

RESOLUTION NO. 04 - 03
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
DESIGNATING HISTORICAL LANDMARKS (HERITAGE TREES)

WHEREAS, the City Council of the City of Los Altos ("City") adopted Los Altos Municipal Code ("City Code") Chapters 12.44 and 11.08, which established procedures for the designation and preservation of Historical Resources and Heritage Trees within the City; and

WHEREAS, on October 27, 2003, in accordance with the City Code process and procedures, certain City residents requested that the Historical Commission consider for further study and investigation the designation of all of the Canary Island palm trees on Rinconada Court as Heritage Trees; and

WHEREAS, the Historical Commission held a duly noticed special meeting on December 18, 2003, and at such meeting reviewed and considered the written and oral testimony concerning the designation of the five (5) Canary Island palm trees located at 432, 445/447, 449 and 451 Rinconada Court and the four (4) Canary Island palm trees located in the traffic island and community gardens located adjacent to 439 Rinconada Court as Heritage Trees; and

WHEREAS, the Historical Commission further reviewed the Historical Subcommittee's report and findings concerning the designation of the Canary Island palm trees as Heritage Trees; and

WHEREAS, the Historical Commission made findings under City Codes sections 11.08 and 12.44 regarding the Canary Island palm trees located at 432, 445/447, 449 and 451 Rinconada Court (referenced by APN Nos.: 170-35-014; 170-35-015; 170-35-016; 170-35-017; 170-35-033; and 170-35-036) based on the Subcommittee's report, which is part of the City Council agenda report dated January 9, 2004, attached hereto as Exhibit "A" and incorporated by this reference; and

WHEREAS, the Historical Commission found that the five (5) Canary Island palm trees located at 432, 445, 447, 449 and 451 Rinconada Court (referenced by APN Nos.: 170-35-014; 170-35-015; 170-35-016; 170-35-017; 170-35-033; and 170-35-036) and the four (4) Canary Island palm trees located in the traffic island and community gardens located adjacent to 439 Rinconada Court (hereinafter the "Palm Trees") are eligible for Heritage Tree designation based on the following: (1) the Palm Trees are over fifty (50) years old in age; (2) the Palm Trees have historical significance; and (3) the Palm Trees have value as part of the neighborhood's unique character and identity; and

WHEREAS, the Historical Commission further found that the Palm Trees have historic significance through their association with the historic residence located at 439 Rinconada Court (the Farnsworth - Myers home). The Farnsworth Myers home has been officially designated by the City Council as a historical landmark with a Mills Act agreement for the property; and

WHEREAS, the Historical Commission considered that a 1988 Los Altos Town Crier article states "The grounds (of the Farnsworth Farm) were landscaped by Golden Gate Park Landscape Architect and Superintendent, John McLaren, during the same period in which he designed the landscaping for Stanford University." (Mr. McLaren served as Park Superintendent from 1887 to 1943); and

WHEREAS, the Historical Commission further found that the Palm Trees met City Code section 12.44.030.B.5 because these Palm Trees represent "...a unique location or singular physical characteristics, whether manmade or natural, representing an established or familiar visual feature of a neighborhood, community, or the city; or it has a relationship to any other landmark, and its preservation is essential to the integrity of that landmark"; and

WHEREAS the Historical Commission further found that the Palm Trees met City Code section 12.44.030.B.7 because "...the trees embody or contribute to a unique natural setting or environment constituting a distinct area or district within the City having special character or special historic...or aesthetic interest or value"; and

WHEREAS, the Historical Commission further found that the Palm Trees have ecological value and support the balance of nature, as stated in City Ordinance 93-08 "trees...enhance views,...provide shelter for and feed birds and other wildlife, and provide fragrance and color"; and

WHEREAS, on January 27, 2004, the City Council conducted a duly noticed public hearing, at which the City Council reviewed the entire record of this matter, including the Historical Commission's findings and all evidence introduced at the hearing, heard the oral evidence and testimony, and reviewed the documentary evidence relating to the designation of the Palm Trees as Heritage Trees; and

WHEREAS, on January 27, 2004, the Historical Commission recommended to the City Council that it designate the Palm Trees as Heritage Trees; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of the proceedings upon which this approval is based is the office of the City Clerk

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby adopts findings and makes a decision in this matter as follows:

1. The City Council hereby adopts the Historical Commission's findings in its entirety.
2. The City Council adopts the findings of the Historical Commission as its own and it specifically finds that substantial evidence in the record supports each of the findings made by the Historical Commission, and that the Historical Commission's findings support its decision.
3. The City Council hereby designates the Palm Trees as Heritage Trees and that they are subject to the terms and conditions outlined in the City Code Chapters 12.44 and 11.08.
4. This decision constitutes a final decision pursuant to the Code of Civil Procedure section 1094.6. Any petition for judicial review of this decision must be sought within the time limits and pursuant to the procedures established by the Code of Civil procedure section 1094.6.

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution duly passed and adopted by the City Council of the city of Los Altos on the 10th day of February 2004 by the following roll call vote:

AYES: Cole, Packard, Casas, Lear, Moss
NOES: None
ABSENT: None



JOHN MOSS, MAYOR



SUSAN KITCHENS, CITY CLERK