE OF TREE COMMITTEE ACTION

This action may be appealed to the Fairfax Town Council within 10 days of the Tree Committee decision. This permit is not in effect until the 10 day appeal period is over.

Request for a tree permit to remove: (17) Various – Blackwood Acacia, Tree of heaven, Valley Oak, Cherry Plum, Peach, California Bay

FOR RECOMMENDATION TO PLANNING COMMISSION ONLY

Address of Tree(s) to be removed: 109 Broadway Blvd

Applicant's Phone: Fairfax Lumber (415) 453-4410

On May 22, 2023, the Fairfax Tree Committee took the following action on the above referenced tree permit application:

FOR RECOMMENDATION TO PLANNING COMMISSION ONLY:

Public comment on this item consisted of the following: Want for ideas to help mitigate dust coming from the lumber yard and a concern for the health of neighboring residents. Issues with timing of planting of trees. Removal of trees will greatly affect the visual impact of the neighborhood and that the screening effect of the existing trees and foliage is very valuable to those living on the street. The public also commented about the possibility altering the design of the location of the fence in order to maintain the existing trees. Commenters also said they reached out to the property owner to discuss the fence design as well as Town of Fairfax Mayor Chance Cutrano, they indicated neither responded to their requests to meet.

Benson made a motion to recommend to the Planning Commission either of the following:

- 1.) Deny the application and consider a redesign of the proposed fence location in order for the trees to remain; **OR,**
- 2.) Approve the application except for tree #4 with the following conditions under the authority of the Town of Fairfax Code § 8.36.060 (D):
 - i.) Replace the trees at a minimum 1:1 ratio
 - ii.) Replacement trees shall be a minimum 15-gallon size
 - iii.) Trees shall be planted thoughtfully so as to maintain the existing character of the street.
 - iv.) The timing of the planting of the trees shall be planned so as to minimize the amount of time between when the trees are removed and the replacement trees are planted; the motion was seconded by Pugh and voted on.

Vote:

Benson- Aye

Pugh- Aye

Richardson-Mack- No

Romaidis- Aye

Item #3 Vote: Ayes- 3, Noes- 1

APPROVED – Recommendation to Planning Commission only as above.

REMINDER: PLEASE KEEP PERMIT NOTICE UP DURING THE 10 DAY WAITING PERIOD

CONTINUED

DENIED

CONDITIONS OF APPROVAL:

To Planning Commission.

THIS APPROVED APPLICATION IS YOUR PERMIT-KEEP IT ON THE JOB SITE. FAILURE TO HAVE THE PERMIT ON THE SITE WHILE THE TREE WORK IS IN PROGRESS MAY RESULT IN THE WORK BEING HALTED UNTIL YOU SHOW PROOF OF APPROVAL.

Please verify that the tree company performing the work has a current Fairfax Business license and worker's compensation coverage.

THIS TREE PERMIT EXPIRES IN SIX (6) MONTHS. If necessary, you may apply for an extension in writing prior to the expiration date.

FOR RECOMMENDATION TO PLANNING COMMISSION
ONLY



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CA 94930
(415) 453-1584 / FAX (415) 453-1618



APPLICATION FOR TREE REMOVAL OR ALTERATION

A permit is required to remove or alter one or more trees on any parcel in the Town of Fairfax. All trees for which a permit is requested shall be tagged with an orange ribbon, a minimum of 10 days prior to the Tree Advisory Committee meeting date. Applicants must also post a notice of intent to alter or remove the marked Tree(s) in a prominent location visible along the frontage of the affected property.

APPLICANT INFORMATION

| | |
|--|--------------------------------------|
| OWNER (APPLICATIONS MUST BE FILED BY PROPERTY OWNER): Fairfax Lumber | DATE OF APPLICATION: May 11, 2023 |
| JOB ADDRESS/ASSESSOR'S PARCEL NO. IF SITE IS VACANT 109 Broadway Blvd. / 001-148-13 | PHONE NUMBER: 415-453-4410 |
| EMAIL ADDRESS: Charlie@fairfaxlumber.com | FAX NUMBER: |
| PROPERTY OWNER'S ADDRESS IF DIFFERENT FROM ABOVE | ALTERNATE PHONE NUMBER: |

TREE INFORMATION

** Flagged trees = removal*

| | |
|--|-------------------------------|
| SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: ALL TREES ARE NOTED IN ATTACHED PLAN AND ARBORIST REPORT | CIRCUMFERENCE BREAST HEIGHT: |
| | REASON FOR REMOVAL/ALTERATION |
| SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: | CIRCUMFERENCE BREAST HEIGHT: |
| | REASON FOR REMOVAL/ALTERATION |
| SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: | CIRCUMFERENCE BREAST HEIGHT: |
| | REASON FOR REMOVAL/ALTERATION |
| SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: | CIRCUMFERENCE BREAST HEIGHT: |
| | REASON FOR REMOVAL/ALTERATION |

Please attached a site plan to this application showing the location and species of all trees with a diameter of 4 inches (circumference of 12 inches or more), measured 4.5 feet above grade at tree base, property boundaries and easements, location of structures, foundation lines of neighboring structures and paved areas including driveways, .

AGENDA ITEM # 3

Any tree company used for the removal or alteration must have a current and valid Fairfax Business license. Please include the name, address, and phone number of the person or company doing the above listed work:

| | |
|--|--|
| NAME: VACCARO'S TREE SERVICE | PHONE NUMBER: 415-457-7134 |
| ADDRESS: 57 MANOR ROAD, FAIRFAX, CA | CONTRACTOR BUSINESS LICENSE NUMBER 787460 |

Please note the Tree Advisory Committee may require applicants to submit their application to a Qualified Arborist for a report or recommendation at the expense of the applicant. A Qualified Arborist is defined as a Certified Arborist, A Certified Urban Forester, a Registered Consulting Arborist, or a Registered Professional Forester.

OWNER'S STATEMENT

I understand that in order to properly process and evaluate this application, it may be necessary for Town personnel to inspect the property, which is the subject of the application. I also understand that due to time constraints it may not always be possible for Town personnel to provide advanced notice of such inspections. Therefore, this application will be deemed to constitute my authorization to enter upon the property for the purpose of inspecting the same, provided that Town personnel shall not enter any building on the property except in my presence or the presence of any other rightful occupant of such building. I understand that my refusal to permit reasonable inspection of any portion of the property by town personnel may result in a denial of this application due to the lack of adequate information regarding the property.

Signature of Property Owner

5/10/2023

Date

[AREA BELOW FOR STAFF USE ONLY]

| | |
|-------------------------------|------------------------------|
| Permit Number: <i>23-T-24</i> | |
| Date Received: <i>5-11-23</i> | Received by: <i>S. Water</i> |
| Conditions of Approval: | |
| | |
| Tree Committee Action: | Date: |

Tree Committee Actions can be appealed to the Town Council within 10 days of the Tree Committee Action. Contact Town Hall for more information.

ARBORIST REPORT

Tree Assessment
Fairfax Lumber & Hardware
109 Broadway
Fairfax, California
(APN: 001-148-13)

Prepared for:
Fairfax Lumber & Hardware
109 Broadway
P.O. Box 249
Fairfax, CA 94978-0249



Fairfax Lumber & Hardware opened in
-23-
Prepared by:
ARBORSCIENCE, LLC
Dr. Kent Julin
ISA Certified Arborist: WE-8733A
Sadie Julin
ISA Certified Arborist: WE-14171A

May 10, 2023

P.O. Box 111, Woodacre, CA 94973-0111
(415) 419-5197 • kent.julin@gmail.com • http://arborscientist.com

ASSIGNMENT

Fairfax Lumber & Hardware hired ARBORSCIENCE, LLC to inspect and provide management recommendations for trees growing along its Spruce Street frontage in relation to a fence-construction project and fire safety. We inspected the trees on April 19, 2023.

SCOPE OF WORK AND LIMITATIONS

This assessment is based on the circumstances and observations as they existed at the time of the site inspection. Opinions in this assessment are given based on observations made and using generally accepted professional judgment, however, because trees are living organisms and subject to change, damage and disease, the results, observations, recommendations, and analysis as set out in this assessment are valid only at the date any such observations and analysis took place and no guarantee, warranty, representation or opinion is offered or made by Arborscience as to the length of the validity of the results, observations, recommendations and analysis contained within this assessment. As a result the client shall not rely upon this Assessment, save and except for representing the circumstances and observations, analysis and recommendations that were made as at the date of such inspections.

SITE DESCRIPTION AND CONTEXT

Fairfax Lumber & Hardware opened in 1912 on a nearly level (3% slope) 2.33-acre parcel (APN: 001-148-13), outlined in yellow, right. The subject trees are plotted on Figure 1, described in Table 1, and pictured in the attached Photo Addendum.



The Town of Fairfax defines a “tree” as “any woody perennial plant characterized by having one or more trunks, any one of which has a diameter of four inches (circumference of 12 inches) or more, measured at four and one-half feet above existing lowest grade at the base of the tree.” The Town regulates the alteration of trees by cutting or pruning (branches, trunks, roots), or by filling, surfacing, grading, compacting or changing the drainage pattern of the soil around any tree in a manner that threatens to diminish the vigor of the tree. Native oaks with trunks measuring 8” or greater are considered “heritage trees”. Blackwood acacias are considered “undesirable trees” due to their rapid growth (three feet per year) or their invasive, structurally hazardous, or flammable nature.

SUBJECT TREE DESCRIPTIONS, PROPOSED ACTIONS, & RECOMMENDATIONS


The proposed project includes construction of a fence just inside the property line and limited planting of shrubs. To complete the project as planned, 16 trees would be removed to promote fire safety and allow the fence to be built on its proposed alignment.

The 26 subject trees (Figure 1, Table 1) include 6 planted London plane trees (*Platanus x acerifolia*) and 20 volunteer trees including 11 blackwood acacias (*Acacia melanoxylon*), 3 valley oaks (*Quercus lobata*), and 1 each of the following: tree-of-heaven (*Ailanthus altissima*), coast live oak (*Quercus agrifolia*), cherry plum (*Prunus cerasifera*), peach (*Prunus persica*), Oregon ash (*Fraxinus latifolia*), and California bay (*Umbellularia californica*). All of the oaks qualify as Town of Fairfax "heritage trees". All of the blackwood acacias are considered Town of Fairfax "undesirable trees" and are recommended for removal and their stumps ground to prevent resprouting. In addition, we recommend an ongoing pruning program to ensure the health and safety of the tall trees to be retained (see pruning specifications attached).

The tall subject trees were previously pruned for electrical-distribution-line clearance by PG&E's contractor. This pruning work has left tall acacia stumps and London plane trees with unbalanced crowns.

Sincerely,

ARBORSCIENCE, LLC


Kent Julin, Ph.D.
ISA Certified Arborist #WE-8733A
ISA Tree Risk Assessor Qualified


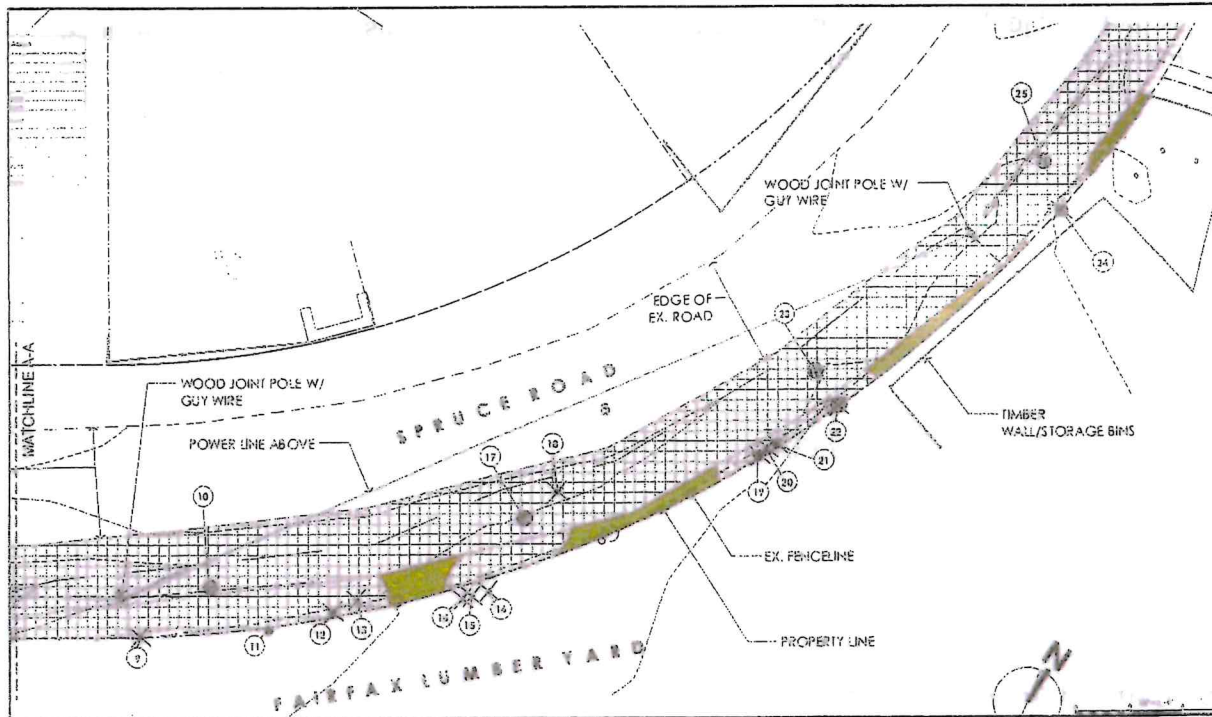
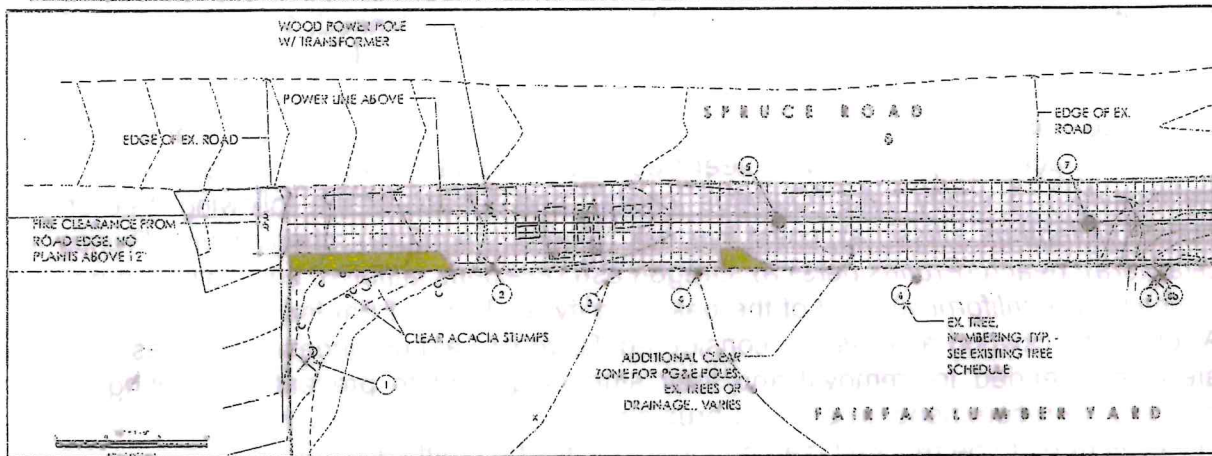

Sadie Julin
ISA Certified Arborist WE-14171A
ISA Tree Risk Assessor Qualified

Figure 1: Subject Tree Locations at Fairfax Lumber & Hardware



Map from the Constraints Plan by Roth | Lamotte Landscape Architecture, dated 5/9/23.

Table 1: Subject Trees at Fairfax Lumber & Hardware

| Tree No. | Common Name | Scientific Name | DBH (in) | Status | Notes | Planned Action |
|----------|-------------------|------------------------------|-----------|-------------|---|----------------|
| 1 | Blackwood acacia | <i>Acacia melanoxylon</i> | 10 | Undesirable | Root system has failed, fire-prone | Remove |
| 2 | Tree-of-heaven | <i>Ailanthus altissima</i> | 7 | None | Advanced decline, split gill fungi, invasive species | Remove |
| 3 | Valley oak | <i>Quercus lobata</i> | 10 | Heritage | Good condition | Retain |
| 4 | Valley oak | <i>Quercus lobata</i> | 10 | Heritage | Good condition, in fence footprint | Remove |
| 5 | London Plane Tree | <i>Platanus x acerifolia</i> | 28 | None | Good condition | Retain, prune |
| 6 | Coast live oak | <i>Quercus agrifolia</i> | 16 | Heritage | Good condition | Retain, prune |
| 7 | London Plane Tree | <i>Platanus x acerifolia</i> | 28 | None | Good vigor, bird cavity nests in central dead limb | Retain, prune |
| 8 | Cherry plum | <i>Prunus cerasifera</i> | 2-6" (11) | None | Good condition, in fence footprint | Remove |
| 8b | Peach | <i>Prunus persica</i> | 4 | None | Good condition, in fence footprint | Remove |
| 9 | Valley oak | <i>Quercus lobata</i> | 9 | Heritage | Good condition, in fence footprint | Remove |
| 10 | London Plane Tree | <i>Platanus x acerifolia</i> | 27 | None | Three dead limbs over street, hanging limb over yard | Retain, prune |
| 11 | Oregon ash | <i>Fraxinus latifolia</i> | 14 | None | Good | Retain, prune |
| 12 | Blackwood acacia | <i>Acacia melanoxylon</i> | 10 | Undesirable | Topped at 15', fire-prone | Remove |
| 13 | Blackwood acacia | <i>Acacia melanoxylon</i> | 8 | Undesirable | Topped at 15', fire-prone | Remove |
| 14 | Blackwood acacia | <i>Acacia melanoxylon</i> | 1, 1, 2 | Undesirable | Tree is a resprouting stump, fire-prone | Remove |
| 15 | Blackwood acacia | <i>Acacia melanoxylon</i> | 9 | Undesirable | Poor vigor, fire-prone | Remove |
| 16 | Blackwood acacia | <i>Acacia melanoxylon</i> | 4 | Undesirable | Poor vigor, canker, fire-prone | Remove |
| 17 | London Plane Tree | <i>Platanus x acerifolia</i> | 31 | None | Five dead limbs, cavity nests, lion-tailed | Retain, prune |

| Tree No. | Common Name | Scientific Name | DBH (in) | Status | Notes | Planned Action |
|----------|-------------------|--------------------------|------------|-------------|--|----------------|
| 18 | Black acacia | Acacia melanoxylon | 11 | Undesirable | Advanced decay, fire-prone | Remove |
| 19 | California bay | Umbellularia californica | 4 | None | Good condition, within fence footprint, fire-prone | Remove |
| 20 | Blackwood acacia | Acacia melanoxylon | 9,7,7 | Undesirable | Good condition, fire-prone | Remove |
| 21 | Blackwood acacia | Acacia melanoxylon | 6 | Undesirable | Good condition, fire-prone | Remove |
| 22 | Blackwood acacia | Acacia melanoxylon | 2-10" (11) | Undesirable | Fair condition, fire-prone | Remove |
| 23 | London Plane Tree | Platanus x acerifolia | 32 | None | Poor form, poor vigor, weighted toward yard, many dead twigs | Retain, prune |
| 24 | Blackwood acacia | Acacia melanoxylon | 5,6,8 | Undesirable | 6" trunk has significant decay, fire-prone | Remove |
| 25 | London Plane Tree | Platanus x acerifolia | 30 | None | Heavily pruned, 20% of trunk is decayed | Retain, prune |

PRUNING SPECIFICATIONS

Trees to prune: Six London plane trees (*Platanus x acerifolia*) that are 27- to 31-inches in diameter at breast height and stand 30- to 40-feet tall along the east side of Spruce Road in Fairfax, across from 6 to 22 Spruce Road, as well as one 16-inch coast live oak and one 14-inch Oregon ash located within the lumber yard.

