



# Tree Technical Manual

Standards, Specifications and Guidelines



The future of Mountain View's community urban forest depends on how we preserve and plant trees today.

This Tree Technical Manual was produced by Canopy and the City of Mountain View.

This document was assembled by a team of knowledgeable staff and dedicated volunteers. Special thanks to John Marchant, Jakob Trconic, Matthew Feisthamel, Stephanie Williams, Nena Bizjak, Lenka Wright, and Nicole Wright from the City of Mountain View. As well as to Catherine Martineau, Kammy Lo, Mary Dateo and Elise Willis from Canopy.



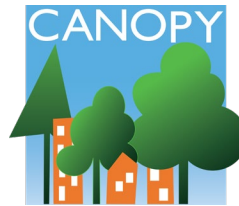
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## Section 1. Intent and Purpose

The primary purpose of this Tree Technical Manual is to serve as a resource for residents, businesses and City staff in Mountain View, California. This is a companion document to Municipal Code Chapter 32 and the Community Tree Master Plan. The primary goals of this document are as follows:

- To help residents and businesses understand and interpret City urban forest regulations
- To explain required and recommended practices for tree management
- To provide best management practices and educational resources
- To provide standardized content and guidance for consistent Arborist reports, tree replacement, tree protection, and permit submittal
- To present resources and guidance for tree selection and installation, tree maintenance, wildlife protection, reducing tree and infrastructure conflicts, and creating landscapes with optimal environmental and human benefits

At the publication of this Manual, 17.7% of Mountain View is covered by tree canopy. Trees in parks, along streets, and at City facilities make up about a quarter of the overall canopy cover, with over 26,000 trees made up of more than 230 unique species. If we tried to replace these trees with trees of similar size, species, and condition, it would cost nearly \$85.7 million. The City regulates and actively manages the planting, maintenance and removal of these trees, which provide significant community benefits.

Yet, an even larger proportion of tree canopy cover comes from trees on private property. Single Family and Multi-family homes, Commercial properties, and Industrial areas maintain trees and landscapes that provide millions of dollars in ecosystem services. The City regulates some of the trees on these properties, along with Heritage trees and street trees, and manages canopy loss and replenishment through development review. However, residents and businesses have a crucial role in preserving the tree canopy cover today and growing it for future generations.

### 1.10 Background

Mountain View's dedication to the preservation of trees dates back to 1960 when the City Council introduced the first ordinance establishing tree care services. In 1961 a Street Tree Ordinance was adopted, and in 1975 a Heritage Tree Ordinance. The City of Mountain View has

been recognized as a Tree City USA since 2001, a designation from the National Arbor Day Foundation that recognizes the community's commitment to the urban forest.

In 2015, City Council adopted Mountain View's first Community Tree Master Plan (CTMP). The purpose of the CTMP is to provide a guide for managing, enhancing and growing Mountain View's tree canopy over the next 10 to 15 years. Goals include increasing canopy cover by five percentage points from 17.7% to 22.7% by planting 11,000 additional trees, adopting new parking lot shade goals, implementing forestry practices that protect wildlife, and increasing outreach and awareness regarding the benefits of trees.

The regulations in the Municipal Code and the goals established by the CTMP provide important required and recommended practices for urban forest management in Mountain View. This Manual will clarify the tree-related laws and policies that people need to know, and educate readers on current best management practices from arboricultural and urban forestry resources.

#### **1.20 Assumptions and Limiting Conditions**

- The provisions of Chapter 32 of the City Code shall control to the extent any inconsistency with these Guidelines are identified. The Community Services Director may promulgate additional administrative procedures that are consistent with these Guidelines.
- No responsibility is assumed by the City of Mountain View for matters legal in character regarding this Manual. Any legal description that may be provided is assumed to be correct.
- Care has been taken to obtain reasonable information from reliable sources for this Manual.
- Visual aids within this Manual, such as sketches, diagrams, graphs, and photos, are not necessarily to scale and should not be construed as engineered data for construction.
- This Manual has been crafted to conform with current standards of care, best management practices, evaluation procedures, reporting techniques and sound arboricultural practices as recommended by the sources listed in the Resource Information section.

## Section 2. Definitions

The following are stated in Municipal Code Chapter 32.2 (Article I) “Definitions” and apply to this manual.

1. **Director of Parks and Recreation.** The Director of Parks and Recreation of the city or his authorized agents, assistants or deputies.
2. **Official street trees.** Trees or shrubs adopted by the parks and recreation commission as a part of the master street tree plan.
3. **Owner.** The owner of a fee simple title of the property on which a street tree is planted.
4. **Parkway strip.** That portion of a public street between the curb and the sidewalk or the sidewalk and the property line or that portion of the public right-of-way which is not designed or used for vehicular or pedestrian travel.
5. **Street.** Include every way maintained by a public agency and set apart for public travel or use in the city, including the entire planting strip, sidewalk area, easements and rights-of-way.
6. **Street tree.** Includes any tree or shrub, by whomever owned or planted, in a street or public place, as defined in this section.
7. **Unofficial street trees.** All street trees or shrubs which are not on the current master street tree plan.

The following are stated in Municipal Code Chapter 32.23 (Article II) “Definitions” and apply to this manual.

8. **Director.** The director of the city's community services department or his/her designee.
9. **Dripline.** The outermost edge of the tree's canopy. When depicted on a map, the dripline will appear as an irregular-shaped circle that follows the contour of the tree's branches as seen from overhead.
10. **Heritage tree.** Any one of the following:
  - a. A tree which has a trunk with a circumference of forty-eight (48) inches or more measured at fifty-four (54) inches above natural grade;
  - b. A multi-branched tree which has major branches below fifty-four (54) inches above the natural grade with a circumference of forty-eight (48) inches measured just below the first major trunk fork.
  - c. Any quercus (oak), sequoia (redwood), or cedrus (cedar) tree with a circumference of twelve (12) inches or more when measured at fifty-four (54) inches above natural grade;
  - d. A tree or grove of trees designated by resolution of the city council to be of special historical value or of significant community benefit.
11. **Owner.** The owner of the real property on which the tree is situated as shown on the most recent county assessor's roll, and includes any successor in interest to the owner.

12. **Permit or removal permit or heritage tree removal permit** may be used interchangeably. The permit required by Sec. 32.27 of this article.
13. **Person.** Any individual, partnership, firm, association, corporation, and any agent, employee, contractor or representative thereof.
14. **Proposed decision.** The decision of the director in nondevelopment-related removals.
15. **Removal.** The physical removal of a tree or causing the death of a tree through damaging, poisoning, or other direct or indirect action, including excessive trimming, pruning or mutilation that sacrifices the health, destroys or diminishes the aesthetic quality, or diminishes the life expectancy of the tree(s).

**The following are stated in Municipal Code Chapter 36 (Article XVII) "Definitions." This does not include all definitions in Chapter 36, just a subset that applies to this Manual.**

16. **Building.** Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property.
17. **Building lot.** A lot occupied or intended to be occupied by a principal building or group of such buildings and accessory buildings, together with such open spaces as are required by this chapter, and having a required frontage on a street; or a planned unit development approved by the zoning administrator under the provisions of this chapter.
18. **City council.** The city council of the City of Mountain View, California.
19. **Community development director.** The director of the community development department of the City of Mountain View.
20. **Multiple-family development.** Multiple-family development includes a building, a group of buildings or a portion of a building used and/or designed as dwellings for three (3) or more families living independently of each other. Includes: triplexes and fourplexes (buildings under one (1) ownership with three (3) or four (4) dwelling units in the same building) and apartments (five (5) or more units under one (1) ownership in a single building); senior-citizen multiple-family housing; and common-ownership, attached-unit projects such as condominiums. Duplexes and townhouses are separately defined and treated as different land uses by this chapter.
21. **Parking area, public.** An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.
22. **Setback.** The minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way, to the nearest vertical wall or other element of a building or structure as defined herein.
23. **Structure.** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
24. **Zoning administrator.** The zoning administrator of the City of Mountain View."



**The following are stated in Municipal Code Chapter 36.34.10 “General Landscaping Standards.” This does not include all definitions in Chapter 36, just a subset that applies to this Manual.**

25. **Parking lot landscaping.** Parking lot landscaping shall be provided in compliance with Section 36.32.80.f.
26. **Drought-tolerant design.** Landscape design and construction shall include drought-tolerant and/or native species.
27. **Clearance.** Trees and shrubs shall be planted so that at maturity they do not interfere with service lines (a minimum of five (5) feet from water lines and ten (10) feet from sanitary sewer lines), traffic safety visibility areas, basic property rights of adjacent property owners, and the right of solar access.
28. **Installation.** Trees planted near public bicycle trails or curbs shall be of a species and installed in a manner which prevents physical damage to sidewalks, curbs, gutters and other public improvements.
29. **Irrigation.** All commercial, industrial, and multi-family landscaping shall have automatic irrigation systems.
30. **Coordination with adjacent properties.** Where possible, comprehensive landscaping plans should complement existing landscaping on neighboring properties to further ensure compatibility.
31. **Utilities.** Utilities may occur within required landscaped areas, but only if underground utilities will not preclude appropriate planting of trees, and the utility facilities are screened from public view.

**Additional Definitions:**

32. **Certified Arborist.** An individual who has been certified by the International Society of Arboriculture as either a Certified Arborist or a Board-Certified Master Arborist.
33. **Dead tree.** A tree that is 1) standing dead, 2) has been damaged beyond repair, or 3) in an advanced state of decline as identified by a Certified Arborist.
34. **Diameter at breast height (DBH).** The diameter of the tree trunk at four and one-half feet (or 54 inches) above natural grade level.
35. **Engineered soil mix (ESM).** ESM such as structural soil is a designed medium composed of gap-graded gravels mixed with soil that retains porosity and spaces for root development while forming a load-bearing lattice to support pavements.
36. **Excessive and improper pruning.** Removal of one-fourth (25 percent) or greater, of the functioning leaf, stem or root area. Includes practices such as topping, lions-tailing, and unbalancing the canopy of a living tree. A prohibited activity.
37. **Hardscape.** The non-vegetative portions of landscapes composed of durable materials used in landscapes for paths, sidewalks, walls, etc.
38. **Hazardous tree.** A tree with a severe or high risk rating as assessed by a TRAQ qualified Certified Arborist using the methods described in the most recent edition of Best Management Practices: Tree Risk Assessment (International Society of Arboriculture). Removal of a hazardous tree is permitted in the Municipal Code. The Director of

Community Services retains discretionary right to approve or amend a hazardous rating, in writing, and recommend any action that may reduce the risk rating.

39. **Injury.** A wound or injury to tree roots, bark, trunk, branches or foliage resulting from any activity, including but not limited to excessive pruning, trenching, excavating, altering the grade, paving or compaction, herbicide or other chemical poisoning, or any other action that could foreseeably lead to the death or permanent damage.
40. **Mulch.** Any coarse organic material such as leaves, bark, and untreated wood chips that is spread on the surface of the soil to protect the soil and plant roots.
41. **Pervious pavement.** Pavement systems designed to store and infiltrate rainfall, typically at a rate equal to immediately surrounding unpaved, landscaped areas. Also known as permeable pavement.
42. **Project Arborist.** A Certified or Registered Consulting Arborist retained by a property owner or development applicant for the purpose of overseeing on-site activity involving the welfare of the trees to be retained. The project arborist shall be responsible for tree reports, appraisals, tree preservation plans, or inspections as required.
43. **Recommended practice.** Actions, treatments, techniques or procedures that may be implemented for care or preservation of trees. Recommended practices may be required under specific conditions of approval for discretionary development projects or injury mitigation.
44. **Required practice.** Tree care and protection activities that must be implemented by the property owner, project applicant, contractor or designee for any Heritage tree or street tree. Required Practices are the minimum standards for care and are consistent with best management practices in the tree care and landscape industry and are intended to promote healthy, structurally sound trees. In addition, Required Practices may be identified within the 'conditions of approval' for a development project or mitigation for injury or disturbance.
45. **Suspended pavement systems.** Use pillars or structured cell systems to support reinforced concrete or asphalt, increasing the volume of uncompacted soil in subsurface planting areas and enhancing both root growth and stormwater storage.
46. **Site plans.** The drawings (e.g. preliminary drawings, site plan, grading, demolition, building, utilities, landscape, irrigation, tree survey) that illustrate existing site conditions and proposed site improvements. Site plans must be consistent with the submittal requirements of the Community Development Department (CDD) and Community Services Department (CSD).
47. **Street Tree.** Street trees are owned by the property owner and are defined primarily by their planting location. When a planting strip exists between the sidewalk and curb, trees planted in this area and in the street tree inventory would be considered street trees. Where planting strips do not exist, trees typically planted 5 feet behind the back of sidewalk and in the street tree inventory would be a street tree. Approval from the Forestry & Roadway Division is required prior to any work within the dripline of these trees.
48. **Topping.** The improper and detrimental practice of cutting back large-diameter branches or truncating the main stem.

49. **Tree appraisal.** An estimate of either reproduction cost (of repair) or contribution to real estate property value using the methods described in the most recent edition of the Council of Tree and Landscape Appraiser's *Guide for Plant Appraisal* (International Society of Arboriculture).
50. **Tree Preservation and Protection Plan.** A plan prepared by the Project Arborist or City Arborist that outlines measures to protect and preserve trees on a development project.
51. **Tree protection fencing.** The temporary enclosure erected around a tree at the edge of the tree protection zone. The fence has three functions: 1) to separate the foliage, branch structure and trunk clear from contact with equipment, construction materials or disturbances; 2) to preserve roots and soil in an intact and non-compacted state; and 3) to identify the tree protection zone.
52. **Tree protection zone (TPZ).** The area encompassed by Tree protection fencing.
53. **Tree Technical Manual.** This document.
54. **Trenching.** Any excavation of an underground feature including but not limited to irrigation lines, foundations, utility lines, services, pipe, drainage or other property improvements. Any trenching within the TPZ must be approved and adhere to the instructions outlined in this Manual. Excavation for base rock, sand or other materials to a depth greater than currently exists would also be considered trenching when the work is within the TPZ.

## Section 3. Heritage Trees

Because large trees provide benefits that enhance the health and welfare of the entire community, the Heritage tree regulations are intended to protect large trees from indiscriminate or unnecessary removal. The following information comes from Municipal Code Chapter 32.22-32.39 (Chapter 32 Article II).

### 3.10 Heritage Tree Definition

- Any tree that has a trunk circumference of 48 inches or more measured at fifty-four inches (54") above grade. Multi-trunk trees are measured just below the first major trunk fork.
- Three genus: oak (*Quercus*), redwood (*Sequoia*), and cedar (*Cedrus*) are considered Heritage if they have a circumference of 12 inches or more measured at fifty-four inches (54") above grade..
- Any tree or grove designated by the City Council.

