CITY OF SOUTH PASADENA
STUDY SESSION

AGENDA

SPECIAL CITY COUNCIL MEETING
WEDNESDAY, AUGUST 20, 2025, AT 6:00 PM

AMEDEE O. "DICK" RICHARDS JR. COUNCIL CHAMBERS
1424 MISSION STREET, SOUTH PASADENA, CALIFORNIA 91030

NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY

The South Pasadena City Council Meeting will be conducted in-person from the Amedee O. "Dick" Richards, Jr. Council Chambers, located at 1424 Mission Street, South Pasadena, CA 91030.

Public participation may be made as follows:

- In-Person – Council Chambers, 1424 Mission Street, South Pasadena, CA 91030
- Live Broadcast via the City website – http://www.spectrumstream.com/streaming/south_pasadena/live.cfm
- Via Zoom – Meeting ID: **825 9999 2830**
- Written Public Comment – written comment must be submitted by 12:00 p.m. the day of the meeting by emailing to ccpubliccomment@southpasadenaca.gov
- Via Phone–+1-669-900-6833 and entering the Zoom Meeting ID listed above.

Meeting may be viewed at:

1. Go to the Zoom website, https://zoom.us/join and enter the Zoom Meeting information; or
2. Click on the following unique Zoom meeting link: https://us06web.zoom.us/j/82599992830 or
3. By calling: +1-669-900-6833 and entering the Zoom Meeting ID listed above; and viewing the meeting via http://www.spectrumstream.com/streaming/south_pasadena/live.cfm

CALL TO ORDER:	Mayor	Janet Braun
ROLL CALL:	Mayor	Janet Braun
	Mayor Pro Tem	Sheila Rossi
	Councilmember	Michael A. Cacciotti
	Councilmember	Jon Primuth
	Councilmember	Omari Ferguson

ACTION/DISCUSSION

1. REVIEW AND DISCUSSION OF RECOMMENDATIONS OF REVISIONS TO THE CITY'S TREE ORDINANCE IN CHAPTER 34 OF THE SOUTH PASADENA MUNICIPAL CODE

Recommendation

It is recommended that City Council review and provide feedback on recommended revisions to the South Pasadena Municipal Code Chapter 34 Trees and Shrubs (Tree Ordinance) and direct staff to draft an updated tree ordinance to be presented to City Council at a future meeting.

ADJOURNMENT

CERTIFICATION OF POSTING

I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on August 20, 2025, on the bulletin board in the courtyard of City Hall located at 1414 Mission Street, South Pasadena, CA 91030, and on the City, website as required by law, on the date listed below.

08/14/2025	/S/
Date	Mark Perez, Acting Chief City Clerk

Study Session Agenda Report

ITEM NO. 1

DATE: August 20, 2025

FROM: Todd Hileman, City Manager

PREPARED BY: Michael Vartanians, Principal Engineer
Danielle Garcia, Management Analyst

SUBJECT: **REVIEW AND DISCUSSION OF RECOMMENDATIONS OF REVISIONS TO THE CITY'S TREE ORDINANCE IN CHAPTER 34 OF THE SOUTH PASADENA MUNICIPAL CODE**

Recommendation

It is recommended that City Council review and provide feedback on recommended revisions to the South Pasadena Municipal Code Chapter 34 Trees and Shrubs (Tree Ordinance) and direct staff to draft an updated tree ordinance to be presented to City Council at a future meeting.

Executive Summary

Staff have identified several challenges in administering South Pasadena's current Tree Ordinance, including ambiguous definitions, unclear removal criteria, and a permitting process that lacks efficiency and transparency. Based on a review of neighboring cities' practices, commission feedback, and recent application trends, staff recommend the following ordinance revisions to streamline permitting, clarify tree protections, and strengthen enforcement in support of the City's urban forest sustainability goals.

1. Align ordinance with City's existing Water-Efficient Landscape Ordinance and State standards.
2. Include language on optimal seasonal timing for trimming "protected tree" species.
3. Clearly distinguish heritage trees from the "protected tree" category.
4. Create a category of "protected" trees that align to the species of trees the City has adopted by resolution 7360 to be considered native. Revise tree trimming & removal permits to only be required for this category of "protected" trees.
5. Limit tree removal/trimming notification letters to cases when the Director denies an application and an appeal is filed or for instances when the removal/trimming is associated with land development.
6. Integrate additional removal criteria to address fire risk and insurance factors.
7. Eliminate removal criteria related to the unreasonable hardship to property owner by denial of the permit (34.11(a)(2)).
8. Eliminate removal criteria related to the replacement trees being of greater value or benefit (34.11(a)(4)).
9. Revise the number of required replacement trees for all tree removal applications. Allow flexibility in replacement size and require replacement trees to be "protected" species only.

10. Revise the ordinance to ensure that fees related to appeals for tree related permits are incurred by the appellant.
11. Revise ordinance to eliminate subjective criteria in violation assessments, enabling staff to apply enforcement consistently and fairly.
12. Amend the ordinance to exempt the City and its contractors from the requirement to obtain tree removal or trimming permits.

In addition to the ordinance revisions recommended above, the following items will support the tree ordinance update and provide clearer guidance to residents as they navigate the revised process.

- Create guideline/check list to streamline permitting criteria for trimming and removal, providing clear guidelines early in the process
- Utilize existing City communication channels to promote tree care best practices
- Develop a comprehensive Urban Forest Management Plan

Background

Tree City USA

South Pasadena has been a Tree City USA community for over 25 years, reflecting its long-standing commitment to preserving the urban forest. This designation, awarded by the Arbor Day Foundation, recognizes the City's efforts in maintaining a tree care ordinance, supporting community forestry through policy and funding, and promoting public engagement via Arbor Day observances. These actions align with the City's broader environmental goals as outlined in its Climate Action and Green Action Plans.

Current Policies/Procedures

The City of South Pasadena has a long-standing commitment to protecting its urban forest, guided by the Tree Ordinance in the City's municipal code (Attachment 1). The ordinance outlines procedures for maintaining, removing, and replacing public and private trees to ensure a healthy, sustainable tree canopy.

In the current Tree Ordinance, trees are classified into categories—Protected Trees (e.g., mature native species, mature significant), Street Trees (located on city ROW & property), and Heritage Trees (noted for size, age, and cultural value)—each with specific permitting and maintenance requirements. A permit is required for the removal of any protected, heritage, or street tree, as well as for major pruning (trimming of more than 10% of the canopy or root system) of any native species.

Currently, removal applications are evaluated based on criteria such as safety risks, structural interference, arborist assessment, or if replacement would offer greater environmental value. If applications for tree removal are approved, replacement planting is required, with the number of replacement trees based on the size of the tree removed and/or if the application is associated with development. Deposit fees are collected and when replanting on-site is not feasible are forfeited by the applicant, funds are used to support city sponsored tree planting efforts.

Enforcement is handled by the Public Works Department, with Code Enforcement addressing unauthorized removals. The Natural Resources & Environmental Commission (NREC)

reviews complex or appealed cases and provides recommendations to City Council or the Public Works Director. The Planning Review Authority reviews all applications associated with development projects – taking into consideration the recommendations of Public Works Director and/or NREC.

Recently, staff initiated and Council approved a resolution to amend the City's Tree Ordinance, with the goal of updating criteria related to dead or hazardous trees and better aligning the ordinance with community needs and climate resiliency efforts (Attachment 2). The changes included the following:

Section 34.11 (criteria for approving tree removal permit applications) was amended to add a new provision for non-development tree removal permits issued on or after April 1, 2025. Under this provision, the Director of Public Works may approve tree removals without public notice or a replacement plan if a certified arborist or the Director determines that the tree is dead, dying, or poses an imminent threat. In such cases, only one replacement tree is required, with the type and size determined at the Director's discretion.

Section 34.18 was added to the ordinance introducing administrative regulations. This section authorizes the City Manager to adopt administrative procedures, regulations, and guidelines to support the enforcement and implementation of Chapter 34 – Trees & Shrubs. All adopted materials will be made publicly available at City Hall or on the City's website.

Analysis

Addressing the Challenges

While the City of South Pasadena's current Tree Ordinance has provided a valuable foundation for safeguarding the community's urban forest, staff has identified several challenges in its day-to-day administration and inability to adapt to the changing needs of its community. The ordinance's definitions and classifications—such as what qualifies as a "protected," "significant," or "heritage" tree—can be ambiguous, leading to confusion among applicants and inconsistencies in enforcement. Similarly, the criteria for approval of applications proposing to remove trees is inconsistent with the modern challenges residents are facing, including establishing fire-ready landscapes or responding to insurance claims regarding the potential structural damage a tree poses. Staff see potential to strengthen the permitting process by making it more transparent, accessible, and efficient through clearer review criteria, defined timelines, and improved user navigation. Current replacement requirements do not always account for space limitations or species suitability, resulting in difficulties with implementation on constrained sites. Enforcement tools are limited, making it difficult to deter unauthorized removals or to ensure meaningful restitution when violations occur. Collectively, these challenges have highlighted the need for a comprehensive ordinance update that improves clarity, strengthens protections, and better aligns with both community values and contemporary environmental standards.

Ordinance Comparisons

Staff has conducted a comprehensive review of South Pasadena's existing Tree Ordinance in comparison with those of regional peer cities including Glendale, Arcadia, Sierra Madre, Claremont, La Canada, San Marino and Alhambra. The analysis aimed to address gaps and areas for improvement in the City's current code. Staff identified the following focus areas within the research: Maintenance Responsibility, Development and Land Use, Trimming and Pruning Criteria, Removal Criteria, Permitting Process and Compliance and Enforcement.

Maintenance responsibilities were found to be more explicitly defined in other cities – for example clearly outlining maintenance duties for private and public trees and providing education and guidelines to support resident compliance. Similar to South Pasadena's existing ordinance language pertaining to **development & land use**, peer cities require the submittal of tree surveys, certified arborist reports, and tree protection plans when tree removal or trimming is proposed in connection with land development activities.

Permitting requirements for **tree trimming** vary across jurisdictions. In certain cities, permits are limited to the trimming of designated native or protected species, while in others, no permit is required if the work is conducted by a certified arborist. Some municipalities restrict their permitting authority solely to trees located within the public right-of-way. To enhance clarity, reduce enforcement challenges, and promote consistent application of regulations, staff recommends the establishment of well-defined thresholds for when a trimming permit is required. These thresholds should be aligned with best practices and industry standards as outlined by the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI).

Consistent with South Pasadena's current **removal criteria**, all neighboring cities require permits for tree removals and prioritize the protection of specific tree categories—most commonly native species, heritage trees, or mature street trees. Several jurisdictions streamline their permitting processes by exempting lower-impact species, such as fruit trees or palms, while others define protected trees using objective criteria such as trunk diameter or height. Notably, many cities emphasize California native species within their protected tree lists, and in several cases, these same species are required for use in mandatory tree replacements, reinforcing long-term canopy and habitat goals. These shared regional practices reflect a broader commitment to urban forest preservation and present an opportunity for South Pasadena to enhance its ordinance by more explicitly prioritizing native species and aligning with current ecological standards.

In contrast, **permitting** in many neighboring cities have streamlined their tree regulations by focusing enforcement on protected species, establishing clear thresholds for when permits are required, and incorporating professional oversight into the review process. Routine maintenance activities are frequently exempt from permitting requirements, thereby reducing the administrative burden on property owners while still safeguarding significant tree resources. Notably, cities such as Sierra Madre and Glendale are actively re-evaluating their ordinances to address emerging challenges related to aging tree canopies and increasing development pressures.

Enforcement & compliance practices vary, but many cities effectively manage limited staff resources by focusing on protected trees, applying clear criteria, and requiring professional oversight. This targeted approach reduces administrative burden while preserving urban canopy health. Most cities prioritize enforcement on native or otherwise protected trees, allowing staff to focus on the most impactful cases. Even with strong codes, enforcement can be resource-intensive, requiring a balanced strategy that includes education, outreach, and targeted compliance efforts.

Analysis Call Outs

Urban forest management emerged as a common priority across jurisdictions, either codified directly within municipal ordinances or referenced through supplemental guidelines. Emphasizing a balanced approach—moving beyond strict preservation measures to

incorporate long-term canopy goals while accommodating the practical needs of development, utility maintenance, and public safety.

Additionally, a commonly cited best practice includes requiring that trimming or removal of protected trees be conducted by certified arborists or licensed contractors from a city-approved list – as seen in the City of La Canada. This standard helps ensure that tree work is performed safely, to industry best practices, and with proper insurance coverage—supporting both public safety and long-term urban forest health.

Proposed Recommendations

Based on a review of neighboring cities' practices, commission feedback, and recent application trends, staff recommend the following ordinance revisions to streamline permitting, clarify tree protections, and strengthen enforcement in support of the City's urban forest sustainability goals.

1. **Align ordinance with City's existing Water-Efficient Landscape Ordinance and State standards** —for example, by promoting sustainable site design and water conservation staff can support climate goals and provide consistency for applicants.
2. **Include language on optimal seasonal timing for trimming "protected tree" species**, aiming to promote healthy growth and minimize environmental impact. For example, specifying appropriate oak tree trimming during the dry summer months to reduce the risk of disease, aligning with local climate conditions and best practices.
3. **Clearly distinguish heritage trees from the "protected tree" category,** ensuring consistent tailored protections and management standards.
4. **Create a category of "protected" trees that align to the species of trees the City has adopted by Resolution 7360 (Attachment 3) to be considered native.** Revise tree trimming & removal permits to only be required for this category of "protected" trees. For example, focusing on native Southern California trees (i.e., Coast Live Oak, Toyon).
5. **Limit tree removal/trimming notification letters to cases when the Director denies an application and an appeal is filed or for instances when the removal/trimming is associated with land development.** For example, notifying only when decisions are contested or escalated, not for routine approvals that align with established criteria.
6. **Integrate additional removal criteria to address fire risk and insurance factors** . For example, incorporating language that aligns with State laws that require building defensible space for fire safety on properties.
7. **Eliminate removal criteria related to the unreasonable hardship to property owner by denial of the permit (34.11(a)(2)).**
8. **Eliminate removal criteria related to the replacement trees being of greater value or benefit (34.11(a)(4)).**
9. **Revise the number of required replacement trees for all tree removal applications. Allow flexibility in replacement size and require replacement trees to be "protected" species only.** For example, consider capping the replacement requirement at three trees, to be planted as minimum 24-inch box specimens, and selected from the City's "protected tree" species list. The recommended number of replacement trees is listed in the Table 1 below.
10. **Revise the ordinance to ensure that fees related to appeals for tree related permits are incurred by the appellant.** For example, if a resident appeals a tree removal decision – that resident would be responsible for the appeal fee instead of the property owner who submitted the original application.
11. **Revise ordinance to eliminate subjective criteria in violation assessments,**

enabling staff to apply enforcement consistently and fairly. For example, remove ambiguous language on protected trees to provide clear, measurable standards that staff can uniformly enforce.

12. **Amend the ordinance to exempt the City and its contractors from the requirement to obtain tree removal or trimming permits.** This exemption would enable timely removal of hazardous trees that pose immediate public safety risks and avoid delays to previously approved capital improvement projects.

TABLE 1

NOT ASSOCIATED WITH DEVELOPMENT PROJECT	ASSOCIATED WITH DEVELOPMENT PROJECT
One replacement tree shall be required for each tree removed with a caliper between 0-16 inches.	Two replacement trees shall be required for each tree removed with a caliper between 0-16 inches.
Two replacement trees shall be required for each tree removed with a caliper of more than 16 inches and less than or equal to 32".	Four replacement trees shall be required for each tree removed with a caliper of more than 16 inches and less than or equal to 32".
Three replacement trees shall be required for each tree removed with a caliper of more than 32".	Six replacement trees shall be required for each tree removed with a caliper of more than 32".

In addition to the ordinance revisions recommended above, the following items will support the tree ordinance update and provide clearer guidance to residents as they navigate the revised process.

- **Create guideline/check list to streamline permitting criteria for trimming and removal, providing clear guidelines early in the process** – for example, through an online checklist to help applicants understand requirements and submit complete applications.
- **Utilize existing City communication channels to promote tree care best practices**—for example, creating a social media campaign for seasonal trimming reminders aimed at oaks and other native trees listed on the "protected tree" species list.
- **Develop a comprehensive Urban Forest Management Plan** that establishes a long-term, holistic approach to tree canopy preservation including, but not limited to, tree planting, maintenance, species selection and risk reduction.

Fiscal Impact
There is no fiscal impact in providing direction to staff on updating this ordinance.

Commission Review and Recommendation
This item was reviewed by the Natural Resources & Environmental Commission (NREC) (Attachment 4), Public Safety Commission, and Public Works Infrastructure Commission during their regular meetings in May and June. The Public Safety and Public Works Infrastructure Commissions concurred with the feedback provided to staff by NREC and the proposed changes to the ordinance laid out in the staff recommendations. NREC held a special meeting for a final review and recommendation of the revisions listed in this report.

Attachment:
Attachment No. 1 - South Pasadena Municipal Code: Chapter 34

Attachment No. 2 - Ordinance No. 2398
Attachment No. 3 - Resolution No. 7360: List of Protected Native Trees
Attachment No. 4 - NREC Tree Ordinance Review Presentation
Attachment No. 5 - August 20, 2025 City Council Meeting Presentation

CHAPTER 34
TREES AND SHRUBS*

Sections:

34.1 Definitions.

34.2 Maintenance of trees on private property.

34.3 Maintenance of trees on public property.

34.4 Tree protection required in connection with development activity.

34.5 Tree trimming permit applications.

34.6 Procedure for consideration of tree trimming/removal applications.

34.7 Criteria for approving tree trimming permit applications.

34.8 Appeals of tree trimming permit decisions.

34.9 Tree removal permit applications.

34.10 Procedure for consideration of tree trimming/removal applications.

34.11 Criteria for approving tree removal permit applications.

34.12 Tree removal and replacement plans.

34.12-5 Replacement tree requirements.

