

## Tree Policy Comments

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**From:** <email>  
**Sent:** Monday, June 19, 2023 8:59 AM  
**To:** TreePolicy Comments  
**Subject:** Tree Management  
**Attachments:** PVE Tree Doc.docx

Please see the attached comments on your draft Tree Management Policy.

## 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"<sup>1</sup> and "Crown Raising."<sup>1</sup> 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.

**Commented [MF1]:** Our urban forest is most certainly not 'essential'.

**Commented [MF2]:** This is a joke. The amount of carbon sequestration from the mature trees existing in PV is immeasurable as far as the world's ecology is concerned. If we really wanted to sequester carbon in our urban forest, we would be regularly cutting trees, employing the wood for long term uses and planting new trees.

**Commented [MF3]:** Ridiculous. How does a tree improve water quality and as for air quality, see above comment.

**Commented [MF4]:** Why is there no mention of fire danger or preservation of safe distances from power lines?

**Commented [MF5]:** Why not? What right does the City have to have its poorly controlled trees wreck people's views who have paid millions of \$\$ to obtain one?

## Tree Policy Comments

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**From:** Brian Pressman <email>  
**Sent:** Monday, June 19, 2023 9:37 PM  
**To:** TreePolicy Comments  
**Subject:** Tree proposal feedback

To Whom It May Concern:

Please accept the below three comments re the tree proposal:

1. Your policy as written doesn't quantify any of the Tree Trimming/Removal Request Considerations you list. Is privacy or views more important? If so, how much more important? Is Neighborhood Character more important than Tree Trimming Standards/Heritage Trees? You should give each category a percentage weighting so it is clear how you will reach a decision. By not being specific you create a decision that can be subjective and cause problems.
2. Per #1 above I would hope that after Safety you place the highest value on protecting views. Trees can always (and should) be replaced but views lost to obstructions can not be replicated. Additionally, Views support property values which help pay for things like city services (via property taxes). Lastly, views of the coastline and countryside are one of the founding tenets of PVE- it is written in the original founding documents and how the development attracted residents 100 years ago. It remains a top feature today and should be of the highest priority.
3. I would ask the city to take a more active role in view issues on private property. Your proposal refers disputes regarding trees on private property to the PVHA- an organization that unfortunately, is not accountable to the people (members) and hasn't been since the last valid election 14 years ago. It is no surprise that a board that was not elected and self-selected themselves crafted a view policy that is disliked by members. More importantly, it is toothless and leaves enforcement up to property owners. Other PV cities have taken on the responsibility of View Preservation for their own residents (note the process is self-funding and does not negatively impact the City's finances) and hope PVE will do the same.

Brian Pressman  
Address

## Tree Policy Comments

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**From:** Marjorie Gwinn <email>  
**Sent:** Wednesday, June 21, 2023 10:21 AM  
**To:** TreePolicy Comments  
**Subject:** Tree Policy

It seems as though the city does not have the funds to maintain the trees on street right of ways or in open space or parklands.

1. Allow residents to trim right of way trees on their property. This improves views and retains the health of the tree. To ensure trimming is done correctly, negotiate a volume discount contract with a landscaping company for this. Say 100 trees per year. City gets 100 trees appropriately trimmed and residents get a discount on the trimming and the satisfaction of a properly maintained tree on their property.
2. Fire. This is going to become a BIG issue as insurers move out of CA due to wild fires. Residents need insurance. People love to sue. The city is going to go bankrupt if we have a large fire in parkland or open space that causes multi million dollar homes to be destroyed. Let's get ahead of this!

Views are important. Many trees in the parkland are over 60 years old. A proper removal and replacement program is needed so that there are trees at various life stages at all times. Views are improved.

I think I saw a project to count trees and determine their location, species, size etc. I don't think our resources should be spent on this. Our city has limited funding and this seems like a vanity project we can't afford.

Thank you for your time and dedication to our city

Marj Gwinn  
Address  
Resident over 35 years

Sent from my iPhone

## Tree Policy Comments

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**From:** Laura Agnew <email>  
**Sent:** Thursday, June 22, 2023 4:00 PM  
**To:** TreePolicy Comments  
**Cc:** Don Briggs  
**Subject:** Re: Draft Tree Management Policy

Hi,

First, let me say superb work—so much more specific information was added. I think you’ve done a great job giving the City a document that can help clarify our Municipal codes and also the process of how decisions are made when it comes to keeping and caring for our urban forest.

I only have a couple notes/questions.

Under #1. Under GOALS—

I’ve always liked that some context is provided in the beginning of the document: “It is recognized that the abundance of mature trees is a central factor in creating the unique character of PVE ...”

