

DATE: September 10, 2025

TO: Urban Forestry Board

FROM: Russell Hansen, Urban Forest Manager

SUBJECT: Heritage Tree Removal Application Appeal—1119 Solana 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 1119 Solana 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 to 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 (1) *Cedrus deodara*, Deodar Cedar (hereinafter referred to as "Cedar") at 1119 Solana Drive was submitted by the property owner's contractor, Doug Anderson, on February 19, 2025 (Attachment 3). On the application, the contractor marked six (6) of the boxes under reasons for removal for the consideration of the tree:

- "Tree is in danger of falling"
- "Tree is diseased with pests, insects, and/or beetles"

- “Tree has poor structure and/or unbalanced canopy”
- “Tree does not have proper growth space”
- “Tree is interfering with utility service (e.g., electricity, gas sewer, and/or water lines)”
- “Tree is growing in close proximity to structures and causing damage (or will in the near future).”

The contractor also provided the following comments for consideration:

“The tree is less than two (2) feet away from the foundation of the house and there is uplift on the driveway and the sidewalk. The property owner had to replace the inside of the garage's floor due to cracking and uplift. At about ten (10) feet there is a large wound that is or appears to be at least fifteen (15) years old that has good response growth but also has what appears to have bacterial wetwood. There are multiple cases of insect damage up the trunk of the tree as from what appears to be a burrowing insect. The neighbors recently replaced their driveway and cut roots on the right side of the tree. The largest root known cut was 8 inches in diameter. The cut is a clean cut, but likely took out more than 15% of the tree's root mass with this one cut. There may have been more roots removed since the entire driveway was redone and there was no arborist guidance that we are aware of. The tree does not currently show any impacts of this root loss, but it is likely to have significant canopy dieback in one to two years. The tree is adjacent to high voltage powerlines, but is not coming in conflict with them as they are along the roadside. There is evidence of pruning that has happened in the past to clear the power lines. Tree has been topped in the past and there are multiple limbs that are coming out all at one junction. Property owner states that a fence was replaced about eight years ago and that may be the cause of the partially buried root collar. This may have led to additional root loss for the placement of fence anchors.

The property owner has been maintaining and pruning this tree every 5 years consistently, but now that the roots have been removed and the damage the tree has caused, removal is unfortunately what they are seeking. Additional pruning of the tree is not recommended due to the root loss that has occurred.”

The Cedar tree was denied a permit for removal by staff, citing that the overall canopy is healthy with no evidence of decline currently. The current $\frac{3}{4}$ " lift of the adjacent driveway can be repaired without removal, and the removal of the large root for repair of the neighbor's driveway may not represent the claimed 15% of the root system, and the impact of said root removal is not considered significant to the structure. Notice of the City's decision was posted on April 16, 2025 (Attachment 4).

An appeal (Attachment 5) was filed on April 25, 2025, by Andrew and Elise Kuo disputing the staff's findings and stating that the tree is a public nuisance because of prior driveway damage, existing garage damage, sap drip, needle drop, and other factors in their written response.

Notice of the appeal was posted on April 28, 2025 (Attachment 5).

SPECIES PROFILE

The *Cedrus deodara*, commonly known as the Deodar Cedar, is a majestic evergreen conifer recognized for its graceful, upright pyramidal form and sweeping branches. Native to the mountainous regions of southern Asia, it has been widely introduced and successfully cultivated in Europe, Canada, the United States, and South America. In optimal conditions, this tree can reach an impressive height of eighty (80) feet, with a canopy spread of up to fifty (50) feet, and a trunk diameter approaching sixty (60) inches. Its elegant silhouette, aromatic wood, and year-round foliage make it a favored ornamental and landscape tree.

Highly valued for its resilience, the Deodar Cedar is notably drought-tolerant once established and has relatively few pest and disease concerns, most of which are treatable when addressed promptly. However, as the tree matures, its branch structure gives it a tendency to shed large limbs, a risk that can be reduced through careful pruning aimed at lowering end weight. With proper care, this long-lived species can serve as both a striking focal point and a reliable shade provider, blending beauty with durability in a wide range of landscapes.

STAFF'S EVALUATION

When evaluating Heritage tree removal applications, staff considers if the reason(s) for removal on the application match's 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 preserve heritage trees, as required by the City Code.

