



## CITY OF MOUNTAIN VIEW

### MEMORANDUM Community Services Department

**DATE:** February 13, 2019  
**TO:** Urban Forestry Board  
**FROM:** Jakob Trconic, Forestry and Roadway Manager  
**SUBJECT:** Heritage Tree Appeal – 1187 High School Way

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#### RECOMMENDATION

Deny the appeal and allow the redwood 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 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 Andrew Martin to remove a Heritage-sized *Sequoia sempervirens*, Coast redwood, tree was received on December 4, 2018. The criteria for removal listed in the comment section were: “Property damage, pushing the garage and lifting floors.” The box was checked for: Condition of tree with respect to age, life span, damage, proximity to structure, and interference with utility service. Attached to the application was an arborist report from JC Tree Care covering the issues with the

tree and the garage structure. A decision to approve the removal of the redwood tree was posted on December 12, 2019.

An appeal was filed on January 2, 2019 for the tree by Christine Crosby. The appeal letter states, in part: "I wish to appeal against the decision to approve the removal of the tree. The claim that the tree is damaging the garage is not visible from the street, but for comparison, there are two similarly sized Coast redwood trees at the front of 1107 High School Way. One of them is within 2' of that building, but there are no visible signs of structural damage. The garage at 1187 High School Way does look fragile, but no doubt its age is the most significant contributing factor towards its apparent decline. The tree appears to be in very good health. It exemplifies the meaning of 'Heritage tree.' This seems to be another removal of convenience for the property owner and I implore the City to reconsider its fate.

### 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 Coast redwood tree, the appeal should be denied.

- *Sequoia sempervirens*, Coast redwoods, typical native range is a narrow strip of land approximately 470 miles in length, and 5 to 47 miles in width along the Pacific coast of North America; the most southerly grove is in Monterey County, California, and the most northerly groves are in extreme southwestern Oregon. They usually grow in the mountains where precipitation from the incoming moisture off the ocean is greater. Coalescence of coastal fog accounts for a considerable part of the trees' water needs. It is an evergreen, long-lived tree, living 1,200 to 1,800 years or more in its native areas. Trees grown in an urban environment typically do not attain the same size and height as trees in their native ranges. Staff estimates the Coast redwood tree to be around 90 years old and around 120' tall. It is a healthy tree with good structure.
- The tree has grown to a size that the base of the tree's root plate is causing issues with the garage structure. The base of the tree is now 18" away from the structure itself. The side door to the garage has been modified and shaved to accommodate the shifting over the years. Root pruning to mitigate current or future damage is not feasible because it is the root plate that is acting on the garage structure. Redwoods are often placed in locations where their eventual size outgrows the planting space. Staff would advise against shaving the root plate because this

would be detrimental to tree health and would likely result in regrowth of shoots and new roots. The root plate is also lifting the surrounding soil and has changed the grade so that water now flows towards the corner area instead of away from the structure as it should. This is bad from standard grading practices because water should move away from the foundation.

- The previous owner installed some pavers around the tree to help establish a walkway, but that is restricted to the width of the tree and root plate (approximately 18" wide). These pavers will likely soon shift and tilt as the root plate pushes back on them.

### SUMMARY

Staff is of the opinion that the redwood should be allowed to be removed due to the negative impacts on the existing garage and the grading that does not allow the area to drain. Staff recommends that the appeal be denied and the trees be allowed to be removed.

Prepared by:

Jakob Trconic  
Forestry and Roadway Manager

Approved by:

J.P. de la Montaigne  
Community Services Director

JT/1/CSD  
221-02-13-19M-1


Attachments: 1. Appeal Packet  
2. JC Tree Care Arborist Report

cc: F/c

# HERITAGE TREE APPEAL NOTICE

The decision to approve the removal of this Heritage Tree has been appealed. An appeal shall automatically stay issuance or denial of the Heritage Tree Notice to remove or deny removal of the tree(s) identified on the notice (Mountain View City Code Section 32.31). An appeal hearing has been set before the Urban Forestry Board for **Wednesday, February 13, 2019, Time To Be Determined**, at the Senior Center, 266 Escuela Avenue, Mountain View, California. For information regarding the appeal, please contact the Forestry Division Office at 650-903-6273.

This notice shall be posted until a final decision has been rendered.

