

RECOMMENDED FINDINGS FOR DENIAL OF THE APPEAL

Tree Removal Permit

Pursuant to Sunnyvale Municipal Code Section 19.94.060, to grant a Tree Removal Permit, one or more of the following findings must be met. None of the required findings can be made.

a. The tree is diseased or damaged. (Finding Not Met)

Based on the City Arborist's inspection of the subject tree, the tree is in healthy condition and has approximately 25 years remaining of life expectancy.

b. The tree represents a potential hazard to people, structures, or other trees. (Finding Not Met)

Although the applicant/appellant claims that the tree is a potential threat to their and the neighbor's property as well as pedestrians on the sidewalk, the hazard is not immediate and further pruning and root treatments can prevent potential damage to the property or injury to pedestrians and animals on the sidewalk.

c. The tree is in basically sound condition but restricts the owner's ability to enjoy the reasonable use or economic potential of the property or unreasonably restricts an adjoining property's use or economic potential of the adjoining property. In the event this is the sole basis for the application, the following criteria shall be used to evaluate the application under this subsection (Finding Not Met):

1. The necessity of the requested removal to allow construction of improvements such as additions to existing buildings or incidental site amenities, or to otherwise allow economic or reasonable enjoyment of property;

There is no proposed construction.

2. The topography of the land and the effect of the requested action on water retention and diversion or increased flow of surface water.

The lot topography is relatively flat. The tree would not impact water retention or surface water diversion, or flow.

3. The approximate age of the tree relative to its average life span.

The age of the tree is not near the end-of-life expectancy for this tree species.

4. The potential effect of removal on soil erosion and stability where the tree is located.

The lot is on the valley floor with relatively flat grades. The tree removal would not likely impact soil stability or erosion.

5. Current and future visual screening potential.

The tree is in the front yard of the two-story home. The tree provides a natural and aesthetic screen and shading.

- 6. The property has become over-landscaped with trees so that they are too numerous, crowded, and unreasonably restrict the property owner's ability to use their land. In this event, selective removal can be approved in conjunction with acceptable arborist practices.**

The front yard is not over-landscaped nor exhibits overcrowded conditions.

- 7. The tree has outgrown its useful landscape value due to its inappropriate species, size, and location, relative to the existing structures on the property.**

The subject tree is a fruitless pear tree, recognized for its ornamental qualities. It is low maintenance and provides decorative appeal throughout the seasons, featuring spring blooms, lush green foliage in summer, and fall colors in autumn. This tree is situated in the front yard, positioned similarly to other trees in the neighborhood, and is appropriately spaced between the driveway, sidewalk, and house.

- 8. Any other information the director of community development finds pertinent to the application.**

The trees provide an aesthetic benefit to the property and neighborhood and proper pruning can improve its condition.