### 3.20 Ownership and Responsibility

Mountain View's ordinance states that if you own or control real property in the City, you are responsible for maintaining and preserving all Heritage trees in a state of good health. It is against the City ordinance to willfully injure, damage, destroy, move or remove a Heritage tree unless granted a removal permit by the City.

The City of Mountain View requires the preservation of all healthy Heritage trees unless reasonable and conforming use of the property justifies the removal, cutting, pruning, and/or encroachment into the dripline of a Heritage tree.

### 3.30 Heritage Tree Removal Permit Requirements

#### 3.20.1 Required Practices

- No person shall cut down, destroy, remove or relocate any Heritage tree growing on public or private property, or on any city-owned property, unless a valid Heritage Tree Removal Permit has been granted by the City.
- Construction of improvements within the dripline of a Heritage tree shall also require a permit issued.

#### 3.20.2 Criteria for Removal and Conditions of Approval

Municipal Code Section 32.35 lists criteria for removal, balancing criteria, and conditions of approval used by the City of Mountain View when processing Heritage tree removal requests.

- The criteria for removal and balancing criteria also appear on the application form for a Heritage tree removal permit. The director or decision-maker reviewing the application considers factors that may support removal as well as factors that could mitigate against removal.
- If an application is approved, the director or decision-maker can also include reasonable conditions that are also listed in this section of the code. Conditions of approval can include, but are not limited to requiring:
  - Replacement of additional trees on-site or off-site
  - Relocating trees on-site or off-site
  - Tree protection fencing to protect adjacent Heritage trees or landscaping
  - Tree protective grading to avoid damaging roots of nearby trees
  - Tree maintenance plans
  - Posting a security bond
  - Donating boxed trees to the City or other public agency to be planted elsewhere in the community if there is not a suitable replacement location on-site.
  - Paying a fee for replacement of a tree or trees shall be, at a minimum, based on the cost of a 24" boxed tree of the same species, delivered and installed.

### **3.40 Permit Exemptions**

A permit is not required to cut, encroach, remove, or relocate a tree(s) under the following circumstances:

1. Trees damaged by thunderstorms, windstorms, floods, earthquakes, fires or natural disasters and determined to be dangerous by a peace officer, firefighter, civil defense official or code enforcement officer acting in their official capacity. The owner shall notify the Forestry Division within 5 days of any action taken with respect to the emergency; or
2. When removal is determined necessary by fire department personnel actively engaged in fighting a fire; or
3. Employees of the city, during an emergency, may take such action with regard to trees on city-owned property as may be necessary to maintain the safety of city operations and/or the safe conditions of city property; or
4. Public utilities subject to the jurisdiction of the Public Utilities Commission of the State of California may take such action as may be necessary to comply with the safety regulations of said commission and as may be reasonably necessary to maintain the safe operation of their

- facilities. No pruning at the direction of any public utility or its agents pursuant to this subsection shall be performed in such a manner as to leave the tree in an unbalanced, unstable or other dangerous condition; or
5. Any Heritage tree may be removed from the landfill area, including the Shoreline golf course, when determined by the City's Director of Public Works or the Director of Community Services or their designee to be necessary for the proper maintenance and operation of the landfill or golf course; or
  6. Any Heritage tree which the City's Arborist has determined is dead may be removed.

### 3.50 Heritage Tree Removal Permits

All Heritage trees proposed for removal require a removal permit, which is issued by either the Community Services Department's (CSD) Forestry & Roadway Division or the Community Development Department's (CDD) Planning Division, depending on the type of property and the scope of work associated with the proposed tree removal.

The following presents Heritage tree removal permit requirements (including dead trees) in all zoning districts and Precise Plans:

Scenarios	Submit Application to:
Trees at a single family home  <u>OR</u>  3 or fewer trees	Community Services Department's Forestry & Roadway Division
Any trees for removal in conjunction with a Planning Permit  <u>OR</u>  4 or more trees	Community Development Department's Planning Division

#### 3.50.1 Removal Permits Process by the Forestry & Roadway Division

The Forestry & Roadway Division processes Heritage Tree Removal Permits for:

- A. Applications to remove 1 to 3 Heritage trees when it is not associated with a development application. This applies to all property types (single family homes, multi-family units, commercial, industrial, etc); and
- B. Applications to remove any Heritage trees when associated with a development application for single family homes (permits such as remodels, home projects, and new construction).
- C. Applications to remove a dead Heritage Tree.

If one of the scenarios listed above applies to you, here is the process to apply:

1. Ways to obtain an Application for a Heritage Tree Removal Permit:
  - a. Download and print the Forestry Division Heritage Tree Removal Application online at [MountainView.gov/HeritageTrees](http://MountainView.gov/HeritageTrees).
  - b. Call to speak with a staff member Monday through Friday from 8am - 4pm, or email them at [parks@mountainview.gov](mailto:parks@mountainview.gov).
  - c. Visit the Forestry & Roadway Division and request a form. The offices are located at 231 North Whisman Road, Mountain View, CA 94043.
2. The following information is required on the application:
  - Your contact information
  - The number, species, size, and exact location of tree(s) involved (an Arborist Report is NOT required, but is accepted and can be helpful)
  - A brief statement of the reason(s) for requested action
  - Application must be original with a wet signature
3. Pay the application fee listed in the City's currently adopted fee schedule (usually a flat fee for the first tree. Additional trees on the same site and application have a reduced cost. Ways to pay the application fee:
  - Check, made payable to the City of Mountain View
  - Credit Card (VISA or Mastercard).
  - Cash with exact dollar amount (front desk does not carry cash for change)
4. Once you submit your application and pay the fee, staff will review it, conduct a site visit to evaluate the tree(s), and make a decision on the application.
  - The removal of a Heritage tree is generally only permitted when the tree meets the criteria for consideration (see Municipal Code Chapter 32.35).
5. Once staff determines if the application is approved or denied, notice of the decision will be posted on the tree or site for a ten (10) day period and mailed to the property owner.
  - See Section 3.60 for information on how to file an appeal.

- If there are no appeals to the decision, the removal permit will be issued by the City.
6. Once a Heritage Tree Removal Permit has been issued by the Forestry & Roadway Division, the permit is valid for up to 2 years from date of issue.
    - Said permit may be extended at the discretion of the director for nondevelopment-related permits. Removal permits shall expire when any underlying permit expires and extensions shall not exceed the life of any underlying permit.
  7. The property owner will be required to post a copy of the approved permit on the tree 24 hours in advance of the tree removal.
  8. After the tree(s) are removed, the owner is typically required to plant a new tree for each Heritage tree removed. An in-lieu fee is collected by the City of Mountain View if there is no room for a replacement tree on the property. Staff will follow up with the status of the removal and replant every six months.

For additional information, contact the Forestry & Roadway Division by phone at (650) 903-6273, and via email at [parks@mountainview.gov](mailto:parks@mountainview.gov).

### 3.50.2 Removal Permits Process by the Planning Division

The Planning Division processes Heritage Tree Removal Permits for:

- A. Applications to remove 4 or more Heritage trees when it is not associated with a development application. This applies to all property types (single family homes, multi-family units, commercial, industrial, etc); and
- B. Applications to remove any Heritage trees when associated with a development application for all projects that the Forestry & Roadway Division does not cover (projects that require a Planning permit).

Examples include:

- a. A multi-unit development with or without a Homeowners Association (HOA), such as a small-lot single-family home, townhome, rowhome, condominium, or apartment
- b. Any property with a Precise Plan area of Planned Unit Development (PUD) with or without an HOA
- c. Any commercial or industrial properties

If one of the scenarios listed above applies to you, here is the process to apply:

1. Staff Planners and Arborists review projects on an individual basis with applicants as part of the discretionary development review process. This means that Heritage tree removal requests are filed and processed concurrently with any other application(s) for development entitlements.



2. In this process, applicants should expect:
  - To submit a Heritage tree removal permit and a Development review permit, as the removals are considered a modification to the previously approved site plan/landscape plan. Plan to pay a combined fee for both permits at the time of submittal.
  - To hire an ISA Certified Arborist to complete a tree inventory and report, which is then incorporated into the plans presented to the City. The site plan should show the tree removals, their proposed replacements, and/or new landscaping.
  - To submit an HOA approval letter if located within an HOA development.
  - To work with City staff to review reasonable alternatives in site design that help applicants meet their project goals while preserving and growing the City's tree canopy cover.
  - To get feedback on tree preservation, removal, and replacement, along with Conditions of Approval that may vary depending on the project.
3. A City staff member and/or contractor that is a Certified Arborist serves in an advisory capacity to the Community Development Department (CDD) to evaluate permits. They help review project plans and proposed mitigation measures, including preservation strategies and tree replacement species and quantities. The Heritage tree removal permit application fee associated with these projects is listed in the currently adopted fee schedule.
4. The application shall be approved, conditionally approved, or denied by the official or hearing body that acts on the companion development permits.
5. 5 days prior to the hearing on the Heritage tree removal application, the applicant is required to wrap each Heritage tree subject to removal with designated yellow tape as directed by the CDD and will also be required to post a notice approved by the CDD stating the time, date, and place of the development project and Heritage tree removal hearing. Said notice shall be posted at or near the public right-of-way and be legible from the public right-of-way.
6. Wait for the appeal period to end and for the building permit for the associated development project to be issued before you remove any Heritage trees that were approved.
  - See Section 3.60 for information on how to file an appeal.
  - If there are no appeals to the decision, the removal permit will be issued by the City.
7. Notice of the decision on the permit shall be made by personal delivery or certified mail to the owner, the applicants, and by first-class mail to any other person who has filed a written request for such notice with the

- community development department. Notice of the decision shall also be incorporated into any noticing of the accompanying development permit.
8. Once a permit has been issued by the Community Development Department, the permit is valid for up to 2 years from date of issue. Said permit may be extended by and at the discretion of the Zoning Administrator for development-related permits. Removal permits shall expire when any underlying permit expires and extensions shall not exceed the life of any underlying permit.
  9. Trees removed through development are subject to mitigation which may include planting replacement trees and/or paying in-lieu fees.

For additional information, contact the Planning Division by phone at (650) 903-6306, and via email at [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov). You can also visit their website at [www.mountainview.gov/depts/comdev/planning/](http://www.mountainview.gov/depts/comdev/planning/).

### **3.60 Heritage Tree Removal Appeal Process**

Who can file an appeal for Heritage tree removal permits?

- Any person aggrieved or affected by a decision
- Members of the Urban Forestry Board or of the City Council, if the decision was made by the Development Review Committee (DRC) or the Zoning Administrator (ZA)

The appeal process is as follows:

1. In order to file an appeal, first you must know whether or not a Heritage tree removal permit has been approved. Typically, notification of the decision to approve a removal application will be posted in the following ways:
  - On the tree or site for a 10 day period
  - Mailed to the property owner
  - On the City's website - links to the current and archived tree removal applications can be found at [www.mountainview.gov/depts/cs/parks/trees/heritagetree/](http://www.mountainview.gov/depts/cs/parks/trees/heritagetree/).
  - Emailed to subscribers of the MyMV Heritage Tree alerts
2. File a written notice of appeal within 10 calendar days after the notice of the decision is posted or mailed.
  - Write a letter stating the reason(s) for the appeal. There is no appeal application form.

- Go to the City Clerk's Office at 500 Castro St, 3rd Floor, Mountain View, CA to submit.
  - Submit the letter and pay the fee using the current fee schedule and acceptable payment options.
  - Members of the City Council and Urban Forestry Board are exempt from payment of the appeal fee.
3. Appeals must be submitted to the same Division that issued the permit.
- Neither the owner nor any applicant shall reapply for the removal of the same Heritage tree for a period of 2 years from said denial unless the CSD director or CDD director finds, in writing, prior to the filing of the application for removal, that there has been a material change in circumstances.
4. An appeal automatically stops any action on the tree until a public hearing is held.
- The Forestry & Roadway Division schedules a hearing with the Urban Forestry Board (UFB) for non-development related appeals. The UFB will hold a hearing for the appeal(s) and make a determination. The Board's decision on an appeal is final.
  - The Planning Division schedules a hearing with the City Council for development-related appeals. The City Council will hold a hearing for the appeal(s) and make a determination. The Council's decision on an appeal is final.

### **3.70 Restitution and Penalties**

Restitution and Penalties are required by Section 32.38 in the City code. Any violation of this article shall be deemed a misdemeanor, punishable as set forth in the City Charter.

- It has been determined that Heritage trees within the city are valuable assets to the citizens of Mountain View and the neighboring communities. The loss of or damage to any unlawfully removed or damaged heritage tree will require restitution. In addition to any applicable penalties, any person who willfully injures, damages, destroys, removes or relocates any heritage tree in violation of the terms of this article shall be responsible for proper restitution in the form of replacement trees or fees in lieu of replacement.
- The number, species, size and location of said replacement tree(s) shall be determined by the director or other decision-maker, as applicable. The minimum size of a replacement tree shall be a twenty-four inch (24") box size tree.
- Any fees collected in lieu of planting replacement trees shall be used for the purpose of enhancing the urban forest.

## Section 4. Street Trees

The Forestry & Roadway Division is responsible for the management of community trees. In addition to street trees, the Division maintains trees at 39 urban parks and along nine miles of trails on Stevens Creek, Permanente Creek, Hetch-Hetchy, Bay, and the Transit-Oriented Development Trails.

Mountain View Municipal Code Chapter 32.1-32.21 (Chapter 32 Article I) is intended to protect the community's street trees and protects public property from removal or disfigurement, and includes regulations for their pruning and care. Street trees, median trees, and other public/community/city trees must be maintained in accordance with the standards and regulations contained in the Tree Technical Manual.

### 4.10 Street Tree Definition

Street trees are planted in two locations along city streets:

- Some are planted in the "park strip," the open space that runs between the curb and the sidewalk.
- Where a park strip does not exist, street trees are planted within the public right-of-way behind the sidewalk (in the front yard of the property owner), typically 5 feet from the sidewalk.

### 4.20 Street Tree Assistance

Contact the Forestry Division at (650) 903-6273 or by email at [parks@mountainview.gov](mailto:parks@mountainview.gov) for help with any of the following:

- If you are unsure if a tree is a street tree, staff will visit your location or use digital street tree records to make a determination.
- To request the planting of a street tree. Staff will evaluate your property to see if there is appropriate planting space. Considerations for planting include spacing, proximity to sewer, gas and water service lines, as well as proximity to sidewalks, driveways, streetlights, etc.
- To have your street tree evaluated or pruned. Staff will provide information on your street tree or make a site visit to evaluate the tree.