Personnel Qualifications: All work shall be performed under the supervision of an ISA Certified Arborist®, an ISA Board Certified Master Arborist®, or equivalent.

Pruning system: Natural.

Objective: To improve crown structure and balance.

Branches to prune:

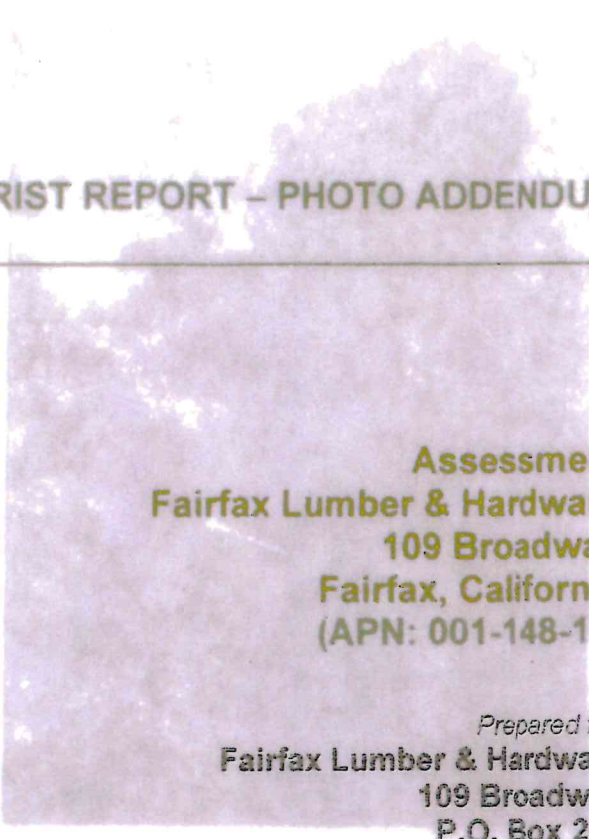
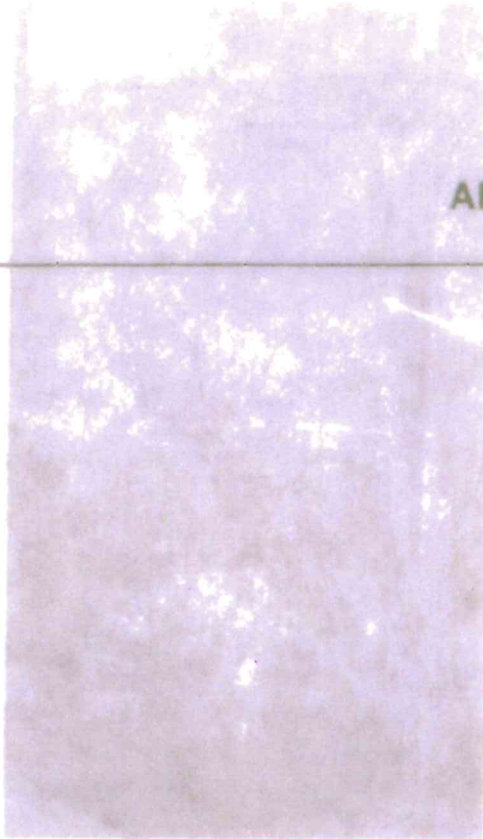
1. Remove dead, dying, diseased, and broken branches greater than one inch diameter at the point of attachment.
2. Reduce by one third branches that overhang the lumber yard to lateral branches.

Limitations:

1. No tree shall be climbed using climbing spurs, unless a climber needs to be rescued during an emergency. Best to use a bucket truck from the lumber yard and Spruce Road.
2. All cuts shall be made in accordance with the ANSI A300 Pruning Standard Section 7.
3. No heading or shearing cuts shall be made without authorization.
4. No more than one-quarter of the foliage shall be removed from an individual tree.
5. All severed branches shall be removed by the end of the workday.
6. Work practices shall be consistent with the current ANSI A300 Part 1 pruning standard Section 8 and the ANSI Z133 Standard.

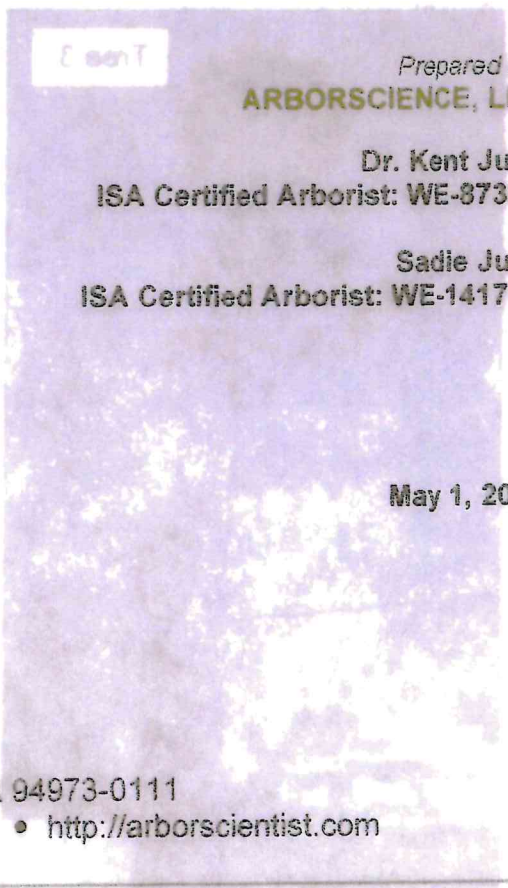
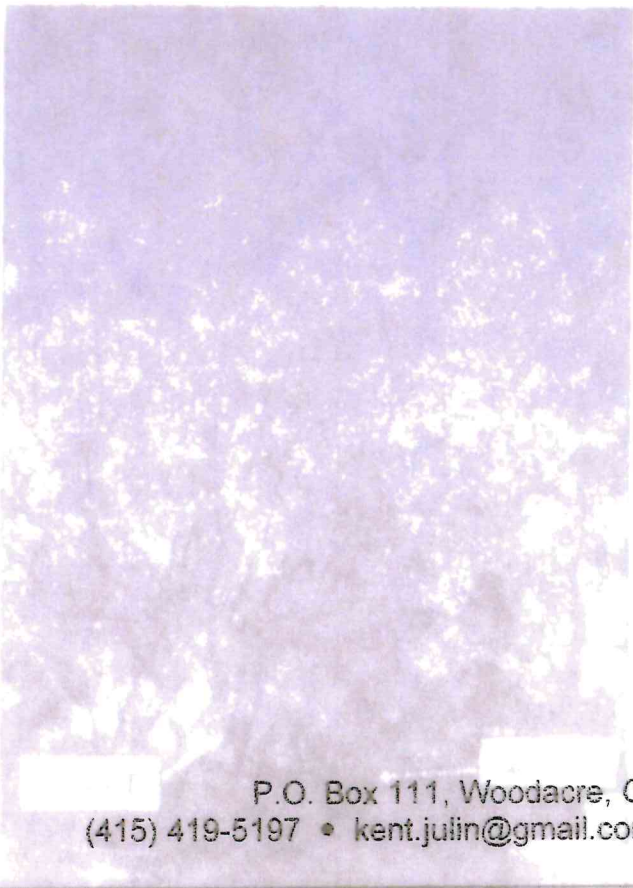
Debris Disposal: All debris will be removed from the work area and recycled as mulch or disposed of at a County green waste collection facility.

ARBORIST REPORT – PHOTO ADDENDUM



**Assessment
Fairfax Lumber & Hardware
109 Broadway
Fairfax, California
(APN: 001-148-13)**

Prepared for:
**Fairfax Lumber & Hardware
109 Broadway
P.O. Box 249
Fairfax, CA 94978-0249**



Essent

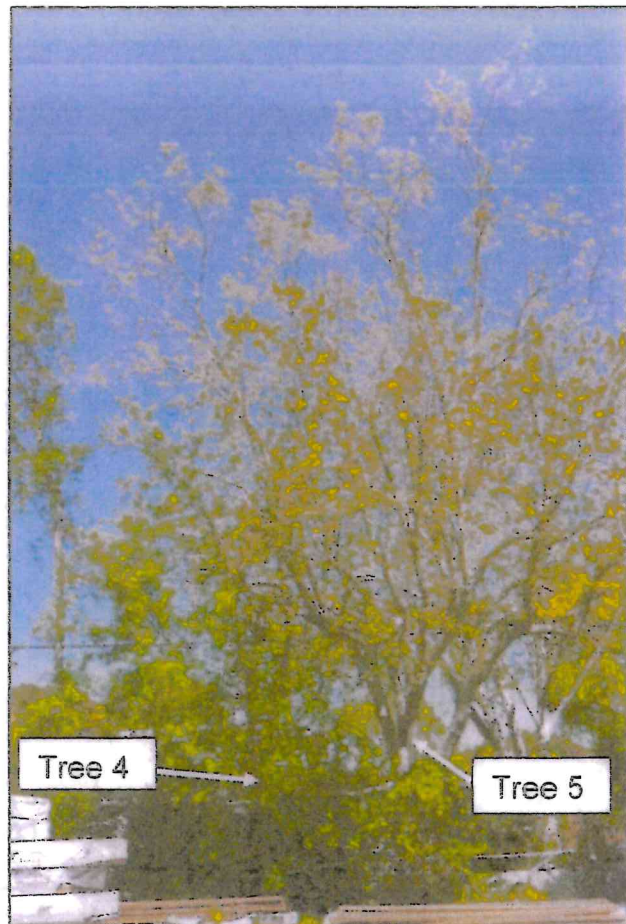
Prepared by:
ARBORSCIENCE, LLC

**Dr. Kent Julin
ISA Certified Arborist: WE-8733A**

**Sadie Julin
ISA Certified Arborist: WE-14171A**

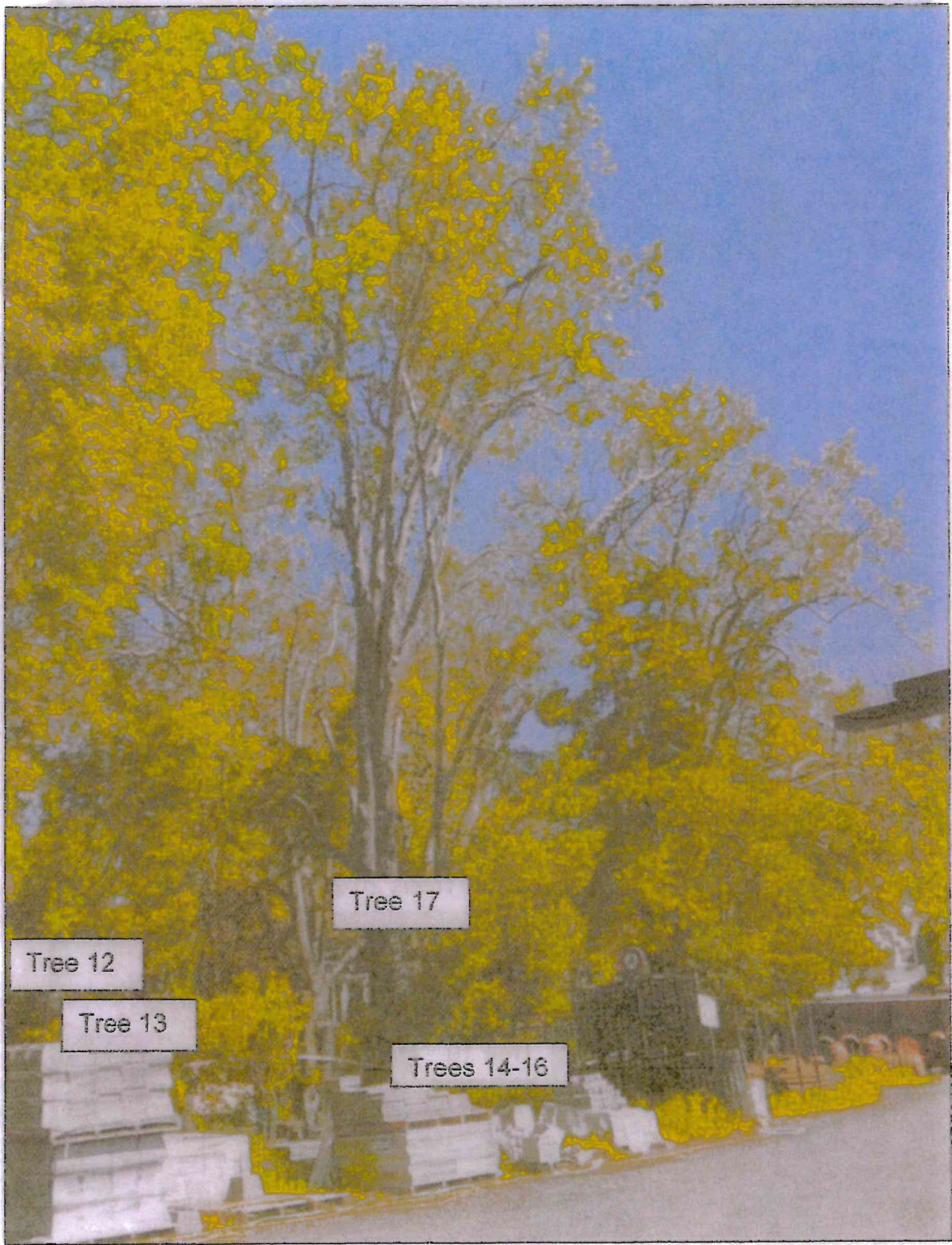
May 1, 2023

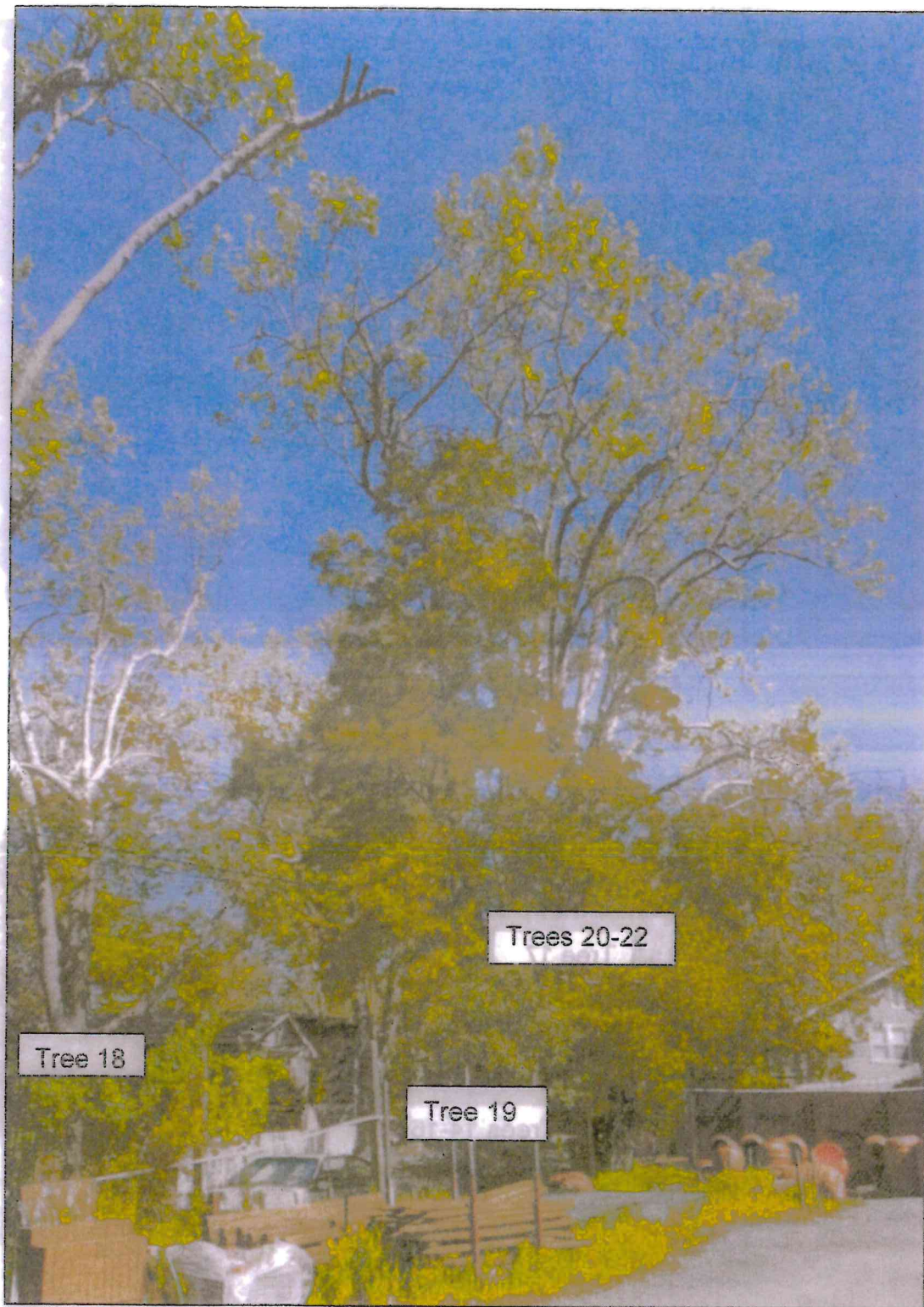
P.O. Box 111, Woodacre, CA 94973-0111
(415) 419-5197 • kent.julin@gmail.com • <http://arborscientist.com>













Tree 23



Tree 24

Tree 25

TOWN OF FAIRFAX TREE COMMITTEE

DRAFT

MINUTES OF THE MEETING

May 22, 2023

CALL TO ORDER/ROLL CALL

John Romaidis called the meeting to order at 7:00 p.m. and took the minutes. The following Committee members were present: Deborah Benson, Ted Pugh, Jane Richardson-Mack, John Romaidis.

