



**CITY OF SOUTH PASADENA
NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION**

**A G E N D A
SPECIAL MEETING
MONDAY, JULY 7, 2025, AT 6:00 P.M.**

**CITY COUNCIL CHAMBERS
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

South Pasadena Commission Statement of Civility

As your appointed governing board, we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made today will be for the benefit of the South Pasadena community and not for personal gain.

NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY

The South Pasadena Natural Resources and Environmental Commission Meeting will be conducted in-person from the Council Chambers, Amedee O. "Dick" Richards, Jr., located at 1424 Mission Street, South Pasadena.

The meeting will be available:

- In Person – City Manager Conference Room, 1424 Mission Street
- Via Zoom – **Webinar ID: 880 7206 2700**

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting via Zoom in one of the three methods below.

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/88072062700>; or
3. You may listen to the meeting by calling +1-669-900-6833 and entering the Zoom Meeting ID.

CALL TO ORDER:

ROLL CALL:

Chair	Emily Ng
Vice Chair	Michael Siegel
Commissioner	Liam R. de Villa Bourke
Commissioner	Casey Law
Commissioner	Michael Noe
Commissioner	Alex Rajewski
Commissioner	Margaret Yi

PLEDGE OF ALLEGIANCE: Chair Emily Ng

PUBLIC COMMENT GUIDELINES (*Public Comments are limited to 3 minutes*)

The City welcomes public input. Members of the public can comment on a non-agenda subject under the jurisdiction of the City Council or on an agenda item, you may participate **by one of the following options**:

Option 1:

Participate in-person at the City Council Chambers.

Option 2:

Public Comment speakers have three minutes to address the Commission, however, the Chair and Commission can adjust time allotted as needed. Participants will be able to “raise their hand” using the Zoom icon during the meeting, and they will have their microphone un-muted during comment portions of the agenda to speak.

Option 3:

Email public comment(s) to NRECPublicComment@SouthPasadenaCA.gov.

Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded online for public viewing under Additional Documents. There is no word limit on emailed Public Comment(s). Please make sure to indicate:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on.
- 3) Submit by no later than **12:00 p.m., July 7, 2025**

PLEASE NOTE: The Chair may exercise the Chair's discretion, subject to the approval of the majority of the Commission to adjust public comment(s) to less than three minutes.

NOTE: Pursuant to State law, the Commission may not discuss or take action on issues not on the meeting agenda, except that members of the Commission or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

PUBLIC COMMENT**1. GENERAL (NON-AGENDA ITEMS)****DISCUSSION****2. TREE ORDINANCE UPDATE REVIEW****COMMUNICATIONS****3. CITY COUNCIL LIAISON COMMUNICATIONS****4. COMMISSIONER COMMUNICATIONS****5. STAFF LIAISON COMMUNICATIONS**

6. UPCOMING EVENTS

- Used Oil Filter Exchange Event
July 12, 10am - 2pm, Alhambra
- Household Hazardous Waste & E-Waste Collection Event
July 19, 9am – 3pm, San Gabriel
- LA County Smart Gardening Webinars
(<https://www.ladpw.org/epd/sq/webinars.cfm>)
- MWD Turf Removal + CA Native Landscape Webinars
(<https://greengardensgroup.com/turf-transformation/>)

ADJOURNMENT**FOR YOUR INFORMATION****FUTURE NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION MEETINGS**

July 22, 2025	Regular Meeting	6:30 p.m.
September 23, 2025	Regular Meeting	6:30 p.m.
November 25, 2025	Regular Meeting	6:30 p.m.

PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS

Commission meeting agenda packets, any agenda related documents, and additional documents are available online for public inspection on the City's website:

<https://www.southpasadenaca.gov/government/boards-commissions>

Meeting recordings will be available for public viewing after the meeting. Recordings will be uploaded to the City's YouTube Channel no later than the next business day after the meeting. The City's YouTube Channel may be accessed at:

https://www.youtube.com/channel/UCnR169ohzi1AlewD_6sfwDA/featured

AGENDA NOTIFICATION SUBSCRIPTION

If you wish to receive an agenda email notification please contact the Sustainability Division via email at NRECPublicComment@SouthPasadenaCA.gov or call (626) 403-7240.

ACCOMMODATIONS

The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230 or CityClerk@southpasadenaca.gov. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

CERTIFICATION OF POSTING

*I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on **July 7, 2025**, on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City's, website as required by law, on the date listed below.*

7/2/2025

Arpy Kasparian

Date

Arpy Kasparian, Environmental Services & Sustainability Manager

ITEM 2

Discussion: Tree Ordinance Update Review



Natural Resources & Environmental Commission Agenda Report

DATE: July 7, 2025

FROM: Michael Vartanians, Acting Public Works Co-Director
Danielle Garcia, Management Analyst

SUBJECT: Tree Ordinance Update

Recommendation

Staff recommends providing input on the proposed recommended revisions to the City's tree ordinance.