34.13 Appeals of tree removal permit decisions.

34.14 Exemptions.

34.15 Obstruction.

34.16 Violations.

34.17 Penalties.

34.18 Administrative regulations.

* Prior legislation: Ords. 1991, 2051, 2126, 2188, 2191 and 2237.

* For state law as to “Tree Planting Act of 1931,” see Sts. & H C.A., §§ 22000 to 22202. As to “Park and Playground Act of 1909,” see Gov. C.A., §§ 38000 to

38213.
As to hitching animals to trees, see § 5.12 of this Code. As to collection of brush, tree, etc., trimmings and stumps, see § 16.14. As to removal of trees from parks, see § 21.7.

34.1 Definitions.
As used in this chapter:

(a) "Caliper" means the diameter of the trunk of a tree measured at four feet above natural grade. In the case of multi-trunked trees, "caliper" is the sum of each trunk measured at four feet above the grade.

(b) "Certified arborist" means a professional in tree care industry who has received their arborist certification through the International Society of Arboriculture.

(c) "City arborist" means a certified arborist designated by the director.

(d) "Commission" means the natural resources and environmental commission (NREC).

(e) "Damage" means any action taken which causes injury, disfigurement or death of a tree.

(f) "Deadwood" means limbs, branches or a portion of a tree void of green leaves during a season of the year when green leaves should be present.

(g) "Development" shall be defined per the city zoning code, SPMC 36.700.020.

(h) "Director" means public works director.

(i) "Drip line" means a series of points formed by the vertical dripping of water from the outermost branches and leaves of a tree.

(j) "Front yard" means that portion of private property as designated in the city zoning code.

(k) "Heritage tree" means a tree of historical value because it is a South Pasadena historical landmark. A heritage tree may be located on private or public property.

(l) "Intentional violation" means a violation of this chapter (Trees and Shrubs) that is committed by any person or entity who has actual or presumed knowledge of, or who has previously violated, its provisions. A commercial certified

arborist/tree trimmer, a real estate developer, a general contractor, or anyone who has previously filed an application for a tree trimming or tree removal permit in the city shall be presumed to know the provisions of this chapter.

(m) "ISA" means the International Society of Arboriculture.

(n) "Mature tree" means any variety of tree that has a caliper of at least four inches or more.

(o) "Native species tree" means any species of tree native to Southern California as defined by ordinance or resolution adopted by the city council.

(p) "Oak tree" means species of tree of the genus Quercus.

(q) "Planning review authority" means the individual or official city body (director of planning and building, design review board, cultural heritage commission, planning commission or city council) identified by the city zoning code as having responsibility and authority to review and approve or disapprove the development permit applications described in Article 6 of the city zoning code (Zoning Code Administration).

(r) "Protected shrub" means a woody plant that is over 16 feet in height, which has one or more trunk(s) equal to or greater than a four-inch diameter.

(s) "Protected tree" means a heritage tree, mature oak tree, mature native species tree, significant tree, or protected shrub.

(t) "Protection" means the safeguarding of trees through proper treatment.

(u) "Real estate developer" means a person or entity that is engaged in the business of constructing or rehabilitating commercial or residential structures within the city for sale or lease to third parties.

(v) "Removal" means uprooting, cutting or severing of the main trunk of a tree.

(w) "Shrub" means a woody plant that is less than 16 feet in height and may be multi-stemmed.

(x) "Significant tree" means any variety of tree that has a caliper of one foot or more.

(y) "Standard of care" means compliance with ANSI standards for tree care, irrigation, and maintenance, including trimming of foliage for tree or shrub.

(z) "Tree" means a woody perennial usually having one dominant trunk and a

mature height greater than 16 feet.

(aa) "Trimming" means cutting into the live wood of a tree or shrub to remove limbs and/or branches.

(bb) "ANSI" means American National Standards Institute. (Ord. No. 2328, § 1 (part), 2019.)

34.2 Maintenance of trees on private property.
Private property owners shall be responsible for the maintenance of trees on their property in accordance with the standard of care described in SPMC 34.1(y).

Pruning of oak trees and other trees should be limited to the removal of deadwood and the correction of potentially hazardous conditions as evaluated by a qualified certified arborist and approved by the director through the city's tree trimming permitting process. All pruning should be done in accordance with ISA pruning standards. (Ord. No. 2328, § 1 (part), 2019.)

34.3 Maintenance of trees on public property.
The public works department shall be responsible for the maintenance of trees on public property including but not limited to public rights-of-way and public parks. The public works department shall prepare and implement the annual work plan for the maintenance of trees on public property. The adjacent property owner or tenant is responsible for irrigation of parkway trees in accordance with Chapter 31 SPMC. (Ord. No. 2328, § 1 (part), 2019.)

34.4 Tree protection required in connection with development activity.
(a) Development must not interfere with tree standard of care. Irrigation should be administered to replace any soil moisture lost due to site excavation and a tree should continue to receive the amount of irrigation needed to thrive.

(b) Development shall not cause any physical damage to the limbs, bark, crown, or where the roots join the stem.

(c) No grading shall occur within the drip line of a protected tree. All work conducted within the protected drip line area should be accomplished only with hand tools and all activity within this area should be kept to a minimum to minimize soil compaction. This area should not be subjected to incidental construction work or to disposal of construction debris, including but not limited to paint, plaster or chemical solutions.

(d) Natural or preconstruction grade should be maintained per the recommendations of the city arborist in accordance with ANSI standards. At no

time during or after construction should soil be in contact with the trunk of any tree above natural grade.

(e) No structure shall be located nor shall any construction requiring a permit occur within six feet of the trunk of a protected tree. No building, structure, wall or impervious paving shall be constructed within the drip line of any mature oak tree. Limited exceptions may be allowed by the director and documented on the permit.

(f) Any required trenching should be routed to minimize root damage and cutting of roots should be avoided by placing pipes and cables above or below uncut roots. (Ord. No. 2328, § 1 (part), 2019.)

34.5 Tree trimming permit applications.

(a) A tree trimming permit shall be required if:

(1) More than 10 percent of the live foliage or limbs of a mature oak tree or mature native species tree will be removed within a 12-month period; or

(2) More than 20 percent of the live foliage or limbs of any heritage tree will be removed within a 12-month period.

(b) Any person applying for a tree trimming permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:

(1) The name and residence or business address of the applicant;

(2) The location and description of the property on which the trees are located;

(3) A description of the proposed work including the reason for tree trimming. Photographs may be provided as exhibits, if desired;

(4) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;

(5) Additional information as the director may require.

(c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council. (Ord. No. 2328, § 1 (part), 2019.)

34.6 Procedure for consideration of tree trimming/removal applications.

(a) For tree trimming permit applications associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the property to be developed. Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be waived if noticing associated with the development is being sent as required by the planning review authority and such notice specifically identifies the proposed trimming of trees.

(2) The director, after considering the application pursuant to the criteria set forth in SPMC 34.7, and any comments received from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree trimming application. The director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.

(3) When tree trimming permits associated with development are referred to the commission, the commission shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree trimming application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.

(4) Tree trimming associated with development shall only be conditionally approved subject to the applicant receiving their development building permit and paying all fees associated with the tree trimming as established by resolution of the city council. Upon the planning review authority's approval of the development application and applicable conditions of approval, and payment of all required fees, the applicant shall be issued a tree trimming permit.

(b) For tree trimming permit applications not associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director.

(2) Upon expiration of the 15-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in SPMC 34.7, and any comments received from interested residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.

(3) The decision of the director shall take effect 15 calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. Unless the director's decision is appealed to the commission, upon payment of all fees associated with the tree trimming as established by resolution of the city council, the applicant shall be issued a tree trimming permit.

(c) The director may refer any application for a tree trimming permit to the commission for any of the following reasons:

(1) The city receives reasonable objections during the notification period; or

(2) An appeal of the director's decision has been filed in accordance with this chapter; or

(3) At the discretion of the director.

Should the application be referred to the commission, the commission shall make its recommendation (if the permit application is associated with development) or decision (if the permit application is not associated with development) during a noticed public meeting. A decision of the commission shall not take effect until 15 calendar days after the date of the public meeting have elapsed to allow for the filing of an appeal. (Ord. No. 2328, § 1 (part), 2019.)

34.7 Criteria for approving tree trimming permit applications.

(a) A tree trimming permit may be issued in either of the following instances:

(1) Where a written determination has been made by a certified arborist that the excess foliage or limbs of the tree pose a reasonable risk of injury or harm to persons or property or are substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall) and there is no feasible and reasonable alternative to mitigate the interference; or

(2) Where a written determination has been made by a certified arborist,

after a visual inspection or scientific evaluation, that the limbs proposed to be trimmed are diseased or damaged. The director or commission may waive the requirement for a certified arborist's written statement when the proposed limbs to be trimmed can reasonably be determined to be dead by a layperson's visual inspection, or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property. (Ord. No. 2328, § 1 (part), 2019.)

34.8 Appeals of tree trimming permit decisions.

(a) Appealing Tree Trimming Permit Decisions Associated with Development.

(1) Tree trimming decisions associated with development are advisory to the planning review authority as a condition of approval of development. The applicant may appeal any development decision and conditions of approval pursuant to the appeal process set forth in the zoning code.

(b) Appealing Tree Removal Permit Applications Not Associated with Development.

(1) The applicant or any interested party may appeal the decision of the director to the commission by filing an appeal in writing submitted to the commission staff liaison within 15 calendar days after the date of decision of the director.

(2) Decisions of the commission may be appealed to the city council by filing such appeal in writing submitted to the city clerk within 15 calendar days after the date of decision of the commission. The appeal shall specifically identify the grounds upon which the appeal will be taken and summarize the facts and points of law in support of the appeal.

(c) The appellant shall be responsible for all actual costs, including staff time, associated with any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.9 Tree removal permit applications.

(a) Any person applying for a tree removal permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:

(1) The name and residence or business address of the applicant;

(2) The location or description of the property on which the proposed trees are to be removed;

(3) A description of the proposed work including the reason for tree removal. Photographs may be included as exhibits, if desired;

(4) A tree removal and replacement plan in accordance with this chapter;

(5) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;

(6) Additional information as the director may require. This information may include, but is not limited to, a list obtained from the county assessor of the names of the owners of all parcels within a 100-foot radius of the property upon which the trees are to be removed or trimmed.

(b) In addition to the application requirements of subsection (a) of this section, tree removal applications associated with development shall include all of the following:

(1) An arborist report prepared by a certified arborist;

(2) Project narrative;

(3) The proposed development plan depicting the actual and proposed location of structures, topography and existing trees, whether to be retained or proposed for removal;

(4) Site plan with elevations showing before and after sight lines of the properties landscaping and trees;

(5) Any other information the director or commission deems necessary for reviewing the tree removal application.

(c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council. (Ord. No. 2328, § 1 (part), 2019.)

34.10 Procedure for consideration of tree trimming/removal applications.
(a) For tree removal permit applications associated with development:

(1) The applicant shall be responsible for all fees associated with the tree removal application review and processing in accordance with the fees established by resolution of the city council.

(2) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such

property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be waived if noticing associated with the development is being sent as required by the planning review authority and such notice specifically identifies the proposed removal of trees.

(3) The director, after considering the application pursuant to the criteria set forth in SPMC 34.11 and any comments received from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.

(4) When tree removal permits associated with development are referred to the commission, the commission shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.

(5) Tree removals associated with development shall only be conditionally approved subject to the applicant receiving their development building permit, paying all fees associated with the tree removal as established by resolution of the city council, and paying a deposit for the required replacement trees, in an amount sufficient to cover the cost of all required replacement trees, as determined by the city's arborist. Upon the planning review authority's approval of the development application and satisfaction of all conditions of approval, and payment of all required fees, the applicant shall be issued a tree removal permit. Upon the applicant's proof to city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.

(b) For tree removal permit applications not associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director.

(2) Upon expiration of the 15-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in SPMC 34.11, and any comments received from interested residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.

(3) The decision of the director shall take effect 15 calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. The applicant shall be issued a tree removal permit following its payment of all fees associated with the tree removal as established by resolution of the city council and payment of a deposit sufficient to cover the cost of all required replacement trees as determined by the city's arborist, unless the director's decision is appealed to the commission. Upon the applicant's proof to the city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should the applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.

(c) The director may refer any tree removal permit to the commission for decision for any of the following reasons:

(1) The applicant is proposing to remove three or more healthy nonnative significant trees; or

(2) The applicant is proposing to remove any healthy significant oak trees or significant native species trees; or

(3) The applicant is proposing to remove any heritage tree; or

(4) The city receives reasonable objections during the notification period;

or

(5) An appeal of the director's decision has been filed in accordance with this chapter; or

(6) At the discretion of the director.

Should the application be referred to the commission, the commission shall make its recommendation (if the application is associated with development) or decision (if the application is not associated with development) during a noticed public meeting. A decision of the commission shall take effect 15 calendar days after the date of public meeting to allow for the filing of any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.11 Criteria for approving tree removal permit applications.

(a) Subject to the imposition of conditions pursuant to subsection (b) of this section, a tree removal permit may be issued in any one of the following instances:

(1) Where the tree poses a reasonable risk of injury or harm to persons or property or is substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall), swimming pool, or building and there is no feasible and reasonable alternative to mitigate the interference.

(2) Where, upon taking into account the size, shape, topography and existing trees upon the lot, the denial of the permit would create an unreasonable hardship on the property owner. Redesign of any proposed development as an alternative to removal of an existing protected tree does not create an unreasonable hardship.

(3) Where a written determination has been made by a certified arborist, after a visual inspection or scientific evaluation, that the tree is so diseased or damaged that it is no longer viable or is a threat to persons or property, including to other trees. The director or commission may waive the requirement for a certified arborist's written statement when the tree can reasonably be determined to be dead by a layperson's visual inspection or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property.

(4) For the removal of a significant or mature tree, where the proposed replacement tree(s) are of greater value or provide greater benefits than the tree proposed for removal.

(b) A tree removal permit may be conditioned upon the replacement or transplanting of the tree either on or off site. Such replacement or transplanting shall be subject to the following provisions:

(1) Designation by the director or the commission of the number, size, species, and location of replacement tree(s) proposed for removal, the significance of the tree(s) on the lot as viewed from a public right-of-way, the size of the lot, and the number of existing trees on the lot.

(2) Because of its size and/or significance, a single tree proposed to be removed may be required to be replaced with multiple trees. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated.

(3) If a replacement tree is required, the property owner must agree to accept the conditions of replacement by his or her signature on the permit application and make the replacement tree deposit (per SPMC 34.10(a)(5) or (b)(3)) before issuance of the permit.

(4) When the work designated in the permit is completed, the applicant shall contact the public works department for an inspection of the work. Any tree removal will require complete removal and grinding of the stump and backfilling of the hole.

(5) Should a designated replacement or transplanted tree not survive for a period of two years, the applicant shall be required to replace it with another tree or pay to the city the full cost of replacing the tree at a location to be determined by the city.

(6) Where the permit allows or requires the replacement or transplanting of tree(s), the director or commission may, in their discretion, as an alternative to subsection (b)(5) of this section, require the applicant to post a bond or surety for a five-year period against the survival of the tree(s). The amount of the bond or surety shall be in accordance with the “Guide for Plant Appraisal” (ISA publication, most recent edition).

(7) Unless otherwise stated in the conditions of approval, the tree removal permit shall be valid for a period of one year with the planting of any new trees on the applicant’s property to occur during the next planting season as determined by ANSI standards and local climate conditions.

(c) Notwithstanding subsections (a) and (b) of this section and SPMC 34.10(b), in

the case of an application for a tree removal permit not associated with development, if a determination has been made by either a certified arborist or the director that the tree to be removed is dead, dying, or is so diseased or damaged that it is no longer viable such that it poses an obvious and imminent threat to life or property, the director has authority to issue the tree removal permit and require only one replacement tree for each removed tree. In determining the type and size of the replacement tree, the director has discretion to determine the type and size of the replacement tree and SPMC 34.12(a) shall not apply and no replacement plan or notice is required unless requested by the director. This subsection shall apply to any permit issued on or after April 1, 2025. (Ord. No. 2328, § 1 (part), 2019; Ord. No. 2398, § 1, 2025.)

34.12 Tree removal and replacement plans.
Tree removal and replacement plans shall contain the following information:

(a) A drawing of the property which shows the location and species of all existing protected trees;

(b) A site plan showing the proposed development, including all existing and proposed structures, including the topography of the site, in accordance with SPMC 34.9(b);

(c) The tree species and trunk caliper of all trees to be removed;

(d) The reason for removal. Any trees proposed for removal due to poor health or condition shall have the condition of the tree documented in a written report prepared and signed by a certified arborist;

(e) A second drawing of the property after the proposed tree removal which shows remaining trees and all proposed replacement trees. The replacement tree sizes and species must be clearly identified; and

(f) A certified arborist review of the tree plan, if required by the director. The certified arborist shall be contracted and managed by the city and all fees incurred shall be the responsibility of the property owner. (Ord. No. 2328, § 1 (part), 2019.)