REGULAR AGENDA

Public Hearing Items:

- I. The minutes of the April 24, 2023 Tree Committee meeting was unanimously approved.
- II. The Tree Committee took action on the following items:

Continued items from last meeting:

A. 2360 Sir Francis Drake BL.

The Committee discussed the lack of a ribbon installed on the subject tree and lack of a public notice during the Committee member's site visit. Pugh made a motion to continue the application to the June meeting to give the applicant another opportunity to display the public notice and put a ribbon on the tree per the requirements in the Application and that if there was an issue with vandalism, a high visibility painted stripe in place of the ribbon would be acceptable along with posting the public notice; the motion was seconded by Benson and voted on.

Vote:

Benson- Aye

Pugh- Aye

Richardson-Mack- Aye

Romaidis- Aye

Item #A Vote: Ayes-4, Noes- 0

TOWN OF FAIRFAX TREE COMMITTEE

DRAFT

MINUTES OF THE MEETING

May 22, 2023

2.) Approve the application except for tree #4 with the following conditions under the authority of the Town of Fairfax Code § 8.36.060 (D):

i.) Replace the trees at a minimum 1:1 ratio
ii.) Replacement trees shall be a minimum 15-gallon size
iii.) Trees shall be planted thoughtfully so as to maintain the existing character of the street.

iv.) The timing of the planting of the trees shall be planned so as to minimize the amount of time between when the trees are removed and the replacement trees are planted; the motion was seconded by Pugh and voted on.

Vote:

Benson- Aye

Pugh- Aye

Richardson-Mack- No

Romaidis- Aye

Item #3 Vote: Ayes- 3, Noes- 1

III. Open time for public comments:

No public comment

IV. Open time for Tree Committee comments:

Richardson-Mack to follow-up on trees around homeless encampment

V. Items for future agenda:

No future agenda items

Linda Neal

From: DEBORAH BENSON <debbens@comcast.net>
Sent: Monday, June 5, 2023 8:41 AM
To: Linda Neal
Subject: Re: FW: Action on the 109 Broadway request for tree removal recommendation to the Planning Commission

Morning Linda,

The motion was two-pronged and approved as such. The intent of the recommendation was to offer a choice for consideration by the Planning Commission. Either deny the removal of the trees by moving the fence or approving the removal with the remediation of planting replacement trees.

Does that clarify for you? Thanks Linda.

Deborah

> On 06/05/2023 8:07 AM PDT Linda Neal <lneal@townoffairfax.org> wrote:

>

>

> Hi Deborah,

>

> I just wanted to check in with you to make sure I am interpreting the Tree Committee action correctly. Although you made both a recommendation for denial and redesign of the project and a second recommendation to advise the Commission to approve the tree removal requests except for tree #4 with conditions, it is the second motion that was approved by the Majority of Tree Committee members, right? The minutes are not really clear to me but I am probably just overanalyzing things.

>

> Thanks,

>

> Linda Neal

> Principal Planner

> (415) 453-1584

>

> -----Original Message-----

> From: copier@townoffairfax.org <copier@townoffairfax.org>

> Sent: Monday, June 5, 2023 7:45 AM

> To: Linda Neal <lneal@townoffairfax.org>

> Subject:

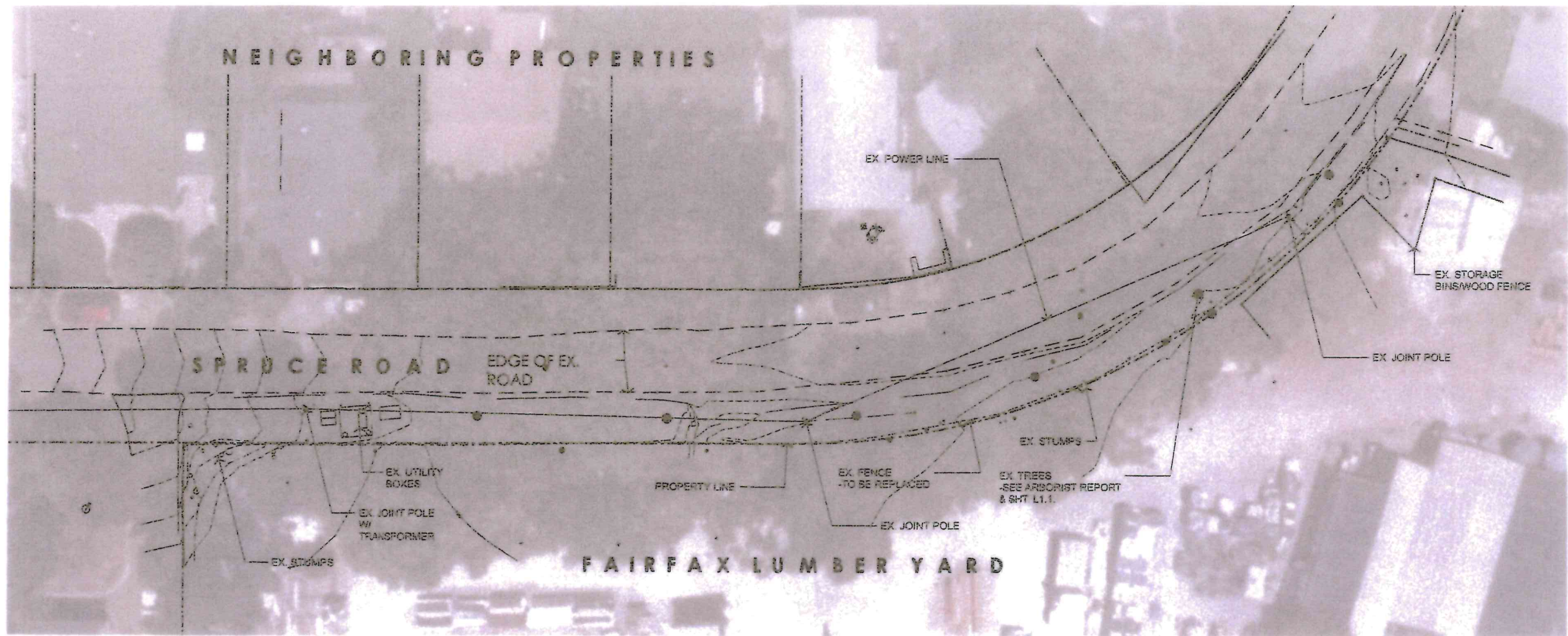
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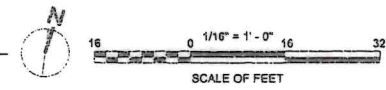
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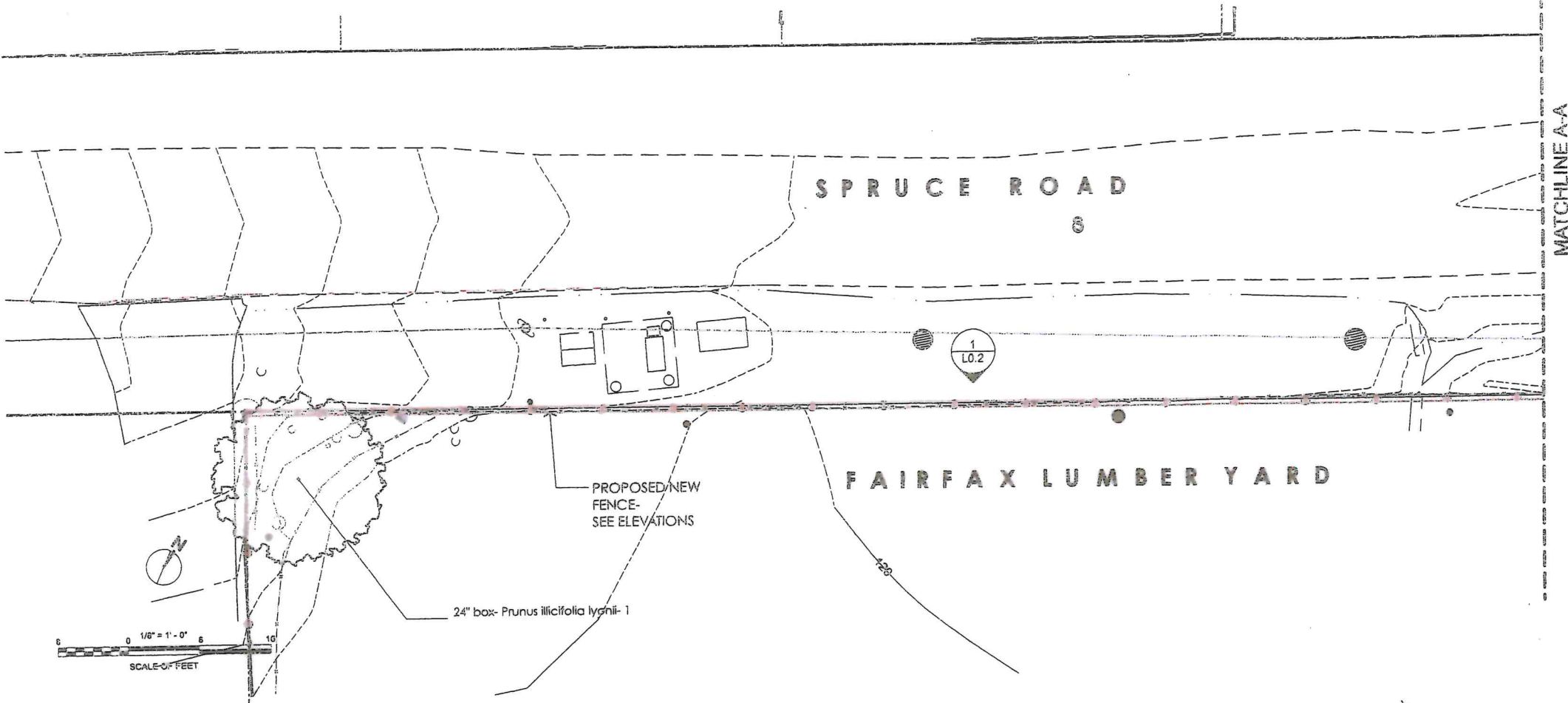


1 EXISTING CONDITIONS SITE PLAN
Scale: AS INDICATED

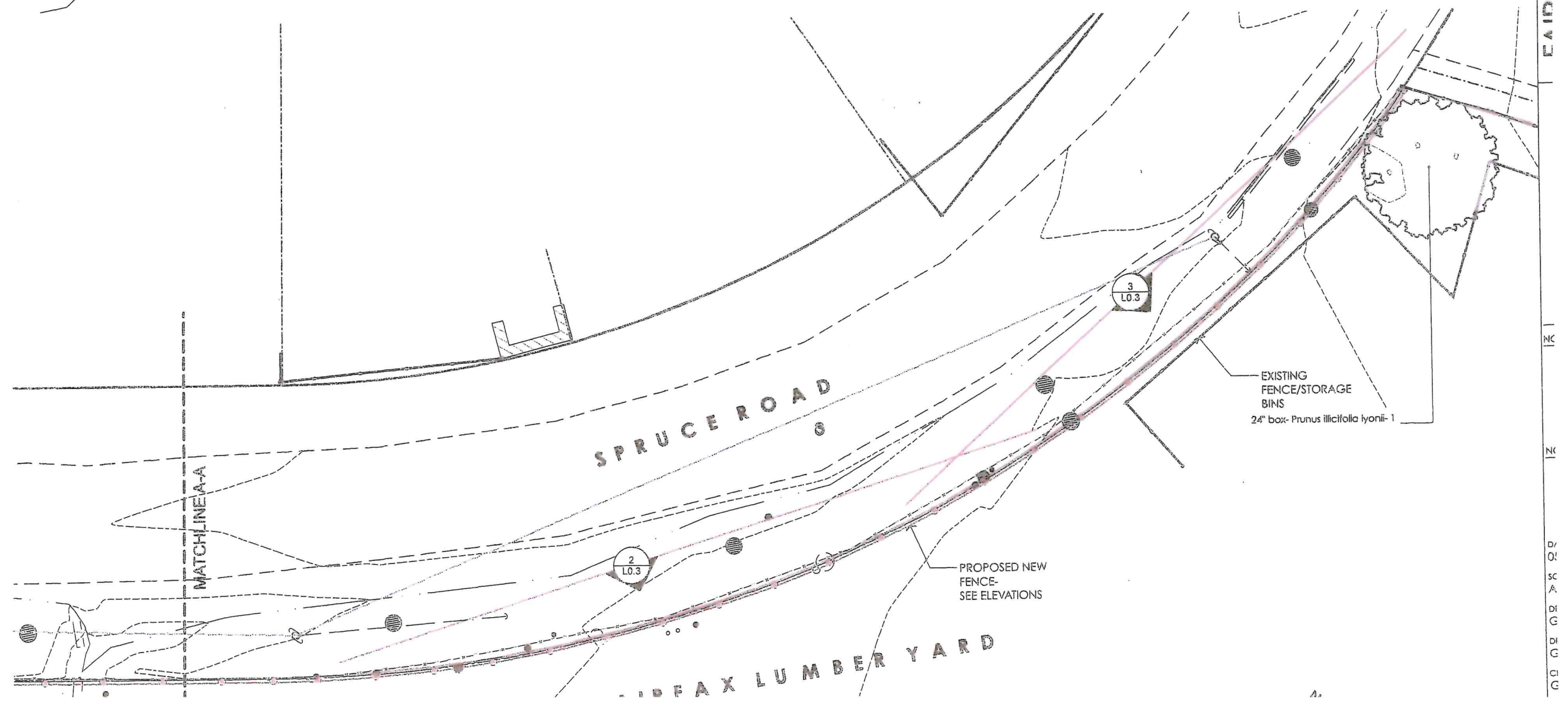
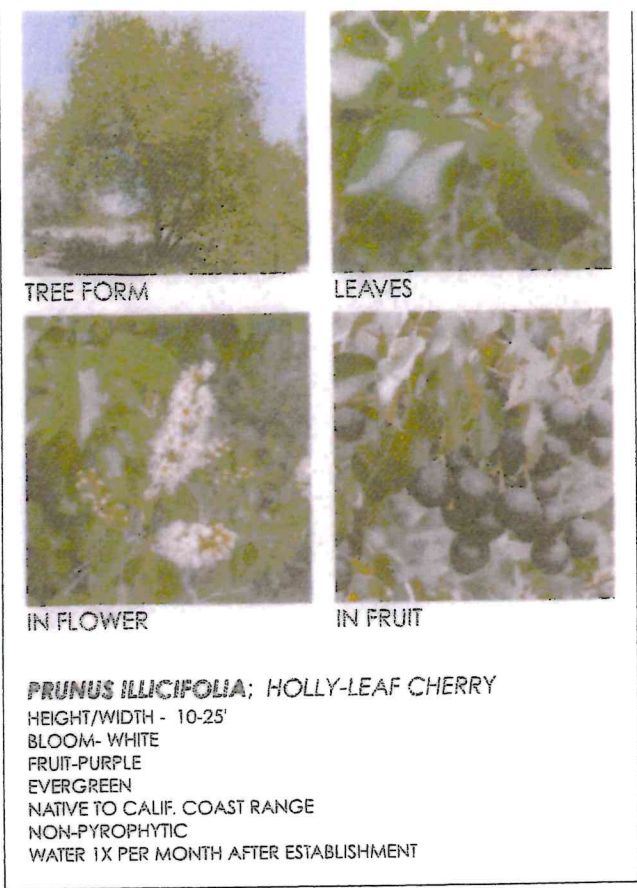


1 EXISTING CONDITIONS -VIEW FROM SPRUCE, TOP OF HILL
Scale: AS INDICATED

D:\01\SCA\DEG\DF\G



MATCHLINE A-A



EIDEAVI IIADED 0 LADWIADE



ARBORSCIENCE, LLC

Sound Tree Advice

June 9, 2023

Linda Neal
Town of Fairfax Principal Planner
142 Bolinas Road
Fairfax, California 94930
lneal@townoffairfax.org

Subject: Tree Removal and Replacement 109 Broadway

Dear Linda,

The current project plan for this tightly constrained site includes removal of 17 trees including 11 blackwood acacias ("Undesirable" per Fairfax Municipal Code § 8.36.02), pyrophytic¹, growing below power lines, and all have poor form and/or significant defects, and are, in fact, multi-stemmed stump sprouts in most cases), 2 California bays and 1 cherry plum (fire-prone and/or in project footprint), 2 valley oaks (in project footprint and one is topped and will be a future safety problem), and 1 tree of heaven (advanced decline). In addition the project will provide retention and maintenance of 6 mature London plane trees, 1 coast live oak, 1 valley oak, 1 Oregon ash, and planting of 2 hollyleaf cherries.

