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Assessment of and Protection Recommendations For 28 Trees Indicated in Applicant's Third Party Arborist Report (by Calyx Tree + Landscape Consulting, aka "Calyx", Dated 11/30/2023)

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Prepared for:
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Field Visit Date:
Walter Levison, Contract Town Arborist (CTA)
3/25/2024

Report by CTA
3/30/2024

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1.0 Summary

a. Below is a matrix style overview of protected-size trees (non-exempt species, 4-inches diameter at 4.5 feet above grade).

Mitigation replacement rate and size is noted for each tree in the case that removal or damage to trees occurs.

This assignment was to perform a written review of the applicant's third party arborist report by Calyx dated 11/30/2023, which included 28 tree specimens, some of which are considered "non-regulated" by Town of Los Gatos. The site of the U.S. Post Office and associated nearby exiting Monte Bello public parking lot are the areas with existing trees that will be impacted by the proposed redevelopment project that will construct housing units over the U.S.P.S. property.

Notes on Neighbor Oaks

The CTA was directed to indicate to Staff that the Monte Bello parking lot oaks adjacent to the existing Post Office building and driveway will need to be assessed by the applicant team, as these were not included in the original 11/30/2023 Calyx report. Interestingly, those eleven (11) oaks are indicated on the Calyx tree map as "5 off-site, untagged coast live oaks", whereas in fact, there are eleven (11) previously-tagged oaks numbered #174 at the southwest end of the lot through #184 at the northwest end of the lot, directly adjacent to the proposed project. It is not clear as to how this error occurred during the Calyx site visit, since the trees are all publically accessible, visibly tagged with circular numeric tags, and the Monte Bello parking lot oak tags are in the same tag run of sequential tag numbers used for the USPS Post Office site survey itself (the CTA assumes that the Post Office site was assessed in person by Calyx in November, 2023). The parking lot oaks are tagged #174 through #184, and the first Post Office tree in the Calyx survey is #185: the next number in the tag run sequence, which means that whoever tagged the trees (not Calyx apparently) was attempting to group the off-site parking lot oaks with the on-site Post Office trees in the same tree tag/survey amalgamation. Also unusual is that the Monte Bello parking lot oaks #174 through #184 are actually included on the applicant's plan sheet L5.0 "tree disposition plan" by The Guzzardo Partnership (TGP) dated 3/20/2024, which shows tag number and diameter for each tree, as well as protective fencing indications along the edges of the existing planter areas.

Note also that the CTA performed this review using the applicant's arborist report PDF document provided by Town of Los Gatos Staff, the proposed plan set from the applicant dated 3/20/2024, and information gathered during a site visit by the CTA on 3/25/2024.

The CTA indicates the items required to be completed by Calyx and others within the applicant project team, in order to comply with Town arborist report submittal standards. These are assembled in a fashion that resembles a staff "letter of incomplete", in the recommendations section of this report.

New Staff Protocols 2022 Onward / High Risk Trees & Extreme Risk Trees & Dead Trees

Per my communications with Town Planning Division Staff in 2022, all trees with a TRAQ risk rating of "high" or "extreme", and all trees in "dead" (i.e. 0 to 5% overall condition ratings) are allowed to be removed as no-fee removals, without any canopy replacement fees or plantings required, when a land plot is undergoing entitlement review. The reference for this no-fee/no-replacement removal standard is tree ordinance section 29.10.0985.

Table 1.0(a) (REFER TO THE CALYX TREE MAP AND TREE INVENTORY WHEN REVIEWING THIS MATRIX)

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
1	Native oaks #174 through #184.	TBD by Calyx.	TBD by Calyx.	TBD by Calyx.	(Impacts from all proposed site work are TBD by Calyx. Special protection recommendations as applicable to be determined by Calyx). Oaks along the west edge of the Monte Bello free parking lot area represent native landscape trees of mature size that are threatened potentially with severe damage due to proposed site work and related use of heavy machinery during demolition, excavation, grading, trenching, foundation structural work, etc. along the east side of the Post Office property driveway. It is not clear as to whether these impacts can be mitigated down to a level of less than significant through use of site plan layout adjustments, use of special methods/materials, and possibly also additions of added chain link fence panel protection fencing (TPZ) at locations within the driveway itself, to exclude construction vehicles and personnel from the areas nearest to and directly underneath the canopies of the trees. Although these off-site trees have not been appraised to determine dollar value by the CTA, the value of each of these trees, other than dead tree #180, likely exceeds the values of the on-site trees by at least 1 level of magnitude.	(Trees to be protected in place).	(Trees to be protected in place).

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
2	185	Glossy privet		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
3	186	Glossy privet		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
4	187	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
5	188	Southern magnolia		TBD by Calyx	(To be removed per plan).	2	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $500 in-lieu fee.
6	189	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
7	190	London plane tree cult.		TBD by Calyx	(To be removed per plan).	4	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $1,000 in-lieu fee.
8	191	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
9	192	London plane tree cult.		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
10	193	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
11	194	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
12	195	Southern magnolia		TBD by Calyx	(To be removed per plan).	(No fee, less than 4.0" dia.).	----------
13	196	Southern magnolia		TBD by Calyx	(To be removed per plan).	2	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $500 in-lieu fee.
14	197	Southern magnolia		TBD by Calyx	(To be removed per plan).	2	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $500 in-lieu fee.
15	198	Southern magnolia		TBD by Calyx	(To be removed per plan).	2	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $500 in-lieu fee.
16	199	Southern magnolia		TBD by Calyx	(To be removed per plan).	2	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $500 in-lieu fee.

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
17	200	Southern magnolia		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
18	206	Crape myrtle		TBD by Calyx	TBD by Calyx.	(2)	(Tree to be preserved and protected in place)
19	207	Crape myrtle		--------	(Tree is less than 4.0" diameter, and therefore is not required to be included in the final arborist information).	------	(Tree to be preserved and protected in place)
20	208	Crape myrtle		--------	(Tree is less than 4.0" diameter, and therefore is not required to be included in the final arborist information).	------	(Tree to be preserved and protected in place)
21	209	Crape myrtle		--------	(Tree is less than 4.0" diameter, and therefore is not required to be included in the final arborist information).	------	(Tree to be preserved and protected in place)
22	210	Indian hawthorn		TBD by Calyx	(To be removed per plan).	(No fee, less than 4.0" dia.).	----------
23	211	Indian hawthorn		TBD by Calyx	(To be removed per plan).	(No fee, less than 4.0" dia.).	----------
24	212	London plane tree cult.		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
25	213	London plane tree cult.		TBD by Calyx	TBD by Calyx.	(3)	(Tree to be preserved and protected in place)

Line Number	Tree Tag Number	Common Name	Large Protected Tree (LPT)?	Appraised Value	Site plan changes or restrictions required to reduce impacts to "less than significant" are noted in **black bold type** for quick reference.	Replacement Rate Per Canopy Lost	Replacement Size Tree or In-Lieu Fees Based on $250 per 24" Box Tree.
26	214	Coast live oak		TBD by Calyx	TBD by Calyx.	(3)	(Tree to be preserved and protected in place)
27	215	London plane tree cult.		TBD by Calyx	TBD by Calyx.	(4)	(Tree to be preserved and protected in place)
28	216	Glossy privet		TBD by Calyx	(To be removed per plan).	3	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $750 in-lieu fee.
29	4568	Glossy privet		TBD by Calyx	(To be removed per plan).	4	Install 24" box trees on site and pay $250 removal fee, or pay $250 removal plus $1,000 in-lieu fee.

The existing U.S. Post Office site is greater than 10,000 square feet total, which therefore invokes the Town's 24" box size replacement tree planting size rule.

2.0 Assignment & Background

Walter Levison, Contract Town Arborist (CTA) was directed to assess a third party arborist report (aka the "applicant's arborist report") by Calyx dated 11/30/2023, and prepare a written arborist report to indicate all items still outstanding (incomplete) that are required to be prepared by Calyx. These items are indicated in the recommendations section of this CTA report in the style of a Town of Los Gatos "letter of incomplete".

3.0 Town of Los Gatos – What Trees are Protected?

Per the most recent (2015) iteration of the Town of Los Gatos tree ordinance (Town Code Chapter 29 – Zoning Regulations, Article 1), the following regulations apply to all trees within the Town's jurisdiction (wordage adjusted):

1. All trees with at least a single mainstem measuring four (4) inches diameter or greater at 4.5 feet above grade are considered "**Protected Trees**" when removal relates to any development review.

2. 12 inch diameter (18 inch multistem total) trees on developed residential property not currently subject to development review.

3. 8 inch diameter (8 inch multistem total) blue oak (*Quercus douglasii*), black oak (*Quercus kellogii*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) on developed residential lots not currently subject to development review.