34.12-5 Replacement tree requirements.
The number of replacement trees is determined by the size of the existing tree(s) approved for removal, unless otherwise determined by the director in accordance with this chapter.

(a) Listed below are the replacement tree requirements for permitted tree

removal not associated with development:

(1) For replacement of significant trees, one 24-inch box replacement tree shall be required for each 10-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

i. One 24-inch box replacement tree shall be required for each tree removed with a caliper of less than 10 inches.

ii. Two 24-inch box replacement trees shall be required for each tree removed with a caliper of between 10 and 20 inches.

iii. Three 24-inch box replacement trees shall be required for each tree removed with a caliper of between 20 and 30 inches.

iv. Four 24-inch box replacement trees shall be required for each tree removed with a caliper of between 30 and 40 inches; and so forth.

(2) For replacement of mature oak trees, mature native species trees, and heritage trees, two 24-inch box native species replacement trees shall be required for each 10-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

i. Two 24-inch box native species replacement trees shall be required for each tree removed with a caliper of less than 10 inches.

ii. Four 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 10 and 20 inches.

iii. Six 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 20 and 30 inches.

iv. Eight 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 30 and 40 inches; and so forth.

(b) Listed below are the replacement tree requirements for permitted tree removals associated with development:

(1) For replacement of significant trees, one 24-inch box replacement tree shall be required for each six-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

i. One 24-inch box replacement tree shall be required for each tree removed with a caliper of less than six inches.

ii. Two 24-inch box replacement trees shall be required for each tree removed with a caliper of between six and 12 inches.

iii. Three 24-inch box replacement trees shall be required for each tree removed with a caliper of between 12 and 18 inches.

iv. Four 24-inch box replacement trees shall be required for each tree removed with a caliper of between 18 and 24 inches; and so forth.

(2) For replacement of mature oak trees, mature native species trees, and heritage trees, two 24-inch box native species replacement trees shall be required for each six-inch increment of the diameter of the existing tree proposed for removal, or portion thereof. For example:

i. Two 24-inch box native species replacement trees shall be required for each tree removed with a caliper of less than six inches.

ii. Four 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between six and 12 inches.

iii. Six 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 12 and 18 inches.

iv. Eight 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 18 and 24 inches; and so forth. (Ord. No. 2328, § 1 (part), 2019.)

34.13 Appeals of tree removal permit decisions.

(a) Appealing Tree Removal Permit Applications Associated with Development. Tree removal decisions associated with development are advisory to the planning review authority as a condition of approval of development. An applicant may appeal any development decision and its conditions of approval pursuant to the appeal process set forth in the zoning code.

(b) Appealing Tree Removal Permit Applications Not Associated with Development. The applicant or any interested party may appeal the decision of the director to the commission by filing an appeal in writing submitted to the commission staff liaison within 15 calendar days after the date of decision of the director. Decisions of the commission may be appealed to the city council by filing such appeal in writing submitted to the city clerk within 15 calendar days after the date of decision of the commission. The appeal shall specifically identify the grounds upon which the appeal will be taken and summarize the facts and

points of law in support of the appeal.

(c) If a tree removal is granted for a tree on the basis of imminent threat to life or property, the decision will be considered final and is not appealable.

(d) The applicant shall be responsible for all actual costs, including staff time, associated with any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.14 Exemptions.

(a) No permit is required for the removal or trimming of a tree damaged by storm, fire, or other natural disaster which has been determined by the director, police chief, fire chief, or code enforcement officer to be dangerous to life or property.

(b) No permit is required when the fire department has deemed the trimming or removal of the tree(s) is critical to providing an effective firebreak.

(c) Public utility companies required to trim or remove trees, upon submittal of a letter to the director or their designee outlining the specific trees along with reasons for removal or trimming, shall be exempt from the provisions of this chapter.

(d) The city and its contractors will not be required to obtain permits, but shall otherwise comply with this chapter.

(e) No permit is required for the removal of shrubs, other than protected shrubs.

(f) No permit is required for trimming of any tree other than those species and sizes specified in SPMC 34.5(a). (Ord. No. 2328, § 1 (part), 2019.)

34.15 Obstruction.

(a) It is unlawful for any person, firm or corporation owning, leasing, occupying, having charge or control of any lot or premises in the city to keep or maintain thereon any tree, shrub or plant, or portion thereof, that interferes with or obstructs the free passage of pedestrians along or upon adjacent public sidewalks or of vehicles along or upon adjacent public rights-of-way.

(b) Every fence, sign, wall, hedge, tree, shrub or planting located within 75 feet of the point of intersection of the centerlines of streets or within 75 feet of the point of intersection of the centerline of a street and a railroad right-of-way that is more than 36 inches in height measured from the nearest adjacent public street level and that, in the opinion of the director, constitutes an obstruction to

the clear view of motorists on the streets is declared to be a public nuisance; provided, however, that nothing in this section shall be deemed to apply to a wall, building or structure that has been or that may be constructed under a permit issued by the building department of the city.

(c) A violation of this section does not exempt a property owner from having to otherwise comply with the permit requirements of this chapter. (Ord. No. 2328, § 1 (part), 2019.)

34.16 Violations.

(a) It is unlawful for any person to harm by any means, damage or cause to be damaged any tree located within the city, or fail to comply with the standards of care described in SPMC 34.1(y) for any tree located on their property or in an adjacent parkway.

(b) It is unlawful for any person to remove or transplant any protected tree from any property within the city unless a tree removal permit is first obtained from the city.

(c) It is unlawful for any person to trim more than 20 percent of the live foliage or limbs of any heritage tree located within the city within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.

(d) It is unlawful for any person to trim more than 10 percent of the live foliage or limbs of any mature oak tree or a mature native species tree located within the city within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.

(e) It is unlawful for any person to remove any tree from the parkway area between a sidewalk or private property line and street curb without first obtaining a tree removal permit from the city. (Ord. No. 2328, § 1 (part), 2019.)

34.17 Penalties.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, except, at the discretion of the city prosecutor, the violation may be reduced to an infraction. Persons violating any of the provisions of this chapter shall be subject to the following:

(a) Penalties for any person who unintentionally violates the provisions of this chapter shall be as follows:

(1) The standard inspection fee; and

(2) Double the required tree removal or trimming permit fee; and

(3) Planting double the number of replacement trees required pursuant to SPMC 34.12-5.

(b) Penalties for an intentional violation of this chapter not associated with development shall be as follows:

(1) The penalties described in subsection (a) of this section; and

(2) The payment of a tree replacement fee in an amount up to, but not to exceed double, the value of the destroyed, removed, or damaged tree. The city arborist shall determine the value of the destroyed, removed, or damaged tree by using the most recent edition of the ISA Guide for Plant Appraisal.

(c) Penalties for an intentional violation in connection with development or anticipated future development on the property shall be the penalties described in subsections (a) and (b) of this section and, in addition, the city manager may, in his or her discretion, refer the violation to the city prosecutor for criminal charges or to the planning commission for public hearing. The burden of proof shall be on the city to demonstrate that there is clear and convincing evidence to a reasonable certainty that there is an intentional violation. The planning commission, after considering all of the evidence, may impose the additional penalty of prohibiting the issuance of building or construction-related permits for a period up to five years from the date of the violation for the property upon which the violation occurred.

In determining whether a building permit may be issued with regard to the aforementioned prohibition, the planning commission shall consider whether the tree violation appears to be in furtherance of a development, as evidenced in the extent of tree damage, removal, damage to the root system, and/or excessive trimming of trees within the buildable area of a property; oral or written admissions; actions taken despite prior warnings; notices of violations; and the number and size of the damaged and/or removed trees.

Intentional violations in the context of development or anticipated development of property shall require the planning commission to determine whether restitution trees are to be planted on the property on which the violation occurred or on public land with costs paid to the city for tree selection, planting and maintenance, or a combination of both. The restitution trees shall be subject to either of the survival guarantees described in SPMC 34.11(b)(5) or (6).

For purposes of this section, the violation shall be presumed to have occurred on the date the city has actual knowledge of the violation, and the violator shall have the burden of proving an earlier commencement date, if entitlement to an earlier date is claimed.

Notwithstanding the aforementioned prohibition, building or construction-related permits may be issued if, in the opinion of the director of planning and building, they are necessary for the preservation of public health, safety or welfare.

(d) Payment of any penalty and planting of replacement trees shall occur within 60 calendar days of the date the violator was directed to take such action by the director. If the violator does not complete planting of replacement trees within the allotted time, the director may procure and plant the requisite replacement trees, and the violator shall be responsible for reimbursing the city for such additional costs. Reimbursement is due and payable within 30 calendar days of the city's issuance of a billing statement.

If payment of the penalty or reimbursement costs is not received by the city in 60 calendar days, the city manager can instruct that the outstanding obligation be collected in any of the following manners:

(1) A civil action in the name of the city, in any court of competent jurisdiction; or

(2) Use of a debt collection agency; or

(3) A lien on the subject property.

(e) All penalties and additional costs related to a tree violation must be paid to the city prior to its issuance of building or construction-related permits unless, in the opinion of the director of planning and building, such permits are necessary for the preservation of public health, safety or welfare. (Ord. No. 2328, § 1 (part), 2019.)

34.18 Administrative regulations.

To implement and enforce this chapter, the city manager or his designee may adopt administrative procedures, regulations and guidelines consistent with the provisions of this chapter. These administrative procedures, regulations and guidelines shall have the force and effect of law and may be relied upon by the parties to determine their rights and responsibilities under this chapter. Such administrative procedures, regulations and guidelines shall be posted at City Hall or on the city's website or made available by the city when so adopted. (Ord.

No. 2398, § 2, 2025.)

34.1 Definitions.
As used in this chapter:

(a) "Caliper" means the diameter of the trunk of a tree measured at four feet above natural grade. In the case of multi-trunked trees, "caliper" is the sum of each trunk measured at four feet above the grade.

(b) "Certified arborist" means a professional in tree care industry who has received their arborist certification through the International Society of Arboriculture.

(c) "City arborist" means a certified arborist designated by the director.

(d) "Commission" means the natural resources and environmental commission (NREC).

(e) "Damage" means any action taken which causes injury, disfigurement or death of a tree.

(f) "Deadwood" means limbs, branches or a portion of a tree void of green leaves during a season of the year when green leaves should be present.

(g) "Development" shall be defined per the city zoning code, SPMC 36.700.020.

(h) "Director" means public works director.

(i) "Drip line" means a series of points formed by the vertical dripping of water from the outermost branches and leaves of a tree.

(j) "Front yard" means that portion of private property as designated in the city zoning code.

(k) "Heritage tree" means a tree of historical value because it is a South Pasadena historical landmark. A heritage tree may be located on private or public property.

(l) "Intentional violation" means a violation of this chapter (Trees and Shrubs) that is committed by any person or entity who has actual or presumed knowledge of, or who has previously violated, its provisions. A commercial certified arborist/tree trimmer, a real estate developer, a general contractor, or anyone who has previously filed an application for a tree trimming or tree removal permit in the city shall be presumed to know the provisions of this chapter.

(m) "ISA" means the International Society of Arboriculture.

(n) "Mature tree" means any variety of tree that has a caliper of at least four inches or more.

(o) "Native species tree" means any species of tree native to Southern California as defined by ordinance or resolution adopted by the city council.

(p) "Oak tree" means species of tree of the genus Quercus.

(q) "Planning review authority" means the individual or official city body (director of planning and building, design review board, cultural heritage commission, planning commission or city council) identified by the city zoning code as having responsibility and authority to review and approve or disapprove the development permit applications described in Article 6 of the city zoning code (Zoning Code Administration).

(r) "Protected shrub" means a woody plant that is over 16 feet in height, which has one or more trunk(s) equal to or greater than a four-inch diameter.

(s) "Protected tree" means a heritage tree, mature oak tree, mature native species tree, significant tree, or protected shrub.

(t) "Protection" means the safeguarding of trees through proper treatment.

(u) "Real estate developer" means a person or entity that is engaged in the business of constructing or rehabilitating commercial or residential structures within the city for sale or lease to third parties.

(v) "Removal" means uprooting, cutting or severing of the main trunk of a tree.

(w) "Shrub" means a woody plant that is less than 16 feet in height and may be multi-stemmed.

(x) "Significant tree" means any variety of tree that has a caliper of one foot or more.

(y) "Standard of care" means compliance with ANSI standards for tree care, irrigation, and maintenance, including trimming of foliage for tree or shrub.

(z) "Tree" means a woody perennial usually having one dominant trunk and a mature height greater than 16 feet.

(aa) "Trimming" means cutting into the live wood of a tree or shrub to remove limbs and/or branches.

(bb) "ANSI" means American National Standards Institute. (Ord. No. 2328, § 1 (part), 2019.)

34.2 Maintenance of trees on private property.
Private property owners shall be responsible for the maintenance of trees on their property in accordance with the standard of care described in SPMC 34.1(y).

Pruning of oak trees and other trees should be limited to the removal of deadwood and the correction of potentially hazardous conditions as evaluated by a qualified certified arborist and approved by the director through the city's tree trimming permitting process. All pruning should be done in accordance with ISA pruning standards. (Ord. No. 2328, § 1 (part), 2019.)

34.3 Maintenance of trees on public property.
The public works department shall be responsible for the maintenance of trees on public property including but not limited to public rights-of-way and public parks. The public works department shall prepare and implement the annual work plan for the maintenance of trees on public property. The adjacent property owner or tenant is responsible for irrigation of parkway trees in accordance with Chapter 31 SPMC. (Ord. No. 2328, § 1 (part), 2019.)

34.4 Tree protection required in connection with development activity.
(a) Development must not interfere with tree standard of care. Irrigation should be administered to replace any soil moisture lost due to site excavation and a tree should continue to receive the amount of irrigation needed to thrive.

(b) Development shall not cause any physical damage to the limbs, bark, crown, or where the roots join the stem.

(c) No grading shall occur within the drip line of a protected tree. All work conducted within the protected drip line area should be accomplished only with hand tools and all activity within this area should be kept to a minimum to minimize soil compaction. This area should not be subjected to incidental construction work or to disposal of construction debris, including but not limited to paint, plaster or chemical solutions.

(d) Natural or preconstruction grade should be maintained per the recommendations of the city arborist in accordance with ANSI standards. At no time during or after construction should soil be in contact with the trunk of any tree above natural grade.

(e) No structure shall be located nor shall any construction requiring a permit

occur within six feet of the trunk of a protected tree. No building, structure, wall or impervious paving shall be constructed within the drip line of any mature oak tree. Limited exceptions may be allowed by the director and documented on the permit.

(f) Any required trenching should be routed to minimize root damage and cutting of roots should be avoided by placing pipes and cables above or below uncut roots. (Ord. No. 2328, § 1 (part), 2019.)

34.5 Tree trimming permit applications.

(a) A tree trimming permit shall be required if:

(1) More than 10 percent of the live foliage or limbs of a mature oak tree or mature native species tree will be removed within a 12-month period; or

(2) More than 20 percent of the live foliage or limbs of any heritage tree will be removed within a 12-month period.

(b) Any person applying for a tree trimming permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:

(1) The name and residence or business address of the applicant;

(2) The location and description of the property on which the trees are located;

(3) A description of the proposed work including the reason for tree trimming. Photographs may be provided as exhibits, if desired;

(4) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;

(5) Additional information as the director may require.

(c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council. (Ord. No. 2328, § 1 (part), 2019.)

34.6 Procedure for consideration of tree trimming/removal applications.

(a) For tree trimming permit applications associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the property to be developed.

Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be waived if noticing associated with the development is being sent as required by the planning review authority and such notice specifically identifies the proposed trimming of trees.

(2) The director, after considering the application pursuant to the criteria set forth in SPMC 34.7, and any comments received from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree trimming application. The director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.

(3) When tree trimming permits associated with development are referred to the commission, the commission shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree trimming application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.

(4) Tree trimming associated with development shall only be conditionally approved subject to the applicant receiving their development building permit and paying all fees associated with the tree trimming as established by resolution of the city council. Upon the planning review authority's approval of the development application and applicable conditions of approval, and payment of all required fees, the applicant shall be issued a tree trimming permit.

(b) For tree trimming permit applications not associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director.

(2) Upon expiration of the 15-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in SPMC 34.7, and any comments received from interested

residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.

(3) The decision of the director shall take effect 15 calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. Unless the director's decision is appealed to the commission, upon payment of all fees associated with the tree trimming as established by resolution of the city council, the applicant shall be issued a tree trimming permit.

(c) The director may refer any application for a tree trimming permit to the commission for any of the following reasons:

(1) The city receives reasonable objections during the notification period; or

(2) An appeal of the director's decision has been filed in accordance with this chapter; or

(3) At the discretion of the director.

Should the application be referred to the commission, the commission shall make its recommendation (if the permit application is associated with development) or decision (if the permit application is not associated with development) during a noticed public meeting. A decision of the commission shall not take effect until 15 calendar days after the date of the public meeting have elapsed to allow for the filing of an appeal. (Ord. No. 2328, § 1 (part), 2019.)

34.7 Criteria for approving tree trimming permit applications.

(a) A tree trimming permit may be issued in either of the following instances:

(1) Where a written determination has been made by a certified arborist that the excess foliage or limbs of the tree pose a reasonable risk of injury or harm to persons or property or are substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall) and there is no feasible and reasonable alternative to mitigate the interference; or

(2) Where a written determination has been made by a certified arborist, after a visual inspection or scientific evaluation, that the limbs proposed to be trimmed are diseased or damaged. The director or commission may waive the requirement for a certified arborist's written statement when the

proposed limbs to be trimmed can reasonably be determined to be dead by a layperson's visual inspection, or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property. (Ord. No. 2328, § 1 (part), 2019.)