### 4.30 Street Tree Ownership and Responsibility

Property owners own street trees on their property. Their responsibilities include:

- Watering. The first two years are critical and the tree will need to be watered weekly from spring through fall (during the dry season). Once the tree matures the watering schedule changes, often to once a month.
- Repairing damage caused by tree roots and mitigating root issues on private property.
- Abate public nuisances (Sec. 32.16, Sec. 32.17), including maintaining shrubs and plants in the parkway strip to no more than 12 inches in height and removing vines from street trees.

The City of Mountain View has the authority to:

- Plant, remove or prune street trees. However this does not affect ownership or liability.
  - The City determines if a location is suitable for a new street tree, the species to be planted, and the timing and specifications for planting.
  - The City determines whether a street tree is allowed to be removed. Street trees are not removed just because a resident does not like their particular tree; rather if the tree is dead, dying, structurally unsound, or creating a problem that cannot be resolved without causing great harm to the tree. Street tree removal requests are processed on a case-by-case basis which includes a site inspection.
  - The City aims to maintain street and park trees pruning on a 5-7 year cycle. Trees ranking as critical or high priority are scheduled for service first. Trees may be pruned more or less frequently depending on the species and growth rate of the tree.
- The City may repair damage caused by street tree roots to public improvements such as sidewalk, curb and gutter.
- Require a permit for property owners to have a street tree pruned.
- If any property owner fails or refuses to abate any nuisance defined in Sec. 32.16, the Director may file a request with the City Council to adopt a resolution requiring such property owner to abate such nuisance by removal or destruction at his cost and expense within time specified in the resolution.

#### **4.30 Street Tree Prohibited Acts**

The following prohibited acts are set forth in Chapter 32, Article I of the Mountain View Municipal Code.

- No person shall cut, trim, prune, plant, spray, remove, injure\* or interfere with any street tree or shrub without the prior written permission from the City.
- No person shall interfere with the director or persons acting under his authority, while engaged in planting, mulching, pruning, trimming, spraying, treating, removing or otherwise treating any tree or shrub in any street or public place or in the removal of any stone, cement or other substance from or about the trunk of any tree or shrub in any street or public place.
- No person shall:
  - Cause, authorize or permit any brine water, oil, liquid dye or other substance deleterious to tree life to lie, leak, pour, flow or drip upon or into the soil about the base of any street tree or shrub nor on any sidewalk, road or pavement at a point from which such substances may, by lying upon or by flowing, dripping or seeping into such soil, injure such tree or shrub, nor to otherwise harm or kill any such tree or shrub.
  - Place or maintain any stone, cement or other substance so that it shall impede the free access of water or air to the roots of any tree or shrub, without prior written approval of the director of parks and recreation.
  - Build any fire or station any engine in any place in such a manner that the heat, vapors or fumes therefrom may injure any street trees or shrubs.
  - Permit any leak to exist in any gas pipe or main which may result in damage to any street tree or shrub.
- No person shall place, apply, attach or keep attached to any street tree or shrub or to a guard or stake intended for the protection thereof any wire, rope, sign, paint or any other substance, structure, thing or device of any kind or nature whatsoever.

#### **4.50 Street Tree Resources**

Visit [www.mountainview.gov/depts/cs/parks/trees/trees/](http://www.mountainview.gov/depts/cs/parks/trees/trees/) for information about the designated tree species for different streets (also called a street tree theme).

- To see the “theme” for a particular street, visit the webpage above or request a copy in person or via email. There is one list organized by street name, and another organized by species.
- If you are interested in detailed information about a particular street tree species, there is also a PDF with tree photos and descriptions.

## Section 5. Best Management Practices for Construction Site Management

Preservation of existing trees throughout new construction and redevelopment is beneficial for a number of reasons, including:

- To sustain both the function and value of existing trees and tree canopy.
- To promote public safety and reduce liability by carefully maintaining the health of preserved trees.
- To contain costs associated with site restoration.
- To reduce or avoid soil compaction and degradation and preserve soil volume.
- To avoid physical injury to existing trees and tree roots.
- To protect existing irrigation, utilities and underground drainage.

Please contact City of Mountain View staff if you have specific questions on these topics, and note that the ANSI Standards (listed in Section 9 of this Manual) go into greater detail on many of the topics below.

### 5.10 Pre-Construction

#### 5.10.1 Tree Protection Installation

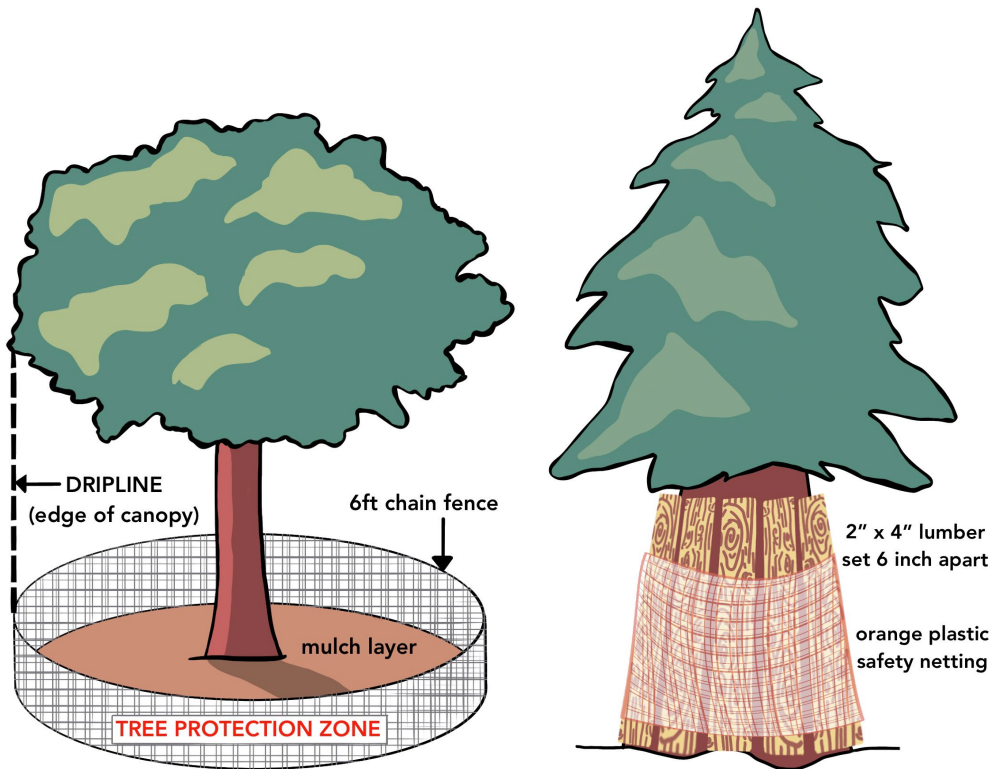
- Tree protection shall be installed before demolition, grading or construction begins and remain in place until final inspection of the project permit.
- The Tree Protection Zone (TPZ) for discretionary development projects is determined by the Project Arborist. The TPZ is typically calculated, at a minimum, to be the greater of:
  - 6 feet, or
  - Out to the dripline of the tree (the edge of the canopy), or
  - Calculated by multiplying each tree's diameter at 4.5 feet above existing grade (DBH) by a factor of one (1) to determine the diameter, in feet, of the area above and below ground to be protected. For example, a tree with trunk diameter of 20 inches would have TPZ fencing installed at least 10 feet from the trunk (diameter=20 feet, radius=10 feet)
- The TPZ for all other projects is typically out to the dripline of the tree.
- The typical procedure is to install fencing to define the TPZ as described in the Conditions of Approval and/or Tree Protection Report. Fencing shall be:

- 6-foot high chain link, with posts 2 inches in diameter, driven 2 feet into the ground. The distance between posts shall be not more than 10 feet.
  - If the plans approve trunk wraps instead of fencing, follow those specifications instead. Trunk wraps usually consist of placing 2 inch by 4 inch lumber or straw waddles around the trunk, then securing them with a wrap of orange plastic safety netting.
  - Movable barriers of chain link fencing secured to cement blocks may be substituted for “fixed” fencing if the Project Arborist and City staff agree that the fencing will need to be moved to accommodate certain phases of construction.
- 
- Apply Warning signs: A warning sign shall be prominently displayed on each fence. The sign shall be a minimum of 8.5 x 11-inches and clearly state:

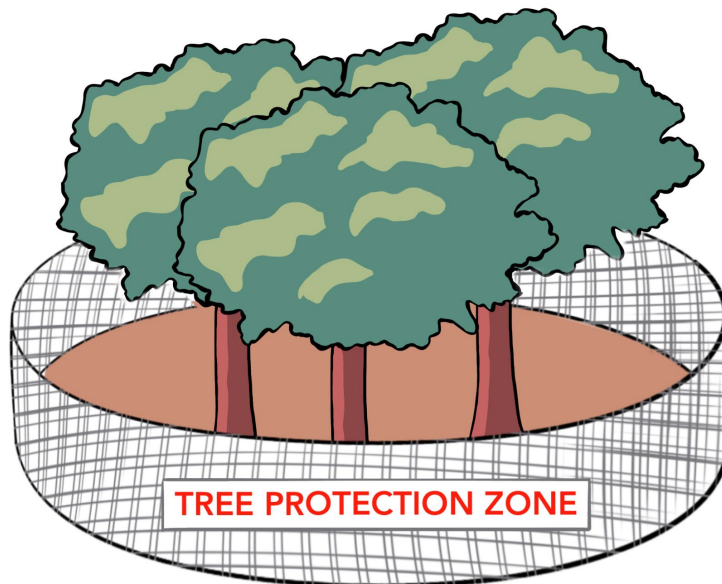


The Tree Protection drawings below are meant to provide guidance on how to properly fence off or wrap trees prior to construction. Be sure to follow any detailed information provided by an Architect or City staff member, such as Standard Details, which are not provided in this Manual.





*Image 1. Tree Protection fencing around one tree; Image 2. Tree Protection trunk wrap*



*Image 3. Tree Protection fencing around a group of trees.*

### 5.10.2 Other Site Preparations

- The Project Manager/Contractor shall:
  - Know and understand Mountain View's development and building regulations concerning trees and vegetation.
  - Install tree protection fencing and other tree preservation measures prior to demolition, per Project Arborist instructions.
  - Only remove or prune trees that were approved through the permit process, to accommodate future structures and construction equipment.
  - Set staging areas for equipment far enough from existing trees to ensure adequate protection of the root zone.
  - Coordinate installation of a six-inch (6") layer of coarse mulch or wood chips within the TPZ of protected trees. Mulch shall be kept 12 inches away from the trunk.
- The Project Arborist shall:
  - Perform a site inventory of all existing trees and complete tree reports and plans per the instructions in Section 6 of this Manual.
  - Indicate the Tree Protection Zone (TPZ) for each tree as to be preserved.
  - Provide training to all construction personnel to ensure they understand all construction site BMPs.
- Recommended pre-construction activities include:
  - Verification of tree protection to the Planning Division - Have the Project Arborist or contractor verify that tree protection and other pre-construction conditions have been met prior to demolition or grading.
  - Pre-construction meeting with the Project Arborist and/or City staff Arborist to ensure that all the tree requirements have been met prior to construction work.

## **5.20 During Construction**

### 5.20.1 Recommended Practices

- Tree monitoring
  - Having the Project Arborist inspect the trees monthly during construction is a proactive way to ensure that trees are more likely to survive the stressful conditions posed by typical construction environments.
  - Request that the Project Arborist or City staff Arborist (depending on the type of project) be available at the site to monitor

construction activities that require encroachment within the TPZ, such as grading or trenching.

- Trenching and excavation
  - Only excavate by hand or with compressed air within the TPZ of trees (if approved). Machine trenching shall not be allowed.
  - Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the TPZ. Use the smallest equipment required, and as roots are encountered stop excavation and expose roots by hand. Prune any root 2 inches or larger at the edge of the excavation or trench, using a clean and sharp saw, sawzall, narrow trencher with sharp blades or other approved root pruning equipment.
  - Fill trenches within 24 hours; where this is not possible, the side of the trench adjacent to the trees should be kept shaded with dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet.
  
- Tunneling and directional boring
  - Where possible, route pipes outside of the TPZ of a protected tree to avoid conflict with roots.
  - Where it is not possible to reroute pipes, the contractor should bore or tunnel beneath the TPZ of the tree. The boring shall take place not less than three feet (3') below the surface of the soil in order to avoid encountering "feeder" roots. Mechanically boring a tunnel under the roots within the TPZ with a horizontal directional drill and hydraulic or pneumatic air excavation technology is preferable instead of trenching.
  - All boring equipment must be staged outside of the TPZ.
  
- Tree root protection and maintenance
  - Root Buffer: When areas under the tree canopy cannot be fenced, a temporary buffer can be used to cover the root zone and remain in place at the specified thickness until final grading stage. The protective buffer consists of a base course of tree chips spread over the root area to a minimum of 6-inch depth, layered by  $\frac{3}{4}$  inch quarry gravel to stabilize  $\frac{3}{4}$  inch plywood on top.
  - Mulching: Spread wood chips within the TPZ to a 4-to 6-inch depth. Mulch should be no closer than 1-ft. to the trunk. Mulch material shall be 2-inch unpainted, untreated wood chips or approved equal.
  - Irrigation: Apply water to the rootzone of trees that are to be preserved on site. Deep slow watering is recommended.

- Damage and mitigation
  - Report any severe damage due to construction activities to the Project Arborist and City Staff within six (6) hours so that remedial action can be taken.
  - In the event of injury, the following mitigation and damage control measures apply:
    - Root injury: All damaged, torn, and cut roots shall be given a clean cut to remove ragged edges. Prune roots 2 inches or larger to sound wood.
    - Injury to branches or leaves: Prune broken or torn branches back to an appropriate point within five days of injury. If leaves are heat scorched from equipment exhaust pipes, consult the Project Arborist within 6 hours.

#### 5.20.2 Activities to Avoid

- Runoff or spillage of damaging materials into the area below any tree canopy.
- Storing construction materials or portable toilets, stockpiling of soil, or parking or driving vehicles within the TPZ.
- Cutting, breaking, skinning, or bruising tree roots, branches, or trunks.
- Parking vehicles and discharging exhaust into foliage.
- Securing cable, chain, or rope to trees or shrubs.
- Trenching, digging, or otherwise excavating within the TPZ of trees.
- Soil disturbance or grade change.

#### **5.30 Post-Construction**

The post-construction phase does not end when the equipment leaves and the new tenants move in. Important follow-up monitoring of the preserved trees will help ensure their survival and identify signs of early stress.

At minimum, follow the recommended steps below:

- Complete post-construction tree maintenance, including pruning, mulching, irrigation, and soil aeration where necessary.
- Remove, by hand, all root protection material such as wood chips, gravel, and plywood.
- Provide slow and deep watering throughout the dripline of trees on the site.
- Inspect trees annually for at least three (3) and up to five (5) years after construction to look for changes in condition and signs of insects or disease and to determine maintenance needs.