I understand that the Fairfax Tree Committee expressed an interest in replacing trees planned for removal on a 1:1 basis; however, the site does not provide adequate growing space to support the establishment of 17 new healthy trees (the trees planned for removal are too closely spaced), and such new tree plantings would create undesirable fire-ladder fuels per FireSafe Marin Guidelines for defensible space.² Retention of Tree 4 (a 10-inch valley oak) is not appropriate even if the fence alignment were changed, because this tree is fully within the dripline of Tree 5 (one of the London plane trees planned for retention), it has been previously topped, creating a future structural defect if it is left to mature and there is not sufficient space for both trees. There is also a Valley oak (Tree #3) adjacent to it that is much better form for a future mature tree. In my opinion, the site is fully stocked by the existing London plane trees, the coast live oak, the valley oak, and the Oregon ash. Adding new trees to this area would be inconsistent with FireSafe Marin defensible space guidelines. Additionally, the proposed fence would create significantly more privacy screening and wind protection than is currently being provided by the trees planned for removal.

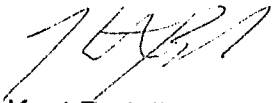
¹ https://www.firesafemarin.org/wp-content/uploads/2019/03/1998_FIRESafe_MARIN_Pyrophytic-vs-Fire-Resistant-Plants.pdf

² <https://firesafemarin.org/create-a-fire-smart-yard/defensible-space/defensible-space-zones/#qsc.tab=0>

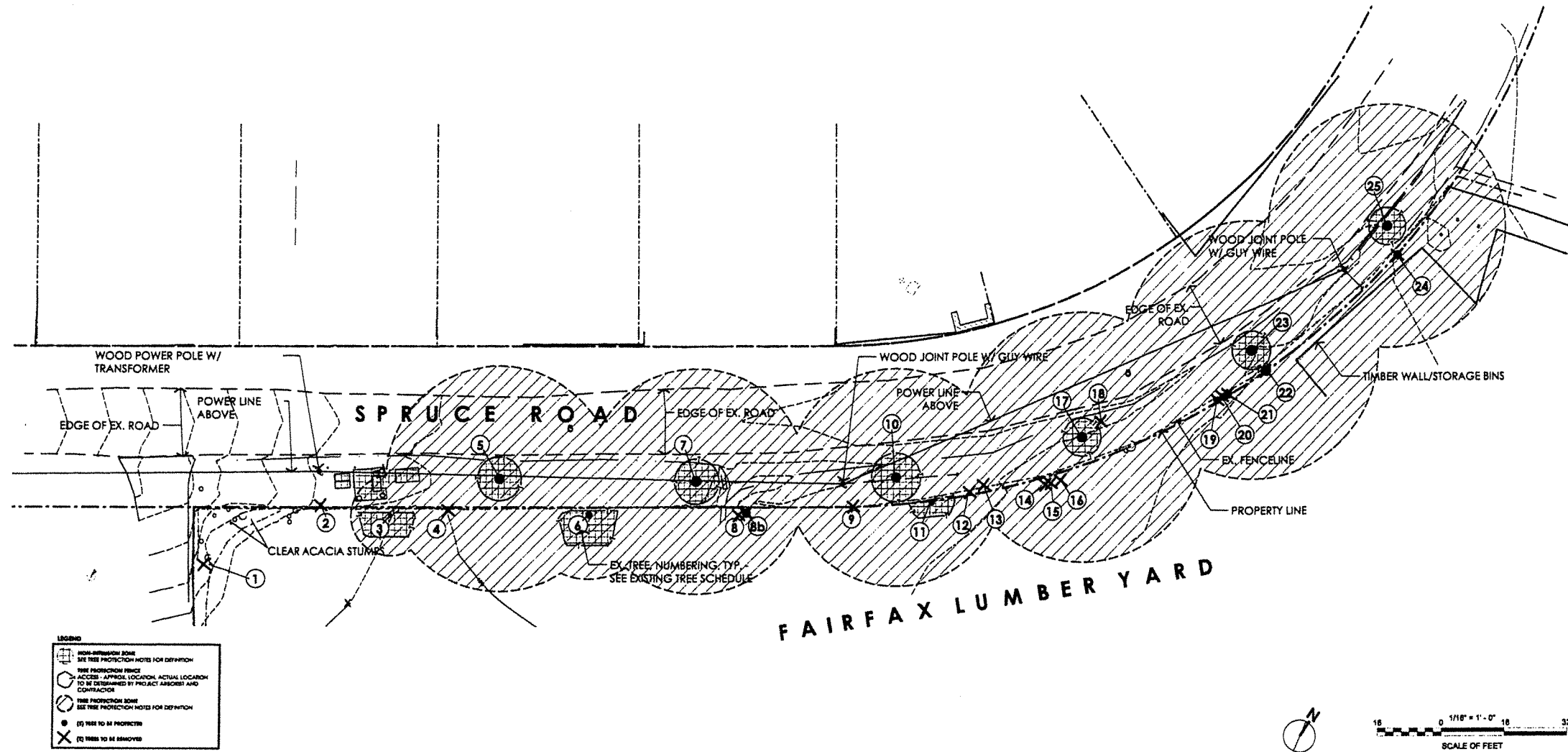
I have reviewed the design plans and Tree-Protection Plan by Roth/LaMotte Landscape Architecture and both documents reflect best practices related to arboricultural issues of fire safety, plant health, and future growth given this tightly constrained site.

Sincerely,

ARBORSCIENCE, LLC

A handwritten signature in black ink, appearing to read 'K. Julin', written over a faint, illegible background.

Kent R. Julin, Ph.D.
ISA Certified Arborist WE-8733A (TRAQ)
California Registered Professional Forester 2648



TREE PROTECTION NOTES

TREE PROTECTION PLAN

Measures noted herein are subject to a review and report by an arboricultural consultant, if requested by the Town of San Anselmo.

TREE PROTECTION MEASURES

Development of the project infrastructure, including roads, utilities, drainage facilities, etc. will alter the natural terrain and affect existing trees growing close to the construction areas. Impacts will primarily occur as a result of the site grading requirements. The following guidelines are intended to minimize grading impacts and maximize tree survivability.

TREE PROTECTION ZONES - (TPZ's)

There are two primary tree protection zones: 1) 'Non-intrusion Zone', which shall be a designated area that is properly fenced off from construction activities, and 2) 'Tree Preservation Zone', which is a specified area where the soil and tree(s) are armored to prevent damage to the root zone soils, roots, and aerial structure of the tree.

All construction activity (grading, filling, paving, landscaping) will respect the Tree Protection Zones (TPZ) around trees to be protected. The TPZ's will be a distance of one-foot radial distance from the trunk for each one-inch of trunk diameter. Exceptions to this standard may occur depending upon the age and condition of individual trees.

CONSTRUCTION OBSERVATION AND SUPERVISION

- All arboricultural and related soil work should be performed under the observation of an International Society of Arboriculture (ISA) Certified Arborist, or City designated representative.
- All specified arboricultural work should be completed prior to site grading (root pruning, canopy pruning, fencing, etc.)
- The contractor is required to meet with the Supervising Arborist or City designated representative to review all the tree protection requirements.

TREE PROTECTION FENCING (For Non-Intrusion Zones)

- Fencing at a minimum of four feet in height (orange polypropylene) and clearly marked to prevent inadvertent encroachment by heavy machinery should be installed either at the edge of the Tree Protection Zone (TPZ), crown drip line (whichever is further from the trunk), or at the edge of the construction zone if the construction zone protrudes into the TPZ. The Supervising Arborist, or County designated representative, should approve location of fencing. All fencing should be in place prior to any site grading. Exact location of T.P. fencing to be determined by supervising Arborist, Owner, Landscape Architect, and Contractor to maintain maximum TPZ while allowing access to the jobsite. For this project, it is impossible to fence all of the TPZ and as such, mulch and plywood will be employed for root zone protection. (See #4 below for requirements)
- Contractor should maintain the protection fencing and prohibit all access to fenced areas by construction personnel or equipment until all site work is completed.
- All structures including construction trailers, equipment storage areas and any other construction traffic are prohibited within fenced areas. Burning or debris piles are prohibited within fenced areas. No materials, equipment, spoil, waste, or washout water should be deposited or stored within fenced areas. Fences may not be moved without written permission of the Supervising Arborist or Town designated representative.
- If temporary access within a fenced area is determined to be necessary, then a six-inch layer of bark mulch should be placed in all areas requiring access. This requirement for mulching should apply to all areas within the fenced area and subject to access. If equipment access is required, then the mulch should be overlaid with a material of sufficient thickness to adequately distribute bearing load. 3/4" Plywood is sufficient for foot traffic.
- Where access is required within the TPZ, see #4 requirements above.

DEMOLITION/ SITE CLEARING

- The supervising arborist will review any tree removal work within 50 feet of a TPZ. Trees requiring removal should be felled away from protected trees. Roots of trees to be removed may require pruning with approved root cutting equipment prior to felling if intermingled with roots of retained trees.
- Excavation equipment should operate from outside the TPZ. Brush and wood chips generated from tree and brush removal should be placed in the TPZ to a maximum depth of six inches. Where equipment access is necessary within the TPZ, the equipment should operate on a prepared pad with steel plates over 6" of mulch to prevent soil compaction and root disturbance.
- All required pruning should conform to the pruning section of these guidelines.
- All brush removal should be performed with hand equipment when within a TPZ.

SITE GRADING/ TRENCHING AND ROOT PRUNING

- Keep site grading within designated construction zones. Grading cuts, pier holes or trenching within the TPZ of a retained tree trunk requires special trenching procedures. Trenches, pier holes and other site excavations should be dug manually or with the use of a root cutting machine, rock cutter, or other approved root pruning equipment. A root-pruning trench should be placed one foot inside the edge of the grading cut or trench edge. The depth of the trench should equal the depth of the grading cut to a maximum depth of 40 inches.
- A trench may be mechanically dug toward a tree until the edge of the TPZ is reached. From the edge of the TPZ, the special trenching procedures should apply.
- Underground utilities, drain, and irrigation lines should be routed outside the TPZ. When lines must cross the TPZ, the lines should be bored or tunneled through the area of a depth approved by the supervising arborist. In these instances, a single shared utility conduit should be used to reduce impacts to trees. Where tunneling is impractical, use of an oil-spade by a certified operator is required.
- Any roots one inch in diameter or larger requiring removal should be cut cleanly in sound tissue. The roots and surrounding soil should be moistened and covered with a thick mulch (4") to prevent desiccation. No pruning seals or paints should be used on wounds. Cut and exposed roots should be protected from drying. A water absorbent material (i.e. burlap) should be secured at the top of the trench and should be draped over the exposed roots. This material should be kept moistened and soil should be replaced as soon as practicable.
- Porous pavements are recommended for use within the TPZ. Construction of the pavement sub-base should avoid grading cuts where possible. Where grading cuts are necessary within the TPZ, special trenching procedures shall apply.
- On steep slopes where grading will occur, protect trunks of downslope trees from soil creep, spillage, or placement of soil displaced by the grading activity. Place batter boards upslope from tree trunks to catch sloughing soil and remove to native grade upon completion of grading.

PRUNING AND CABLING

- Any tree pruning, cabling, or other similar activity which may be proposed as part of site construction will be included on Planting Plan notes and be reviewed by a qualified arborist or Town representative.
- Pruning methods shall conform to the ANSI A 300-1995 Pruning Standard Practices and be performed by an ISA Certified Arborist or Certified Tree Worker. Cabling or other support systems shall conform to the ANSI A 300 (part 3)-2000 Standard Practices.

TRUNK AND LIMB PROTECTION

- Extent and method of trunk and branch protection to be reviewed and approved by supervising arborist.
- Fully protect potentially impacted circumference of tree (min. 48" above base of trunk) with coil log(s) wrapped around trunk. Place 2x4 slats with 6" max. space between and min. 3 slats per trunk. Nail slats to coil log, ensuring that rolls do not contact tree. Wrap plastic orange polypropylene fencing around trunk with 12" min. overlap. Secure with wire ties. Slats to be placed so as not to rest on exposed roots. Top of slats to be match top of coil log.

| Tree No. | Common Name | Scientific Name | DBH (in) | Status | Notes | Planned Action |
|----------|-------------------|--------------------------|------------|-------------|--|----------------|
| 1 | Blackwood acacia | Acacia melanoxylon | 10 | Undesirable | Root system has failed, fire-prone | Remove |
| 2 | Tree-of-heaven | Ailanthus altissima | 7 | None | Advanced decline, split gird, fungal, invasive species | Remove |
| 3 | Valley oak | Quercus lobata | 10 | Heritage | Good condition | Retain |
| 4 | Valley oak | Quercus lobata | 10 | Heritage | Good condition, in fence footprint | Remove |
| 5 | London Plane Tree | Platanus x acerifolia | 28 | None | Good condition | Retain, prune |
| 6 | Coast live oak | Quercus agrifolia | 16 | Heritage | Good condition | Retain, prune |
| 7 | London Plane Tree | Platanus x acerifolia | 28 | None | Good vigor, | Retain, prune |
| 8 | Cherry plum | Prunus cerasifera | 2-6" (11) | None | bird cavity nests in central dead limb | Remove |
| 8b | Peach | Prunus persica | 4 | None | Good condition, in fence footprint | Remove |
| 9 | Valley oak | Quercus lobata | 9 | Heritage | Good condition, in fence footprint | Remove |
| 10 | London Plane Tree | Platanus x acerifolia | 27 | None | Three dead limbs over street, hanging limb over yard | Retain, prune |
| 11 | Oregon ash | Fraxinus latifolia | 14 | None | Good | Retain, prune |
| 12 | Blackwood acacia | Acacia melanoxylon | 10 | Undesirable | Topped at 15', fire-prone | Remove |
| 13 | Blackwood acacia | Acacia melanoxylon | 8 | Undesirable | Topped at 15', fire-prone | Remove |
| 14 | Blackwood acacia | Acacia melanoxylon | 1, 1, 2 | Undesirable | Tree is a sprouting stump, fire-prone | Remove |
| 15 | Blackwood acacia | Acacia melanoxylon | 9 | Undesirable | Poor vigor, fire-prone | Remove |
| 16 | Blackwood acacia | Acacia melanoxylon | 4 | Undesirable | Poor vigor, canker, fire-prone | Remove |
| 17 | London Plane Tree | Platanus x acerifolia | 31 | None | Five dead limbs, cavity nests, lion-tailed | Retain, prune |
| 18 | Black acacia | Acacia melanoxylon | 11 | Undesirable | Advanced decay, fire-prone | Remove |
| 19 | California bay | Umbellularia californica | 4 | None | Good condition, within fence footprint, fire-prone | Remove |
| 20 | Blackwood acacia | Acacia melanoxylon | 9, 7, 7 | Undesirable | Good condition, fire-prone | Remove |
| 21 | Blackwood acacia | Acacia melanoxylon | 6 | Undesirable | Good condition, fire-prone | Remove |
| 22 | Blackwood acacia | Acacia melanoxylon | 2-10" (11) | Undesirable | Fair condition, fire-prone | Remove |
| 23 | London Plane Tree | Platanus x acerifolia | 32 | None | Poor form, poor vigor, weighted toward yard, many dead twigs | Retain, prune |
| 24 | Blackwood acacia | Acacia melanoxylon | 5, 6, 8 | Undesirable | 6" trunk has significant decay, fire-prone | Remove |
| 25 | London Plane Tree | Platanus x acerifolia | 30 | None | Heavily pruned, 20% of trunk is decayed | Retain, prune |

FAIRFAX LUMBER & HARDWARE
 109 BROADWAY BLVD.
 FAIRFAX, CA
 APN: 001-148-13

TREE PROTECTION PLAN
 Date: 6/7/23
 File name: FX Lumber_Base.vwx

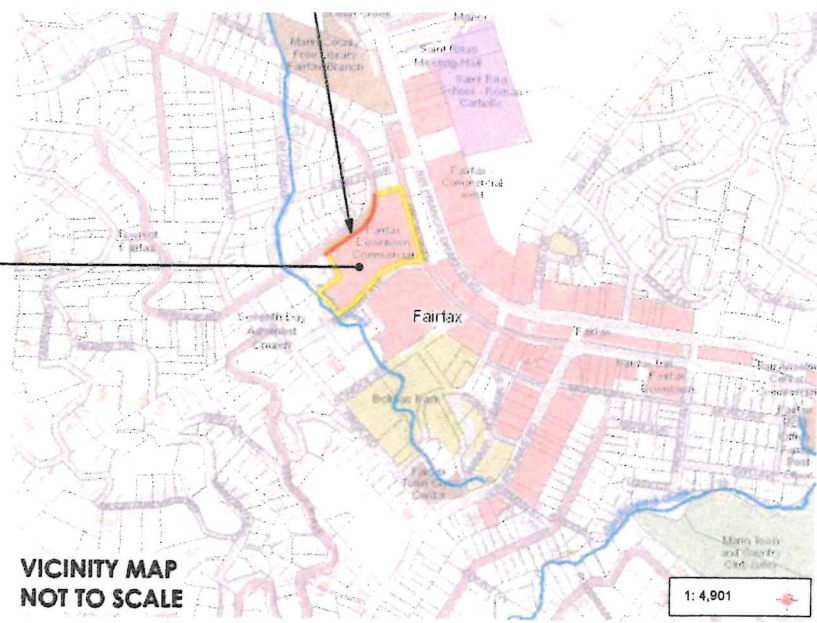
| NO. | DATE | ISSUE NOTES |
|-----|------|-------------|
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| NO. | DATE | REV. NOTES |
|-----|------|------------|
| | | |

