



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
FAX (310) 377-7288

Agenda Item No.: 6A
Mtg. Date: 01/25/16

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR *YJ*

THROUGH: RAYMOND R. CRUZ, CITY MANAGER *RC*

SUBJECT: CONSIDERATION OF RESOLUTION NO. 1182 TO ADOPT ADMINISTRATIVE REGULATIONS INTERPRETING MEASURE B RELATING TO VIEW PRESERVATION

ATTACHMENTS:

- A. Chapter 17.26 View Preservation Ordinance, including Measure B language (underlined/bold/italics)
- B. Resolution No. 1182 of the City Council adopting administrative regulations interpreting Measure B, as recommended by the Planning Commission
- C. Correspondence received since January 11, 2016

BACKGROUND

1. It is recommended that the City Council continue deliberations on the proposed Administrative Regulations Interpreting Measure B.
2. The City Council held a public hearing in the matter of administrative regulations interpreting Measure B at their January 11, 2016 meeting, and continued the hearing to tonight's meeting.
3. All of the documents and information provided to the City Council at the January 11, 2016 meeting continue to be relevant and are available at City Hall. Please refer to your January 11, 2016 packet.
4. Included with this staff report is correspondence received since the Council's meeting on January 11, 2016.
5. During the meeting, generally, the residents testified as follows:

- The City Council should adopt Planning Commission's recommendations as a starting point. The Interpretations could be amended at any time if it is determined that they are not working
- The Planning Commission's recommendation regarding maturity of trees is flawed and illegal
- No industry evidence that when a tree is cut or pruned that it is not mature
- Maturity should be defined as the maximum height that the plant can likely reach per the Sunset Western Garden Book
- Maturity should be defined as 75% of the average of the trees lowest and highest range of growth per the Sunset Western Garden Book
- Maturity should be defined as the average of the trees lowest and highest range of growth per the Sunset Western Garden Book
- Maturity should be defined as the lowest height in the range per the Sunset Western Garden Book or the age of tree
- Don't define/interpret minuscule provisions
- The interpretation must be reasonable
- Date of acquisition of property could be determined using information from a title company
- Restudy the concept of ownership change when a revocable trust becomes irrevocable

The City Council discussed the following issues:

- City should hire an arborist certified by the American Society of Consulting Arborists, who can be expert witness to advise the City on what constitutes maturity of trees
- Change of ownership - the definition of change in ownership set forth in the California Revenue & Taxation Code (R&T Code) may not be the best application for the interpretation of the measure

6. No decisions were made on any of the above issues and the City Council agreed to continue the discussion.

ATTACHMENT "A"

Chapter 17.26 View Preservation Ordinance, including Measure B language (underlined/bold/italics).

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Chapter 17.26 VIEW PRESERVATION (WITH MEASURE B LANGUAGE IN BOLD, ITALICS AND UNDERLINED)

Sections:

17.26.010 Intent and purpose.

17.26.020 Committee on trees and views.

17.26.030 Desirable and undesirable trees.

17.26.040 Abatement of view impairment—Procedure.

17.26.050 Hearing procedure and findings.

17.26.060 Implementation of restorative action.

17.26.070 Enforcement.

17.26.080 Notification of subsequent owners.

17.26.090 Preservation of views defined.

17.26.010 Intent and purpose.

The City recognizes the contribution of views to the overall character and beauty of the City. Panoramic views of the Pacific Ocean, Catalina Island, City lights and Los Angeles Harbor are a special quality of property ownership for many residential lots in the City. These views have the potential to be diminished or eliminated by maturing landscaping located on private property. The purpose of this chapter is to protect this important community asset by establishing procedures for the protection and abatement of view obstructions created by landscaping, while at the same time protecting natural vegetation from indiscriminate removal.

(Ord. 239 §11(part), 1993).

17.26.020 Committee on trees and views.

A Committee on Trees and Views is established for the purpose of administering the provisions of this chapter. The Committee shall be composed of three members of the Planning Commission appointed by the Commission annually at the same time as the Commission selects its officers, or whenever a vacancy occurs. Committee meetings shall be scheduled as adjourned or special meetings of the Commission. The Committee is authorized to consult with City officials and with specialists such as landscape architects and arborists as required, but shall not incur any expense on behalf of the City without prior approval of the City Council.

