LIVERMORE
CALIFORNIA

BEAUTIFICATION COMMITTEE

AGENDA
WEDNESDAY, AUGUST 6, 2025

BEAUTIFICATION COMMITTEE REGULAR MEETING – 6:00 PM

MEETING PARTICIPATION INFORMATION CAN BE FOUND AT THE END OF THE AGENDA

CIVIC CENTER MEETING HALL
WILLIAM M. MENDENHALL COMMUNITY ROOM
1016 S. LIVERMORE AVENUE

Tom Bradley, Chair
Ron Kraft, Vice Chair
Ann W Brown, Committee Member
Karen L Jefferson, Committee Member
Andrew Y Wang, Committee Member
Kat Weiss, Committee Member
John D Stein, Committee Member

1. CALL TO ORDER

2. ROLL CALL

Tom Bradley, Chair
Ron Kraft, Vice Chair
Ann W Brown, Committee Member
Karen L Jefferson, Committee Member
John D Stein, Committee Member
Andrew Y Wang, Committee Member
Kat Weiss, Committee Member

3. OPEN FORUM

- In conformance with the Brown Act, no action can occur on items presented during Open Forum.
- To provide public comment, please submit a speaker card. When your name is called, walk to the lectern to address the Beautification Committee.
- Comments are limited to a maximum of 3 minutes per person, per item. The Chair may reduce the amount of time based on the number of persons wishing to speak.
- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene after Matters Initiated.

4. MATTERS FOR CONSIDERATION

4.1 Approval of Draft Minutes - May 7, 2025, Regular Meeting

Recommendation:
Staff recommends the Beautification Committee approve the Draft Minutes.
Staff Report
Attachments:
1. Regular Meeting Minutes May 7, 2025

4.2 Discussion and direction regarding the updated proposal on signage to prevent Illegal Dumping in Livermore presented by Committee Member Wang.

Recommendation:
Staff recommends the Beautification Committee receive a final presentation from Committee Member Wang on an updated proposal for signage to prevent Illegal Dumping in Livermore and discuss and provide direction on next steps.
Staff Report
Attachments:
1. Sign Proposal

4.3 Receive an update from the Beautification Awards ad hoc committee for discussion by the Beautification Committee

Recommendation:
Staff recommends the Beautification Committee receive an update from the Beautification Awards ad hoc committee for discussion on the draft application for the Beautification

Community Service Award.

Staff Report

Attachments:

1. Draft Discussion Beautification Award for Community Service
2. Draft 2025 Beautification Community Service Award Application

4.4 Receive an update from staff on Community Service Day 2025 and discuss and provide direction on proposed projects that may be hosted by the Beautification Committee for the event

Recommendation:

Staff recommends the Beautification Committee receive an update on Community Service Day 2025 and request input from the Beautification Committee on any projects they propose to host. Committee members will discuss and provide direction in accordance with the 2025 work plan.

Staff Report

4.5 Receive a presentation on the City's Tree Action Permit application process

Recommendation:

Staff recommends the Beautification Committee receive a presentation on the City's Tree Action Permit application process.

Staff Report

Attachments:

1. Livermore Municipal Code 12.20

5. COMMITTEE REPORTS AND MATTERS INITIATED BY STAFF AND COMMITTEE

This is an opportunity for the Beautification Committee to request staff place items on future agendas. No action can be taken on these items.

6. ADJOURNMENT

To a regular Beautification Committee meeting on Wednesday, XXX, 2024, at 6:00 PM, Civic Center Meeting Hall, William M. Mendenhall Community Room, 1016 S. Livermore Avenue.

7. HOW TO PARTICIPATE IN THE COMMITTEE MEETING

You can participate in the meeting in a number of ways:

Open Forum is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of 3 minutes per person. To address the Beautification Committee, you must submit a speaker card to the liaison prior to the start of that item. You should be aware that the Committee is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the Committee may place it on a future agenda or direct staff to work with you and/or report to the Committee on the issue.

Other Agenda Items are also open for public input including Matters for Consideration items.

These comments are also subject to the 3-minute limit.

Submission of Comments Prior to the Meeting:

Email Comments may be submitted by the public to the Committee Liaison (beautificationcommittee@LivermoreCA.gov). Items received no later than 12:00 pm on the day of the meeting will be provided to the Committee and available on the City website prior to the meeting. These items will NOT be read into the record.

eComments may be submitted by the public using the eComment here. Comments may be up to 1000 characters in length and will be accepted up until 5:00 pm the day of the meeting. These items will NOT be read into the record and are viewable by the the Commission and the public upon submittal.

Submission of Comments During the Meeting:

Speakers are limited to a maximum of 3 minutes per person. To submit a comment, you must complete a speaker card for each item. Speaker cards are available in the Civic Center Meeting Hall lobby. Indicate on the card the item number you wish to comment on and submit the card directly to the liaison prior to the start of the item. You should be aware that the Beautification Committee is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the Committee may place it on a future agenda or direct staff to work with you and/or report to the Committee on the issue.

If you would like to deliver written materials to the Beautification Committee as part of your public comments, please provide 10 copies to the liaison with your speaker card.

The Committee Agenda and Agenda Reports are prepared by City staff and are available for public review on Wednesday evening, six days prior to the Beautification Committee meeting at 1016 South Livermore Avenue, Livermore. The Agenda is also available on the City's website, http://livermoreca.gov/agenda.

Under Government Code §54957.5, any supplemental material distributed to the members of the Beautification Committee after the posting of this agenda will be available for public review at 1052 South Livermore Avenue, Livermore, and included in the agenda packet available on the City's web site at http://livermoreca.gov/agenda.

PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (CODIFIED AT 42 UNITED STATES CODE SECTION 12101 AND 28 CODE OF FEDERAL REGULATIONS PART 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, THE CITY OF LIVERMORE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, SEX, DISABILITY, AGE OR SEXUAL ORIENTATION IN THE PROVISION OF ANY SERVICES, PROGRAMS, OR ACTIVITIES. TO ARRANGE AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@LIVERMORECA.GOV OR CALL (925) 960-4170 (VOICE) OR (925) 960-4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.

LIVERMORE
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BEAUTIFICATION COMMITTEE STAFF REPORT **ITEM NO. 4.1**

DATE: August 6, 2025

TO: Chairperson and Members of the Beautification Committee

FROM: Marisa Gan, Management Analyst II

SUBJECT: Approval of Draft Minutes - May 7, 2025, Regular Meeting

RECOMMENDED ACTION

Staff recommends the Beautification Committee approve the Draft Minutes.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Regular Meeting Minutes May 7, 2025

Prepared by: Rebecca Aguilera
Administrative Clerk II

LIVERMORE
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BEAUTIFICATION COMMITTEE
MAY 7, 2025

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1. CALL TO ORDER

Chair Bradley called the meeting to order at 6:02 p.m.

2. ROLL CALL

Present: Tom Bradley, Chair
Ron Kraft, Vice Chair
Ann Brown, Committee Member
John Stein, Committee Member
Andrew Wang, Committee Member

Absent: Karen L. Jefferson, Committee Member
Kat Weiss, Committee Member

3. OPEN FORUM

Chair Bradley opened the public comment period. There were no comments, and the public comment period was closed.

