

CITY OF PALOS VERDES ESTATES DRAFT TREE MANAGEMENT POLICY

This Policy is organized into the following sections:

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2. City Tree Trimming
3. Tree Trimming or Removal Request Considerations
4. Tree Trimming or Removal Request Processes
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6. Enforcement

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- 2: Tree Trimming or Removal Initial Request Form
- 3: Process for Tree Trimming Request for Maintenance Trimming of a Tree Adjacent to the Applicant's Property
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- 5: Process for Tree Trimming Request for Aggressive Trimming and/or Tree Removal Request
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1. GOALS

It is recognized that the abundance of mature trees is a central factor in creating the unique character of Palos Verdes Estates, contributing to the attractiveness of the living environment and high property values. Our urban forest is an essential economic, community, environmental, and ecological asset that provides carbon sequestration, reduces storm water runoff, improves water and air quality, cools hot city streets, conserves energy, reduces erosion and surface run-off, provides habitat for a variety of wildlife, and provides for resident health and mental well being.

The goals of the Tree Management Policy are to:

1. Document an orderly procedure by which residents can petition for approval to trim or remove public trees;
2. Protect public safety and strike a reasonable balance between the protection of privacy, the preservation of views, and the protection and enhancement of mature trees for each property owner; and
3. Maintain the number of trees in the City by whenever feasible, trimming trees rather than removing them, and replacing removed trees with

different types and ages of replacement trees to help refresh our aging urban forest.

This Policy applies to city-owned public trees and does not apply to privately-owned trees which are the purview of the Palos Verdes Homes Association.

2. CITY TREE TRIMMING

Tree trimming performed by the City consists of “Crown Thinning”¹ and “Crown Raising.”¹ This work is included in each of the City’s fiscal year budgets. The selection of trees that are trimmed in a fiscal year is up to the discretion of the City’s Urban Forester, is prioritized by safety, is minimized in consideration of the tree’s health, is informed by the Tree Inventory database, and is limited to the budget available for each fiscal year. Trees are not trimmed by the City for view considerations or to prevent leaves, pine cones, etc. from naturally falling from trees. (1 Note: Definitions are provided in Appendix 1 for terms in “ “ and Capitalized.)

"Heritage Trees" are trimmed at a maintenance frequency recommended by the Urban Forester depending on the species and location of the tree. The maintenance frequency shall be recommended by the Urban Forester as part of the Heritage Tree application review by the Parklands Committee and subsequently by the City Council. Heritage Trees may also be trimmed for safety at the discretion of the Urban Forester and at a time different from the established maintenance frequency.

If property owners wish to trim or remove a public tree that is not on the City’s trimming schedule or wish to trim a tree more aggressively than the City trims public trees, the property owner may submit a request for the tree trimming or removal as outlined in Section 4 of this Policy. The applicant is responsible for any applicable application costs and for the costs of tree trimming or removal if it is approved by the Urban Forester or City Council.

The City also performs emergency trimming and removals in response to an emergency concern identified by the Urban Forester. If there is an immediate risk or danger, this work can be performed without notice.

3. TREE TRIMMING OR REMOVAL REQUEST CONSIDERATIONS

When considering applications for approval to trim or remove public trees, the Parklands Committee shall protect public safety and strive to strike a reasonable balance between the protection of privacy, the preservation of views, and the protection and enhancement of mature trees for each property owner. In accordance with the City’s goals of maintaining the number of trees in its urban forest, the Parklands Committee will strive to trim trees whenever possible before agreeing to the removal of trees. Further, if a tree removal is approved, the Committee will recommend the planting of a replacement tree(s) as described in Section 4 of this Policy.

Tree trimming or tree removal applications will be evaluated based on the following considerations:

1. **Public Safety.** When considering an application for the trimming or removal of trees, the Parklands Committee shall consider the preservation or enhancement of public safety. Examples include consideration of “Crown Raising” for applications with concerns for seeing out of a driveway or locations where vehicles are hitting tree branches. (Note: Definitions are provided in Appendix 1 for terms in “ “ and Capitalized.)

2. **Privacy.** When considering an application for the trimming or removal of trees, the Parklands Committee shall consider the privacy of neighbors by maintaining to the greatest extent practicable adequate screening of structures and yards from the sight of neighbors.