4. 8 inch diameter (8 inch multistem total) trees on developed residential property not currently subject to development review, on lots in the designated **Hillside Area** per the official Town map.

5. All trees with a single mainstem or sum of multiple mainstems totaling 48 inches diameter or greater at 4.5 feet above grade are considered "**Large Protected Trees" (LPT).**

6. All oak species (*Quercus spp*.), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) with one or more mainstems totaling 24 inches diameter or more at 4.5 feet above grade are considered **"Large Protected Trees" (LPT).**

7. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting 25% or more of any **Protected Tree** (including below ground root system).

8. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, or cut any branch or root greater than four (4) inches in diameter of a **Large Protected Tree**.

9. Section 29.10.0965. Prohibitions: A permit is required to conduct severe pruning on any protected tree. Severe pruning is defined in section 29.10.0955 as "topping or removal of foliage or significant scaffold limbs or large diameter branches so as to cause permanent damage and/or disfigurement of a tree, and/or which does not meet specific pruning goals and objectives as set forth in the current version of the International Society

of Arboriculture Best Management Practices-Tree Pruning and ANSI A300-Part 1 Tree, Shrub, and Other Woody Plant Management-Standard Practices, (Pruning)."

10. Exceptions:

Severe Pruning Exception in Town Code section 29.10.1010(3) "…..except for pollarding of fruitless mulberry (*Morus alba*) or other species approved by the Town Arborist….".

Protected Tree Exceptions:

a. Edible fruit or nut bearing trees less than 18 inches diameter (multistem total or single stem)
b. *Acacia melanoxylon* (blackwood acacia) less than 24 inches (multistem total or single stem)
c. *Liriodendron tulipifera* (tulip tree) less than 24 inches (multistem total or single stem)
d. *Ailanthus altissima* (tree of heaven) less than 24 inches (multistem total or single stem)
e. *Eucalyptus globulus* (Tasmanian blue gum) less than 24 inches (multistem total or single stem)
f. *Eucalyptus camaldulensis* (River red gum) less than 24 inches (multistem total or single stem)
g. *Other eucalyptus species* (E. spp.) not noted above, less than 24 inches (multistem total or single stem) **(REMOVAL O.K. ONLY AT HILLSIDE AREA LOCATIONS PER OFFICIAL TOWN MAP):** www.losgatosca.gov/documentcenter/view/176
h. All palm species *(*except *Phoenix canariensis)* less than 24 inches (multistem total or single stem)
i. *Ligustrum lucidum* (glossy privet) less than 24 inches (multistem total or single stem)

Note that per the exception in part 'a' above, fruiting olive trees with stems totaling less than 18 inches are considered non-protected.

4.0 Recommendations (aka Contract Town Arborist's "Letter of Incomplete")

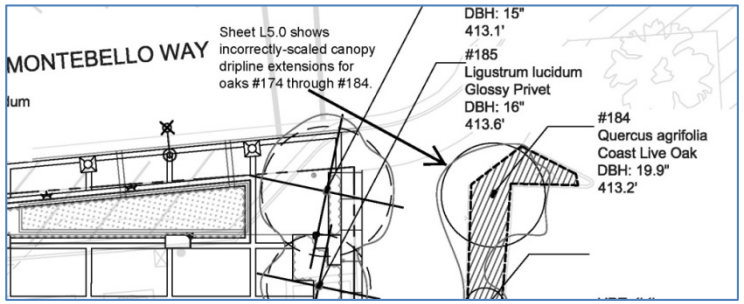
4.1 APPRAISAL: Applicant's arborist shall prepare appraisal dollar valuations for all trees expected to be retained and protected in place (PIP) on site and adjacent to the site, including eleven (11) oaks #174 through #184 along the west side of the existing Monte Bello public parking lot area.

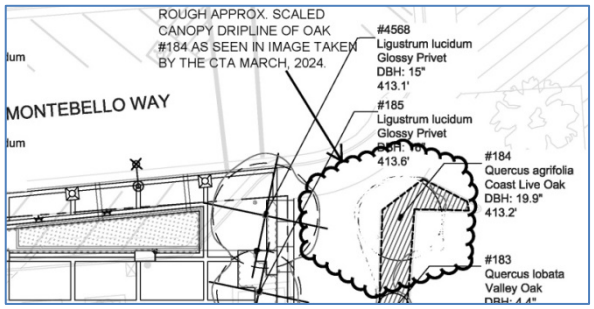
4.2 IMPACTS & PROTECTION OF CANOPY/ROOT SYSTEMS: Applicant's arborist shall evaluate proposed project impacts to trees #206, 207, 208, 209, 213, 214, 215, and oaks #174 through #184) all expected to be preserved and protected in place (PIP), except tree #180 which is dead. Impacts to be assessed, and proposed protection for both canopy live wood and foliage and lateral woody root system under the existing asphalt driveway at the Post Office, may or may not need to include the following (partial list of potential impacts): construction, grading, excavation, trenching for new foundations, sidewalk base section, curb footings, walkways, driveways, parking lots, basements, building massing above ground, utility piping and conduits of all types, drainage pipes of all types, irrigation pipe lines (solid), French drains, area drains, downspout drains, etc.

4.2.1 OAKS #174 THROUGH #184 CANOPY DRIPLINES NOT INDICATED TO SCALE ON SHEET C-1 ETC: Applicant team shall redraw the canopies of trees #174 through #184 to correct scale on applicant grading and drainage plan sheet C-1 and other proposed plan sheets in the set of plans submitted for Town review dated 3/20/2024. The grey line clouding indicated on sheet C-1 and other sheets which was intended by the applicant to show the canopy driplines for these oaks in the Monte Bello parking lot do not appear to be entirely accurate in terms of showing correctly-scaled canopy overhang into the proposed project buildout (limit of work).

The Calyx arborist report, the landscape plans by Guzzardo, and the proposed location of the exterior siding of the proposed residential/garage structures at the Post Office site do not appear to have fully accounted for existing tree canopy overhang as related to oaks #174 through #184, and appear to be showing the canopy driplines incorrectly scaled in terms of radius of canopy overhang northwestward into the project area from the mainstem plot points.

Tree disposition plan sheet L5.0, for instance, shows tree #184 as a 9 foot canopy radius tree, whereas in reality, the tree has a +/- 20 foot radius in the direction of project build, putting it into potential conflict with proposed construction as well as machinery that will be used during exterior finish work such as bucket lift machines, etc. within the assumed 5 to 10 foot wide "construction corridor". See snippets from sheet L5.0 below, showing tree #184 as it appears on sheet L5.0, with an incorrectly scaled canopy. WLCA indicates the actual scaled canopy in markup at right. The entire row of oaks needs to be completely catalogued and shown accurately to scale on all project plan sheets, in order to identify all areas of potential conflict with the proposed building exterior walls, and assumed 5 to 10 foot wide required "construction corridor" along the east side of the proposed building and all construction expected to occur within the limits of work as defined by the project team.





As per noted above on page 12 of this report, there always needs to be a 5 to 10 foot wide construction corridor along the exterior of new larger buildings to allow for exterior finish work to be performed, which requires that the corridor be maintained in its entirety free and clear without airspace hindrance. In some cases, the author has had project teams require as much as 20 feet of horizontal clearance for a construction corridor between building exteriors and tree canopies, due to requirements for **temporary construction elevators** erected outside of the new building footprint that take materials from ground level to the upper floors of the structure.

Applicant team shall show a highlighted band of color along the side of proposed project exterior facing the row of oaks #174 through #184, to indicate the area where a construction corridor of 5 to 10 feet width will need to be created along the proposed east side of building. If this corridor conflicts with the corrected/scaled canopy driplines of the oaks (once the project team redraws the canopies of these 10 trees to scale on the plan sheets), then the applicant will need to describe in detail the specific mitigation measures required to be performed by the project build team in order to reduce or eliminate conflicts between the oak canopy driplines and the proposed construction corridor along the east side of the proposed building exterior.

4.3 TREE DATA: Applicant's arborist shall collect data for trees #174 through #184 along the west side of Monte Bello parking lot, which are previously-tagged trees to be protected in place (PIP) that exhibit overhanging canopies and root systems that both extend westward into the project airspace. These data shall be included in the Calyx "Tree Inventory + Assessment" pages of the applicant's arborist report. Calyx may want to include sheet L3.0 or refer to sheet L3.0 in their arborist report, given that this sheet contains a more complete tree survey map than the Calyx report itself.

Since The Guzzardo Partnership (TGP) already indicated the oak tree diameters, tag numbers, and locations of the oaks on their sheet L5.0 tree disposition plan sheet, the only remaining incomplete item shall be to collect oak tree data and include this data in the Calyx tree inventory section of the 3rd party report.