(Ord. 292 §4, 2003; Ord. 239 §11(part), 1993).

17.26.030 Desirable and undesirable trees.

The Committee is authorized and directed to prepare lists of types of desirable and undesirable trees for planting within the City. The list shall be based upon tree size and shape, rate of growth, depth of roots, fall rate of leaves or bark or fruit or branches, and other factors related to safety, maintenance and appearance. The purpose of this provision is to make

information available to property owners which may serve to avoid future occasion for permits, complaints, and other proceedings authorized by this chapter.

(Ord. 239 §11(part), 1993).

17.26.040 Abatement of view impairment—Procedure.

Any person who owns or has lawful possession of a residence from which view is impaired by vegetation growing on property other than their own may seek abatement of the view impairment under the following procedure:

- A. **Application Required.** The complainant shall submit a complete application for abatement of view impairment on a form provided by the City. The application shall be accompanied by a fee as provided for in Section 17.30.030 of this title. The complainant shall describe in the application what efforts have been made by the complainant to resolve the view impairment prior to filing the complaint. A complaint shall not be accepted for filing unless the complainant can demonstrate that the owner of the view-impairing vegetation has been given notice of the impairment and a reasonable opportunity to abate it, but has refused to do so.
- B. **Mediation.** Upon receipt and acceptance of an application as complete, the City Manager shall refer the matter to a mediator for conduct of a mediation session to abate the view impairment. The mediator shall be responsible for notifying the property owner of the view-impairing vegetation of the application and for scheduling and managing the mediation process. If agreement is reached through mediation, it shall be implemented in accordance with Section 17.26.060.
- C. **Public Hearing.** In the event mediation fails to achieve agreement, the matter shall be returned to the City Manager, who shall schedule the matter for a public hearing before the Committee on Trees and Views.

(Ord. 292 §5, 2003; Ord. 239 §11(part), 1993).

17.26.050 Hearing procedure and findings.

- A. **Notice Required.** Public notice of the hearing shall be given a minimum of fifteen days prior to the hearing. The hearing shall not proceed unless proof is shown that the owner of the tree or other obstructing vegetation received notice of the hearing as provided herein:
 1. Notice shall be given by certified mail, return receipt requested, to the owner of the tree or other obstructing vegetation and to the complainant;
 2. Notice shall be given by first class mail to all property owners within one thousand feet of the exterior boundary of the property on which the tree or other obstructing vegetation are located and to other persons who, in the Committee's judgment, might be affected.
- B. **Content of Notice.** The notice shall state the name of the complaining party, the name of the property owner against whom the complaint is filed, the location of the tree or other vegetation, and the time and place of hearing. The notice shall invite written comments to be submitted prior to or at the hearing.
- C. **Conduct of Hearing.** The Committee shall adopt rules for the conduct of required hearings. At the hearing, the Committee shall consider all written and oral testimony and evidence presented in connection with the application. In the event the Committee requires expert advice in consideration of the matter, the cost of obtaining such evidence shall be borne by the complainant, pursuant to written agreement with the City.

D. Findings. Based on the evidence received and considered, the Committee may find any of the following:

1. That no view exists within the meaning of this chapter;
2. That a view exists within the meaning of this chapter, but that the view is not significantly impaired; or
3. That a view exists within the meaning of this chapter and that it is significantly impaired.

The Committee shall make specific written findings in support of the foregoing determinations.

E. Action. If the Committee makes finding subsection (D)(3) of this section, it shall order such restorative action as is necessary to abate the view impairment and to restore the complainant's view, including, but not limited to, removal, pruning, topping, thinning or similar alteration of the vegetation. **Such order is not intended to create an unobstructed view for applicants. Instead it is intended to create view corridors and a view through trees.** The Committee may impose conditions as are necessary to prevent future view impairments. In no event shall restorative action be required if such action would adversely affect the environment or would unreasonably detract from the privacy or enjoyment of the property on which the objectionable vegetation is located.

