



MEMORANDUM

Community Services Department

DATE: February 10, 2021

TO: Urban Forestry Board

FROM: Jakob Trconic, Forestry and Roadway Manager
John R. Marchant, Community Services Director

SUBJECT: Heritage Tree Appeal: 615 Cuesta Drive, Cuesta Park

RECOMMENDATION

Adopt a Resolution of the Urban Forestry Board of the City of Mountain View to Deny the Appeal, Uphold Staff's Decision, and Allow the Removal of One Heritage Tree at 615 Cuesta Drive, to be read in title only, further reading waived (Attachment 1 to this memorandum).

BACKGROUND

Article II, Protection of the Urban Forest, Sections 32.22 through 32.39 of the Mountain View City Code (MVCC), 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 Forestry and Roadway Manager, under the authority granted in the MVCC to the Community Services Director, has been designated as the primary decision-maker in these matters. Under the MVCC, there are specific criteria for removal of a Heritage tree. The determination on each application is based upon a minimum of one of the following conditions:

1. The condition of the tree (with respect to age of the tree relative to the life span of that particular species), disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services.
2. The necessity of the removal of the Heritage tree in order to construct improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties.

3. The nature and qualities of the tree as a Heritage tree, including its maturity, its aesthetic qualities, such as its canopy, its shape and structure, its majestic stature, and its visual impact on the neighborhood.
4. Good forestry practices, including, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and the replacement of young trees to enhance the overall health of the urban forest.
5. Balancing Criteria: In addition to the criteria referenced above which may support removal, the decision-maker shall also balance the request for removal against the following which may support or mitigate against removal:
 - a. The topography of land and effect of the requested removal on erosion, soil retention, water retention, and diversion or increased flow of surface waters.
 - b. The effect of the requested removal on the remaining number, species, size, and location of existing trees on the site and in the area.
 - c. The effect of the requested removal with regard to shade, noise buffers, protection from wind damage and air pollution, and the effect upon the historic value, scenic beauty, health, safety, prosperity, and general welfare of the area and the City as a whole.

The decision-maker shall consider additional criteria, if applicable, in weighing the decision to remove a Heritage tree, with the emphasis on the intent to preserve Heritage trees.

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 submitted by Jakob Trconic, City of Mountain View Forestry and Roadway Manager (ISA Certified Arborist No. 199101), to remove two *Pinus pinea*, stone pine, trees was submitted by staff on October 23, 2020 (Attachment 2). The criteria for removal listed for Tree No. 1 (Tree ID No. 8403): Poor structure; included bark; large decay pocket in trunk; Tree No. 2 (Tree ID No. 8402): Poor structure and included bark. The box relating to the condition of the tree with respect to age of the tree as defined above in the Background section of criteria was checked. A decision to approve the

removal of the two *Pinus pinea*, stone pine, trees was posted on October 27, 2020 (Attachment 3).

Based on initial inspection of both trees, Forestry staff posted both of these trees for removal due to the hazard they pose. Upon subsequent inspection of Tree No. 8403, staff found that the tree's condition posed an immediate threat to the safety of the public and to City property and proceeded with the removal of this tree pursuant to MVCC Section 32.27(b)(3). Tree No. 8402 would move forward in the appeal process.



An appeal was filed by Christine Crosby on November 4, 2020 (Attachment 4).

ANALYSIS

Pinus Pinea, Stone Pine

Pinus pinea, stone pine, also called the Italian stone pine, umbrella pine, and parasol pine, is a tree from the pine family (*Pinaceae*). The tree is native to the Mediterranean region, occurring in Southern Europe, the Palestinian Territories, Lebanon, and Syria. It is also naturalized in North Africa, the Canary Islands, South Africa, and New South Wales (Australia). The species was introduced into North Africa millennia ago, such a long time that it is essentially indistinguishable from being native.

