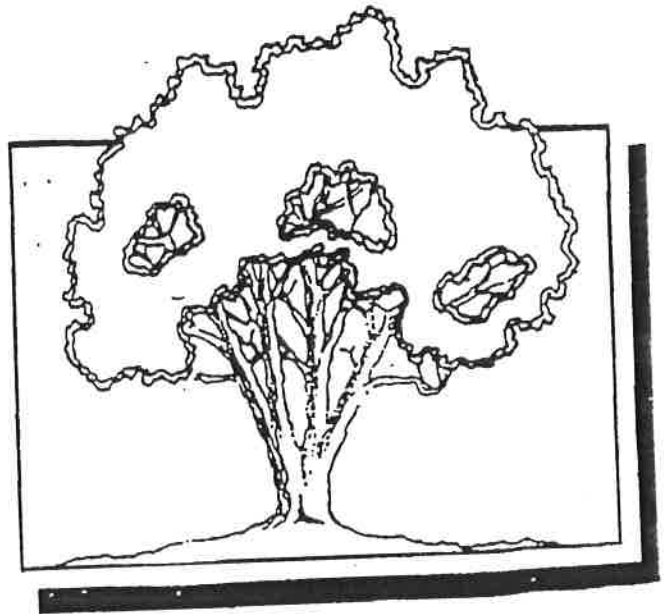


City of Santa Clarita

Oak Tree Preservation and Protection Guidelines



CITY OF SANTA CLARITA

**OAK TREE PRESERVATION
AND
PROTECTION GUIDELINES**

**Prepared by Community Development Department as
Required by Section 22.56.2070 of Ordinance No. 89-10
Guidelines adopted by the City Council September 11, 1990
Resolution No. 90-177**

RESOLUTION NO. 90-177

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SANTA CLARITA APPROVING
OAK TREE PRESERVATION AND PROTECTION GUIDELINES

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby find and determine as follows:

- a. On April 25, 1989, the City Council adopted Ordinance No. 89-10, pertaining to oak tree preservation.
- b. Section 22.56.2070 of Ordinance 89-10 requires that oak tree preservation and protection guidelines be adopted by the City Council to provide additional policy and standards beyond that provided in the ordinance.
- c. A duly noticed public hearing was held by the Planning Commission on July 17, 1990, and continued to August 21, 1990 in the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita, at 6:30 p.m.
- d. On August 21, 1990, the Planning Commission recommended approval to the City Council of the Oak Tree Preservation and Protection Guidelines by minute action of the Commission.
- e. A duly noticed public hearing was held by the City Council on September 11, 1990 in the City Council Chambers, 23920 Valencia Boulevard, Santa Clarita, at 6:30 p.m.


SECTION 2. Based upon the testimony and other evidence received at the public hearing, and upon studies and investigation made by the City Council and on its behalf, the Council further finds and determines that the City of Santa Clarita is proceeding in a timely fashion with the preparation of a general plan. There is a reasonable probability that the adoption of the Oak Tree Preservation and Protection Guidelines will be consistent with the general plan proposal currently being considered or studied, that there is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed resolution is ultimately inconsistent with that plan, and that the proposed guidelines comply with all other applicable requirements of state law and local ordinances.

SECTION 3. The City of Santa Clarita City Council finds that in accordance with the California Environmental Quality Act, the adoption of the Oak Tree Preservation and Protection Guidelines is categorically exempt under sections 15307 and 15308 (Actions by Regulatory Agencies for Protection of Natural Resources and Protection of the Environment) of the State EIR Guidelines.

SECTION 4. Based upon the foregoing, the City Council hereby approves the Oak Tree Preservation and Protection Guidelines.

SECTION 5. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 11th day of Sept., 1990.



Mayor

ATTEST:



City Clerk

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 11th day of September, 1990, by the following vote of the Council:

AYES: Councilmembers: Boyer, Klajic, McKeon, Darcy

NOES: Councilmembers: None

ABSENT: Councilmembers: Heidt



City Clerk

MAR:r
ID 52

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	ii
I. PURPOSE	1
II. OAK TREE POLICY	1
III. DEFINITIONS	2
IV. OAK TREE PRESERVATION	5
V. CONDITIONS	7
VI. OAK TREE PERMIT - APPLICATION REQUIREMENTS	11
A. Permit Required	11
B. Application Form	11
C. Justification Statement	11
D. Site Plan	12
E. Tagging	14
F. Oak Tree Report	14
VII. STANDARDS FOR PERFORMANCE OF PERMITTED WORK	17
A. General Information	17
B. Tree Maintenance and Pruning Operations	20
C. Phases of Construction	23
VIII. ENFORCEMENT	31

INTRODUCTION

Oak trees within the City of Santa Clarita are a valuable resource and are protected by the Oak Tree Preservation Ordinance. These Guidelines have been promulgated in furtherance of the Ordinance. They describe methods, procedures and application materials required by the City to ensure that proper consideration is given to oak trees and their habitat in connection with development and other requests. An oak tree permit is required for the moving, removal or encroachment by development of an oak tree with certain exceptions as described below.

Certain work on an oak tree may be performed without a permit and therefore, the provisions of these Guidelines do not apply. This includes (1) removal of trees that do not exceed six inches in circumference when measured four feet six inches (4'6") from the base, (2) removal of the portion of a limb that does not exceed 6 inches in circumference, (3) removal of all or part of an oak tree that poses a safety hazard due to damage caused by a natural disaster, (4) trees planted, grown and/or held for sale as part of a licensed nursery business, (5) pruning by a public service or utility for maintenance purposes, (6) approved removal of a maximum of three scrub oaks (shrubs), and (7) routine maintenance as permitted. Please refer to the Oak Tree Ordinance and these guidelines for details if in doubt.

It is generally advisable to contact the City's Community Development Department at (805) 255-4330 prior to beginning any construction or earthwork on property that has an oak tree on the property or nearby. The City will be happy to answer your questions and assist you with your oak trees.