F. Finality of Decision. The Committee's decision shall be final twenty days after adoption of its written findings, unless it is appealed to the City Council pursuant to the provisions of Chapter 17.54.

(Ord. 295 §7 (Exh. B (part)), 2004; Ord. 239 §11(part), 1993)

(Ord. No. 333 (Measure B), 3-18-2013)

17.26.060 Implementation of restorative action.

- A. Within thirty days of a final decision ordering restorative action, the complainant shall obtain and present to the owner of the obstructing vegetation three bids from licensed and qualified contractors for performance of the work, as well as a cash deposit in the amount of the lowest bid. In order to qualify, the contractors must provide insurance which protects and indemnifies the City and the complainant from damages attributable to negligent or wrongful performance of the work. Any such insurance shall be subject to the approval of the City.
- B. The owner of the obstructing vegetation may select any licensed and qualified contractor to perform the restorative action (as long as the insurance requirements of subsection A of this section are satisfied), but shall be responsible for any cost above the amount of the cash deposit. The work shall be completed no more than thirty days from receipt of the cash deposit.
- C. Subsequent maintenance of the vegetation in question shall be performed as prescribed by the Committee's final decision at the cost and expense of the owner of the property on which the vegetation is growing. The vegetation shall be maintained in accordance with the final decision so as not to allow for future view impairments. A notice of the decision shall be recorded against the title of the property and shall run with the land, thereby giving notice of this obligation to all future owners.
- D. The implementation method provided for in this section may be modified by the parties or in any final decision if grounds exist to justify such a modification. In particular, the Committee may allocate the cost of restorative action as follows:
 1. If the Committee finds that the tree or other vegetation constitutes a safety hazard to the complainant or his property, and is being maintained by the owner in disregard of

the safety of others, the owner may be required to pay one hundred percent of the cost of correction; or

2. If the owner is maintaining a hedge fifteen feet or more in height, the Committee may allocate the cost of correction to the property owner, provided that the owner of the land on which the hedge exists shall not be required to pay more than twenty-five percent of the cost of such correction.

(Ord. 239 §11(part), 1993).

17.26.070 Enforcement.

- A. Failure or refusal of any person to comply with a final decision under this chapter or to comply with any provision of this chapter shall constitute a misdemeanor and shall be punishable by a fine of one thousand dollars or six months in County Jail, or both. Failure or refusal of any person to comply with a final decision under this chapter shall further constitute a public nuisance which may be abated in accordance with the procedure contained in Chapter 8.24.
- B. A final decision rendered under this chapter may be enforced civilly by way of action for injunctive or other appropriate relief, in which event the prevailing party may be awarded attorney's fees and costs as determined by the court.
- C. Nothing in this chapter shall preclude the prosecution of any civil cause of action under the law by any person with respect to the matters covered herein.

(Ord. 239 §11(part), 1993).

17.26.080 Notification of subsequent owners.

The owner on whose property the offending vegetation exists shall notify all successor owners of the final decision in any proceeding under this chapter, and such decision shall be binding upon all such successors in interest. Within thirty days of the final decision, an informational covenant shall be recorded against the title of the property on a form provided by the City.

(Ord. 239 §11(part), 1993).

17.26.090 Preservation of views defined.

Notwithstanding any other provision of Chapter 17.26.010 to 17.26.080 inclusive, the following provision shall apply and supersede in priority any other provision.

- 1. A view is defined in Chapter [Section] 17.12.220 and only applies to that view existing from the date any current owner of a property in the City of Rolling actually acquired the property.**
- 2. Chapter [Section] 17.26.010 provides that the intent of the Ordinance is to protect views from "maturing" vegetation. As such, in addition to the limitations otherwise set forth in Chapter 17.26, including but limited to this Section 17.26.090, any vegetation which is already mature at the time any party claiming a view impairment actually acquired the property shall be exempt from Chapter 17.26. "Mature" versus "Maturing" shall be defined by industry standards predominantly accepted by arborists.**

3. The burden of proof to show that any view is impaired shall be upon the party claiming such impairment, and the standard shall be by "clear and convincing evidence". Evidence shall be weighted in the following order of priority:

a. Photographs;

b. Expert testimony; and lastly

c. Other evidence.