## Section 6. Arborist Report Requirements

The City of Mountain View has several types of permits and submittals that involve trees. This section describes typical situations where Arborist requirements apply.

### **6.10 Arborist Report Requirements for Community Services Department (Forestry & Roadway Division)**

CSD does not require an Arborist Report to accompany a Heritage tree removal permit application, however Arborist Reports are accepted. All applications for Heritage Tree Removal Permits shall specify:

- The number of each tree involved
- The species of each tree involved
- The size of each tree involved
- The exact location of each tree involved (include map)
- A brief statement of the reason for the requested removal
- Any other pertinent information as may be required by the city

CSD staff Arborists and CDD staff Planners work with applicants on non-development related projects (projects requiring building permit only). While an Arborist Report is usually not required, applicants are welcome to hire an ISA Certified Arborist to help advise on the trees on the property in relation to the upcoming project.

### **6.20 Arborist Report Requirements for Community Development Department (Planning Division)**

All Heritage Tree Removal requests which are reviewed by the Planning Division require submission of an arborist report prepared by an ISA Certified Arborist. The arborist report will be reviewed and used by the City Arborist, Planning staff, and decision makers in evaluating tree removal requests as part of development.

Below is a checklist of what shall be included in an arborist report:

- Arborist's name, contact information, and certification number
- The purpose of the report and for whom
- Site address and basic project details
- Date of the site visit(s) or inspection(s)
- Condition ratings for trees' health and structure

- Recommendation on trees' suitability for retention or removal
- Evaluation of impacts to trees and the overall landscape plans (e.g. what is being removed and what will be the replacement)
- Specific recommendations for tree preservation during the course of construction that are consistent with the specifications in this Manual
- Recommendations for tree maintenance (watering, pruning, mulching, etc.) before, during, and after construction
- To-scale site plan which includes:
  - All trees greater than or equal to 4-inches in diameter (measured at 54-inches above grade or below first major trunk fork) or 9-feet in height within the proposed project limits.
  - All street trees within 25-feet of the property line
  - All trees on adjacent properties whose canopies extend into the proposed project site
  - The circumference, canopy spread, and tag number for each tree which corresponds to the summary table
  - Existing trees' proximity to structures (existing and planned)
- A summary table containing the following for each tree which corresponds to the site plan:
  - Species (common and scientific name)
  - DBH (diameter at breast height=54 inches above grade)
  - Circumference at 54 inches above grade or below first major trunk fork
  - Condition rating
  - Tree tag number
  - Suitability for preservation
  - Maintenance requirements (if applicable)
- **Tree Protection Plans:** A Tree Protection Plan in which tree protection zones and fencing locations are plotted must be submitted in the final improvement plans. The plan shall include guidelines for tree preservation during the demolition and construction, and establish a tree protection zone for each tree that is to be retained on site.
- **Tree Monitoring Report (optional):** An Arborist may be retained by the applicant to conduct inspections of construction sites containing Heritage trees. Inspections can help verify that the type of tree protection and/or plantings are consistent with the standards outlined within this Manual and Conditions of Approval for discretionary projects. A recommended practice is for applicants to consult with the Arborist prior to submitting

plans to the City in order to make sure that tree protection is shown correctly in the plans. Applicants are also encouraged to include the Arborist in a pre-construction site visit with the project team/construction manager, to make sure tree protection fencing is correct and trees are properly planned for according to the City-approved permits.

## Section 7. Tree Planting and Maintenance Information

Planting and maintaining trees properly is an important part of growing a resilient urban forest. The following information is meant to provide general guidance. Please contact City of Mountain View staff if you have specific questions on these topics, and review the ANSI Standards listed in Section 9 of this Manual.

### 7.10 Tree Planting Information

Industry standards related to tree planting practices are found in Section 9 “Resource Information.” Any planned tree planting should adhere to these standards.

#### 7.10.1 Tree Planting Concepts

Concepts to remember when planning tree planting:

- **Think long-term:** Consider long-lived trees that will be able to provide shade and other benefits for a long time, especially when selecting larger landscape and street trees.
  
- **Right Tree Right Place:** Plan tree planting with the tree species and location (site characteristics) in mind. Some common scenarios include:
  - If planting under overhead power lines, only plant trees that do not grow over 25 feet tall. This reduces potential branch conflicts, which requires less pruning maintenance long-term.
  - Know the root and canopy characteristics to reduce conflicts with existing or future site conditions, (Eg. future addition, utilities, drainage, driveway, foundation, or fence). Each tree species requires a different trunk and root clearance radius, but generally you should plant larger trees farther from structures and hardscape.

- Plant trees that drop fruit or seeds further away from hardscape areas.
- Consider the mature size of the tree when making planting site decisions:
  - Plant larger canopy trees where there are no obstructions from buildings, utilities, or hardscape.
  - Plant small or medium trees where there are site constraints, such as nearby buildings, utilities, or hardscape.
- **Plan tree planting with your goals in mind:**
  - Energy savings: Plant deciduous trees and screen planting, with a leaf cycle providing shade during the warmer months and sunlight during the colder months, along the south side of the home/building.
  - Shade and cooling: Plant broad-canopied trees to shade the driveway and other hard surfaces. Planting large street and park trees also aids in providing shade along sidewalks and other areas with heavy foot traffic.
  - Stormwater management: Plant trees in stormwater tree wells and other green infrastructure systems, and in areas where water runoff is an issue. Tree canopies intercept rainfall, which reduces soil erosion and runoff while cleaning water as it filters into the soil below.
  - Air quality improvement: Planting large evergreen trees next to streets and highways helps intercept particulate matter and absorb gaseous pollutants right at the source.
  - Habitat value: Plant trees that provide tangible habitat (food and shelter) for birds, pollinators, hummingbirds, and other species.
  - Human health and wellness: Consider planting edible fruit and nut trees that perform well locally. These trees can be planted in landscaping areas away from hardscape and provide food and beauty for people.
- **Site design:** In areas where tree space is constrained (Eg. apartment complexes, commercial properties, busy downtown areas, etc), growing trees with big benefits requires additional planning and engineering. Many cities employ the following strategies to provide enough space and rootable soil for urban trees to thrive:



- Install structural soil, Engineered Soil Mix (ESM), adjacent to new trees. ESM is a designed medium composed of gap-graded gravels mixed with soil that retains porosity and spaces for root development while forming a load-bearing lattice to support pavements. Installing this next to new plantings under sidewalk/concrete areas creates a “rooting corridor” for tree roots to extend under the concrete and into other open landscaped areas, which decreases concrete damage while increasing tree access to viable soil, water, space, and nutrients.
- Plant trees close together and in shared landscape areas/cutouts when possible in order to ensure a complete canopy. But remember to also space medium and large canopy trees around 10 to 20 feet in order to ensure adequate available soil and branch spacing.
- **When to plant:** Most tree planting in this region occurs in the fall, winter, and spring seasons when temperatures are cooler and there is rainfall to aid in young tree establishment. Summer planting is acceptable when proper irrigation and/or hand watering is guaranteed.
- **How to plant:** Additional tree planting resources can be found online. Some local resources include:
  - Canopy’s Tree Planting web page provides step by step instructions for selecting and planting your tree: <https://canopy.org/tree-info/planting-trees/>.
  - Canopy’s Resources web page: <https://canopy.org/tree-info/resources/>.

### 7.10.2 Tree Selection Concepts

Concepts to consider when planning which trees to plant:

- **Species selection:** Consider planting trees that are locally native, drought-tolerant, and/or climate adapted species.
  - Locally native trees are usually compatible with the current climate, weather patterns, and native soils. They are also likely to attract native birds, pollinators (like bees and butterflies), and hummingbirds, which are valuable for ecological resilience and enjoyment for wildlife viewers.

- Drought tolerant trees require less water and are more likely to survive drought conditions. In California this is especially important when water conservation measures are increased.
- Climate adapted trees are those that are well suited for anticipated climate changes, such as being tolerant of warmer temperatures and less rainfall than the historical averages for the area. Trees from more arid conditions and locations can be integrated into our local plantings in anticipation of these kinds of climate changes.
- Plant species that are locally adapted and suited to the microclimate and soils in which they are to be planted. It is recognized that there is a limited palette of native plants that are both site-adapted and available in the nursery. Therefore, plants from similar Mediterranean climates having low to very low water requirements are commonly accepted.
- **Links and other resources on plant selection:**
  - Use Canopy's Tree Library database and tools to explore trees found in Midpeninsula communities, as well as lists of trees that are recommended for planting or should be avoided: <https://canopy.org/tree-info/canopy-tree-library/>.
  - Use Cal Poly/UFEI's SelecTree database and tools to explore information about many trees found in the western states and Hawaii: <https://selectree.calpoly.edu/>.
  - Use California Invasive Plant Council's invasive species list to learn which trees/plants to avoid planting: <https://www.cal-ipc.org/>.
  - Use HT Harvey's Resident Guide for some local guidance on plant selection for homeowners: [https://drive.google.com/file/d/15F\\_sr9CsW-4Z1RKZgpigF8u4pJNOZw8/view](https://drive.google.com/file/d/15F_sr9CsW-4Z1RKZgpigF8u4pJNOZw8/view).
  - Use HT Harvey's Urban Design Guide for some local guidance on plant selection for larger properties (commercial, mixed use, etc): <http://internal.harveyecology.com/harvey/UrbanDesignGuide.pdf>.
  - Use California Native Plant Society's Calscape database and tools to explore information about California native species: <https://calscape.org/>.
  - Use Cal-adapt's for information on relevant climate change research: <https://cal-adapt.org/>.

- **Planting stock:** Select tree stock and planting materials carefully.
  - Selecting plant stock quality that is healthy and well structured is integral to the survival and success of your tree. Inspect the tree following the Urban Tree Foundation's *Guideline Specifications for Nursery Tree Quality*:  
<http://www.urbantree.org/pdf/NurseryTreeSpecs1.pdf>. At minimum you should make sure to:
    - Select a tree that is substantially free of any health or pest issues (inspect all parts of the tree - roots, trunk, crown, leaves, etc).
    - Select a tree with a central leader and branches that are well structured and spaced.
    - Select a tree with trunk(s) that have sufficient diameter and taper, and that is free of damage.
    - Select a tree that is well rooted and substantially free of girdling/circling roots.
  - Nursery availability: Source trees from reliable nurseries that produce plants and trees conform with the most current version of the *American Standard for Nursery Stock*, ANSI Z60.1, (American National Standards Institute).
  
- **Planting materials:** Tree planting requires other materials besides the tree stock. Consult with an appropriate City staff Arborist, Planner, or Director on the required materials to accompany tree installation. If the planting is part of a permit, the Landscape Architect or Project Arborist may also specify the materials in the plans. In general, the following materials usually accompany tree planting:
  - Mulch: Mulch provides insulation, protection, and nutrients for trees. The best type of mulch for new plantings in urban setting is untreated wood chips and shavings, shredded wood waste or mixed green wood waste, 1/2- to 2-inch in size, spread to a 3- to 4-inch depth out to the edge of the tree root ball and over the soil surface in landscape planting beds. Use of shredded redwood bark (gorilla hair) should be avoided. The mulch should be kept at least two inches away from the trunk. Compost should not be used in place of mulch. Use of recycled, local sources of mulch is recommended.
  - Tree stakes: Tree stakes support trees while they establish a root system, and for 15 gallon trees typically they remain to provide support to the tree for 12-24 months after installation. Stakes are usually treated 2-inch diameter wood, with two stakes per tree or approved equivalent.

- Tree straps/ties: Tree ties loop around the supporting stakes to the tree trunk, and should be removed at the time of stake removal. Consult the City staff and/or permit plans for the approved type of ties.
- Irrigation: Irrigation is critical to establishing trees. By watering trees weekly for the first 3 years after planting, the tree can grow enough to not need as much water in the future - typically mature trees only require slow and deep watering once a month. Consult the City staff and/or permit plans for the approved type of irrigation. Typical young tree irrigation consists of a bubbler placed on the rootball, or a drip tubing system placed concentrically on and around the rootball.

## 7.20 Tree Maintenance Information

Industry standards related to tree care practices are found in Section 9 “Resource Information.” Any planned tree care/maintenance should adhere to these standards.

Concepts to remember when planning tree maintenance:

- **Carefully select your tree care provider** in order to promote the health, beauty, and longer life for your trees and landscape. A quality tree care firm will not recommend topping; and knowledgeable tree care workers will not use spikes (aka gaffs, hooks) to enter and ascend into the tree. A tree care provider should have:
  - State of California Contractor’s License - C61 classification with the D49 Specification is the tree care contractor license. A landscape contractor has the C27 classification.
  - Tree Care Industry Association (TCIA) Accreditation - A program of the national industry association that accredits companies. An audited program that considers business practices, staff training, use of industry standards, customer satisfaction, and insurance.
  - Insurance Coverage - A tree care provider should be able to show proof of insurance. Coverage minimums should be \$1 million general liability, \$1 million for commercial auto, umbrella coverage of \$2 million, and workers compensation. Verify that the coverage is current.
  - Any proposal for tree work should refer to the American National Standards Institute (ANSI) Z133 and A300 standards.
  - Culture of safety - The firm and its employees should make safety their #1 priority. At a minimum, employees should wear

- personal protective equipment including hard hats, ear protection and eye protection
  - Employees who hold certifications through the International Society of Arboriculture: Certified Arborist, Board Certified Master Arborist, and/or Certified Tree Worker.
  - If you are starting or conducting a business or rendering services in the City of Mountain View, you must first complete a business license application.
- **Pruning** is a key part of urban tree maintenance. In almost all circumstances, pruning should enhance a tree's natural form and structure.
  - In general, the larger and more mature the tree is, the less foliage that should be removed.
  - If possible, prune during October to March because fewer insect pests are present during that period and the absence of leaves on deciduous trees makes it easier to move through the tree and identify needed cuts.
  - Trees with a high likelihood of failure may be pruned at any time of the year.
  - Avoid excessive and improper pruning: Removal of one-fourth (25 percent) or greater, of the functioning leaf, stem or root area is problematic for trees. Practices such as topping, lions-tailing, and unbalancing the canopy of a living tree is a prohibited activity.
  - Avoid topping: Topping is the improper and detrimental practice of cutting back large-diameter branches or truncating the main stem.
  - All pruning should be in accordance with the most recent editions of the Best Management Practices for Pruning (International Society of Arboriculture) and the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300).
- **Caring for young trees** is critical to ensure long-term success. The following activities are simple and highly effective ways to set young trees up for success.
  - Yearly pruning: Young trees require pruning to develop a stable structure early on. Three main types of pruning for shade and landscape trees are sucker pruning, structural pruning, and clearance pruning. Edible fruit trees need different pruning tactics to yield fruit and flowers.
  - Weekly watering: apply about 15 gallons per week to the rootzone for the first 3 years after planting. Application can be

done manually using a bucket or hose, or using an automatic drip irrigation system. Water is applied to the rootzone (close to the trunk) when newly planted, and each successive year the watering zone can be expanded as the rootzone expands (out to the dripline).