I would like to see two more facts added as context because they are also part of why we moved here:

- Our trees reflect a rich historical context given that our Parklands were designed by the Olmsted Brothers, sons of the great [Frederick Olmsted](#) who designed NYC’s Central Park and the grounds of the Washington Monument, among scores of others. I think that may help people understand that this, too, is part of our charm.
- And further, I think mentioning that [the name of our city](#), Palos Verdes Estates, means green timbers / trees in Spanish. Our city name reflects the fact that our trees were deliberately placed here to create a unique “Eden by the Sea.”

2. Under #3, Tree Trimming or Removal ...

Is it appropriate to add the word “established” in the first paragraph, third sentence? As in the clause: “the preservation of •established• views? There seems to have been a lot of people claiming to have lost their ocean views, and when further investigated, it turns out they did not have an ocean view at all, but rather a tree view. Or maybe there’s another way to accomplish this.

3. Under Same Tree Trimming or Removal, #3 “Views”

Would it help clarify to add the words “whether ocean or landscape” in the last sentence of first paragraph? Like this:

“In addition, the Parklands Committee shouldn’t make a recommendation that would degrade the scenic views, **whether ocean or landscape**, from adjacent neighbors.” Many people seem to confuse the word “view” with “ocean.”

4. Enforcement

Where will the fee schedule be placed?

5. Appendix 1: Definitions

Under “Main Viewing Area”— are kitchens considered a “main viewing area”?

Ok, those were the considerations I had.

Thank you all so much for the hard work—it really shows!

Best,  
Laura Agnew  
phone number

## Tree Policy Comments

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**From:** Maria Peters <email>  
**Sent:** Thursday, June 22, 2023 10:33 PM  
**To:** TreePolicy Comments  
**Subject:** Tree Policy Comments

Dear PVE City Manager -

Many thanks to you and the Parklands Committee for drafting a comprehensive tree management policy. It is obvious that much thought went into drafting the Tree Policy draft.

Some general thoughts for your consideration:

1. Restoration Fee - Is not defined in the policy and understand it may reside in the PVE Code. My recommendation is that the Restoration Fee be prohibitively high to prevent a homeowner from undertaking a risk/reward approach to cutting down a tree deciding that "why not just pay the fee".
2. Tree Removal - When PVE approves the removal of a tree a new tree should either be planted or a donation made to the PVE Tree Bank. Looking at the price of a 24 inch box Jacaranda on-line we would expect to pay from \$600-\$1000 depending on delivery and planting fees. I would recommend the Replacement Fee be at least \$1,500.
3. Tree Bank - If it is impractical to plant a replacement tree the funds from the Tree Bank should be used quarterly to purchase and plant a tree. My understanding is that we currently have funds accumulated for this purpose but have never been used to plant trees.
4. "Keep PVE Green" - Suggest that we start a fund that perhaps is a part of the Tree Bank so residents can make donations to purchase and plant trees throughout PVE. I think you might be surprised by the response. For example, how nice would it be to buy a legacy tree for a deceased family member or to honor someone who has done a good deed or to take pride in as a family by planting a tree in your neighborhood. Trees are a wonderful legacy statement.

Thanks for your thoughtful consideration.

Best regards,

MariaPeters

address

## Tree Policy Comments

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**From:** Charles Peterson <email>  
**Sent:** Friday, June 23, 2023 5:14 PM  
**To:** TreePolicy Comments  
**Subject:** Tree Management Policy comments  
**Attachments:** TMP letter to City 062323.pdf

Hello,

Attached please find comments pertaining to the TMP proposal.

Regards,  
Charles Peterson



June 23, 2023

Parklands Committee  
City of Palos Verdes Estates  
340 Palos Verdes Dr. West  
Palos Verdes Estates, CA 90274

**Re: Concerns Regarding Proposed Revision of Tree Management Policy**

Dear Members of the Parklands Committee:

I hope this letter finds you well. As a long-time resident of Palos Verdes Estates, I write to share my thoughts and concerns regarding the proposed revision of the Tree Management Policy.

In my opinion, this proposal is a solution in search of a problem, potentially making it more challenging for citizens to address safety and view-related issues associated with City trees, and unnecessarily complicating an already burdensome administrative process. I believe this proposed revision does not serve the best interests of our City.