34.8 Appeals of tree trimming permit decisions.

(a) Appealing Tree Trimming Permit Decisions Associated with Development.

(1) Tree trimming decisions associated with development are advisory to the planning review authority as a condition of approval of development. The applicant may appeal any development decision and conditions of approval pursuant to the appeal process set forth in the zoning code.

(b) Appealing Tree Removal Permit Applications Not Associated with Development.

(1) The applicant or any interested party may appeal the decision of the director to the commission by filing an appeal in writing submitted to the commission staff liaison within 15 calendar days after the date of decision of the director.

(2) Decisions of the commission may be appealed to the city council by filing such appeal in writing submitted to the city clerk within 15 calendar days after the date of decision of the commission. The appeal shall specifically identify the grounds upon which the appeal will be taken and summarize the facts and points of law in support of the appeal.

(c) The appellant shall be responsible for all actual costs, including staff time, associated with any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.9 Tree removal permit applications.

(a) Any person applying for a tree removal permit shall file with the director an application in writing on a form furnished by the director. The application shall contain the following information:

(1) The name and residence or business address of the applicant;

(2) The location or description of the property on which the proposed trees are to be removed;

(3) A description of the proposed work including the reason for tree removal. Photographs may be included as exhibits, if desired;

(4) A tree removal and replacement plan in accordance with this chapter;

(5) The name and state contractor's license number of the person who will perform the work. Permits shall only be issued to persons possessing a C-27 or C-61 (D-49) state contracting license;

(6) Additional information as the director may require. This information may include, but is not limited to, a list obtained from the county assessor of the names of the owners of all parcels within a 100-foot radius of the property upon which the trees are to be removed or trimmed.

(b) In addition to the application requirements of subsection (a) of this section, tree removal applications associated with development shall include all of the following:

(1) An arborist report prepared by a certified arborist;

(2) Project narrative;

(3) The proposed development plan depicting the actual and proposed location of structures, topography and existing trees, whether to be retained or proposed for removal;

(4) Site plan with elevations showing before and after sight lines of the properties landscaping and trees;

(5) Any other information the director or commission deems necessary for reviewing the tree removal application.

(c) The application shall be accompanied by a nonrefundable fee in an amount established by resolution of the city council. (Ord. No. 2328, § 1 (part), 2019.)

34.10 Procedure for consideration of tree trimming/removal applications.

(a) For tree removal permit applications associated with development:

(1) The applicant shall be responsible for all fees associated with the tree removal application review and processing in accordance with the fees established by resolution of the city council.

(2) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such property owners shall be given 15 calendar days from the date of mailing within which to comment on the application. All comments shall be made in writing and submitted to the director. The notification process may be

waived if noticing associated with the development is being sent as required by the planning review authority and such notice specifically identifies the proposed removal of trees.

(3) The director, after considering the application pursuant to the criteria set forth in SPMC 34.11 and any comments received from interested residents, shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The director's recommendations and conditions of approval shall be considered advisory to the planning review authority's decision associated with the development.

(4) When tree removal permits associated with development are referred to the commission, the commission shall provide the planning review authority with recommendations and conditions of approval associated with the proposed tree removal application. The commission's recommendations and conditions of approval shall be advisory to the planning review authority decision associated with the development.

(5) Tree removals associated with development shall only be conditionally approved subject to the applicant receiving their development building permit, paying all fees associated with the tree removal as established by resolution of the city council, and paying a deposit for the required replacement trees, in an amount sufficient to cover the cost of all required replacement trees, as determined by the city's arborist. Upon the planning review authority's approval of the development application and satisfaction of all conditions of approval, and payment of all required fees, the applicant shall be issued a tree removal permit. Upon the applicant's proof to city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.

(b) For tree removal permit applications not associated with development:

(1) Upon receipt of the completed application, the director shall cause notice to be sent by first-class mail to property owners and tenants of property located within a 100-foot radius of the subject property. Such property owners shall be given 15 calendar days from the date of mailing

within which to comment on the application. All comments shall be made in writing and submitted to the director.

(2) Upon expiration of the 15-day period, the application shall be reviewed by the director, who shall, after considering the application pursuant to the criteria set forth in SPMC 34.11, and any comments received from interested residents, approve, conditionally approve, or deny the application. The decision of the director shall be made in writing and provided to the applicant and to any interested persons who commented on the application.

(3) The decision of the director shall take effect 15 calendar days after the date of mailing of the decision to the applicant and any interested persons to allow for the filing of any appeals. The applicant shall be issued a tree removal permit following its payment of all fees associated with the tree removal as established by resolution of the city council and payment of a deposit sufficient to cover the cost of all required replacement trees as determined by the city's arborist, unless the director's decision is appealed to the commission. Upon the applicant's proof to the city's satisfaction that the applicant has complied with the approved tree replacement plan, the city shall reimburse applicant's replacement tree deposit. Should the applicant fail to plant any replacement tree in accordance with the approved replacement tree plan, the city shall retain the amount of the replacement tree deposit necessary to cover the cost to plant any required replacement trees in alternative locations within the city (public right-of-way, park, etc.), as permitted by this chapter.

(c) The director may refer any tree removal permit to the commission for decision for any of the following reasons:

(1) The applicant is proposing to remove three or more healthy nonnative significant trees; or

(2) The applicant is proposing to remove any healthy significant oak trees or significant native species trees; or

(3) The applicant is proposing to remove any heritage tree; or

(4) The city receives reasonable objections during the notification period; or

(5) An appeal of the director's decision has been filed in accordance with this chapter; or

(6) At the discretion of the director.

Should the application be referred to the commission, the commission shall make its recommendation (if the application is associated with development) or decision (if the application is not associated with development) during a noticed public meeting. A decision of the commission shall take effect 15 calendar days after the date of public meeting to allow for the filing of any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.11 Criteria for approving tree removal permit applications.

(a) Subject to the imposition of conditions pursuant to subsection (b) of this section, a tree removal permit may be issued in any one of the following instances:

(1) Where the tree poses a reasonable risk of injury or harm to persons or property or is substantially interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall), swimming pool, or building and there is no feasible and reasonable alternative to mitigate the interference.

(2) Where, upon taking into account the size, shape, topography and existing trees upon the lot, the denial of the permit would create an unreasonable hardship on the property owner. Redesign of any proposed development as an alternative to removal of an existing protected tree does not create an unreasonable hardship.

(3) Where a written determination has been made by a certified arborist, after a visual inspection or scientific evaluation, that the tree is so diseased or damaged that it is no longer viable or is a threat to persons or property, including to other trees. The director or commission may waive the requirement for a certified arborist's written statement when the tree can reasonably be determined to be dead by a layperson's visual inspection or when, after conducting an inspection of the tree, the director determines that the tree poses an obvious and imminent threat to life or property.

(4) For the removal of a significant or mature tree, where the proposed replacement tree(s) are of greater value or provide greater benefits than the tree proposed for removal.

(b) A tree removal permit may be conditioned upon the replacement or transplanting of the tree either on or off site. Such replacement or transplanting shall be subject to the following provisions:

(1) Designation by the director or the commission of the number, size, species, and location of replacement tree(s) proposed for removal, the significance of the tree(s) on the lot as viewed from a public right-of-way, the size of the lot, and the number of existing trees on the lot.

(2) Because of its size and/or significance, a single tree proposed to be removed may be required to be replaced with multiple trees. If the subject property cannot accommodate multiple trees, alternative locations within the city (public right-of-way, park, etc.) may be designated.

(3) If a replacement tree is required, the property owner must agree to accept the conditions of replacement by his or her signature on the permit application and make the replacement tree deposit (per SPMC 34.10(a)(5) or (b)(3)) before issuance of the permit.

(4) When the work designated in the permit is completed, the applicant shall contact the public works department for an inspection of the work. Any tree removal will require complete removal and grinding of the stump and backfilling of the hole.

(5) Should a designated replacement or transplanted tree not survive for a period of two years, the applicant shall be required to replace it with another tree or pay to the city the full cost of replacing the tree at a location to be determined by the city.

(6) Where the permit allows or requires the replacement or transplanting of tree(s), the director or commission may, in their discretion, as an alternative to subsection (b)(5) of this section, require the applicant to post a bond or surety for a five-year period against the survival of the tree(s). The amount of the bond or surety shall be in accordance with the “Guide for Plant Appraisal” (ISA publication, most recent edition).

(7) Unless otherwise stated in the conditions of approval, the tree removal permit shall be valid for a period of one year with the planting of any new trees on the applicant’s property to occur during the next planting season as determined by ANSI standards and local climate conditions.

(c) Notwithstanding subsections (a) and (b) of this section and SPMC 34.10(b), in the case of an application for a tree removal permit not associated with development, if a determination has been made by either a certified arborist or the director that the tree to be removed is dead, dying, or is so diseased or damaged that it is no longer viable such that it poses an obvious and imminent

threat to life or property, the director has authority to issue the tree removal permit and require only one replacement tree for each removed tree. In determining the type and size of the replacement tree, the director has discretion to determine the type and size of the replacement tree and SPMC 34.12(a) shall not apply and no replacement plan or notice is required unless requested by the director. This subsection shall apply to any permit issued on or after April 1, 2025. (Ord. No. 2328, § 1 (part), 2019; Ord. No. 2398, § 1, 2025.)

34.12 Tree removal and replacement plans.
Tree removal and replacement plans shall contain the following information:

(a) A drawing of the property which shows the location and species of all existing protected trees;

(b) A site plan showing the proposed development, including all existing and proposed structures, including the topography of the site, in accordance with SPMC 34.9(b);

(c) The tree species and trunk caliper of all trees to be removed;

(d) The reason for removal. Any trees proposed for removal due to poor health or condition shall have the condition of the tree documented in a written report prepared and signed by a certified arborist;

(e) A second drawing of the property after the proposed tree removal which shows remaining trees and all proposed replacement trees. The replacement tree sizes and species must be clearly identified; and

(f) A certified arborist review of the tree plan, if required by the director. The certified arborist shall be contracted and managed by the city and all fees incurred shall be the responsibility of the property owner. (Ord. No. 2328, § 1 (part), 2019.)

34.12-5 Replacement tree requirements.
The number of replacement trees is determined by the size of the existing tree(s) approved for removal, unless otherwise determined by the director in accordance with this chapter.

(a) Listed below are the replacement tree requirements for permitted tree removal not associated with development:

(1) For replacement of significant trees, one 24-inch box replacement tree shall be required for each 10-inch increment of the caliper of the existing

tree proposed for removal, or portion thereof. For example:

i. One 24-inch box replacement tree shall be required for each tree removed with a caliper of less than 10 inches.

ii. Two 24-inch box replacement trees shall be required for each tree removed with a caliper of between 10 and 20 inches.

iii. Three 24-inch box replacement trees shall be required for each tree removed with a caliper of between 20 and 30 inches.

iv. Four 24-inch box replacement trees shall be required for each tree removed with a caliper of between 30 and 40 inches; and so forth.

(2) For replacement of mature oak trees, mature native species trees, and heritage trees, two 24-inch box native species replacement trees shall be required for each 10-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

i. Two 24-inch box native species replacement trees shall be required for each tree removed with a caliper of less than 10 inches.

ii. Four 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 10 and 20 inches.

iii. Six 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 20 and 30 inches.

iv. Eight 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 30 and 40 inches; and so forth.

(b) Listed below are the replacement tree requirements for permitted tree removals associated with development:

(1) For replacement of significant trees, one 24-inch box replacement tree shall be required for each six-inch increment of the caliper of the existing tree proposed for removal, or portion thereof. For example:

i. One 24-inch box replacement tree shall be required for each tree removed with a caliper of less than six inches.

ii. Two 24-inch box replacement trees shall be required for each tree removed with a caliper of between six and 12 inches.

iii. Three 24-inch box replacement trees shall be required for each tree removed with a caliper of between 12 and 18 inches.

iv. Four 24-inch box replacement trees shall be required for each tree removed with a caliper of between 18 and 24 inches; and so forth.

(2) For replacement of mature oak trees, mature native species trees, and heritage trees, two 24-inch box native species replacement trees shall be required for each six-inch increment of the diameter of the existing tree proposed for removal, or portion thereof. For example:

i. Two 24-inch box native species replacement trees shall be required for each tree removed with a caliper of less than six inches.

ii. Four 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between six and 12 inches.

iii. Six 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 12 and 18 inches.

iv. Eight 24-inch box native species replacement trees shall be required for each tree removed with a caliper of between 18 and 24 inches; and so forth. (Ord. No. 2328, § 1 (part), 2019.)

34.13 Appeals of tree removal permit decisions.

(a) Appealing Tree Removal Permit Applications Associated with Development. Tree removal decisions associated with development are advisory to the planning review authority as a condition of approval of development. An applicant may appeal any development decision and its conditions of approval pursuant to the appeal process set forth in the zoning code.

(b) Appealing Tree Removal Permit Applications Not Associated with Development. The applicant or any interested party may appeal the decision of the director to the commission by filing an appeal in writing submitted to the commission staff liaison within 15 calendar days after the date of decision of the director. Decisions of the commission may be appealed to the city council by filing such appeal in writing submitted to the city clerk within 15 calendar days after the date of decision of the commission. The appeal shall specifically identify the grounds upon which the appeal will be taken and summarize the facts and points of law in support of the appeal.

(c) If a tree removal is granted for a tree on the basis of imminent threat to life or property, the decision will be considered final and is not appealable.

(d) The applicant shall be responsible for all actual costs, including staff time, associated with any appeals. (Ord. No. 2328, § 1 (part), 2019.)

34.14 Exemptions.

(a) No permit is required for the removal or trimming of a tree damaged by storm, fire, or other natural disaster which has been determined by the director, police chief, fire chief, or code enforcement officer to be dangerous to life or property.

(b) No permit is required when the fire department has deemed the trimming or removal of the tree(s) is critical to providing an effective firebreak.

(c) Public utility companies required to trim or remove trees, upon submittal of a letter to the director or their designee outlining the specific trees along with reasons for removal or trimming, shall be exempt from the provisions of this chapter.

(d) The city and its contractors will not be required to obtain permits, but shall otherwise comply with this chapter.

(e) No permit is required for the removal of shrubs, other than protected shrubs.

(f) No permit is required for trimming of any tree other than those species and sizes specified in SPMC 34.5(a). (Ord. No. 2328, § 1 (part), 2019.)

34.15 Obstruction.

(a) It is unlawful for any person, firm or corporation owning, leasing, occupying, having charge or control of any lot or premises in the city to keep or maintain thereon any tree, shrub or plant, or portion thereof, that interferes with or obstructs the free passage of pedestrians along or upon adjacent public sidewalks or of vehicles along or upon adjacent public rights-of-way.

(b) Every fence, sign, wall, hedge, tree, shrub or planting located within 75 feet of the point of intersection of the centerlines of streets or within 75 feet of the point of intersection of the centerline of a street and a railroad right-of-way that is more than 36 inches in height measured from the nearest adjacent public street level and that, in the opinion of the director, constitutes an obstruction to the clear view of motorists on the streets is declared to be a public nuisance; provided, however, that nothing in this section shall be deemed to apply to a wall, building or structure that has been or that may be constructed under a permit issued by the building department of the city.

(c) A violation of this section does not exempt a property owner from having to otherwise comply with the permit requirements of this chapter. (Ord. No. 2328, § 1 (part), 2019.)

34.16 Violations.

(a) It is unlawful for any person to harm by any means, damage or cause to be damaged any tree located within the city, or fail to comply with the standards of care described in SPMC 34.1(y) for any tree located on their property or in an adjacent parkway.

(b) It is unlawful for any person to remove or transplant any protected tree from any property within the city unless a tree removal permit is first obtained from the city.

(c) It is unlawful for any person to trim more than 20 percent of the live foliage or limbs of any heritage tree located within the city within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.

(d) It is unlawful for any person to trim more than 10 percent of the live foliage or limbs of any mature oak tree or a mature native species tree located within the city within any 12-month period, or cause the same to be done, without first obtaining a tree trimming permit from the city.

(e) It is unlawful for any person to remove any tree from the parkway area between a sidewalk or private property line and street curb without first obtaining a tree removal permit from the city. (Ord. No. 2328, § 1 (part), 2019.)

34.17 Penalties.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, except, at the discretion of the city prosecutor, the violation may be reduced to an infraction. Persons violating any of the provisions of this chapter shall be subject to the following:

(a) Penalties for any person who unintentionally violates the provisions of this chapter shall be as follows:

(1) The standard inspection fee; and

(2) Double the required tree removal or trimming permit fee; and

(3) Planting double the number of replacement trees required pursuant to SPMC 34.12-5.

(b) Penalties for an intentional violation of this chapter not associated with development shall be as follows:

(1) The penalties described in subsection (a) of this section; and

(2) The payment of a tree replacement fee in an amount up to, but not to exceed double, the value of the destroyed, removed, or damaged tree. The city arborist shall determine the value of the destroyed, removed, or damaged tree by using the most recent edition of the ISA Guide for Plant Appraisal.