Cedrus deodara

This Cedar is located in the front yard of the property and provides canopy cover to at least two (2) properties. Staff estimates this Cedar to be approximately sixty-five (65) feet tall with a spread of approximately thirty-five (35) feet and a diameter of thirty-one (31) inches. Overall, the canopy is in good health, but the live crown ratio is less than ideal. Staff estimates the tree to be sixty (60) years old. The Cedar is a Heritage tree under MVCC Sec. 32.23(c)(3) as its circumference is greater than twelve (12) inches when measured at fifty-four (54) inches above natural grade.

Staff's initial inspection of the Cedar showed an overall healthy canopy with fair structure and no pest or disease issues. The Cedar has previously had its canopy raised to approximately twenty (20) feet or more, reducing the live crown ratio to approximately 50%, which is slightly below the ideal threshold of 60% or more of the stem occupied with foliage. It should also be noted that

prior pruning appears to have addressed clearance from utility lines but may have removed more than the recommended foliage from the interior. There were no reports of prior large limb failure, but there are a few lower scaffold branches that appear to have heavy end weight and would benefit from pruning for end weight reduction.

While staff did have the opportunity to examine the approximately 7-8" root that was cut during replacement of the neighboring driveway, no additional documentation of prior root loss or current root damage caused by the tree was provided by the property owner or neighbor. As such, it is staff's opinion that root removal did not compromise the structural integrity of the tree and can potentially be mitigated with supplemental deep root watering in the surrounding landscape areas.

While staff acknowledge that Cedar trees produce sap that can drip on anything left under the canopy for an extended period, it is staff's experience that this can typically be addressed through prompt and regular washing with soap and water. If left unaddressed, the sap will harden and can be far more difficult to remove. Also, it is staff's opinion that pruning to reduce the extent to which the tree overhangs the neighbor's driveway can be reduced without significantly compromising the tree's structure. Accordingly, staff disagrees that the Cedar tree is a "public nuisance" as alleged by the appellants.

In looking at the criteria for removal under MVCC Sec. 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 its condition required its removal. Its overall health and structure are good, and there is no evidence of any damage, or utility interference issues that cannot be addressed through corrective pruning or other means. Furthermore, the tree's natural characteristics of producing sap does not constitute as a public nuisance.

- 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 to construct improvements because no improvements were 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 its canopy structure are good, and the tree provides significant value and benefit to the neighborhood; therefore, this criteria 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 this criteria were provided or observed.

Representative Photos

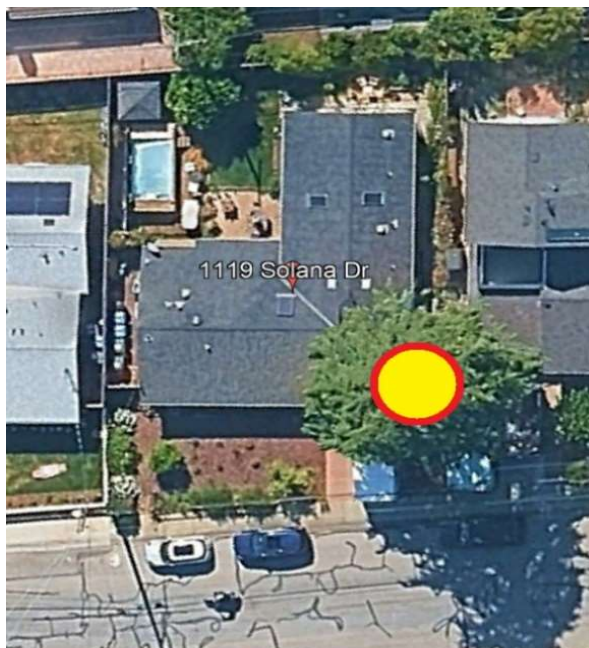


Figure 1:

Aerial image showing trees of concern in lower right



Figure 2:

Streetview which shows the tree of concern from the street



Figure 3:
Photo of the tree looking Northeast.



Figure 4:
Photo of the tree facing northwest



Figure 5:
Photo of the interior foliage from underneath in the immediate area



Figure 6:
Photo of the root flare and surface roots



Figure 7:
Photo of 7"-8" root cut to repair/replace residence driveway.



Figure 8:
Photo of lifting pavement at garage of

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 (1) Heritage Tree. If the Board overrules staff's decision and allows for removal of the one (1) Heritage 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 (1) Heritage Tree.

- Attachments:
1. Resolution
 2. Mountain View City Code, Article II, Protection of Urban Forest
 3. Heritage Tree Application for Removal Permit
 4. Heritage Tree Notice of Decision
 5. Heritage Tree Appeal and Notice