



CITY OF MOUNTAIN VIEW

MEMORANDUM

Community Services Department

DATE: June 14, 2017

TO: Urban Forestry Board

FROM: Jakob Trconic, Parks Section Manager

SUBJECT: Heritage Tree Appeal – 1674 Begon Avenue

RECOMMENDATION

Deny the appeal and allow removal of the *Picea pungens*, Colorado spruce.

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 Service 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 the 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 to remove a Heritage-sized *Picea pungens*, Colorado spruce tree was received on April 12, 2017. The application was submitted by the owners of the property, Susan and Brett Hale. The criteria for removal listed on the application were: “Conforming use; co-dominant stems and leaning.” Staff visited the site to observe the tree, review its proximity to the proposed addition to the home and the trees general condition. A decision to approve the removal was posted on April 24, 2017.

An appeal to deny the removal was filed on May 4, 2017 by Christine Crosby. Her appeal letter states in part: “The tree appears to be in good health and although the tree leans slightly, the lean is less than many other trees in the neighborhood. The codominant stems have no doubt been a feature of this tree for a very long time and if problematic can, most likely be controlled with remedial measures that preserve the tree.” The letter goes on to state that the Spruce is a beautiful tree that enhances the neighborhood, that it seems the removal is for the convenience of the property owner, and the City should do more to preserve trees.

ANALYSIS

When evaluating Heritage Tree Removal Applications, staff looks to see if the reasons for removal on the application match what is observed in the field. If the reasons meet the criteria, staff looks to see if issues regarding the trees can be reasonably mitigated. Based on inspection and evaluation of the *Picea pungens*, Colorado spruce, the appeal should be denied and allow for the removal of the spruce tree.

1. The *Picea pungens*, Colorado spruce, is native to the Rocky Mountain region. Spruce are typically pyramidal in form with branches arranged in neat tiers. They typically do not thrive in heat and humidity. They typically have shallow root systems and should not be planted close to buildings, fences, or walkways. In garden settings, they typically reach 30’ to 60’ tall and 10’ to 20’ wide. In areas with a lack of winter cold, the spruce is often subject to heavy aphid infestations. The trees prefer dry soil.
2. The tree is in good health, although, it is showing some signs of Cytospora Canker. The trunk and stems have yellow ooze on them. The canker causes dead branches, typically starting in the lower canopy. This canker typically does not kill the tree but will lead to a decline in health over time. The infected branches could be trimmed out in dry weather to help reduce the impact on the tree. Drought stress can be the starting point for the canker to take hold of a tree. The tree has a slight lean to it, and in the upper canopy, it does have codominant stems, but it does not appear to have an issue with included bark where the two stems meet. However, this location at the stem unions does have a slightly higher potential for failure than a tree with a solid single leader.
3. The tree is planted close to where the driveway and entry walk meet. It is currently three feet away from the driveway and four feet from the existing entry walkway. The owners have plans to extend the main portion of the home out past the garage area to create additional living space and a new porch with a larger entry pad area. As noted, spruce trees tend to have shallow root systems, and this

work would compromise over 40 percent of the root plate. Typically, most mature trees can tolerate 15 percent to 20 percent of their root mass being removed or disturbed. The proposed addition and new entry walk would, in staff's opinion, compromise the stability of this tree and would lead to its steady decline.

SUMMARY

Staff is of the opinion that the *Picea pungens*, Colorado spruce is in good health, although, it does have Cytospora Canker. The tree has a slight lean and codominant stems, but the main factor in staff's evaluation was the impacts of the proposed addition to the home under conforming use. The proposed construction would negatively impact the health of this tree by removing a substantial part of the supporting root structure, especially with a tree known for having a shallow root system.

Staff recommends that the appeal be denied and allow for removal of the Colorado spruce tree.

JT/5/CSD
221-06-14-17M-E

Attachment: 1. Appeal Packet

cc: F/c