  
\_\_\_\_\_  
Posted By

1/10/19  
\_\_\_\_\_  
Date

City of Mountain View  
Forestry Division  
231 North Whisman Road  
P.O. Box 7540  
Mountain View, CA 94039-7540

January 2, 2019

City Clerk's Office  
City of Mountain View  
500 Castro Street  
Mountain View  
CA 94041



**Coast Redwood – Heritage Tree Appeal**  
**1187 High School Way, Mountain View**

I wish to appeal against the decision to approve removal of the redwood heritage tree in the back yard of 1187 High School Way. Although the posted appeal deadline is December 26, 2018 city offices were closed from December 24, making an appeal impossible until January 2. I prefer to believe that this is an honest mistake, so I assume you will accept this appeal.

The reason for approval is stated:

CONDITION OF TREE: Proximity to structure; grade-change towards house; negatively affecting garage structure.

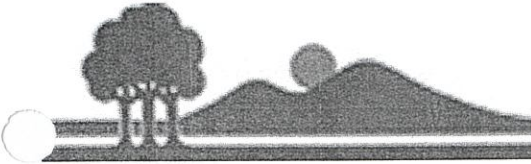
The claim that the tree is damaging the garage is not visible from the street but, for comparison, there are two similar sized redwood trees at the front of # 1107 High School Way. One of them is within inches of that building but there are no visible signs of structural damage. The garage at # 1187 does look fragile, but no doubt its age is the most significant contributing factor towards its apparent decline.

This coast redwood is a giant, beautiful tree that enhances the appearance of the entire area. It is clearly visible - from Miramonte Avenue to Shoreline Boulevard and along both directions of El Camino Real. The tree is verdant and appears to be in very good health. It exemplifies the meaning of "heritage tree". This seems to be another removal of convenience for the property owner and I implore the city to reconsider its fate.

Yours truly,

Christine Crosby





# HERITAGE TREE REMOVAL

RECEIVED  
DEC 12 2018  
CITY CLERK

# ACTION PENDING

Location: 1187 HIGH SCHOOL WAY

Property Owner: ANDREW MARTIN

Type of Tree: COAST REDWOOD

Upon the completion of a field inspection, Forestry Division staff has determined that the request to have the tree/trees removed be:

APPROVED       DENIED

The following reason(s) are cited in rendering this decision:

CONDITION OF TREE: Proximity to structure; grade change towards house; negatively impacting garage structure.

Any person wishing to appeal this action must file an appeal (Fee \$50) with the City Clerk's Office, 500 Castro Street, Mountain View, by 5:00 p.m., December 26, 2018 as outlined in Section 32.31 of the City of Mountain View City Code.

For further information regarding this Heritage Tree Removal Notice, contact the Forestry Division Office at (650) 903-6273

Date Posted: December 12, 2018

Jakob Trconic, Forestry & Roadway Landscape Manager

RECEIVED

CITY OF MOUNTAIN VIEW, FORESTRY DIVISION  
231 NORTH WHISMAN ROAD  
POST OFFICE BOX 7540  
MOUNTAIN VIEW, CA 94039-7540  
650-903-6273 M-F 8:00 A.M. - 4:00 P.M.

(Fee \$116; each additional tree at the same site \$58)

DEC 04 2018

APPLICATION FOR  
HERITAGE TREE REMOVAL PERMIT

The undersigned owner of the property at 1187 High School Way

Phone No. (Home) 650-380-3405 (Work) \_\_\_\_\_

hereby applies for permission to remove Heritage tree(s) as follows:

Common Name of Tree Coast Redwood Number of Trees 1

Circumference of tree 54" above ground: 20' 3"

REASON FOR REMOVAL: Check applicable box(es) below. There may be more than one reason.

Comments: Property damaged, pushing the garage  
lifting floors

- The condition of 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.
- 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.
- 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.
- 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.
- 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:
  - The topography of land and effect of the requested removal on erosion, soil retention, water retention, and diversion or increased flow of surface waters.
  - The effect of the requested removal on the remaining number, species, size, and location of existing trees on the site and in the area.
  - 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.