- Applying mulch over the rootzone has many benefits (see Section 7.1.20 for planting materials details). Reapply mulch to cover the rootzone as it decomposes, usually once a year in the springtime.
- Remove stakes and straps/ties when the tree is able to remain upright on its own. For new plantings at multi-use and commercial sites, follow the Landscape Architect or Project Arborist's instructions prior to removing stakes. But in general, usually they should be removed within 1-3 years after planting (for 15 gallon trees). This is often assessed by gently shaking the tree trunk side to side, and if the soil at the base moves around a lot and the trunk has not developed much taper yet it is not rooted enough and should keep the stakes longer. If shaking the trunk does not shift soil and the tree feels secure in the ground, the stakes can be removed.
- Remove nursery materials from the tree at planting, or soon after if your trees are part of a larger project that requires City staff inspection. One of the most common and easily avoidable issues for urban trees is when nursery strings and tags are left on the tree too long, which can quickly cut into trunks and branches and strangle/girdle the tree.
- Protect trees from freeze: Cover susceptible trees and plants with burlap, sheets, tarps, etc, that extend to the ground to trap in the earth's accumulated warmth. Use a frame or stakes to minimize contact between the cover and the foliage. Avoid pruning right after a freeze, and instead wait and see what growth emerges and only prune what is dead.
- Stabilize and protect the tree from damage or vandalism. Often trees in urban areas are planted as 15 gallon size because it is small enough to establish well but large enough to have enough strength to stay standing despite impacts from car doors, flying objects, and pets. By installing wooden stakes or other protection around a tree it has added protection, and has more visual impact so it is less likely to be run over by lawn mowers or injured by weed wackers.
- See Canopy's web page for more detailed young tree care information: <https://canopy.org/tree-info/caring-for-trees/young-trees/>.

- **Caring for mature trees** is an ongoing process that changes depending on the size, species, and location.
  - See Canopy's web page for more detailed mature tree care information: <https://canopy.org/tree-info/caring-for-trees/mature-trees/>.
  
- **Irrigation** needs vary by species, age, and location, and should be determined by taking each of these factors into account.
  - Mountain View has a Mediterranean climate and a period of summer drought can be expected. Most trees require some kind of regular irrigation, while others do not require any summer water when they reach maturity (such as the native coast live oak and valley oak).
  - See Canopy's web page for more detailed watering information: <https://canopy.org/tree-info/caring-for-trees/trees-and-water/>.
  
- **Soil management** is critical to promoting healthy and structurally sound trees. Tree roots need to be able to access water, oxygen, and nutrients in the soil in order to help the tree grow. Restricting or removing root's access to these basic needs can lead to tree decline or death over time.
  - Avoid compacting soil and removing tree roots within the tree's dripline. Replacing pathways, pavers, laying a foundation, etc often requires you to dig down 6 inches or more, which removes the tree's important small feeder roots.
  - Avoid installing artificial grass (astroturf) and pavement within the tree dripline. Astroturf seems low maintenance because it is green all year without water. But applying this impermeable material restricts water and air from entering the soil, which ultimately leads to underperformance or decline from root death.
  - Avoid soil contamination by only applying water, mulch, and occasional compost or fertilizer around trees. Do not dump toxic materials or chemicals near trees.
  - Avoid soil compaction by storing materials and vehicles outside a tree's rootzone. This also avoids root crushing, which could destabilize the tree over time.
  - Avoid raising and lowering the soil grade around rootzones. Raising the soil grade too high can prevent oxygen from

- reaching roots, and lowering the soil grade can leave roots exposed and dried out - both lead to root decline.
- Avoid raising and lowering the soil grade around tree trunks. Do not bury the tree trunk or root flare, or else the buildup of soil moisture on the trunk can quickly lead to disease and decay at the base and roots.
- **Fertilization** is rarely required by landscape trees. The need for fertilization may be assessed through a soil test and/or the appearance of the tree. Trees with pale foliage and reduced shoot elongation may benefit from fertilizer application. Requirements for added fertilizer should be determined from a soil and/or tissue analysis. Use of slow-release and organic sources of needed nutrients is recommended.
- **Assessing tree health** regularly is something that anyone can do, and doing so will help you get more familiar with the tree and therefore make it easier to spot when there are changes that need to be addressed by an expert.
  - Healthy trees tolerate some level of insect infestation or disease. But if there is an issue, identification of an insect or disease is critical to its management/treatment. If you have questions about a specific problem and its management, try contacting the University of California Cooperative Extension and/or one of its Master Gardeners, a Certified Arborist, or a tree care company.
  - Basic tree health assessment often addresses the density of the canopy, leaf color, and the amount of new growth. It also takes into account any signs of pathogens and insects such as:
    - Spots, colors, or holes on foliage
    - Frass at the trunk base from wood-borer insects
    - Trunk bleeding
    - Fungal fruiting body at the trunk base
    - Severe chlorosis (leaf yellowing)
  - An Integrated Pest Management approach should be used to minimize use of chemical controls. Make sure that all pertinent regulations and safety practices are followed.
  - See Canopy' web page on some of the common bugs and diseases you might encounter with urban trees in this area: <https://canopy.org/tree-info/caring-for-trees/bugs-and-diseases/>.



- **Tree removal and replacement** is a commonplace urban forestry practice. As often as possible, it is important to consider replacing trees on or near the site of removal in order to continue to grow tree canopy cover equitably across the city. Tree removal without appropriate replacement leads to diminished tree canopy over time.
  - The removal of non-Heritage trees on single-family residential properties do not require a permit. Replacement of the tree is not required, but is encouraged. See Section 7.10 of this Manual for information about tree selection and planting.
  - The removal of non-Heritage trees on commercial, industrial, multi-family residential, or multi-use properties require approval as part of the permit for a modified landscape plan for the development. The tree(s) should be replaced per City staff requirements, which is often like for like (same or similar tree species planted in the same or similar location as the tree that was removed).
  - Heritage trees require a permit to remove on all properties. See Section 3 of this Manual for information about Heritage trees and the removal/replacement requirements.
  - Hazardous trees: A hazardous tree is a tree that is an immediate threat to the general public with a high potential for limb, trunk or root plate failure. City staff generally are available to help in cases where a property owner feels their tree is an immediate threat or hazard. Trees that are considered a potential hazard can be assessed by a TRAQ (Tree Risk Assessment Qualification) qualified Certified Arborist, with findings submitted for review by City staff with a Heritage tree application. Removal of a hazardous tree without a permit is permitted in the Municipal Code in emergency situations, but must be followed up with a post-removal permit.
  - Trees that die, are severely injured, or are improperly or excessively pruned during the construction process should be replaced per City staff requirements. If the removal/pruning was not previously permitted, restitution and replacement will be required by the City department that processed the permit(s).
  - Tree appraisal: Tree appraisal is an estimate of either reproduction cost (of repair) or contribution to real estate property value using the methods described in the most recent edition of the Council of Tree and Landscape Appraiser's Guide for Plant Appraisal (International Society of Arboriculture). Tree Appraisal is typically only required from a Project Arborist in

cases where a tree is illegally removed or lost through the construction process that requires restitution for the loss.

- **Non-routine tree care and emergency situations** are other factors to consider. While most tree care is routine, some situations may require immediate action including:
  - Your tree is in contact with electrical lines. Call 911! Do not try to address the situation on your own. Do not touch the tree or wires.
  - You notice a change in your tree. The following observations, on their own or in combination, could indicate more severe issues, and therefore should be assessed by a Certified Arborist as soon as you can arrange it:
    - Increased trunk lean
    - Lifting of the base of the trunk and/or soil mounding
    - Broken branch or trunk
    - Mushrooms or fungal growth, especially at the base
    - New cracks or splits in the trunk or branches
    - Dead and dying foliage or branches
  
- **Wildlife protection** is critical during tree pruning operations and during landscape management of natural areas. All tree care shall be performed using methods that minimize impacts to nesting wildlife. There are many methods to minimize impacts, but one methodology is described in the Tree Care for Birds and Other Wildlife Best Management Practices in California: <https://treecareforbirds.com/>. The website includes a 20-minute video in English and Spanish, which can be prescribed for Certified Arborists and other landscape professionals to watch to gain additional awareness and knowledge about this important topic.
  
- **Additional Landscape Information and Resources** are available on the City of Mountain View website:  
<https://www.mountainview.gov/depts/pw/services/conservation/landscape/default.asp>
  - Water-wise tips
  - Sustainable gardening and design templates
  - Landscape and irrigation rebates
  - Free tree programs
  - Landscaping classes/workshops and showcase events
  - Composting and mulch information

## Section 8. Guidance for Residents and Developers

This section provides guidance for homeowners and developers needing detailed guidance on how to align their projects with the protection and preservation goals in Mountain View.

### 8.10 Guidance for Residents: Remodels, Home Projects, and New Construction at Single Family Homes

Homeowners can help grow a robust urban tree canopy in Mountain View by preserving and planting trees on their own property. By planning for trees early in your project, you can reduce the likelihood of future issues that have become commonplace, such as root damage to infrastructure, unnecessary damage to trees during construction, and premature tree removal due to lack of adequate water or care.

The Planning Division encourages preliminary review for any building plans for single-family home additions/new construction, ADUs, and exterior commercial tenant improvements to ensure your plans meet zoning requirements, prior to submitting for Building Plan Check.

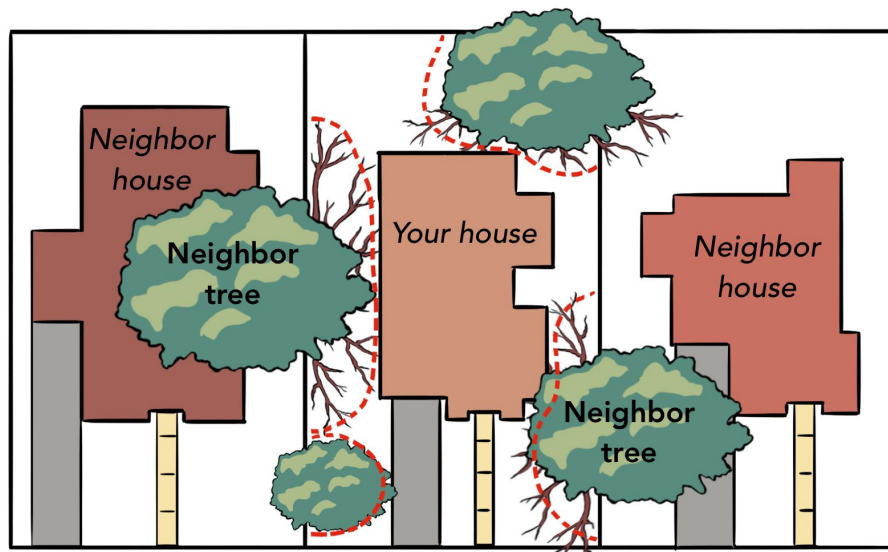
#### 8.10.1 Getting Started With Your Project

1. Plan your project with trees in mind
  - **Design your project around trees (preserving them) rather than through them (removing them).** Building outside the dripline (dripline=edge of canopy) of a mature tree could save the tree and the benefits it provides (shade, beauty, increased property values, etc).
  - **Provide space for tree trunks, roots, and branches** by placing pathways, fences, and structures further away. More space for trees = fewer potential conflicts now and in the future.
  - **Contact an ISA Certified Arborist** (City staff or consultant) to advise you if there are a lot of mature trees on you or your neighbor's property and you have a lot of work to do (like expanding the footprint of the existing house). City Planners are also available to help advise on tree-friendly alternative site designs.
  
2. Know the City requirements for tree removal and planting

- **Heritage Trees shall be maintained and preserved** in a state of good health and protected during construction and grading projects. The City Code defines a “Heritage tree” as any of the following:
  - Any tree with a trunk circumference of 48 inches (15.3 inch diameter) or more measured at 54 inches above natural grade. Multi-trunk trees are measured just below the first major trunk fork.
  - Any Quercus (oak), Sequoia (redwood), or Cedrus (cedar) tree with a circumference of 12 inches (3.8 inch diameter) or more when measured at 54 inches above natural grade.
- Heritage Tree Removal
  - The removal of a Heritage Tree is only permitted when the tree meets the criteria for consideration, which are listed in the Heritage Tree Removal Permit application form.
  - **Heritage tree removal requires a permit** from the Forestry Division whether or not the removal is tied to a building permit. For information about permits, processes, and resources, visit this City of Mountain View webpage:  
[www.mountainview.gov/depts/cs/parks/trees/heritagetree/](http://www.mountainview.gov/depts/cs/parks/trees/heritagetree/).
- **Tree planting requirements are based on project type and space available.** Common scenarios:
  - Expect to plant one 15 gallon tree on site for each Heritage tree removed. An in-lieu fee is collected by the City of Mountain View if there is no room for a new tree on the property. Staff will follow up on the status of the Heritage tree removal and replant every 6 months.
  - A street tree is any tree or shrub, by whomever owned or planted, in a street or public place. For more extensive projects such as a new home, remodel, or adding a second story, you need to fill out a Street Tree Form to determine if the property has space for a street tree to be planted as part of the project.
  - If a second story is being added to a home, then you are required to plant one 24 inch box tree to help soften the visual impact on the neighborhood, unless staff determines that existing trees and canopy do not allow for more trees.

### 8.10.2 Be a Good Neighbor and Tree Steward

- **Before a shovel goes in the ground, think about how your work could impact your neighbor's trees.** Considering neighboring trees early can help you protect others' property, reduce liability, and ensure mutual understanding and trust so that your project stays on track.
- TIPS to help you get started:
  - **Assess the trees** next to each side of your property to determine if there are branches, trunks, or roots crossing into your planned workzone. Tree roots are mostly found in the top 3 feet of soil, and extend out to the dripline (edge of canopy) and sometimes farther.
  - **Communicate your plans to minimize tree impacts.** You can avoid conflict by talking to neighbors ahead of time about how your project will not interfere with their tree's health and functioning.
  - **Avoid root cutting, material storage, and soil disturbance within a tree's dripline.** Protecting tree rootzones helps ensure the tree remains stable and has access to water, air, and nutrients in the soil. And moving equipment and materials away from the tree reduces the potential for trunk or branch damage.



