

**DATE:** June 10, 2026

**TO:** Urban Forestry Board

**FROM:** Russell Hansen, Urban Forest Manager

**SUBJECT:** **Heritage Tree Removal Application Appeal—961 Eichler Drive**

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**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 (1) Heritage Tree at 961 Eichler Drive, 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 (1) *Quercus kelloggii*, California Black Oak (hereinafter referred to as “Oak”) at 961 Eichler Drive was submitted by the property owner, Elizabeth McAninch (“Applicant”), on January 26, 2026 (Attachment 3). On the application, the property owner marked four (4) of the boxes under reasons for removal for the consideration of the tree:

- Tree is in poor health
- Tree is in danger of falling
- Tree is diseased with pests, insects, and/or beetles
- Tree is growing in close proximity to structures and causing damage (or will in the near future).

The Applicant also provided an Arborist Report (Attachment 3) and additional comments for consideration within the removal application, including:

“Subject tree is infected by wood rotting pathogen. Its structural integrity has been compromised beyond repair. Overall condition rating is 3, and suitability for preservation is low. Its close proximity to

the building potentially pose serious safety risk for building, cars and people. Since sewer line situated under the tree root system, tree failure (up rooting) most likely will damage the sewer system”.

The submitted Arborist Report (Attachment 3) evaluated the structure and condition of the tree, but the report did not evaluate the impacts from the trenching for the new sewer line. It appears the trenching work for the sewer line was completed sometime after the Arborist Report inspection on December 15, 2025, and before the site inspection from City staff on February 2, 2026. The Applicant did not provide an evaluation of the impact from the trenching work on the stability or health of the tree.

The Oak tree was denied a permit for removal by staff because it did not meet the criteria under MVCC Section 32.35. Specifically, the denial notice set forth the following:

“Deciduous tree without any signs of decline or structural issues. Roots were recently cut for trench for a new sewer line to home, impacts to health of tree are undetermined at this time and no documentation of impacts were provided. Tree was sounded with a mallet for indications of internal decay and no decay was detected. No fungal fruiting bodies were found on site. Future pruning and scheduled maintenance can address concerns of leaves falling on flat roof. Trunk located approximately 7 feet to home, no damage to home was found or provided. Does not meet ordinance criteria for removal.” Notice of the City’s decision was posted on February 9, 2026 (Attachment 4).

An appeal (Attachment 8) was filed on February 17, 2026, by the Applicant disputing staff’s findings and expressing concerns regarding the Oak’s proximity to home, structural issues, damage to home, and the recent trenching for a new sewer line. The appellant also submitted copies of a roof inspection (Attachment 5), Termite Inspection (Attachment 6) and Home Sale Disclosure Statements (Attachment 7).

The initial evaluation of the tree in early February found the deciduous tree without leaves so impacts of the sewer line trenching were limited but a supplemental visit in early April identified a healthy green canopy on the Oak. It appears the trenching work did not inhibit or impact the production of new leaves on the Oak.

Notice of the appeal was posted on February 23, 2026 (Attachment 8).

## **SPECIE PROFILE**

### **QUERCUS KELLOGGII**

The *Quercus kelloggii*, California Black Oak is a tree native to southwestern Oregon down through California to Baja California, where they can grow to a height of one hundred thirty (130) feet and provide fifty (50) feet of canopy spread. In the urban environment, however, they typically only reach heights of eighty (80) feet and provide up to forty (40) feet of canopy cover.

This species can be susceptible to Goldspotted Oak Borer and Sudden Oak Death, which are both fatal. In addition, the tree can also be affected by root rot and anthracnose. Tree is prone to damage from California Oak Moth and various boring insects. It is known to be drought tolerant and prefers full sun.

### **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 and whether any of the criteria under Section 32.35 of the MVCC is met, with an emphasis on the intent to preserve heritage trees, as required by the City Code.

This Oak is in the front yard of the property and provides canopy cover to one (1) property. This Oak is considered a private tree because it is located beyond ten (10) feet of the roadway, and the property owner is responsible for pruning services for this tree. Staff estimates this Oak to be approximately fifty (50) feet tall with a spread of approximately thirty (30) feet and a diameter of twenty (20) inches. Overall, the canopy is in good health, and the live crown ratio is less than ideal for the species due to recent pruning completed by the homeowner after February 2026. Staff estimates the tree to be approximately twenty-five (25) years old. The Oak is a heritage tree under MVCC Sec. 32.23(c)(3) as its circumference is greater than twelve (12) inches in circumference when measured at fifty-four (54) inches above natural grade.

Staff's initial inspection of the Oak showed an overall normal deciduous canopy with fair structure and no pest or disease issues. The Oak previously had some routine structural and building clearance pruning. There were no reports of prior large limb failures and structure of the tree was in fair condition. Staff noticed a major structural branch was removed from the tree sometime between the initial inspection in February 2026 and a second inspection in April 2026. It shall be noted the level of pruning completed on the tree was beyond the recommended International Society of Arboriculture (ANSI A300) pruning standards.

While City Forestry staff did not have the opportunity to provide input or inspections on the installation of the new sewer line near the Oak, alternative methods of pipe bursting or hydro-excavation would have been recommended. The trench digging was completed within two feet of the trunk and it is possible up to 40 percent of the root system was impacted. The long-term impacts of the root pruning are unknown, but staff determined it is premature to allow removal given the ability of Oaks to grow new roots to help with future stability and improvement in condition.

It is recommended that supplemental deep root watering and mulch be installed around the drip line of the tree to help with root growth and improve soil conditions.

If the tree's condition in the future shows signs of decline due to construction impacts, the property owner can submit a new application citing a material change in circumstances under MVCC Sec. 32.31(e).

In looking at the criteria for removal under MVCC Sec. 32.35, staff's evaluation did not find any of the criteria met, as follows:

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.

Staff's evaluation of the tree did not find that the condition of the tree required its removal, as it's overall health and structure are good, and there is no evidence of any nuisance, damage, or interference issues that cannot be addressed through corrective pruning or other means.

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.

Staff's evaluation of the tree did not find that removal of the heritage tree was necessary in order to construct improvements because there were no improvements proposed and, in staff's opinion, that the impacts from the recent sewer repair are yet to be determined.

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.

Staff's evaluation of the tree found that the tree and structure of the canopy is good and the tree provides significant value and benefit to the neighborhood, therefore this criteria was not met.

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.

Staff's evaluation of the tree did not find that the tree should be removed due to good forestry practices as no facts to support this criteria were provided or observed.

### Representative Photos



**Photo #1**  
Aerial image showing tree of concern



**Photo #2**  
Front yard which shows the tree of concern



Photo #3 Tree from street April 2026



Photo #4 Tree in yard April 2026



Photo #5 Trench for sewer line



Photo #6 – 2-foot distance from trench to tree

**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 (1) Heritage Tree. If the Board overrules staff's decision and allows for removal of the one (1) 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 (1) Heritage Tree.

**RH/AF/4/CSD**  
**228-10-09-24M**

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