OAK TREE PRESERVATION AND PROTECTION GUIDELINES

I. PURPOSE

The City lies in the Santa Clarita Valley, the beauty and natural setting of which is greatly enhanced by the presence of large numbers of majestic oak trees. These indigenous oak trees are recognized for their significant historical, aesthetic and environmental value. They are indicator species for the natural communities in which they exist, supporting a broad spectrum of other native plant and animal species. As one of the most picturesque trees in the Southern California area, they lend beauty and charm to the natural and man-made landscape, enhance the value of property and preserve the character of the communities in which they exist.

Development within the Santa Clarita Valley has resulted in the removal of a great number of oak trees. Further uncontrolled and indiscriminate destruction of this diminishing plant heritage would detrimentally affect the general health, safety and welfare of the citizens of Santa Clarita. The preservation program and procedures outlined in these guidelines contribute to the welfare and aesthetics of the community and retain the great historical and environmental value of these trees.

No person, partnership, firm, corporation, government agency, or other legal entity shall cut, prune, remove, relocate, endanger or damage any tree protected by the City Oak Tree Preservation Ordinance on any public or private land located within the incorporated areas of the City of Santa Clarita except in accordance with the conditions of a valid oak tree permit issued by the Department of Community Development or the Planning Commission.

II. OAK TREE POLICY

It shall be the policy of the City of Santa Clarita to require the preservation of all healthy oak trees unless compelling reasons justify the removal of such trees. This policy shall apply to the removal, pruning, cutting and/or encroachment into the protected zone of oak trees. The City Manager or his designated representative ("Director"), in conjunction with an oak tree preservation consultant as necessary, shall have the primary and overall responsibility to administer, evaluate and monitor this policy to assure strict compliance.

III. DEFINITIONS

For purposes of these guidelines, unless otherwise apparent from the context, certain words and phrases used in this resolution are defined in this section.

"Cutting" - The detaching or separating, either in whole or in part, from a protected tree, any part of the tree including but not limited to any limb, branch, root, or leaves. Cutting shall include pruning and trimming.

"Damage" - Any action undertaken which causes or tends to cause injury, death, or disfigurement to a tree. This includes, but is not limited to, cutting, poisoning, burning, overwatering, relocating or transplanting a protected tree, changing or compacting the natural grade within the protected zone of a protected tree, changing groundwater levels or drainage patterns, or trenching, excavating or paving within the protected zone of an oak tree.

"Deadwood" - Limbs or branches that contain no green leaves or live tissue. A tree or limb may be considered dead if it does not show evidence of any green leaves or live branches over the span of one (1) year, inclusive of prime growing weather.

"Dripline" - The outermost edge of the tree's canopy. When depicted on a map or on the ground, the dripline will appear as an irregularly shaped outline that follows the contour of the farthest extension of the limbs and leaf canopy.

"Encroachment" - Any intrusion into the protected zone of an oak tree which includes, but is not limited to, pruning, grading, excavating, trenching, dumping of materials, animal corrals, storage of materials or equipment, or the construction of structures, paving or other improvements. For purposes of this section, encroachment shall not include the action of a person physically entering the protected zone of an oak tree.

"Heritage Oak Tree" - Any oak tree measuring one hundred eight inches (108") or more in circumference or, in the case of a multiple trunk oak tree, two (2) or more trunks measuring seventy-two (72") each or greater in circumference, measured four and one half feet (4 1/2') above the natural grade surrounding such tree. In addition, the Planning Commission and/or City Council may classify an oak tree, regardless of size, as a heritage oak tree if it is determined by a majority vote thereof that such tree has exceptional historic, aesthetic and/or environmental qualities of major significance or prominence to the community.

"Oak Tree" - Any oak tree of the genus Quercus including, but not limited to, Valley Oak (Quercus lobata), California-Live Oak (Quercus agrifolia), Canyon Oak (Quercus chrysolepis), Interior Live Oak (Quercus wislizenii), and Scrub Oak (Quercus dumosa), regardless of size.

"Oak Tree Preservation and Protection Guidelines" or "Guidelines" - The policy established by the City Council and the administrative procedures and rules established by the Director for the implementation of the Oak Tree Preservation Ordinance.

"Person" - Any natural person, partnership, firm, corporation, governmental agency or other legal entity, but does not include the City of Santa Clarita.

"Protected Zone" - A specifically defined area totally encompassing an oak tree within which work activities are strictly controlled. Using the dripline as a point of reference, the protected zone shall commence at a point five (5) feet outside of the dripline and extend inwards to the trunk of the tree. In no case shall the protected zone be less than fifteen feet (15') from the trunk of an oak tree.

"Removal" - The physical removal of a tree or causing the death of a tree through damaging, poisoning or other direct or indirect action.

"Routine Maintenance" - Actions taken for the continued health of an oak tree such as insect control spraying, limited watering, fertilization, deadwooding and ground aeration. For the purposes of the ordinance, routine maintenance shall not include pruning.

"Certification Letter" - A letter certifying that the work was performed under the general or direct supervision of an oak tree preservation consultant and that said work fully complies with the conditions of the development permit, the oak tree report or these Oak Tree Preservation Guidelines, as appropriate.

"Dead Tree" - A tree that does not contain any live tissue; i.e., green leaves or live limbs. Since Valley Oaks (Quercus lobata) are deciduous trees and are dormant in the winter, their status must be confirmed by the City's oak tree consultant in the spring before being declared dead.

"Deadwooding" - The process of trimming an oak tree of its deadwood.

"Fine Grading Permit" - An entitlement from the City authorizing certain grading work that must be conducted within the protected zone of an oak tree, and allows proper drainage to occur as required by the Santa Clarita Municipal Code.

"Ground Plane Improvements" - Improvements that do not disturb the soil within the protected zone of an oak tree.

"Oak Tree Consultant" - An individual or firm with a degree or acceptable and relevant experience in landscape architecture and/or horticulture, including a great deal of experience in monitoring and maintaining the health of oak trees.

"Oak Tree Information Packet" - A packet containing certain information handouts distributed to property owners whose lots contain oak trees.

"Oak Tree Permit" - An entitlement from the City authorizing specific work to be performed within the protected zone of an oak tree.

