



MEMORANDUM

Community Services Department

DATE: September 9, 2020

TO: Urban Forestry Board

FROM: Jakob Trconic, Forestry and Roadway Manager

SUBJECT: Heritage Tree Appeal: Glenborough Drive and Hedgerow Court Walkway

RECOMMENDATION

Adopt a Resolution to Deny the Appeal and Uphold a Heritage Tree Removal Application for the Removal of One Heritage Tree at Glenborough Drive and Hedgerow Court Walkway, to be read in title only, further reading waived (Attachment 5 to the UFB 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 Parks and Open Space Manager, under the authority granted in the Code to the Community Services Director, has been designated as the primary decision-maker in these matters. 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 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 ten (10) calendar days after the notice of the decision is posted or mailed.

HERITAGE TREE REMOVAL REQUEST

An application by Mathew Feisthamel, Forestry Coordinator for the City of Mountain View, to remove two *Pinus canariensis* (Canary Island pine) trees was submitted on February 20, 2020 (Attachment 1). The criteria for removal listed for the tree being appealed were poor structure, past branch failure, and good Forestry practices. The condition of tree box was also checked on the application. The other tree was described as being in severe decline and is not a part of the appeal since staff has evaluated the tree and it is now dead. Heritage trees that the City arborist determines as dead are exempt

from requiring a permit for removal under MVCC Section 32.37(b)(6). A decision to approve the removal of the *Pinus canariensis* (Canary Island pine) trees was posted on February 26, 2020 (Attachment 2).

An appeal was filed by Bob Green on March 9, 2020 (Attachment 3).

On April 30, 2020, the owners of the neighboring property at 789 Glenborough Drive submitted a follow-up letter expressing their concern about the appeal. They have called in the past expressing their concern about the leaning tree (Attachment 4).

ANALYSIS

Pinus canariensis (Canary Island Pine) Tree

The *Pinus canariensis* (Canary Island pine) tree is a large, evergreen tree native and endemic to the outer Canary Islands (Gran Canaria, Tenerife, El Hierro, and La Palma) in the Atlantic Ocean of Spain. It is a subtropical pine and does not tolerate low temperatures or hard frost. Within its natural area, it grows under extremely variable rainfall regimes, from less than 12" to several thousand, mostly due to differences in mist-capturing by the foliage. Under warm conditions, this is one of the most drought-tolerant pines, living even with less than 7.9" of rainfall per year.

Pinus canariensis is a large evergreen tree, growing to 98' to 131' tall in its native range. In California, they tend to grow to a lesser height of 50' to 90' with a width of 20' to 35'. Staff estimates this tree to be around 60' tall. The pine needles are green to yellow-green, in bundles of three, with finely toothed margins and often drooping. This pine is one of the most fire-resistant conifers in the world. The cones are 10 to 18 cm (3.9" to 7.1") long, 5 cm (2.0") wide, glossy chestnut-brown in color, and frequently remaining closed for several years (serotinous cones). Its closest relatives are the Chir Pine (*Pinus roxburghii*) from the Himalaya, the Mediterranean pines *Pinus pinea*, *Pinus halepensis*, *Pinus pinaster* and *Pinus brutia* from the eastern Mediterranean. They typically live 50 to 150 years and, as expected, would tend to be in the lower ranges outside of its native range. The homes in the area were built in 1976, and this is likely when the trees were planted in this walkway area. This would put the trees at around 44 years old. A second tree died in the walkway area recently, and the tree has signs of bark beetle frass along with the tree originally submitted in this application. Staff also suspects that canker has also impacted the trees that died. Insects and canker are generally signs of trees that are stressed, and this may be a result of their age and life expectancy. Staff is accustomed to seeing beetles and canker issues in Monterey pines, but we are seeing more and more Canary Island pines being lost the past three years.

Pinus canariensis is a popular ornamental tree in warmer climates, such as in private gardens, public landscapes, and as street trees in California.

Staff's Evaluation

When evaluating Heritage Tree Removal Applications, staff looks to see if the reason(s) for removal on the application match what is observed in the field. If the reason(s) meet the criteria, staff looks to see if issue(s) regarding the *Pinus canariensis* (Canary Island pine) tree can be reasonably mitigated. Based on inspection and evaluation of the tree, staff approved the removal for the following reasons:

This tree has a significant lean and a contorted twisted trunk and, in staff's opinion, this raises the potential for a root plate failure at some point. This tree was likely responding to lighting conditions since it was in a heavily planted area with other nearby pine trees and is likely why it is leaning and contorted. Some genetic variation in this tree may also be contributing to the twisting trunk. The tree does appear to be attempting to self-correct the lean but, given the twisted nature of the trunk, the tree remains weighted to one side. Now that two trees in the area have died, the lighting conditions will improve for this tree, but new growth will likely contribute to further weight on the side of the tree with the lean creating additional weight in the tree canopy in the direction of the lean. Wind dynamics will also change for this tree now that two nearby trees will be removed.



The tree, although currently healthy, has signs of canker at the base of the tree. This is another indication that the trees in this walkway are towards the end of their life cycles.



Good forestry practices would allow trees enough light so they do not grow contorted and leaning. Heavy competition for light and resources can direct trees to grow with a lean. The goal would be to have straight, well-structured trees to the extent possible.

The walkway area has a total of 10 Canary Island pine trees. Two of the Canary Island pine trees are dead (canker- and beetle-related) and will be removed. Five have signs of varying severity of canker but still appear to be in fair health, and one has canker and signs of beetles. This is further indication that these trees are reaching the end of their life cycles since stressed trees tend to be invaded by insects and other diseases.

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 Urban Forestry Board must support its decision with written findings. Staff has provided the Board with a draft resolution with findings upholding staff's decision to remove the Heritage trees. 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 the Board adopt a resolution to deny the appeal, uphold staff's decision, and allow for the removal of the *Pinus canariensis* (Canary Island pine) tree due to its condition.

ALTERNATIVE

The Board can approve the appeal, overturn staff's decision, and deny removal of the tree if it finds that the criteria for removal set forth in City Code Section 32.35 are not met.

Prepared by:

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Approved by:

John R. Marchant
Community Services Director

JT/2/CSD
221-09-09-20M

- Attachments:
1. Application for Heritage Tree Removal Permit
 2. Heritage Tree Removal Action
 3. Appeal of Decision
 4. Heritage Tree Letter
 5. Resolution

cc: F/c