4. MATTERS FOR CONSIDERATION

4.1 Approval of Draft Minutes - April 9, 2025 Regular Meeting

Recommendation: Staff recommended the Committee approve the Draft Minutes.

Chair Bradley opened the public comment period. There were no comments, and the public comment period was closed.

ON THE MOTION OF COMMITTEE MEMBER WANG, SECONDED BY COMMITTEE MEMBER STEIN AND ON A 5-0 VOTE, THE BEAUTIFICATION COMMITTEE APPROVED THE DRAFT MINUTES.

4.2 Receive an update from staff on activities associated with Community Service Day for discussion by the Beautification Committee

Recommendation: Staff recommended the Beautification Committee receive an update on activities associated with Community Service Day and discuss and provide direction in accordance with the 2025 work plan.

Chair Bradley opened the public comment period. There were no comments, and the public comment period was closed.

THE BEAUTIFICATION COMMITTEE RECEIVED AN UPDATE ON ACTIVITIES ASSOCIATED WITH COMMUNITY SERVICE DAY. COMMITTEE MEMBER WANG PROPOSED TO SPONSOR A LITTER PICKUP SITE AND THE LOCATION WILL BE DECIDED AT A FUTURE DATE. OTHER COMMITTEE MEMBERS MAY VOLUNTEER AT PROJECTS FOR 2025.

4.3 Receive a recap of Arbor Day 2025 celebrations

Recommendation: Staff recommended the Beautification Committee Members receive a recap from the Arbor Day ad hoc committee summarizing activities completed in observance of Arbor Day 2025.

Chair Bradley opened the public comment period. There were no comments, and the public comment period was closed.

THE BEAUTIFICATION COMMITTEE RECEIVED A RECAP FROM THE AD HOC COMMITTEE SUMMAZRIZING ACTIVITIES COMPLETED IN OBSERVANCE OF ARBOR DAY 2025. THE COMMITTEE ALSO DISCUSSED HOW TO IMPROVE THE ACTIVITIES FOR NEXT YEAR.

5. COMMITTEE REPORTS AND MATTERS INITIATED BY STAFF AND COMMITTEE

The Committee requested the following topics be placed on the next agenda:

1. 2025 Beautification Awards ad hoc committee update
2. Present draft proposal on signage to prevent Illegal Dumping in Livermore
3. Receive an update from the Beautification Committee on proposed sites to be hosted by the Committee for Community Service Day

6. ADJOURNMENT

The meeting was adjourned at 6:45 p.m. to a regular in-person Beautification Committee meeting on Wednesday, June 4, 2025, at 6:00 p.m. in the William H. Mendenhall Community Room.

LIVERMORE
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BEAUTIFICATION COMMITTEE STAFF REPORT **ITEM NO. 4.2**

DATE: August 6, 2025

TO: Chairperson and Members of the Beautification Committee

FROM: Marisa Gan, Management Analyst II

SUBJECT: Discussion and direction regarding the updated proposal on signage to prevent Illegal Dumping in Livermore presented by Committee Member Wang.

RECOMMENDED ACTION

Staff recommends the Beautification Committee receive a final presentation from Committee Member Wang on an updated proposal for signage to prevent Illegal Dumping in Livermore and discuss and provide direction on next steps.

SUMMARY

The Beautification Committee will receive a final presentation from Committee Member Wang with an updated proposal for signage to prevent illegal dumping. The Committee will discuss and provide direction for staff to consider.

DISCUSSION

Committee Member Wang will present a final proposal related to signage to prevent illegal dumping in Livermore. The update will include types of signs and suggested language, illegal dumping hot spots where signage would be most effective, and proposed costs. Staff recommends that the Beautification Committee discuss the proposal. Staff will consider the discussion and update the work plan as needed.

ATTACHMENTS

1. Sign Proposal

Prepared by: Rebecca Aguilera
Administrative Clerk II

A proposal for better illegal dumping signage in Livermore

By Andrew Wang
Livermore Beautification Committee Member

As many of these requirements for the new illegal dumping signs should be met as possible.

- Warn illegal dumpers of the consequences of illegal dumping on Livermore's right-of-way.
- Provide illegal dumpers with an alternative solution that is LEGAL and FREE to use.
- Include a QR code with dimension of at least 8 inches by 8 inches so that it can be scanned from as far as 25 feet away.

A note about the templates

- They are either 24’’ x 30’’ or 30’’ x 24’’.
- These were made in Powerpoint, I could not acquire OpenRoads SignCAD.
- These are based on existing designs for white regulatory signs with an added twist.
- I am totally okay with things being moved around or modified.

Template #1 - Text

DUMP HERE?

WE WILL DUMP THE FINE ON YOU



Scan QR for free disposal info.

DUMP HERE?

WE WILL DUMP THE FINE ON YOU



Scan QR for free disposal info.

Template #2 – Text and Pictogram





Due to additional spacing, phone and website could be included.

Template #3 – Using multiple signs.



Top sign



Bottom sign

Potential pictograms

These are inspired by ChatGPT.







Other phrasings to deter illegal dumping

- Illegally dumping? That’s a LOAD of trouble.
- Livermore isn’t your dumpster.
- Dumping hurts everyone, including you.
- Dump and Run? Not in this town.

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BEAUTIFICATION COMMITTEE STAFF REPORT **ITEM NO. 4.3**

DATE: August 6, 2025

TO: Chairperson and Members of the Beautification Committee

FROM: Marisa Gan, Management Analyst II

SUBJECT: Receive an update from the Beautification Awards ad hoc committee for discussion by the Beautification Committee

RECOMMENDED ACTION

Staff recommends the Beautification Committee receive an update from the Beautification Awards ad hoc committee for discussion on the draft application for the Beautification Community Service Award.

SUMMARY

The Beautification Award ad hoc committee will present the draft application for the Beautification Community Service Award for discussion by the Beautification Committee.

DISCUSSION

Annually, the Beautification Awards recognizes the efforts of our community members in enhancing and increasing the aesthetic attraction of Livermore. An ad hoc committee for the Beautification Awards was appointed at the January 8, 2025 Beautification Committee meeting. The ad hoc committee will present a draft application of the Beautification Community Service Award for discussion by the Beautification Committee.

ATTACHMENTS

1. Draft Discussion Beautification Award for Community Service
2. Draft 2025 Beautification Community Service Award Application

Prepared by: Rebecca Aguilera
Administrative Clerk II

Beautification Award for Community Service

Recognize outstanding individuals or organizations who have been involved in community service to beautify the City of Livermore's public spaces. This includes maintaining or improving public property or educating citizens about those public spaces with the goal of making the City a more beautiful place to live.

Application Requirements

Nominees must have received no remuneration for the effort.
Nominees must have a consistent and a long-term (or 1 year +) commitment to volunteering in a specific area.
The public space must be within the City of Livermore or within the spaces managed by the Livermore Area Parks and Recreation District.
Self nominations are encouraged.
Nominees that have won the award for the same scope within the past 5 years are not eligible.