(c) Penalties for an intentional violation in connection with development or anticipated future development on the property shall be the penalties described in subsections (a) and (b) of this section and, in addition, the city manager may, in his or her discretion, refer the violation to the city prosecutor for criminal charges or to the planning commission for public hearing. The burden of proof shall be on the city to demonstrate that there is clear and convincing evidence to a reasonable certainty that there is an intentional violation. The planning commission, after considering all of the evidence, may impose the additional penalty of prohibiting the issuance of building or construction-related permits for a period up to five years from the date of the violation for the property upon which the violation occurred.

In determining whether a building permit may be issued with regard to the aforementioned prohibition, the planning commission shall consider whether the tree violation appears to be in furtherance of a development, as evidenced in the extent of tree damage, removal, damage to the root system, and/or excessive trimming of trees within the buildable area of a property; oral or written admissions; actions taken despite prior warnings; notices of violations; and the number and size of the damaged and/or removed trees.

Intentional violations in the context of development or anticipated development of property shall require the planning commission to determine whether restitution trees are to be planted on the property on which the violation occurred or on public land with costs paid to the city for tree selection, planting and maintenance, or a combination of both. The restitution trees shall be subject to either of the survival guarantees described in SPMC 34.11(b)(5) or (6).

For purposes of this section, the violation shall be presumed to have occurred on the date the city has actual knowledge of the violation, and the violator shall have the burden of proving an earlier commencement date, if entitlement to an earlier date is claimed.

Notwithstanding the aforementioned prohibition, building or construction-related permits may be issued if, in the opinion of the director of planning and building, they are necessary for the preservation of public health, safety or welfare.

(d) Payment of any penalty and planting of replacement trees shall occur within 60 calendar days of the date the violator was directed to take such action by the director. If the violator does not complete planting of replacement trees within the allotted time, the director may procure and plant the requisite replacement trees, and the violator shall be responsible for reimbursing the city for such additional costs. Reimbursement is due and payable within 30 calendar days of the city's issuance of a billing statement.

If payment of the penalty or reimbursement costs is not received by the city in 60 calendar days, the city manager can instruct that the outstanding obligation be collected in any of the following manners:

(1) A civil action in the name of the city, in any court of competent jurisdiction; or

(2) Use of a debt collection agency; or

(3) A lien on the subject property.

(e) All penalties and additional costs related to a tree violation must be paid to the city prior to its issuance of building or construction-related permits unless, in the opinion of the director of planning and building, such permits are necessary for the preservation of public health, safety or welfare. (Ord. No. 2328, § 1 (part), 2019.)

34.18 Administrative regulations.

To implement and enforce this chapter, the city manager or his designee may adopt administrative procedures, regulations and guidelines consistent with the provisions of this chapter. These administrative procedures, regulations and guidelines shall have the force and effect of law and may be relied upon by the parties to determine their rights and responsibilities under this chapter. Such administrative procedures, regulations and guidelines shall be posted at City Hall or on the city's website or made available by the city when so adopted. (Ord. No. 2398, § 2, 2025.)

Attachment No. 2

ORDINANCE NO. 2398

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 34 (TREES AND SHRUBS) RELATED TO THE PROCESS FOR OBTAINING TREE REMOVAL PERMITS FOR DEAD OR DYING TREES AND THE TREE REPLACEMENT REQUIREMENT

THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 34.11 (Criteria for approving tree removal permit applications) of Chapter 34 (Trees and Shrubs) is hereby amended by adding a new paragraph "c" to read as follows:

"(c) Notwithstanding paragraphs (a) and (b) herein and Section 34.10(b), in the case of an application for a tree removal permit not associated with development, if a determination has been made by either a certified arborist or the Director that the tree to be removed is dead, dying, or is so diseased or damaged that it is no longer viable such that it poses an obvious and imminent threat to life or property, the Director has authority to issue the tree removal permit and require only one replacement tree for each removed tree. In determining the type and size of the replacement tree, the Director has discretion to determine the type and size of the replacement tree and Section 34.12-5(a) shall not apply and no replacement plan or notice is required unless requested by the Director. This paragraph (c) shall apply to any permit issued on or after April 1, 2025."

SECTION 2. A new Section 34.18 (Administrative Regulations) shall be added to Chapter 34 (Trees and Shrubs) to read as follows:

"**34.18. Administrative regulations.**

To implement and enforce this Chapter 34, the City Manager or his designee may adopt administrative procedures, regulations and guidelines consistent with the provisions of this Chapter 34. These administrative procedures, regulations and guidelines shall have the force and effect of law and may be relied upon by the parties to determine their rights and responsibilities under this chapter. Such administrative procedures, regulations and guidelines shall be posted at City Hall or on the city's website or made available by the city when so adopted."

SECTION 3. The City Council declares that should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 4. The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published in the manner prescribed by law, and this Ordinance shall become effective 30 days following its adoption.

PASSED, APPROVED AND ADOPTED on this 21st day of May, 2025.

Janet Braun, Mayor

ATTEST:

Hector Gomez, Chief City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

CITY OF SOUTH PASADENA

CITY CLERK'S DIVISION

CERTIFICATION OF ORDINANCE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH PASADENA)

I, Hector Gomez, Chief City Clerk of the City of South Pasadena, do hereby certify that Ordinance No. 2398, was duly and regularly approved and adopted at a Regular meeting of the City Council on this 21st day of May, 2025, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: Cacciotti, Ferguson, Primuth, Rossi, Mayor Braun

NOES: None.

ABSENT: None.

ABSTAIN: None.

Hector Gomez, Chief City Clerk

RESOLUTION NO. 7360

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, ESTABLISHING A LIST OF PROTECTED NATIVE TREES, ADDING DROUGHT TOLERANT TREES AND RESCINDING RESOLUTION NO. 6509

WHEREAS, on December 3, 1997, Resolution No. 6509, was adopted by City Council to establish a list of protected native tree species; and

WHEREAS, the native tree list required updating; and

WHEREAS, a new list of drought tolerant trees was created due to the drought in California; and

WHEREAS, the City of South Pasadena's Natural Resources and Environmental Commission has reviewed the list of protected native trees and recommends the City Council update the list and add a list of drought tolerant trees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby adopts the attached updated list of protected native and drought tolerant trees and rescinds Resolution No. 6509.

SECTION 2. The City Council of the City of South Pasadena hereby finds that the following species of trees are native Southern California for purposes of protection and regulations as specified in the South Pasadena Municipal Code.

Common Name	Scientific Name
Coast Live Oak *	Quercus agrifolia
Holly Oak *	Quercus ilex
Southern Live Oak *	Quercus virginiana
Scrub Oak *	Quercus berberidifolia
Canyon Live Oak *	Quercus chrysolepis
Engelmann Oak *	Quercus engelmannii
California Black Oak *	Quercus kelloggii
Interior Live Oak *	Quercus wislizeni
California Bay Laurel *	Umbellularia californica

Desert Willow *	Chilopsis linearis
Catalina Ironwood *	Lyonothamnus floribundus asplenifolius
California Sycamore *	Platanus racemosa
Toyon *	Heteromeles arbutifolia
So. California Black Walnut *	Juglans californica
Hollyleaf Cherry *	Prunus ilicifolia

* *California Native*

SECTION 3. The City Council of the City of South Pasadena hereby finds that the following species of trees are drought tolerant tree species for purposes of water conservation.

Common Name	**Scientific Name**
Fruitless Olive Tree	Olea europaea 'Majestic Beauty'
Shoestring Acacia	Acacia stenophylla
Incense Cedar	Calocedrus decurrens
Fruitless Sweetgum	Liquidambar styraciflua 'Rotundiloba'
Golden Trumpet Tree	Tabebuia chrysotricha
Willow Pittosporum	Pittosporum phillyraeoides
Pink Trumpet Tree	Tabebuia impetiginosa
Chinese Hackberry	Celtis sinensis
'Pink Dawn' or 'Morning Cloud'	Chitalpa tashkentensis
Chinese Fringe Tree	Chionanthus retusus
Paperbark Tree	Melaleuca quinquenervia
Australian Bottle Tree	Brachychitons
Blue Palo Verde	Parkinsonia florida
Desert Museum Palo Verde	Cercidium x 'Desert Museum'
African Sumac	Rhus lancea
Australian Willow	Geijera parviflora
Flaxleaf Paperbark	Melaleuca linarifolia
Chinese Pistache	Pistacia chinensis
Blue Atlas Cedar	Cedrus atlantica
Crape Myrtle	Lagerstroemia indica
Western Redbud	Cercis occidentalis
Strawberry Tree	Arbutus Marina
Fan-Tex Ash	Fraxinus velutina 'Rio Grande'
Sweet Bay	Laurus nobilis
Afghan Pine	Pinus eldarcia
Columbia Plane Tree	Platanus 'Columbia'
Ornamental Pear	Pyrus 'Chanticleer'
California Pepper	Schinus molle
Saw-Leaf Zelkova	Zelkova serrate

SECTION 4. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 2nd day of July, 2014.

Marina Khubesrian, M.D., Mayor

ATTEST:

Evelyn G. Zneimer, City Clerk
(seal)

APPROVED AS TO FORM:

Richard L. Adams II, City Attorney

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 2nd day of July, 2014, by the following vote:

AYES: Cacciotti, Joe, Mahmud, Schneider, and Mayor Khubesrian

NOES: None

ABSENT: None

ABSTAINED: None

Evelyn G. Zneimer, City Clerk
(seal)

CITY OF SOUTH PASADENA
PUBLIC WORKS

Tree Ordinance
Review & Research

Natural Resources and Environmental Commission
May 27th, 2025

City of SOUTH PASADENA
PUBLIC WORKS

OUR GOAL

LEARNING FROM SIMILAR CHALLENGES

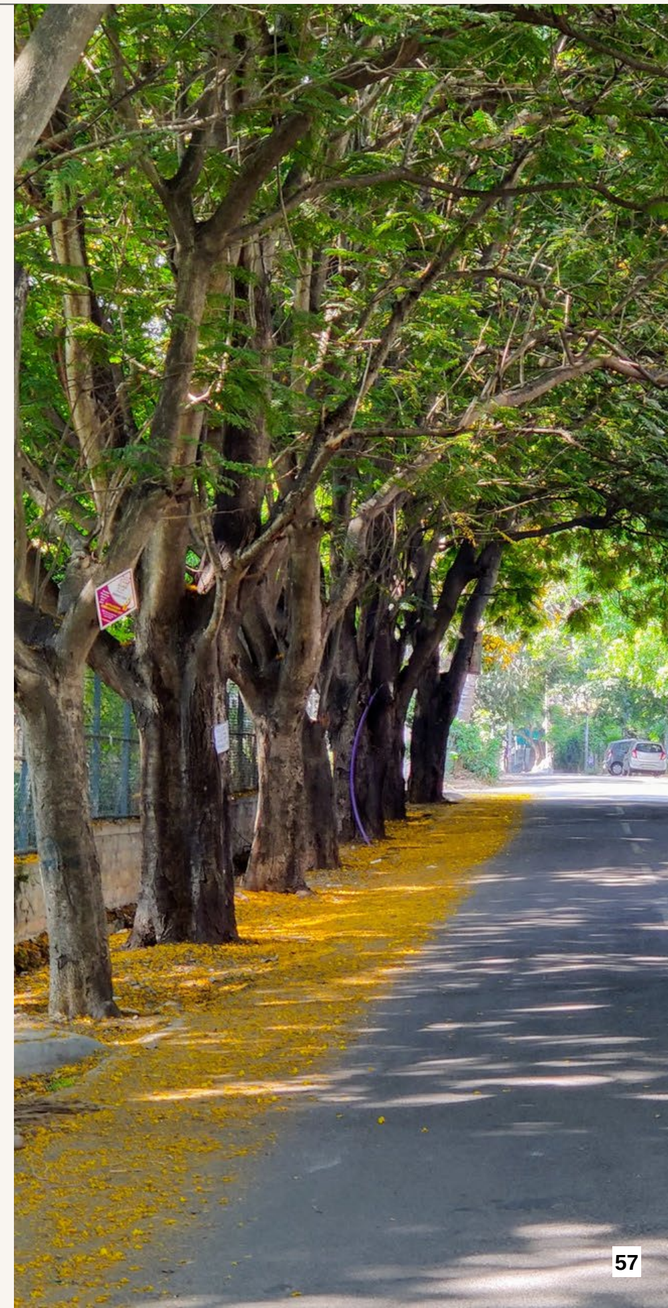
IDENTIFY KEY GAP AREAS & CHALLENGES IN CURRENT ORDINANCE

ADDRESSING THE COMMUNITY NEEDS

City of SOUTH PASADENA
PUBLIC WORKS

CITIES UNDER CODE REVIEW

- ALHAMBRA **[TREE CITY]**
- ARCADIA **[TREE CITY]**
- SIERRA MADRE
- LA CANADA **[TREE CITY]**
- GLENDALE **[TREE CITY]**
- SAN MARINO **[TREE CITY]**
- CLAREMONT **[TREE CITY]**



KEY FOCUS AREAS

MAINTENANCE RESPONSIBILITY

DEVELOPMENT & LAND USE

TRIMMING/PRUNING CRITERIA

REMOVAL CRITERIA

PERMITTING

ENFORCEMENT & COMPLIANCE

MAINTENANCE OWNERSHIP

MAINTENANCE RESPONSIBILITY

	SOUTH PASADENA	SIERRA MADRE	ARCADIA	ALHAMBRA	GLENDALE	LA CANADA	SAN MARINO	CLAREMONT
ALL CITIES RESPONSIBLE FOR CITY OWNED TREES	✓	✓	✓	✓	✓	✓	✓	✓
PRIVATELY OWNED TREES RESPONSIBLE OF PROPERTY/ TREE OWNER	✓	✓	✓	✓	✓	✓	✓	✓
RESPONSILITY OF ADVISORY BODIES / COMMISSIONS VARY BY CITY	Established maintenance standards in code and reviews tree permit appeals.	Advisory panel for the city council and staff on urban forest management.	Advises the City Council and reviews the annual City-owned tree inventory and master plan.	Not addressed in the code.	Not addressed in the code.	Develops a five-year Capital Improvement Project Plan targeting future urban forest management needs.	Interprets code application in some cases, advises on preservation policy, and enforces tree regulations.	Recommends care for trees on city-owned and private undeveloped properties and maintains a list of native trees species.

MAINTENANCE RESPONSIBILITY

PRESENT CHALLENGES

MAINTENANCE GUIDELINES

- Code acts as a guideline for residents on maintenance standards but does not enforce them.
- Community struggles with how to maintain trees and be compliant with code requirements.

IMPROVEMENTS

MAINTENANCE GUIDELINES

- Provide information to the public on the best practices of maintaining common species of trees.
- Social media posts notifying residents of the upcoming trimming season.

DEVELOPMENT & LAND USE

DEVELOPMENT & LAND USE

	SOUTH PASADENA	SIERRA MADRE	ARCADIA	ALHAMBRA	GLENDALE	LA CANADA	SAN MARINO	CLAREMONT
TREE PROTECTION MITIGATION MEASURES	✓	✓	✓	✓	✓	✓	✓	✓ For work on City property only.
TREE REPLACEMENT PLAN OR ARBORIST REPORT REQUIRED	Note that protected species and tree classifications vary per City Arborist report and removal/ replacement plan required for every species of tree.	Tree survey is required [as part of permit process]. Must enter mitigation agreement with City.	Tree replacement plan [required for every protected tree approved for removal].	Not addressed in the code.	Tree replacement plan and arborist report.	Site plan and replacement plan required.	Tree restoration and protection plan required.	Not addressed in the code.
TREE REPLACEMENT REQUIREMENT	Double the normal replacement requirement .	Replaced within 1 year of removal by a minimum of 1 tree of the same species or suitable alternatives.	Replacement based on higher value or cost, plus planting. Type & replacement decided by director.	If violation occurs: Required number of replacement trees shall be double the standard provision.	One or more trees planted as a mitigation measure [replacing protected indigenous].	Tress must be replaced onsite. The size of replacement based on size of protected tree removed.	Heritage and oak trees replaced with equivalent species.	Not addressed in the code.

REPLACEMENT PLANS & ARBORIST REPORTS MAY INCLUDE: TREE SPECIES, AESTHETIC ASSESSMENT, MITIGATION RECOMMENDATIONS, HEALTH EVALUATION, TREE DIAMETER, REPLACEMENT CRITERIA

MITIGATION MEASURES MAY INCLUDE: ESTABLISHING TREE PROTECTION ZONE (TPZ), ONGOING IRRIGATION, UTILIZATION OF HANDTOOLS ROOT PROTECTION ZONE, AVOID WORK IN DRIPLINE, SUFFICIENT GUARDS OR PROTECTOR

DEVELOPMENT & LAND USE

PRESENT CHALLENGES

ENFORCEMENT

- Current code language sets an unclear expectation for the interrelation between development and tree protection

URBAN FOREST MANAGEMENT

- The city lacks long term goals and pathway for the preservation of the urban forest

IMPROVEMENTS

ENFORCEMENT

- Aligning the code with the City's and State's current standards and expectations for development

URBAN FOREST MANAGEMENT

- Create measurable benchmarks for the maintenance and enhancement of the city's urban forest through a Comprehensive Management Plan:
  - Addressing the planting of new trees
  - Removing dead/hazardous trees
  - Conducting reforestation in city owned properties
  - Establish tree species guidelines for various corridors throughout the City.
  - Explore planting fire-resistant trees in high severity zones.

