

MEMORANDUM

Community Services Department
Urban Forestry Division

DATE: May 14, 2025

TO: Urban Forestry Board

FROM: Russell Hansen, Urban Forest Manager

SUBJECT: Heritage Tree Removal Application Appeal—5 Forest Glen 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 Tree at 5 Forest Glen Street, 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 *Liquidambar styraciflua*, American sweet gum (hereinafter referred to as "liquidambar") at 5 Forest Glen Street was submitted by a property manager (on behalf of the property owner) on January 24, 2025 (Attachment 3). On the application, the applicant marked one of the boxes under "reasons for removal for the consideration of the tree":

- "Tree is interfering with utility services (power, gas, sewer and/or water lines)."

The applicant also provided the following comment for the reason for the removal:

“Roots are lifting walkway and damaging irrigation lines.”

The applicant has also submitted an Arborist Report (Attachment 4) dated December 4, 2024 which recommended removal of the tree for the following:

“The tree has caused extensive damage to the road, the irrigation and the walkway and the street. It has poor form and is growing over a high target high traffic area which puts everyone who uses the street at risk. No mitigation will counteract the root growth of the tree nor eliminate the hazard this tree presents.”

The one (1) liquidambar tree was denied a permit for removal by staff, citing the ability to prune offending roots during repair walkway and other infrastructure based on liquidambar's ability to tolerate selective root pruning. Notice of the City's decision was posted on February 26, 2025 (Attachment 5).

An appeal (Attachment 6) was filed on March 7, 2025 by a property manager, Darcie Alexander (“Appellant”), restating the conclusions in the Arborist Report.

Notice of the appeal was posted on August 13, 2024 (Attachment 8).

SPECIES PROFILE

Liquidambar styraciflua, American sweet gum, is a tree native to parts of the eastern, southern, and central United States, where they can grow to a height of 80' and have canopy spread of up to 40'. While they may be slightly smaller in the urban environment, most achieve full size if left to mature.

It should also be noted that this tree species does not have many pest and disease issues and is fairly tolerant of selective root pruning and limited periods of drought. Further, while limb failures are known to occur when liquidambars are not properly maintained, periodic pruning for end weight reduction significantly reduces that risk.

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.

***Liquidambar styraciflua*, American Sweet Gum**

This tree is located approximately 6' from the front door of the residence and 3' from the roadway, which is a private street, and the tree is, therefore, not a City street tree. Staff estimates the liquidambar to be around 45' tall with a spread of around 25' and may be 30 to 40 years old. The liquidambar is a Heritage tree under MVCC Section 32.23(c)(1) as its circumference is greater than 48" in circumference.

After reviewing both the original application and the supplemental Arborist report, staff found that while there is evidence of lifting to the adjacent walkway and cracking of the roadway surface, they were unable to inspect or determine the quantity or size of roots which may be growing under the concrete and causing the lifting. Therefore, staff was unable to determine if root removal and repair of the driveway will have significant impact on the health or stability of the trees. Staff also feels like repair of the irrigation system can be accomplished without significant root pruning if conversion to a surface-oriented drip system is done. Overall health and structure of the canopy is fair with prior pruning for clearance, leaving the tree with slightly less than ideal live crown ratio, but there was no documentation provided or physical evidence to support the occurrence of prior large limb failure or prior heading of the canopy.

In looking at the criteria for removal under MVCC Section 32.35, staff's evaluation did not find any of the criteria were 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 liquidambar 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 large limb failure or any other nuisance, damage, or interference issues that cannot be addressed through corrective root or canopy pruning.

- 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 liquidambar 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.

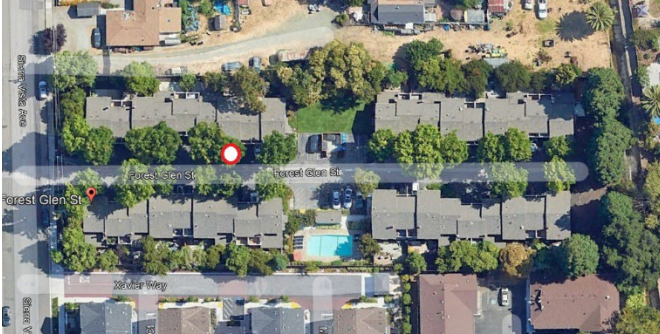
Staff's evaluation of the liquidambar found that the tree and structure of the canopy is fair and can be managed effectively; therefore, this criterion was not met.

- 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 liquidambar did not find that the tree should be removed due to good forestry practices as no facts to support this criterion was provided or observed.

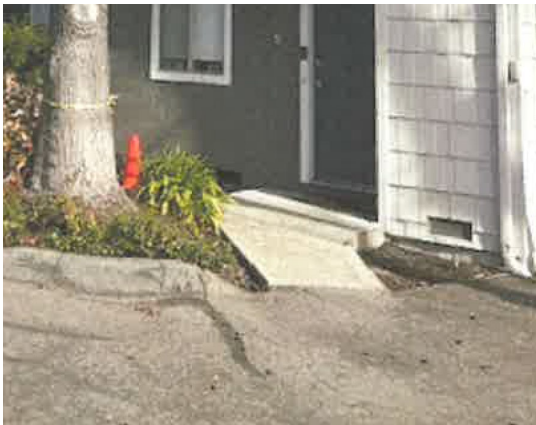
Representative Photos

Photo No. 1



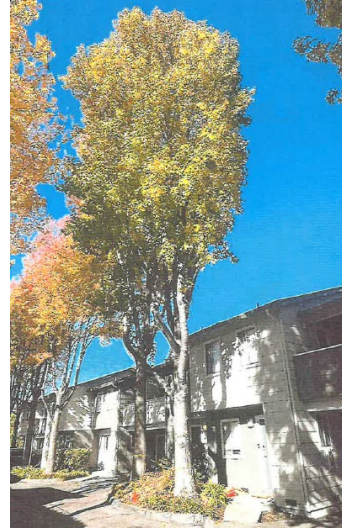
Aerial image showing the tree location
in reference to the rest of the property

Photo No. 3



Photos of potential root damage to pathway
adjacent to the doorway and asphalt driveway

Photo No. 2



Street view which shows the
tree of concern from the street

Photo No. 4



Photo of large surface roots
abutting residence
without significant damage

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 tree. If the Board overrules staff's decision and allows for removal of the one 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 liquidambar tree.

RH/AF/4/CSD
228-05-14-25M-2

- 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