4.4 TREE PROTECTION ZONE (TPZ) FENCING: Applicant's arborist shall indicate tree protection zone (TPZ) fencing layout for chain link protective fencing, on the grading and drainage plan sheet C-1 for better clarity for the project team. Note that fencing as currently shown, at the edges of the existing Monte Bello parking lot curb and planter edges, are not expected to be adequate in terms of protecting tree canopy live wood and foliage against physical damages potentially caused by machinery, vehicles, material movement, personnel, etc. during the proposed project demolition and build periods. Fencing may need to be bumped out into the existing driveway to allow for better protection of oak canopy biomass (see marked up snippet below for an example of how this would appear). It is not known whether chain link TPZ fencing erection at this adjusted location would be feasible, as it may impede normal construction and demo activities to some degree (subject for discussion between project team and Town Staff).

4.4 (TPZ FENCING ISSUES CONTINUED)

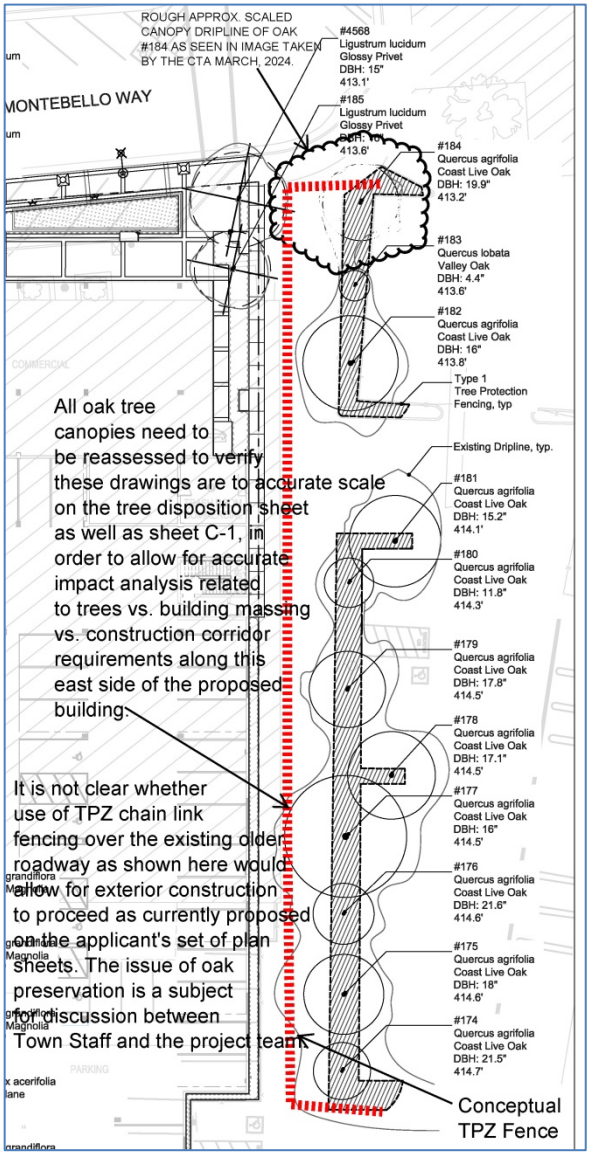
Right:

Conceptual TPZ chain link fence line shown as a red dashed route for discussion purposes.

Once the applicant's team redraws the oak tree canopies to corrected scale to verify the relationship between building massings, tree canopies, etc., we can further discuss the issue of how we are going to preserve the oaks while allowing construction to occur.

Note again that a construction corridor of some width (5 to 10 feet typically) is always required between the edge of proposed exterior walls, and outward horizontally, to allow for machinery, vehicle travel, materials movement, etc. Typically most of the finish work is performed via use of a bucket lift machine, which has a relatively long boom that may require even greater construction corridor width than noted above.

See the CTA's markup below:



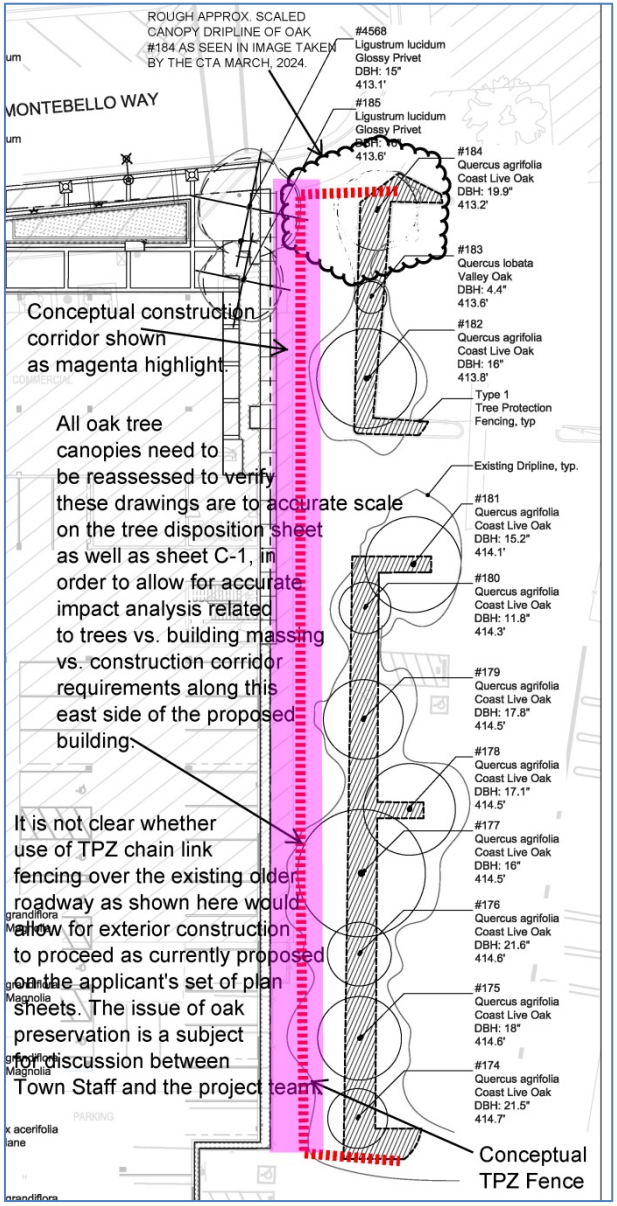
4.4.1 CONSTRUCTION CORRIDOR CONCEPTUAL SHOWN BY THE CTA IN MAGENTA HIGHLIGHT:

Right: CTA's conceptual rendering of a "construction corridor" scaled to show width of potential extent of such an area required by the applicant's build team, that will assumedly be required for the team to build out the exterior portions of the proposed building massing as currently proposed on applicant plan sheets. Construction corridor is conceptually shown in magenta highlight for easy reference.

It is important to note that the corridor is in direct conflict with oak tree canopy driplines and the TPZ fence route itself, if the fencing were to be erected at the canopy driplines of the trees as currently rendered by The Guzzardo Partnership.

Note also that the applicant's sheet L5.0 used as basis for this markup by the CTA will have to be redrawn to show canopies to accurate scale, since the CTA already identified that at least one tree #184 exhibits canopy that is 100% longer in horizontal extension westward than currently rendered on the drawing (using scale bar indicated on sheet L5.0 by The Guzzardo Partnership TGP).

Once the tree canopies are redrawn by TGP to more accurate scale, the applicant team shall then be required to determine where TPZ fencing will be placed to optimize preservation of the tree canopies, and how wide the "construction corridor" will be in terms of horizontal reach beyond the east side of the proposed residential building exterior.



4.5 TREE INVENTORY:
Applicant's arborist shall add tree data for eleven oak trees #174 through #184 which are in fact tagged in the field and indicated on TGP sheet L3.0 as a component of the applicant's submittal set of plan sheets.

Applicant's arborist shall add grid lines to the data table for ease of data viewing.

Applicant's arborist shall indicate what basis was used for "suitability for preservation" ratings (i.e. what criteria where used to determine these ratings? Are the ratings based solely on existing tree health and structural condition, or are the ratings based also on expected construction-related impacts to the trees?)..

Applicant's arborist condition rating (1-5 scale) is an outdated system of tree assessment developed circa 1980's which we used in "the old days". This system is no longer considered adequate for use in determining tree overall condition rating. The newer system is based on a 100 point scale using two to three (3) separate condition components of health, structure, and form (form is the newest addition used by some arborists). The following tree assessment table derived from information in Guide for Plant Appraisal 10th edition, 2nd printing, page 44, is **provided for informational purposes only, and is <u>not</u> required to be included in any revised Calyx report documents for the purposes of identifying tree conditions with greater precision than the oversimplified system of 1 to 5 points in the original Calyx report:**

- Excellent (81% to 100% possible). Health, structure, (and in some cases form) components are rated.
- Good (61% to 80% possible). Health, structure, (and in some cases form) components are rated.
- Fair (41% to 60% possible). Health, structure, (and in some cases form) components are rated.
- Poor (21% to 40% possible). Health, structure, (and in some cases form) components are rated.
- Very poor (6% to 20% possible). Health, structure, (and in some cases form) components are rated.
- Dead (0% to 5% possible). Health, structure, (and in some cases form) components are rated.