"Oak Tree Report" - A report prepared by an oak tree consultant containing specific information on the location, condition, potential impacts of development, recommended actions and mitigation measures regarding one or more oak trees on an individual lot or project site.

"Pre-Application Conference" - A meeting between the applicant and appropriate City representatives for the purpose of discussing the requirements for submitting an application for an oak tree permit.

"Pre-Construction Conference" - A meeting with the applicant, contractors, superintendent, engineers, oak tree consultants, and City representative to delineate special procedures, limits of work, lines of authority and special conditions or procedures.

"Protected Tree" - The same as oak tree. Minimum of six (6) inches in circumference. (See definition of Oak Tree.)

"Pruning" - Any and all cutting performed upon the roots or limbs of an oak tree.

IV. OAK TREE PRESERVATION

Any person who owns, controls, has custody or possession of any real property within the City of Santa Clarita shall make a reasonable effort to maintain all oak tree(s) located thereon in a state of good health. Failure to do so will constitute a violation of the ordinance.

Permit Required - No person shall cut, prune, remove, relocate, endanger, damage or encroach into the protected zone of any oak tree on any public or private property within the City except in accordance with the conditions of a valid oak tree permit issued by the City. The applicant shall be required to furnish all necessary information as determined by the Director together with the appropriate fee as established by Council Resolution. Application materials shall include, but not be limited to, an oak tree report conforming to the Director's specifications, a field instrument survey of the tree, its dripline, and protected zone location, illustrations and justifications of the proposal, tree tagging and photograph of each tree unless waived by the Director.

STEP ONE: Pre-Application Conference.

The purpose of this meeting is to familiarize the applicant with the City's permit process, to identify the information and materials necessary to file an application for an oak tree permit, and to discuss applicable policies and procedures relative to the project. A pre-application conference may be arranged by calling the Department of Community Development.

STEP TWO: Formal Application.

Once the applicant has completed all application forms and prepared all of the information identified during the pre-application conference, the applicant may formally submit the project application together with the applicable fee.

STEP THREE: Application Review

On receipt of an application for an oak tree permit, the Department of Community Development shall review the application for accuracy and completeness and make an inspection of the project site.

The application will be reviewed by the City's oak tree consultant. Those situations requiring consultant review include, but are not limited to, projects involving significant numbers of protected trees, projects involving development activities in the immediate

vicinity of protected trees, and/or projects where physical protective measures may be required for the continued health of the remaining trees.

Upon completion of application review and on-site inspections, the City's oak tree consultant shall submit a written report to the Department of Community Development outlining the findings and recommendations. Normally, this will occur within ten working days of receipt of the application materials from the City.

STEP FOUR: Environmental Review.

Pursuant to the requirements of the California Environmental Quality Act, the City staff shall determine the appropriate level of environmental review for the project. If an initial study is required, an Environmental Questionnaire and associated filing fee shall be required.

STEP FIVE: Findings for Approval.

After receiving all of the required information, the request may be approved when one of the following findings can be made:

- A. The condition of the protected tree(s) requires cutting to preserve its health or maintain its balance.
- B. The condition of the protected tree(s) general health with respect to the perceived danger of falling over or dropping limbs and its proximity to: existing structures, high pedestrian areas such as roadways, pedestrian walkways, parking lots or interference with public utility lines cannot be controlled or remedied through reasonable preservation and/or preventive measures.
- C. The approval of this request will not be contrary to or in conflict with the general purpose and intent of the oak tree ordinance.
- D. In evaluating requests for removal or encroachments based on the reasonable and conforming use section, the City shall take into consideration: comparison of proposed building(s) gross floor area and other on-site design features with other conforming developments in the same vicinity and zone, and any other factors that are unique to the property such as topographic constraints and other physical limitations. The applicant shall be responsible for submitting adequate information to demonstrate that reasonable and conforming use cannot be made of the subject property without removal(s) or encroachment(s) into the protected zone of an oak tree.

STEP SIX: Approval Procedure.

- A. The Director may approve, deny, or conditionally approve a request for the removal of three (3) or fewer oak trees on a single parcel except for Heritage Oak Trees as provided herein. The Director may also approve, deny, or conditionally approve a request for pruning or encroachment involving an unlimited number of oak trees.
- B. The Director may refer any request for an oak tree permit directly to the Planning Commission if the Director determines that special circumstances may exist with regard to the status of the tree(s), special community interest, or exceptional aesthetic, environmental or historical value.
- C. The decision of the Director may be appealed to the Planning Commission and the Commission's decision may be appealed to the City Council pursuant to the provisions of the Municipal Code.
- D. Any request for removal of four (4) or more oak trees or one (1) or more Heritage Oak Trees on a single parcel shall be reviewed by the Planning Commission who may approve, deny or conditionally approve such request. The decision of the Planning Commission may be appealed to the City Council pursuant to the provisions of the Municipal Code.
- E. Notwithstanding the Director's authority under the preceding paragraphs to act on requests relating to oak trees, whenever the request involves another entitlement requiring a recommendation or approval by the Planning Commission, the Director shall refer the request to the Planning Commission.

V. CONDITIONS

Conditions may be imposed on the permit at the discretion of the decision-maker including, but not limited to, any of the following:

- A. A condition requiring the replacement or placement of additional trees on the subject property to offset the impacts associated with the loss of a tree, limbs or encroachment into the protected zone of an oak tree.
- B. The relocating of trees on-site or off-site, or the planting of new trees on-site or off-site to offset the loss of a tree. The applicant shall be responsible for periodic submission of affidavits by a certified oak tree expert at the conclusion of grading and construction, one (1) year after the planting of replacement or relocated trees, and two

years after the planting of replacement or relocated trees for on-site trees only. Such affidavit shall certify compliance with all conditions of the permit and the health of all replacement or relocated trees. This requirement shall be supplemented by random inspections by the City of Santa Clarita. The applicant's acceptance of an approved permit and the exercise of rights thereunder shall be deemed consent to allowing City officials reasonable access to the property for the purpose of conducting such inspections. A written proposal from a qualified transplantation company must be submitted stating the validity of transplanting any tree.

