



# CITY OF POMONA

## HISTORIC PRESERVATION

## COMMISSION

**DATE:** November 7, 2018

**TO:** HISTORIC PRESERVATION COMMISSION

**FROM:** PLANNING DIVISION

**SUBJECT:** Major Certificate of Appropriateness (MAJCOA 10451-2018) to retroactively legalize the removal of a Brazilian pepper tree with a trunk greater than 10-inches in diameter in the front yard of a property located at 320 E. Pearl Street within the Lincoln Park Historic District.

### PROPERTY & APPLICANT INFORMATION

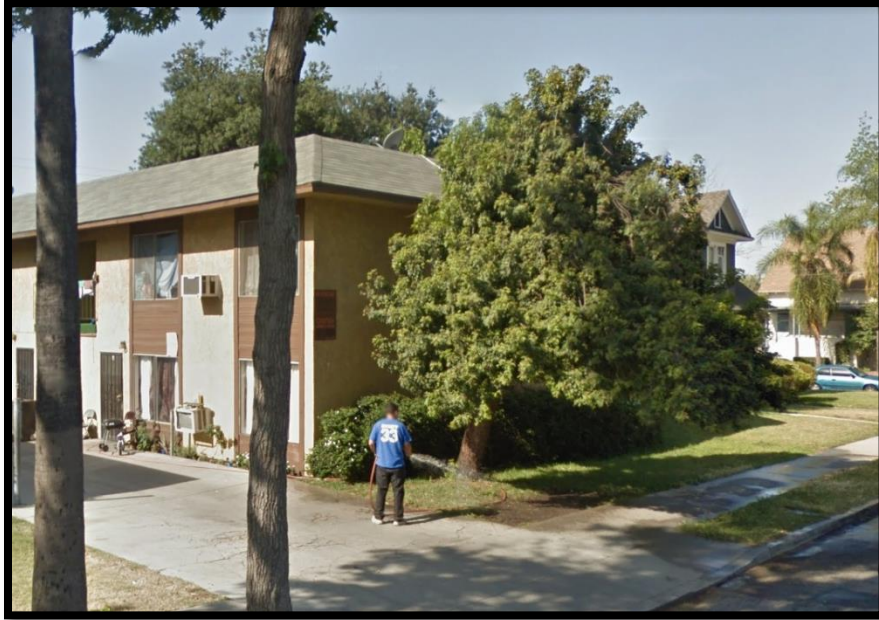
<b>Address</b>	320 E. Pearl Street
<b>Assessor's Parcel Number (APN)</b>	8337-013-023
<b>Lot Size</b>	7, 598 square feet
<b>General Plan</b>	Neighborhood Edge
<b>Zoning District</b>	R-1- 6,000
<b>Historic District</b>	Lincoln Park
<b>City Council District</b>	District 4
<b>Applicant</b>	Hang Tao
<b>Property Owner</b>	Hang Tao

### RELATED ACTIONS

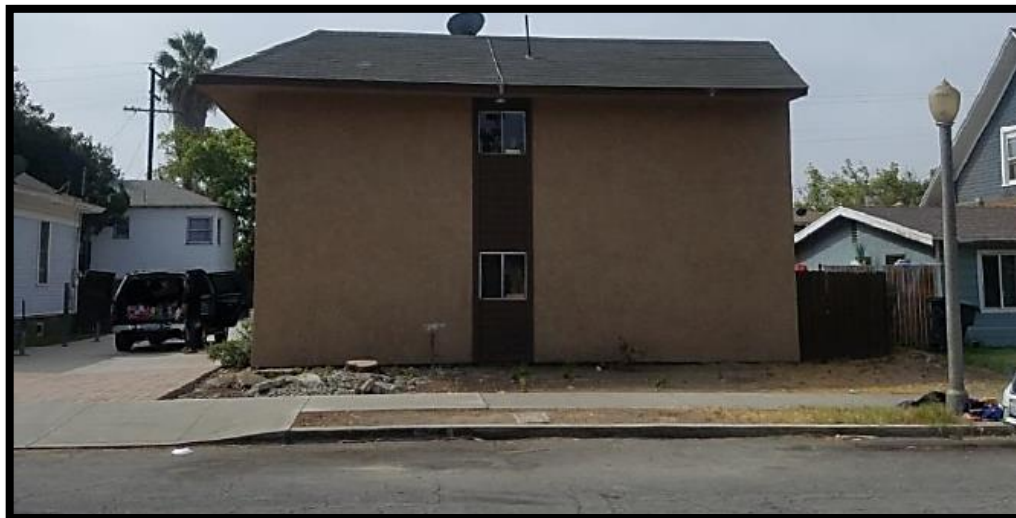
<b>Historic Preservation Commission</b>	Major Certificate of Appropriateness (MAJCOA 10451-2018) to retroactively allow the removal of a Brazilian pepper tree with a trunk that is 10-inches or greater in diameter in the front yard of an existing four unit apartment.
<b>Code Enforcement</b>	August 8, 2018, an Administrative Citation was mailed to the property owner requiring him to obtain a Major Certificate of Appropriateness for the tree removal. The applicants submitted their Major Certificate of Appropriateness to the City on August 9, 2018.
<b>Planning</b>	Environmental Determination – Categorical Exemption, Section 15304, Class 4 Minor Alterations to Land.