4.6 PLAN SHEETS / REPLACEMENT VS. TOWN-REQUIRED CANOPY REPLACEMENT:

4.6i The applicant's set of plan sheets already includes all on site and off site tree tag numbers, including the oaks #174 through #184, on sheet L5.0 "tree disposition plan" by the Guzzardo Partnership ("TGP"). However, there are no other plan sheets showing the tree tag number locations. The applicant shall include tree tag numbers on at least 1 or 2 additional plan sheets, such as civil **grading and drainage plan sheet C1.**

Sheet L5.0 does contain the full analysis of the required tree canopy replacement, which was calculated by TGP as 46 count 24" box size trees, and 2 count 36" box size trees, for a total of 48 trees, which is slightly incorrect as noted below. Sheet L5.0 also notes that the proposed planting plan ("Planting Legend") per TGP on applicant sheet L3.0, included below as a plan sheet snippet in this recommendations section of the CTA report, will include 53 count 24" box size trees, which would appear to satisfy the Town's tree canopy replacement requirement of 51 total trees. However, there are a number of errors and oversights in the sheet L3.0 calculations by TGP as indicated below.

4.6ii The actual quantity of trees proposed to be installed on site is actually "51" when the numbers are added together from the quantity boxes in the planting legend (not "53" as indicated at the bottom line black bolded). These numbers shall be reconciled by the project team.

4.6iii The planned total of 51 site plantings of 24" box trees does match exactly the Town-required canopy replacement total of 51 count 24" box size trees, so the CTA does therefore suggest that the applicant's planned installation total of (assumed 51 or 53 count) 24" box size trees be considered as 100% adequate to fulfill the ordinance-required mitigation without any in-lieu fees or additional plantings.

4.6iv The CTA's count of Town-required on-site canopy replacement planting mitigation is actually 51 count 24" box size trees (not the 46 or 48 count as indicated on the "Planting Legend" on TGP's sheet L3.0 version March 2024). This is a small discrepancy, not considered significant, since the total number of 24" box size trees proposed by the project team is already at 51 or 53 count 24" box size trees. The CTA's calculation of required replacement plantings only accounted for removal of trees that measure 4.0 inches diameter each, or greater. All trees less than 4.0 inches diameter were eliminated from the calculation. See Summary Table 1.0a in the summary section of this CTA arborist report for details regarding every single tree in the Calyx study.

4.6v Some of the species proposed by the landscape architect TGP as new 24" box size tree plantings, such as Japanese maple, western redbud, fern pine, and Indian hawthorn 'Majestic Beauty', may or may not be considered to be standard moderate to large size canopy trees in terms of their expected canopy diameter and height at maturity. Town Staff may want to reconsider use of these trees, or "disallow" calculation of these trees in the count of 24" box size proposed trees to be installed at the site, to account fully for removal of regulated size trees proposed to be removed from site. Staff would in this scenario choose to simply require a $500 to $750 per tree standard in-lieu fee for each of the specimens of these tree species indicated on the applicant's proposed planting legend on sheet L3.0, in order to further capture and account for existing tree canopy value that will be essentially "lost" over the long-term, by the use of smaller-maturing size western redbuds, Japanese maples, fern pines, and Indian hawthorns currently indicated on the proposed landscape planting plan sheet L3.0 submitted by the applicant's team.

A second alternative would be for Town Staff to require the applicant landscape architect (TGP) to choose larger canopy size-achieving tree species and cultivars for the project planting palette. There are a number of "new" seldom used oak species appropriate for the Los Gatos area, now available as of 2023 from Devil Mountain Nursery in California (our largest wholesale nursery) that have been grown in a special Pioneer Pot system of air pruning slots that prevent or greatly reduce the formation of girdling and circling roots in the pots: an issue that has plagued the California nursery industry for decades. Contact Dave Teuschler their lead horticulturalist for information on availability at (925) 856-2697.

4.6vi As noted above in this recommendation item #4.6, it is recommended that Staff require that the applicant team include all tree tag numbers, mainstem plot points, and protective fence indications, including those for oaks #174 through #184, to one (1) additional plan sheet such as the proposed grading and drainage plan sheet C-1. Town Staff may want to require this recommendation as a condition of project approval.

4.7 LANDSCAPE PLANTING LEGEND:

Sheet L3.0 of the applicant's plan set of sheets contains the planting palette. See notes above in recommendation 4.6 regarding this legend, such as the applicant's calculation error (total quantity is actually 51, but states "53". Most important issue related to this table is the fact that most of the proposed landscape tree species in this palette are slow-growing, small ultimate (mature) size achieving tree species that do not provide adequate shading to the landscape in terms of expected canopy diameter or canopy height.

PLANTING LEGEND

KEY	SIZE	BOTANIC NAME	COMMON NAME	NOTES	QTY	WUCOLS	CA NATIVE
TREES	* Tree size provided on Plan.						
Ace Pal	24" box	Acer palmatum	Japanese Maple	Standard	2	M	
Cer Occ	24" box	Cercis occidentalis	Western Redbud	Standard	2	L	Native
Ole Eur	24" box	Olea europaea 'Swan Hill'	Swan Hill Olive	Standard	14	L	
Pla Col	24" box	Platanus a. 'Columbia'	London Plane Tree	Standard	10	M	
Pod Gra	24" box	Podocarpus gracilior	Fern Pine	Standard	21	M	
Rap Maj	24" box	Raphiolepis 'Majestic Beauty'	Indian Hawthorn	Standard	2	L	
			TOTAL PROPOSED TREES		53		

The largest and widest canopy values would be achieved by the applicant's use of 'Columbia' plane tree and 'Swan Hill' fruitless olive.

4.8 IRRIGATION PLAN:

Irrigation plan is not yet provided by applicant. Applicant team shall provide a detailed irrigation plan showing all proposed rigid irrigation pipe routes for main lines, T-lines, etc., plus over-grade drip emitter line irrigation, etc. for Staff to analyze in terms of potential negative tree root zone impacts to existing tree specimens being protected in place.

4.9 PROJECT ARBORIST

Project Arborist ("PA"):

Initial Signoff

A third party ASCA registered consulting arborist or ISA Certified Arborist with good experience with tree protection during construction shall be retained by the applicant, to provide pre-project verification that tree protection and maintenance measures outlined in this section of the arborist report are adhered to. Periodic (e.g. monthly) inspections and summary reporting, if required as a project condition of approval, are suggested in order to verify contractor compliance with tree protection throughout the site plan project. This person will be referred to as the project arborist ("PA"). The PA should monitor soil moisture within the root protection zones of trees being retained, using a Lincoln soil moisture probe/meter or equivalent. If required, inspection reports shall be sent to Ms. Erin Walters, Associate Planner, at ewalters@losgatosca.gov.

Sample wordage for a condition of approval regarding monitoring of tree protection and tree condition:
"The required protective fencing shall remain in place until final landscaping (if applicable) and inspection of the project. Project arborist approval must be obtained and documented in a monthly site activity report sent to the Town. A mandatory Monthly Tree Activity Report shall be sent at least once monthly to the Town planner associated with this project (ewalters@losgatosca.gov) beginning with the initial tree protection verification approval letter".

SUGGESTIONS FOR TOWN STAFF:

4.10 SECURITY BOND:

It is suggested that Town Staff condition this project on receiving security bond monetary funds from the applicant in the amount of approximately **$25,000 to $35,000**, as a hedge against potential decline or death of one or more of the survey trees to remaining on-site or off-site in close proximity to the proposed site plan project.

Staff may choose to reduce this fee to a lesser amount. This amount is an extremely rough estimate which may need to be amended based on the actual appraised dollar value of **trees #174 through #184 that are being preserved along the east side of the USPS Post Office property.**

Once the appraisal dollar values are established by Calyx as a required amendement to the applicant's arborist report, the bond amount can then be more accurately established as a percentage of the value of trees being protected in place both on site and off site.

4.11 CHAIN LINK PROTECTIVE FENCING FOR TREE PROTECTION ZONES (TPZ):

Prior to commencing site demolition, erect chain link fencing panels set on moveable concrete block footings. Wire the fence panels to iron layout stakes pounded 24 inches into the ground at the ends of each fence panel to keep the fence route stabilized and in its correct position. Do not wire the fence panels to the trunks of the trees.