DATE: 05/25/23
 SCALE: AS SHOWN
 DESIGNED BY: GAR
 DRAWN BY: GAR
 CHECKED BY: GAR

| | |
|---------|-------------------------------|
| AC | ASPHALT CONCRETE |
| AD | AREA DRAIN |
| AGG | AGGREGATE |
| AL | ALUMINUM |
| APPROX. | APPROXIMATE |
| BC | BOTTOM OF CURB |
| B.O. | BOTTOM OF |
| BS | BOTTOM OF STEP |
| BW | BOTTOM OF WALL (FINISH GRADE) |
| CDR | CEDAR |
| CIP | CAST-IN-PLACE |
| CJ | COLD JOINT |
| CL | CENTERLINE |
| CTR | CENTER |
| CO | CLEANOUT |
| CONC | CONCRETE |
| CY | CUBIC YARDS |
| DI | DROP INLET |
| DS | DOWNSPOUT |
| (E) | EXISTING |
| EG | EXISTING GRADE |
| EJ | EXPANSION JOINT |
| FO | FACE OF |
| FFE | FINISH FLOOR ELEVATION |
| FS | FINISH SURFACE |
| FG | FINISH GRADE |
| FL | FLOW LINE |
| FTG | FOOTING |
| HDG | HOT DIP GALVANIZED |
| HT | HEIGHT |
| GB | GRADE BREAK |
| HB | HOSE BIB |
| HP | HIGH POINT |
| LD | LANDSCAPE DRAIN |
| LOG | LIMIT OF GRADING |
| LOW | LIMIT OF WORK |
| LP | LOW POINT |
| MAX | MAXIMUM |
| MIN | MINIMUM |
| (N) | NEW |
| NIC | NOT IN CONTRACT |
| N/A | NOT APPLICABLE |
| NOM | NOMINAL |
| OH | OVERHEAD |
| OC | ON CENTER |
| PA | PLANTED AREA |
| PTDF | PRESSURE TREATED DOUGLAS FIR |
| R | RADIUS |
| REQ'D | REQUIRED |
| RDWD | REDWOOD |
| ROW | RIGHT-OF-WAY |
| SIM | SIMILAR |
| SJ | SCORE JOINT |
| SS | STAINLESS STEEL |
| S.A.D. | SEE ARCHITECTURAL DRAWINGS |
| S.C.D. | SEE CIVIL DRAWINGS |
| S.S.D. | SEE STRUCTURAL DRAWINGS |
| TC | TOP OF CURB |
| TS | TOP OF STEP |
| TW | TOP OF WALL |
| TO | TOP OF |
| TYP. | TYPICAL |
| TW | TOP OF WALL |
| U.O.N. | UNLESS OTHERWISE NOTED |
| V.I.F. | VERIFY IN FIELD |
| WM | WATER METER |

PROJECT SITE



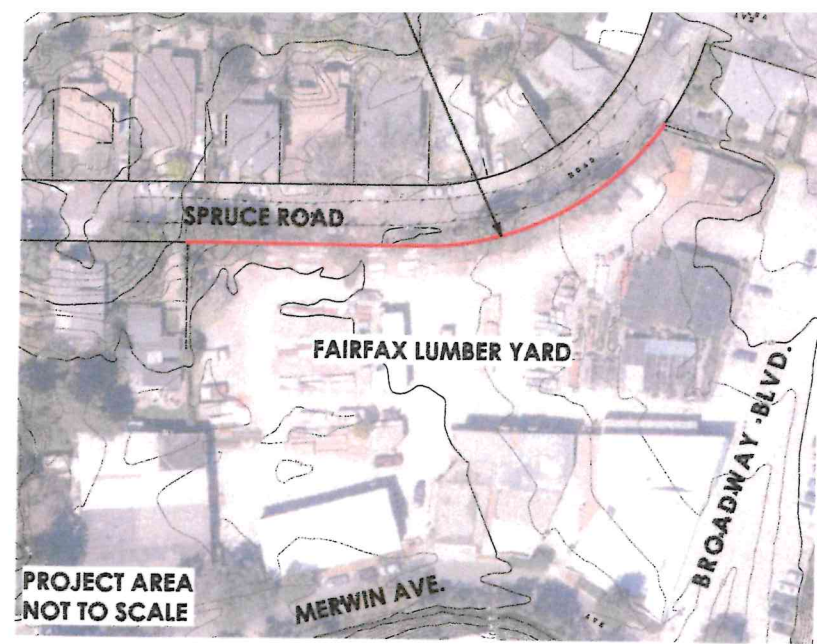
VICINITY MAP
NOT TO SCALE

DEMOLITION NOTES AND SPECIFICATIONS

- A. GENERAL**
- PRIOR TO BEGINNING THE WORK, LAYOUT PROTECTIVE DEVICES AS NECESSARY AND AS DIRECTED BY PROJECT ARBORIST TO PROTECT EXISTING TREES OR PLANTS TO REMAIN, PRIOR TO PROCEEDING WITH THE WORK. FOR REVIEW BY LANDSCAPE ARCHITECT. NOTIFY LANDSCAPE ARCHITECT WHEN PROTECTIVE DEVICES ARE READY FOR REVIEW.
 - THE CONTRACTOR SHALL INSTALL, OBSERVE, AND MAINTAIN ALL REQUIRED TREE PROTECTION MEASURES UNTIL SUCH PROTECTIONS ARE APPROVED FOR REMOVAL BY PROJECT ARBORIST, PRIOR TO BEGINNING EARTH/SOIL DISTURBANCE ACTIVITIES.
 - THE CONTRACTOR SHALL OBTAIN ALL SPECIAL PERMITS AND LICENSES AND GIVE ALL NOTICES REQUIRED FOR PERFORMANCE AND COMPLETION OF THE TREE REMOVAL, DEMOLITION AND REMOVAL WORK, HAULING, AND DISPOSAL.
 - ERECT AND MAINTAIN TEMPORARY BRACING, SHORING, LIGHTS, BARRICADES, SIGNS, AND OTHER MEASURES AS NECESSARY TO PROTECT THE PUBLIC, WORKERS, AND ADJOINING PROPERTY FROM DAMAGE FROM DEMOLITION WORK, ALL IN ACCORDANCE WITH APPLICABLE CODES AND REGULATIONS.
 - OPEN DEPRESSIONS AND EXCAVATIONS OCCURRING AS PART OF THIS WORK SHALL BE BARRICADED AND POSTED WITH WARNING LIGHTS, CAUTION TAPE, CONES, TEMPORARY FENCING OR SIMILAR AS REQUIRED, WHEN ACCESSIBLE THROUGH ADJACENT PROPERTY OR THROUGH PUBLIC ACCESS.
 - PROTECT UTILITIES, PAVEMENTS, AND FACILITIES FROM DAMAGE CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUT, AND OTHER HAZARDS CREATED BY THE DEMOLITION OPERATIONS.
 - PROVIDE CONTINUOUS NOISE AND DUST ABATEMENT AS REQUIRED TO PREVENT DISTURBANCE AND NUISANCE TO THE PUBLIC AND WORKERS AND TO THE OCCUPANTS OF ADJACENT PREMISES AND SURROUNDING AREAS. DAMPEN AREAS AFFECTED BY DEMOLITION OPERATIONS AS NECESSARY TO PREVENT AIRBORNE DUST.
- B. UNKNOWN CONDITIONS**
- THE CONTRACT DRAWINGS AND RELATED DOCUMENTS MAY NOT REPRESENT ALL SURFACE AND SUB-SURFACE CONDITIONS AT THE SITE AND ADJOINING AREAS.
 - THE KNOWN CONDITIONS ARE AS INDICATED, AND SHALL BE COMPARED WITH ACTUAL CONDITIONS BEFORE COMMENCEMENT OF WORK.
 - IF DIFFERING SITE CONDITIONS ARE INVOLVED, THEY WILL BE DISCUSSED ON SITE AND PAID FOR AT AGREED UPON UNIT PRICES FOR WORK RELATED TO DISCREPANCIES PRIOR TO COMMENCING WITH THE WORK.
- C. DEMOLITION**
- PERFORM DEMOLITION IN ACCORDANCE WITH THE DRAWINGS AND DIRECTIONS GIVEN AT SITE WALK PRIOR TO COMMENCEMENT OF WORK. PERFORM DEMOLITION WORK IN ACCORDANCE WITH ALL APPLICABLE LOCAL CODES AND REGULATIONS.
 - DEMOLISH CONCRETE AND MASONRY IN SMALL SECTIONS. PERFORM DEMOLITION WITH SMALL TOOLS AS MUCH AS POSSIBLE.
 - BACKFILL AND COMPACT DEPRESSIONS CAUSED BY EXCAVATIONS, DEMOLITION, AND REMOVAL UNLESS AREA IS TO REMAIN LOW.
 - DISPOSE OF REMOVED MATERIALS, WASTE, TRASH, AND DEBRIS IN A SAFE, ACCEPTABLE MANNER, IN ACCORDANCE WITH APPLICABLE LAWS AND ORDINANCES AND AS PRESCRIBED BY AUTHORITIES HAVING JURISDICTION. SUCH MATERIALS MAY BE STOCK PILED PROVIDED IT IS COVERED AND DOES NOT REMAIN ONSITE MORE THAN 30 DAYS, WITHOUT THE APPROVAL OF THE OWNER'S REPRESENTATIVE.
 - BURYING OR BURNING OF TRASH AND DEBRIS ON THE SITE WILL NOT BE PERMITTED.
 - REMOVED MATERIALS, TRASH, AND DEBRIS, SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE OWNER'S PROPERTY AND DISPOSED OF IN A LEGAL MANNER. LOCATION OF DISPOSAL SITE AND LENGTH OF HAUL SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
 - ALL MATERIALS SLATED TO BE SALVAGED, TRANSPLANTED OR OTHERWISE RETAINED SHALL BE IDENTIFIED AND PROTECTED.
- D. CLEANUP**
- CONTRACTOR TO CLEAN UP SITE TO PROVIDE A CLEAN, ORDERLY AND SAFE SITE ON A DAILY BASIS.

GENERAL NOTES

- NOTE: THE NOTES AND DRAWINGS HEREIN ARE TO HELP INFORM PLANNING LEVEL DECISIONS AND EARLY BUDGETING ONLY AND ARE NOT INTENDED AS COMPREHENSIVE, CONSTRUCTION LEVEL DESIGN OR BID DOCUMENTS. THESE DRAWINGS ARE NOT FOR CONSTRUCTION
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.
 - SPECIAL INSPECTION OR STRUCTURAL OBSERVATION IS NOT A SUBSTITUTE FOR INSPECTION BY THE BUILDING OFFICIAL OR BUILDING INSPECTOR. SPECIALLY INSPECTED WORK THAT IS INSTALLED OR COVERED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL AND THE SPECIAL INSPECTOR AND DESIGN ENGINEER IS SUBJECT TO REMOVAL OR EXPOSURE.
 - FIELD VERIFY AND OTHERWISE BECOME FAMILIAR WITH ALL EXISTING IMPROVEMENTS. COORDINATE ALL WORK OF THIS CONTRACT WITH EXISTING SITE UTILITIES AND IMPROVEMENTS. BRING ALL CONFLICTS TO THE ATTENTION OF THE OWNER AND OBTAIN DIRECTION PRIOR TO PROCEEDING WITH THE WORK AFFECTED.
 - CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY.
 - ALL LAYOUT AND GRADES SHOWN IN DRAWINGS TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION. DISCREPANCIES FROM THE CONSTRUCTION DOCUMENTS TO BE BROUGHT TO ATTENTION OF LANDSCAPE ARCHITECT AND CIVIL ENGINEER. QUESTIONS REGARDING DIMENSIONS AND ELEVATIONS SHOULD BE DIRECTED TO THE LANDSCAPE ARCHITECT AND CIVIL ENGINEER.
 - CONTRACTOR TO LAYOUT ALL ASPECTS OF THE PROJECT IN FIELD FOR CONFIRMATION AND APPROVAL BY LANDSCAPE ARCHITECT AND CLIENT PRIOR TO PROCEEDING WITH CONSTRUCTION.
 - ALL MATERIALS SHALL BE FURNISHED AND INSTALLED BY CONTRACTOR UNLESS OTHERWISE NOTED.
 - BASE SURVEY INFORMATION SUPPLIED BY THE OWNER. THE INFORMATION PROVIDED THEREIN IS NOT THE RESPONSIBILITY OF THE LANDSCAPE ARCHITECT.
 - LIMIT OF WORK SHOWN IS APPROXIMATE.
 - CONTRACTOR TO ESTABLISH/RE-ESTABLISH FINISH GRADES THROUGHOUT THE WORK AREA PRIOR TO COMPLETION OF THE WORK. FINISH GRADES AS NECESSARY TO INSURE PROPER DRAINAGE AND ELIMINATE AREAS OF PONDING. OBTAIN OWNER AND LANDSCAPE ARCHITECT APPROVAL OF FINISH GRADES PRIOR TO PLACEMENT OF EROSION CONTROL MEASURES.
 - CONSTRUCTION ACCESS OUTSIDE THE LIMIT OF WORK WILL BE BY PRIOR APPROVAL ONLY.



PROJECT AREA
NOT TO SCALE

PLANTING & SOIL PREPARATIONS NOTES

- EXCAVATE ALL PLANTING AREAS TO EXPOSE SUB-SOIL.
- SCARIFY NATIVE SOIL / SUBSOIL FOR UNIFORM ROOT ZONE TO ANTICIPATED DEPTHS FOR ROOT BOX DEPTHS, KEEPING IN MINF ROOT ZONE PROTECTION FOR EXISTING TREES.
- PLANTING SOIL TO BE A LOCAL BLEND OF ORGANIC COMPOSTED GREENWASTE MATERIAL AND OTHER SPECIFIED ORGANIC AMENDMENTS AND FERTILIZERS, PER RATES DETERMINED BY APPROVED SOIL TESTING LABORATORY FROM SITE SOIL SAMPLES.
- COORDINATE WITH LANDSCAPE ARCHITECT FOR FINAL SELECTION, APPROVAL AND PURCHASING OF ALL PLANT MATERIAL.
- LANDSCAPE ARCHITECT TO VERIFY PLANT LOCATIONS AS STAKED IN FIELD BY LANDSCAPE CONTRACTOR PRIOR TO DIGGING OF PLANTING HOLES.
- DIG PLANTING HOLES 2 TIMES WIDER THAN DIAMETER OF CONTAINER. BACKFILL PLANTING HOLE WITH AMENDED SOIL MIXTURE AS RECOMMENDED BY SOIL TESTING ANALYSIS. TEST ALL PLANTING PITS FOR DRAINAGE.
- PRIOR TO PLANTING ALL SPECIFIED PLANTS, TEST DRAIN ALL PLANTING AREAS AS FOLLOWS:
 - PLANT OR TREE PITS: FILL WITH 12 INCHES OF WATER. WATER SHALL DRAIN COMPLETELY IN 48 HOURS.
 - PLANT BEDS: IRRIGATE UNTIL SOIL IS SATURATED. SATURATED CONDITION SHALL NOT REMAIN AFTER 24 HOURS.
- DO NOT BURY THE CROWN OF THE PLANTS. THE SOIL LEVEL OF THE CONTAINER SHOULD BE MIN. 1" HIGHER THAN EXISTING GRADE FOLLOWING PLANTING. DO NOT BURY CROWN OF PLANT WITH BACKFILL MATERIAL.
- MULCH TO BE FIBROUS SHREDDED OR CHIPPED BARK. SAMPLE TO BE APPROVED BY LANDSCAPE ARCHITECT. APPLY TO ALL PLANTED AREAS FOLLOWING PLANTING TO A MINIMUM DEPTH OF 3". DO NOT PLACE MULCH AGAINST THE CROWN OR BASE OF PLANT. LEAVE A 4" GAP BETWEEN BASE OF PLANT AND MULCH.
- PLANTING IS SCHEMATIC. FINAL PLANT PLACEMENT AND LAYOUT TO BE DONE IN THE FIELD WITH LANDSCAPE ARCHITECT.
- STAKE ALL TREES PER THE FOLLOWING GUIDELINES:
 - (3) STAKES PER TREE WITH 2 ON THE WINDWARD SIDE OF THE TREE
 - PLACE STAKES AS LOW AS POSSIBLE BUT NO HIGHER THAN 2/3 THE HEIGHT OF THE TREE.
 - MATERIALS USED TO TIE THE TREE TO THE STAKE SHOULD BE FLEXIBLE AND ALLOW FOR MOVEMENT ALL THE WAY DOWN TO THE GROUND.
 - REMOVE ALL STAKING MATERIAL AFTER ROOTS HAVE ESTABLISHED. THIS SHOULD BE NO LONGER THAN ONE GROWING SEASON.
- INCORPORATE COMPOST OR NATURAL FERTILIZER INTO THE SOIL TO A MINIMUM DEPTH OF 8" AT A MINIMUM RATE OF 6 CUBIC YARDS PER 1,000 SQUARE FEET OR PER SPECIFIC AMENDMENT RECOMMENDATIONS FROM A SOILS LABORATORY REPORT.