Who Should Apply

Individuals or non-profit organizations that:

Maintain or enhance the hardscape or landscape of a public space
Add historic renovations to public spaces
Collect or cleanup trash
Educate residents about the beauty of our City

Further points of consideration

1. **Submissions must have the permission from the person / group who is being nominated.**
2. **Self nominations are encouraged**
3. **Videos or pictures**

"Public property" means all public property including, but not limited to, streets, sidewalks, alleys, and improved or unimproved land and parks within the City of Livermore.

Beautification Community Service Award Entry Form

Nominee:

Nominated by: Self ☐

Location of Area Improved by the Nominee:

Nominator's Phone:

Nominator's Email:

Description/Reason for Nomination:

Permission:

I hereby nominate the above person or organization for the Beautification Community Service Award Program. I have no objection to judging or publication of the material submitted, including photographs and written description about the nominee.

Nominee's or Organizational Representative Signature:

Phone:

Email:

Date:

About the Beautification Committee

The Beautification Committee consists of 7 appointed members, all of whom are residents of the City of Livermore and are committed to working with the City Council and City Public Works Department in preserving, maintaining and improving the appearance of our beautiful City.

The Committee meets at 6pm on the first Wednesday of every month at the Civic Center Meeting Hall, Mendenhall room (unless otherwise posted). All meetings are open to the public and subject to the Ralph M. Brown Act.

A full list of the duties and responsibilities of the Beautification Committee, prior meeting minutes and contact information can be found at

https://www.livermoreca.gov/departments/city-clerk/advisory-bodies/beautification-committee

ATTACHMENT 2

CITY OF LIVERMORE CALIFORNIA

Beautification Community Service Awards 2025

Presented by

The City of Livermore Beautification Committee

Official Application Form

Submission Deadline:

September 15, 2025

What is a Beautification Community Service Award?

The awards recognize outstanding individuals or organizations who have been involved in community service to beautify the City of Livermore's public spaces. This includes maintaining or improving public property* or educating citizens about those public spaces with the goal of making the City a more beautiful place to live.

**Public property means all public property including, but not limited to streets, sidewalks, alleys, and improved or unimproved land and parks with the City of Livermore.*

Who Should be Nominated?

Individuals or non-profit organizations who:

- Maintain or enhance the hardscape or landscape of a public space
- Add historic renovations to public spaces
- Collect or cleanup litter
- Educate residents about the beauty of our City
- Further the appreciation of the beauty and long-term stewardship of our City



Beautification Community Service Award Activities



Maintain Parks



Litter Collection



Tree Planting

How to Apply

You can submit a completed entry form with photos by any of the following methods:

1. Mail your application to:

   City of Livermore
   Attention: Beautification Awards
   3500 Robertson Park Road
   Livermore, CA 94550
2. Email your application to BeautificationAwards@livermoreca.gov
3. Scan the QR code below

Winners will be recognized at the November 24, 2025 City Council Meeting and will receive an award plaque!

Application Requirements

- Submit your entry form by September 15, 2025.
- Nominees must enhance public spaces within the corporate limits of the City of Livermore or within the spaces managed by the Livermore Area Parks and Recreation District.
- Nominees must have received no remuneration for the effort.
- Submissions must have the consent of the person or group being nominated.
- Self-nominations are encouraged.
- Nominees that have won the award for the same scope in the previous 5 years are not eligible.

LIVERMORE
CALIFORNIA

BEAUTIFICATION COMMITTEE STAFF REPORT ITEM NO. 4.4

DATE: August 6, 2025

TO: Chairperson and Members of the Beautification Committee

FROM: Marisa Gan, Management Analyst II

SUBJECT: Receive an update from staff on Community Service Day 2025 and discuss and provide direction on proposed projects that may be hosted by the Beautification Committee for the event

RECOMMENDED ACTION

Staff recommends the Beautification Committee receive an update on Community Service Day 2025 and request input from the Beautification Committee on any projects they propose to host. Committee members will discuss and provide direction in accordance with the 2025 work plan.

SUMMARY

The City of Livermore annual Community Service Day has many opportunities for community members to get involved. Staff will provide an update on the City's planned projects and the proposed schedule for the 2025 event and request input from the Beautification Committee on any projects they propose to host at City-owned locations.

DISCUSSION

Community Service Day is a one day event for community members to volunteer at projects from the City, Livermore Area Recreation and Park District, and Livermore Valley Joint Unified School District to enhance the beauty and quality of life in Livermore. The members of the Beautification Committee will receive an update from staff on planned projects that will be hosted by the City and scheduling for the event. Beautification Committee Members will also discuss possible projects to be hosted by Committee Members at City-owned locations and provide direction to staff. Staff will ensure the proposed projects align with the 2025 work plan.

ATTACHMENTS

Prepared by: Rebecca Aguilera
Administrative Clerk II

LIVERMORE
CALIFORNIA

BEAUTIFICATION COMMITTEE STAFF REPORT **ITEM NO. 4.5**

DATE: August 6, 2025

TO: Chairperson and Members of the Beautification Committee

FROM: Marisa Gan, Management Analyst II

SUBJECT: Receive a presentation on the City's Tree Action Permit application process

RECOMMENDED ACTION

Staff recommends the Beautification Committee receive a presentation on the City's Tree Action Permit application process.

SUMMARY

The Beautification Committee will receive a presentation from staff on the City's Tree Action Permit process.

DISCUSSION

The Beautification Committee is the City's body that is responsible for hearing any appeal of Tree Action Permits that are denied by the Public Works Department. Property owners are responsible for the maintenance of trees adjacent to their property. Any tree maintenance that goes beyond health and safety pruning requires a Tree Action Permit, available at no cost. Livermore Municipal Code Section 12.20 contains the City's Tree Preservation Ordinance, which defines Protected Trees as any native tree species with a trunk circumference of 24 inches or more and non-native trees with a trunk circumference of 60 inches or more.

Maintenance activities for Protected Trees that require a Tree Action Permit include structural pruning, encroachment into the protected zone of the tree, or removal. Tree Action Permits are reviewed by the City Arborist who will review the application and visit the site before making a determination on the Tree Action Permit. The City Arborist may approve, conditionally approve, or deny the permit. If the requested tree action is denied, any person taking exception to the denial may appeal in writing to the City. The Public Works Director may refer the denied application to the Beautification Committee which will hear the appeal, discuss the appeal, and will approve or deny the appeal.

ATTACHMENTS

1. Livermore Municipal Code 12.20

Prepared by: Rebecca Aguilera
Administrative Clerk II

ATTACHMENT 1

Chapter 12.20
STREET TREES AND TREE PRESERVATION

Sections:

Article I. Street Trees

12.20.010 Definitions.
12.20.020 Street trees are city property.
12.20.030 Planting, removing or injuring trees – Conformity with requirements.
12.20.040 Street tree plan – City engineer authority.
12.20.050 Planting trees – Permit required.
12.20.060 Planting trees – Agreement prerequisite to building permit issuance.
12.20.070 Tree trimming restrictions.
12.20.080 Trimming, root pruning or removal – Application to City required – Superintendent authority.
12.20.090 Removal of trees – Notice posting required.
12.20.100 Emergency removal of trees.
12.20.110 Appeal procedure.
12.20.120 Parkway paving restrictions.