TRIMMING & PRUNING CRITERIA

TRIMMING & PRUNING CRITERIA

	SOUTH PASADENA	SIERRA MADRE	ARCADIA	ALHAMBRA	GLENDALE	LA CANADA	SAN MARINO	CLAREMONT
PERMIT REQUIRED	✓ Required for all mature oak trees, mature native trees and heritage trees.	✓ Required for all street tree and protected tree [both associated and unassociated with development project].	Permit is not required. Trimming of a protected tree guided by ISA/ANSI standards. Property owners additionally require consultation and written confirmation from Certified Arborist.	✓ Permit not required for routine trimming, trees located on side/rear yards of private property, fruit trees, any palm tree, and removal of dead wood.	✓ Permit required for protected indigenous trees – including arborist report.	✓ Any Certified arborists and tree trimmer required to be selected from City's official list.	✓ Includes mention of contracting license C-27 or C-61.	Permit is not required for trees on private property.
ISA/ANSI STANDARDS MENTION OR GUIDELINES	✓ **>10%** of the live foliage of a mature oak tree or mature native species tree **>20%** of live foliage of any heritage tree	✓ Required for "substantial trimming" – defined as **>25%** of the live grown of a street or protected tree	✓	May require residents to enter an agreement to pay all costs incurred for inspection.	✓	✓	✓ **>10%** of live foliage of a mature oak tree **>20%** of live foliage of any heritage tree or established tree	✓ Included under definition of pruning.

TRIMMING & PRUNING CRITERIA

PRESENT CHALLENGES

PROVIDING CLARITY

- The current language provides unclear guidelines for both applicants and staff on permissions for tree trimming.

INDUSTRY BMP'S

- Contains a live foliage measurement standard that is difficult to apply and enforce.

IMPROVEMENTS

PROVIDING CLARITY

- Provide guidance on appropriate times of the year to trim oak species.

INDUSTRY BMP'S

- Separate the criteria for tree trimming from that of tree removal, and introduce clear, tangible guidelines early in the process to help applicants understand and comply with the requirements.

REMOVAL CRITERIA

REMOVAL CRITERIA

	SOUTH PASADENA	SIERRA MADRE	ARCADIA	ALHAMBRA	GLENDALE	LA CANADA	SAN MARINO	CLAREMONT
PERMIT REQUIRED	✓ Permit required for all trees.	✓ Required for all street trees, protected trees [both associated and unassociated with development project].	✓ Required for all protected trees.	✓ Permit required for all trees. Permit not required for trees located on side/rear yards of private property, fruit trees, and any palm tree.	✓ Permit required for protected indigenous trees – including arborist report.	✓ Required for all protected trees.	✓ Includes mention of contracting license: C-27 or C-61.	Permit not required for trees on private property. Permit required for trees located within public ROW.
PROTECTED TREE SPECIES	• Native Tree: Species native to Southern California • Oak Tree: Tree of the genus Quercus • Significant Tree: Any variety of tree that has caliper of 1ft or more	• California Scrub Oak • Coast Live Oak • Coast Scrub Oak • Engelman n Oak • Southern California Black Walnut • Western Sycamore	• Oak Trees • Sycamore Trees	• Oak Trees: Taller than 15ft or 12inch diameter • California Natives: taller than 15 ft or 12-inch diameter • Mature Trees: taller than 20ft or 24-inch diameter	• Coast Live Oak • Mesa Oak • California Sycamore • Valley Oak • Scrub Oak • California Bay	• Oak Trees • Sycamore Trees • Deodar Cedars • Any tree over 5 ft in non-residential • Any trees on public property	• Established Tree: Any tree 15ft or 6inch diameter • * Heritage Tree: Tree 15ft or 4 in diameter • Oak Tree: Any genus Quercus; 15ft or 4-inch diameter	*Maintains designated street tree list.

*** = EXTENSIVE LIST**

REMOVAL CRITERIA

	SOUTH PASADENA	SIERRA MADRE	ARCADIA	ALHAMBRA	GLENDALE	LA CANADA	SAN MARINO	CLAREMONT
ASSOCIATED FEE	Tree removal permit: **$364** Private property tree removal [removing 4+ trees]: **$504** Inspection removal fee: **$141**	No fee for tree removal permits. Commission review: **$173** Tree replacement: **Actual cost + 15% processing fee**	Tree permit fee: **Range $138 to $1,053** *Exemptions:* • No fee for tree permit applications associated w/ diseased or hazardous protected trees	Tree removal permit: **$600**	Street tree application fee: **$205** Indigenous tree application fee: **$880** Indigenous tree inspection & monitoring fee: **$513** Indigenous tree; removing a dead tree: **$94** Public works tree installation: **ranging $343 - $6,113**	Tree Removal App: **$220** Appeal Removal of City Tree**: $220 + outside costs** Appeal of Public Works & Traffic Commission City Tree Removal**: $220 +outside costs**	Tree Removal Permit ROW- **$700** Tree Removal Permit Private - **$415** Appeal of Private Tree Removal Permit - **$545 per appeal** Appeal to City Council - **$905 per appeal** Appeal to Planning Commission - **$905 per appeal**	No fee associated with tree removal permit.
TREE REPLACEMENT REQUIREMENT	1 to 2 24” box tree will be required as a replacement for each 6in increment for any tree or native species. 1 to 2 24” box tree will be required for each 10in increment for any tree or native species.	Protected Trees: 1:1 replacement; min. 24" box, same species or suitable alternative Heritage Trees (100+ yrs): 1:1 replacement with large specimen trees	Every protected tree approved for removal to be replaced with a minimum of two (2) new 24-in box trees.	Oaks/Natives: 2× 24" box per 10" lost. Mature trees: 1× 24" box per 10", similar/native species.	Mitigation trees must not exceed removed/protected tree diameters; minimum 24-inch box size unless smaller approved.	12”-23” • 1 replacement tree • 24” box size 24”-35” • 1 replacement tree • 36” box size 36” or greater • 1 replacement tree • 48” box size	4-8” • One 36” box 9-12” • Two 36” box 13-18” • Four 24” box OR two 36” box 19-36” • Eight 24” box OR four 36” box 37” or greater • Twelve 24” box OR eight	City encourages same/larger stature tree for each removed; replant next season unless site deemed non-viable.

REMOVAL CRITERIA

PRESENT CHALLENGES

ALLEVIATING THE BURDEN

The current process of removal can be lengthy and a financial burden to residents and developers.

IMPROVEMENTS

ALLEVIATING THE BURDEN

Explore language that streamlines the permitting process through:

- Reducing tree species list to only native species that require tree removal permit.
- Adjusting replacement requirements for removals.
- Clearly outline how an application can be approved/denied.
- Require notification letters for NREC appeals only.
- Provide expected permit processing schedule flow chart.

REMOVAL CRITERIA

PRESENT CHALLENGES

ADDRESSING TODAY'S CHALLENGES

As the city's canopy continues to age, the ordinance requirements and regulations are not able to keep up.

IMPROVEMENTS

ADDRESSING TODAY'S CHALLENGES

Update language to navigate today's challenges with existing/inherited trees. Addressing issues such as retaining/obtaining fire and household insurance, creating a defensible space for fire risks, and encouraging new developments while still prioritizing the longevity and sustainability of the existing urban forest.

Restructure the tree replacement fund deposits to contribute to the city's overall management of City's Urban Forest.

PERMITTING PROCESS

PERMITTING PROCESS

PRESENT CHALLENGES

CRITERIA FOR TREE REMOVAL APPROVAL

Current ordinance does not consider contemporary concerns with wildfires and insurances as it does with structural interference and risks to life, safety and property.

COMPLEX & LENGTHY PERMITTING PROCESS

The permitting process includes many decision points, documents, expenditures, stakeholders and is not easily navigated by community members.

This multi-step process can be time-consuming and may delay necessary actions, especially when urgent safety issues are involved.

IMPROVEMENTS

CRITERIA FOR TREE REMOVAL APPROVAL

Opportunity to expand current eligibility removal criteria to address these challenges.

COMPLEX & LENGTHY PERMITTING PROCESS

Streamline the permitting process to ensure native trees are protected and minimize the overhead time and costs associated with reviewing and processing a tree removal permit.

Streamlining the permitting process will also allow residents to address urgent issues in a timely manner while still adhering the City municipal code.

PERMITTING PROCESS

PRESENT CHALLENGES

FINANCIAL BURDEN ON APPLICANTS

The requirement for replacing trees can be financially burdensome, particularly for residents facing significant costs for tree removal or maintenance. Residents often pay for arborist reports, replanting and sometimes even staff time for appeals.

HIGH POTENTIAL FOR PUBLIC DISPUTES

The permitting process can lead to disputes among neighbors, as seen in cases where tree removal applications have sparked controversy. These disputes can escalate, involving legal action and community tensions, highlighting the need for clearer guidelines and better communication.

IMPROVEMENTS

FINANCIAL BURDEN ON APPLICANTS

Implement lower replacement requirement.

Require 100’ radius notification letter if removal application is development related, is denied and applicant appeals Director decision or when the Director refers the decision to the NREC.

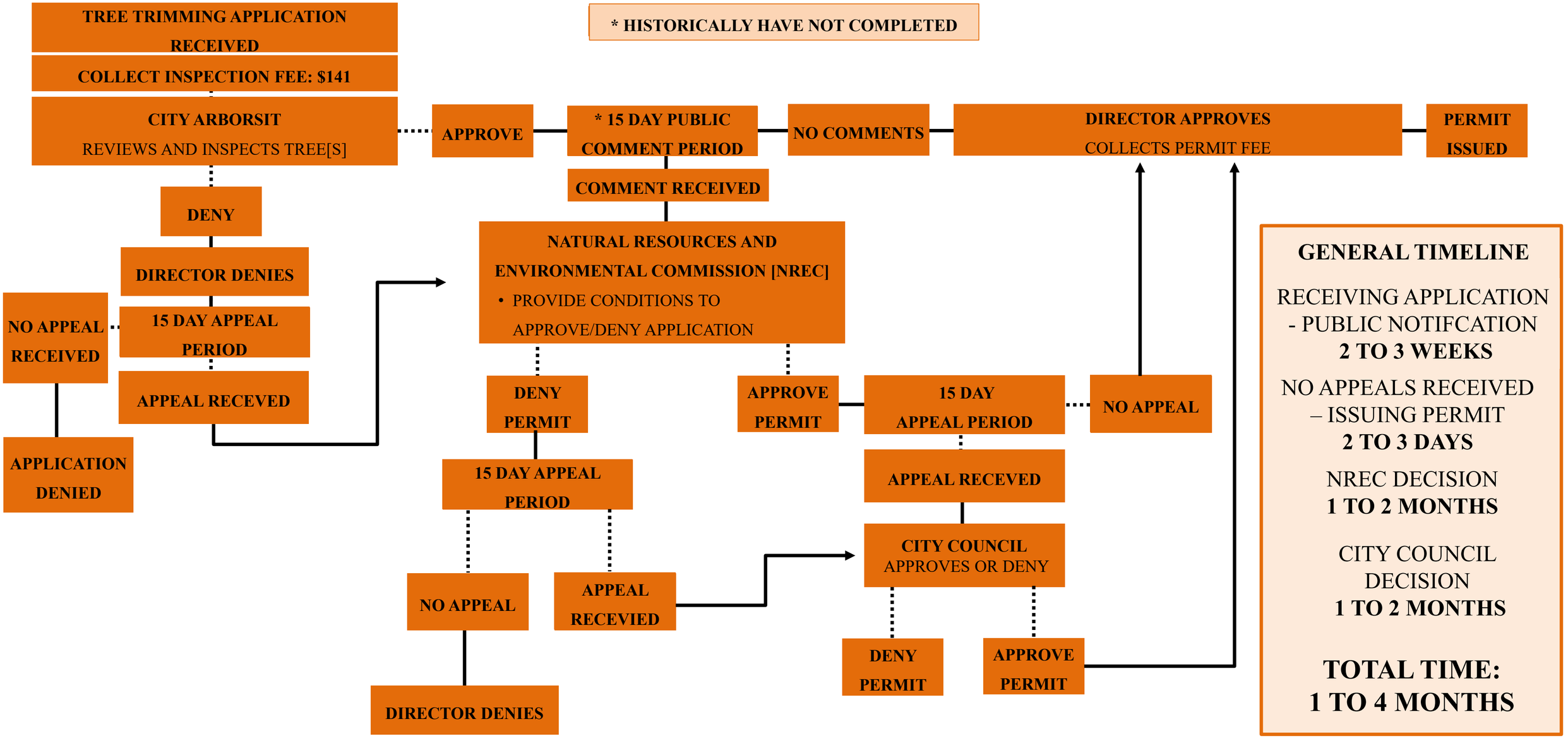
Allow 1 year for applicants to fulfill replacement requirement.

HIGH POTENTIAL FOR PUBLIC DISPUTES

Redefine when a notification letter for a tree removal is required. Additionally, correct that the appeal fee should be paid by the individual filing the appeal, not by the original applicant.

EXISTING TREE TRIMMING PERMIT PROCESS

NOT ASSOCIATED WITH LAND DEVELOPMENT



GENERAL TIMELINE

RECEIVING APPLICATION - PUBLIC NOTIFCATION
2 TO 3 WEEKS

NO APPEALS RECEIVED – ISSUING PERMIT
2 TO 3 DAYS

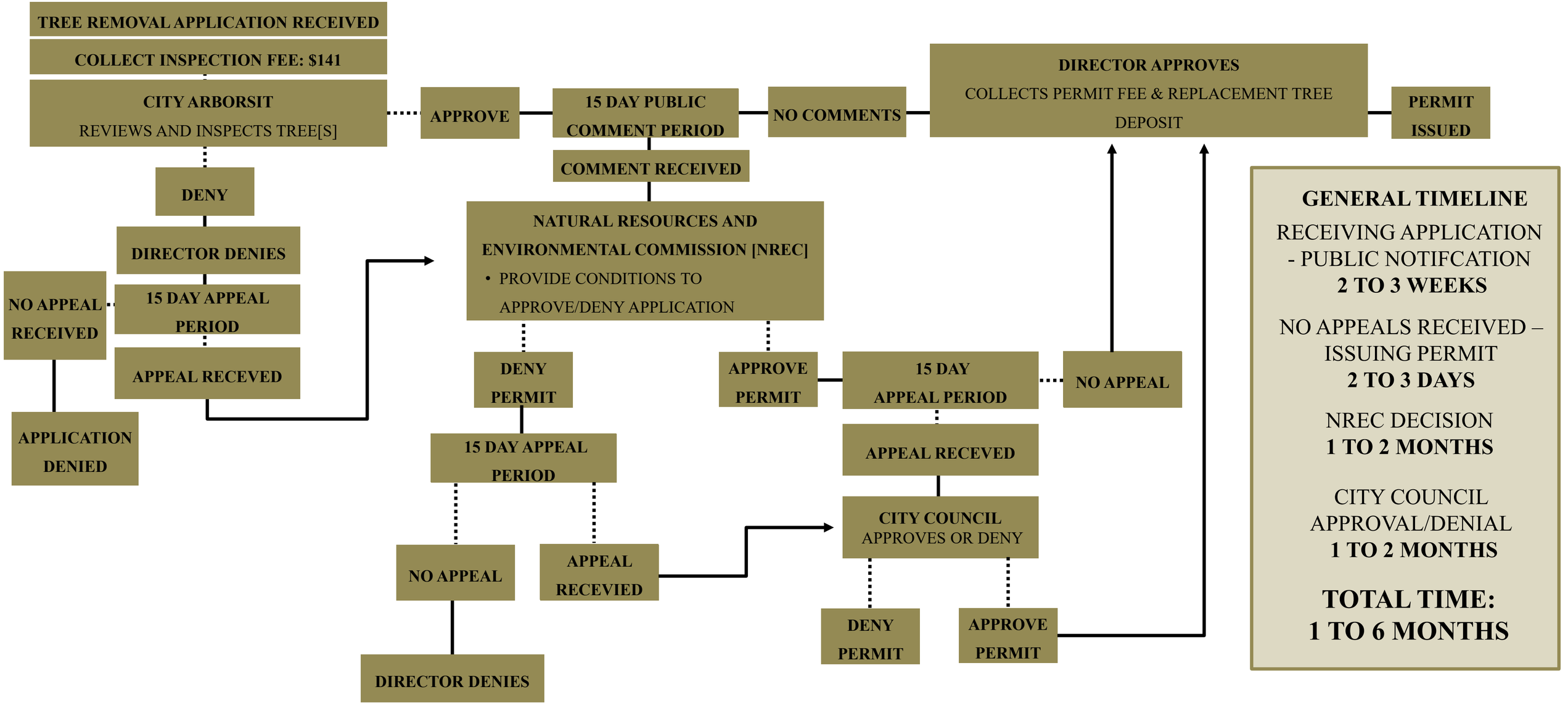
NREC DECISION
1 TO 2 MONTHS

CITY COUNCIL DECISION
1 TO 2 MONTHS

TOTAL TIME:
1 TO 4 MONTHS

EXISTING TREE REMOVAL PERMIT PROCESS

NOT ASSOCIATED WITH LAND DEVELOPMENT



GENERAL TIMELINE

RECEIVING APPLICATION - PUBLIC NOTIFCATION
2 TO 3 WEEKS

NO APPEALS RECEIVED – ISSUING PERMIT
2 TO 3 DAYS

NREC DECISION
1 TO 2 MONTHS

CITY COUNCIL APPROVAL/DENIAL
1 TO 2 MONTHS

TOTAL TIME:
1 TO 6 MONTHS

EXISTING TREE TRIMMING PERMIT PROCESS

ASSOCIATED WITH LAND DEVELOPMENT

TREE TRIMMING APPLICATION RECEIVED

COLLECT INSPECTION FEE: $141

CITY ARBORSIT
REVIEWS AND INSPECTS TREE[S]