Stone pines have been used and cultivated for their edible pine nuts since prehistoric times. They are widespread in horticultural cultivation as ornamental trees, planted in gardens and parks around the world. In coastal California, for example, where known popularly as the Italian stone pine in tree guidebooks since 1956, this evergreen is widely

grown, from Hollywood to Palisades Park (Santa Monica), to Sylmar in the northern San Fernando Valley, and in Marina del Rey, after World War II.

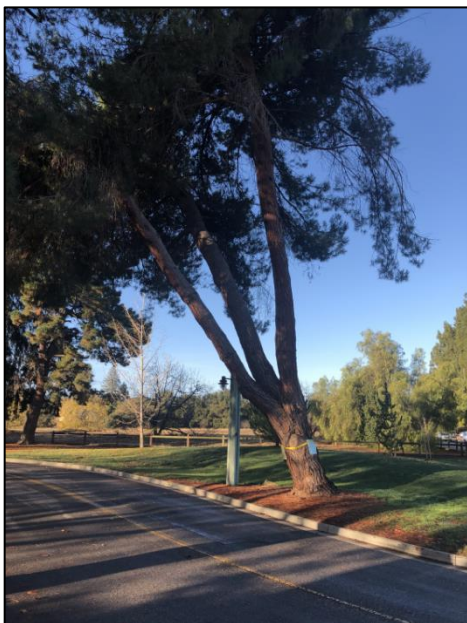
The stone pine is a coniferous evergreen tree that can exceed 80' in height, but 40' to 65' is more typical. In youth, it is a bushy globe, in mid-age, an umbrella canopy on a thick trunk, and, in maturity, a broad and flat crown typically over 50' in width. Staff estimates this tree to be 50' tall with a lopsided 35' to 40' wide canopy.

In their native range or under ideal conditions, stone pines can live up to 300 years. In the Bay Area, they typically live 50 to 80 years, but the majority of them are not lost due to age but from catastrophic root plate failures of entire trees or trunks. Staff estimates the tree to be around 65 years old. These trees are meant for large landscapes and where, in the event they experience a major failure, would be away from pathways, streets, or gathering areas for this reason. Trees with major defects are an added hazard.

Staff's Evaluation

Staff felt the tree meets the criteria for consideration, and mitigation is not feasible given the extent of the problems. Based on inspection and evaluation of the tree, staff approved the removal of Tree No. 8402 for the following reasons:

The primary concern is for public safety based on the severity of the included bark, the poor structure of the branches, the lopsided canopy, the lean of the tree and branches, the age of the tree, the location next to the entry drive, and the propensity for stone pines to fail when they reach the age of this tree.



The canopy is formed by three equally sized codominant trunks. Equal branch spacing with low angles of attachments have the least likelihood of failure. In this case, the tree has no branch spacing at this union. It has included bark with high angles of attachment. In addition, the branches are fairly large and approach the nonideal one-half branch-to-trunk ratio. The combination of these factors, along with a significant lean, puts this tree at much greater risk for a large limb failure over a heavily traveled road.



URBAN FORESTRY BOARD

The Parks and Recreation Commission (PRC) serves as the Urban Forestry Board (Board) for Heritage tree appeals under MVCC Section 32.26. The Board must consider whether to deny the appeal and uphold staff's decision or overturn that decision using the aforementioned 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 allow removal of the Heritage tree. If the Board overturns staff's decision and denies removal of the Heritage tree, 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 removing the tree based on the combination of substantial defects, including lean, poor structure, included bark, poor branch spacing, high angles of branch attachment, large branch-to-trunk ratios, lopsided canopy, and age of tree in relation to failure events with the species and the target area. Accordingly, staff recommends the appeal be denied and the *Pinus pinea*, stone pine, tree be allowed to be removed.

JT/2/CSD

~~221-02-10-21M~~

- Attachments:
1. Resolution
 2. Application for Heritage Tree Removal
 3. Notice to Remove Heritage Tree
 4. Heritage Tree Appeal

cc: F/c