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.

Background

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.

Analysis

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 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.

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”.

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.

The following resources can further support the tree ordinance 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.

Commission Review and Recommendation

This item was also reviewed by the Public Safety and Public Works Infrastructure Commissions during their regular June meetings. Both commissions concurred with the feedback provided by NREC and the proposed changes to the ordinance laid out in the staff recommendations.

Attachments:

1. South Pasadena Municipal Code Chapter 34: Trees & Shrubs
2. Ordinance Revision 2398
3. Resolution 7360: Native Tree Species List

ATTACHMENT 1

South Pasadena Municipal Code Chapter 34: Trees & Shrubs

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 2
Ordinance Revision 2398

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

ATTACHMENT 3

Resolution 7360: Native Tree Species List

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

Coast Live Oak *
Holly Oak *
Southern Live Oak *
Scrub Oak *
Canyon Live Oak *
Engelmann Oak *
California Black Oak *
Interior Live Oak *
California Bay Laurel *

Scientific Name

Quercus agrifolia
Quercus ilex
Quercus virginiana
Quercus berberidifolia
Quercus chrysolepis
Quercus engelmannii
Quercus kelloggii
Quercus wislizeni
Umbellularia californica

Desert Willow *
 Catalina Ironwood *
 California Sycamore *
 Toyon *
 So. California Black Walnut *
 Hollyleaf Cherry *

Chilopsis linearis
 Lyonothamnus floribundus asplenifolius
 Platanus racemosa
 Heteromeles arbutifolia
 Juglans californica
 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
 Shoestring Acacia
 Incense Cedar
 Fruitless Sweetgum
 Golden Trumpet Tree
 Willow Pittosporum
 Pink Trumpet Tree
 Chinese Hackberry
 'Pink Dawn' or 'Morning Cloud'
 Chinese Fringe Tree
 Paperbark Tree
 Australian Bottle Tree
 Blue Palo Verde
 Desert Museum Palo Verde
 African Sumac
 Australian Willow
 Flaxleaf Paperbark
 Chinese Pistache
 Blue Atlas Cedar
 Crape Myrtle
 Western Redbud
 Strawberry Tree
 Fan-Tex Ash
 Sweet Bay
 Afghan Pine
 Columbia Plane Tree
 Ornamental Pear
 California Pepper
 Saw-Leaf Zelkova

Olea europaea 'Majestic Beauty'
 Acacia stenophylla
 Calocedrus decurrens
 Liquidambar styraciflua 'Rotundiloba'
 Tabebuia chrysotricha
 Pittosporum phillyraeoides
 Tabebuia impetiginosa
 Celtis sinensis
 Chitalpa tashkentensis
 Chionanthus retusus
 Melaleuca quinquenervia
 Brachychitons
 Parkinsonia florida
 Cercidium x 'Desert Museum'
 Rhus lancea
 Geijera parviflora
 Melaleuca linarifolia
 Pistacia chinensis
 Cedrus atlantica
 Lagerstroemia indica
 Cercis occidentalis
 Arbutus Marina
 Fraxinus velutina 'Rio Grande'
 Laurus nobilis
 Pinus eldarcia
 Platanus 'Columbia'
 Pyrus 'Chanticleer'
 Schinus molle
 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 Khubesian, M.D., Mayor

ATTEST:

APPROVED AS TO FORM:


Evelyn G. Zneimer, City Clerk
(seal)
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 Khubesian

NOES: None

ABSENT: None

ABSTAINED: None


Evelyn G. Zneimer, City Clerk
(seal)

ITEM 6

Upcoming Events

Alhambra

Filter Exchange Event

July 12, 2025
Saturday 10 A.M. - 2 P.M.

O'Reilly Auto Parts
800 E. Valley Blvd.
Alhambra, CA 91801



*Recycling is
Rewarding.*

Turn in your used oil filter and get a new one for free*
You can also recycle up to 5 gallons of used motor oil.