3. **Views.** When considering an application for the trimming or removal of public trees, the Parklands Committee shall consider and shall strive to preserve prior scenic views from the “Main Viewing Area” of the applicant’s primary residential structure. The focus should be on the “Main Viewing Area” rather than all viewing areas and consideration should be given to the range of the existing view relative to the obstructed view. In addition, the Parklands Committee should not make a recommendation that would degrade the scenic views from adjacent neighbors.

When trimming for view, it is preferable to develop spaces between branches, or "windows" through the foliage of the tree, rather than to severely raise or reduce the crown.

4. **Neighborhood Character.** When considering an application for the trimming or removal of public trees, the Parklands Committee shall respect the existing neighborhood character including public and private trees within a 300 foot radius, and should not make a recommendation that will result in significantly altering the unique feeling of the particular neighborhood. In addition, the Parklands Committee shall consider the number of trees in the application and the full impact on the neighborhood.

5. **Tree Trimming Standards.** When considering an application for the trimming or removal of public trees, the Urban Forester and Parklands Committee shall strive to make recommendations consistent with the American National Standard for Tree Care Operations, or ANSI A300-1995. Consistent with the previously stated goal to maintain the number of trees in the City, the City shall strive, whenever feasible, to trim trees rather than remove trees.

6. **Heritage Trees.** Removal of "Heritage Trees" is not permitted unless the tree is diseased, is dead, or presents a public safety risk. When considering an application for the trimming of a "Heritage Tree", the Parklands Committee shall allow “Maintenance Trimming” only.

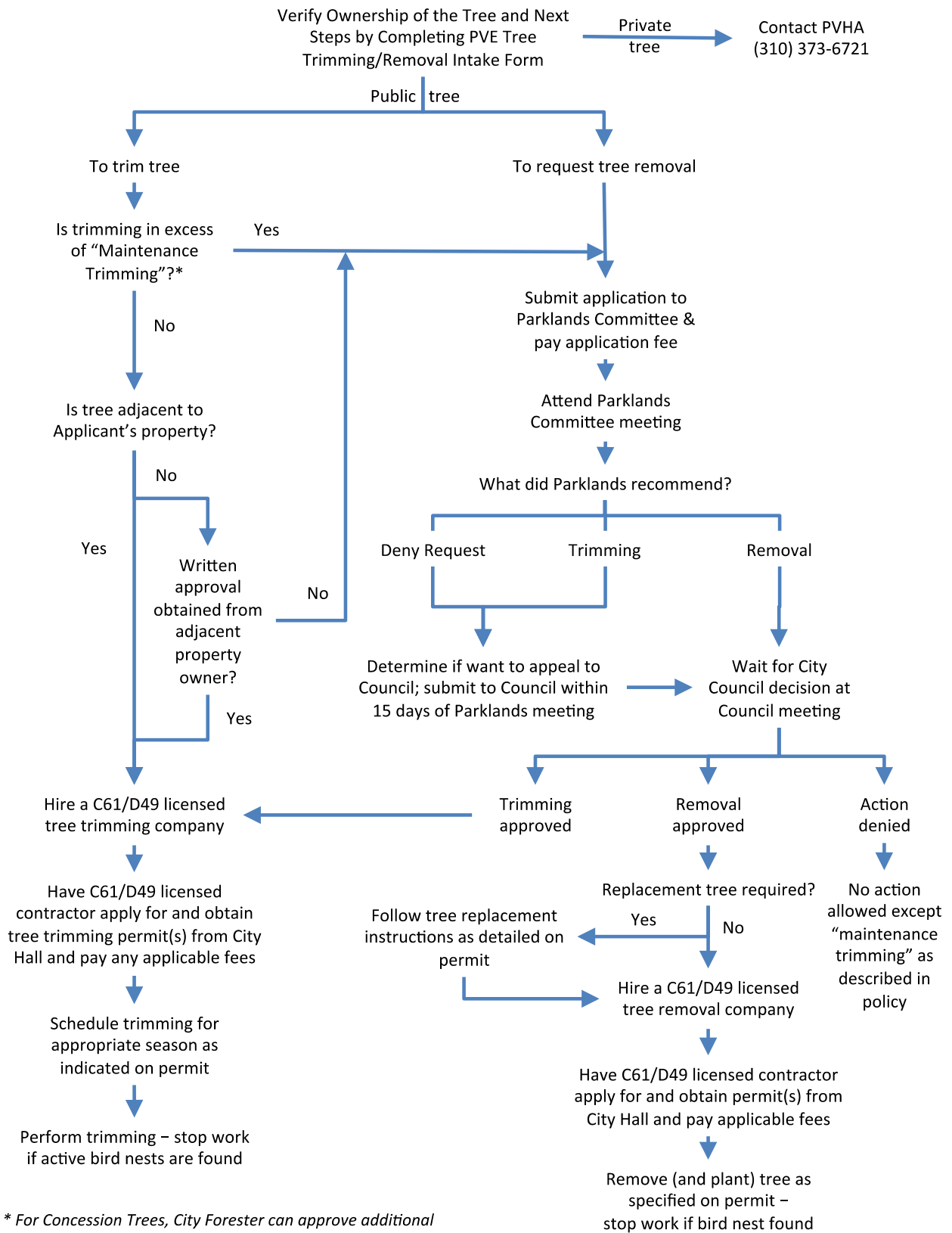
7. **Construction or Design Requests.** When considering an application for the trimming or removal of public trees, the Parklands Committee shall consider the applicant’s rationale behind the design or the construction request that is the basis for the application. Approval of a design by the Planning Commission does not automatically determine the disposition of public trees.

