

MEMORANDUM

Community Services Department
Urban Forestry Division

DATE: October 29, 2025

TO: Urban Forestry Board

FROM: Russell Hansen, Urban Forest Manager

SUBJECT: **Heritage Tree Removal Application Appeal—151 Calderon Avenue**

RECOMMENDATION

Adopt a Resolution of the Urban Forestry Board of the City of Mountain View to Deny the Appeal, Uphold Staff's Decision, and approve the removal of eight (8) Heritage Trees at 151 Calderon Avenue, 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, preserving the significant 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

A heritage tree removal permit application ("Tree Removal Application") was submitted in connection with Building Permit Application #25-9390. The Tree Removal Application seeks to remove eight total heritage trees, four (4) *Platanus x. hispanica*, London Plane (hereinafter referred to as "Sycamore") and four (4) *Cinnamomum camphora*, Camphor (hereinafter referred to as "Camphor") at 151 Calderon Avenue, and was submitted by the property owner's contractor, Riley Van Eyck of Villa Homes, on July 31, 2025 (Attachment 3). The Tree Removal Application included an arborist report (Attachment 4). On the application, the applicant stated that "Removal of 8 heritage trees to accommodate the ADU's proposed

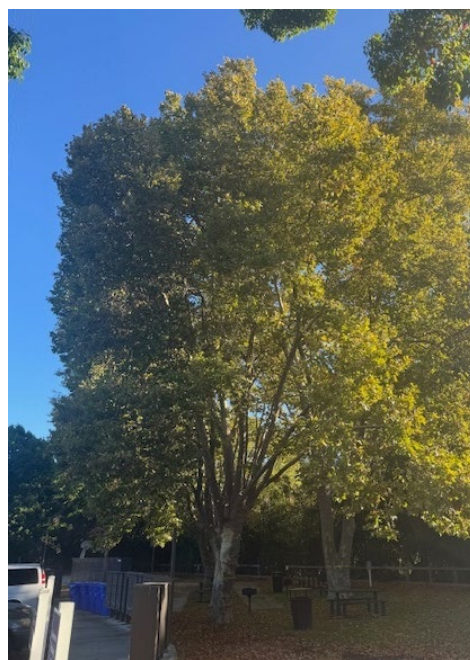
under permit #BLDG25-9390,” to construct six detached accessory dwelling units (ADUs) on the property site.



**Aerial Image of site with removals noted along right side of image
between Hwy 85 and development**



Tree #1 – Sycamore



Tree #2 - Sycamore



Tree #3 – Sycamore



Tree #4 – Sycamore



Tree #5 – Camphor



Tree #6 – Camphor



Tree #7 – Camphor



Tree #8 - Camphor

STAFF'S DECISION

The City approved a heritage tree removal permit under Mountain View City Code Section 32.35(a)(2), and notice of the City's decision was posted on September 12, 2025 (Attachment 5). This approval is consistent with and required under the broader context of recent State efforts to increase housing production and reduce local barriers to development.

In response to California's housing shortage, state lawmakers have adopted measures that modify local land-use authority, streamline permitting processes, and expand the use of "by-right" or objective standards for housing approvals. Since 2017, California has enacted more than 100 housing-related laws addressing land use, zoning, permitting, and affordable housing. In recent years, several of these measures have focused on reducing local regulatory barriers, such as minimum lot size, parking requirements, and permit procedures for ADUs, thereby making their development more widely permissible on a by-right basis.

California Government Code Section 66317(c) states that "[n]o local ordinance, policy, or regulation...shall be the basis for the delay or denial of a building permit or a use permit" for the construction of ADUs in residential zones. This provision reflects the Legislature's intent to ensure that local regulations do not create undue obstacles to ADU development, which the State has identified as an important means of expanding housing supply. In this context, the City's approval of a heritage tree removal permit for eight trees under Mountain View City Code Section 32.35(a)(2) is consistent with State law, which authorizes removal when it is necessary "to construct improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties." Because the removal is required

to build the ADUs, denying the heritage tree removal permit would effectively prevent or delay construction in violation of State law. Approving the removals therefore ensures that the project can proceed as intended and remains consistent with both City and State requirements.

APPEALS

The City received two timely appeals to the heritage tree removal permit approval for 151 Calderon Avenue. The first appeal (Attachment 6) was filed on September 18, 2025 by Rebecca Grekin. The second appeal (Attachment 7) was filed on September 22, 2025 by Cole Sohn. In both cases appellants cited the many benefits the trees provide including their function as a highway barrier, in temperature regulation, in providing wildlife habitat and providing a community gathering spot.

Notice of the appeals was posted on October 6, 2025 (Attachment 8).

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 resolution with findings upholding staff's decision to approve the removal of the eight (8) Heritage Trees in compliance with state law.

SUMMARY

Staff recommends denying the appeal and approving the removal of the eight (8) Heritage Trees.

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