My opinion is informed both by a comprehensive review of citizen applications to the Parklands Committee since 2005 and my professional experience in this field.<sup>1</sup>

Since 2005, the committee has received a total of 307 citizen applications requesting removal of City trees. Among these, 64 applications were safety-related, 19 pertained to construction-related projects, and 239 applications were related to

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<sup>1</sup>Charles Peterson is a 36-year resident of the City of Palos Verdes Estates. As a Member and Chair of the City's Parklands Committee, he participated in 175 citizen applications pertaining to the resolution of scenic view disputes. In his professional work, he has arbitrated, mediated and litigated more than 200 disputes pertaining to scenic views throughout California. His law firm's website is [Californiaviewlaw.com](http://Californiaviewlaw.com). He is the principal author of the City's 2013 Tree Management Policy upon which the current City policy is largely based.

Parklands Committee

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the restoration of scenic views obstructed by City trees.<sup>2</sup> It is evident that view preservation is the over-riding and primary concern of our residents when it comes to problems associated with City trees.

Out of the total of all applications received, 45 safety-related applications, 17 construction-related applications, and 96 view-related applications were approved.

This resulted in the removal of 24 trees due to safety concerns, 27 trees due to construction-related issues, and 204 trees due to view obstructions.

A fact that is ignored by this proposal, but is worth noting, is that in most cases, citizens were required to either replace the trees being removed or contribute to the "Tree Bank" fund, resulting in no net loss of City trees resulting from citizen requests.

Furthermore, since 2005, the Parklands Committee denied 47 tree removal applications, resulting in the preservation of 116 trees. It is important to highlight that during the past eighteen years, only one Parklands Committee tree-removal decision was taken to court, and that decision was ultimately upheld. These facts demonstrate that the current process is fair and balanced, prioritizing neither trees nor views.

To provide context, a conservative estimate suggests that the City owns between 42,750 and 85,510 trees.<sup>3</sup> While there are many additional street trees not included in this tree estimate, it will serve to illustrate the point. Between 2005 and 2023, a total of 255 trees were approved for removal through Parklands Committee decisions. This amounts to less than 1% of the estimated total City tree count.

Considering the scale of our urban forest, this is not an unreasonable number. In my view, the current policy strikes a fair balance and provides a satisfactory tool for resolving these disputes. Therefore, the City should not aim to make it even more challenging than it already is to have City trees removed for safety and view preservation.

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<sup>2</sup> 15 Applications were submitted for both view and safety concerns.

<sup>3</sup>The City is 4.772 sq. miles or 3054 acres. 28% of the City is Parklands or 855 acres. At 50-100 trees per acre, there are 42,755-85,510 City trees.

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I would like to draw attention to a few specific shortcomings I perceive in the proposed policy:

1. The Goals of the policy section lacks any reference to view protection. It would be beneficial to include language that highlights the significance of scenic views to our residents and their positive impact on property values, architectural design, and the overall cultural environment of our City.<sup>4</sup>

2. The proposed policy lacks a clear definition of "Significant View Obstruction" to guide decision-making. Establishing criteria to evaluate the extent of obstruction, the quality of the pre-existing view, and the overall value it brings to the applicant's property would provide clarity and consistency.<sup>5</sup>

3. The definition of "Scenic View" is incomplete and would benefit from a more comprehensive description that encompasses a range of scenic vistas, such as the community and its landscapes, ocean, city lights, canyons, and golf courses. Additionally, considering the time-frame of when the applicant acquired the subject property, or an earlier time determination, would contribute to fairness and

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<sup>4</sup> A suggestion would be: "It is recognized that Views, whether of the Santa Monica Bay, with its vistas of the city of Los Angeles, the San Pedro Harbor, the Pacific Ocean, Catalina Island, local Beaches or distant Mountains also produce a variety of significant and tangible benefits for both residents and visitors to the city. Views contribute to the economic environment of the city by substantially enhancing property values. Views contribute to the visual environment of the city by providing inspiring panoramic vistas, and creating distinctive supplements to architectural design. Views contribute to the cultural environment of the city by providing a unifying effect, allowing individuals to relate different areas of the city to each other in space and time."

<sup>5</sup>The following criteria could be considered in determining whether a significant view obstruction has occurred:

- a. The extent of obstruction the foliage has within a scenic view, both currently and at foliage maturity.
- b. The quality of the pre-existing scenic view being obstructed, including without limitation, obstruction of landmarks, vista or other unique features.
- c. The extent to which the view has been diminished over time by factors other than tree growth, such as new additions or residences.
- d. The extent to which the view contributes to the economic value and enjoyment of the Applicant's property."

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consistency.

4. The requirements outlined in the proposed tree trimming and removal process impose significant burdens on the City staff and will likely necessitate additional staffing, whether employed or contracted.