CleanLA
LOS ANGELES COUNTY



(888) CLEAN LA (253-2652)
FreeFilterLA.com



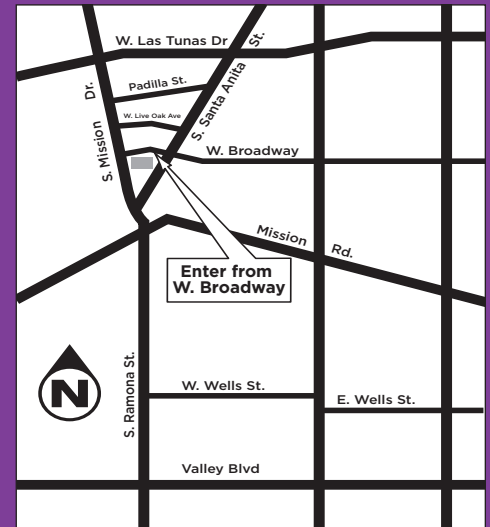
*While supplies last. Filter valued up to \$15. Participants must recycle a used motor oil filter to receive a new one in exchange. Limit one filter per household.

TOO TOXIC TO TRASH



FREE Household Hazardous and Electronic Waste Drive-Thru Collection Event

Saturday, July 19 • 9 A.M. - 3 P.M.
San Gabriel Mission Playhouse
320 S. Mission Drive
San Gabriel, CA 91776



CHEMICALS



- ◆ Carefully secure items in your trunk/pick-up bed. Hazardous waste must be in your trunk/pick-up bed with no other items.

PAINTS & SOLVENTS



- ◆ Waste should be in a sturdy box, preferably in their original containers. Be prepared to leave containers.
- ◆ No explosives, ammunition, radioactive materials, controlled substances, trash, tires, or large appliances (like refrigerators, stoves and washing machines).

SHARPS



- ◆ Sharps disposal will require exiting your vehicle in a designated location to deposit them in a bin.

E-WASTE



- ◆ Open to Los Angeles County residents. No business waste accepted.
- ◆ Limit of 15 gallons or 125 pounds of hazardous waste per trip.



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Brought to you by Los Angeles County and presented by Los Angeles County Public Works and Los Angeles County Sanitation Districts, in cooperation with the cities of Alhambra, East San Gabriel, El Monte, Montebello, Monterey Park, Rosemead, San Gabriel, San Marino, South Pasadena, South San Gabriel, and Temple City.

800-238-0173 • LACSD.org/HHW • CleanLA.com



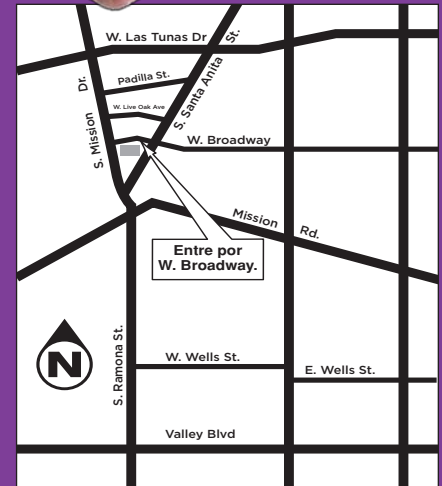
f /SanitationDistrictsLACounty
/LosAngelesCountyPublicWorks

MUY TÓXICO PARA LA BASURA



Evento gratuito de recolección (drive-thru) de desechos electrónicos y tóxicos del hogar

Sábado 19 de julio • 9 A.M. - 3 P.M.
San Gabriel Mission Playhouse
320 S. Mission Drive
San Gabriel, CA 91776



QUÍMICOS



- ◆ Asegure los artículos en su cajuela cuidadosamente. Los desechos peligrosos deben estar en su cajuela sin otros artículos.

PINTURA Y
SOLVENTES



- ◆ Traiga los artículos en una caja resistente, preferiblemente en sus envases etiquetados originales. Prepárese para dejar los envases y las cajas.

AGUJAS



- ◆ No se permiten explosivos, municiones, materiales radioactivos, sustancias controladas, basura, llantas o grandes aparatos (como refrigeradores, estufas y lavadoras).

DESECHOS
ELECTRÓNICOS



- ◆ El desecho de objetos punzantes requerirá salir de su vehículo en un lugar designado para depositarlos en un contenedor.
- ◆ Disponible para los residentes del Condado de Los Ángeles. Desechos de negocios no serán aceptados.
- ◆ Límite de 15 galones o 125 libras de desechos tóxicos por viaje.



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Patrocinado por el Condado de Los Ángeles, y presentado por Obras Públicas del Condado de Los Ángeles y los Distritos Sanitarios del Condado de Los Ángeles en cooperación con las ciudades de Alhambra, East San Gabriel, El Monte, Montebello, Monterey Park, Rosemead, San Gabriel, San Marino, South Pasadena, South San Gabriel, y Temple City.

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