(Ord. No. 333 (Measure B), 3-18-2013)

Editor's note— Ord. No. 333 (Measure B) which added the provisions set out herein, was adopted March 18, 2013, as a result of a vote of the electorate and thus cannot be changed except by another vote. Said ordinance states, **"This Section 17.26.090 shall be effective retroactively to the date Chapter 17.26 was first made an Ordinance to the City of Rolling Hills."**

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ATTACHMENT "B"

Resolution No. 1182 of the City Council adopting administrative regulations interpreting Measure B, as recommended by the Planning Commission

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RESOLUTION NO. 1182

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ROLLING HILLS ADOPTING ADMINISTRATIVE
REGULATIONS INTERPRETING MEASURE B RELATING TO
VIEW PRESERVATION.

The City Council of the City of Rolling Hills does hereby resolve and order as follows:

Section 1. In June 1988, the City adopted a View Preservation Ordinance. The ordinance established preservation of views as a primary value of the community and created a process by which a property owner could seek to abate an obstructed view. In November 2003, the ordinance was modified relative to the composition of the Committee on Views and Trees, the body designated to consider view applications.

Section 2. In March 2013, the residents of Rolling Hills passed Measure B to amend the View Preservation Ordinance. The principal effect of Measure B was to shift the protection of the ordinance from views that are *capable* of being enjoyed from a property to views that were *actually* enjoyed from a property when the property owner acquired the property. In particular, the initiative amended the ordinance as follows:

- Only a view that existed when the current property owner “actually acquired” the property may be restored;
- Abatement of view impairment is limited to obstructions caused by trees that were “maturing” at the date of acquisition and trees that were “mature” at the time of property acquisition are excluded from consideration;
- Measure B specified that abatement of view impairment is intended to create “view corridors” and views through trees, and not unobstructed views;
- Measure B specified that its provisions are to be applied retroactively.

Section 3. Measure B contains various ambiguities that have resulted in uncertainty in its application in view obstruction cases submitted to the City’s Committee on Trees and View for consideration. Measure B can only be amended by the voters; however, the City may adopt administrative regulations providing guidance and interpreting ambiguities in voter initiatives. Based on this authority and recommendation by the Planning Commission, the City Council reviewed, discussed and developed a policy interpreting Measure B.

Section 4. The City Council finds that Attachment A titled City of Rolling Hills Administrative Regulations Interpreting Measure B Relating to View Preservation clarify the initiative and is hereby adopted:

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____ 2016.

JEFF PIEPER, MAYOR

ATTEST:

HEIDI LUCE, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in section 17.54.070 of the Rolling Hills Municipal Code and Code of Civil Procedure Section 1094.6.

Attachment A

City of Rolling Hills
Administrative Regulations Interpreting Measure B
Relating to View Preservation

Chapter 1	Date of Property Acquisition
Chapter 2	“Mature” versus “Maturing” Trees
Chapter 3	Retroactivity of Measure B

Chapter 1
DATE OF PROPERTY ACQUISITION

Section 1001. Interpretation of the Date of Acquisition of Property.

Measure B provides that a person may only apply to restore the view existing from the date that the current owner of the property actually acquired the property. In determining whether a transfer of property has resulted in an acquisition affecting the view that a person may apply to have restored, the City shall generally apply the rules applicable to reassessment of property taxes in the County of Los Angeles.

The impacts of common transfers of property are illustrated below:

- A. The acquisition date of property acquired through inheritance shall be the date that the previous owner acquired the property, not the date of the transfer by inheritance.
- B. The acquisition date of property acquired from a third party through an arms-length purchase and sale shall be the date of the sale as evidenced by a deed.
- C. When property is placed into a revocable trust, the acquisition date of property shall not change. When property is placed into an irrevocable trust, or a revocable trust becomes irrevocable, the acquisition date shall be the date that the property was placed into the irrevocable trust or the revocable trust became irrevocable.