DENY

DIRECTOR DENIES

15 DAY APPEAL PERIOD

NO APPEAL

APPEAL RECEVED

DIRECTOR PROVIDES RECOMMENDATION

APPROVE

*** 15 DAY PUBLIC COMMENT PERIOD**

COMMENT RECEIVED

NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION [NREC]
- PROVIDE RECOMMEDNATION TO APPROVE/DENY APPLICATION

DENY PERMIT

15 DAY APPEAL PERIOD

NO APPEAL

APPEAL RECEIVED

DIRECTOR PROVIDES RECOMMENDATION

APPROVE PERMIT

15 DAY APPEAL PERIOD

NO APPEAL

APPEAL RECEVED

DIRECTOR PROVIDES RECOMMENDATION

NO COMMENTS

DIRECTOR PROVIDES RECOMMENDATION

PLANNING REVIEW AUTHORITY

DENY PERMIT

APPROVE PERMIT

PERMIT ISSUED AFTER BUILDING PERMIT IS ISSUED

*** HISTORICALLY HAVE NOT COMPLETED**

GENERAL TIMELINE

RECEIVING APPLICATION - PUBLIC NOTIFCATION
2 TO 3 WEEKS

NO APPEALS RECEIVED – ISSUING PERMIT
2 TO 3 DAYS

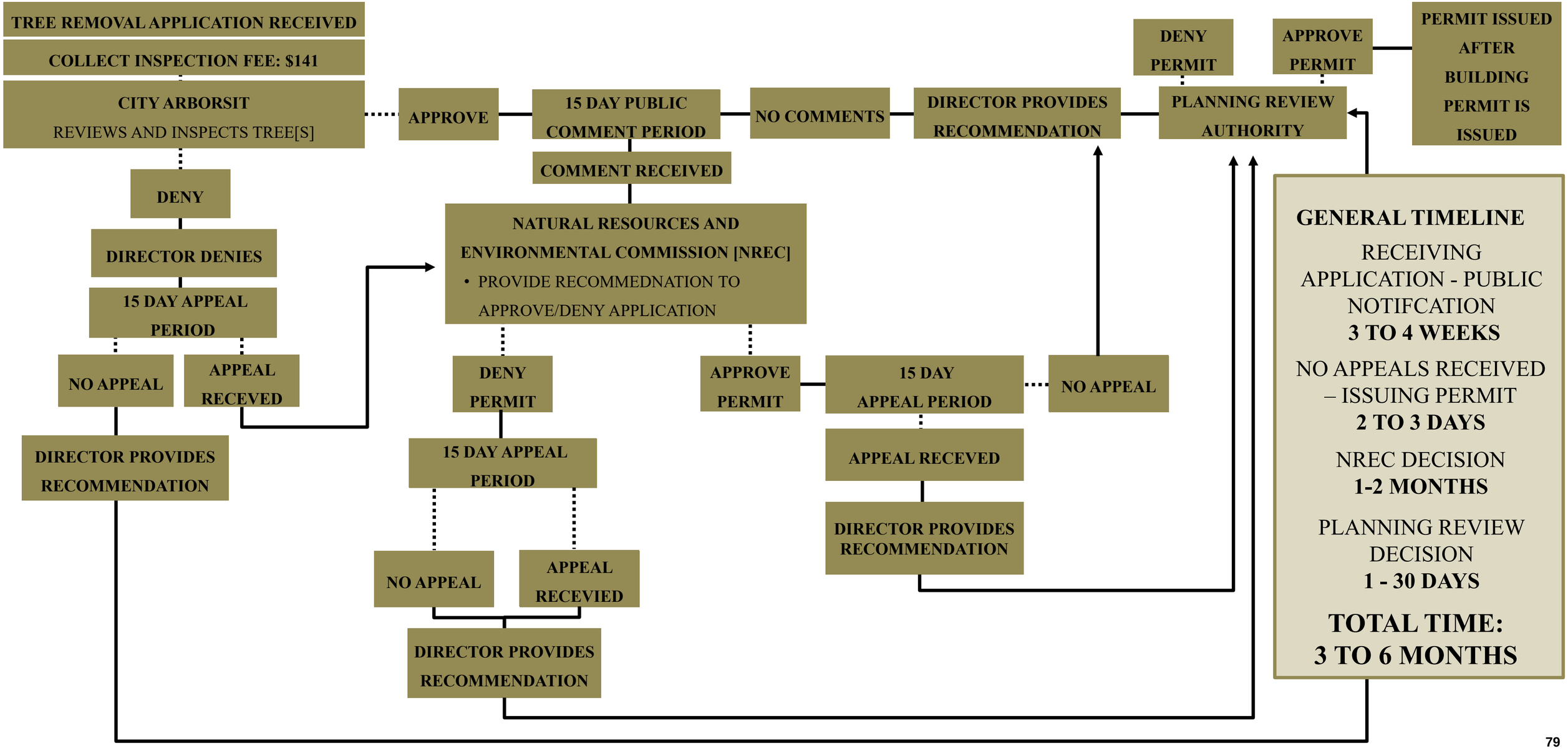
NREC DECISION
1 TO 2 MONTHS

PLANNING REVIEW DECISION
1 - 30 DAYS

TOTAL TIME:
1 TO 4 MONTHS

EXISTING TREE REMOVAL PERMIT PROCESS

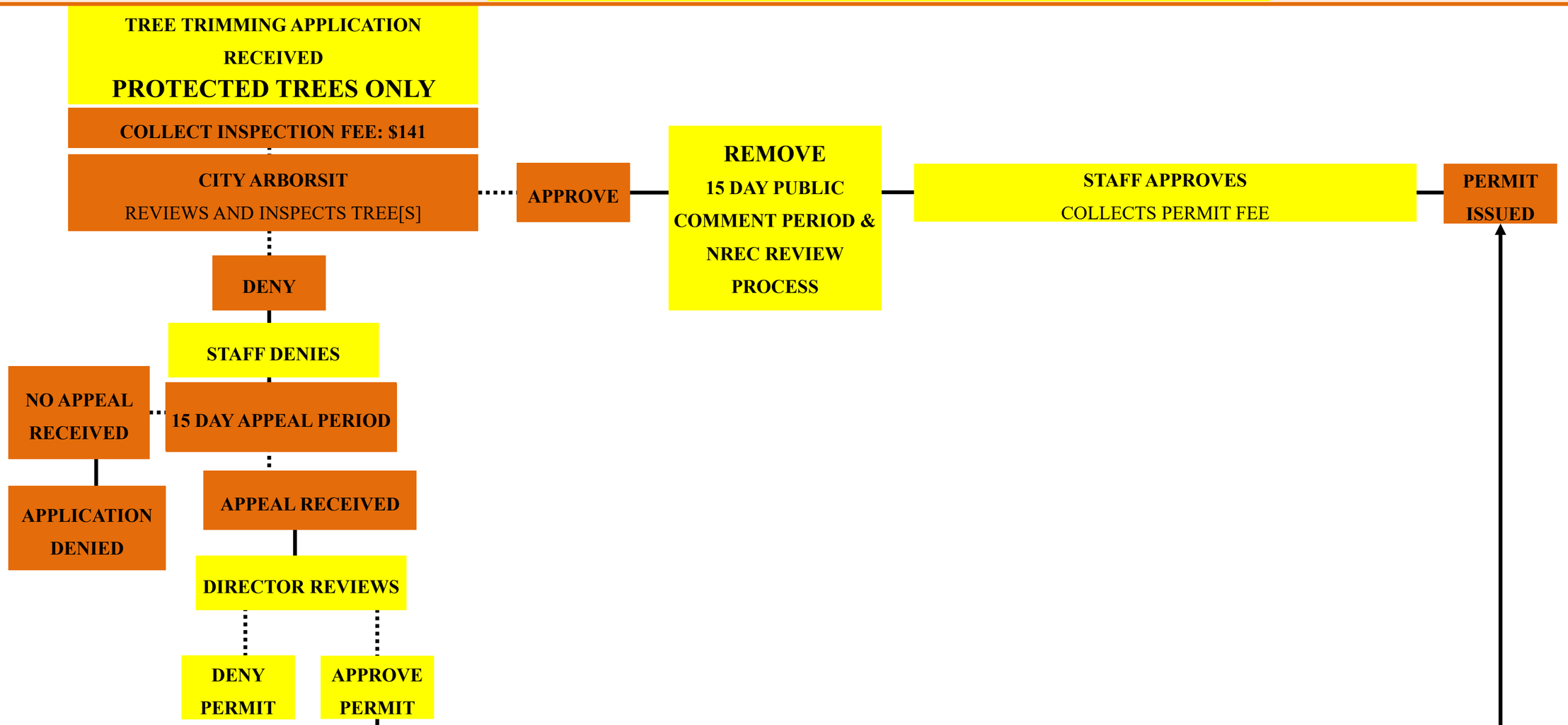
ASSOCIATED WITH LAND DEVELOPMENT



IMPROVED PERMITING PROCESS

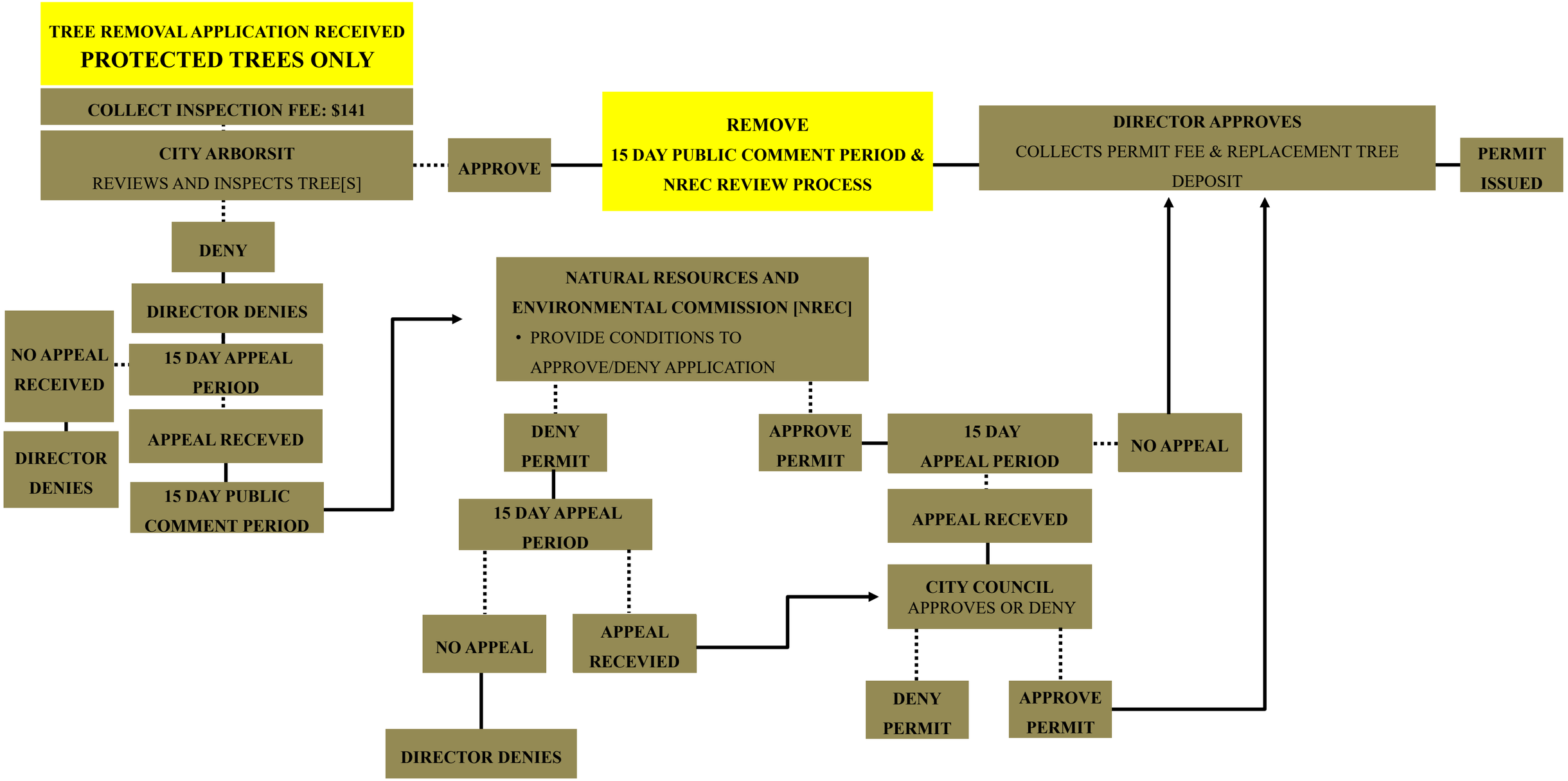
PROPOSED TREE TRIMMING PERMIT PROCESS

~~NOT ASSOCIATED WITH LAND DEVELOPMENT~~



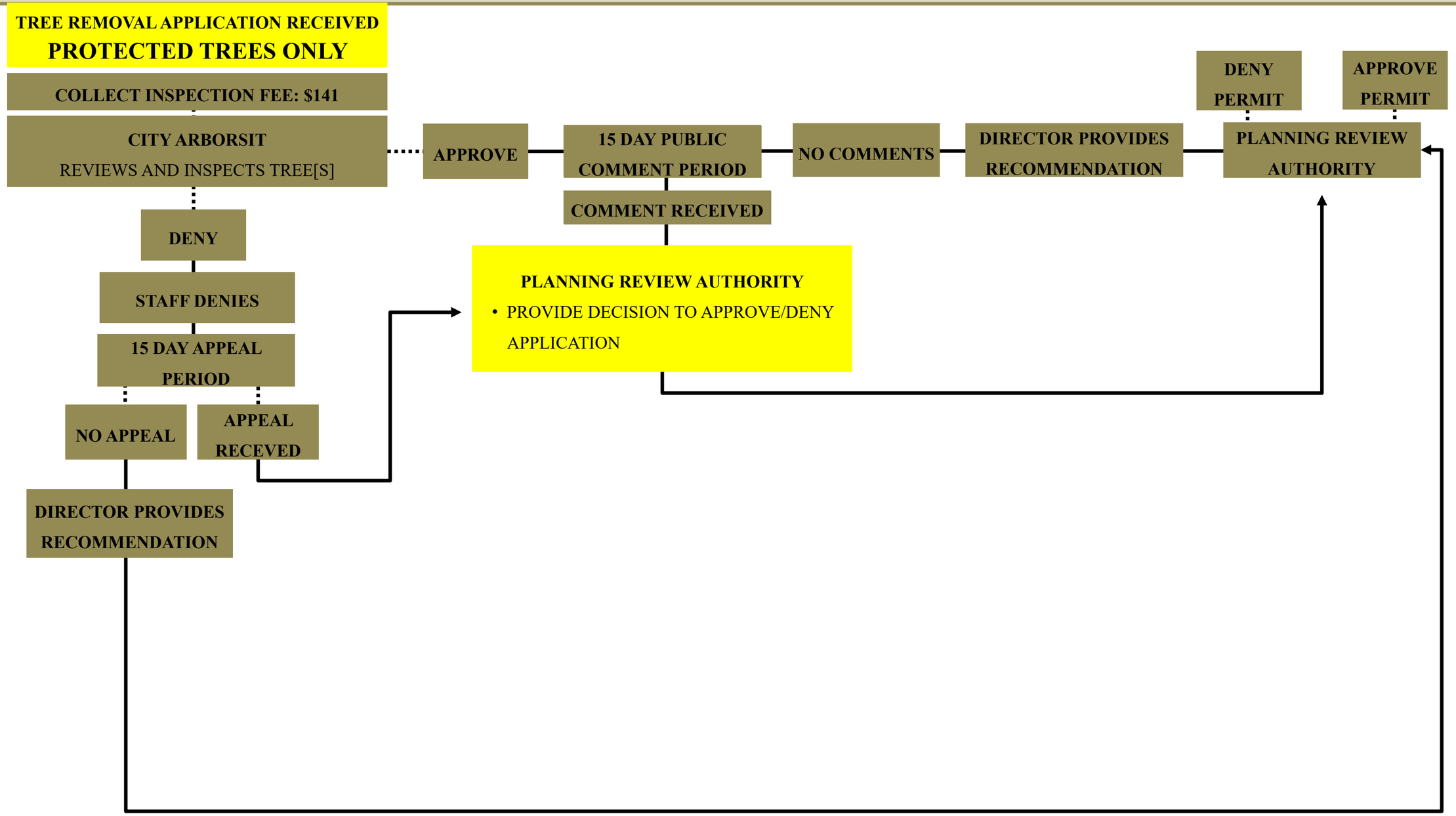
PROPOSED TREE REMOVAL PERMIT PROCESS

NOT ASSOCIATED WITH LAND DEVELOPMENT



PROPOSED TREE REMOVAL PERMIT PROCESS

ASSOCIATED WITH LAND DEVELOPMENT



ENFORCEMENT & COMPLIANCE

ENFORCEMENT & COMPLIANCE

PRESENT CHALLENGES

LACK OF CLARITY AND TRANSPARENCY

The current enforcement criteria and violation conditions are not always clear which hinders staff in being able to consistently enforce the municipal code.