- C. A condition requiring a maintenance and care program, as described by the Oak Tree Consultant, shall be required. This program shall be initiated to insure the continued health and care of oak trees on the property.
- D. Payment of a fee or donation of boxed trees to the City or other approved public agency to be used elsewhere in the City. Such fee or boxed trees shall be of equivalent value to any and all oak trees removed from the property as defined by the International Society of Arboriculture's (ISA) current edition of "Guide to Establishing Values for Trees and Shrubs", a copy of which shall be kept on file in the City's Department of Community Development. The applicant shall be credited with the value of any replacement oak trees which may be required. Such fees shall be utilized for the purpose of furthering the preservation and regeneration of oak trees, the identification of official designation of Heritage Oaks, the purchase, monitoring and ongoing maintenance of oak trees, landscaping and other habitat refurbishment, and for educational informational programs related to oak trees and their preservation. As an alternative to the payment of all or a portion of the fees described above, an applicant may also be credited with the value of any accepted dedications of property within the City which are suitable for the planting and survival of oak trees. Fees imposed under this section may be reduced as mitigated by specific circumstances and corrective measures undertaken by the property owner.

1. Relocations

In certain limited cases the City may consider the relocation of oak trees from one area in the project to another. The guidelines and limitations of this program are as follows:

- 1.1 Oak trees which are approved for relocation will be considered by the City as removals.
- 1.2 The tree(s) being recommended for relocation must be approved by the City's oak tree consultant whose decision will be based upon factors relating to health, type, size, time of year and proposed location.
- 1.3 The diameter of any relocated tree may not exceed 37.68 inches in circumference or twelve inches (12") in diameter. Exceptions to this policy may be made if a larger diameter nursery grown oak tree is available and can be reserved for a period of one year in the event the relocation tree does not survive for one year.
- 1.4 An inspection of relocated trees shall be made at the conclusion of grading and construction, at one year and two year intervals after the planting of replacement or relocated trees. This pertains to onsite trees only (in accordance with Section 22.56.2150(b) of the Oak Tree Ordinance).
- 1.5 A refundable cash security deposit, shall be made with the Department of Community Development. The amount shall be determined by The International Society of Arboriculture Valuation, plus cost of planting. The deposit will be refunded after 24 months if, in the opinion of the City's oak tree consultant, the relocated tree has survived and is considered to be in good health. If the health of the tree is unchanged or has declined, the applicant will remove the relocated tree and replace it with an equivalent nursery grown oak tree or trees.
- 1.6 Trees of replaceable size may be considered for removal so that the new nursery tree can be planted on site in a more appropriate location relative to the new construction.

2. Replacement Tree - Types and Sizes

2.1 Types

In all cases, replacement trees must be approved in advance by the City's oak tree consultant be as follows: Quercus agrifolia (Live Oak), Quercus lobata (Valley Oak), Quercus chrysolepis (Canyon Oak), Quercus

wislizenii (Interior Live Oak). Other oak tree varieties must be approved in advance by the City's oak tree consultant.

Note: In some cases, where it is not possible to obtain nursery grown trees in the sizes required, an equivalent number of large and small container oak trees shall be planted in an amount equal to the cost of the larger but unavailable trees.

2.2 Sizes

While it is recognized that tree sizes may vary somewhat, the following table taken from the Keeline-Wilcox 1985 Wholesale Catalog will serve as the basis for what the City expects in terms of size. Consultants will be expected to make every attempt to obtain oak trees whose specifications most nearly approach the following:

Size Container"	Height'	Spread'	Caliper"
<u>15 Gal.</u>	-	-	-
24" Box	8-10'	5-6'	2"
30" Box	10-12'	6-8'	2 1/2"
36" Box	12-14'	8-10'	3"
42" Box	14-16'	10-12'	3 1/2"
48" Box	16-18'	12-13'	4"
54" Box	18' +	13-14'	4 1/2"
60" Box	20' +	14-15'	5-6"
72" Box	22' +	15' +	6" +

3. Location of Replacement Trees

In determining the location of replacement trees, the Director shall consider, but is not limited to, the following factors:

- 3.1 The vegetative character of the surrounding area near the project site.
- 3.2 The number of oak trees subject to this ordinance which are proposed to be removed in relation to the number of such trees currently existing on the project site.

3.3 The anticipated effectiveness of the replacement oak trees as determined by the oak tree report submitted by the applicant.

3.4 The development plans submitted by the applicant for the proposed construction or the proposed use of the project site.

In cases where conditions preclude the project site for planting the replacement trees, the Director may consider other options as follows:

3.5 Planting oak trees on public property such as designated open space areas, public parks, etc.

VI. OAK TREE PERMIT - APPLICATION REQUIREMENTS

The materials required to complete an application are described below. The Department of Community Development may waive the filing of one or more of the items listed when deemed unnecessary to process the application. However, additional information may be required when determined necessary for permit processing. The accuracy of all information, maps and lists submitted shall be the responsibility of the applicant.

A. Permit Required

There shall be no removal of/or encroachment into the protected zone of an oak tree measuring six inches (6") in circumference or larger when measured at a point 4 1/2 feet above the tree's natural grade without first obtaining an oak tree permit.

B. Application Form

Application shall be made on the standard application form supplied by the Department of Community Development. The signature of the property owner will be required in all cases.

C. Justification Statement

An application requirement, which may not be waived, is a written statement by the applicant or his oak tree preservation consultant stating the justification for planned actions involving oak trees.

Statements should establish how the oak trees in the vicinity of the project or construction site will be protected; that any construction or use will be done with approved preservation methods; and that one of the following findings can be made:

1. That due to the condition of the protected tree(s), certain actions are required to maintain its health, balance or structure.
2. That the retention or failure to allow some encroachment of the trees as described in the application prohibits the reasonable and conforming use of the property. (Refer to Section 22.56.2100 for specific guidelines.)
3. That the condition of the tree(s) subject to this ordinance with respect to disease, danger of falling, proximity to existing or proposed buildings and/or structures, parking lots or interference with utility services cannot be controlled or remedied through redesign of the site elements, reasonable preservation procedures and practices.