IRRIGATION NOTES

- THE IRRIGATION SYSTEM WILL BE A DESIGN-BUILD ITEM AND DESIGNED/INSTALLED TO DISTRIBUTE A MINIMUM AMOUNT OF WATER IN ORDER TO PROMOTE ACTIVE AND HEALTHY GROWTH OF ALL PROPOSED PLANTINGS.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED IN CONFORMANCE WITH MMWD ORDINANCE 421 AND TITLE 13 AND ALL APPLICABLE STATE AND LOCAL CODES AND ORDINANCES, BY LICENSED CONTRACTORS AND EXPERIENCED WORKMEN.
- THE IRRIGATION CONTROLLER SHALL BE AN AUTOMATIC WEATHER-BASED SYSTEM, RELYING ON SOIL MOISTURE, RAIN GAUGE OR OTHER LOCAL WEATHER-BASED CONTROLLING DEVICE.
- ALL VALVES SHALL HAVE SEPARATE PRESSURE REGULATORS, FILTERS AND SHUT OFFS, AS NECESSARY.
- THE SYSTEM SHALL HAVE A SHUT-OFF AND REDUCED PRESSURE BACKFLOW PREVENTION DEVICE INSTALLED PER LOCAL ORDINANCE, IF REQUIRED.
- ALL NEW PLANTS TO BE IRRIGATED WITH DRIP IRRIGATION WHICH SHALL BE DESIGNED WITH RIGID SUBSURFACE LATERALS.
- PLANTS WITH SIMILAR WATER NEEDS SHALL BE GROUPED TOGETHER IN HYDROZONES.

| SHEET | TITLE OF SHEET |
|-------|------------------------------|
| L0.0 | COVER SHEET |
| - | SITE SURVEY- TOPOGRAPHIC MAP |
| L1.0 | SITE PLAN |
| L1.1 | CONSTRAINTS PLAN |
| L1.2 | CONCEPT PLAN |
| L2.0 | FENCE ELEVATIONS |
| L2.1 | FENCE ELEVATIONS |
| L2.2 | FENCE DETAILS |

**GENERAL NOTES:
PLANNING REVIEW SUBMITTAL**

PROJECT DESCRIPTION

- REMOVE VEGETATION AND INVASIVE, PYROPHYTIC TREES ALONG PROPERTY LINE
- REMOVE EXISTING, OLD WIRE FENCE ALONG PROPERTY LINE
- BUILD NEW FENCE ALONG PROPERTY LINE AT SPRUCE RD.
- PLANT NEW SCREENING SHRUBS
- SUPPLY IRRIGATION TO NEW PLANTS

SURVEY-
SUIPPLED BY L.A. STEVENS- SURVEYOR, FEB. 2023

APPLICABLE CODES:
MOST CURRENT VERSION OF THE FOLLOWING-

- CALIFORNIA RESIDENTIAL CODE
- CALIFORNIA ENERGY CODE
- CALIFORNIA ELECTRICAL CODE
- CALIFORNIA PLUMBING CODE
- CALIFORNIA MECHANICAL CODE
- CALIFORNIA FIRE CODE

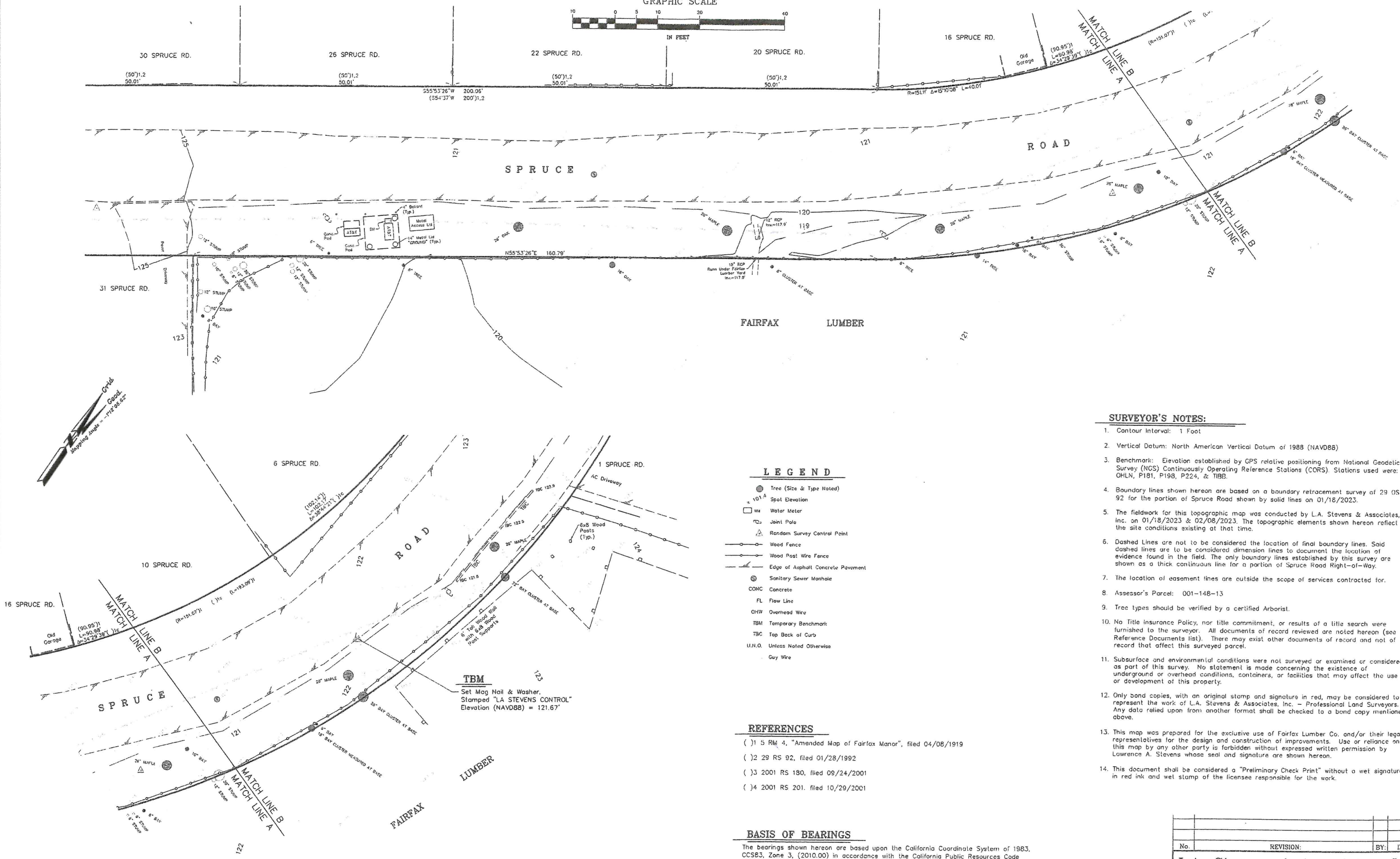
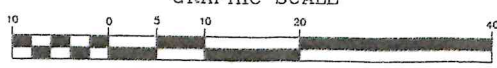
PLAN PREPARER:
ROTH LAMOTTE LANDSCAPE ARCHITECTURE
56 MANOR RD. FAIRFAX, CA
TEL: 415-451-8211



PLANNING SUBMITTAL- NOT FOR CONSTRUCTION

FAIRFAX LUMBER & HARDWARE
 COVER SHEET
 NO. DA
 NO. DA
 DATE: 05/25/23
 SCALE AS SHOWN
 DESIGNED BY GAR
 DRAWN BY GAR

GRAPHIC SCALE



SURVEYOR'S NOTES:

- Contour interval: 1 Foot
- Vertical Datum: North American Vertical Datum of 1988 (NAVD88)
- Benchmark: Elevation established by GPS relative positioning from National Geodetic Survey (NCS) Continuously Operating Reference Stations (CORS). Stations used were: OHLN, P181, P198, P224, & T18B.
- Boundary lines shown hereon are based on a boundary retracement survey of 29 05 92 for the portion of Spruce Road shown by solid lines on 01/18/2023.
- The fieldwork for this topographic map was conducted by L.A. Stevens & Associates, Inc. on 01/18/2023 & 02/08/2023. The topographic elements shown hereon reflect the site conditions existing at that time.
- Dashed Lines are not to be considered the location of final boundary lines. Said dashed lines are to be considered dimension lines to document the location of evidence found in the field. The only boundary lines established by this survey are shown as a thick continuous line for a portion of Spruce Road Right-of-Way.
- The location of easement lines are outside the scope of services contracted for.
- Assessor's Parcel: 001-148-13
- Tree types should be verified by a certified Arborist.
- No Title Insurance Policy, nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed are noted hereon (see Reference Documents list). There may exist other documents of record and not of record that affect this surveyed parcel.
- Subsurface and environmental conditions were not surveyed or examined or considered as part of this survey. No statement is made concerning the existence of underground or overhead conditions, containers, or facilities that may affect the use or development of this property.
- Only bond copies, with an original stamp and signature in red, may be considered to represent the work of L.A. Stevens & Associates, Inc. - Professional Land Surveyors. Any data relied upon from another format shall be checked to a bond copy mentioned above.
- This map was prepared for the exclusive use of Fairfax Lumber Co. and/or their legal representatives for the design and construction of improvements. Use or reliance on this map by any other party is forbidden without expressed written permission by Lawrence A. Stevens whose seal and signature are shown hereon.
- This document shall be considered a "Preliminary Check Print" without a wet signature in red ink and wet stamp of the licensee responsible for the work.

LEGEND

- Tree (Size & Type Noted)
- 101.5 Spot Elevation
- Water Meter
- Joint Pole
- △ Random Survey Control Point
- Wood Fence
- Wood Post Wire Fence
- Edge of Asphalt Concrete Pavement
- ⊙ Sanitary Sewer Manhole
- CONC Concrete
- FL Flow Line
- OHW Overhead Wire
- TBM Temporary Benchmark
- TBC Top Back of Curb
- U.N.O. Unless Noted Otherwise
- Guy Wire

REFERENCES

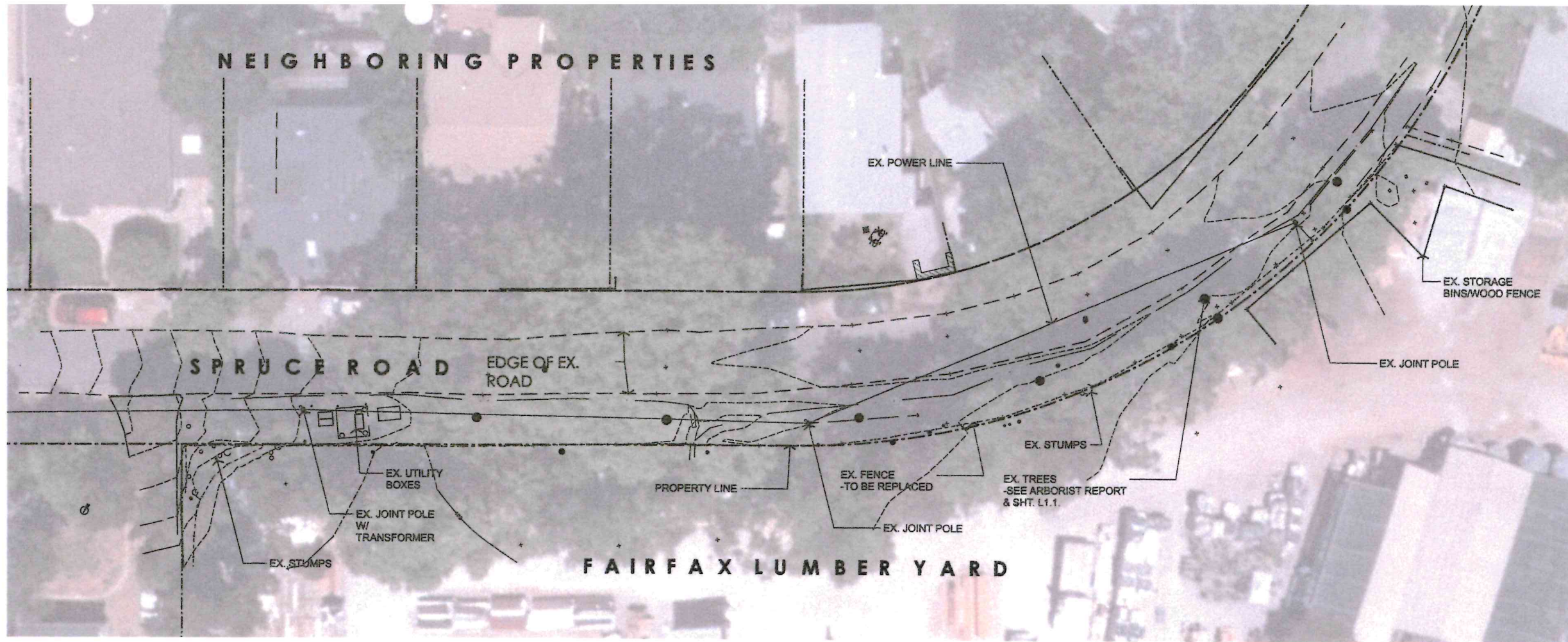
- () 1 5 RM 4, "Amended Map of Fairfax Manor", filed 04/08/1919
- () 2 29 RS 92, filed 01/28/1992
- () 3 2001 RS 180, filed 09/24/2001
- () 4 2001 RS 201, filed 10/29/2001

BASIS OF BEARINGS

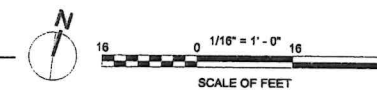
The bearings shown hereon are based upon the California Coordinate System of 1983, CCS83, Zone 3, (2010.00) in accordance with the California Public Resources Code Sections 8801-8819; said bearings are based upon field-observed ties to the following California Spatial Reference Network Stations: OHLN, P181, P198, P224, & T18B.



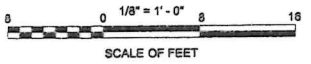
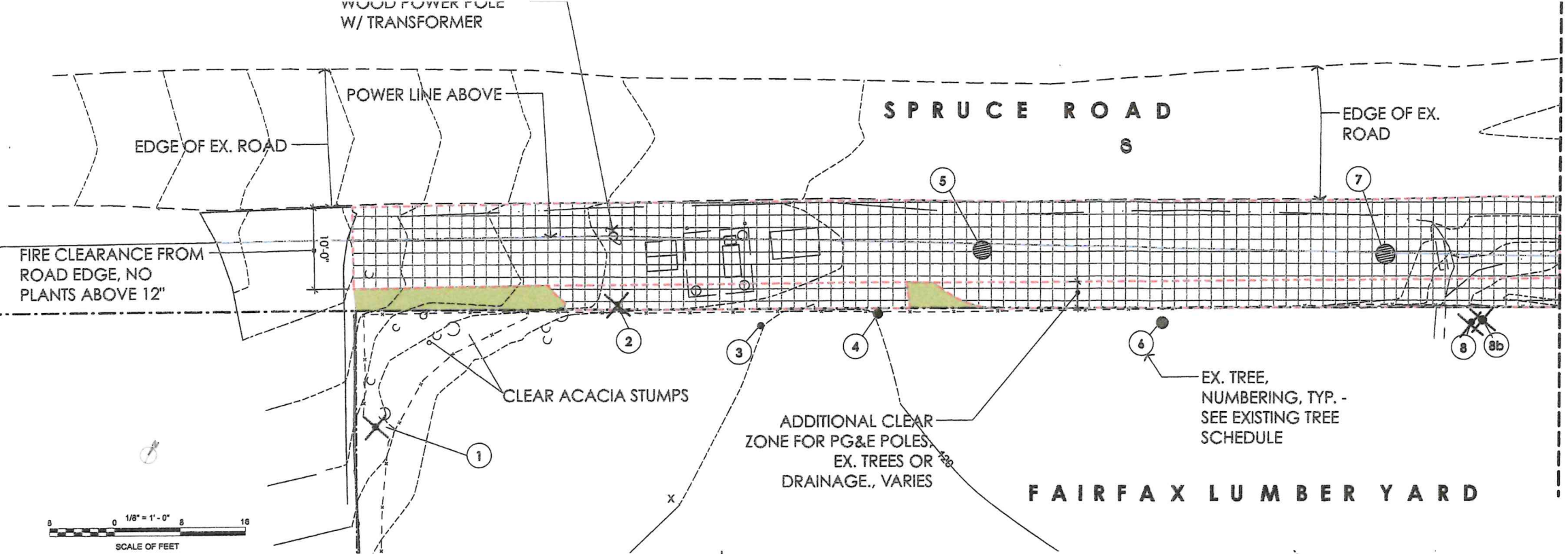
| | | | |
|---|-----------|-----|---------------|
| No. | REVISION: | BY: | DA |
| | | | |
| L.A. Stevens & Associates, Inc. | | | |
| Professional Land Surveyors * (415) 382-7713 | | | |
| 7 Commercial Blvd., Suite 1 * Novato, California 94 | | | |
| | | | BY: T.B./L.A. |
| FAIRFAX LUMBER CO. | | | |



1 EXISTING CONDITIONS SITE PLAN
Scale: AS INDICATED

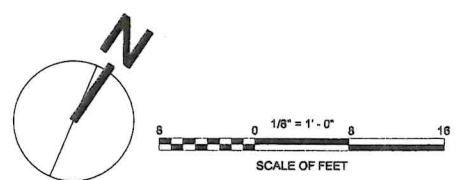
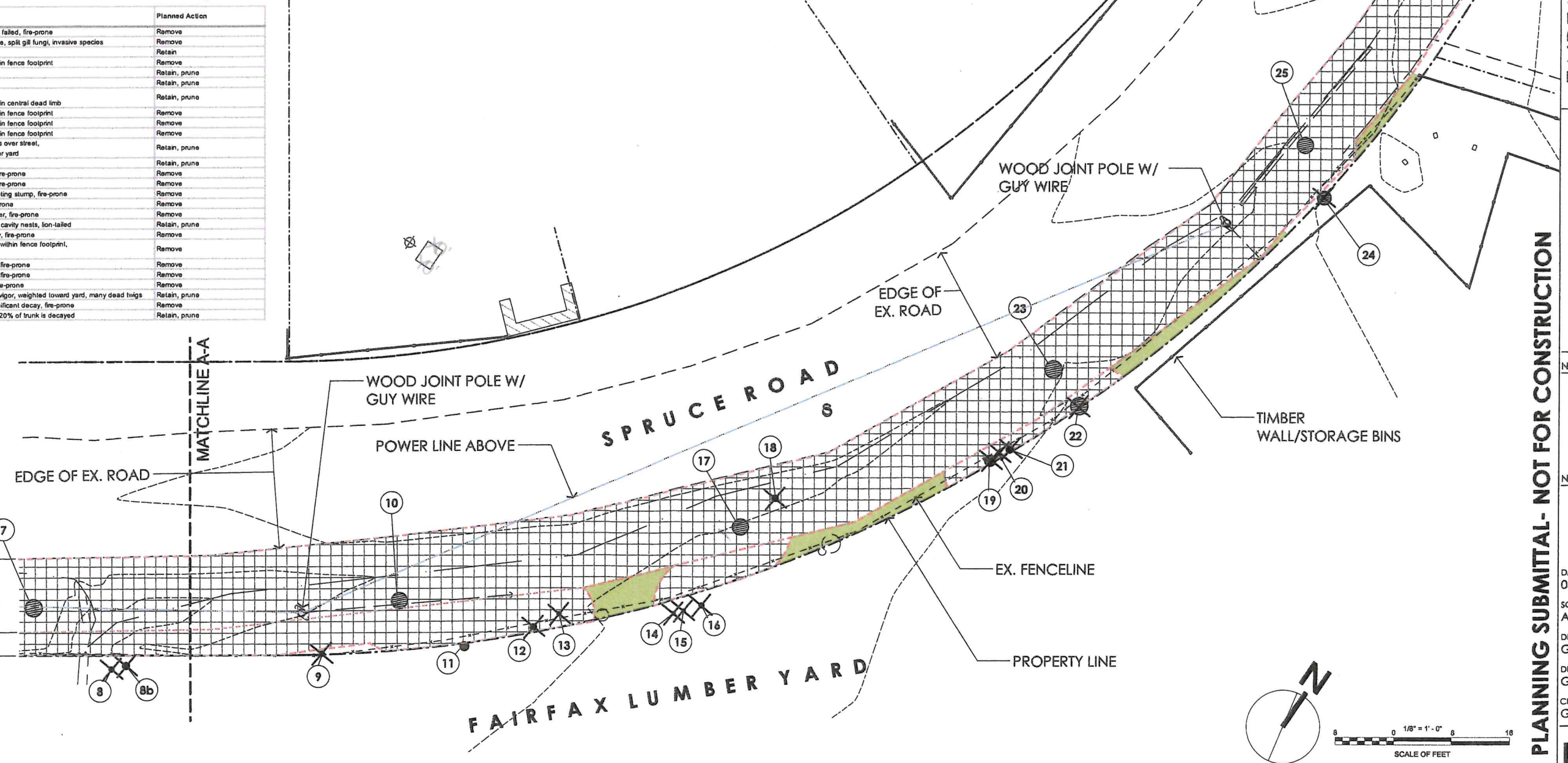