## BACKGROUND

The subject property is developed with a four unit apartment building constructed in 1981 and is a “Non-Contributing” residential site. Google image captured in April 2014 on the next page shows the Pepper Tree and condition of the sidewalk and road verge (street sidewalk landscaping area) area prior to removal.



On July 3, 2018 the City’s Code Enforcement Division inspected the property due to an unrelated complaint with regards to trash and folded boxes in the public right-of-way. Photographs were taken by city staff for documentation of the case and clearly show the pepper tree intact. On August 2, 2018, a second complaint was submitted to the city regarding the tree removal and the city initiated an Administrative Citation on August 8, 2018. According to the applicant, the tree was removed because the roots were growing into the plumbing lines. (See Picture Below – Pepper Tree Removal)



## **ANALYSIS**

### **Applicable Code**

According to Zoning Ordinance Section .5809-13 - Historic Preservation, trees within historic districts are defined as historic resources and their cutting or removal is considered an alteration. Pursuant to Section .5809-13, the Pomona Historic Sites Tree Protection Program (Resolution No. 2000-72) requires approval of a Certificate of Appropriateness for the alteration of character-defining landscaping including mature significant trees which are defined as trees with trunks more than 10 inches in diameter. Under Resolution No. 2000-72, the removal of mature significant trees, such as the subject tree, requires a Major Certificate of Appropriateness.

The current property is zoned R-1-6000 (Single Family) and the General Plan Designation is Neighborhood Edge. Major Goals and Policies within the General Plan that pertain to the subject property and its neighborhood include:

#### **Neighborhood Edge:**

Goal 6D.G6 - *Enhance the landscape buffering, streetscape quality, and pedestrian-friendliness of wider arterial streets to make environments more conducive to residential living and more flattering to the City's image.*

#### **Community Design:**

Goal 7F.G3 - *Promote a positive image of Pomona on all levels to both residents and visitors alike.*

#### **Historic Preservation:**

Policy 7F.P34 - *Promote preservation of older historic landscapes and natural features that help to define neighborhoods or maintain the context of historic districts and landmarks.*

### **Exemption**

Because the subject tree is considered a *mature significant tree*, it is not eligible for exemption from the requirements of Section .5809-13—Historic Preservation or the Pomona Historic Sites Tree Protection Program (Resolution No. 2000-72). Moreover, the tree was in a healthy, growing condition.

### **Site Visit**

On September 5, 2018, City staff, including the City Arborist, conducted a site visit. The majority of the Brazilian pepper tree located in the front yard was removed with only a small portion of the stump remains. The City Arborist was able to determine that the tree was in a healthy, growing condition according to what remained and based on the photographs taken from the Code Enforcement Division's initial site visit. Overall, there is minimal landscaping installed on the property. There is only one tree remaining on the southern property line and was identified by the City Arborist as a camphor tree.

Based on the determination of the City Arborist that the Brazilian pepper tree was in a healthy state and that the tree has already been removed without the benefit of a permit, staff recommends conditions of approval to plant one Hollyleaf Cherry tree (minimum 24-inch box) with proper irrigation and rehabilitating the front yard and road verge areas (landscaping in sidewalk area) with landscaping and appropriate ground cover, plants and

bushes, subject to review and approval by the Development Services Director or designee. Lastly, staff also recommends conditions on post-installation landscape and irrigation maintenance to ensure water use efficiency in accordance with the existing local agency code. These conditions will enhance the overall streetscape of the neighborhood and preserve the natural features of the district and otherwise achieve the goals and policies of the General Plan and complies with the requirements of the Tree Protection and Preservation Ordinances (See Condition #3-9).

## **CONCLUSION**

The proposed request to retroactively legalize the removal of the Brazilian pepper tree greater than ten inches in diameter has been evaluated by Planning Division and the City Arborist. Conditions have been put in place for the replacement tree in addition to the rehabilitation, maintenance and upkeep of the front yard and road verge areas. Staff recommends that the Historic Preservation Commission adopt the attached resolution to approve Major Certificate Appropriateness 10451-2018, subject to conditions.

Respectfully submitted,

Prepared by,

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Development Services Director

Lynda Lara,  
Assistant Planner

## **ATTACHMENTS:**

1. Draft HPC Resolution – Approval
2. Vicinity Map & Aerial Photo
3. Site Photographs
4. Public Hearing Notice