



MEMORANDUM

Community Services Department

DATE: October 10, 2018

TO: Urban Forestry Board

FROM: Jakob Trconic, Forestry and Roadway Manager
J.P. de la Montaigne, Community Services Director

SUBJECT: Heritage Tree Appeal: 1039 Solana Drive

RECOMMENDATION

Deny the appeal and allow the Monterey pine tree to be removed.

FISCAL IMPACT – None.

BACKGROUND

Article II, Protection of the Urban Forest, Sections 32.22 through 32.38 of the City Code, was established to preserve large trees within the City, which are growing on private or public lands. 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 enforcement agent in this matter. Under the Code, there are specific criteria for removal. The determination on each application is based upon a minimum of one of the following conditions. 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.

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 such as, but not limited to, the number of healthy trees a given parcel of land will support and 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 and scenic beauty and the health, safety, prosperity, and general welfare of the area and the City as a whole.

Also, within the Code, Section 32.31, an appeals process has been included that states:

“Any person aggrieved or affected by a decision on a requested removal may appeal the decision by filing a written notice of appeal with the City Clerk stating the grounds for the appeal, and paying the requisite appeal fee, as established by Council resolution, within ten (10) calendar days after the notice of the decision is posted or mailed.”

HERITAGE TREE REMOVAL REQUEST

An application submitted by Annette Herz to remove a Heritage-sized *Pinus radiata*, Monterey pine, was received on April 5, 2018. The comments under reason for removal were: “The tree is approximately 55 years old and nearing the end of its life cycle; needles starting to brown, it is leaning towards my neighbor’s house and lifted fence and sidewalks. There were two Monterey pine trees in the back of the property, one of which suffered a catastrophic failure on July 2, 2015 but fortunately did not hurt a person or hit a building.” The box was checked for: Condition of tree with respect to

age of the tree relative to life span, etc. A decision to approve the removal of the Monterey pine tree was posted on April 27, 2018.

An appeal was filed on May 6, 2018 for the tree by Beatrice Bui. The appeal letter states, in part: "We have been living nearby since 1984 and we are concerned about the number of Heritage trees removed in the last 5 to 10 years on Solana [Drive] and around the City." The letter questions the reference of utility interference on the posting since the tree has been around for many years and feel the problem can be resolved with trimming. They felt the poor structure was related to how the tree has been pruned. The tree adds value to the neighborhood and home. It provides wildlife habitat and helps with impeding global warming. The letter concludes with a request to reconsider the removal and that the tree be cared for because it is worth it for the environment.

ANALYSIS

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 tree can be reasonably mitigated. Based on inspection and evaluation of the *Pinus radiata* (Monterey pine) tree, the appeal should be denied.

- *Pinus radiata* (Monterey pine) is native to three very limited areas located in Santa Cruz, Monterey, and San Luis Obispo Counties. Monterey pine is a fast-growing coniferous evergreen tree that reaches between 50' and 100' in height in the wild and slightly less in urban settings. It typically has upward pointing branches and a rounded top. The needles are bright green, in clusters of three, 3" to 6" long and with a blunt tip. The cones are 3" to 7" long, brown, and ovoid (egg-shaped).
- Staff estimates the Monterey pine tree to be around 50 years old and around 60' tall. The tree is in fair health considering the many challenges Monterey pines face. The needles do appear to be browning in the center of the needle clusters, but this is likely due to stress or other secondary pests impacting the tree. The tree has a disease called Pine Pitch Canker. *Pinus radiata* is the most widely affected host. The fungus causes infections (lesions) that can encircle (or girdle) branches, exposed roots, and the main stems (trunks) of pine trees. The tips of girdled branches wilt as a result of obstructed water flow, causing needles to turn yellow and then brown. The fascicles (needle clusters) eventually fall off, leaving bare branch ends. Multiple branch infections can cause extensive die-back in the crown of the tree and may lead to tree mortality. The disease typically takes a slow toll on trees in the dryer inland areas and generally creates a weakened tree. Infected trees are often attacked by engraver beetles, which may cause death of additional

branches, treetops, or the entire tree. This tree currently does not have any signs of Turpentine beetle.

- Over the years, this tree has been pruned by the owner/previous owners, possibly the next-door neighbor and PG&E. The owner and neighbor are trimming the lower canopy likely to keep the branches off of roof lines and branches over the driveways. Some of the cuts may be from past branch failures. PG&E has been hard-pruning the upper canopy in order to maintain clearance around their high-voltage power lines. The pruning can have multiple negative effects on the tree. Pruning events on Monterey pine are particularly stressful on the trees, and it is best if they are minimized throughout the course of their lives. Pruning the lower to midrange limbs means that they are no longer available to slow down branches from the mid to upper canopy in the event a branch does break or fail. This, combined with the clearance pruning, leaves an oddly shaped canopy that is more susceptible to changing wind dynamics in the upper and lower canopy based on changing and variable forces on limbs and branches. Some of the upper limbs that are exposed to changing wind dynamics are directly over the high-voltage lines and is why staff considered the tree for removal. Staff also felt that if the upper limbs that were directly over the lines were pruned out, it would leave an unbalanced tree that already has a slight lean toward the neighboring house. Staff did reach out to PG&E to discuss this tree, and although they agree this type of tree should not have been planted next to the power lines, they are fine with maintaining a 10' clearance of the lines through routine maintenance by their staff.
- The tree was originally installed without consideration of its eventual size in proximity to the driveway and power lines. PG&E currently has guidelines for appropriate-sized tree selection near and under power lines.
- The damage to the fence separating the driveways would be considered a maintenance item. The driveways and walkways do not appear to be significantly impacted by lifting or shifting by the roots. The general rule is if the driveway or walkways were to be replaced, a certified consulting arborist should review any root removal, if any is needed.

SUMMARY

Staff is of the opinion that the *Pinus radiata* (Monterey pine) should be allowed to be removed due to the increased potential for branch failures over the power lines and the original poor selection of location in proximity to the power lines and utility interference. Staff recommends that the appeal be denied and the trees be allowed to be removed.

JT-JPdIM/2/CSD

221-10-10-18M

Attachment: 1. Appeal Packet

cc: F/c