

DATE: May 14, 2025

TO: Urban Forestry Board

FROM: Russell Hansen, Urban Forest Manager

SUBJECT: Heritage Tree Removal Application Appeal—2420 Villa Nueva Way

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 Tree at 2420 Villa Nueva Way, to be read in title only, further reading waived (Attachment 1 to the memorandum).

BACKGROUND

Article II, Protection of the Urban Forest, Sections 32.22 through 32.39 of the Mountain View City Code (MVCC or Code), was established to preserve certain trees designated as 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 granting a permit to remove 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 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 APPLICATION

An application to remove one *Sequoia sempervirens*, Coast redwood (hereinafter referred to as “redwood”), at 2420 Villa Nueva Way was submitted by the property owner on January 17, 2025

(Attachment 3). On the application, the property owner marked four of the boxes under reasons for removal for the consideration of the tree:

- “Tree does not have proper grow space.”
- “Tree is growing in close proximity to structures and causing damage (or will in the near future).”

The property owner also provided the following comment for the reason for the removal:

“Tree is at backyard very close to fence line to 2 of my neighbors. Tree is also in way of electric cables. In one of the neighbor’s yards, the roots are causing damage by pushing up at their existing concretes/retaining wall and possibly all the way to their pool area. Tree will also likely damage fence as soon as it grows. Regular trimmings are done by me (the property owner). PG&E also does annual trimming to clear branches from utility lines. I also invited arborist from Valley Tree care to inspect the tree but can’t find a solution to prevent future damage to the fence and the structures without intrusion into neighbor’s property and expensive and extensive digging.”

The property owner has also submitted an Arborist Report (Attachment 4) dated January 30, 2025 which stated the following:

“It is just a matter of time before removal will be necessary for this specimen. If not addressed now, then it will become a more difficult future task and delay getting a replant started to grow.”

The redwood tree was denied a permit for removal by staff, citing the lack of visible roots currently causing damage, the ability to monitor future root development and prune roots which are identified as causing damage, the ability to modify the current fence design to allow for additional trunk development, and the ability to address utility clearance through routine pruning at this time (see Staff’s Evaluation below). Notice of the City’s decision was posted on February 19, 2025 (Attachment 5).

An appeal (Attachment 6) was filed on February 28, 2025 by the Felipe Landa at 240 Chatham Way disputing staff’s findings and providing additional supporting information.

Notice of the appeal was posted on March 3, 2025 (Attachment 7).

SPECIES PROFILE

The *Sequoia sempervirens*, Coast redwood, is a tree native to the coastal mountain range of Northern California and Oregon, where they can grow to a height of 200’ and have canopy spread

of up to 100'. In the urban environment, however, they typically only reach heights of 100' and have a canopy spread of 50'.

While this species has only a limited number of pest and disease issues and is hardy in its native range, it is known to be very drought-sensitive with warmer temperatures and limited coastal fog.

STAFF'S EVALUATION

When evaluating Heritage tree removal applications, staff considers if the reason(s) for removal on the application matches what is observed in the field. If the reason(s) meet the criteria set forth in Section 32.25 of the MVCC, staff evaluates whether the issue(s) regarding the tree can be reasonably mitigated.

Sequoia sempervirens

This redwood is located along the rear property line and provides canopy cover to three properties. Staff estimates this redwood to be approximately 60' tall with a spread of approximately 30'. Overall, the canopy is in good condition, with the exception of a portion of the canopy being pruned away for utility clearance. Staff estimates the tree to be 40 years old. The tree is considered to be a Heritage tree under MVCC Section 32.23(c)(3) as its circumference is greater than 12" in circumference.

Initial inspection of the redwood showed that the trunk of the tree has converged with a 6' redwood fence nearest the base of the tree, but little displacement has occurred to this point. As trunk caliper continues to increase, modification of the fence would be required to preserve the tree. When staff examined the pool equipment pad at 240 Chatham Way (a neighboring property), they noted a crack in the concrete pad but were not able to identify tree roots as the cause as excavations were limited to 6" at that time. Subsequent excavation by the property owner did reveal a single 4" root approximately 20" below the concrete pad. However, staff is of the opinion that this root can be removed without significant impact to the tree and future root growth managed similarly. Prior pruning by PG&E contractors has removed approximately 15' of canopy from one side of the tree to achieve the clearances required by California Public Utilities Commission order, and staff believes this can be managed for the foreseeable future.

In looking at the criteria for removal under MVCC Section 32.35, staff's evaluation did not find any of the criteria met, as follows:

- 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.

Staff's evaluation of the tree did not find that the condition of the tree required its removal as its overall health and structure is good, and there is no evidence of any nuisance, damage, or interference issues that cannot be addressed through corrective measures.

- 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.

Staff's evaluation of the tree did not find that removal of the Heritage tree was necessary in order to construct improvements because there are no improvements proposed.

- 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.

Staff's evaluation of the tree found that the tree and structure of the canopy is good; therefore this criterion was not met.

- 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.

Staff's evaluation of the tree did not find that the tree should be removed due to good forestry practices as no facts to support this criterion were provided or observed.

Representative Photos

Photo No. 1



Aerial image showing trees of concern in lower right

Photo No. 2



Street view which shows the tree of concern from the street

Photo No. 3



Photo of crack in concrete pad

Photo No. 4



Photo of root approximately 24" below concrete pad

Photo No. 5



Proximity of tree to pool equipment pad

Photo No. 6



Area between pool equipment and tree

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 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 the removal of the one Heritage redwood tree. If the Board overrules staff's decision and allows for removal of the one Heritage redwood 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 denying the appeal and denying the removal of the one redwood tree.

RH/AF/4/CSD
228-05-14-25M-1

- Attachments:
1. Resolution
 2. Mountain View City Code, Article II, Protection of Urban Forest
 3. Heritage Tree Application for Removal Permit
 4. ISA Certified Arborist Report
 5. Heritage Tree Posting Notice
 6. Heritage Tree Appeal Letter
 7. Heritage Tree Appeal Posting Notice