D. Site Plan

The requirement for a site plan may be waived in some situations involving cutting or removal of hazardous oak trees.

In those cases determined to require a site plan, the following information should be included.

NOTE: Existing site plan may be used provided the information is both current and accurate.

1. **Size:** Maps should not exceed 30" x 42" in size.
2. **Scale:** The scale should not be smaller than 1" = 20'.

NOTE: Map size and scale may be decreased with prior approval.

3. **Title Block:** In one corner of the map, indicate the name of the property owners, applicant, appropriate consultants, (such as surveyor and oak tree specialists) address(s) and phone number(s) of those involved in preparing the plans and application.
4. **Physical Characteristics:** The body of the map should accurately portray the following existing and proposed features:
 - a. property lines;
 - b. streets, access easements and/or public or private driveways and any other paved areas;
 - c. buildings or structures;

- d. setbacks of all buildings and structures from property lines;
 - e. parking and other paved areas;
 - f. land uses on parcel (existing and proposed as applicable);
 - g. proposed grading and construction - including utilities and subdrains.
5. **Oak Tree Locations:** Unless advised differently, the map shall indicate the exact location of an oak tree proposed to be encroached upon, removed and/or relocated, and those oaks within 200 feet of the project or construction area. Surveying the exact location(s) of the tree(s) both horizontally and vertically is very important and must be accomplished by obtaining the services of a professional engineer or a licensed land surveyor whose signature shall be affixed to the site plan and oak tree location map as appropriate.
6. **Dripline(s) of the Tree(s):** The exact location of the dripline of an oak tree is crucial in order to evaluate any impacts resulting from construction. Consequently, aerial photographs and rough approximations will not be acceptable. The dripline must be plotted in the following manner:
- a. Obtain and record eight compass readings: N, NE, E, SE, S, SW, W, NW plus any directions which have greater dripline dimensions.
 - b. Perform a measurement of the dripline in the field at each compass reading.
 - c. Sketch in any variations as observed in the field.

Where site improvements come within 20 feet of any trees dripline, physically stake the surveyed corners of building(s) or related improvements in the field in order to assess the potential impacts upon the trees. The determination for this requirement will be made during the pre-application conference.

In anticipation of a field inspection, each tree shall be assigned a number on the plan and physically tagged in the field as described in Section IV. E. of this resolution.

E. Tagging

In the process of preparing oak tree reports each tree is required to be numbered. In order to standardize the system so that everyone may easily locate the tree number the following procedure is hereby established:

1. A permanent tag, a minimum of one and one-quarter inches (1 1/4") to two inches (2") is to be used for this purpose. The tag must be made from a non-corrosive, all-weather material and be permanently attached to the tree.
2. The tag shall be affixed to the north side of the tree at a height of three and one-half feet (3 1/2') above the natural elevation.
3. Except for trees whose number has become obliterated, trees that were previously tagged need not be retagged.
4. Trees whose numbers have become obliterated shall be retagged using the new method described in Section II. 1, above.

F. Oak Tree Report

1. General

a. No Report Necessary:

The determination on the requirement for an oak tree report will be made during the pre-application conference and will be predicated on the scope of the project and the nature of its impact on the surrounding trees. In general, the requirements for an oak tree report may be waived only in situations involving the removal of hazardous trees, subject to verification by the City's oak tree consultant. An oak tree report may also be waived by the City's oak tree consultant should all of the trees on the property be a sufficient distance from construction so as not to be impacted by construction or grading, photographs and protective fencing shall be required.

b. New Report Necessary:

In situations requiring the submission of an oak tree report, the document shall be certified by the applicant's oak tree preservation consultant to be true and correct and must be acceptable to the Director. Questions concerning the extent

of the report's content or the acceptability of the report's preparer should be cleared with the Community Development staff in advance.

c. Use of Existing Report:

In cases where there is an existing oak tree report on a project that was not approved and/or constructed, the applicant may be required to provide a supplementary report rather than a new report. In addition to any design changes, the report will retain the original numbering system and include the current health and dripline of each oak tree on the project. This addendum would usually occur after the original report is approximately 2 years old.

2. Criteria

The oak tree report shall describe and evaluate the health and condition of the subject oak trees with respect to such factors as danger, existence of disease and danger of the tree falling. Additionally, each tree shall be rated on a scale of A to F. (The rating system is described in Section VI.F.3.)

A tree evaluation form shall be completed for each affected tree showing the location, spread, trunk circumference (as measured [4 1/2'] above the average ground level at the base of the tree) and species name of each oak tree. (Sample tree evaluation forms are included in attachments.) Additionally, the report shall discuss all grading and structures, required cutting, paving or trenching in and around the trees on the project and shall evaluate, to the extent possible, the impact of such activity on the tree, as well as any mitigating measures proposed, and the anticipated effectiveness thereof.

In addition, the oak tree report shall contain the following information:

2.1 Physical Evaluation

The physical evaluation of each tree includes, but is not limited to, the following:

- a. Location of the tree - accomplished by a professional engineer or a licensed land surveyor; for individual lots,

consultants may accurately plot the actual tree location utilizing property line hubs.

- b. Circumference of trunk at four feet, six inches (4'6") above grade;
- c. Diameter of canopy and accurate plotting of the protected zone and mean natural grade at base;
- d. Height of tree;
- e. Appearance rating on an "A-F" scale based on standard tree of same species ("A" would be a nearly symmetrical, healthy tree, "F" would be a dead tree);
- f. Existing tree environment including type of terrain;
- g. Physical structure - excessive horizontal branching unbalanced crown, broken branches, etc.; and any mitigation measures proposed to correct any problems.
- h. The minimum clearance from the present grade to the bottom of the canopy on each of the compass points.
- i. Drawn sections shall be submitted showing tree and all impacts to protected zone above and below natural grade. Sections shall be to scale.