Chapter 2
“MATURE” VERSUS “MATURING” TREES

Section 2001. Definition of “Mature” Trees

The International Society of Arboriculture defines maturity by “mature height,” which means the “maximum height that a plant is likely to reach if the conditions of the planting site are favorable.” The Sunset Western Garden Book is a trusted reference guide on trees, plants and other vegetation present in the region and defines a plant species’ “maturity” as the time at which a plant achieves a certain height range and displays other characteristics. The Sunset Western Garden Book provides maximum height ranges for species of plants typically involved in View Preservation cases in the City.

For purposes of the View Preservation Ordinance and Measure B, a plant is “mature” when it reaches the maximum height for the species specified in the Sunset Western Garden Book. However, arborists agree that plants that have been regularly cut may never reach their maximum potential height, and several alternative methodologies are recognized to determine the age of such trees. However, the alternative methodologies are complex and require reliance on a professional arborist. Further, the proponents of Measure B testified before the Planning Commission that the intent of Measure B was to exempt trees that have reached their full species height prior to acquisition of a complainant’s property. Therefore, trees that show evidence of regular cutting and are therefore unlikely to reach their maximum potential height shall not be considered “mature” for purposes of the View Preservation Ordinance and shall not be exempt from restorative action.

Section 2002. Definition of “Maturing” Trees

Trees and other vegetation that are not “mature” as specified in these regulations are “maturing.”

Section 2003. Presumption that Trees were not “Mature”

If evidence is presented, such as historical aerial photographs, showing that none of the offending trees or vegetation subject to a complaint was planted at or around the time that the complainant acquired the property from which a view is claimed, the complainant shall be entitled to a presumption that the offending trees and vegetation were not “mature” at the date of acquisition and are therefore subject to restorative action.

Chapter 3
RETROACTIVITY OF MEASURE B

Section 3001. Retroactive Application.

Any resolution of the City of Rolling Hills adjudicating any complaint regarding view impairments adopted by the Committee on Trees and Views, or the City Council on appeal, prior to March 18, 2013, is hereby considered void and will not be enforced by the City.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Resolution No. 1182 entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS
ADOPTING ADMINISTRATIVE REGULATIONS INTERPRETING MEASURE B
RELATING TO VIEW PRESERVATION.

was approved and adopted at a regular meeting of the City Council on _____,
2016 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CITY CLERK

ATTACHMENT "C"

Correspondence received since January 11, 2016

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RECEIVED

Tuesday, January 12, 2016 3:47 PM

Subject: View Ordinance

Date: Tuesday, January 12, 2016 1:48 PM

From: Paul Mayhack <paul.mayhack@yahoo.com>

Reply-To: Paul Mayhack <paul.mayhack@yahoo.com>

To: "hluce@cityofrh.net" <hluce@cityofrh.net>

JAN 12 2016

City of Rolling Hills

By _____

Dear Rolling Hills City Council,

Our family supports the proposed changes to the View Ordinance as well as the Planning Commission's interpretation of Measure B.

We feel that it is a balanced and reasonable approach to the issue of tree preservation and homeowner's right to a view.

Thank You,

The Mayhack Family
52 Eastfield Drive

(21)

31 Chuckwagon Road
Rolling Hills, CA 90274

January 18, 2016

City Council
City of Rolling Hills, CA 90274

DEFINITION OF "MATURE TREE"

Dear Councilpersons:

Kudos to Councilperson Bea Dieringer for identifying the primary source of the definition of "mature tree" predominately accepted by arborists! I have found it cited many times by cities and other government agencies and arborist associations, but did not know the original source. It can be found in *An Illustrated Guide to Pruning*, Third Edition, by Edward F. Gilman (Glossary, page 457.)

"Mature tree: A tree that has reached at least 75% of its final height and spread at a particular site, but is not declining due to old age; contrast with *overmature tree*."

I corresponded with Dr. Gilman, who told me that the definition was in widespread use by arborists in the 1980's when he began his career in arboriculture, and he first committed it to writing and included the definition in his many published works, including the *Illustrated Guide* which was first published in 2002. 75% is used because a mature tree will continue to grow when it reaches maturity. That fact, and the fact that heights of mature trees of a species at a site will vary due to microclimates, weather cycles, soil conditions, water availability (next to lawn, bottom of a slope), shade of other trees, etc. means that heights of mature trees of a species at a particular site will be normally distributed.