Alternatively, use two-inch diameter iron tube posts driven 24 inches into the ground, at a spacing 8 feet on-center (O.C.), and hang chain link steel fencing on those posts. Both the chain link panel fence method and the "tube post with hung steel chain link fencing material" fence method of tree protection are acceptable.

Pre-construction fence: The actual locations of the TPZ are "to be determined". As noted above in section 4.4. and section 4.4.1, the fencing required to protect the canopies of oaks #174 through #184 would likely impede on construction and demolition activities as currently proposed by the applicant team, and would also encroach into the required "construction corridor" of some width to be determined between TPZ fencing and proposed building exterior walls.

Protection shall be at the farthest possible offset distances from trees being protected in place.

This fencing must be erected prior to any heavy machinery traffic or construction material arrival on site.

The protective fencing must not be temporarily moved during construction. No materials, tools, excavated soil, liquids, substances, etc. are to be placed or dumped, even temporarily, inside the root protection zone or "RPZ".

No storage, staging, work, or other activities will be allowed inside the RPZ except with PA monitoring.

4.12 SIGNAGE:

The RPZ/TPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 20 linear feet of fencing, minimum 8"X11" size each, plastic laminated, with wordage that includes the Town Code section that refers to tree fence protection requirements (wordage can be adjusted):

TREE PROTECTION ZONE FENCE
ZONA DE PROTECCION PARA ARBOLES

-NO ENTRE SIN PERMISO-
-LLAME EL ARBOLISTA-

REMOVAL OF THIS FENCE IS
SUBJECT TO PENALTY ACCORDING TO
LOS GATOS TOWN CODE 29.10.1025

PROJECT ARBORIST:
TELEFONO CELL: **EMAIL:**

NOTE: THE CTA IS NOT THE "PROJECT ARBORIST". The project arborist is a private arborist contracted by the applicant or applicant's team of professionals who then monitors the project and reports to Town of Los Gatos planning division on a monthly basis with written tree condition and tree protection inspection reports submitted to Planning Staff per planning division conditions of project approval (COPA).

Cell: (415) 203-0990
Email: walterslevisonjr@yahoo.com

4.13 TRUNK BUFFER WRAP SPECIFICATION:

Per the sample image at right, wrap at least two (2) or three (3) entire rolls of orange plastic snow fencing around the lowermost six feet of the trunk of every tree proposed to be protected in place both on-site and off-site, including oaks #174 through #184 (except oak #180 which is dead). Wrap between zero feet (grade elevation) and 6 feet elevation above grade).

For added protection, place wooden boards over the OUTSIDE of the orange plastic, and duct tape them in place (do **not** use wires to secure the boards).

Important: Wood boards must be placed last, over the OUTSIDE of the orange plastic.

4.14 IRRIGATION TEMPORARY:

Maintain moderate to heavy irrigation of all on-site trees being protected in place, on at least a 1x/month basis throughout the entire site plan project period.

Methods of irrigation can be existing bubbler, emitter line, or spray systems, or can be accomplished using water tanks or water trucks. See sample image at right where the CTA utilized 100 feet of snaked black rubber soaker hose around a coast redwood being protected in place, with a 4 inch thick layer of wood chips laid down over the soil root zone prior to initiating temporary irrigation.

4.15 ROOT PRUNING:

When roots are unearthed measuring greater than 1.0 inches diameter each during proposed site work within 25 feet of any tree being preserved and protected in place, proceed to prune those roots using a Sawzall or other brand of reticulating saw, using a blade designed specifically for “green wood pruning” or “wood” or “pruning” (see images below and right).

Sever roots at right angles to root growth direction.

Immediately (same day) smear wet mud on the cut ends of the roots, and bury ASAP, preferably within 48 hours of severing.

Backfill within 48 hours of root severing if possible.

Saturate the roots with water as soon as possible, preferably the same day as root pruning.

Saturate the soil profile down to 24 inches below soil surface grade elevations.

NOTE: If a root is shattered, broken, or otherwise damaged, with visible damage to the bark, then dig out the damaged section of root until the original undamaged root is visible, and proceed to cut out all damaged portions of the root(s) when the final clean cut is performed with a Sawzall. This is called “back digging” (see image at right, showing a clean cut being performed after first back-digging all around the root to expose undamaged root material.

4.16 New Plantings / Tree Installation Specs:

Ideally, **two (2) high flow type adjustable bubblers each emitting 0.50 to 2.0 gallons per minute (2GPM), depending on percolation rate of planting pit,** are set directly over the rootball of each single tree planting, and each tree is installed with two (2) wooden planting stakes (not the shipping stake), with a set of figure-8 Cinch Ties ™.

Make sure to completely remove the shipping stake that is initially tied tightly against the trunk of each tree by the grower/nursery. This stake is only for transport, and cannot be left tied against the trunk. It must be completely removed from the trunk area in order to avoid causing damage to the tree trunk as it grows in girth. The tree stakes are cut to just above the elevation of the Cinch-Ties to avoid abrasion between the stakes and the limbs and trunk during wind movement.

A watering berm consisting of site soil is formed around the edge of the rootball to force irrigation water to pool up directly over the rootball. The berm should be approximately 4 to 6 inches in height, and 8 to 12 inches in width, set directly over the rootball edge).

RIGHT: Proper installation of a new 24" box size tree with two (2) high flow type 1.0 GPM to 2.0 GPM (gallon-per-minute) flood bubblers seen inside a steeply-sloped watering berm built using site soil. The berm is built up directly over the rootball edge, which forces irrigation water directly downward into the rootball via gravity.

5.0 Tree Protection and Maintenance Directions per Town Code

The following is excerpted directly from the 2015 iteration of the Town of Los Gatos tree ordinance sections which provide specific tree protection directions and limitations on root pruning and above-ground pruning:

Sec. 29.10.1000. New property development.

(a) A tree survey shall be conducted prior to submittal of any development application proposing the removal of or impact to one or more protected trees. The development application shall include a Tree Survey Plan and Tree Preservation Report based on this survey. The tree survey inventory numbers shall correspond to a numbered metal tag placed on each tree on site during the tree survey. The tree survey plan shall be prepared by a certified or consulting arborist, and shall include the following information:

(1) Location of all existing trees on the property as described in section 29.10.0995;

(2) Identify all trees that could potentially be affected by the project (directly or indirectly- immediately or in long term), such as upslope grading or compaction outside of the dripline;

(3) Notation of all trees classified as protected trees;

(4) In addition, for trees four (4) inches in diameter or larger, the plan shall specify the precise location of the trunk and crown spread, and the species, size (diameter, height, crown spread) and condition of the tree.

(b) The tree survey plan shall be reviewed by the Town's consulting arborist who shall, after making a field visit to the property, indicate in writing or as shown on approved plans, which trees are recommended for preservation (based on a retention rating of high/moderate/low) using, as a minimum, the Standards of Review set forth in section 29.10.0990. This plan shall be made part of the staff report to the Town reviewing body upon its consideration of the application for new property development;

(c) When development impacts are within the dripline of or will affect any protected tree, the applicant shall provide a tree preservation report prepared by a certified or consulting arborist. The report, based on the findings of the tree survey plan and other relevant information, shall be used to determine the health and structure of existing trees, the effects of the proposed development and vegetation removal upon the trees, recommendations for specific precautions necessary for their preservation during all phases of development (demolition, grading, during construction, landscaping); and shall also indicate which trees are proposed for removal. The tree preservation report shall stipulate a required tree protection zone (TPZ) for trees to be retained, including street trees, protected trees and trees whose canopies are hanging over the project site from adjacent properties. The TPZ shall be fenced as specified in section 29.10.1005:

(1) The final approved tree preservation report shall be included in the building permit set of development plans and printed on a sheet titled: Tree Preservation Instructions (Sheet T-1). Sheet T-1 shall be referenced on all relevant sheets (civil, demolition, utility, landscape, irrigation) where tree impacts from improvements may be shown to occur;

(2) The Town reviewing body through its site and design plan review shall endeavor to protect all trees recommended for preservation by the Town's consulting arborist. The Town reviewing body may determine if any of the trees recommended for preservation should be removed, if based upon the evidence submitted the reviewing body determines that due to special site grading or other unusual characteristics associated with the property, the preservation of the tree(s) would significantly preclude feasible development of the property as described in section 29.10.0990;

(3) Approval of final site or landscape plans by the appropriate Town reviewing body shall comply with the following requirements and conditions of approval:

a. The applicant shall, within ninety (90) days of final approval or prior to issuance of a grading or building permit, whichever occurs first, secure an appraisal of the condition and value of all trees included in the tree report affected by the development that are required to remain within the development using the Tree Value Standard methodology as set forth in this Chapter. The appraisal of each tree shall recognize the location of the tree in the proposed development. The appraisal shall be performed in accordance with the current edition of the Guide for Plant Appraisal published by the Council of Tree and Landscape Appraisers (CTLA) and the Species and Group Classification Guide published by the Western Chapter of the International Society of Arboriculture. The appraisal shall be performed at the applicant's expense, and the appraisal shall be subject to the Director's approval.

b. The site or landscape plans shall indicate which trees are to be removed. However, the plans do not constitute approval to remove a tree until a separate permit is granted. The property owner or applicant shall obtain a protected tree removal permit, as outlined in section 29.10.0980, for each tree to be removed to satisfy the purpose of this division.