2.2 Horticultural Evaluation

Horticultural evaluation information requires; including but not limited to:

- a. Physical evidence of disease, exfoliation, leaf scorch, exudations; etc. It is required that each identified disease symptom be accompanied with a statement as to the probable effect of the disease upon the life or structure of the tree.
- b. Identification of pests, twig girdler-borers, termites, pit scale, plant parasites; etc.
- c. Evaluation of tree's vigor -- ex.: new tip growth, good leaf color, poor leaf color, abnormal bark, deadwood, thinning

of crown; and recommended mitigation measures necessary to correct any problems.

3. Oak Tree Rating System

In rating oak trees, the following system will be used to describe their condition.

a. "A" = Outstanding:

A healthy and vigorous tree characteristic of its species and reasonably free of any visible signs of stress, disease or pest infestation.

b. "B" = Above Average:

A healthy and vigorous tree with minor visible signs of stress, disease and/or pest infestation.

c. "C" = Average:

Although healthy in overall appearance there is an abnormal amount of stress or disease and/or pest infestation.

d. "D" = Below Average/Poor:

This tree is characterized by exhibiting a greater degree of stress, disease and/or pest infestation than normal and appears to be in a state of rapid decline. The degree of decline may vary greatly in signs of dieback, disease and pest infestation and appears to be in an advanced state of decline.

e. "F" = Dead:

This tree exhibits no signs of life whatsoever.

VII. STANDARDS FOR PERFORMANCE OF PERMITTED WORK

A. General Information

1. Scope of Work

All work shall be performed as specified in the approved oak tree report, oak tree permit and the requirements contained in these guidelines and the accompanying standards and details. Additional work such as spraying, watering,

fertilization, cabling, bracing, etc., may be required as determined by the City's oak tree consultant. It must be remembered that these trees are living organisms and that the necessity for such additional work may be required due to a change in their condition since the original oak tree report was prepared.

2. Oak Tree Preservation Consultants

Generally, the services of an oak tree consultant are made necessary by conditions of approval of various permits issued by the City of Santa Clarita. The importance of the consultant to the applicant/property owner is clear from the various requirements listed in this resolution.

From the City's perspective it is both necessary and critical that the applicant/property owner identify the consultant of record and allow he or she to act independently to perform his/her duties in a manner whereby he/she will be able to certify work as required by these guidelines. Where major cuts (over 6" circumference) have been approved, the applicant/property owner must notify the consultant(s) with a 48 hour advance written notice before commencing any authorized work within the protected zone of oak trees. Moreover, it is mandatory that the applicant/property owner notify the Department of Community Development in writing within five (5) days of any changes of their oak tree preservation consultant(s) of record.

3. Inspections

All work shall be conducted in accordance with applicable ordinances and procedures detailed in this resolution. It is the applicant's responsibility to call for and secure all inspections required to approve all such work.

4. Work Within the Protected Zone

Because of the high sensitivity of oak trees, great care must be taken when work is being conducted within the protected zone. For this reason, the City has established specific procedures to ensure that the trees receive maximum protection. The procedures are as follows:

a. On-site Supervision

All work conducted within the protected zone of the oak tree shall be performed in the presence of the applicant's oak tree consultant, and verified by the City's oak tree consultant.

b. Forty-Eight Hour Notice

Except for deadwooding and pruning of limbs which are six inches (6") or less in circumference, the applicant shall provide a 48 hour notice to the Department of Community Development and the appropriate oak tree consultant before beginning any work within the protected zone.

c. Hand Tools

Unless otherwise approved, all work conducted within the protected zone shall be accomplished using hand tools only. Use of tractors and other vehicles is prohibited.

d. Certification Letter

Certification letters are required for all work conducted upon oak trees. In this regard, the applicant's oak tree consultant shall submit a certification letter to the Department of Community Development within ten (10) working days after completion of such work certifying that all of the work was conducted in accordance with the appropriate permits and the requirements of this resolution.

5. New Plants Within the Protected Zone

Although any planting within the protected zone is discouraged, only drought tolerant plantings will be permitted. Moreover, if such plants are allowed, no spray-type irrigation systems will be permitted. Each request to plant within the protected zone of an oak tree will be judged on its own merits. Paramount in the consideration of a request will be the compatibility of the plantings to the intent to preserve the oak. Plants should be selected from those normally found beneath an oak tree in its natural setting. Use caution to avoid plants which are susceptible to either Phytophthora cinnamomi (Avocado Root Rot) or Armillaria mellea (Oak Root

Fungus). A three inch (3") layer of organic mulch will be installed within the protected zone of all oak trees.

B. Tree Maintenance and Pruning Operations

1. Ornamental or Aesthetic Pruning

IT IS THE POLICY OF THE CITY OF SANTA CLARITA NOT TO ALLOW THE REMOVAL OF LIVE TISSUE FOR THE PURPOSE OF ALTERING THE APPEARANCE OF AN OAK TREE. THEREFORE, ORNAMENTAL PRUNING, THINNING OUT, HEADING UP, OR ANY OTHER SIMILAR PRUNING WHICH INVOLVES THE REMOVAL OF LIVE TISSUE IS DISCOURAGED. THESE PROCESSES CONTRIBUTE TO THE ONSET OF INSECTS AND DISEASES.

2. Deadwooding

This activity is exempt from the requirement to obtain a permit. See definition of deadwood. If uncertain as to whether it is deadwood or not, contact the City's Oak Tree Consultant.

3. Structurally Unsafe Limbs and Branches

Live limbs or branches that do not exceed six inches (6") in circumference and are considered to be unsafe because of decay, rot, cavities, cracks or splitting can be removed without obtaining an oak tree permit. However, the decision to remove such limbs must be made by the applicant's oak tree consultant. Any remedial actions on limbs larger than six inches (6") in circumference will be subject to City approval. Such request shall include a brief written report from the applicant's oak tree consultant detailing the conditions that exist and any remedial work recommended to correct the situation.

4. Unbalanced Trees

Trees that are suspected of being physically unbalanced because of broken limbs or which may become unbalanced as a result of the deadwooding process will require an oak tree report and an oak tree permit before any work can be performed. The report shall contain an analysis of the problem and a recommendation for whatever remedial work may be necessary to correct the situation.

