



MEMORANDUM

Community Services Department

DATE: September 8, 2021

TO: Urban Forestry Board

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

SUBJECT: Heritage Tree Appeal—2443 Tamalpais Street

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 Palm Tree and One Heritage Eucalyptus Tree at 2443 Tamalpais Street, to be read in title only, further reading waived (Attachment 1 to this memorandum).

BACKGROUND

Mountain View City Code (MVCC or Code), Article II, Protection of the Urban Forest, Sections 32.22 through 32.39, 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 Article II, Protection of the Urban Forest).

Mountain View City Code 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 calendar days after the notice of the decision is posted or mailed.

Heritage Tree Removal Request

An application to remove a *Washingtonia robusta* (Mexican fan palm) and a *Eucalyptus polyanthemos* (silver dollar gum) at 2443 Tamalpais Street was submitted by the property owner on April 20, 2021 (Attachment 3—Heritage tree application).

The applicant had marked the following reasons for removal of the trees on the application:

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.

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 replacement with young trees to enhance the overall health of the urban forest.

The applicant also provided comments on the application stating, in part,

“The eucalyptus tree has become too big for the area. It is cracking the driveway and is close to the water main. The palm tree is very messy, and I worry about the falling fronds damaging people/property. In addition, the fronds are not compostable and must be put in the garbage. Would like to remove and replace with suitable trees.”

Staff had denied the removal of the trees. Notice of the City’s decision was posted on June 1, 2021 (Attachment 4). An appeal was filed by the adjacent homeowner requesting the trees be allowed to be removed (Attachment 5).

ANALYSIS

Washingtonia robusta, commonly known as and herein referred to as Mexican fan palm, is native to western Sonora and Baja California Sur in northwestern Mexico. The tree can grow to 100’ tall. Staff estimates this tree to be approximately 95’ tall (Figure 1).

Eucalyptus polyanthemos, commonly known as Silver Dollar Gum and herein referred to as eucalyptus, is native to eastern Australia and can grow to 75’ tall (Figure 1).



Figure 1: Eucalyptus Tree

Staff's Evaluation

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

Based on the inspection and evaluation of the trees, staff denied the removal based on the trees' healthy condition, and staff's opinion that neither of the trees met the criteria for consideration for removal.

The Mexican fan palm was listed on the application as being messy and that the fronds are not compostable under the reasons to consider the tree for removal. All trees lose leaves or fronds, and they can be cut up to reduce volume and placed in a trash bin. Natural processes are typically not considered a reason to consider a tree for removal. The applicant also raised concerns related to falling fronds damaging people or property. This is generally a rare occurrence. Pruning and maintenance can help with the loss of fronds and branches. Mexican fan palm trees should be pruned every two to four years and would be the responsibility of the property owner as part of maintaining their tree.

The homeowner listed the eucalyptus as too big for the area, cracking the driveway and close to the water main on the application. Staff observed that the driveway has two cracks and the concrete is slightly mounded by the tree. The driveway cracks are not displaced and do not appear to be causing a trip hazard. While staff noted that the close

proximity of the driveway to the trunk and root plate looks to be the reason for the slight mound next to the tree, it does not appear that roots are causing a trip hazard. This could be mitigated with a driveway cut-out, allowing the tree trunk additional space to help prevent additional lifting.

The appeal letter filed by the adjacent homeowner reiterated these concerns and raised an additional concern regarding water pooling and mosquitoes breeding at the approach of the driveway. A few years ago, the City replaced a small section of the curbing and sidewalk in the area adjacent to the tree in an effort to move water flow down the street and reduce ponding, but it is difficult to eliminate this issue altogether. Insubstantial ponding is generally acceptable. Staff would not consider the level of ponding at this location significant or problematic.

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(s) 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 removal of the trees. If the Board overturns staff's decision and allows removal of the trees, staff recommends the Board make the Board's findings orally, and staff will include the findings and decision in this meeting's written minutes.

SUMMARY

Staff recommends retaining the Mexican fan palm and eucalyptus trees based on their healthy condition. The concerns with falling fronds and the driveway can be addressed without removing the Heritage trees. Staff recommends the appeal be denied and the Mexican fan palm and eucalyptus trees be allowed to remain.

JT-JRM/AF/1/CSD

221-09-08-21M

- Attachments:
1. Resolution
 2. Mountain View City Code—Article II, Protection of Urban Forest
 3. Heritage Tree Application
 4. Heritage Tree Posting Notice
 5. Heritage Tree Appeal Letter