4. TREE TRIMMING OR REMOVAL REQUEST PROCESSES

A property owner wishing to trim or remove a tree, must complete and submit a tree trimming or removal initial screening request form to the City (See Appendix 2). The Urban Forester or City designee will follow up on submitted requests to verify ownership of the tree and discuss the level of trimming or the tree removal that is requested. On the following page is a flow chart providing an overview of the process for these requests.

- If the tree is confirmed to be private, the property owner is responsible for any required coordination with the Palos Verdes Homes Association.
- If the tree is a public tree and it is confirmed by the Urban Forester or City designee that “Maintenance Trimming” of a tree adjacent to the applicant’s property is being requested, refer to Appendix 3: Process for Tree Trimming Request for Maintenance Trimming of a Tree Adjacent to the Applicant’s Property.
- If the tree is a public tree and it is determined by the Urban Forester or City designee that the tree is not adjacent to the applicant’s property, refer to Appendix 4: Process for Tree Trimming Request for Maintenance Trimming of a Tree Not Adjacent to the Applicant’s Property.
- If the tree is a public tree and it is determined by the Urban Forester or City designee that the requested trimming is “Aggressive Trimming”, refer to Appendix 5: Process for Tree Trimming Request for Aggressive Trimming and/or Tree Removal Request.
- If the tree is a public tree and it is requested for removal, refer to Appendix 5: Process for Tree Trimming Request for Aggressive Trimming and/or Tree Removal Request.

Details of the process for these requests are included in Appendices 3-5.



5. APPEALS

If the applicant of a Parklands Committee Application as described in Appendix 5 of this Policy wishes to appeal the Parklands Committee recommendation, the applicant must submit a Request to Appeal within fifteen (15) calendar days of the date of the Parklands Committee Meeting at which the application was considered and a recommendation was made. The Request to Appeal fee amount is published in the City's current fee schedule.

If the applicant appeals a Parklands Committee recommendation, the City Council will schedule a public hearing of the application at the earliest available date. Appeals will be noticed using a sign at the location of the tree(s) included in the appeal. The notice will be placed a minimum of ten (10) calendar days prior to the date of the City Council Meeting that the appeal will be considered.

The City Council decision to approve, modify, or deny the appeal is final.

6. ENFORCEMENT

Unauthorized trimming and/or removal of public trees is a violation of Palos Verdes Estates Municipal Code Section 12.16.030. This includes trimming or removing a tree that was recommended for approval by the Parklands Committee prior to City Council approval and prior to obtaining the required permits for the work or trimming or removing a tree after City Council approval but prior to obtaining the required permits for the work.

Any person responsible for trimming public trees without a permit may be required to pay a restoration fee to the City of Palos Verdes Estates as required by Palos Verdes Estates Municipal Code Section 12.16.085.

Any person responsible for removing public trees without a permit shall be required to pay a restoration fee to the City of Palos Verdes Estates as required by Palos Verdes Estates Municipal Code Section 12.16.085.