5. Pruning Live Tissue (Encroachments)

- Generally, the removal of live growth must be approved by the Department of Community Development through an oak tree permit application. However, a property owner may remove limited live tissue when the limbs do not exceed six inches (6") in circumference without obtaining an oak tree permit. No live tissue (roots or limbs) exceeding six inches (6") in circumference can be removed, regardless of the reason, without first obtaining an oak tree permit. Exceptions to this requirement are cases where clearance is required for utilities or public rights-of-way which are made known to the City. All pruning work shall follow proper arboriculture practices as approved by the City's oak tree consultant. All diseased, dead or improperly pruned limbs shall be removed from each tree.

6. Fire Damaged Trees

Although fire is considered a serious threat to oak trees, many trees can survive several damaging fires. During their life span they can continue to provide wildlife enhancement, watershed protection, physical and aesthetic value to the community.

Some trees may begin to exhibit visible signs of rejuvenation within a few weeks of a fire. It is desirable to postpone the cutting of heavily charred oak trees for at least 2 to 3 years. Most trees will recuperate. Since there are many factors that will determine the survival of fire damaged trees, a careful assessment of each individual tree must be undertaken. Burned trees shall be assessed and rated either A, B, C, D or F immediately after the fire and again one (1) year later. Subsequent inspections may also be required before deciding on a specific course of action.

POLICY: THEREFORE, IT IS THE POLICY OF THE CITY OF SANTA CLARITA TO REQUIRE A COMPLETE OAK TREE REPORT ON ANY AND ALL OAK TREES THAT HAVE BEEN FIRE-DAMAGED BEFORE ANY WORK CAN BE PERMITTED.

In preparing this report, oak tree consultants may assess the extent of the damage using visual or other techniques as necessary. If the removal of any live tissue is so indicated, an exception may be made to prune the tree in such a manner so

as to permit the regeneration process to proceed unhindered by dead or unhealthy limbs. When cases such as these occur, the applicant's oak tree preservation consultant will recommend a program in the oak tree report to address the problem.

7. Diseased Trees - Pests and Insects

Generally speaking, our native oak trees are a hardy species. However, there are a variety of diseases and pests that can severely affect trees that are in a state of general decline. This may create a safety hazard. Since the entire subject of diseases, pests and insects is a highly technical matter, no diseased tissue may be removed, unless it is unsafe, without submitting an oak tree report and obtaining an oak tree permit.

8. Roots

All roots one inch (1") or larger shall be treated as in paragraph 5 (Pruning). Where structural footings are required and roots will be impacted, the footings shall be bridged and the roots protected. Cover all such roots with two to four inches (4") of styrofoam matting prior to pouring the footing.

Finally, all trees that have suffered root damage shall be fed nutrients to encourage new growth. The applicant's oak tree consultant shall make recommendations as to the proper time of year and type of fertilizer and its application method to the City before proceeding with a nutrient fertilization program.

9. Cavities

All cavities must be cleaned out of loose debris. Some cavities must be cleaned out to remove all decayed wood while protecting live tissue from injury, provide for proper drainage and allow for new growth, as determined by the City's oak tree consultant. Concrete or other similar materials shall not be used to seal or fill cavities. Screening shall be applied over remaining cavities to prevent debris buildup.

10. Tree Removals

Unless otherwise expressly approved in writing, authorized removal of oak trees shall be accomplished using the following guidelines.

- a. All portions of the tree shall be completely removed from the site and debris relocated to a permitted refuse disposal site. Additionally, the stump must be completely removed and the hole or indentation filled with soil.
- b. All tree wells that were created to preserve the tree shall be completely filled with soil to the satisfaction of the City Engineer and Building Official.

11. Tree Replacements

- a. Replacement trees shall be planted in accordance with the procedures established in Section V.5 of these guidelines.
- b. Unless waived by the Department of Community Development, a refundable security deposit in an amount equal to the cost of the replacement trees shall be deposited in trust with the City of Santa Clarita to guarantee the implementation of Section 10.3. The deposit will be refunded upon satisfactory completion of these conditions. The dollar deposit shall be determined by using the International Society of Arboriculture method of determination.
- c. A signed acceptance of the conditions of the oak tree permit for removal shall be executed by the applicant or his representative and the refundable security deposit shall be made prior to the issuance of the oak tree permit.

C. Phases of Construction

The information contained in this section is divided into the four phases normally associated with new construction. Apart from the normal activities conducted during each phase, there are certain conditions associated with work around oak trees that are required to be completed during these phases. This section addresses these conditions and, unless waived by the Department of Community Development, are expected to be completed for all residential, commercial and industrial projects.

1. Pre-Construction Phase

This period is defined as the time between the approval of a development permit and the issuance of a grading permit. No work of any kind may occur on an approved project unless a stage

grading permit, grading permit or oak tree permit has been obtained from the City of Santa Clarita. A grading plan for parcels with oak trees on the property will not be approved until the oak tree consultant has reviewed and approved the grading plan. Generally speaking, the following activities will occur before the commencement of grading operations.

1.1 Pre-Construction Conference

During the conduct of this meeting representatives from the Departments of Community Development and Public Works will address various issues relating to oak trees on the project site. These issues include, but shall not be limited to, the following matters:

a. The Fencing Plan

The applicant or his representative shall bring a copy of the fencing plan to the pre-construction meeting. Using the approved grading plan or the site plan, the fencing plan should be designed along the following guidelines:

- b. A minimum five foot (5') high chain link fence in concrete footings with posts installed every eight feet (8') and two feet (2') deep into natural grade will be required to be installed at the outermost edge of the protected zone of each oak tree or groups of trees. Exceptions to this policy may occur in cases where oak trees are located on slopes that will not be grubbed or graded, or are located on future phases where there is no activity planned or no currently approved grading plan. The fences must be installed in accordance with the approved fencing plan prior to the commencement of any grading operations. The applicant's superintendent will be responsible to call the Department of Community Development for an inspection and approval of the fencing prior to the beginning of the grubbing or grading operations.
- c. Additionally, signs must be installed on the fence in four locations (equidistant) around each tree. The size of each sign must be a minimum of two feet by two feet

square and must contain the following language:

WARNING

THIS FENCE IS FOR THE PROTECTION OF THIS TREE AND SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE CITY OF SANTA CLARITA COMMUNITY DEVELOPMENT DEPARTMENT

On a grove of oak trees, signs shall be placed at approximately 50 feet intervals around the grove.