1 EXISTING CONDITIONS -VIEW FROM SPRUCE, TOP OF HILL
Scale: AS INDICATED

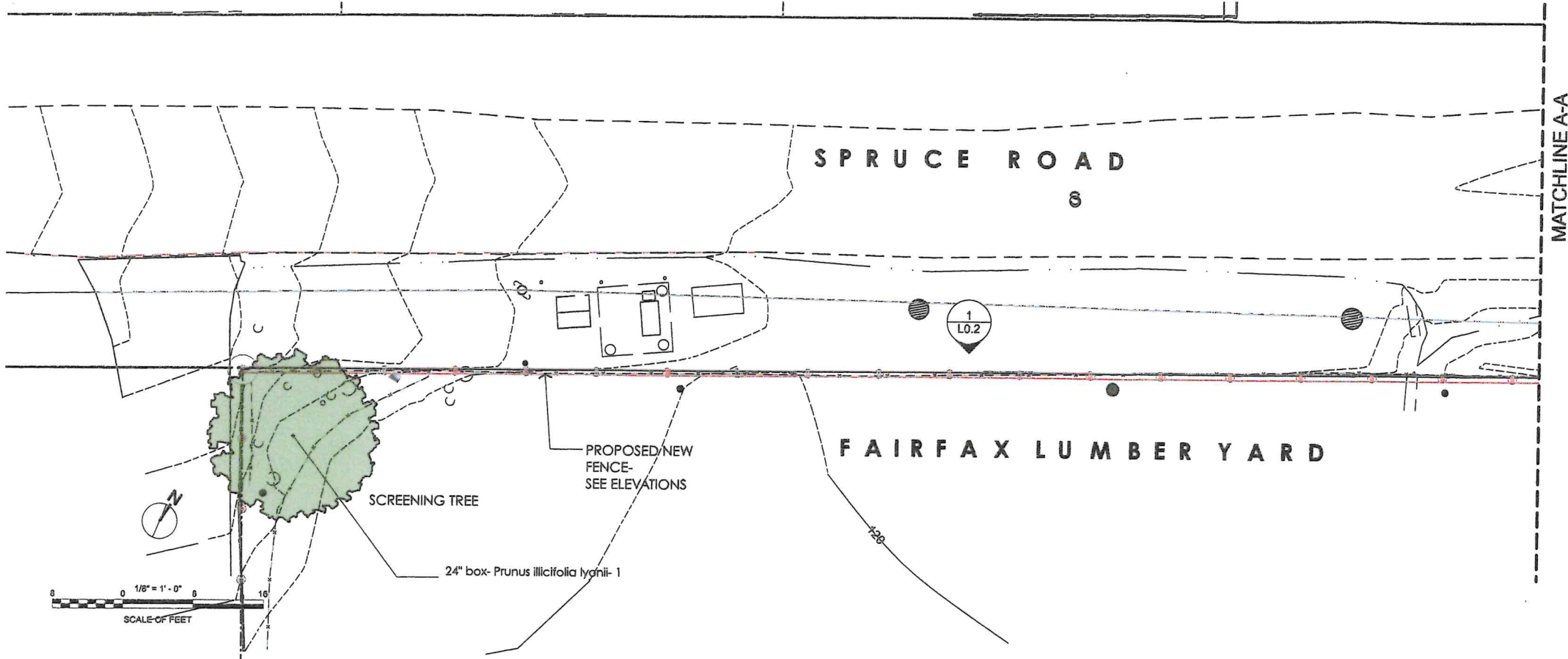


| Tree No. | Common Name | Scientific Name | DBH (in) | Status | Notes | Planned Action |
|----------|-------------------|---------------------------------|------------|-------------|--|----------------|
| 1 | Blackwood acacia | <i>Acacia melanoxylon</i> | 10 | Undesirable | Root system has failed, fire-prone | Remove |
| 2 | Tree-of-heaven | <i>Ailanthus altissima</i> | 7 | None | Advanced decline, split gill fungi, invasive species | Remove |
| 3 | Valley oak | <i>Quercus lobata</i> | 10 | Heritage | Good condition | Retain |
| 4 | Valley oak | <i>Quercus lobata</i> | 10 | Heritage | Good condition, in fence footprint | Remove |
| 5 | London Plane Tree | <i>Platanus x acerifolia</i> | 28 | None | Good condition | Retain, prune |
| 6 | Coast live oak | <i>Quercus agrifolia</i> | 16 | Heritage | Good condition | Retain, prune |
| 7 | London Plane Tree | <i>Platanus x acerifolia</i> | 28 | None | Good vigor, bird cavity nests in central dead limb | Retain, prune |
| 8 | Cherry plum | <i>Prunus cerasifera</i> | 2-6" (11) | None | Good condition, in fence footprint | Remove |
| 8b | Peach | <i>Prunus persica</i> | 4 | None | Good condition, in fence footprint | Remove |
| 9 | Valley oak | <i>Quercus lobata</i> | 9 | Heritage | Good condition, in fence footprint | Remove |
| 10 | London Plane Tree | <i>Platanus x acerifolia</i> | 27 | None | Three dead limbs over street, hanging limb over yard | Retain, prune |
| 11 | Oregon ash | <i>Fraxinus latifolia</i> | 14 | None | Good | Retain, prune |
| 12 | Blackwood acacia | <i>Acacia melanoxylon</i> | 10 | Undesirable | Topped at 15', fire-prone | Remove |
| 13 | Blackwood acacia | <i>Acacia melanoxylon</i> | 8 | Undesirable | Topped at 15', fire-prone | Remove |
| 14 | Blackwood acacia | <i>Acacia melanoxylon</i> | 1, 1, 2 | Undesirable | Tree is a resprouting stump, fire-prone | Remove |
| 15 | Blackwood acacia | <i>Acacia melanoxylon</i> | 9 | Undesirable | Poor vigor, fire-prone | Remove |
| 16 | Blackwood acacia | <i>Acacia melanoxylon</i> | 4 | Undesirable | Poor vigor, canker, fire-prone | Remove |
| 17 | London Plane Tree | <i>Platanus x acerifolia</i> | 31 | None | Five dead limbs, cavity nests, lion-tailed | Retain, prune |
| 18 | Blackwood acacia | <i>Acacia melanoxylon</i> | 11 | Undesirable | Advanced decay, fire-prone | Remove |
| 19 | California bay | <i>Umbellularia californica</i> | 4 | None | Good condition, within fence footprint, fire-prone | Remove |
| 20 | Blackwood acacia | <i>Acacia melanoxylon</i> | 9,7,7 | Undesirable | Good condition, fire-prone | Remove |
| 21 | Blackwood acacia | <i>Acacia melanoxylon</i> | 6 | Undesirable | Good condition, fire-prone | Remove |
| 22 | Blackwood acacia | <i>Acacia melanoxylon</i> | 2-10" (11) | Undesirable | Fair condition, fire-prone | Remove |
| 23 | London Plane Tree | <i>Platanus x acerifolia</i> | 32 | None | Poor form, poor vigor, weighted toward yard, many dead twigs | Retain, prune |
| 24 | Blackwood acacia | <i>Acacia melanoxylon</i> | 5,6,8 | Undesirable | 6" trunk has significant decay, fire-prone | Remove |
| 25 | London Plane Tree | <i>Platanus x acerifolia</i> | 30 | None | Heavily pruned, 20% of trunk is decayed | Retain, prune |

NOTE:
TREE LIST ABOVE IS PER ARBORIST'S REPORT BY ARBORSCIENCE.DATED MAY 10, 2023. SEE REPORT FOR COMPLETE REVIEW OF THE ARBORICULTURAL ISSUES.



PLANNING SUBMITAL- NOT FOR CONSTRUCTION



TREE FORM

LEAVES

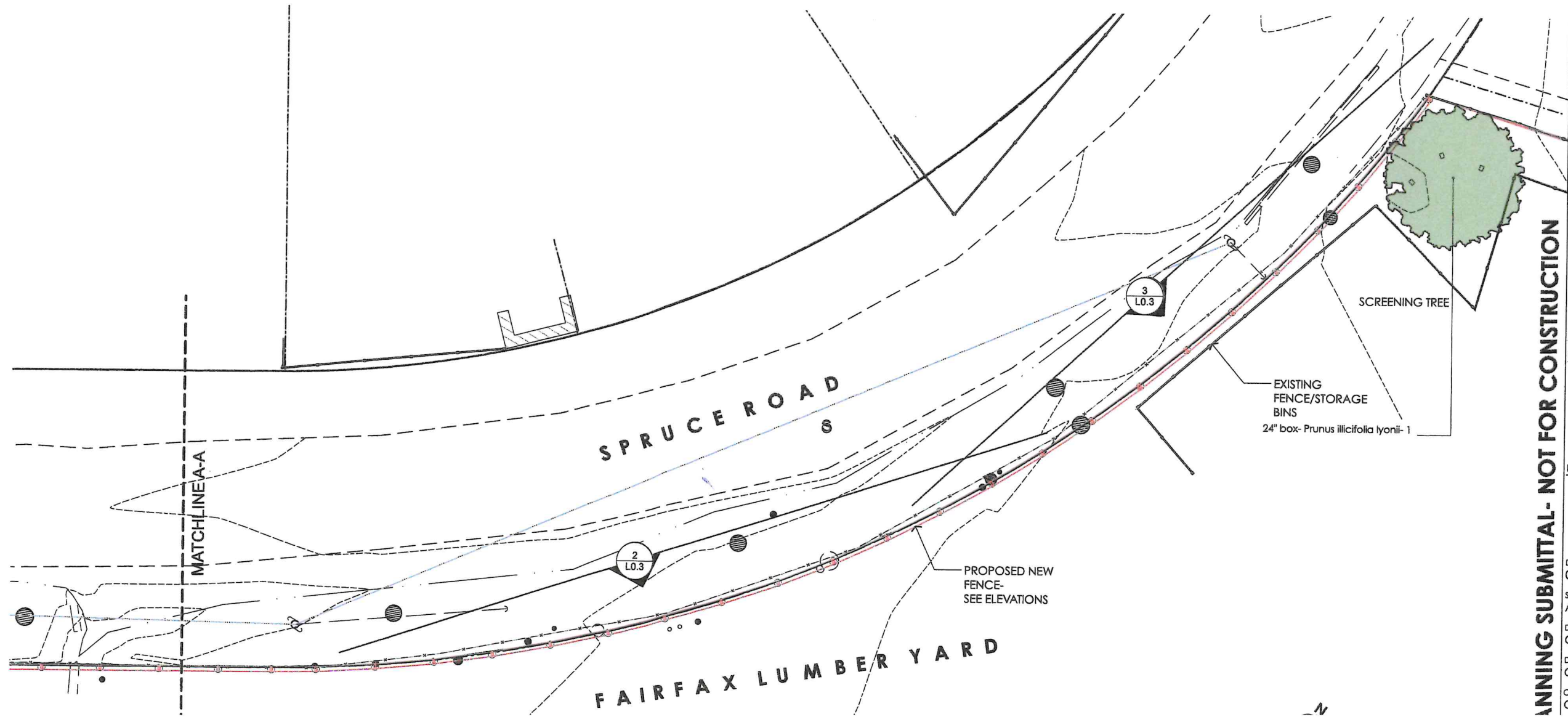


IN FLOWER



IN FRUIT

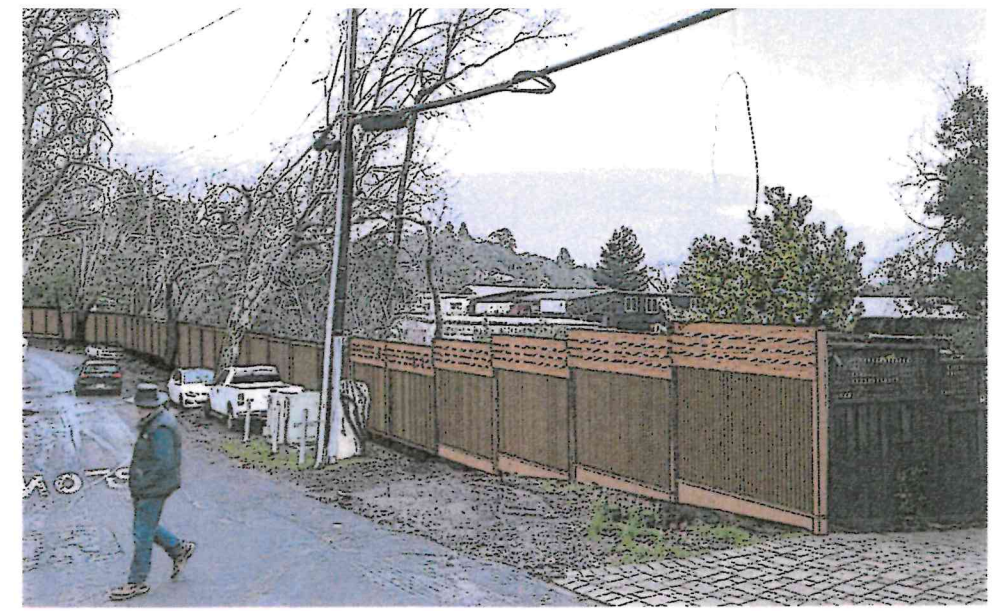
PRUNUS ILLICIFOLIA; HOLLY-LEAF CHERRY
 HEIGHT/WIDTH - 10-25'
 BLOOM- WHITE
 FRUIT-PURPLE
 EVERGREEN
 NATIVE TO CALIF. COAST RANGE
 NON-PYROPHYTIC
 WATER 1X PER MONTH AFTER ESTABLISHMENT



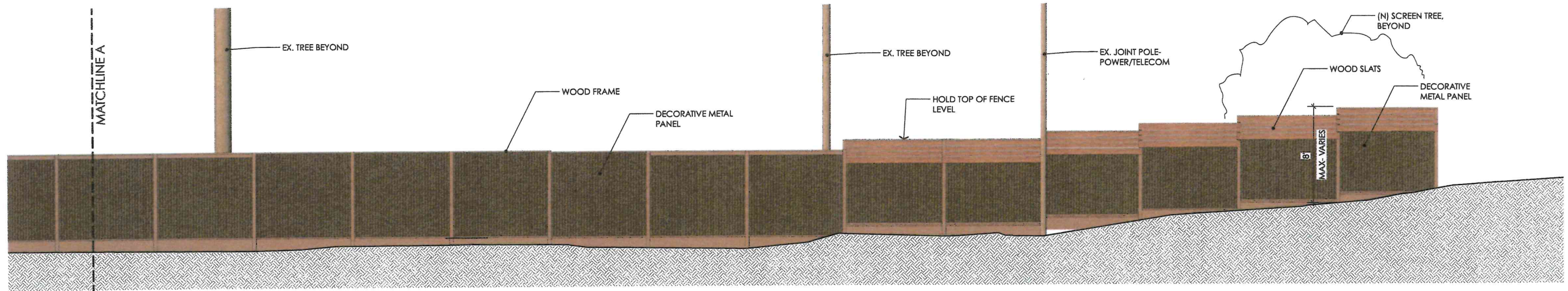
FAIRFAX LUMBER & LUMBER YARD
 CONCEPT PLAN
 NO. 1
 DATE: 05/2
 SCALE: AS S
 DESIGN: GAF
 DRAWING: GAF
 CHECK: GAF
ANNING SUBMITTAL- NOT FOR CONSTRUCTION



