

Tree Circus left out of tree ordinance ✓

SCOTTS VALLEY — A new tree protection ordinance was adopted by the Scotts Valley City Council Wednesday evening, but the majority chose not to include the Scotts Valley Tree Circus in it.

Instead, Mayor Ray Carl appointed a subcommittee to look into raising money to buy the unique collection of creatively grafted trees, which may end up designated as a historical resource rather than as a collection of protected trees.

The ordinance includes misdemeanor penalties for people who cut down designated "heritage trees" without a permit.

The previous tree protection ordinance had no tool of enforcement.

The new ordinance also names 13 sites of the heritage trees, while the previous code had specified trees according to trunk circumference.

The city Planning Commission recommended against naming the Scotts Valley Tree Circus as heritage trees because, as assistant planner Kathryn Caldwell said, "The trees on the list are native, indigenous trees. The Tree Circus is a unique cultural species, but it is not a native tree."

In addition, the Planning Commission was aware the city did not have money to purchase the land, owned by Robert Hogan.

Council member Barbara Leichter tried unsuccessfully to change the council majority's mind on the matter, saying "A number of people countywide and in the worldwide community have expressed interest in the Tree Circus."

The Tree Circus is a collection of 60 trees grafted into unusual shapes by the late Axel Erlandson from 1946 to 1957.

Hogan, its current owner, bought the property in 1977 and has indicated he wants to hold onto commercial land so that it will appreciate in value. The property includes 100 feet of valuable Scotts Valley Drive frontage.

Mayor Carl said that to designate the Tree Circus as heritage trees would in effect condemn the property and hamstring its owner from selling it.

"If people are that interested in the Tree Circus, they should raise the money to buy it...the gentleman who owns it did not purchase the property to provide a spectacle for the people of Scotts Valley," he said.

Members of the Scotts Valley Historical Society and Mark Primack, a Santa Cruz artist, have been vocal in trying to save the trees, which have been grafted into the shape of a heart, a loop, a chair, and so on.

Primack says the trees are dying from lack of proper care and has tried to get the city to denote the Tree Circus as heritage trees.

Not everyone is as reverent about the Tree Circus. Scotts Valley resident J.C. Tourkey wrote the council a letter saying the Tree Circus is neither natural nor indigenous to the city and that "actually, they are appropriately-named freak results of mankind's planting, and tampering with their natural growth process." Tourek recommended the Planning Commission promote the Tree Circus as a commercial roadside attraction, or for development as a restaurant.

The City Council eventually voted unanimously to

adopt the revised tree protection ordinance. Carl appointed Leichter head of a subcommittee on the Tree Circus which is to report back in six weeks.

Other committee members are Historical Society president Charlene Detlefs, Primack, Alvin Wilder of the county Historical Resources Commission, and Council member Rey Retzlaff.

Sites named as heritage trees include: the Scott locust trees on Scotts Valley Drive; the Scott poplars on Scotts Valley Drive at MacDora Drive; the Scott House complex; the Creekside development black oaks; the row of cypress trees on Granite Creek Road; the Santos Pond oaks; the G.E. Scott Milk House locust trees; the redwood and oak grove at Glenwood Drive and Caham Road; the Santa's Village redwoods; the Hoover redwood; the Quien Sabe Bay trees; five large Ponderosa pines next to the Scotts Valley Motel and all the large oaks in the vicinity of Sky Park Airport.