(d) Prior to acceptance of proposed development or subdivision improvements, the developer shall submit to the Director a final tree preservation report prepared by a certified or consulting arborist. This report shall consider all trees that were to remain within the development. The report shall note the trees' health in relation to the initially reported condition of the trees and shall note any changes in the trees' numbers or physical conditions. The applicant will then be responsible for the loss of any tree not previously approved for removal. For protected trees, which were removed, the developer shall pay a penalty in the amount of the appraised value of such tree in addition to replacement requirements contained in section 29.10.0985 of this Code. The applicant shall remain responsible for the health and survival of all trees within the development for a period of five (5) years following acceptance of the public improvements of the development or certificate of occupancy.

(e) Prior to issuance of any demolition, grading or building permit, the applicant or contractor shall submit to the Building Department a written statement and photographs verifying that the required tree protection fence is installed around street trees and protected trees in accordance with the tree preservation report.

(f) If required by the Director and conditioned as part of a discretionary approval, a security guarantee shall be provided to the Town. Prior to the issuance of any permit allowing construction to begin, the applicant shall post cash, bond or other security satisfactory to the Director, in the penal sum of five thousand dollars ($5,000.00) for each tree required to be preserved, or twenty-five thousand dollars ($25,000.00), whichever is less. The cash, bond or other security shall be retained for a period of one (1) year following acceptance of the public improvements for the development and shall be forfeited in an amount equal to five thousand dollars ($5,000.00) per tree as a civil penalty in the event that a tree or trees required to be preserved are removed, destroyed or severely damaged.

(g) An applicant with a proposed development which requires underground utilities shall avoid the installation of said utilities within the dripline of existing trees whenever possible. In the event that this is unavoidable, all trenching shall be done using directional boring, air-spade excavation or by hand, taking extreme caution to avoid damage to the root structure. Work within the dripline of existing trees shall be supervised at all times by a certified or consulting arborist.

(h) It shall be a violation of this division for any property owner or agent of the owner to fail to comply with any development approval condition concerning preservation, protection, and maintenance of any protected tree.

(Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1005. Protection of trees during construction.

(a) Protective tree fencing shall specify the following:

(1) Size and materials. Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than 10-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.

(2) Area type to be fenced. Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire

planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with 2-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.

(3) Duration of Type I, II, III fencing. Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.

(4) Warning sign. Each tree fence shall have prominently displayed an 8.5 x 11-inch sign stating: "Warning—Tree Protection Zone-this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025".

(b) All persons, shall comply with the following precautions:

(1) Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.

(2) Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.

(3) Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.

(4) Prohibit the attachment of wires, signs or ropes to any protected tree.

(5) Design utility services and irrigation lines to be located outside of the dripline when feasible.

(6) Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.

(7) The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

(Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1010. Pruning and maintenance.

All pruning shall be in accordance with the current version of the International Society of Arboriculture Best Management Practices—Tree Pruning and ANSI A300-Part 1 Tree, Shrub and Other Woody Plant Management—Standard Practices, (Pruning) and any special conditions as determined by the Director. For developments, which require a tree preservation report, a certified or consulting arborist shall be in reasonable charge of all activities involving protected trees, including pruning, cabling and any other work if specified.

(1) Any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a protected tree shall obtain permission from the Director before performing any work, including pruning, which may cause injury to a protected tree. (e.g. cable TV/fiber optic trenching, gas, water, sewer trench, etc.).

(2) Pruning for clearance of utility lines and energized conductors shall be performed in compliance with the current version of the American National Standards Institute (ANSI) A300 (Part 1)- Pruning, Section 5.9 Utility Pruning. Using spikes or gaffs when pruning, except where no other alternative is available, is prohibited.

(3) No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any protected tree without first obtaining a permit pursuant to this division except for pollarding of fruitless mulberry trees (*Morus alba)* or other species approved by the Town Arborist. Applications for a pruning permit shall include photographs indicating where pruning is proposed.

(4) No person shall remove any Heritage tree or large protected tree branch or root through pruning or other method greater than four (4) inches in diameter (12.5” in circumference) without first obtaining a permit pursuant to this division.

(Ord. No. 2114, §§ I, II, 8-4-03)

6.0 Tree Replacement Standards & Fees – Los Gatos Town Code and 2024 Fee Schedule

2024 Town of Los Gatos Tree Removal/Damage In-Lieu Fees:

a. $250 tree removal application permit fee per each tree to be removed, and

b. Tree cost for each 24" box size tree will be the "market price plus the installation cost, as determined by the Director" (2024 Town of Los Gatos Fee Schedule). Typical Bay Area installed cost of a 24" box size tree is roughly 3 times the wholesale price, which is roughly $250 x 3 = $750/tree as of 2024, per the CTA's communication with various tree installation service providers. See snippet below:

Tree Related Fees

24	Tree Removal Permit Application*	One Tree $250.00 Additional Tree $125.00/each If application is denied 50% refund
25	Illegal Tree Removal Administrative Fee	$330.00
26	Replacement Trees - Town Forestry Fund Per Tree Ordinance Section 29.10.0985	Tree cost for each 24",36", and/or 48" box size will be the Market Price plus the installation cost, determined by the Director

Fee will be waived if tree removal is done to implement or maintain Defensible Space.

Thus, the fee schedule per Town of Los Gatos is contrary to the actual "market price" (installed cost) of a 24" box size tree, which is more on the order of $750 per each single 24" box size tree: a difference of 300% between "market price" and the in-lieu fee of $250 established as a per-tree fee by the Town as of 2024.

(Below text is excerpted from Private Trees | The Los Gatos CA Official Site!):

Tree Related Fees
$250 - Tree Removal (One tree)
$125 - Tree Removal (Each additional tree on same application)
If application is denied, 50% refund
$330 - Illegal Tree Removal Administrative Fee
$250 for each 15 gallon and each 24" Box Size Replacement Tree In-Lieu Fee*
$500 for each 36" Box Replacement Tree In-Lieu Fee*

Tree Replacement Requirements

A condition of a tree removal permit requires two or more replacement trees, of a species and size designated by the Town, be planted on the subject private property. Table 3-1, Tree Canopy-Replacement Standard of the Town Code shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.

Replacement trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Most fruit and nut trees, palm trees, or "nuisance" species are generally not considered suitable replacement trees. Section29.10.0970(2) of the Town Code lists nuisance species.

Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions-Hillsides.

Single Family Residential Replacement Option is available for developed single family residential lots under ten thousand (10,000) square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates.

*If a tree or trees cannot be reasonably planted on the subject property and approved by the Town Arborist, a Replacement Tree In-Lieu Fee shall be paid to the Town Tree Replacement Fund to:
a. Add or replace trees on public property in the vicinity of the subject property; or
b. Add or replace trees or landscaping on other Town property; or
c. Support the Town's urban forestry management program.

Permits are valid for 90 days and replacement trees must be planted on the property prior to the permit expiration, unless the removal and replacements are part of an approved development application. Permits which include Replacement Tree In-Lieu fees will not be approved until all fees are paid in full.

(Excerpted from Town Code 29.10.0985 and 29.10.0987)

(1) Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1 The Tree Canopy—Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.

(2) If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:

a. Add or replace trees on public property in the vicinity of the subject property; or

b. Add or replace trees or landscaping on other Town property; or

c. Support the Town's urban forestry management program. (Ord. No. 2114, §§ I, II, 8-4-03)

Table 3-1 - Tree Canopy - Replacement Standard

Canopy Size of Removed Tree [1]	**(Staff is using 24" box size as the Replacement Standard for SFR Projects as of 2016) [2,4]**	**Single Family Residential Replacement[3,4]**
10 feet or less	Two 24 inch box trees	Two 15 gallon trees
More than 10 feet to 25 feet	Three 24 inch box trees	Three 15 gallon trees
More than 25 feet to 40 feet	Four 24 inch box trees; or Two 36 inch box trees	Four 15 gallon trees
More than 40 feet to 55 feet	Six 24 inch box trees; or Three 36 inch box trees	Not Available

Greater than 55 feet	Ten 24 inch box trees; or Five 36 inch box trees	Not Available

Notes

[1]To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

[2]Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

[3]Single Family Residential Replacement Option is available for developed single family residential lots under 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates as adopted by Town Council.

[4]Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions--Hillsides.