APPENDIX 1: DEFINITIONS

“Aggressive Trimming” is the removal of more than 25% of leaves and branches on a mature tree. This type of trimming is not preferred on public trees in Palos Verdes Estates and is only permitted after approval by the Parklands Committee and City Council.

“Concession Trees” shall mean trees located on a City-owned concession, including the Palos Verdes Beach and Athletic Club, Palos Verdes Golf Club, Palos Verdes Stables, and Palos Verdes Tennis Club.

“Crown Raising” shall mean removing the lower branches of a tree in order to provide clearance for buildings, vehicles, pedestrians, and vistas. When performing crown raising, the remaining branches must have an even distribution of leaves along their lengths, and a minimum of 50% of the branches and leaves remaining after crown raising should be branches or on branches, respectively, that arise in the lower two thirds of the tree. (See Appendix 6)

“Crown Reduction” shall mean trimming a tree by thinning branches to reduce tree height and/or spread by pruning back leaders to lateral branches. Thinning cuts to reduce the size of the crown results in fewer sprouts and can maintain the structural integrity and natural form of the tree. The lateral to which a branch or leader is cut must be a minimum of one third the diameter of the branch being removed. A tree pruned by the crown reduction method appears more natural and lasts longer if confined to relatively small thinning cuts. Pruning the leader of a central-leader tree to a large lateral is not permitted on public trees in Palos Verdes Estates. When performing crown reduction on mature trees, no more than 40% of the density of leaves and branches may be removed. This trimming is a type of “Aggressive Trimming.” (See Appendix 6)

“Crown Thinning” shall mean trimming a tree with selective removal of branches and leaves to increase light penetration and air movement through the crown. Thinning opens the foliage of a tree, reduces weight on heavy limbs, distributes ensuing invigoration throughout a tree and helps retain the tree’s natural shape. When thinning the crown of mature trees, no more than 25% of the density of leaves and branches may be removed, and a minimum of 50% of the branches and leaves should be branches or on branches, respectively, that arise in the lower two thirds of the tree. This trimming is also called “maintenance trimming” or “standard trimming.” (See Appendix 6)

“Designated Street Tree” shall mean a tree included on a list of street trees which may be planted in each of the "Parkway" areas of the City. The list shall be available on the City’s website under the Public Works Department.

"Heading" - See the definition for "Topping."

“Heritage Tree” shall mean any public tree that has been designated as such by the City Council. Any person may suggest a Heritage Tree designation by applying to the Parklands Committee who shall then make a recommendation to the City Council.

Usually, a tree is designated as a “Heritage Tree” because it: 1. Is an outstanding specimen of a desirable species, 2. Is one of the largest or oldest trees in the city, and/or 3. Possesses distinctive form, size, age, location, and/or historical significance.

“Lateral” shall mean a branch or twig growing from a parent branch or stem.

“Leader” shall mean a dominant upright stem, usually the main trunk.

“Lion-tailing” shall mean the state of a tree caused by removing all or most of the inner foliage, which places weight at the ends of the branches and may result in sunburn, watersprouts, weakened branch structure, and limb breakage. “Lion-tailing” is not permitted in Palos Verdes Estates. (See Appendix 6)

“Main Viewing Area” shall mean the primary living area of the primary residential structure. Hallways, closets, mechanical rooms, bathrooms, accessory dwelling units (ADUs), and garages shall not be considered “Main Viewing Areas.”

“Maintenance Trimming” – See the definition for “Crown Thinning.”

“Parklands” shall mean all areas owned by the City, which are designated for open space use, including properties that are subject to a concession agreement or other lease (e.g., golf, tennis, swim, stables) and improved or used for active recreation.

“Parklands Trees” shall mean trees located in the “Parklands.”

“Parkway” shall mean that portion of the public right-of-way other than the roadway or sidewalk pursuant to Palos Verdes Estates Municipal Code Section 12.16.020(F).

“Parkway Trees” shall mean trees located in the “Parkway.”

“Public Trees” shall mean trees located on all streets and highways within the city and all other properties owned by the city; these include “Concession Trees”, “Parkway Trees”, “Parklands Trees” and “Street Trees”.

“Scenic View” shall mean a view of the community and its urban forest, landscapes, ocean, city lights, canyons, golf courses, and other scenic vistas from the “Main Viewing Area” of a residence.