5. "3. TREE TRIMMING OR REMOVAL REQUEST CONSIDERATIONS

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."

I submit that this mis-states the goal of the Tree Management Policy; the goal is not to maintain the aggregate number of City trees. Leaving aside the fact that the tens of thousands of trees we currently have need urgent care, the goal of this policy is to provide a process that fairly balances the safety, tree and view interests of the citizens. I believe that the current Tree Management Policy has performed this task quite well, that the total number of trees has been maintained, and there is no reason for the Tree Management Policy to prioritize trees over views or safety.

6. "3. VIEWS. 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."

This provision unfairly denigrates the interests of those who seek view restoration. Windowing a tree restores views for several months only, requiring repeated Applications, and never fully restores obstructed views.

7."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."

Once again, I believe this misrepresents the policy objective. The primary aim is not to maintain the aggregate number of City trees, but rather to establish a process that effectively balances the interests of safety, trees and views. The existing Tree Management Policy has admirably achieved this objective. The overall tree-

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count has been maintained, obviating the need to prioritize trees over views or safety. It is telling to realize that the cited ANSI standard solely addresses tree pruning and does not account at all for the safety or view concerns of .

8. "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."

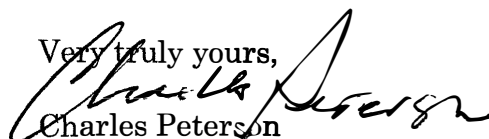
This issue has been the subject of protracted debates within the City and does not belong in the Tree Management Policy. Merely designating the Parklands Committee as a shadow Planning Commission and attributing sole responsibility for public trees to the Committee creates a conundrum for residents, and will be impractical in practice.

To address these concerns, I propose an alternative approach. City trees that obstruct scenic views from the primary living areas of residential properties would be subject to expedited removal procedures, not unlike the Planning Commission minor modification procedure. Such removals would be contingent upon Committee review and the assumption of all associated costs by the Applicant, who must also commit to planting two trees for each one removed.

This approach, integrated into a well-considered plan to revitalize the urban forest, would ensure an organized and efficient renewal process. Given that many City trees are reaching their life expectancy, it is crucial to implement a thoughtful strategy for their replacement, rather than relying solely on a hit-or-miss citizen tree-removal application process of any sort.

I respectfully request that the Parklands Committee give thorough consideration to these concerns and reevaluate the proposed policy revision. Striking a balance between preserving our urban forest and addressing the valid concerns of our residents pertaining to scenic views and safety is of utmost importance. Through this endeavor, we can ensure a harmonious approach that aligns with the needs and aspirations of our community.

Thank you for dedicating your time and attention to our Parklands. I trust that you will carefully evaluate the potential implications of the proposed policy revision and make a decision that reflects the best interests of the residents of Palos Verdes Estates.

Very truly yours,  
  
Charles Peterson

## Tree Policy Comments

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**From:** Ruth MacFarlane <email>  
**Sent:** Friday, June 23, 2023 9:53 PM  
**To:** TreePolicy Comments  
**Subject:** Prposed Tree Management Policy

Dear City Council members:

Thank you very much for developing this very comprehensive and thoughtful Tree Management Policy. It strives to find a balance between the interests of homeowners with impacted views, but also creates clear and enforceable paths for applicants. It also makes clear the primacy and value of trees in the city. For too long, the process (let alone the possibility) of applying for relief was unknown, or confusing or inconsistent. I hope you will find ways to inform residents that there is a policy and a system in place, and that it will be consistently applied.

I have a few comments/suggestions:

Section 2: Tree Trimming: paragraph 3: “If property owners wish to trim or remove.....etc”: change “may” submit a request to “must” submit a request. This would then be consistent with Section 4:Tree trimming or Removal Process: preamble states that the applicant “must” submit a request. “May” implies that the owner can simply decide to engage someone to trim the tree/s. “May” carries no obligation to formally apply for relief.

Section3, #7: Construction or Designer Requests: What is the relationship between the Planning Commission and the Parklands Committee vis-à-vis the planting of new or replacement trees? I recall that (long ago) the Planning Commission would (sometimes) require trees to be planted as a condition of their approval. Does the Commission still do that? If so, who has oversight of the planting and the maintenance of the trees until established? If the Planning Commission does not apply such conditions, please strengthen the language here to require new or replacement trees as part of a permitted construction/remodeling project.

Appendix # 5: Aggressive Trimming and/or Tree Removal: What is the sanction if the applicant fails to maintain the replacement tree/s, as required?

Thak you,  
Ruth  
MacFarlane,  
address, PVE.