Sec. 29.10.0987. Special Provisions—Hillsides

The Town of Los Gatos recognizes its hillsides as an important natural resource and sensitive habitat which is also a key component of the Town's identity, character and charm. In order to maintain and encourage restoration of the hillside environment to its natural state, the Town has established the following special provisions for tree removal and replacement in the hillsides:

(1) All protected trees located 30 or more feet from the primary residence that are removed shall be replaced with native trees listed in *Appendix A Recommended Native Trees for Hillside Areas of the Town of Los Gatos Hillside Development Standards and Guidelines* (HDS&G).

(2) All protected trees located within 30 feet of the primary residence that are removed shall be replaced as follows:

(a) If the removed tree is a native tree listed in Appendix A of the HDS&G, it shall only be replaced with a native tree listed in Appendix A of the HDS&G.

(b) If the removed tree is not listed in Appendix A, it may be replaced with a tree listed in Appendix A, or replaced with another species of tree as approved by the Director.

(c) Replacement trees listed in Appendix A may be planted anywhere on the property.

(d) Replacement trees not listed in Appendix A may only be planted within 30 feet of the primary residence.

(3) Replacement requirements shall comply with the requirements in Table 3-1 Tree Canopy Replacement Standard of this Code.

(4) Property owners should be encouraged to retain dead or declining trees where they do not pose a safety or fire hazard, in order to foster wildlife habitat and the natural renewal of the hillside environment.

7.0 Author's Qualifications (Partial)

- Continued education through The American Society of Consulting Arborists, The International Society of Arboriculture (Western Chapter), and various governmental and non-governmental entities.

- Contract Town Arborist, Town of Los Gatos, California
  Community Development Department / Planning Division
  2015-present

- Tree Risk Assessment Qualified (ISA TRAQ Course Graduate, Palo Alto, California)

- Millbrae Community Preservation Commission (Tree Board)
  2001-2006

- ASCA Registered Consulting Arborist (RCA) #401

- ASCA Arboriculture Consulting Academy graduate, class of 2000

- Associate Consulting Arborist
  Barrie D. Coate and Associates
  4/99-8/99

- Contract City Arborist, City of Belmont, California
  Planning and Community Development Department
  5/1999-5/2020 (21 years)

- ISA Certified Arborist #WE-3172A since 1996.

- Peace Corps Soil and Water Conservation Extension Agent
  Chiangmai Province, Thailand 1991-1993

- B.A. Environmental Studies/Soil and Water Resources
  UC Santa Cruz, Santa Cruz, California 1990

  UCSC Chancellor's Award, 1990

  (My full curriculum vitae is available upon request)

Cell: (415) 203-0990
Email: walterslevisonjr@yahoo.com

8.0 Assumptions and Limiting Conditions

Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised and evaluated as through free and clean, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinance, statutes, or other government regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.

The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

Unless required by law otherwise, the possession of this report or a copy thereof does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.

Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initiated designation conferred upon the consultant/appraiser as stated in his qualifications.

This report and any values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by engineers, architects, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by Walter Levison to the sufficiency or accuracy of said information.

Unless expressed otherwise:
a. information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection; and
b. the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.

Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Tree are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborist cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

9.0 Certification

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signature of Consultant

DIGITAL BADGES:

ISA CERTIFIED ARBORIST CREDENTIAL:
https://certificates.isa-arbor.com/f1918723-df46-48cc-ace2-c12625530fec?record_view=true

ISA TREE RISK ASSESSMENT QUALIFIED (TRAQ):
https://certificates.isa-arbor.com/d180515f-ab75-440b-9c66-106005e3cf10?record_view=true#gs.hpb30w

10.0 Digital Images (Applicant's Arborist Report)

Images were archived by the applicant's arborist in their 11/30/2024 arborist report.

Below are a few representative images of the eleven off-site Monte Bello parking lot oak specimens tagged as #174 through #184. It is important to note that many of these trees exhibit native canopy live wood and foliage that extends some 10 to 25 horizontal feet radius distance northwest of the existing property boundary (chain link fence line), which means that they may be significantly to severely impacted by both project excavation (root system impacts) and project construction (airspace clearance pruning impacts performed to achieve horizontal and/or vertical airspace clearance with proposed new residential building massing, as well as clearance for various proposed machinery itself that will be used to excavate and drill for structural foundation and/or wall development at the southeast side of the existing Post Office site.

Looking southward along the row of off-site oaks #174 through #184.

Note the northwestward horizontal canopy overhang distances represented by these tree canopies that extend 15 to 25 feet each beyond the existing property line chain link fence. This means that proposed work at the site will necessarily cause severe damage (potentially) to both root systems and canopies of the trees, which are by far the most valuable trees being retained at or adjacent to the proposed residential redevelopment project at the Post Office site.

A 2nd image showing a southward view looking along the east side of the Post Office property, with native oak #184 visible at the left hand side of the image: a 20 inch diameter specimen with very extensive overhang into the project airspace. Again, these oaks along the Monte Bello free parking lot area represent living native landscape trees of mature size that are threatened potentially with severe damage due to proposed site work and related use of heavy machinery during demolition, excavation, grading, trenching, foundation structural work, etc. along the east side of the Post Office property driveway. It is not clear as to whether these impacts can be mitigated down to a level of less than significant through use of site plan layout adjustments, use of special methods/materials, and possibly also additions of added chain link fence panel protection fencing (TPZ) at locations within the driveway itself, to exclude construction vehicles and personnel from the areas nearest to and directly underneath the canopies of the trees.

11.0 Tree Data Table (Applicant's Arborist Report)

Tree data were archived and assembled by the applicant's arborist in their 11/30/2024 arborist report. Note that there is no data for oaks #174 through #184.

Los Gatos Post Office
November 2023

Tree Inventory + Assessment

Tag #	Common name	Trunk Diameter (in.)	Est. Canopy Diam. (ft.)	Condition (1=poor 5=excel.)	Suitability for Preservation	Reason for removal	Comments
185	Glossy privet	16	20	2	Low	within footprint	Significant dieback; in raised planter.
186	Glossy privet	12	19	3	Low	within footprint	Good form; thinning crown; twig dieback throughout crown.
187	Southern magnolia	14	22	4	Moderate	within footprint	Good form; some twig dieback; surface roots.
188	Southern magnolia	4.5	10	2	Low	within footprint	Small, asymmetrical crown; trunk sunburn with decay from 3-7'.
189	Southern magnolia	7.5	12	3	Low	within footprint	Compact crown; twig dieback.
190	London plane	9	27	4	Moderate	within footprint	Fair form and structure; sparse upper crown.
191	Southern magnolia	11	11	3	Moderate	within footprint	Fair form and structure; twig dieback.
192	London plane	5	12	3	Moderate	within footprint	Central leader dead; new leader developing; asymmetrical crown.
193	Southern magnolia	11	21	3	Moderate	within footprint	Good form; some twig dieback; in 4x4 planter.
194	Southern magnolia	9.5	13	3	Moderate	within footprint	Compact crown; some twig dieback; in 4x4 planter.
195	Southern magnolia	3.5	5	2	Low	within footprint	Asymmetrical, small crown; trunk sunburn with decay from base to 6'.
196	Southern magnolia	6.5	7	2	Low	within footprint	Branch dieback; history of branch failures; small crown.
197	Southern magnolia	5	5	2	Low	within footprint	Fair canopy form and density; trunk sunburn with decay from base to 7'; twig dieback.
198	Southern magnolia	5.5,4	4	2	Low	within footprint	Very small crown; branch dieback; codominant trunks at 2.5'.
199	Southern magnolia	5.5	10	3	Moderate	within footprint	Fair, compact form; trunk sunburn with decay from 4-6'.
200	Southern magnolia	12.5	16	2	Low	within footprint	Half of crown dead, defoliated.
206	Crape myrtle	6.5	9	5	High	-	Good form and structure; in 4x12 planter; street tree.
207	Crape myrtle	3.5	8	5	High	-	Good form and structure; street tree.
208	Crape myrtle	3.5	10	5	High	-	Good form and structure; street tree.
209	Crape myrtle	3	7	4	High	-	Crowded by tree #190; good structure; street tree.
210	Indian hawthorn	3.5	7	4	Moderate	shrub	Small, compact crown; trunk lean NE; street tree.
211	Indian hawthorn	3	7	3	Moderate	shrub	Small, compact crown; slight lean N; street tree.
212	London plane	5	14	2	Low	low suitability	Poor form and structure; thin crown; large basal bulge; street tree.
213	London plane	4	13	3	Moderate	-	Good form; minor twig dieback; slight lean away from building eave; street tree.
214	Coast live oak	7	16	3	Moderate	-	Fair form and structure; slightly below avg. leaf density; trunk bows west away from building; street tree.
215	London plane	9.5	25	5	High	-	Good form and structure; street tree.
216	Glossy privet	15	24	3	Low	low suitability	Good form; thinning crown; twig dieback throughout crown; street tree.
4568	Glossy privet	15	25	3	Low	low suitability	Fair form and structure; thinning crown; surrounding street lamp; street tree.