Article II. Tree Preservation

12.20.130 Title.
12.20.140 Findings.
12.20.150 Purpose and intent.
12.20.160 Definitions.
12.20.170 Tree preservation and protection.
12.20.180 Enforcement.
12.20.190 Tree permit required.
12.20.200 Exemptions.
12.20.210 Processing of tree permits.
12.20.220 Preservation of protected trees.
12.20.230 Conditions of approval.
12.20.240 Valid tree permits.
12.20.250 Appeals.
12.20.260 Right of inspection.
12.20.270 Interference with enforcement officers prohibited.
12.20.280 Violations – Penalties.
12.20.290 Valuation.
12.20.300 Urban forestry maintenance fund.
12.20.310 Effective date – Effect on applications in process.
12.20.311 Severability.

Article I. Street Trees

12.20.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless otherwise specifically defined:

A. “City engineer” means the city engineer of the City of Livermore.

B. “Days,” unless otherwise provided, always means calendar days.

C. “Director” means the Director of Public Works or his designee.

D. “Parkway,” “parkway strip,” or “planter strip” means that area within the public right-of-way lying between the curb and sidewalk.

E. “Person” means individuals, corporations, associations, partnerships and, to the extent of the City’s jurisdiction, public entities.

F. “Street/public right-of-way” means all property dedicated to public use and includes, but is not limited to, streets from property line to property line, alleys, easements, dedicated bike paths, or open spaces.

G. “Street tree” means any plant form planted and maintained within the public right-of-way.

H. “Superintendent” means the maintenance superintendent or his successor or designee. (Ord. 2065 § 1(A), 2018; 1960 code § 23B.2)

12.20.020 Street trees are city property.

All street trees within the City are the property of the City. The Director shall have the exclusive authority and responsibility, except as hereinafter provided, to plant, remove, prune, inspect, maintain, root-prune, or otherwise alter such street trees. (Ord. 2065 § 1(A), 2018; 1960 code § 23B.3)

12.20.030 Planting, removing or injuring trees – Conformity with requirements.

It is unlawful, and a public nuisance, for any person to plant, remove, prune, injure or destroy any street tree, as defined in LMC 12.20.010, except in conformance with the provisions of this chapter. (1960 code § 23B.1)

12.20.040 Street tree plan – City engineer authority.

The city engineer is authorized and directed to maintain a precise plan for the establishment and maintenance of street trees within the City. The plan will include designation of particular species or varieties of trees that may be planted on certain streets, together with a statement of such plants, shrubs or trees as shall not be planted within the public right-of-way. Such plan will be approved by the City Council. (Ord. 2065 § 1(A), 2018; 1960 code § 23B.4)

12.20.050 Planting trees – Permit required.

No tree, plant or shrub shall be planted or placed in or upon any public right-of-way without a permit therefor having first been issued by the superintendent. Such permit shall not require the payment of any application fee or other cost to the applicant, and will only be issued if it is found that such proposed planting or placing is in accordance with the approved street tree plan. (1960 code § 23B.5)

12.20.060 Planting trees – Agreement prerequisite to building permit issuance.

A building permit for the construction of any new residential or commercial building or improvement to any existing residential or commercial building in an amount exceeding 50 percent of the current replacement cost of the existing building shall not be issued unless the applicant therefor shall agree to cause street trees to be planted within the city right-of-way adjacent to the property upon which the proposed building is located, in accordance with the adopted street tree plan for the particular streets, and the specifications of the city engineer. (1960 code § 23B.12)

12.20.070 Tree trimming restrictions.

A. It is unlawful for the owner or occupant of any premises having street trees in front of or adjacent to such premises to fail or neglect to keep such street trees trimmed so that no limbs, branches or leaves thereon are more than two feet, measured horizontally from the trunk of the tree, adjacent to a sidewalk or bike path, or lower than eight feet above the normal grade of the sidewalk or bike path, or lower than 10 feet above the official curb grade on the street side of the tree.

B. If, and/or when the superintendent becomes aware of such condition, he may:

1. Cause the work to be done immediately if such condition poses an extreme hazard to the safe use of the street or sidewalk;

2. Place a notice of such condition on the tree in question and simultaneously notify the owner or occupant responsible for trimming such street tree of such hazard, and requiring such owner or occupant to take action to mitigate such hazardous condition within 10 days of such notice. If the owner of such noticed property fails to complete the required remedial work within the time limit, the superintendent will cause the work to be done, and all costs for such work will be charged to the noticed property owner. (1960 code § 23B.6)

12.20.080 Trimming, root pruning or removal – Application to City required – Superintendent authority.

A. It is unlawful for any person to intentionally cut, trim, prune branches or roots, remove or cause injury by the use of chemicals such as salt, oil, herbicide or any other material deleterious to growth or health of street trees, in or upon any street right-of-way, parkway strip, sidewalk, park, landscaped area, playground, or other public area in the City, or to cause or permit the same to be done.

B. Provided, however, that permission to cut, prune branches or roots, remove or otherwise impair the natural growth of any such street tree may be had by the owner of the property upon approval of an application to do so. Such application will be made to the superintendent, who will cause an inspection to be made of the circumstances described in the application, and may thereafter recommend approval or denial of such application, with specific reference to the approved street-tree planting plan and the provisions of this chapter. There shall be no fee for such application or inspection.

C. Upon approval of the application, the property owner may do or cause to be done such work as is described on the approved application. Any such work contemplated which may cause a hazard or nuisance to vehicular or pedestrian traffic, or threaten the integrity or continuous operation of electric, telephone or cable TV systems or structures, or to any public utilities or public or private structures, may only be undertaken after the superintendent has certified that he is satisfied that proper and sufficient measures will be carried out by the applicant to mitigate against such hazards or nuisances, and in the event of such damage, that the applicant will bear full responsibility or the repair or replacement of such damaged facilities.

D. If such application is denied by the superintendent, the applicant may appeal such denial to the Livermore Beautification Committee within 10 working days. The decision of the committee will be final, and will be made in writing to the applicant.

E. The superintendent, in his discretion, may remove or cause the removal of any street tree which he finds to be:

1. Dead;

2. Damaged beyond repair;

3. Having a root system not adequate to reliably support continued growth;

4. Causing documented storm drainage or sanitary sewer stoppages;

5. Part of a planned street-tree removal program;

6. The obvious cause of continuing structural damage which cannot be mitigated by pruning limbs or roots;

7. Hazardous to public safety or welfare, or where unusual circumstances require action to be taken by the City. (Ord. 2065 § 1(A), 2018; 1960 code § 23B.7)

12.20.090 Removal of trees – Notice posting required.

A. Whenever it is determined, under the provisions of LMC 12.20.080, that a street tree is to be removed, the superintendent shall cause a notice of such action to be prominently posted on the tree to be removed. Such notice shall include the date following which the tree will be removed, the reason(s) for such removal, the person responsible for removal, the name, address and telephone number of the agent of or person responsible for such removal, and the approximate date of such removal.