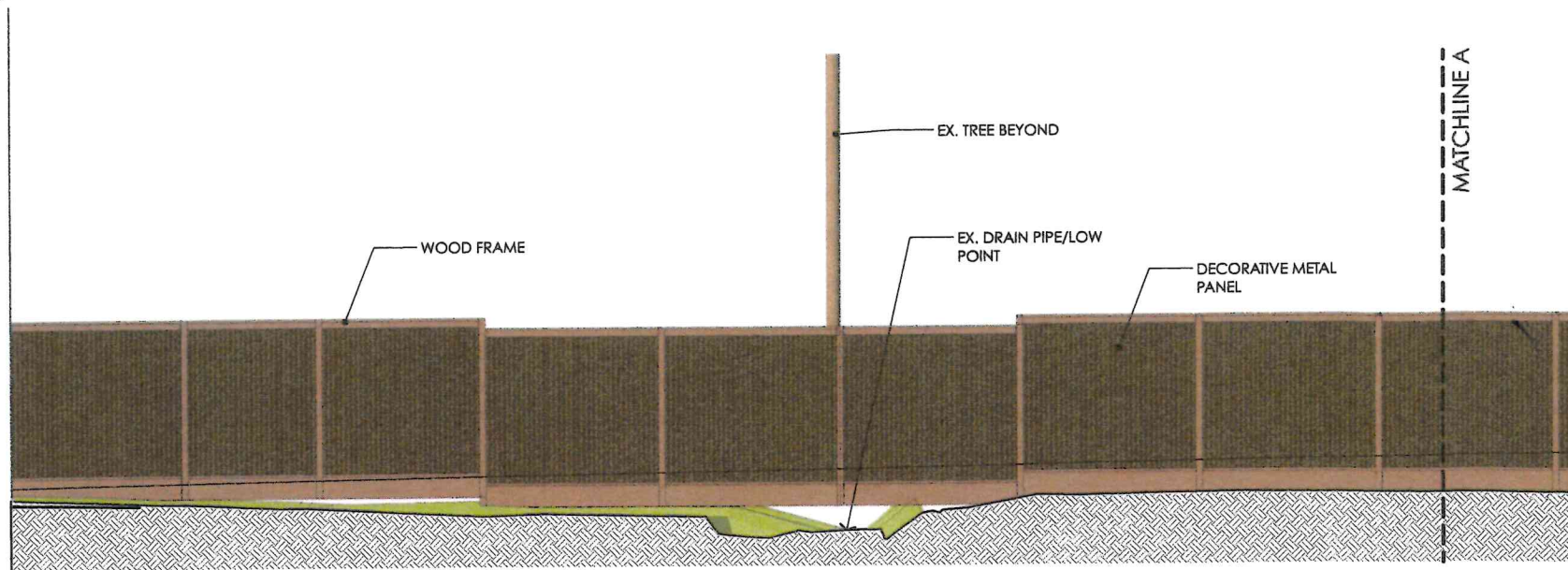
EXISTING VIEW FROM TOP OF SPRUCE



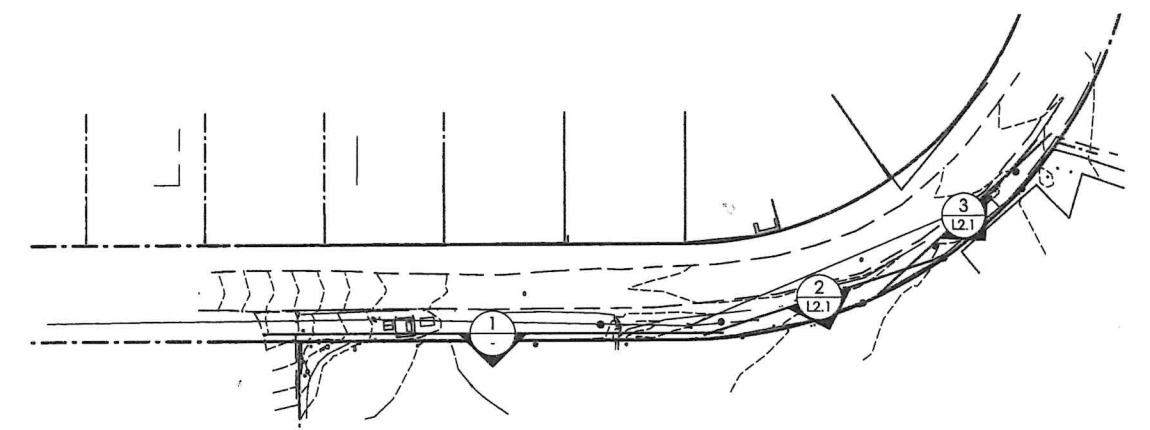
PROPOSED FENCE AND SCREENING



1 SECTION- UPHILL SECTION OF SPRUCE- FACING FX. LUMBER
Scale: Actual Size

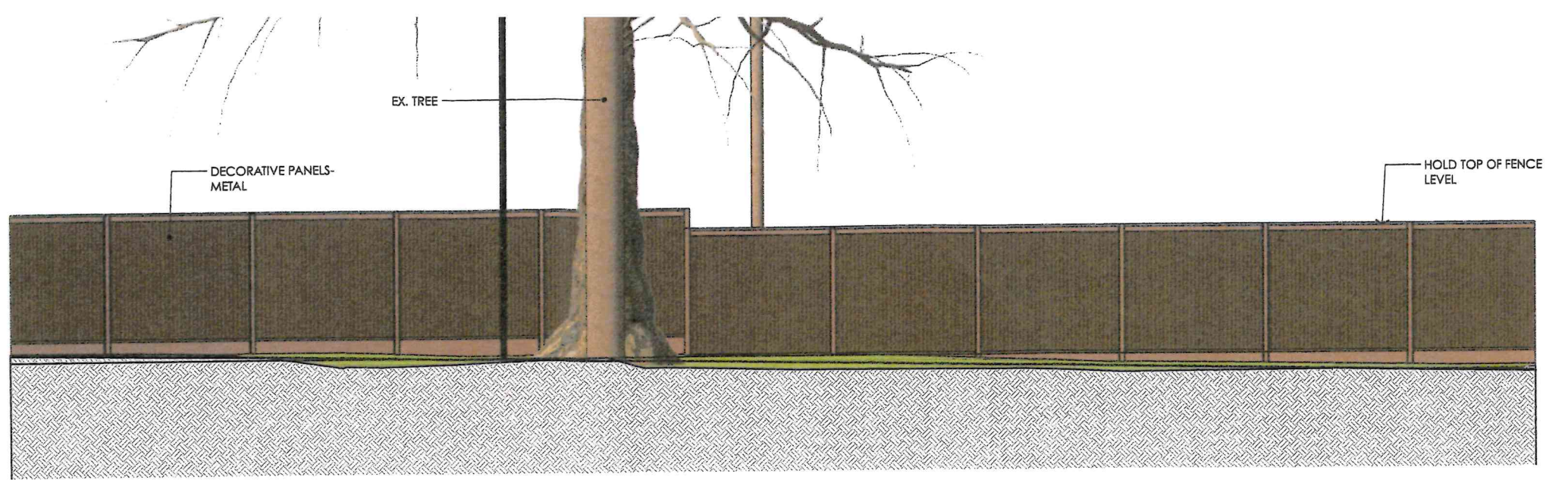


1 SECTION- UPHILL SECTION OF SPRUCE- FACING FX. LUMBER- CONTINUED
Scale: Actual Size

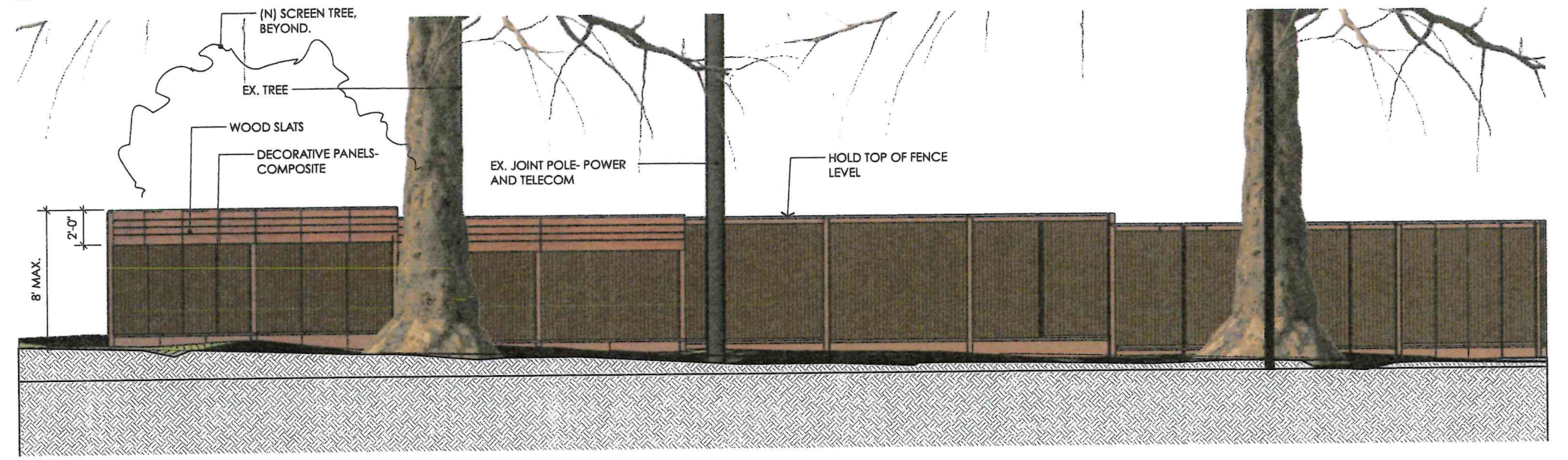


KEY PLAN
Scale: 1"=40'

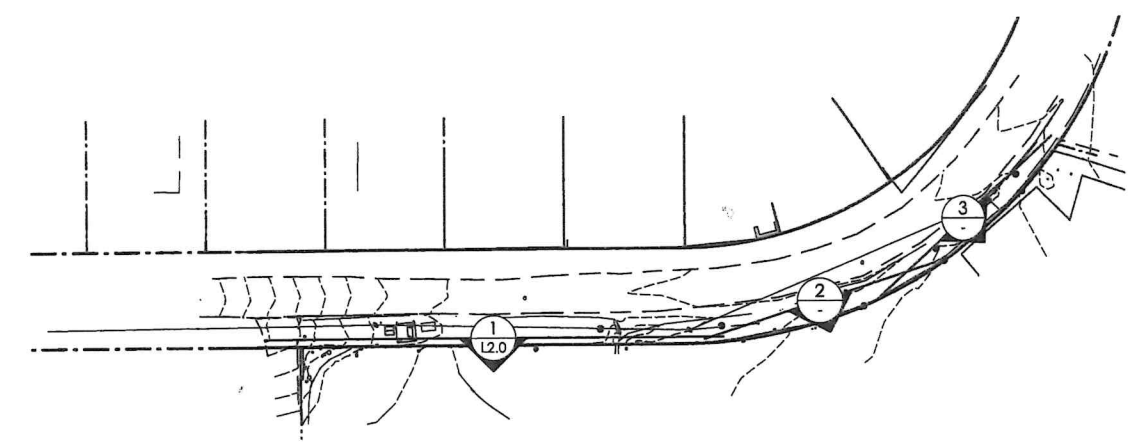
PLANNING SUBMITTAL- NOT FOR CONSTRUCTION
 DATE: 05/20/2024
 SCALE: AS SHOWN
 DRAWN BY: G.A.
 CHECKED BY: G.A.
 PROJECT: [unreadable]
 SHEET: [unreadable]



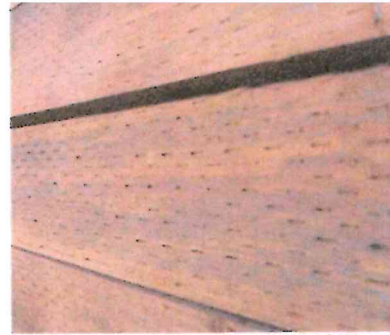
2 SECTION- UPHILL SECTION OF SPRUCE- FACING FX. LUMBER
Scale: Actual Size



3 SECTION- UPHILL SECTION OF SPRUCE- FACING FX. LUMBER
Scale: Actual Size



KEY PLAN



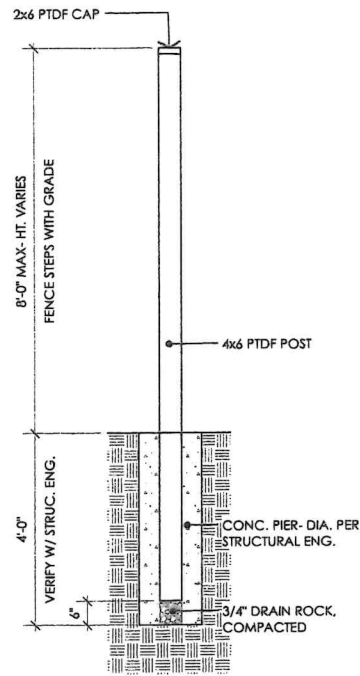
PRESSURE TREATED WOOD FRAME AND POSTS
-BROWN



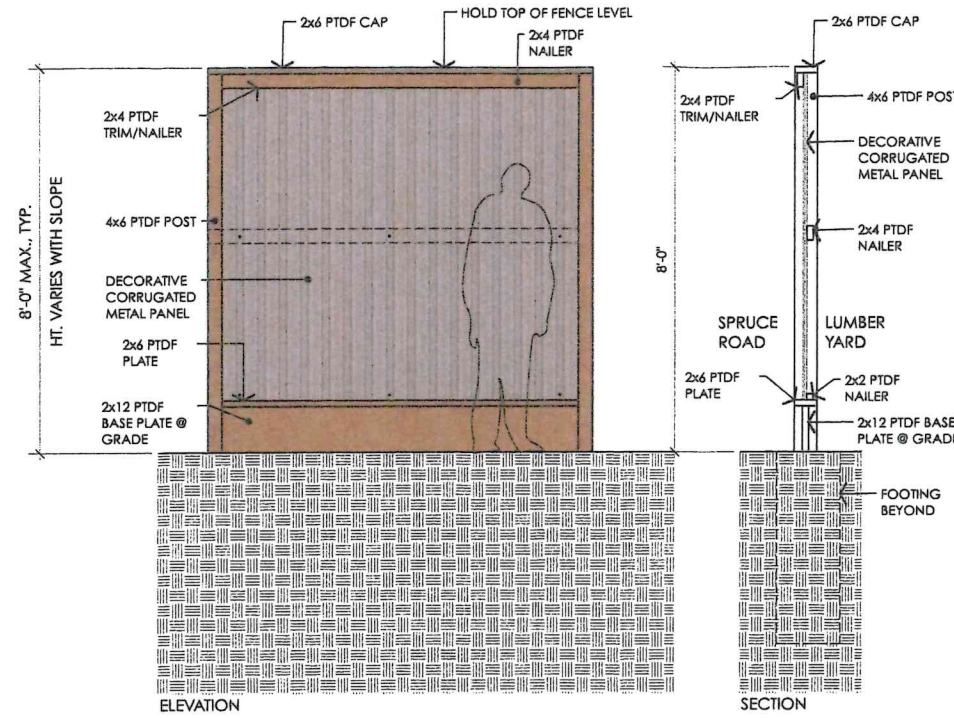
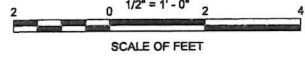
DECORATIVE METAL PANEL
- NU WAVE CORRUGATED METAL- NATURAL RUST COLOR (ANTIQUED)-
- ALT COLOR- CHESTNUT BROWN
-ASC BUILDING PRODUCTS



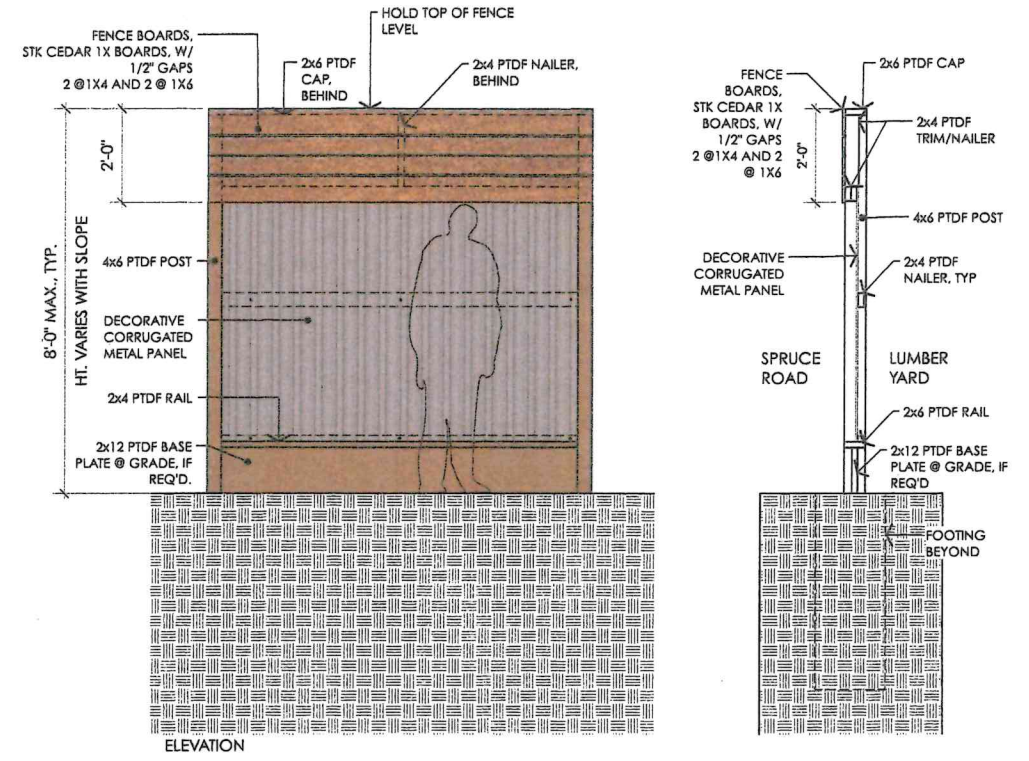
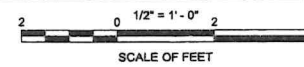
FENCE BOARDS
- WESTERN RED CEDAR- STK (SELECT TIGHT KNOT)



A FENCE POST/FTG.
Scale: AS INDICATED



B FENCE PANEL- CORRUGATED
Scale: AS INDICATED



C FENCE PANEL- WOOD TOP, CORRUGATED BASE
Scale: AS INDICATED