I have proposed that to determine what is a "mature tree" in a view remediation case, the most likely (mean or average) height be calculated from the range of mature tree heights (lowest mature tree height to highest mature tree height) for a species as listed in *Sunset Western Garden Book* (Planning Commission also recommended using this source).

$$\frac{\text{Lowest mature height} + \text{highest mature height}}{2} \times 0.75 = \text{calculated mature tree height}$$

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JAN 19 2016

City of Rolling Hills
By _____



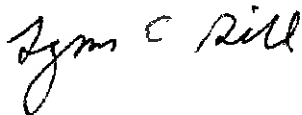
I believe that the gist of the Council discussion at the January 11, 2015 public hearing was *NOT* to simply use the extreme top end of the mature tree height range to determine what a mature tree is. I wrote a longish letter dated 12-26-2015 explaining why that calculation would be statistically invalid.

Continuing council discussion was whether to multiply the highest extreme of the height range by 75%, or to use the average height as I have proposed. Since using the average height results in the most likely determination of mature height, it would be perceived by most people as fair and reasonable.

One councilperson suggested that the council adopt the former definition, which is to multiply the highest extreme of the height range of mature trees by 75%, and then wait to have the matter judicially determined. In my opinion, that's exactly what would happen, as the definition would not be viewed by most people as a fair determination. However, since all trees within the range of lowest mature height to highest mature height for a species are, by definition, "mature," odds are that the court would find that the lowest height of a mature tree in the height range should be used to determine what is a "mature tree" for view remediation purposes.

I encourage the council to use the average height of a mature tree times 75% to determine what is a "mature tree" in view remediation case. It's a fair compromise.

