

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

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APPLICATION NO.:

HTR-5997

DATE OF FINDINGS:

October 9, 2024

EXPIRATION OF ZONING PERMIT:

October 9, 2026

**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:

**Chelsea Lenz for Lenz Precision Technology**

Property Address:

Assessor's Parcel No(s).:

Zone:

**355 Pioneer Way**

**160-66-005**

**MM**

Request:

**Request for a Heritage Tree Removal Permit to remove four (4) Heritage trees on a 1.32-acre industrial site.**

APPROVED

CONDITIONALLY   
APPROVED

DISAPPROVED

OTHER

**FINDINGS OF APPROVAL:**

The Heritage Tree Removal Permit to remove four (4) Heritage trees (Tree Nos. 1, 2, 3, and 4) is conditionally approved based on the conditions contained herein, site visits conducted on January 3, 2024, February 26, 2024, and March 5, 2024, and the following findings per Section 32.35:

A. **It is necessary to remove the trees due to the condition of the trees with respect to age of the trees 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.** Per the arborist report dated March 8, 2024, prepared by The Tree Team and independently assessed by the City arborist, and several site visits conducted by Planning Division and Forestry Division staff, it is necessary to remove the trees due to the condition of the trees with respect to age of the tree relative to the life span of that particular species, general health, disease/infestation, damage, danger of falling, and proximity to existing or proposed structures. The subject trees are planted along the north property line, adjacent to an existing church and office building, and have outgrown the planting strip between the properties. The trees would not survive future reconstruction activity of the adjacent retaining wall which has already been compromised as a result of the overgrown trees. Tree No. 1 (eucalyptus) and Tree No. 3 (Chinese elm) both have a significant number of roots compromised and exposed due to removal of the existing retaining wall by the neighboring church which resulted in several major roots being cut and exposed, and additional root loss from the proposed retaining wall replacement will result in additional significant tree instability. Tree Nos. 2 and 4 (eucalyptus) are in poor and severe condition, showing signs of health decline, fungus growth, and fractures in the trunks of the trees which have been verified by the City arborist. Tree No. 2 also shows signs of health decline with apparent large, dead branches and fungus growth at the base of the trunk. Tree No. 4 (eucalyptus) shows stress cracks, fungus, and significant lean toward the building on-site and currently poses a danger of falling.

B. **It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties.** The arborist report dated March 8, 2024, prepared by The Tree Team, an independent assessment by the City arborist, and several site visits conducted by Planning Division and Forestry Division staff conclude that it is necessary to remove the trees 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 trees are

Owner

Agent

File

Fire

Public Works

fully mature and well-established and are not candidates for transplanting due to the size, root mass, and proximity to future construction activity. Tree Nos. 1 and 3's root system will be further compromised as a result of the proposed retaining wall since the adjacent church property is situated at a lower grade than the project site, and a retaining wall is necessary to maintain the existing grade difference between the two sites and reduce soil erosion and runoff.

- C. **It is appropriate to remove the trees 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.** It is appropriate to remove the trees to implement good forestry practices because Tree Nos. 1 and 3 have compromised roots due to the removal of the existing retaining wall and will have further root instability and removal due to proposed construction activity for a new retaining wall. Removal of the trees is necessary given the existing and anticipated damage to the tree's root systems. Tree Nos. 2 and 4 are fully mature eucalyptus trees showing signs of decay, fungus growth, and stress cracks. The additional construction activity and the proximity to such activity will result in further decline in the health of the tree, additional root loss, and instability for both trees. All trees are recommended for removal by the project arborist and City staff given the existing exposed and compromised roots and anticipated root removal and root instability for Tree Nos. 1 and 3 and the existing health decline for Tree Nos. 2 and 4.
- D. **Removal of the trees 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.** Removal of the trees 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 because the site will maintain and preserve all other trees, and replacement trees will be planted at a two-to-one ratio to replace the previous tree canopy.
- E. **The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA).** The approval of the Heritage Tree Removal Permit complies with 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 landscaping and only involves the removal of damaged and diseased trees. None of the exceptions in CEQA Guidelines Section 15300.2 apply.

This approval is granted to modify landscaping to remove four (4) Heritage trees located on Assessor's Parcel No. 160-66-005. 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 Chelsea Lenz, dated July 30, 2024.
- b. Arborist report prepared by The Tree Team, dated March 8, 2024.

**THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

Planning Division—650-903-6306 or [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov)

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period, unless a Permit Extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
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. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
5. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two replacement trees, for a total of eight 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. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage trees are not maintained and irrevocable damage or death of the trees has occurred due to construction activity, a stop work order will be issued on the subject property, and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

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/VK/4/FDG  
HRT-5997