“Street Trees” shall mean trees located along city streets, roads, boulevards and alleys pursuant to Palos Verdes Estates Municipal Code Section 12.16.020(D).

“Structural Pruning” shall mean trimming a young tree through “Crown Thinning” in a manner to create well-spaced branches to develop a structure characteristic of the tree species.

“Topping” shall mean a tree trimming technique designed to reduce the tree's height by removing portions of major limbs. This technique is not permitted in Palos Verdes Estates as it leads to future safety risks. This trimming is also called “Heading.”

APPENDIX 2

Tree Trimming or Removal Initial Request Form – To Be Added Once Developed

APPENDIX 3

Process for Tree Trimming Request for Maintenance Trimming of a Tree Adjacent to the Applicant's Property

1. Once the Urban Forester or City Designee determines the applicant is requesting maintenance trimming on a public tree adjacent to their property, the applicant hires a contractor with a C61 or D49 tree trimming specialty contractor's license. The applicant is responsible for the cost of the tree trimming.
2. The contractor is required to apply for and obtain any required permits from the City and pay any applicable fees. A tree trimming permit is required. Other permits, such as an encroachment permit, may be required depending on the location of the tree being trimmed and the nature of the work and access to the tree(s). The contractor is also required to have an active City Business License and to meet insurance requirements associated with the permits being obtained. Fees for the permits are published in the City's current fee schedule.
3. When the permits for the tree trimming are issued, the permit will include a required schedule for the trimming to ensure that the trimming occurs in a season that is appropriate for the type of tree being trimmed.
4. Prior to the start of any work, the contractor is required to conduct a bird nest survey. Bird nesting season is February through September, so this time of year should be avoided if possible and pending the findings of the bird nest survey. In California some bird nests can be found at any time of year, so a bird nest survey is needed any time of year. During tree trimming, the contractor must stop all work if an active bird nest is found, if the tree is within 50 feet of an active Songbird nest, or if the tree is within 500 feet of an active Raptor nest. The contractor is required to meet Federal, State, and local requirements for nesting birds and protected bird species. Violators are subject to Federal, State, and local enforcement.

APPENDIX 4

Process for Tree Trimming Request for Maintenance Trimming of a Tree Not Adjacent to the Applicant's Property

1. Once the Urban Forester or City Designee determines the applicant is requesting maintenance trimming on a public tree that is NOT adjacent to their property, the applicant must obtain written approval from the property owner of the property that the tree is adjacent to and submit the written approval to the City with the tree trimming permit application submitted by the contractor in step "3" below. If written approval cannot be obtained, follow the process in Appendix 5: Tree Trimming Request for Aggressive Trimming and/or Tree Removal Request.
2. The applicant is responsible for hiring a contractor with a C61 or D49 tree trimming specialty contractor's license. The applicant is responsible for the cost of the tree trimming.
3. The contractor is required to apply for and obtain any required permits from the City and pay any applicable fees. A tree trimming permit is required. Other permits, such as an encroachment permit, may be required depending on the location of the tree being trimmed and the nature of the work and access to the tree(s). The contractor must include written permission from the adjacent property owner as part of the permit application process. The contractor is also required to have an active City Business License and to meet insurance requirements associated with the permits being obtained. Fees for the permits are published in the City's current fee schedule.
4. When the permits for the tree trimming are issued, the permit will include a required schedule for the trimming to ensure that the trimming occurs in a season that is appropriate for the type of tree being trimmed.
5. Prior to the start of any work, the contractor is required to conduct a bird nest survey. Bird nesting season is February through September, so this time of year should be avoided if possible and pending the findings of the bird nest survey. In California some bird nests can be found at any time of year, so a bird nest survey is needed any time of year. During tree trimming, the contractor must stop all work if an active bird nest is found, if the tree is within 50 feet of an active Songbird nest, or if the tree is within 500 feet of an active Raptor nest. The contractor is required to meet Federal, State, and local requirements for nesting birds and protected bird species. Violators are subject to Federal, State, and local enforcement.