OWNER'S PRINTED NAME ANDREW MARTIN

OWNER'S SIGNATURE Andrew B Martin

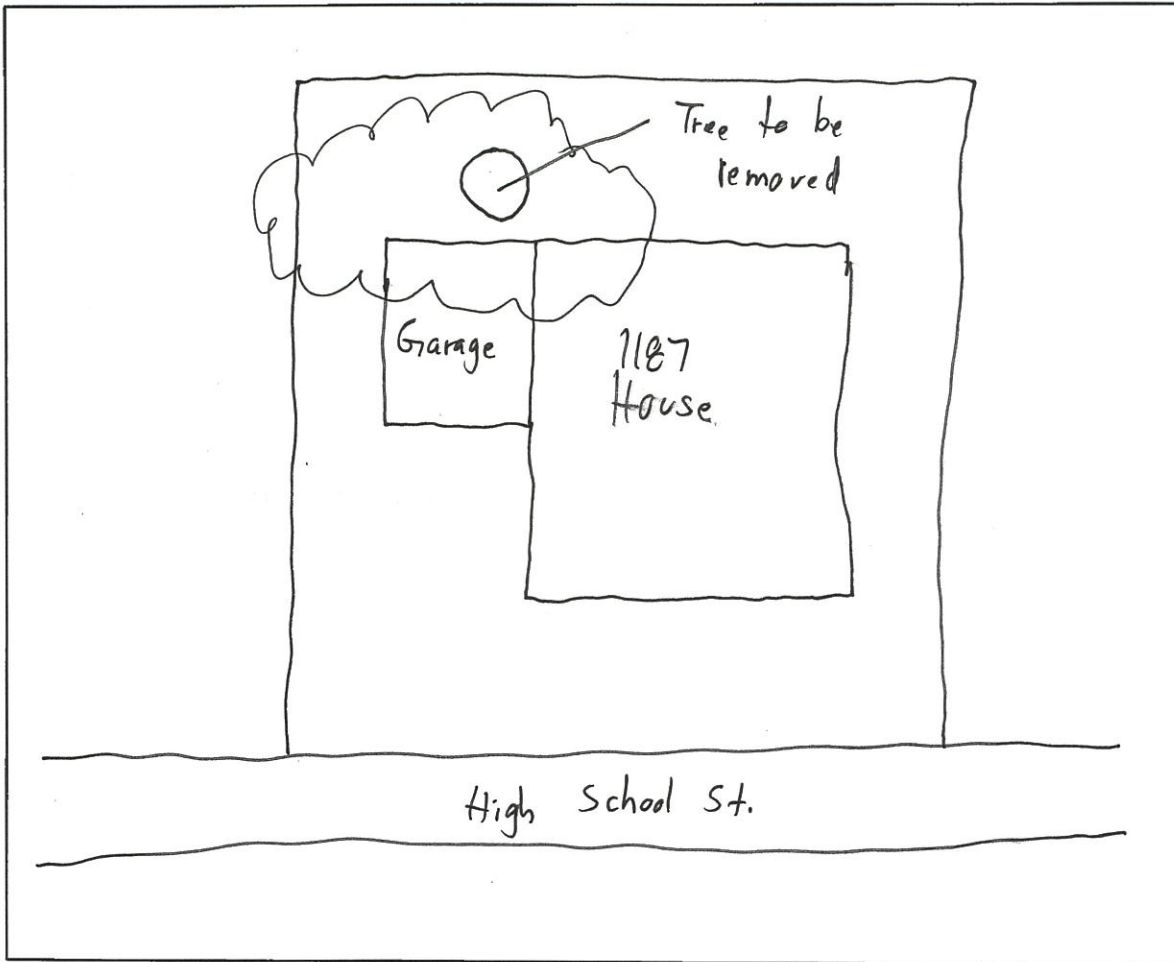
MAILING ADDRESS 940 SCOTT ST

CITY PALO ALTO STATE CA ZIP 94301

NOTE: This form must be returned to the Forestry and Roadway Landscape Division in its entirety upon completion by the applicant. The applicant has read and is familiar with Article II, Chapter 32 of the Mountain View City Code (copy attached). In providing the information on this form, please be aware that this information is public record subject to disclosure upon request.



LOCATION: Please include sketch or attach a separate piece of paper.



FOR OFFICE USE ONLY

This permit must be available at the work site at all times when the work is being done.

RECOMMEND APPROVAL       RECOMMEND DENIAL

Arborist *[Signature]* \_\_\_\_\_

Date 12/10/18

APPROVED       DENIED

Forestry and Roadway Landscape Manager *[Signature]* \_\_\_\_\_

12/10/18

OBSERVATIONS/EVALUATION: \_\_\_\_\_

Replant required of one 15-gallon tree or in-lieu fee.

Replant required 1 <sup>15</sup> or 24-gallon tree by owner or in-lieu fee/by Forestry Division.

EFFECTIVE DATE: 1/2/18 (Permit expires two years from effective date.)

ACTION	DATE	CLERK
1. Applicant notified of decision by mail.	<u>12/12/18</u>	<u><i>[Signature]</i></u>
2. Notice posted on tree.	<u>12/12/18</u>	<u><i>[Signature]</i></u>
3. If no appeals, approved/denied application mailed.	<u>1/2/18</u>	<u><i>[Signature]</i></u>