B. The notice required by this section shall be posted at least five working days in advance of the proposed removal date so that any person wishing to comment on the proposed removal may have the opportunity to respond in writing to such notice to the superintendent. All such comments as are received before the end of such posting period will be considered by the superintendent, who will have authority to proceed at his discretion. (1960 code § 23B.8)

12.20.100 Emergency removal of trees.

Notwithstanding the provisions of LMC 12.20.090, the superintendent, at his discretion, may proceed to remove or alter, to any extent he deems necessary, any street tree found to be an imminent threat to the public safety or likely to cause injury or damage to persons, structures or utilities if the provisions of LMC 12.20.090 are followed. (1960 code § 23B.9)

12.20.110 Appeal procedure.

Any person taking exception to any denial, suspension or revocation by the public works department of a permit applied for or held by such person pursuant to the provisions of this chapter may appeal in writing to the Council by filing with the city clerk a written notice of such appeal, setting forth the specific grounds thereof. Such notice shall be filed within 14 days after notice of such action appealed from, but in no event later than 30 days after the date of such action. The city clerk shall forthwith set such matter for hearing before the Council, and cause notice thereof to be given to the applicant not less than three days prior to such hearing. At such hearing, the applicant shall show cause, on the grounds specified in the notice of appeal, why the action excepted to should not be approved. The Council may continue such hearing from time to time, and its findings on the appeal shall be final and conclusive in the matter. (Ord. 2065 § 1(A), 2018; 1960 code § 23B.10)

12.20.120 Parkway paving restrictions.

A. The city engineer shall forthwith cause rules and regulations to be established governing the paving of parkways or parkway strips within the public right-of-way. Such rules and regulations shall be based on the area involved, the number of trees, shrubs or plants to be located therein, and the existence or nonexistence of public utilities and materials to be used.

B. It is unlawful for any person to pave any parkway strip in any manner or with any material whatsoever without having first secured permission there to do so from the public works department. Such department shall grant permission to pave only when the proposal therefor shows that the work to be done shall be in accordance with the rules and regulations therefor as established by the city engineer. (1960 code § 23B.11)

12.20.130 Title.

This article shall be known as the Livermore tree preservation ordinance. (Ord. 1830 § 3, 2007)

12.20.140 Findings.

The City of Livermore is forested by a variety of trees, planted on both public and private property. These trees comprise an urban forest that provides tangible benefits to the community. A healthy urban forest reduces air and noise pollution, provides energy-saving shade and cooling, furnishes habitat for wildlife, enhances aesthetics and property values, and is an important contributor to community image, pride, and quality of life. The uncontrolled and indiscriminate destruction of trees within the urban forest detrimentally affects these tangible benefits. Therefore the City Council finds that in order to protect the health, safety, general welfare, and quality of life of the citizens of Livermore, the establishment of basic standards for the preservation and protection of a healthy and sustainable urban forest is essential. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.150 Purpose and intent.

This article establishes the policies, regulations, and standards for the protection of trees on any parcel of land within the City of Livermore. These policies, regulations, and standards are necessary to ensure that the City will continue to realize the tangible benefits provided by its urban forest.

It is the policy of the City to require the preservation of protected trees, unless a reasonable and conforming use of a property justifies the removal, relocation, and/or encroachment into the protected zone of such tree.

The provisions of this article are enacted to:

A. Assist in the continuous development and maintenance of a healthy urban forest and sustainable tree cover on lands within the City of Livermore;

B. Assist in the continuous development and maintenance of a stable urban forest diverse with trees of various species and age classes;

C. Preserve and enhance the aesthetic and quality of life values provided by Livermore’s urban forest;

D. Preserve and enhance the environmental benefits provided by Livermore’s urban forest, including the reduction of air and noise pollution, the conservation of energy resources through shade and cooling, and the provision of wildlife habitat. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.160 Definitions.

A. “Ancestral tree” means any tree determined by the City Council to be an ancestral tree based upon a finding that the particular tree is unique and of importance to the public due to its age, size, appearance, location, ecological value, habitat value, historical and/or cultural significance.

B. “California native” tree means:

Alder, White (Alnus rhombifolia)

Bay, California (Umbellularia californica)

Buckeye, California (Aesculus californica)

Madrone (Arbutus menziesii)

Maple, Big Leaf (Acer macrophyllum)

Oak, Blue (Quercus douglasii)

Oak, California Black (Quercus kelloggii)

Oak, Canyon Live (Quercus chrysolepis)

Oak, Coast Live (Quercus agrifolia)

Oak, Interior Live (Quercus wislizenii)

Oak, Scrub (Quercus berberidifolia)

Oak, Valley (Quercus lobata)

Pine, Grey (Pinus sabiniana)

Sycamore, California (Platanus racemosa)

Walnut, California Black (Juglans hindsii californica).

C. “City’s ancestral tree inventory” means the inventory of trees compiled under Ordinance 902.

D. “Certified arborist” means an arborist certified by the International Society of Arboriculture or the National Association of Arborists and who is bonded and insured.

E. “Circumference at breast height (CBH)” means the circumference of a single-trunked tree, or a multi-trunked tree measured by the circumference of the two largest trunks combined, or a stand of trees dependent upon each other for survival and measured by the circumference of all trees combined, at four and one-half feet above grade.

F. “Damage” or “damaging” means any action undertaken which causes or is likely to cause injury, death, or disfigurement to a protected tree. This includes, but is not limited to, cutting, improper pruning, topping, poisoning, overwatering, relocating or transplanting a tree, or trenching, excavating or paving within the protected zone of such tree.

G. “Development” means any work on any property in the City of Livermore that requires a permit or approval for subdivision, planned development, variance, zoning use permit, site plan approval, building, demolition, or any other city approval or permit.

H. “Director” means the Community Development Director or the Public Works Director of the City, or his or her designated representative.

I. “Dripline” shall mean the outermost edge of a tree’s canopy. When depicted on a map, the dripline will appear as an irregular-shaped circle that follows the contour of a tree’s branches as seen from overhead.

J. “Encroach” or “encroachment” means grading, excavating, trenching, parking of vehicles, storage of materials or equipment, or the construction of structures or other improvements.

K. “Healthy tree” means a tree exhibiting good structural integrity, free of serious diseases, and maintaining the normal appearance and displaying the normal vigor and growth characteristics of the species. The health of a particular tree shall be determined consistent with International Society of Arboriculture standards.

L. “Person” means individuals, associations, corporations, public agencies, joint ventures, partnerships, independent contractors and their agents and employees.