APPENDIX 5

Process for Tree Trimming Request for Aggressive Trimming and/or Tree Removal Request

1. Once the Urban Forester or City Designee determines the applicant is requesting aggressive trimming or the removal of a public tree, or that the applicant has not obtained approval from the adjacent property owner, the applicant must complete and submit a Parklands Committee Application and pay the application fee. The application fee amount is published in the City's current fee schedule. Only one applicant is permitted and a maximum of six (6) trees may be included in an application.
 - a. Requests for tree removal must include tree replacement considerations. Replacement tree(s) are required if a tree removal is ultimately approved through the Parklands Committee Application process and if there is sufficient spacing between existing trees available. The replacement tree(s) must be the species of the designated street tree for the street that the replacement tree will be planted, unless otherwise recommended by the Parklands Committee. Any property owner requests to deviate from the designated street tree must be included in the Parklands Committee Application. If a property owner's request to plant a species of tree that differs from the designated street tree is not included in the submitted Parklands Committee Application and is requested at a later time, a separate Parklands Committee Application and payment of the applicable application fee is required.
2. Parklands Committee Applications will be noticed using a sign at the location of the tree(s) included in the application. The notice will be placed a minimum of ten (10) calendar days prior to the date of the Parklands Committee Meeting that the application will be considered. Parklands Committee Applications that include a tree removal request will also be noticed with a postcard mailed to properties within 300 feet of the location of the tree(s) included in the request for removal.
3. Applicants are strongly encouraged to attend the Parklands Committee Meeting during which their application will be considered. Applicants are provided the opportunity to speak at the Parklands Committee meeting for their application. The Parklands Committee will review the application with the considerations included in Section 3 of this Policy. The Parklands Committee will make a recommendation on the submitted application, which can include but is not limited to a recommendation of the approval of the trimming request or tree removal request, a recommendation of the denial of the trimming request or tree removal request, or a recommendation with a different approach that is determined during the Parklands Committee meeting. If the applicant wishes to appeal the Parklands Committee recommendation, refer to Section 5 of this Policy.
4. **The recommended action by the Parklands Committee is not final**

until it is considered by and approved or denied by the City Council.

The City Council reserves the right to hold a public hearing on any item.

5. If a tree removal request is approved, replacement tree(s) are required if there is sufficient spacing between existing trees available and are required to be a minimum size of a 24-inch box. The Parklands Committee and City Council reserve the right to recommend or require a larger size replacement tree depending on what is commercially available and the ability to require other than a one for one replacement tree(s). The replacement tree(s) must be the species of the designated street tree for the street that the replacement tree(s) will be planted, unless otherwise recommended by the Parklands Committee. If it is impracticable to plant replacement tree(s) at a location near the tree removal(s), the applicant will be required to pay a fee to the City for the planting and two-year maintenance of a tree at a different location in the City. The amount of this fee is published in the City's current fee schedule.
6. If the tree trimming or tree removal request is approved by the City Council, the applicant hires a contractor with a C61 or D49 tree trimming specialty contractor's license. The applicant is responsible for the cost of the tree trimming and/or the tree removal and the procurement, planting, and two-year maintenance associated with the establishment of replacement trees, if applicable.
7. The contractor is required to apply for and obtain any required permits from the City and pay any applicable fees. A tree trimming and/or tree removal permit is required. Other permits, such as an encroachment permit, may be required depending on the location of the tree being trimmed and the nature of the work and access to the tree(s). The contractor is also required to have an active City Business License and to meet insurance requirements associated with the permits being obtained. Fees for the permits are published in the City's current fee schedule.
8. When the permits for the tree trimming are issued, the permit will include a required schedule for the trimming to ensure that the trimming occurs in a season that is appropriate for the type of tree being trimmed.
9. When the permit for the tree removal is issued, the permit will include requirements for tree replacement, which may include but are not limited to, planting replacement trees prior to removing any trees, having replacement trees onsite prior to removing any trees, planting replacement trees within a specified time of the removal of any trees, etc.
10. Prior to the start of any work, the contractor is required to conduct a bird nest survey. Bird nesting season is February through September, so this time of year should be avoided if possible and pending the findings of the bird nest survey. In California some bird nests can be found at any time of year, so a bird nest survey is needed any time of year. During tree trimming and/or tree removal, the contractor must stop all work if an active bird nest is found, if the tree is within 50 feet of an active Songbird nest, or if the tree is within 500 feet of an active Raptor nest. The contractor is required to meet Federal, State, and local

requirements for nesting birds and protected bird species. Violators are subject to Federal, State, and local enforcement.

APPENDIX 6

Images of Example Tree Trimming Techniques – To Be Added Once Developed