*Image 4. Example of tree protection fencing around rootzones (the dripline) of trees on and overhanging the property with construction planned.*



### 8.10.3 Best Management Practices for Protecting Trees Throughout Construction

#### 1. Before construction

- **Have your trees inspected:** Contact an ISA Certified Arborist (City staff or consultant) to provide site-specific advice for pre-construction treatments like pruning and establishing tree protection zones.
- **Protect your trees:** Install fencing (metal chain link or orange plastic) around the dripline (edge of canopy) and keep large equipment and other materials out. If fencing off the area is not possible or fences will be temporarily moved during construction, wrap trunks in straw wattle or 2 foot by 4 foot lumber set 6 inches apart.
- **Mulch the rootzone:** Apply a 6 inch layer of untreated wood chips from the base of the tree out to the dripline to help insulate and protect the roots and native soil. Do not pile mulch on the trunk.

#### 2. During construction

- **Avoid activity in the trees' dripline:** Prohibit contractors from dumping waste, storing materials, or driving/parking vehicles under the tree canopy. Avoid grade changes (up or down), and try directional boring or pipe bursting rather than trenching for utility lines. And if root cutting is unavoidable, try cutting as few as possible and use a clean sharp hand pruner/saw.
- **Water appropriately:** Mature trees should get slow and deep watering once a month, even during drought, and especially if you are cutting back on landscape irrigation during or after the project. Go to [www.canopy.org/tree-info/caring-for-trees/trees-and-water/](http://www.canopy.org/tree-info/caring-for-trees/trees-and-water/) for more watering instructions.
- **Monitor the trees:** If you start to notice crown dieback, pest and disease issues, damage, or another new health or structural issue, call an ISA Certified Arborist to inspect the tree.

#### 3. After construction

- **Clean up the site and water your trees:** Make sure that construction materials are moved before tree protection fencing comes down, continue to water mature trees monthly, and follow any additional recommendations from the arborist.

- **Plant new trees:** Plant any City-required new/replacement trees on site per the approved plan and location. Install irrigation or hand water newly planted trees with 15 gallons per week for the first 3 years.
- **Continue monitoring your trees** for at least 6 to 12 months after work is complete. Construction activities can negatively impact or stress trees of all ages, so watch for any unhealthy changes in your tree over time.

## **8.20 Guidance for Developers: Commercial, Industrial, Multi-Family Residential, and Mixed Use**

For discretionary development projects, the process and requirements are presented on an individual project basis. For general inquiries, contact the Planning Division by email at [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov) or by phone at 650-903-6306. Staff will respond Monday through Friday 8 a.m. to 5 p.m.

For informal review of new multi-family residential (4+ units), office, and mixed-use developments with all City Departments' input, follow the instructions on the Planning Division's website: [www.mountainview.gov/depts/comdev/planning/default.asp](http://www.mountainview.gov/depts/comdev/planning/default.asp). The website also lists the current permit intake and review process and application and inspection fees.

### **8.20.1 Tree Removal and Replacement Considerations**

Discretionary development projects have the potential to significantly change a site, whether new construction or redevelopment. Chapter 32 of the Municipal Code does not specify exact tree planting criteria for these sites, but some general guidelines can help applicants begin the process with the right expectations.

Keep the following in mind during project planning:

- Expect at least a 2:1 replacement for Heritage tree removal.
  - Mature native species and healthy/structurally sound Heritage trees are more likely to be prioritized for preservation.
- Expect at least a 1:1 replacement for non-Heritage tree removal.
- Planning Division staff will specify the minimum number of trees to be preserved and/or planted on site. Applicants are expected to try to plant as many trees as reasonably possible, but if the site does not have enough room for the full replacement number, Planning staff may specify alternatives such as:



- Upsize the container size for the replacement trees that do fit on site, and/or
  - Pay in lieu fees for the trees that do not fit on site
- Selecting trees to preserve is an important part of the site development process. When conducting the site inventory, the Project Arborist should help applicants to identify trees that will be assets to the project for years into the future, and which should be preserved and protected during construction. Trees with a high preservation suitability rating are usually healthy, structurally sound, have good potential longevity, and are able to tolerate impacts from construction.
- Transplanting (moving a tree from its current location to a new location on site to accommodate new site configurations) is sometimes preferable to preserving a tree in place, but has a host of complicated requirements. Relocation is expensive, requires specialized equipment and knowledge, and in some cases can be risky if the selected tree is not adequate and dies during the transplanting process. Selecting trees for relocation should consider the size, health, species, and root severance tolerance.
- When designing tree planting plans, a plethora of small short-lived trees does not adequately replace a few large mature trees. Have the Project Arborist and Landscape Architect work together on site planning early to ensure that tree selection results in as much tree canopy replacement as possible.

#### 8.20.2 Checklist Prior to Plan Submittal

Before submitting for discretionary development review, check that the following items have been done:

- Follow the Arborist Report requirements in Section 6.20 of this Manual.
- Make sure the arborist reports and plans are included in the permit plans.
- Make sure the appropriate plan set sheets (site plan, grading plan, landscape plan, etc) include the appropriate tree protection notes and drawings from the Project Arborist.
- Follow any other instructions or conditions of approval previously provided by the City staff.

### 8.20.3 Recommended Design Considerations: Limit Impacts to Trees and Infrastructure

Plan projects with trees and landscaping that can mature to their maximum size and longevity. This requires designing to minimize negative impacts to trees while providing suitable space and soil conditions.

Design elements that minimize impacts to both trees and infrastructure include:

- Modify foundations to preserve roots:
  - Try foundations that use pier and structural grade beams.
  - Try special foundation, wall, footing, or concrete slab construction.
  - Avoid digging basements within the tree rootzone, and be mindful of OSHA cuts that tend to require more excavation than a typical foundation on grade.
  
- Design grade changes carefully:
  - Avoid changing the grade within the Tree Protection Zone (TPZ) of a tree. If grade change is unavoidable, limit change to 6 inches up and 4 inches down.
  - Make sure grade changes do not result in surface drainage toward the tree trunk.
  - If cuts exceed 4 inches, consider incorporating retaining walls or another appropriate built form.
  
- When hardscape is to be installed in the TPZ of an existing tree, try to employ alternatives to root cutting by:
  - Routing the sidewalk around the tree trunk, allowing several feet of space between the edge of the paving and the tree trunk.
  - Ramping the walking surface over the roots with a boardwalk, flexible paving, or rubberized sections.
  
- Follow these planting planning practices:
  - Plant deep rooting trees that are proven to be non- or minimally-invasive.
  - Incorporate large, medium, and small trees
  - Incorporate low water use and native trees
  - Prioritize shade for sidewalk areas, gathering spaces, parking lots, and along the public streetscape.

- If root barrier is required, install root barrier only along the hardscape area of the tree and allow roots to use open lawn or planter strip areas.
- Dedicate at least ten (10) linear feet of planting space for the growth of each new tree.
- Provide a dedicated irrigation system or zone for the tree so the trees do not have to compete and are not dependent on the turf and shrub irrigation.
- Provide adequate soil volume through designs and materials such as:
  - Suspended pavement systems (such as Silva Cells): pillars or structured cell systems support reinforced concrete or asphalt, increasing the volume of uncompacted soil in subsurface planting areas and enhancing both root growth and stormwater storage.
  - Engineered soil mix: an approved structural soil mix will allow a long-term, cost-effective tree and infrastructure compatibility that is particularly suited for the following types of development projects:
    - Repair or replacement of sidewalk greater than 40 feet in length;
    - Planting areas that are designed over structures or parking garages;
    - Confined parking lot medians and islands or other specialized conditions as warranted.
  - Incorporating trees in stormwater plans: use interceptor trees for stormwater treatment credits. See Section 9 of this Manual for links to recent SCVURPPP C.3 Stormwater Handbooks, which provide more detailed information on this topic.
  - Providing landscaped areas that can accommodate more trees and plants.
  - Providing larger cutouts and parkstrips to accommodate more plants and larger trees with shared soil areas.

#### 8.20.4 Recommended Design Considerations: Common Practices

The table below lists sample strategies that provide a variety of designs and materials that can be used to prioritize trees in projects. During the development review process, City staff has discretion to employ different strategies for different projects, and is not required to follow the sample strategies listed below. However, they reflect some of the common practices that staff may

require or recommend applicants incorporate into their projects, so it is wise to become familiar with them.

<b>Parameter 1: Soil Volume</b>	<b>Commercial Strategies</b>	<b>Residential Strategies</b>
<p>Provide adequate soil volume per tree:                      Small (400-600 cubic feet)                      Medium (600-800 cubic feet)                      Large (800-1200 cubic feet)</p>	<ul style="list-style-type: none"> <li>- Design open landscaped areas where trees can share soil in enlarged planters, parking lot islands, and common spaces.</li> <li>- Install alternative hardscape base material (eg. structural soils or soil cells) adjacent to new trees where open planting areas are not feasible.</li> </ul>	<ul style="list-style-type: none"> <li>- For narrow planter strips, consider installing a structural soil rooting corridor under the sidewalk (at least 3 ft deep spanning 5-10 ft length) when installing a new sidewalk and new street tree.</li> <li>- Consider installing biaxial geogrid underlayment material for new driveways within the dripline of large street trees and Heritage trees.</li> </ul>
<b>Parameter 2: Species Selection</b>	<b>Commercial Strategies</b>	<b>Residential Strategies</b>
<p>Plant species compatible with the site and preferable characteristics</p>	<ul style="list-style-type: none"> <li>- Redevelopment should prioritize larger trees and tree planters when designing landscaped areas.</li> <li>- Plant species compatible with the site (trunk diameter, rooting characteristics, size/shape at maturity, etc) and preferable characteristics (drought tolerant, native, etc)</li> </ul>	<ul style="list-style-type: none"> <li>- Plant species compatible with the site (trunk diameter, rooting characteristics, size/shape at maturity, etc) and preferable characteristics (drought tolerant, native, etc)</li> </ul>
<b>Parameter 3: Parking Areas</b>	<b>Commercial Development Review Strategies</b>	<b>Residential Development Review Strategies</b>

<p>Adhere to Parking Lot shading codes and mitigate tree and hardscape conflicts</p>	<ul style="list-style-type: none"> <li>- Create tree islands for shared rooting space and stratification of tree heights, and prioritize larger planters where possible.</li> <li>- Finger-shaped parking lot tree islands could receive structural soil or soil cells at 24-48-inch depth underneath the two adjacent parking spaces.</li> <li>- Parking lot tree planters surrounded by pavement and/or on top of parking structures should receive adequate rooting soil (preferably soil cells).</li> <li>- Integrate other green infrastructure designs and materials (pervious/permeable pavers, concrete, or asphalt)</li> </ul>	<ul style="list-style-type: none"> <li>- Consider integrating green infrastructure designs and materials (pervious/permeable pavers, concrete, or asphalt) for walkways, driveways, etc.</li> </ul>
<p><b>Parameter 4: Landscape Design</b></p>	<p><b>Commercial Strategies</b></p>	<p><b>Residential Strategies</b></p>
<p>Approved landscape that is acceptable to other departments: screening trees/shrubs, water efficiency, contributes to on-site stormwater treatment, compatible with utilities, ADA compliant, etc.</p>	<p>Incorporate appropriate trees and tree space in the early stages of project development and review. Trees should be prioritized and rooting needs respected during discretionary development review.</p>	<p>Incorporate appropriate new trees and tree protection in the early stages of project development and review (ie. driveway and utility placement routed around Heritage trees). Trees should be prioritized and rooting needs respected during the permit process.</p>

**Section 9. Resource Information**

If you are viewing this Manual digitally, some resources are presented as clickable links below.

- Mountain View Municipal Code Chapter 32 Trees, Shrubs, and Plants [here](#)
- Mountain View Community Tree Master Plan [here](#)
- FAQs about Heritage trees on the City of Mountain View website [here](#)
- FAQs about Street trees on the City of Mountain View website [here](#)
- Information about the Heritage tree removal permit [here](#)
- CDD street tree form [here](#)
- Canopy's Mountain View tree FAQs [here](#) and tree regulations info [here](#)
- Urban Tree Foundation's free standard details and specifications in CAD and PDF [here](#)
- City of Mountain View Landscape Information and Resources [here](#)
- SCVURPPP C.3 Stormwater Handbook for 2016 [here](#)
- SCVURPPP C.3 Stormwater Handbook for 2019 [here](#)
- Arbor Day Foundation Right Tree Right Place information [here](#)

### **Tree Industry Standards**

The following publications may be obtained from the International Society of Arboriculture. [www.isa-arbor.com](http://www.isa-arbor.com)

**American National Standards Institute (ANSI).** Nursery Stock Standard. ANSI Z60.1.

**American National Standards Institute (ANSI).** American National Standard for Arboricultural Operations. Z133. Safety Requirements.

**American National Standards Institute (ANSI).** American National Standard for Tree Care Operations. Trees, Shrubs and Other Woody Plant Management. A300. Standard Practices.

Part 1. Pruning.

Part 2. Soil Management (A. Modification. B. Fertilization. C. Management).

Part 3. Supplemental Support Systems.

Part 4. Lightning Protection Systems.

Part 5. Construction Management.

Part 6. Planting & Transplanting.

Part 7. Integrated Vegetation Management. Part A. Electrical utility rights-of-way.

Part 8. Root Management.

Part 9. Tree Risk Assessment. Part A. Tree Failure.

Part 10. Integrated Pest Management.

**International Society of Arboriculture.** Best Management Practices. Companion publications to the ANSI A300 Standards.

## Appendix A. Municipal Code Chapter 32, ARTICLE I - GENERAL

### CHAPTER 32 TREES, SHRUBS AND PLANTS\*

#### Sections:

#### ARTICLE I. GENERAL

##### **SEC. 32.1. Short title.**

This chapter shall be known and cited as the "Tree Regulations of the City of Mountain View."

(Ord. No. 175.659, 4/10/61.)

##### **SEC. 32.2. Definitions.**

For the purpose of this chapter, the following terms, words, phrases and their derivations shall have the meanings ascribed to them in this section:

Director of parks and recreation. "Director of parks and recreation" shall mean the director of parks and recreation of the city or his authorized agents, assistants or deputies.

Official street trees. "Official street trees" are those trees or shrubs adopted by the parks and recreation commission as a part of the master street tree plan.

Owner. "Owner" shall mean the owner of a fee simple title of the property on which a street tree is planted.

Parkway strip. "Parkway strip" shall mean that portion of a public street between the curb and the sidewalk or the sidewalk and the property line or that portion

of the public right-of-way which is not designed or used for vehicular or pedestrian travel.

Street. "Street" shall include every way maintained by a public agency and set apart for public travel or use in the city, including the entire planting strip, sidewalk area, easements and rights-of-way.

Street tree. "Street tree" includes any tree or shrub, by whomever owned or planted, in a street or public place, as defined in this section.