M. “Protected tree” means a single-trunked tree, a multi-trunked tree, or a stand of trees dependent upon each other for survival that meets any one or more of the following criteria:

1. Any tree located on private property occupied by single-family residential development that meets the following criteria:

a. Any tree with a circumference (CBH) of 60 inches or more; or

b. Any California native tree having a circumference (CBH) of 24 inches or more;

2. Any tree located on private property occupied by commercial, industrial, institutional (i.e., religious, public agency, hospital, care facilities, etc.), mixed-use or multifamily residential (two or more units) development with a circumference (CBH) of 24 inches or more; or

3. Any tree located on an undeveloped or underdeveloped property, regardless of zoning district, use, or development status, for which new development is proposed, with a circumference (CBH) of 18 inches or more; or

4. Any tree located in an open space, riparian, or habitat area with a circumference (CBH) of 18 inches or more; or

5. Any tree approved as part of a site plan approval, or required as a condition of approval for a development project, zoning use permit, use permit or other site development review; or

6. Any tree designated by the City Council as determined to be an ancestral tree; and/or

7. Any tree listed on the City’s ancestral tree inventory; or

8. Any tree required to be planted as mitigation for unlawfully removed trees.

N. “Protected zone” shall mean a specifically defined area totally encompassing a protected tree within which work activities are strictly controlled. When depicted on a map, the outermost edge of the protected zone will appear as an irregular-shaped circle that follows the contour of the dripline of the tree. Using the dripline as a point of reference, the protected zone shall commence at a point five feet outside of the dripline and extend inward to the trunk of the tree. In no case shall the protected zone be less than 10 feet from the trunk of the tree.

O. “Remove” or “removal” means the physical displacement of a tree, or the death of a tree caused through damaging, cutting, improper pruning, topping, poisoning, over-watering, relocation or transplantation, trenching, excavating or paving within the protected zone of such tree, or other direct or indirect action that causes the physical removal or death of a protected tree.

P. “Routine maintenance” means actions required to maintain the health of a tree including, but not limited to, removal of deadwood, diseased or crossing limbs, control of deleterious insects, watering, and pruning pursuant to the pruning standards specified by the Western Chapter of the International Society of Arboriculture Pruning Standards.

Q. “Street” or “public right-of-way” means all property dedicated to public use, including, but not limited to, streets, alleyways, easements, dedicated bike paths, trails (bike, equestrian and pedestrian), parkways, parks, or other open spaces.

R. “Street tree” means any plant form planted and maintained within the street or public right-of-way as defined in LMC 12.20.010 and as governed by Article I of this chapter.

S. “Topping” means the pruning of a tree to reduce the height of such tree by cutting back a dominant leader or major structural limbs or by cutting back of the crown and/or creating large stubs without regard to form.

T. “Unhealthy” or “poses a hazard” means a tree that is in poor condition or represents a hazard with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and/or its status as a host for plant pest or disease, endangering the tree itself, or other trees or plants, with infection or infestation, that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices. (Ord. 2065 § 1(A), 2018; Ord. 2045 § 1(B), 2016; Ord. 2016 § 1(B), 2015; Ord. 1986 § 1(A), 2014; Ord. 1830 § 3, 2007)

12.20.170 Tree preservation and protection.

All persons in possession of property within the City shall keep the trees on the property in a safe and healthy condition. Any tree within the City that may be a danger to the safety of any person, or to on-site or off-site structural improvements, shall be safeguarded to prevent any damage to persons or improvements by appropriately securing the area around the tree, or providing support for the tree, by any person who owns, possesses, or controls the property on which the tree is located. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.180 Enforcement.

Except as otherwise provided herein, the provisions of this article shall be administered and enforced by the Director in his or her capacity as enforcement officer. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.190 Tree permit required.

A. Permit Required. No person shall remove or encroach into the protected zone of any protected tree or trees upon a property within the City unless a tree permit has been issued by the City pursuant to the provisions of this article. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.200 Exemptions.

A tree permit is not required under the following circumstances:

A. The performance of routine maintenance on private property that is provided in accordance with the most recent pruning standards established by the International Society of Arboriculture as amended under the provisions of this chapter.

B. Landscape activities on private property, including but not limited to planting and maintenance thereof.

C. Trees damaged by severe weather conditions (i.e., thunderstorms, windstorms, floods, and temperature), earthquakes, fires or other natural disasters and determined to be dangerous by a peace officer, firefighter, civil defense official, building officer or code enforcement officer in their official capacity.

D. A public utility, subject to the jurisdiction of the Public Utilities Commission of the state of California, when taking such action as may be necessary to maintain the safe operation of their facilities when due to damage by thunderstorm, windstorm, flood, earthquake, fire or other natural disaster. The utility shall promptly notify the Director within 24 hours of the nature of the emergency and action that was taken.

E. Removal is determined to be necessary by fire department personnel actively engaged in fighting a fire.

F. Trees planted, grown and/or held for sale as part of a licensed nursery business. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.210 Processing of tree permits.

A. Tree Permit Application Requirements. The applicant shall furnish all necessary information as required by this chapter in a clear and accurate format to the City and shall pay the appropriate filing fee as prescribed by City Council resolution.

1. Removal, relocation or encroachment into the protected zone of trees not associated with a development permit.

An application for the removal, relocation, or encroachment into the protected zone of any protected tree, whether healthy, unhealthy or poses a hazard, shall include the following:

a. A completed application form.

b. Photographs of the subject tree(s) and the area around the tree(s).

c. A site plan or diagram indicating the location of the tree on the property.

d. A written statement that describes the necessity of the requested action to allow improvements or otherwise allow economic or other reasonable enjoyment of the property.

e. For unhealthy trees, a certified arborist’s determination of the health and value of the tree may be required.

f. Other pertinent information may be requested, based on the size, location and number of trees to be removed.

2. Removal, relocation or encroachment into the protected zone of trees associated with a development permit.

An application for the removal, relocation or encroachment into the protected zone of any protected tree, whether healthy, unhealthy, or poses a hazard, shall include the following:

a. A completed application form.

b. A scaled plot plan indicating the location of all trees (whether of significant value or not) on the property. The site plan shall also include the location of all proposed structures and site improvements, property lines, and utility locations. Each tree shall be assigned a number, and shall be physically tagged with and identified on the plot plan by their assigned number (tagging to be performed consistent with the standards specified by the Western Chapter of the International Society of Arboriculture so as not to cause harm to the tree). In addition, protected trees shall be identified on the plot plan by botanical name, common name, age, CBH, dripline, protected zone, and the requested disposition for each. The applicant shall be required to provide certification by a registered civil engineer, land surveyor or licensed tree specialist attesting to the accuracy of the tree trunk, dripline, and protected zone locations.

c. A table shall be required that lists all trees on the property by their assigned number, botanical name, common name, CBH, age, valuation, health, and the requested disposition, and reason for such, for each tree.

d. A report by a certified arborist that verifies the number, species, size, age, health, and valuation of all protected trees on the property, the effect of the requested action on tangible urban forest benefits (shade, environmental, aesthetic, etc.), and recommendations for any special precautions necessary for the preservation of trees as required by this article.

e. A map indicating the topography of the land and a written statement as to the potential effect of the request on soil retention, water retention, and the diversion or increased flow of surface waters may be required.

f. Photographs of the subject property and all trees thereon identified by their assigned number.

g. A written statement that describes the necessity of the requested action to allow construction or improvements or otherwise allow economic or other reasonable enjoyment of the property.

h. Other pertinent information as may be requested.