Sincerely,



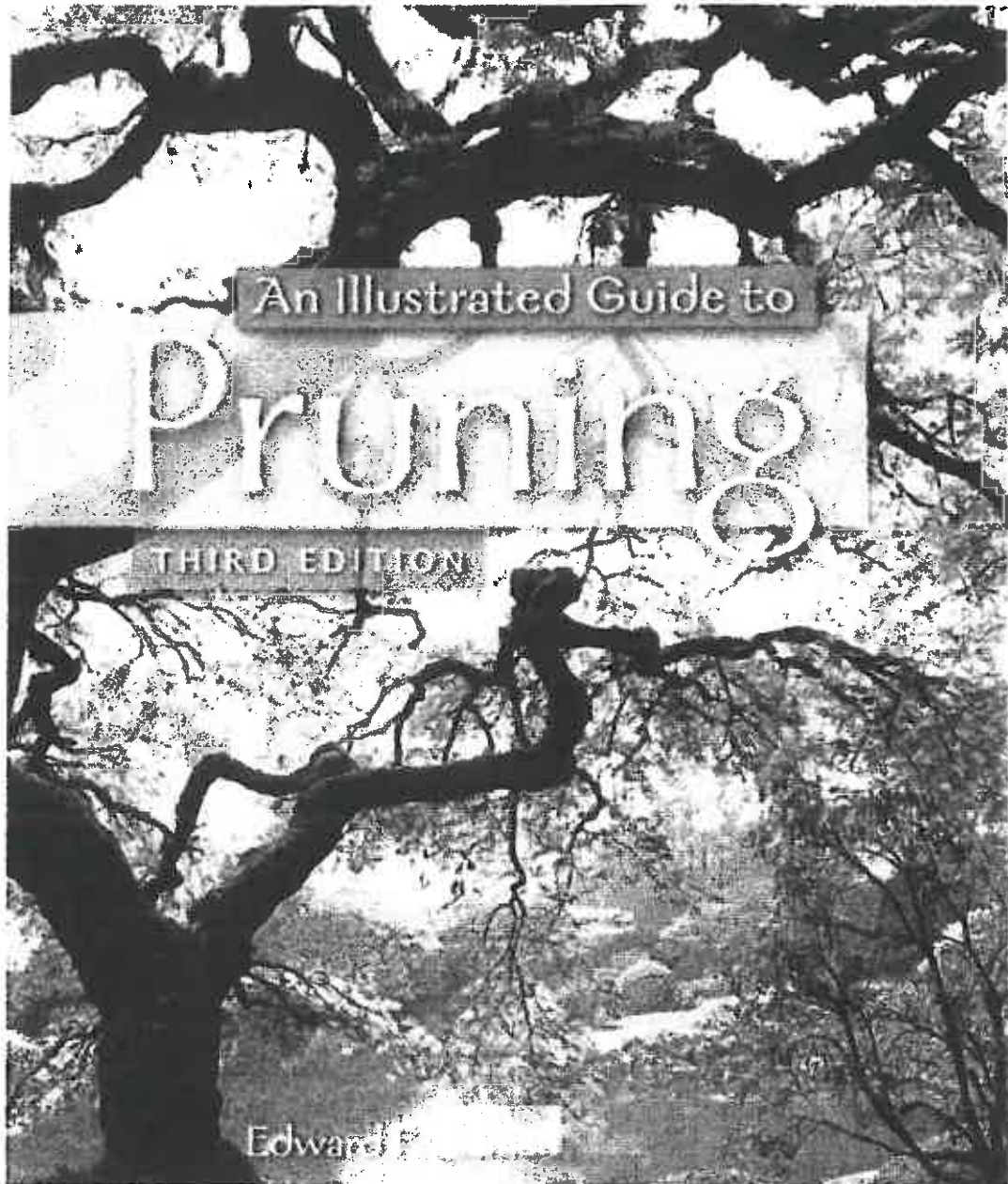
Lynn E. Gill

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JAN 19 2016

City of Rolling Hills

By _____



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ABOUT THE AUTHOR

Dr. Gilman received his Ph.D. from Rutgers University in 1980 in forest plant pathology and is on the faculty as professor in the Environmental Horticulture Department at the University of Florida in Gainesville. He has assembled a unique urban tree teaching program for helping municipalities, contractors, arborists, educators, growers, landscapers, and others design and implement programs for promoting better tree health in cities. He conducts educational programs in tree selection, nursery production, and urban tree management nationwide for a large variety of audiences. Since 1990, he has received the Gunslogson Award in 2001 for his extension education programs and books from the American Society for Horticultural Science, one from the Florida Nursery and Growers Association for his contribution to the growers, one from the Florida Urban Forestry Council for his educational efforts in urban forestry and arboriculture, the Authors Citation Award in 1999 from the International Society of Arboriculture (ISA), the ISA Educators Award in 2003, and the ISA research award in 2007 for sustained excellence in research, publishing, and teaching timely information on tree care. Dr. Gilman is a Florida chapter ISA past-president. He has published more than 96 scientific, peer-reviewed journal articles in his 30 years in academia and industry. His research emphasizes tree pruning, nursery production, tree anchorage, and establishment techniques. He has published more than 150 technical articles in newsletters and trade magazines and annually presents research results to colleagues at professional meetings across the United States and in many other countries. He is the author of six books and maintains a complete website on urban trees. Dr. Gilman enjoys life in Gainesville, Florida, where he and his wife Betsy have raised two daughters, Samantha and Megan.



large-maturing tree A tree that grows to a height or spread greater than about 40 or 50 feet.

large wound A wound that can lead to defects and/or wood dysfunction in the parent stem.

latent bud A suppressed or dormant bud that grows enough each year to remain in the bark, and that is capable of forming a shoot; also known as an *epicormic bud*.

lateral branch A stem arising from an older and larger stem.

lateral pruning (cut) See *reduction (reduce)*.

leader A stem that dominates a portion of the crown by virtue of suppressed lateral branches.

leader-training process The pruning technique that leads to development of one leader.

lowest permanent limb The lowest scaffold limb that will remain on the tree for a long time.

lumen The cavity in the center of a cell defined by the cell wall.

main branch One of the several largest limbs on the tree. See also *scaffold branch (limb)*.

major limb See *scaffold branch (limb)*.

mallet Handheld hammerlike tool with a cylindrical head used to drive a chisel into wood.

matching trees A set of trees of the same species or cultivar with like sizes and shapes.

mature tree A tree that has reached at least 75% of its final height and spread at a particular site, but is not declining due to old age; contrast with *overmature tree*.

