

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

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APPLICATION NO.:

PL-2023-173

DATE OF FINDINGS:

September 13, 2023

EXPIRATION OF ZONING PERMIT:

September 13, 2025

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Yuval Bachar

Property Address:

411 Clyde Avenue

Assessor's Parcel No.:

160-57-014

Zone:

P(41)

Request:

Request for a Heritage Tree Removal Permit to remove one (1) Heritage tree on a 0.86-acre site; and a determination that the project is categorically exempt pursuant to Section 15304 ("Minor Alterations to Land") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The Heritage Tree Removal Permit to remove one (Canary Island date palm) Heritage tree (Tree No. 601) is conditionally approved based on the conditions contained herein, a site visit conducted on February 24, 2023, and the following findings per Section 32.35:

- A. It is necessary to remove the tree in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the tree's location directly obstructs the drive aisle of service vehicles accessing the proposed mechanical yard and liquid hydrogen storage tank that is critical to the function of the proposed research and development office use, and that a tree of its size cannot be feasibly relocated elsewhere on-site due to limited availability of planting areas and the proposed conditions due to development on the site;
- B. It is appropriate to remove the tree to implement good forestry practices, such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest because two native (Western redbud) 24" box trees will be planted as replacements to Heritage Tree No. 601;
- C. Removal of the tree will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters;
- D. Removal of the tree will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity;
- E. Removal of the tree will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole; and

Owner

Agent

File

Fire

Public Works

- F. The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15304 (“Minor Alterations to Land”) because the project involves minor improvements to the site and landscaping.

This approval is granted to remove one (1) Heritage tree (Canary Island date palm) on a 0.86-acre project site located on Assessor’s Parcel No. 160-57-014. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by Reed Associates Landscape Architecture, date stamped August 16, 2023.
- b. Arborist report prepared by Madeline Warnement, Certified Arborist No. WE-13572A, date stamped August 16, 2023.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

1. **EXPIRATION:** If the approved use does not commence within two years of this approval, subject to all applicable conditions and permits from applicable government agencies (inclusive of City permits), this approval shall be null and void.
2. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).

PERMIT SUBMITTAL REQUIREMENTS

3. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.

TREES AND LANDSCAPING

4. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist’s reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
5. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two (2) replacement trees, for a total of two (2) replacement trees. Each replacement tree shall be no smaller than a 24” box and shall be noted on the landscape plan as Heritage or street replacement trees.
6. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist’s report prepared by Madeline Warnement and dated June 7, 2023 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6’ chain-link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk’s Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions

imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/PB/1/FDG
PL-2023-173

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