B. Tree Permit Submittal and Review Process.

1. Public Works Department Review.

a. The following types of tree permit applications shall be submitted to the public works department:

i. A request to remove, relocate or encroach into the protected zone of any number of protected trees on developed single-family, multifamily, commercial, industrial, institutional, mixed-use, open space, riparian or habitat property where such removal, relocation or encroachment is not associated with a development application (i.e., site plan approval, tentative map, etc.);

ii. A request to remove or relocate four or more protected trees on developed commercial, industrial, institutional or mixed-use property represents a potentially significant change to the property's previously approved development permit. The Public Works Director shall refer such applications to the community development department for review and determination.

b. The Director may approve, conditionally approve, or deny a tree permit application for the removal, relocation or encroachment into the protected zone of a protected tree consistent with the findings established under subsection C of this section. The Director may refer the application to the Beautification Committee, which may approve, conditionally approve, or deny any tree permit application referred by the Director, consistent with the findings established under subsection C of this section.

2. Community Development Department Review.

a. The following types of tree permit applications shall be submitted to the community development department:

i. A request to remove or relocate four or more protected trees on a developed commercial, industrial, institutional or mixed-use property. If warranted (i.e., a significant change to a previously approved development permit), the Director may refer the application to the Planning Commission for determination. Tree permit applications referred to the Planning Commission shall be converted to a site plan approval amendment application and shall be subject to the fees and review process associated therewith.

ii. A request to remove, relocate or encroach into the protected zone of any number of protected trees when such application is associated with a development application.

b. The Director may approve, conditionally approve or deny the application consistent with the findings established under subsection C of this section. The Director may refer the application to the Planning Commission, which may approve, conditionally approve, or deny the application referred by the Director, consistent with the findings established under subsection C of this section.

c. Applications associated with a development application shall be processed concurrently with the development application, and shall be reviewed and approved by the approval body (the Director, design review committee, Planning Commission or City Council) making the final determination on the development application, consistent with the findings established under subsection C of this section.

C. Findings. A tree permit may be approved only if such approval is based upon at least one of the following findings:

1. That due to the condition of the tree with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with or impacts to utility services, damage to infrastructure or private property, production of invasive suckers or seedlings (i.e., privet or sumac) leading to excessive maintenance requirements, and/or its status as a host for plant, pest or disease endangering other trees or plants with infection or infestation that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices, it must be removed.

2. That it is necessary to issue a tree permit to remove, relocate, or encroach into the protected zone of a protected tree to enable the reasonable and conforming use of the subject property, or an adjoining property, which is otherwise prevented by the presence of the tree. Reasonable and conforming use of the property shall be determined in accordance with the Livermore general plan and the Livermore Development Code. The applicant must demonstrate to the satisfaction of the Director or the deciding body that there are no reasonable alternatives to the proposed use or design of the property that would cause the request to be unwarranted.

3. In addition to the above findings, the following findings may justify removal of a non-native tree (any tree not identified as a California native in LMC 12.20.160(B)) from the rear yard of a developed single-family residential property:

a. The tree is not identified as an ancestral tree; and

b. The tree is not of unique importance to the public based on its size, appearance, location, or historical and/or cultural significance; and

c. That one or more of the following conditions exist: that the tree based on its size, age or condition is nearing the end of its useful life; is blocking access to sunlight; is dropping an amount of litter or debris resulting in damage or risk to the property; is overhanging a residential structure and cannot be trimmed to alleviate this condition; is damaging other landscaping; has grown out of scale with the portion of the yard it occupies; or that the ongoing maintenance of the tree is an unmanageable burden to the property owner. (Ord. 2065 § 1(A), 2018; Ord. 2045 § 1(A), 2016; Ord. 2016 § 1(A), 2015; Ord. 1901 § 3 (Exh. A § 16), 2010; Ord. 1830 § 3, 2007)

12.20.220 Preservation of protected trees.

If the Director or deciding body has reason to believe that construction or development activities may endanger a protected tree, the Director or deciding body may, during development project review or as a condition of development project approval, seek professional consultation at the expense of the person seeking to perform the

construction or development of the property in order to determine the measures necessary to safeguard the tree. Such measures may include but are not limited to:

A. If encroachment into the protected zone of any protected tree occurs, special construction to allow the roots to breathe and obtain water shall be required.

B. The protection zone shall be clearly marked by a three-foot high fence of a highly visible material. Tree wells may be used when advisable. Excavation adjacent to any protected tree shall not be permitted where material damage to the root system will result. The existing ground surface within the protection zone shall not be cut, filled, compacted or paved.

C. Oil, gasoline, chemicals and other construction materials or equipment that might be harmful shall not be stored within the protection zone or upslope of the protected tree. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.230 Conditions of approval.

A. The Director or deciding body may attach reasonable conditions to the tree permit to ensure compliance with the stated purposes of this chapter.

B. The issuance of a tree permit for the removal of a protected tree may be conditioned upon mitigation consisting of the planting of replacement trees on or off site at the sole expense of the applicant, and/or by payment to the urban forestry maintenance fund by the applicant, as determined by the Director or deciding body consistent with the following:

1. Single-Family Residential Property.

a. The number and type of replacement trees or the amount of funds paid in mitigation may be based on the diminution of economic, aesthetic, environmental and property values, and in relation to the size, age relative to average lifespan, and location of existing trees to be removed, as determined by the Director. In no case shall the replacement value be less than two trees of a minimum 15-gallon size for each tree removed, or one tree of a minimum 15-gallon size, if a California native (as identified under LMC 12.20.160(B)) species is planted.

b. There shall be no mitigation required for protected trees that are determined by the City to be unhealthy or pose a hazard, and where such condition is not the result of an action by the property owner to directly or indirectly damage or remove the tree, or where an invasive species (i.e., privet or sumac) is removed.

2. Multifamily Residential (Two or More Units), Commercial, Industrial, Institutional, Mixed-Use, Open Space, Riparian or Habitat Property.

a. The number and type of replacement trees or the amount of funds paid in mitigation shall be provided corresponding to the value (see LMC 12.20.290) of the loss or diminution of economic, aesthetic, environmental, and property values, and in relation to the size, age relative to average lifespan, and location of existing trees to be removed, as determined by the Director. Depending on the size and number of trees to be removed, the City may require the preparation of a report by a certified arborist at the expense of the applicant and in compliance with this chapter to the satisfaction of the Director. In no case shall replacement value be less than three trees of a minimum 15-gallon size, or two trees of a minimum 24-inch box size, or one tree of 48-inch box size for each tree removed. To the extent possible, the type of replacement trees shall be of a species identified under LMC 12.20.160(B) as a California native.

b. For protected trees that are determined by the City to be unhealthy or pose a hazard and where such condition is not the result of an action by the property owner to directly or indirectly damage or remove the tree, replacement shall be required on a one-to-one basis at a minimum of 15-gallon size.

