

DATE: September 14, 2022

TO: Urban Forestry Board

FROM: Matthew Feisthamel, Forestry Coordinator
John R. Marchant, Community Services Director

SUBJECT: **Heritage Tree Appeal—1553 Meadow Lane**

RECOMMENDATION

Adopt a Resolution of the Urban Forestry Board of the City of Mountain View to Deny the Appeal, Uphold Staff’s Decision, and Deny the Removal of One Heritage Tree at 1553 Meadow Lane, to be read in title only, further reading waived (Attachment 1 to the memorandum).

BACKGROUND

Article II, Protection of the Urban Forest, Sections 32.22 through 32.39, of the Mountain View City Code (MVCC or Code) was established to preserve large trees (Heritage trees) within the City of Mountain View. The preservation program contributes to the welfare and aesthetics of the community and retains the great historical and environmental value of these trees. The Code requires a permit be obtained prior to removal of a Heritage tree, and City staff, under the authority granted in the Code to the Community Services Director, has been designated to review and approve, conditionally approve, or deny removal permit applications. Under the Code, there are specific criteria for removal of a Heritage tree. The determination on each application is based upon a minimum of one of the conditions set forth in the Code (Attachment 2).

MVCC Section 32.31 allows any person aggrieved or affected by a decision on a requested removal to appeal the decision by written notice within 10 calendar days after the notice of the decision is posted or mailed.

Heritage Tree Removal Request

An application to remove three pine trees (Monterey pine, Aleppo pine, and Italian stone pine) at 1553 Meadow Lane was submitted by the property owner on April 26, 2022 (Attachment 3).

On the application, the property owner marked three of the boxes under reasons for removal for the consideration of the trees: tree is in poor health, tree has poor structure and/or an unbalanced canopy, and tree is growing in close proximity to structures and causing damage (or

will in the near future). The property owner also provided comments stating “significant damage to the walkway and a hazard to the houses and any vehicles and pedestrians within the area of the canopy. It leans towards the street and has very poor form throughout the canopy.”

The Monterey pine was approved for removal due to lean and because the tree was growing under the canopy of the Italian stone pine. The Aleppo pine was approved for removal due to being topped and because the tree was also growing under the canopy of the Italian stone pine. The largest of the three trees, Italian stone pine, was denied due to the good condition of this tree. Notice of the City’s decision was posted on May 12, 2022 (Attachment 4).

An appeal was filed on May 12, 2022 for the Italian stone pine by the property owner, citing reasons including: “The tree has significantly outgrown its area and has caused bad damage to the walkway” (Attachment 5).

ANALYSIS

The Italian stone pine is a pine tree native to the Mediterranean region and southern Europe. It is widely planted throughout the world as ornamental trees and used for their edible pine nuts.

Italian stone pines can grow up to a height of 80’, but 40’ to 60’ is more typical. Staff estimates this Italian stone pine tree to be around 35’ tall and approximately 50 years old, with a spread of around 90’.

Staff’s Evaluation

When evaluating Heritage tree removal applications, staff considers if the reason(s) for removal on the application matches what is observed in the field. If the reason(s) meet the criteria, staff evaluates whether the issue(s) regarding the tree can be reasonably mitigated.

The Italian stone pine is growing in the front yard of a single-family residence, approximately 4’ beyond the asphalt sidewalk area of 1553 Meadow Lane. The tree is not considered a City-maintained street tree and, therefore, the care of the tree is the responsibility of the property owner. The property owner indicated the tree (Figure 1) is causing significant damage to the walkway. Staff inspected the walkway area along the street and found some root damage to the sidewalk. Staff verified that this area of sidewalk is maintained by the City of Mountain View Streets Division. This section of the asphalt sidewalk will be repaired by the City regardless of the Urban Forestry Board’s decision.



Figure 1: Pine Tree Under Review

An arborist report dated March 18, 2022 was completed by Kleinheinz Arborist Services LLC (Attachment 6) on behalf of the property owner. The report noted “this tree has a lean towards the street and a very poor form throughout the canopy” and rated the Italian stone pine and its condition as “Fair.”

Staff inspected the Italian stone pine and noted minimal lean toward the street and normal form throughout the canopy. Staff does recommend some deadwood and structural pruning be performed on the tree.



Figure 2: Structure of Tree

The Italian stone pine contains a single trunk for the first 12' (Figure 2), then the tree splits to multiple lateral limbs at that point. The tree does not contain any major codominant trunks with included bark, which increases the likelihood of failure, and staff noted that previous care the tree received has not caused any balance issues.



Figure 3: Sidewalk Area in Front of Tree

The arborist report noted damage to the sidewalk area between the base of the tree and the street (Figure 3) and indicated that repairing this asphalt would damage approximately 30% of the root structure. Staff disagrees and estimates that less than 15% of the root structure would be necessary to cut for the sidewalk repair and would not cause any significant damage to the tree.



Figure 4: Stone Pine in Relation to Neighborhood

The property owner indicated the tree has significantly outgrown its area. It is staff's assessment that the tree has not outgrown the area and is a valuable addition to the neighborhood by providing important aesthetics and canopy for shade and environmental benefits.

The property owner also noted the tree is a hazard to the house, causing damage to the roof, foundation, water pipes, and sewer systems, but did not provide any proof of damages caused by the tree. These areas were given a basic inspection and no evidence of damage was found on the property.

URBAN FORESTRY BOARD

The Parks and Recreation Commission serves as the Urban Forestry Board (Board) for Heritage tree appeals under MVCC Section 32.26. The Board must consider whether to uphold staff's decision and deny the appeal and/or overturn that decision using the criteria set forth in MVCC Section 32.35. The Board must support its decision with written findings. Staff has

provided the Board with a draft resolution with findings upholding staff's decision to deny the removal of the Italian stone pine (Attachment 1). If the Board overturns staff's decision and allows for the removal of the Italian stone pine, staff recommends the Board make their findings orally, and staff will include the findings and decision in this meeting's written minutes.

SUMMARY

Staff recommends denying the appeal and requiring the Heritage tree to remain.

MF-JRM/AF/6/CSD
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- Attachments:
1. Resolution
 2. Mountain View City Code, Article II, Protection of Urban Forest
 3. Heritage Tree Application for Removal Permit
 4. Heritage Tree Posting Notice
 5. Heritage Tree Appeal Letter
 6. Arborist Report