CALYX TREE + LANDSCAPE CONSULTING, LLC
decklund.arborist@gmail.com 650.935.5822

1 of 1

12.0 Attached: Tree Disposition Plan Sheet L5.0 by Guzzardo Partnership 3/20/2024

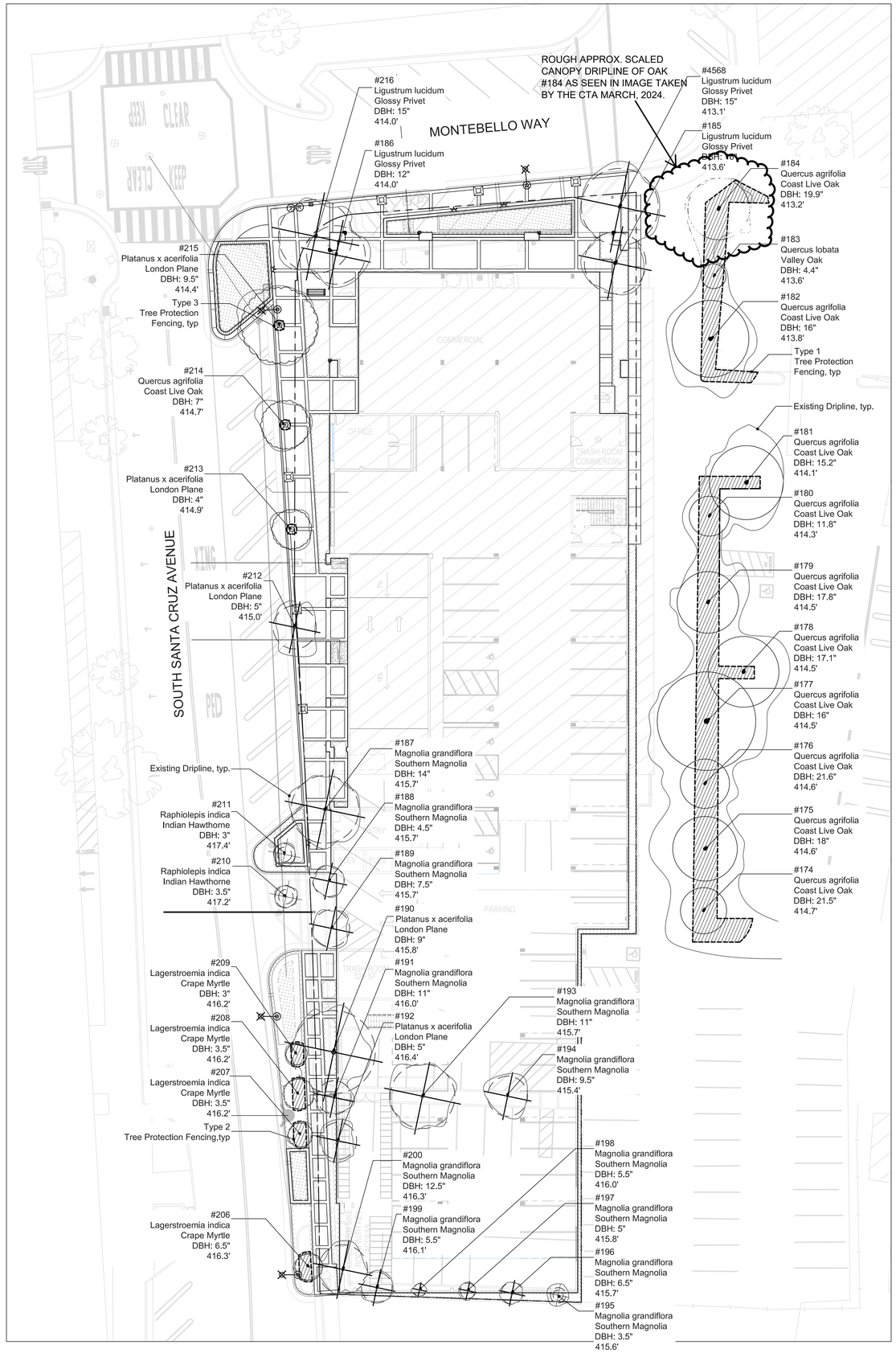


Table 3-1 - Tree Canopy Replacement Standard

CANOPY SIZE OF REMOVED TREE	REPLACEMENT REQUIREMENT*
10 feet or less	(2) 24" box trees
More than 10 feet to 25 feet	(3) 24" box trees
More than 25 feet to 40 feet	(4) 24" box trees or (2) 36" box trees
More than 40 feet to 55 feet	(6) 24" box trees or (3) 36" box trees
Greater than 55 feet	(10) 24" box trees or (5) 36" box trees

***NOTE:** Single-family residential option not applicable replacement option for this project.

Sec. 29.10.1005. - Protection of trees during construction.

a. Protective tree fencing shall specify the following:

1) Size and materials. Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than ten-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
2) Area type to be fenced. Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip; chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown); orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with two-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
3) Duration of Type I, II, III fencing. Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
4) Warning sign. Each tree fence shall have prominently displayed an eight and one-half-inch by eleven-inch sign stating: "Warning--Tree Protection Zone--This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025."

TREE DISPOSITION LEGEND

EXISTING TREE TO REMAIN

EXISTING STREET TREE TO REMAIN

EXISTING TREE TO BE REMOVED EQUAL OR GREATER THAN 4" DBH

EXISTING TREE TO BE REMOVED LESS THAN 4" DBH, NOT INCLUDED IN DISPOSITION SUMMARY

TREE PROTECTION FENCING SEE PLAN FOR FENCING TYPE

CALLOUT SYMBOL

Tag #
Botanical Name
Common Name
Trunk Diameter at Breast Height
Existing Grade at Base

ON-SITE TREE DISPOSITION SUMMARY

PROTECTED ON-SITE TREES (4" DBH & GREATER)	QTY
TOTAL EXISTING TREES	22
EXISTING TREES TO REMAIN	4
EXISTING TREES TO BE REMOVED	18
EXISTING TREES TO BE TRANSPLANTED	0
PROPOSED NEW TREES - 24" BOX OR GREATER Refer to Planting Plan, sheet L-3.0	53
REPLACEMENT TREES REQUIRED PER TABLE 3-1	
24" BOX MIN.	46
36" BOX MIN.	2
TOTAL REPLACEMENT TREES REQUIRED	48

Note: Refer to Arborist Report prepared by Calyx Tree and Landscape Consulting on November 30, 2023 for trunk diameters, canopy diameters, suitability for preservation, and tree removal and protection recommendations.

OFF-SITE TREE DISPOSITION SUMMARY

OFF-SITE TREES	QTY
TOTAL EXISTING TREES	11
EXISTING TREES TO REMAIN	11
EXISTING TREES TO BE REMOVED	0
EXISTING TREES TO BE TRANSPLANTED	0
PROPOSED NEW TREES - 24" BOX OR GREATER Refer to Planting Plan, sheet L-3.0	0
REPLACEMENT TREES REQUIRED PER TABLE 3-1	
24" BOX MIN.	0
36" BOX MIN.	0
TOTAL REPLACEMENT TREES REQUIRED	0

Note: Refer to Arborist Report prepared by Calyx Tree and Landscape Consulting on November 30, 2023 for trunk diameters, canopy diameters, suitability for preservation, and tree removal and protection recommendations.

North

Scale: 1/16" = 1'-0"
0 8 16 32

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Principal
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Campbell, CA 95008
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Client:

Michael LaBarbera Legacy Trust
Michael and Jennifer LaBarbera Revocable Trust
Christopher LaBarbera Legacy Trust
Christopher LaBarbera Revocable Trust

Project:

PARK PLACE

101 S SANTA CRUZ AVENUE LOS GATOS, CA

Submitted for:

SITE & ARCHITECTURE APPROVAL

THE Guzzardo Partnership, INC.
Landscape Architects | Land Planners
Pier 9, The Embarcadero, Suite 115
San Francisco, CA 94111 | www.tgp-inc.com

Stamp:

LICENSED LANDSCAPE ARCHITECT
Gary D. Laymon No. 2517
Expires
6-30-24
03-20-24
DATE
STATE OF CALIFORNIA

Issued For

No.	Description	Date
1	Planning Resubmittal Set	03.20.24

Scale: 1/16"=1'-0"

Drawn By: BN Author

Checked By: Checker

Sheet Title:

TREE DISPOSITION PLAN

Sheet No.:

L5.0

File: X:\PROJECTS\Los Gatos Condos Job: LOS GATOS CONDOS