C. Tree Maintenance Provisions. Applications for multifamily (two or more units), commercial, industrial, institutional, open space, riparian or habitat properties shall be required to prepare an objectively observable maintenance and care program designed to ensure the continued health and care of relocated, replacement, or preserved trees. The applicant may also be required to post a bond or other adequate security to ensure that relocated or replacement trees are properly established and maintained, and that preserved trees are protected from the potential impacts of development. Bonding or surety shall be based upon the following, to be provided at the property owner's expense:

1. Replacement Trees. A written estimate from a landscape professional based on the value of the replacement trees, irrigation improvements, and planting/installation costs.

2. Preserved Trees. A written valuation of the trees to be preserved (pursuant to subsection (B)(2)(a) of this section) as determined by a certified arborist. If the value of the protected tree cannot be determined, surety equal to $5,000 per tree shall be required.

3. Relocated Trees. A written valuation of the trees to be relocated (pursuant to subsection (B)(2)(a) of this section) as determined by a certified arborist, and a written estimate from a landscape professional based on the value of irrigation improvements and planting/installation costs. If the value of the tree cannot be determined, surety equal to $5,000 per tree shall be required.

Said bond or security shall be held for a period of time not to exceed two years from the issuance of a certificate of final occupancy for development on the subject site and shall be released upon the satisfaction of the Director that the trees to have been relocated, preserved or replaced are in good health and have not been endangered or damaged during the development of the property.

D. Damage to any protected tree that is due to the development of a property shall be immediately reported to the Director by the person causing the damage, the responsible contractor, or the owner of the site.

E. When any development permit is applied for and such proposed activity would require the destruction, removal, relocation, or encroachment into the protected zone of a protected tree, said permit shall not be issued until all the requirements of this article are met.

F. In the event a permit to remove, relocate, or encroach into the protected zone of a protected tree is issued in order to enable the applicant to carry out a development project, such tree permit shall be valid and effective only in connection with the actual accomplishment of such development project. Otherwise, no protected tree shall be removed, relocated, or encroached upon.

G. A development permit, issued for the construction of any new residential, commercial, industrial, institutional or mixed-use building, or issued for the improvement or expansion of such, shall not be issued unless the applicant causes street trees to be planted within the public right-of-way adjacent to the property upon which the proposed building is located in accordance with the adopted street tree plan and the provisions of Article I of this chapter. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.240 Valid tree permits.

A. Tree permits shall be valid for a period no longer than 90 days from the issuance date, unless associated with a development application for which a tree permit shall be valid concurrent with the validity of the approved development application.

B. Valid tree permits shall be posted on site within view of the nearest public right-of-way during the removal process. (Ord. 1830 § 3, 2007)

12.20.250 Appeals.

A. Tree Permit Applications Processed Through the Public Works Department. Appeals of the Director's determination shall be made to the Beautification Committee. Appeals of the Beautification Committee's determination shall be made to the City Council. Appeals shall be filed and acted upon consistent with the requirements of Chapter 9.15 LDC.

B. Tree Permit Applications Processed Through the Community Development Department. Appeals of the Director's determination shall be made to the Planning Commission. Appeals of the Planning Commission's determination shall be made to the City Council. Appeals shall be filed and acted upon consistent with the requirements of Chapter 9.15 LDC. (Ord. 2065 § 1(A), 2018; Ord. 2045 § 1(A), 2016; Ord. 2016 § 1(A), 2015; Ord. 1901 § 3 (Exh. A § 17), 2010; Ord. 1830 § 3, 2007)

12.20.260 Right of inspection.

In the enforcement of this chapter, such enforcement officer and his or her designees may enter upon private or public property to examine any protected tree and may issue citations for any violations of this chapter. (Ord. 1830 § 3, 2007)

12.20.270 Interference with enforcement officers prohibited.

No person shall interfere with or delay the authorized representative of the City from the execution and enforcement of this chapter, except as provided by law. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.280 Violations – penalties.

It is unlawful for any person to violate the provisions of this chapter by:

A. Causing damage to a protected tree;

B. Removing, relocating, and/or encroaching into the protected zone of a protected tree without a valid tree permit;

C. Failing to have a valid tree permit in one's possession during the course of removing, relocating, or encroaching into the protected zone of a protected tree;

D. Violating the valid tree permit's conditions of approval, or the construction guidelines provided herein.

Any violation of this chapter shall be deemed an infraction and shall be abated pursuant to the provisions of LMC Title 1.

Violations of any provision of this chapter may result in the immediate suspension of any tree or development permit previously issued for the property upon which said violation occurred, until compliance with all the requirements of this chapter is demonstrated to the satisfaction of the Director.

Any person who violates the provisions of this chapter by causing damage to a protected tree, or removing, relocating, and/or encroaching into the protected zone of a protected tree without a valid tree permit shall be required to obtain a valid tree permit and shall mitigate the damage or loss of the protected tree pursuant to LMC 12.20.230(B). If the value of the protected tree cannot be determined, a $5,000 flat fee per protected tree damaged or removed, or mitigation through the planting of replacement trees valued at $5,000 per protected tree damaged or removed, shall be required. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

ATTACHMENT 1

12.20.290 Valuation.

For purposes of calculating the value of any tree that has been damaged or removed, or is to be replaced, relocated or protected, the most current edition of the “Guide for Establishing Values of Trees and Other Plants” by the Council of Tree and Landscape Appraisers under the auspices of the International Society of Arboriculture shall be used. (Ord. 1830 § 3, 2007)

12.20.300 Urban forestry maintenance fund.

The urban forestry maintenance fund shall be established for the purpose of preserving, protecting, monitoring and enhancing the City of Livermore’s urban forest, and shall be funded in part by those funds collected under this chapter, and in part by those portions of fines that may be assessed by the courts, known as “civil penalty assessments” for violations of this chapter. Urban forestry maintenance funds may be utilized only toward furthering the purpose and intent of this chapter. (Ord. 2065 § 1(A), 2018; Ord. 1830 § 3, 2007)

12.20.310 Effective date – Effect on applications in process.

Where a request to remove, relocate or encroach into the protected zone of a protected tree is associated with a development application under LMC 12.20.210(B)(2)(c), and the associated development application is deemed complete prior to the effective date of the ordinance codified in this article, the development application shall not be subject to the requirements of this article.

All other tree permit applications shall be subject to the requirements of this article upon the effective date of the ordinance codified in this article. (Ord. 1830 § 3, 2007)

12.20.311 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is held to be unconstitutional or invalid or ineffective by any court or tribunal of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter, or any part thereof.

If the application of any provision of this chapter on any person, property, or circumstance is found to be unconstitutional or invalid or ineffective in whole or part by any court or tribunal of competent jurisdiction, the effect of such decision shall be limited to the person, property, or circumstance immediately involved in the controversy, and the application of any such provision to other persons, properties or circumstances shall not be affected. (Ord. 1830 § 3, 2007)

The Livermore Municipal Code is current through Ordinance 2174, passed June 9, 2025.
Disclaimer: The City Clerk's Office has the official version of the Livermore Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.