STAFF RESOURCES

The enforcement demands outweigh staff resources due to current municipal codes application to all trees.

IMPROVEMENTS

LACK OF CLARITY AND TRANSPARENCY

Remove subjective criteria allowing staff to apply violations consistently.

STAFF RESOURCES

Focusing ordinance on protected trees allowing staff to enforce municipal code without subjective interpretation.

City of SOUTH PASADENA
PUBLIC WORKS

STAFF RECOMMENDATIONS

FOCUS AREA	RECOMMENDATION
MAINTENANCE & OWNERSHIP	Staff recommends instituting more resources on best practices for common tree care. Including but not limited to notifying residents of trimming season through social media campaigns, website links, local newspapers and other standard city communication methods.
DEVELOPMENT & LAND USE	Staff recommends aligning the code with the City's and State's current standards and expectations for development. Staff additionally recommends developing a comprehensive Urban Forest Management Plan to set a more holistic approach to planting, maintenance, species selection and risk reduction.
TRIMMING/ PRUNING CRITERIA	Staff recommends integrating guidance on the optimal times of year to trim oak tree species to promote healthy growth and minimize environmental impact. Staff recommends streamlining the permit process including creating separate criteria for tree trimming from that of tree removal, and introducing clear, tangible guidelines early in the process to help applicants understand and comply with the requirements. Staff similarly recommends reviewing and revising the language related to heritage trees to distinguish them from other protected trees.

City of SOUTH PASADENA
PUBLIC WORKS

STAFF RECOMMENDATIONS

FOCUS AREA	RECOMMENDATION
REMOVAL CRITERIA	Staff recommends revising code language to streamline the tree removal process by limiting the species list to protected tree species only. Additionally consider adjusting replacement requirements, amending approval criteria, only require notification letters when Director denies applications and applicant has appealed Director decision or Director has referred decision to NREC, and provide expected permit processing schedule flow chart. Staff recommends refining language to more effectively address contemporary challenges related to existing trees. Including but not limited to: • Fire risk mitigation • Insurance implications • Facilitation of new developments • Prioritizing resilience of urban forest
PERMITTING	Staff recommends streamlining the permitting process to ensure native trees are protected and minimize the overhead time and costs associated with reviewing and processing a tree removal permit. Implement lower replacement requirement (consider models established by other cities). Require 100’ radius notification letter if removal application is development related, is denied and applicant appeals Director decision or when the Director refers the decision to the NREC. Additionally, correct that the appeal fee should be paid by the individual filing the appeal, not by the original applicant.

STAFF RECOMMENDATIONS

FOCUS AREA	RECOMMENDATION
ENFORCEMENT & COMPLIANCE	Staff recommends removing subjective criteria allowing staff to apply violations consistently. Focusing ordinance on protected trees allowing staff to enforce municipal code without subjective interpretation.

PROPOSED NEXT STEPS

- **MAY 27**: NREC [Review of Research and Policy Issues]
- **JUNE 9**: Public Safety Commission [Summary of Policy Issues]
- **JUNE 11**: Public Works Commission [Summary of Policy Issues]
- **JULY 16**: Council Update [Commission Advisement]
- **AUGUST 20**: First Reading of Draft Ordinance
- **SEPTEMBER 3**: Second Reading of Ordinance
- **OCTOBER**: Ordinance in Effect

CITY OF SOUTH PASADENA
PUBLIC WORKS

Tree Ordinance Revision

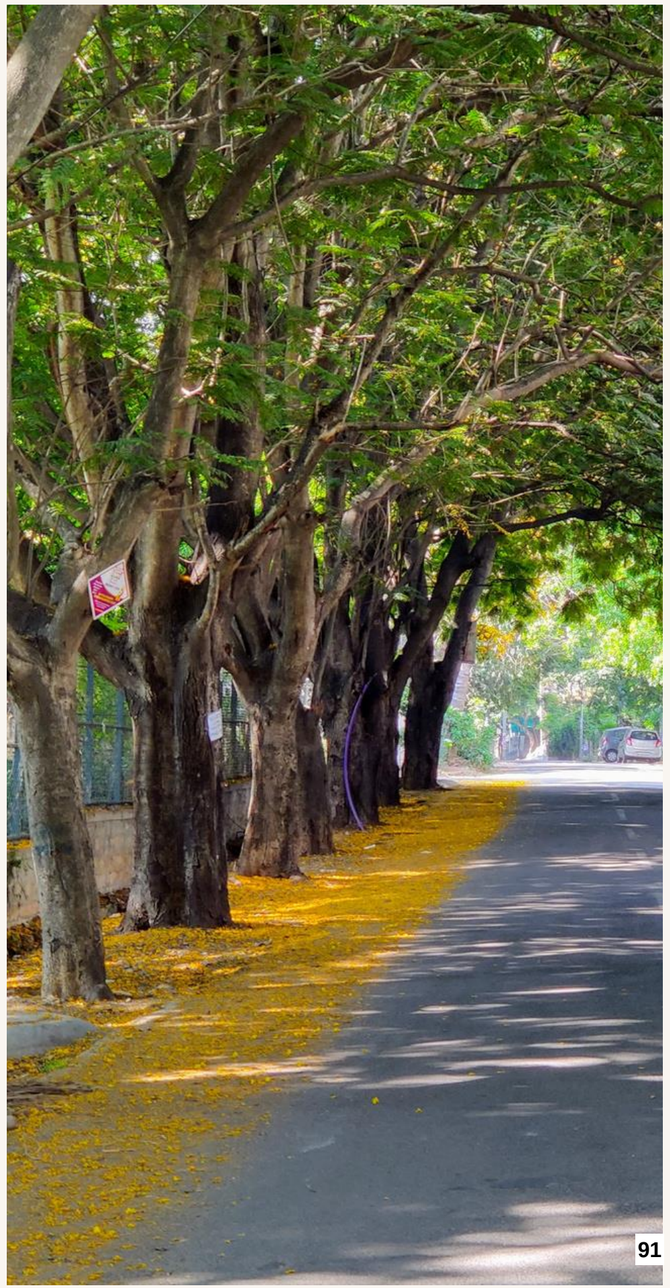
City Council

AUGUST 20, 2025

City of SOUTH PASADENA
PUBLIC WORKS

ORDINANCE REVIEW

- Review current ordinance and research neighboring city's similar policies and practices
- Establish recommendations for updating tree ordinance
- Specific direction to streamline the current tree removal/trimming permitting process
- Continually find ways to reflect the city's commitment to preserving its urban forest



IDENTIFIED CHALLENGES

- Ambiguous definitions & language
- Outdated removal criteria
- Cumbersome permitting process
- Unrealistic replacement requirements
- Constrained enforcement tools



2025 PERMITS AWARDED	**52**
CURRENT COSTS FOR PERMITS	**$141 - Inspection $364/$504 – Permit Fee $424 - Replacement**
AVERAGE MARKET COST OF 24 INCH BOX TREE	**$240 - $600 *Including labor to plant**
ESTIMATED TIME TO RECEIVE PERMIT	**1-6 months**

CITIES ANALYSIS

- ALHAMBRA **[TREE CITY]**
- ARCADIA **[TREE CITY]**
- SIERRA MADRE
- LA CANADA **[TREE CITY]**
- GLENDALE **[TREE CITY]**
- SAN MARINO **[TREE CITY]**
- CLAREMONT **[TREE CITY]**

KEY FOCUS AREAS

MAINTENANCE RESPONSIBILITY

DEVELOPMENT & LAND USE

TRIMMING/PRUNING CRITERIA

REMOVAL CRITERIA

PERMITTING

ENFORCEMENT & COMPLIANCE

COMMISSION FEEDBACK

CITY ANALYSIS & STAFF PROPOSED RECOMMENDATIONS REVIEWED BY:

- **Natural Resources & Environmental Commission:** May 27 & July 7 [*Special Meeting*]
- **Public Safety Commission:** June 9
- **Public Works Infrastructure Commission:** June 11

Allow for **collaboration with key stakeholders** – including Fire Department, insurance companies and legal experts to help ensure the updates to the ordinance **address the modern challenges** and meets the current needs of the community.
Exploring a **timelier response time** for City to respond to **hazardous removals/trimmings**.
Stronger emphasis on **native tree replacement** – this will assist with fire mitigation and water conservation efforts the City is already undergoing.
Explore having the **replacement requirements** be flexible beyond of a minimum of 24-inch box trees.
Agree with reducing the use of subjective language and **potentially including a supplemental checklist** that is associated with the removal/trimming permitting criteria.
Include mention of the **penalties of illegal removal or trimming** earlier in the ordinance.
Explore **notification radius options** ranging from 100 to 300 feet.

City of SOUTH PASADENA
PUBLIC WORKS

EXISTING REMOVAL CRITERIA





SOUTH PASADENA MUNICIPAL CODE CHAPTER 34

EXISTING CRITERIA [SECTION 34.11]

(1) Where the tree poses a **reasonable** risk of injury or harm to persons or property or is **substantially** interfering with the structural integrity or the use of an existing structure (including, but not limited to, a fence or wall), swimming pool, or building **and there is no feasible and reasonable alternative to mitigate the interference.**

(2) Where, upon taking into account the **size, shape, topography** and existing trees upon the lot, the denial of the permit would create an **unreasonable hardship** on the property owner. Redesign of any proposed development as an alternative to removal of an existing protected tree does not create **an unreasonable hardship**.

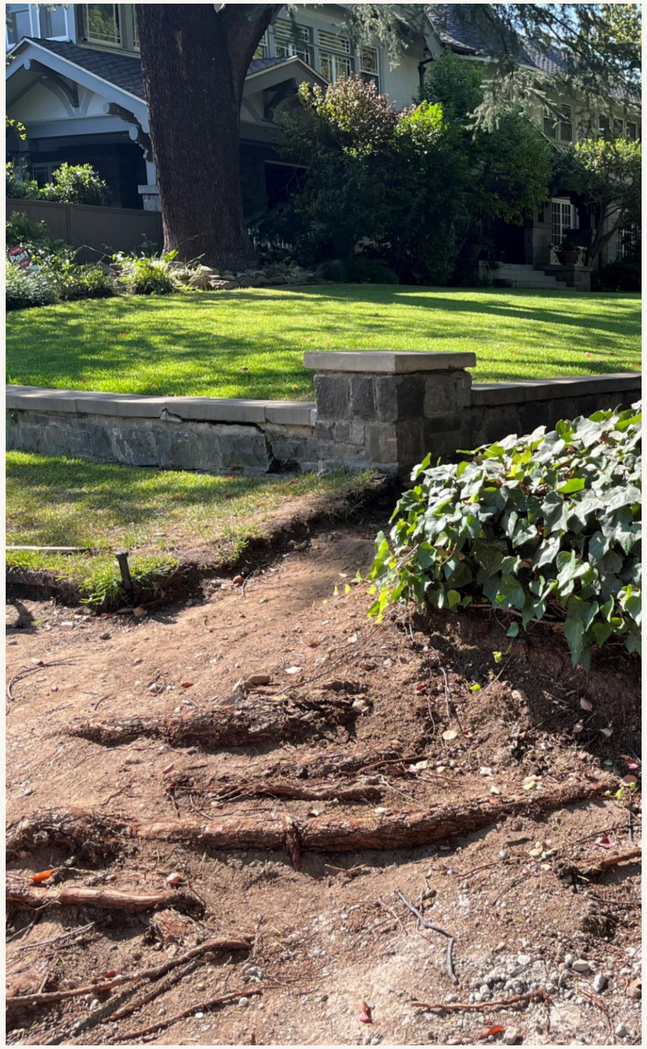
(3) Where **a written determination** has been made by a certified arborist, after a visual inspection or scientific evaluation, that the tree is so diseased or damaged that it is no longer viable or is a threat to persons or property, including to other trees. The director or commission may waive the requirement for a certified arborist's written statement when the tree can reasonably be determined to be dead by a layperson's visual inspection or when, after conducting an inspection of the tree, the director determines that the tree poses an **obvious and imminent threat to life or property**.

(4) For the removal of a significant or mature tree, where the proposed replacement tree(s) **are of greater value or provide greater benefits** than the tree proposed for removal.

PROPOSED REMOVAL CRITERIA

City of SOUTH PASADENA
PUBLIC WORKS

SOUTH PASADENA MUNICIPAL CODE
CHAPTER 34 - TREES & SHRUBS



CRITERIA FOR PRIVATE PROPERTY OWNERS

(1) Where the tree poses a risk of injury or harm to persons or property.

(2) Where the tree is interfering with the structural integrity or the use of an existing structure.

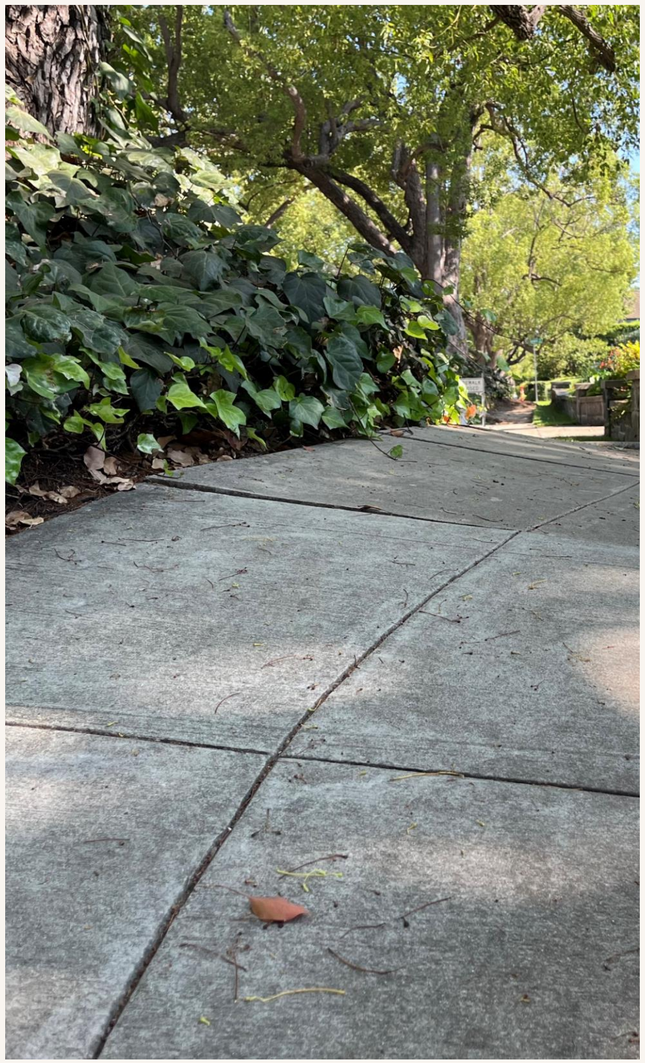
(3) Where the tree is dead, dying, or diseased. In such cases, only one replacement tree is required.

(4) Where the tree is preventing a property owner from renewing homeowner's insurance and the property owner has provided evidence of a letter of cancellation.

(5) Where a written determination has been issued by the Fire Chief or the Chief's designee that removal of the tree is necessary to achieve or maintain the defensible-space clearance required.

City of SOUTH PASADENA
PUBLIC WORKS

STAFF RECOMMENDATIONS



1. Align ordinance with **City's existing** Water-Efficient Landscape Ordinance and **State standards**.

2. Include language on **optimal seasonal timing for trimming "protected tree"** species.

3. Clearly **distinguish heritage trees** within the "protected tree" category.

4. Redefine the **category of "protected" trees** to align with the species of trees the City has **adopted by resolution 7360** to be considered native. **Revise tree trimming & removal permits** to **only be required for this category of "protected" trees.**

5. **Limit tree removal/trimming notification letters** to cases when the Director denies an application and an appeal is filed or for instances when the removal/trimming is **associated with land development**.

6. Integrate additional removal criteria to **address fire risk and insurance factors**.

STAFF RECOMMENDATIONS

7. Eliminate **removal criteria** related to the **unreasonable hardship** to property owner by denial of the permit (34.11(a)(2)).

8. Eliminate **removal criteria** related to the **replacement trees being of greater value or benefit** (34.11(a)(4)).

9. Revise **the number of required replacement trees** for all tree removal applications. Allow **flexibility in replacement size** and require replacement trees to be “protected” species only.

10. Revise the ordinance to ensure that fees related to appeals for tree related permits are **incurred by the appellant.**

11. Revise ordinance to eliminate **subjective criteria in violation assessments**, enabling staff to apply enforcement consistently and fairly.

12. **Amend the ordinance to exempt the City and its contractors from the requirement to obtain tree removal or trimming permits.**



SUPPLEMENTAL RESOURCES

The goal of these items is to provide supplementary support along side the tree ordinance update and aim to improve clarity for residents as they navigate permitting.

- Create **guideline/check list to streamline permitting criteria for trimming and removal**, providing clear guidelines early in the process.

- Utilize existing **City communication** channels to **promote tree care best practices**.

- Develop a comprehensive **Urban Forest Management Plan.**



City of SOUTH PASADENA
PUBLIC WORKS

PROPOSED TIMELINE

- **MAY 27: NREC**
- **JUNE 9: Public Safety Commission**
- **JUNE 11: Public Works Commission**
- **JULY 7: NREC [Review of Final Staff Recommendations]**
- **AUGUST 20**: Council Update [Commission Advisement]
- **LATE SUMMER 2025**: First Reading of Draft Ordinance
- **FALL 2025**: Second Reading of Ordinance
- **WINTER 2026**: Ordinance in Effect

