



CITY OF POMONA

HISTORIC PRESERVATION

COMMISSION

DATE: February 3, 2021

TO: Historic Preservation Commission (HPC)

FROM: Development Services Department, Planning Division

SUBJECT: APPEAL OF MINOR CERTIFICATE OF APPROPRIATENESS (MINCOA 15278-2021)

Appeal of Minor Certificate of Appropriateness (MINCOA 15278-2021), which denied the removal of two Canary Island pine trees (*Pinus canariensis*) within the front yard setback of a contributing dwelling within the R-1-7,200 (Single Family Residential) zoning district at 1542 Alameda Street in the Hacienda Park Historic District.

PROPERTY & APPLICANT INFORMATION

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|--|---------------------------------|
| Address | 1542 Alameda Street |
| Assessor's Parcel Number (APN) | 8359-020-006 |
| Lot Size | 8,910 sq. ft. |
| General Plan Land Use Designation | Residential Neighborhood |
| Zoning District | R-1-7,200 |
| Historic District | Hacienda Park Historic District |
| Specific Plan | N/A |
| City Council District | District 6 |
| Applicant | Linda Gail Tigner |
| Property Owner | Linda G. Tigner Trust |

RELATED ACTIONS

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| Historic Preservation Commission | N/A |
| Code Enforcement | No active code cases. |
| Building & Safety | N/A |
| Planning | 2015 MINCOA 3490-2015 for tree trimming 2016 MINCOA 5316-2016 for reroof MINCOA 6407-2016 for tree trimming 2017 MINCOA 7433-2017 for tree trimming MINCOA 9099-2017 for tree trimming 2018 MINCOA 11132-2018 for tree trimming 2019 MINCOA 13203-2019 for tree trimming |

SITE DESCRIPTION AND BACKGROUND

On January 4, 2021, the Applicant submitted a Minor Certificate of Appropriateness application for the removal of two Canary Island pine trees (*Pinus canariensis*) on the property located at 1542 Alameda Street in the Hacienda Park Historic District. The property is developed with a 1,296 square-foot single-family dwelling on an 8,910 square foot lot. Surrounding the subject property to the north, west, east, and south are single-unit residential dwellings.

The Hacienda Park Historic District survey identifies the architectural style of the dwelling as California Ranch (Attachment 4). The Pomona Historic Resources Survey conducted in 1993 identifies this residence as “contributing.” It was also identified as a contributing residence in the formation of the Hacienda Park Historic District in 2003. The inventory does identify the Canary Island pine trees in the following sentence:

“Two large pines flank the walkway to the front and crape myrtles are at the street. The back features a large avocado tree...”

The two subject trees are Canary Island pine trees (*Pinus canariensis*). They are large mature trees, located within the front yard setback of the property. This particular species of tree is designated on the City’s “Protected Species List” and is considered part of the character-defining landscaping of the neighborhood. The proposed removal of the two Canary Island pine trees is subject to the regulations of City Council Resolution No. 2020-55, the Historic Sites Tree Protection, and Preservation Program.

APPLICABLE CODE SECTIONS

Per City Council Resolution No. 2020-55, the Historic Sites Tree Protection, and Preservation Program, *“Removal of Character-Defining Landscaping shall be permitted if one of the following criteria is met, subject to approval of a Minor Certificate of Appropriateness.*

- i. *“Danger to Public Welfare. A Minor COA shall be obtained prior to removal of any and all character-defining landscaping ... that is clearly a danger to the public welfare....”*
- ii. *“Dead or Diseased Trees. A Minor COA shall be obtained prior to removal of any dead or diseased trees....”*

DENIED MINOR CERTIFICATE OF APPROPRIATENESS

On January 14, 2021, Planning staff issued a Decision Letter (Attachment 1) denying MINCOA 15278-2021 for the removal of two Canary Island pine trees (*Pinus canariensis*). The subject two Canary Island pine trees are categorized as character-defining landscaping as they exceed their respective species minimum protection threshold. In this case the applicant applied under the basis that the trees are a danger to the public welfare. The applicant references the extreme height of the trees (estimated at about 80 feet and 65 feet) and their close proximity to the subject site’s dwelling and surrounding dwellings as a danger to public welfare concern.

On January 6, 2021, the City's Parks and Landscapes Supervisor conducted a pre-trimming/removal inspection of the subject trees and observed that the trees exceed the minimum protection threshold for Canary Island pine trees, which is set at 18" diameter at breast height (DBH). It was determined by the Parks and Landscapes Supervisor that the subject trees are neither a "danger to public welfare" nor "dead or diseased trees," as defined by CC Resolution No. 2020-55. The Parks and Landscapes Supervisors acknowledged there is an inherent danger with any trees that are this tall; in this specific case both trees are healthy and have been serviced regularly with no indication of dead wood nor accumulation of dead pine needles, both of which lead to spider mites and other issues. Due to the trees' health and regular servicing, it was determined that the trees are not "clearly a danger to the public welfare" and resulted in staff's denial decision for the MINCOA.

Staff issued a denial decision for MINCOA 15278-2021 for the request to remove two Canary Island pine trees because neither criterion for the removal of a character defining trees was met. The decision was subject to a 20 day appeal period ending on February 3, 2021 (Attachment 1).

APPEAL

On January 19, 2021, the applicant and property owner Linda Gail Tigner submitted an appeal (Attachment 2) to the Planning Division, contesting staff's denial of the proposed removal of the two large Canary Island pine trees (*Pinus canariensis*). The appeal letter includes a letter from the applicant addressed to the Commission as well as a letter from a tree service company (Attachment 3) elaborating on their professional experience with pine trees of this height and size in similar circumstances where there was a perceived danger.

CONCLUSION

Staff presents two decision options for your consideration:

1. Uphold staff's decision for MINCOA 15278-2021 denying the removal of the two Canary Island pine trees on the basis that the trees are neither a danger to public welfare nor dead or diseased trees.
2. Approve the appeal and find that the trees are an inherent danger to the public welfare, specifically the subject dwelling and surrounding properties, due to the trees' mature size and height.

Respectfully submitted by:

Prepared by:

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ATTACHMENTS:

- 1) Attachment 1 – Decision Letter for MINCOA-15278-2021
- 2) Attachment 2 – Appeal Letter for MINCOA-15278-2021 Decision
- 3) Attachment 3 – Letter from Tree Service Provider
- 4) Attachment 4 – Historic Resources Inventory Form
- 5) Attachment 5 – Site Photographs