

MEMORANDUM

Community Services Department
Urban Forestry Division

DATE: June 11, 2025

TO: Urban Forestry Board

FROM: Russell Hansen, Urban Forest Manager

SUBJECT: **Heritage Tree Removal Application Appeal—2424 Whitney Drive**

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 (1) Heritage Tree at 2424 Whitney Drive, 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 *Pittosporum undulatum*, Victorian Box (hereinafter referred to as "Pittosporum") at 2424 Whitney Drive was submitted by the property owner on March 12, 2025 (Attachment 3). On the application, the property owner marked five of the boxes under reasons for removal for the consideration of the tree:

- "Tree is in poor health."
- "Tree is diseased with pests, insects and or beetles."
- "Tree is near the end of its lifespan."
- "Tree has poor structure and/or unbalanced canopy."
- "Tree is growing in close proximity to structures and causing damage (or will in the near future)."

The property owner provided comment that the reason removal is desired is because the “tree is diseased and in decline” and they have previously attempted to balance canopy and remove dead branches through trimming.

The property owner also provided an Arborist evaluation from Brothers Services Tree Care dated April 1, 2024 (Attachment 4). The report states that the tree has evidence of decay pockets on the main stem and that it also shows evidence of some bark beetle diseases. It also notes that the tree shows evidence of getting close to its useful life span and declining canopy, and that “it is impossible to correct the tree’s conditions with the ISA tree trimming and treatment standards.”

The *Pittosporum* tree was denied a permit for removal by staff, citing the ability to manage the existing die-back with pruning and periodic watering/fertilization. Notice of the City’s decision was posted on April 11, 2025 (Attachment 5).

An appeal (Attachment 6) was filed on April 18, 2025 by Cameron Humphrey (property owner).

Notice of the appeal was posted on April 22, 2025 (Attachment 6).

SPECIES PROFILE

The *Pittosporum undulatum*, Victorian Box, is an evergreen shrub/small tree that is native to the mountains and coastal belt of southeastern Australia, where it enjoys more frequent rains but has been successfully planted in Europe and the United States. *Pittosporums* can grow to a height of 50’ and have canopy spread of 30’. This species has only a limited number of pest and disease issues in our environment, and none of those are common.

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 and whether any of the criteria under Section 32.35 of the MVCC is met, with an emphasis on the intent to reserve heritage trees, as required by the City Code.

Pittosporum undulatum, Victorian Box

This *Pittosporum* is located along the front yard of the property line. Staff estimates this *Pittosporum* to be approximately 30’ tall with a canopy spread of approximately 20’ and trunk diameter of 16”. Overall, the canopy condition is in fair condition, with the exception of general thinning and limited die-back to foliage. Staff estimates the tree to be 40 years old. The *Pittosporum* is a Heritage tree under MVCC Section 32.23(c)(3) as its circumference is greater than 48” in circumference.

Initial inspection of the *Pittosporum* showed a canopy with some thinning and chlorosis of the foliage but no other significant signs of pest and disease or structural issues. While staff did identify two cavities along the stem at 1’ and 7’ above grade, they appear to be compartmentalized fairly well with no advanced decay. Overall structure of the canopy is good with limited overhang of awning in the front yard that can be managed through regular maintenance pruning. While the arborist report submitted with the initial application for removal included a statement about evidence of bark beetle disease, no evidence of

bark beetle activity was identified by staff. Subsequent to filing her appeal, the property owner also submitted a second arborist report from Advanced Tree Care dated May 8, 2025 (Attachment 7). The second arborist report states that the tree is “in very poor health and condition,” and makes other similar findings to the first arborist report, but without any reference to bark beetles. However, the second arborist report does include a statement about the presence of oak root fungus. Staff was unable to identify evidence of any oak root fungus.

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:

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.

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 fair, and there is no evidence of any nuisance, damage, or interference issues that cannot be addressed through corrective pruning, which would extend the life of this tree for another 10 to 20 years.

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.

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.

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.

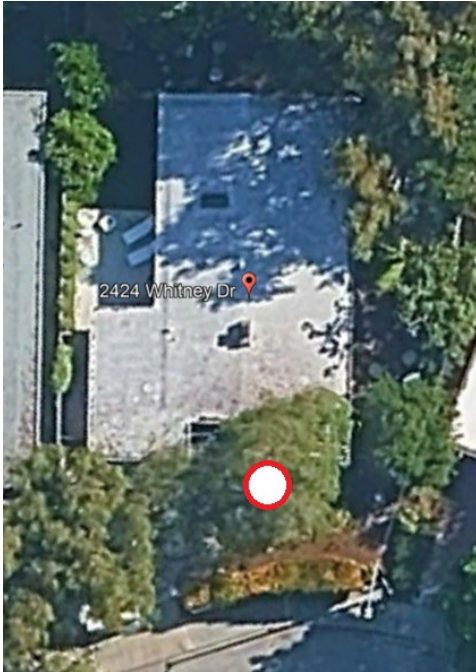
Staff’s evaluation of the tree found that the tree and structure of the canopy is fair (although it would benefit from increased watering or fertilization); therefore, this criterion was not met.

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.

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 these criteria 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 No. 4



Photos No. 3 and 4 show the proximity of tree to Arbor and the limited landscape which limits any supplemental irrigation to the tree.

Photo No. 5



Cavity at the base of the tree shows adequate callus roll and no advanced decay.

Photo No. 6



Cavity at approximately 6' to 7' above grade that shows adequate callus roll and no advanced decay.

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 Pittosporum tree. If the Board overrules staff's decision and allows for removal of the one Pittosporum tree, staff recommends that 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 Pittosporum tree.

RH/4/CSD

229-06-11-25M

- Attachments:
1. Resolution
 2. Mountain View City Code, Article II, Protection of Urban Forest
 3. Heritage Tree Removal Application
 4. Primary Arborist Report
 5. Heritage Tree Notice of Decision
 6. Heritage Tree Appeal Letter
 7. Secondary Arborist Evaluation