Unofficial street trees. "Unofficial street trees" are all street trees or shrubs which are not on the current master street tree plan.  
(Ord. No. 175.659, 4/10/61.)

**SEC. 32.3. Director of parks and recreation—Authority to enforce chapter; powers and duties generally.**

- a. The director of parks and recreation is charged with the enforcement of this chapter and the performance of municipal functions as herein established.
- b. The director of parks and recreation shall have the authority to plant, trim, spray, preserve and remove street trees and shrubs and grassy areas to insure safety or preserve the symmetry and beauty of streets and public places.
- c. The director of parks and recreation shall have the authority to supervise all work done under a permit issued in accordance with the terms of this chapter.
- d. The director of parks and recreation shall have the authority to affix reasonable conditions to the granting of a permit hereunder and to require that applications for permits contain such information as he shall find reasonably necessary to a fair determination of whether a permit should be issued.
- e. The director of parks and recreation shall issue any permit provided for in this chapter when he finds that the desired action or treatment is necessary and that the proposed method and workmanship are satisfactory.

(Ord. No. 175.659, 4/10/61.)



**SEC. 32.4. Same—Preparation of master street tree plan; contents; where filed.**

A master street tree plan shall be established, which master street tree plan shall designate the type, form and location of all street trees and shrubs in the city.

The master street tree plan shall be prepared by the director of parks and recreation for consideration and adoption by the parks and recreation commission. Such master street tree plan may from time to time be changed, modified, altered and amended by the parks and recreation commission. A copy of the master street tree plan shall be kept on file in the office of the city clerk.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.5. Same—To decide in request for planting; items to be considered.**

Any owner of property fronting on any street or public place may request the director of parks and recreation to cause to be planted or located on such street or public place the official street trees designated by the master street tree plan. The director of parks and recreation may cause such trees or shrubs to be planted or located on such street or public place.

In determining whether or not to proceed with such work, the director of parks and recreation shall consider the amount of money budgeted and available for such purposes, the number and scope of similar projects to be undertaken during the fiscal year, and years following, the availability and cost of such trees or shrubs and the projected plan for planting such trees or shrubs as a part of a larger project. The decision of the director of parks and recreation shall be conclusive.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.6. Same—Issuance of permits; conditions; term.**

No person shall cut, trim, prune, plant, spray, remove, injure\* or interfere with any street tree or shrub without the prior written permission of the director of parks and recreation. The director of parks and recreation may grant such permission in his discretion and, where necessary, condition such permit upon the requirement that the removed tree or shrub will be replaced by an approved tree or shrub in conformity with the master street tree plan and may impose such other reasonable conditions as he may deem in the public interest. No such permit shall be valid for a longer period than thirty (30) days after its date of issuance.

(Ord. No. 175.659, 4/10/61.)

\* For state law concerning injury to trees and shrubs, see C. C., Sec. 3346; C. C. P., Sec. 733, 734; Pen. C., Sec. 600, 622; Sts. K H. C. A., Sec. 730.5.

**SEC. 32.7. Same—Interference with prohibited.**

No person shall interfere with the director of parks and recreation or persons acting under his authority, while engaged in planting, mulching, pruning, trimming, spraying, treating, removing or otherwise treating any tree or shrub in any street or public place or in the removal of any stone, cement or other substance from or about the trunk of any tree or shrub in any street or public place.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.8. Same—Inspection of street trees, etc., to determine hazard to general public.**

The director of parks and recreation may inspect any street tree or shrub or any tree, shrub or plant standing on any private property to determine whether the same, or any portion thereof, is in such condition as to constitute a hazard or an impediment to the progress of any person traveling on any street or public place and for such purpose may enter upon any private property at reasonable times and in a reasonable manner.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.9. Damage to street trees or shrubs prohibited.**

No person shall:

- a. Cause, authorize or permit any brine water, oil, liquid dye or other substance deleterious to tree life to lie, leak, pour, flow or drip upon or into the soil about the base of any street tree or shrub nor on any sidewalk, road or pavement at a point from which such substances may, by lying upon or by flowing, dripping or seeping into such soil, injure such tree or shrub, nor to otherwise harm or kill any such tree or shrub.
- b. Place or maintain any stone, cement or other substance so that it shall impede the free access of water or air to the roots of any tree or shrub, without prior written approval of the director of parks and recreation.
- c. Build any fire or station any engine in any place in such a manner that the heat, vapors or fumes therefrom may injure any street trees or shrubs.
- d. Permit any leak to exist in any gas pipe or main which may result in damage to any street tree or shrub.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.10. Attachment of wire, rope, signs, etc., unlawful.**

No person shall place, apply, attach or keep attached to any street tree or shrub or to a guard or stake intended for the protection thereof any wire, rope, sign, paint or any other substance, structure, thing or device of any kind or nature whatsoever.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.11. Protection to be provided during building operations.**

During the erection, repair, alteration or removal of any building, house or structure in the city, the person in charge of such work shall provide good and sufficient guards and protective measures as shall prevent injury to any street tree or shrub in the vicinity of such work, arising out of or by reason of such erection, repair, alteration or removal.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.12. Trimming or removal of hazardous trees, shrubs, etc.**

If, in the opinion of the director of parks and recreation, any tree, shrub or plant is hazardous to the traveling public or creates a hazard by impairing vision thereof or impedes the progress of the public on any street or public place, he may cause the same, or so much thereof as in his opinion is reasonably required so as to remedy such condition, to be trimmed or removed.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.13. Same—Trees, shrubs, etc., on private property; notice; hearing.**

- a. The director of parks and recreation shall not trim or remove any tree, shrub or plant on private property except in the event of extreme urgency and imminent danger to persons or property, unless the owner or person shown as the owner upon the last equalized tax assessment roll, has been given notice of intent to do so. Such a notice shall be given by registered or certified mail, addressed to such owner at his last known address or at the address shown upon the last equalized tax assessment roll. A copy of such notice shall also be posted on the premises or in front thereof.
- b. If the owner or occupant of the property shall, within ten (10) days, file written objection to such trimming or removal with the director of parks

and recreation, such officer shall give such owner or occupant a reasonable opportunity to be heard in support of such objection before such trimming or cutting shall be performed. Such cutting or trimming shall thereafter be done only by written order of the director of parks and recreation, and the objector shall have three days' notice of such order before such work is commenced. If the objector shall, within such three (3) day period, file a written appeal from such order with the parks and recreation commission, the proposed work shall not be done until the matter has been determined by the parks and recreation commission and, in the event of an appeal therefrom to the city council, filed within three (3) days of such determination in open meeting, until the matter has been finally determined by the city council.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.14. Liability for hazards on private property.**

Nothing contained in Sec. 32.11 to 32.13 of this chapter shall be deemed to impose any liability upon the city, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree, shrub or plant upon his property or under his control in such a condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any street, park, pleasure ground, boulevard, alley or public place within the city.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.15. Responsibility for watering street trees and shrubs abutting private property.**

Owners of private property shall be responsible for watering street trees and shrubs in streets, parkways or other public places abutting such private property. The city can or may water such trees or shrubs at the discretion of the parks and recreation department.

(Ord. No. 175.659, 4/10/61; Ord. No. 11.71, 4/12/71.)

**SEC. 32.16. Public nuisances—Enumerated.**

The following are declared to be public nuisances:

- a. Any dead, diseased, infested or dying trees on public or private property so near to any street as to constitute a danger to street trees or streets or portions thereof.

- b. Any tree or shrub, or part thereof, which is unsafe and constitutes a hazard to the life, health or safety or property of the public or constitutes a center of infection for disease or insects which may endanger the health or life of other trees or shrubs.
- c. Any tree or shrub on any private or public property which is of a type or species apt to destroy, impair or otherwise interfere with any street improvements, sidewalks, curbs, approved street trees or other official street trees, gutters, sewers, other public improvements including utility mains, pipes or lines or their appurtenances.
- d. Vines or climbing plants growing into or over street trees, public hydrants, poles or electroliers.
- e. Existence of any tree on private or public property within the city limits that is infested, infected or in danger of becoming infested or infected with objectionable insects, scales, fungus or growth injurious to trees.
- f. Thorny shrubs and plants or foliage of any type which would tend to catch the clothing of a pedestrian using the street or sidewalk.
- g. Shrubs and plants more than twelve (12) inches in height in any parkway strip between the curb and the sidewalk, measured from the top of the curb grade.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.17. Same—Abatement by property owner.**

It shall be the duty of the owner of the property wherein or whereon any such nuisance exists to abate such nuisance by destroying, removing or trimming the growth by spraying or by other usual means of abatement.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.18. Same—Abatement by city—Procedure generally.**

- a. If any property owner fails or refuses to abate any nuisance as defined in Sec. 32.16 hereof, the city council may, after report and request filed with the city council by the director of parks and recreation, adopt a resolution requiring such property owner to abate such nuisance by removal or destruction at his cost and expense within time specified in the resolution, a copy of which resolution shall be served on such property owner personally or by registered or certified mail; if the removal or destruction is not made by such owner within the time

specified, the director of parks and recreation may forthwith enter upon the premises whereon such nuisance exists and abate the same.

- b. When the city has abated any such nuisance, the director of parks and recreation shall promptly determine the cost thereof to the city, and such costs, plus accrued interest at the rate of six (6) percent per annum from the date of the completion of the work, shall be paid by the owner to the city within thirty (30) days of completion.
- c. Where the full amount so due the city is not paid by such owner within such thirty (30) days after completion, then, and in that case, the director of parks and recreation shall cause to be filed in the office of the county auditor a sworn statement showing the cost and expense incurred for the work, the date the work was done and the location of the property on which such work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection until final payment has been made. Such costs and expenses shall be collected in the manner fixed by law for the collection of taxes and, further, shall be subject to the delinquent penalty of ten (10) percent in the event same is not paid in full on or before the date the tax bill upon which such charge appears become delinquent. Sworn statements filed in accordance with the provisions thereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily and shall be full notice to every person concerned that the amount of the statement, plus interest and penalties, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.19. Same—Same—Notice to property owner; mailing and posting of notice.**

The resolution mentioned in Sec. 32.18(a) shall not be passed until the property owner is given at least five (5) days' notice that a report of the director of parks and recreation and a request for adoption of such resolution has been filed with the city council. Such notice shall be given by the director of parks and recreation by registered or certified mail to the owner or the person shown as the owner upon the last equalized tax assessment roll; a copy of the notice shall be posted

upon the property or in front thereof. The mailing and posting shall be made at least five (5) days before the resolution is adopted, and proof thereof shall be made by affidavit of the director of parks and recreation filed with the city clerk. (Ord. No. 175.659, 4/10/61.)

**SEC. 32.20. Unlawful to damage, etc., street tree or shrub without permit.**

- a. Except to abate a nuisance as defined in Sec. 32.16, or to perform official duties required by this chapter, it shall be unlawful to damage, destroy or mutilate any street tree or shrub without a permit from the director of parks and recreation so to do.
- b. No person shall, without a permit from the director of parks and recreation:
  1. Pick the flowers or seeds of any street tree or shrub; or
  2. Dig in or otherwise disturb grass areas or flower beds in public streets or places, or in any way injure or otherwise impair the natural beauty or usefulness of any such area.

(Ord. No. 175.659, 4/10/61.)

**SEC. 32.21. Remedies not exclusive.**

The remedies prescribed in this article are in addition to all other remedies provided or authorized by law.

(Ord. No. 175.659, 4/10/61.)

**Appendix B. Municipal Code Chapter 32, ARTICLE II - PROTECTION OF THE URBAN FOREST**

**ARTICLE II. PROTECTION OF THE URBAN FOREST\***

\* Former Article II, Preservation of Heritage Trees, added by Ord. No. 4.75, 3/10/75 and amended by Ord. No. 8.88, 4/26/88, was amended in its entirety by Ord. No. 10.96, 9/24/96.

**SEC. 32.22. Findings and purpose.**

The City of Mountain View lies between the foothills of the Santa Cruz Mountains and the San Francisco Bay and the beauty and health of this area has been greatly enhanced by the presence of large numbers of majestic trees. Development of the city and the surrounding urban sprawl have resulted in the

removal of a great number of these trees. Further uncontrolled and indiscriminate destruction of mature trees would detrimentally affect the health, safety and welfare of the City of Mountain View. The preservation program outlined in this article contributes to the welfare and aesthetics of the community and retains the great historical and environmental value of these trees.

This article sets forth the policy of the city to require the preservation of all healthy heritage trees unless reasonable and conforming use of the property justifies the removal, cutting, pruning, and/or encroachment into the drip line of a heritage tree.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.23. Definitions.**

For the purposes of this chapter, the following terms shall have the meaning set forth in this section:

- a. "Director" shall mean the director of the city's community services department or his/her designee.
- b. "Drip line" shall mean the outermost edge of the tree's canopy. When depicted on a map, the drip line will appear as an irregular-shaped circle that follows the contour of the tree's branches as seen from overhead.
- c. "Heritage tree" shall mean any one of the following:
  1. A tree which has a trunk with a circumference of forty-eight (48) inches or more measured at fifty-four (54) inches above natural grade;
  2. A multi-branched tree which has major branches below fifty-four (54) inches above the natural grade with a circumference of forty-eight (48) inches measured just below the first major trunk fork.
  3. Any quercus (oak), sequoia (redwood), or cedrus (cedar) tree with a circumference of twelve (12) inches or more when measured at fifty-four (54) inches above natural grade;
  4. A tree or grove of trees designated by resolution of the city council to be of special historical value or of significant community benefit.
- d. "Owner" shall mean the owner of the real property on which the tree is situated as shown on the most recent county assessor's roll, and includes any successor in interest to the owner.



- e. "Permit" or "removal permit" or "heritage tree removal permit" may be used interchangeably and shall mean the permit required by Sec. 32.27 of this article.
- f. "Person" shall mean any individual, partnership, firm, association, corporation, and any agent, employee, contractor or representative thereof.
- g. "Proposed decision" shall mean the decision of the director in nondevelopment-related removals.
- h. "Removal" shall mean the physical removal of a tree or causing the death of a tree through damaging, poisoning, or other direct or indirect action, including excessive trimming, pruning or mutilation that sacrifices the health, destroys or diminishes the aesthetic quality, or diminishes the life expectancy of the tree(s).

