



PUBLIC WORKS DEPARTMENT

9770 Culver Boulevard, Culver City, California 90232



(310) 253-5635

FAX (310) 253-5626

Charles D.
Herbertson, P.E., L.S.
Public Works Director and
City Engineer

September 28, 2021

Subject: Revised Approval of Tree Removal in Your Area

This letter hereby serves as notice that the property owner of 10729-31 Northgate Street applied to the City for the removal of two Ficus parkway tree on Galvin Street (the "Applicant") and serves to provide notice that the Public Works Director is amending his determination as set forth in his February 25, 2020 notice and determination approving the removal of two Ficus parkway trees.

Background

Upon submittal of the request to remove two trees, and subsequent assessment by the City's Arborist, it was determined the request met the criteria set forth in Culver City Municipal Code (CCMC) Section 9.08.210.C (see page 3 of this letter). Based on this determination, on February 25, 2020 the removal of the requested trees on Galvin Street was granted by the Public Works Director / City Engineer and notice of the decision was posted within the immediate vicinity.

Soon thereafter, the 10740 Northgate Street property owner filed a timely appeal of the decision pursuant to CCMC Section 9.08.210.E. The City Council considered that appeal at a Public Hearing held on August 10, 2020. The City Council, did not decide on the appeal on that date; rather, after hearing testimony from the public, followed by discussion, the City Council passed the following motion:

MOVED BY VICE MAYOR FISCH, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DELAY THE DECISION REGARDING THE APPLICANT'S REQUEST FOR REMOVAL OF TWO TREES LOCATED AT 10729-31 NORTHGATE STREET UNTIL SUCH TIME THE PUBLIC WORKS DIRECTOR CAN RETURN TO THE CITY COUNCIL WITH AN EVALUATION OF ALTERNATIVE SOLUTIONS PROPOSED BY THE CITY COUNCIL.

Revised Public Works Director Decision and Recommendation

At the City Council meeting of October 11, 2021¹, City staff will present an evaluation of alternative solutions developed, along with recommending that the revised Director's decision, as summarized below, be adopted. The August 10, 2020 Public Hearing will be reopened as well, to hear testimony from members of the public in response to the proposed revised Director decision and recommendation. The recommended alternative solution to removing both trees, includes removal of only one of the two trees. In addition, the Director recommends planting two new trees further from the property line of the affected property, as follows:

The large Ficus tree located at the intersection of Northgate/Galvin would remain in place; the Galvin Street Ficus tree closest to the property owner's block wall would be removed and be replaced by two 36" box *Lophostemon Confertus* (Brisbane Box) trees, which species are recommended in the City's Urban Forest Master Plan due to their carbon capture, large crown, deep rooting and shading characteristics (see images and characteristics of this specie on page 4 of this letter.) The proposed solution also includes substantially expanding the length and width of the Galvin Street parkway to accommodate tree root growth for the remaining Ficus tree on the corner and to provide ample room for the two replacement trees to flourish (see the draft/proposed parkway design plans on Page 5 of this letter.)

The proposed recommendation to remove only one of the trees has been agreed to by the Applicant. The proposal is contingent on City Council approval of approximately \$80,000 in Capital Improvement Project funds in the 2022-2023 Fiscal Year, to reconfigure the parkway.

If you have any questions or concerns regarding this matter, please direct them to Joe Susca, Senior Management Analyst at 310-253-5636 or via e-mail at joe.susca@culvercity.org

Sincerely,



Charles D. Herbertson
Public Works Director/City Engineer

Attachments

¹All are invited to attend the October 11, 2021 City Council virtual meeting. To do so, follow the instructions on how to register that are located at: www.culvercity.org/agendas

§ 9.08.210 REMOVAL OF TREES IN PARKWAYS; APPLICATION PROCEDURE; NOTICE AND APPEALS.

A. The Public Works Director shall have sole authority to cut, trim, prune, replace or remove any tree in or on any parkway in the City. No other person shall cut, trim, prune, replace, remove, deface, or in any manner injure any tree in or on any parkway in the City, except as authorized by the Public Works Director in the case of a private improvement project in accordance with § [9.08.215](#).

B. Any interested person may request discretionary removal of a parkway tree by submitting a written application to the Public Works Director, on a form approved by the City. The written application shall state the name and address of the applicant, the location of the tree, the reason for the request, and any other information required by the Public Works Director. The written application shall be accompanied by a filing fee, established by resolution of the City Council. A filing fee is not required to request removal of a tree that is suspected to be in a hazardous or unsafe condition.

C. The Public Works Director shall review the application and supporting documentation to determine whether to approve the removal of the requested tree. In determining whether any tree in or on the parkway shall be removed or replaced, the Public Works Director shall determine whether the removal or replacement is in the best interest of the City and the public health, safety and welfare. Such determination shall be based on the criteria set forth in either Subsection C.1 or Subsection C.2 as follows:

1. If any one of the following criterion is met:

a. The tree is dead, dying, or weakened by disease, age, storm, fire or other injuries so as to pose an existing or potential danger to persons, properties, improvements or other trees; or

b. The removal is necessary for construction of a Street improvement project or other public improvement/repair work; or

c. The removal is necessary for a private improvement or development project. Where the application for removal is related to a private improvement or development project, see § [9.08.215](#).

2. If two or more other criteria are met:

a. The tree is a known problem species or is otherwise found to be an undesirable species for its location based on tree size relative to available area for tree growth.

b. The tree roots are creating extensive and repeated damage to public and/or private infrastructure, including sidewalks, sewer lines, or other utility lines. A history of sewer line blockages from tree roots does not alone provide sufficient reason for tree removal, but rather suggests the need for sewer repair to stop leaks and the accompanying root intrusion that results.

c. The tree is creating a public or private nuisance.

D. If a Parkway tree is approved for removal, following review of the criteria listed in Subsection [9.08.210.C](#), such removal shall be accommodated subject to availability of city resources and funds. In the event that the applicant desires the approved removal occur prior to when it can be accommodated by the Public Works Director, the applicant shall be given the option of paying for the removal, in which case the tree will be removed at the first opportunity upon receipt of payment.

E. The decision of the Public Works Director is final, unless appealed by the applicant, a member of the City Council or an interested person. Appeals shall be submitted in writing and filed with the City Clerk within 10 days after the decision date identified in the notice of decision. The notice of decision shall be prepared by the Public Works Director and sent to the applicant and all interested persons with a copy provided to the City Council. The number of days shall be construed as City Hall business days. Time limits will extend to the following City Hall business day, where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed. An appeal shall include a general statement, specifying the basis for the appeal, shall be based on an error in fact or dispute of the findings of the decision, and must be accompanied by supporting evidence substantiating the basis for the appeal. Appeals shall be accompanied by a filing fee established by resolution of the City Council.

F. Appeals shall be heard by the City Council, which shall affirm the decision of the Public Works Director, unless the appellant demonstrates, by substantial evidence, that the decision is based on an error in fact or disputed findings. The decision of the City Council on an appeal shall be final.

(Ord. No. 2013-007, § 1 (part))

Two 36" Box *Lophostemon Confertus* Replacements



Brisbane Box

Maximum tree height: 50 feet

Canopy width: 10-30 feet

Growth Rate: 24-36 inches per year

- Excellent shade trees
- Long-lived trees with low-water use
- A Eucalyptus-like species
- Smooth, cinnamon-brown bark