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.24. Council designation of heritage trees.**

The council may, by resolution, designate any tree or grove of trees on public or private property as heritage trees. Prior to adoption of a resolution designating a tree or grove of trees on private property to be heritage trees as defined in Sec. 32.23(c)(4), the owner shall receive written notice of the proposal by personal delivery or by certified mail not less than ten (10) days prior to the decision.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.25. Heritage tree preservation.**

- a. Any person who owns, controls, has custody or possession of any real property within the city shall maintain and preserve all heritage trees located thereon in a state of good health. Failure to do so shall constitute a violation of this section.
- b. No person shall willfully injure, damage, destroy, move or remove a heritage tree except pursuant to the terms and conditions of a permit granted pursuant to this article.
- c. **Construction/grading activity.** Any owner or person who conducts any grading or construction activity on property shall do so in such a manner as to not threaten the health or viability or cause the removal of any heritage tree. The director or the community development director may impose conditions on any city permit to require construction fencing

and/or the use of protective grading methods to assure compliance with this section. In addition to said conditions, the following shall apply:

1. Except as otherwise provided in this section, excavation adjacent to any heritage tree shall not be permitted where material damage to the root system may result. When proposed developments encroach into the drip line of any heritage tree, special construction techniques to allow the roots to breathe and obtain water may be required as a condition(s) to the approval of any application for a building, zoning permit or removal permit.
2. The existing ground surface within four (4) feet (measured horizontally) of the base of any heritage tree shall not be cut, filled, compacted or pared except for existing, permitted encroachments such as sidewalks or as otherwise expressly approved by the community development director pursuant to an approved arborist's report. Tree wells may be used where advisable.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.26. Urban forestry board.**

- a. The urban forestry board of the City of Mountain View is hereby created and shall consist of the members of the parks and recreation commission.
- b. The urban forestry board shall have the following powers and duties:
  1. Act as decision-making body for heritage tree appeals as set forth in Sec. 32.31 of this chapter;
  2. Make recommendations to the city council regarding modifications to this article;
  3. Assist in the planning of urban forest management for the city; and
  4. Make recommendations relative to appropriate mitigation for removals associated with city capital projects pursuant to Section 32.33.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.27. Permit required: Exemptions.**

- a. **Permit required.** No person shall cut down, destroy, remove or relocate any heritage tree growing on public or private property, or on any city-owned property, unless a valid heritage tree removal permit has been

granted by the city pursuant to this article. Construction of improvements within the drip line of a heritage tree shall also require a permit issued pursuant to this article.

- b. **Exemptions.** A permit is not required to cut, encroach, remove, or relocate a tree(s) under the following circumstances:
1. Trees damaged by thunderstorms, windstorms, floods, earthquakes, fires or natural disasters and determined to be dangerous by a peace officer, firefighter, civil defense official or code enforcement officer acting in their official capacity. The owner shall notify the director within five (5) days of any action taken with respect to the emergency; or
  2. When removal is determined necessary by fire department personnel actively engaged in fighting a fire; or
  3. Employees of the city, during an emergency, may take such action with regard to trees on city-owned property as may be necessary to maintain the safety of city operations and/or the safe conditions of city property; or
  4. Public utilities subject to the jurisdiction of the Public Utilities Commission of the State of California may take such action as may be necessary to comply with the safety regulations of said commission and as may be reasonably necessary to maintain the safe operation of their facilities. No pruning at the direction of any public utility or its agents pursuant to this subsection shall be performed in such a manner as to leave the tree in an unbalanced, unstable or other dangerous condition; or
  5. Any heritage tree may be removed from the landfill area, including the Shoreline golf course, when determined by the city's director of public works or the director to be necessary for the proper maintenance and operation of the landfill or golf course; or
  6. Any heritage tree which the city's arborist has determined is dead may be removed.
- c. **Process.** Permits for development-related removals shall be secured pursuant to Sec. 32.29. Permits for nondevelopment-related removals shall be secured pursuant to Sec. 32.30. Sec. 32.31 shall apply to all removal permits.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.28. Application for removal permit; Term of permit.**

- a. An application for removal of any heritage tree connected with a discretionary development project permit subject to review by the Development Review Committee, Zoning Administrator or the city council shall be filed as a development-related removal pursuant to Sec. 32.29.
- b. All other applications for removal of a heritage tree or trees, including construction projects which require a building permit only, shall be filed as a nondevelopment-related permit pursuant to Sec. 32.30.
- c. All applications for heritage tree removal permits shall specify the number, species, size, and exact location of the tree or trees involved, a brief statement of the reason for the requested removal, and any other pertinent information as may be required by the city. The applicant may be required to provide a plot plan or survey drawn to scale depicting the tree(s) and any improvements on the property and/or an arborist's report.
- d. A heritage tree removal permit shall be valid for a period of two (2) years from the date of issuance. Said permit may be extended by and at the discretion of the Zoning Administrator for development-related permits and by the director for nondevelopment-related permits. Removal permits shall expire when any underlying permit expires and extensions shall not exceed the life of any underlying permit.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.29. Permits: Development-related removals.**

**a. Filing an application.**

An application for a development-related heritage tree removal permit shall be filed with the community development department. The application shall be filed and processed concurrently with any other application(s) for development entitlements.

**b. Processing.**

1. The community development department shall review all heritage tree removal permits filed pursuant to this section. The permit application shall be referred to the director for review and comment before action is taken. The application shall be

approved, conditionally approved or denied by the official or hearing body that acts on the companion development permits.

2. Five (5) days prior to the hearing on the heritage tree removal application, the applicant shall be required to wrap each heritage tree subject to removal with designated yellow tape as directed by the community development department and shall also be required to post a notice approved by the community development department stating the time, date and place of the development project and heritage tree removal hearing. Said notice shall be posted at or near the public right-of-way and shall be legible from the public right-of-way.
3. In no event shall any heritage tree approved for removal pursuant to this section be removed prior to the expiration of any applicable appeal period or issuance and initiation of the building permit for the companion development project.
4. Notice of the decision on the permit shall be made by personal delivery or certified mail to the owner, the applicants and by first-class mail to any other person who has filed a written request for such notice with the community development department. Notice of the decision shall also be incorporated into any noticing of the accompanying development permit.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.30. Permits: Nondevelopment-related removals.**

**a. Filing an application.**

An application for a nondevelopment-related heritage tree removal permit, including projects requiring a building permit only, shall be filed with the community services department.

**b. Processing.**

1. The director shall review and approve, conditionally approve or deny the nondevelopment-related removal application.
2. In no event shall any heritage tree approved for removal pursuant to this section be removed prior to the expiration of any applicable appeal period or issuance of a building permit for the companion project when a building permit is required.
3. The community services department staff or, at their discretion, the applicant, shall wrap each heritage tree subject to removal

with designated yellow tape within five (5) days of filing the application. The community services department shall post notice of the decision on the application for such permit on the tree or trees or at or near the public right-of-way and by personal delivery or certified mail to the owner and by first class mail to any other person who has filed a written request for such notice with the director. The on-site posting shall be legible from the public right-of-way. Such notice shall state the director's decision on the application and shall provide information on the appeal process pursuant to this section.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.31. Appeals.**

- a. Any person aggrieved or affected by a decision on a requested removal, or a member of the urban forestry board, or of the city council if the decision was made by the development review committee or the zoning administrator, may appeal the decision by filing a written notice of appeal with the city clerk stating the grounds for the appeal, and paying the requisite appeal fee, as established by council resolution, within ten (10) calendar days after the notice of the decision is posted or mailed. A member of the city council or urban forestry board shall be exempt from payment of the appeal fee.
- b. Development-related removal permit appeals shall be heard by the city council. Nondevelopment-related appeals shall be heard by the urban forestry board.
- c. An appeal shall automatically stay issuance or denial of the permit until the appeal has been completed. If no appeal is timely filed, the permit shall issue as indicated in the notice of the decision.
- d. Notice of the appeal shall be made by personal delivery or certified mail to the owner, the permit applicant and by first-class mail to any other person who has filed a written request for such notice. Notice shall also be given to the decision-maker. The decisions of the urban forestry board and city council shall be final. Notice of the decision shall be incorporated into the findings report. The denial of a permit shall be with prejudice, and neither the owner nor any applicant shall reapply for the removal of the same heritage tree for a period of two (2) years from said denial unless the community services director or community development

director finds, in writing, prior to the filing of the application for removal, that there has been a material change in circumstances.

- e. The property owner for nondevelopment-related permits will be required to post a copy of the approved permit on the tree twenty-four (24) hours in advance of the tree removal.

(Ord. No. 1.03, 1/14/03; Ord. No. 1.13, § 1, 1/22/13.)

**SEC. 32.32. Post-removal permits.**

- a. Any person who removes a heritage tree without a permit issued pursuant to this article shall secure from the city a post-removal permit.
- b. **Process.** The post-removal permit shall be processed pursuant to Sec. 32.29 or 32.30, as applicable.
- c. **Determination of heritage tree status.** If the removal has reduced the tree below fifty-four (54) inches from the natural grade, the tree will be presumed to be of heritage status and thus subject to this article if the cut portion of the tree meets the applicable measurement threshold, or if the remaining in-ground portion, including the stump, meets the minimum threshold for protection.
- d. In granting a post-removal permit, the decision-maker may require the replanting of a tree, including a tree of heritage size, in the exact location where the illegal removal occurred.

(Ord. No. 1.03, 1/14/03.)

**SEC. 32.33. City capital improvement projects.**

City capital improvement projects which propose the removal of any heritage tree shall be submitted by the city project staff to the city's arborist for review and recommendation of appropriate mitigation measures. The arborist's recommendations shall be forwarded by city project staff to the urban forestry board for their recommendation on the number, size and location of replacement trees. The recommendation of the urban forestry board shall be forwarded by city project staff to the city council for their consideration with the approval of the project.

(Ord. No. 1.03, 1/14/03.)

**SEC. 32.34. Other public agency projects.**

Unless otherwise exempted by state law, other public agencies which propose to remove any heritage tree within the City of Mountain View for any reason shall

comply with the provisions of this article. If the agency is exempt, the agency shall submit any environmental study of the proposed project, if applicable, including any proposed mitigation of the loss of any heritage tree, to the director for review. City staff shall review the project documentation, including any relandscaping plan, and shall work cooperatively and informally with that agency's staff to adequately mitigate the removal of any heritage tree. (Ord. No. 1.03, 1/14/03.)

**SEC. 32.35. Criteria for removal; Conditions; Findings.**

- a. **Criteria for removal.** The determination on each application shall be based upon a minimum of one of the following criteria; however, the decision-maker shall consider additional criteria, if applicable, in weighing the decision to remove a heritage tree, with an emphasis on the intent to preserve heritage trees.
  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.
  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.
  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.
  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.
  5. **Balancing criteria.** In addition to the criteria referenced above which may support removal, the decision-maker shall also balance the request for removal against the following which may support or mitigate against removal:



- A. The topography of land and effect of the requested removal on erosion, soil retention, water retention, and diversion or increased flow of surface waters.
- B. The effect of the requested removal on the remaining number, species, size and location of existing trees on the site and in the area.
- C. The effect of the requested removal with regard to shade, noise buffers, protection from wind damage and air pollution and the effect upon the historic value and scenic beauty and the health, safety, prosperity and general welfare of the area and the city as a whole.

b. **Conditions of approval.** Approval of an application for a permit may include reasonable conditions to insure compliance with the content and purpose of this article, including but not limited to:

- 1. Requiring the replacement or placement of an additional tree or trees on the subject property or off-site to offset the loss of a tree, limbs, or encroachment into the drip line. The number, species, size and location of said replacement tree(s) shall be determined by the director upon recommendation of the city arborist.
- 2. Requiring construction fencing or barriers to protect adjacent heritage trees or other landscaping.
- 3. Requiring protective grading requirements to avoid damaging the root structure of the tree or adjacent trees.
- 4. Requiring posting of a security bond to ensure that replacement trees are planted and become established (one year after planting) and to compensate for the lost trees due to illegal removal.
- 5. Requiring the relocating of a tree on-site or off-site, or the planting of a new tree on-site or off-site to offset the loss of a tree.
- 6. Requiring a maintenance and care program be initiated to ensure the continuing health and care of heritage trees on the property.
- 7. Requiring payment of a fee or donation of a boxed tree(s) to the city or other public agency to be used elsewhere in the community should a suitable replacement location of the tree not be possible on-site. The fee for replacement of a tree or trees shall be, at a minimum, based on the cost of a 24" boxed tree of same species, delivered and installed.

c. **Findings.** If a permit is denied or conditions are attached, the director or decision-maker shall provide the applicant with a written statement of the

reasons for said denial or conditions based upon the criteria and conditions set forth in this section.

**d. Off-site replacement option.** An applicant for a preremoval permit may request that any replacement trees be placed off-site or that he/she be permitted to pay a fee in lieu of replacement. The decision-maker shall consider the request in light of the balancing criteria set forth in Section 32.35(a)(5), above.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.36. Nonliability of city.**

Nothing in this article shall be deemed to impose any liability for damages or a duty of care of maintenance upon the city or upon any of its officers or employees. The owner of any private property shall have the duty to keep heritage trees upon the property in a safe, healthy condition. Unless subject to an exemption from a permit pursuant to this article, any person who believes that a tree located on property possessed, owned or controlled by them is a danger to the safety of themselves, others or structural improvements on-site or off-site shall secure the area around the tree or support the tree, as appropriate, to safeguard both persons and property from harm pending compliance with this article.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.37. Regulations.**

The City Council by resolution may promulgate administrative guidelines and/or regulations as necessary to implement this article. The director or the urban forestry board may promulgate administrative guidelines and/or regulations consistent with this article as needed, subject to council approval.

(Ord. No. 1.03, 1/14/03.)

**SEC. 32.38. Penalty; Restitution.**

**a. Penalty.**

Any violation of this article shall be deemed a misdemeanor, punishable as set forth in the City Charter.

**b. Restitution for unlawful removal.**

1. It has been determined that heritage trees within the city are valuable assets to the citizens of Mountain View and the neighboring communities. The loss or damage to any of these

trees results in a loss to the community and detrimentally affects the health, safety and welfare of the citizens of Mountain View. Therefore, the loss of or damage to any unlawfully removed or damaged heritage tree will require restitution. In addition to any applicable penalties, any person who willfully injures, damages, destroys, removes or relocates any heritage tree in violation of the terms of this article shall be responsible for proper restitution in the form of replacement trees or fees in lieu of replacement.

2. The number, species, size and location of said replacement tree(s) shall be determined by the director or other decision-maker, as applicable. The minimum size of a replacement tree shall be a twenty-four inch (24") box size tree.
3. Any fees collected in lieu of planting replacement trees shall be used for the purpose of enhancing the urban forest.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)

**SEC. 32.39. Tree valuation.**

For purposes of replacement for trees removed, the method of valuation shall be the "Standards for Valuation of Amenity Trees" of the International Society of Arboriculture. These standards shall apply to those trees removed without a permit as well as those removed with a permit, which require on-site or off-site replacements of similar value for the trees removed.

(Ord. No. 10.96, 9/24/96; Ord. No. 1.03, 1/14/03.)