- d. Once approval has been obtained, the fences shall remain in place throughout the entire construction period and may not be removed without obtaining written authorization from the Department of Community Development.

2. Grading Operations Phase

This period is defined as the time between the commencement of grading operations and the commencement of construction of the building improvements. It is understood that the construction phase may begin while grading operations are continuing and that grading may begin on a subsequent phase while construction is still in progress on a previous phase.

For purposes of this section, each phase is considered separate and the conditions associated with each phase will be required to be completed at the start or during the operations of each phase. The inspector from the Department of Community Development will make that determination in the field.

In addition to the normal grading operations conducted during this phase, the applicant will be required to complete or satisfy the following tasks:

2.1 On-Site Documentation

The following information must be located and permanently retained on the construction site at the start of grading operations. The superintendent will be required to call the Department of Community Development to request an inspection and to verify that the following information is provided on site:

- a. Oak Tree Permit - all proposed modifications.

- b. Oak Tree Location Map.
- c. Oak Tree Fencing Plan.
- d. Approved Grading Plans approved by the City Engineer and Oak Tree Consultant.

Stamped set approved by the Community Development Department.

- e. Permit and Tract Conditions:

A copy of the approved permit and tract conditions, and all current and future modifications approved by the Community Development Department.

- f. Oak tree inspection card.
- g. Oak tree ordinance.
- h. Oak tree preservation guidelines.
- i. Approved planting and irrigation drawings.

2.2 Oak Tree Removals, Deadwooding, Pruning, Pest Control, Feeding, Fertilization

Unless otherwise approved, the applicant is required to complete oak tree removals, pest control, and fertilization, as approved by the oak tree permit for the entire project of the phase that is currently being graded. Dead wooding or pruning is to be accomplished after the construction phase of the project, unless otherwise approved.

2.3 Retaining Walls Within the Protected Zone

In cases where an oak tree permit has been approved for the construction of retaining walls within the protected zone of the oak tree, the applicant will be required to complete these improvements before completion of grading operations and before commencements of the construction phase.

2.4 Oak Tree Preservation Devices

If required by the oak tree report and the oak tree permit, preservation devices such as air ventilation systems, oak tree wells, drains, special paving and cabling systems will be required to be installed before the completion of the grading phase and the commencement of the construction phase.

These devices must be installed under the direct supervision of the applicant's oak tree preservation consultant who will be responsible to write a letter certifying all such work and submit it to the Department of Community Development.

2.5 Utility Trenching-Pathway Plan

In order to avoid unnecessary damage to the root system, prior to the completion of the grading operations and before the commencement of the construction phase, the applicant will be required to submit a utility trenching-pathway plan to the Departments of Community Development and Public Works for review and approval. The plan shall use the best alternative to trenching within the tree's protected zone. The plan will depict all of the following systems: Storm drains, sub-drains, sewers, easements, area drains, gas lines, electrical service, cable TV, water mains, irrigation mainlines, and any other underground installations.

Additionally, the plan must show all lateral lines serving the residences. To be completely effective, the plan must include the surveyed locations of all oak trees on the project as well as an accurate plotting of the protected zone.

The plan should be developed considering the following general guidelines:

- a. All systems in this subsection (2.5), shall avoid going into the protected zone of any oak tree.
- b. Where it is not possible to avoid some encroachment, the design shall minimize the extent of such encroachment and a report of these encroachments and mitigation measures will be made in a supplemental oak tree report.

2.6 Parking Lots and Pedestrian Walkway Improvement Location

Since the City's policy is to preserve all healthy oak trees unless justifying the removal, cutting or relocation of an oak tree, architects should design their projects with these requirements in mind. Therefore,

for public safety reasons, parking lots and pedestrian walkways must be designed so that no unhealthy oak trees are proposed to remain in high vehicular and pedestrian areas. Trees whose ratings are confirmed to be a "D" or less should be avoided in pre-design or proposed for removal unless it is felt that major surgery coupled with a fertilizer program will restore the tree to a safe and vigorous condition.

To the extent possible, parking spaces should not be located directly under the canopy of oak trees. When this is not possible, pervious paving material shall be employed to the satisfaction of the Department of Community Development. The applicant's licensed engineer will be required to certify that such work was accomplished under his personal supervision and in accordance with the approved plans.

2.7 Cut and Fill Slopes

In general, every effort should be made to avoid cut and/or fill slopes within the protected zone of any oak tree. Where fill slopes are proposed, the oak tree report must include a soils report indicating whether or not it will be necessary to cut and recompact the area prior to moving the fill material into position.

3. Construction Phase

This period is defined as the time during which building improvements are under construction.

3.1 Ground Plane Improvements

The following improvements may be permitted to be installed within the protected zone of an oak tree subject to the approval of an oak tree permit issued by the Department of Community Development and the limitations and guidelines contained in this section: Patio covers, wood decks, garden walls, fences, gazebos and other similar improvements. The guidelines and limitations are as follows:

- a. An oak tree permit shall be submitted and approved by the Department of Community Development.

- b. Trenching under the dripline of an oak tree may be conducted with hand tools only.
- c. All of the work shall be conducted in the presence of an oak tree preservation consultant, subject to verification by the City's oak tree consultant.
- d. Minor roots under one inch in diameter may be cut but must be treated with an approved compound before the improvements are installed.
- e. Roots over six inches (6") in circumference may only be cut with City approval.
- f. All root pruning shall consist of clean cuts at a 45 degree angle with the cut surface facing downward.

3.2 Fine Grading Permit (Oak Tree Lots Only)

On most tracts, the drainage patterns for the lots will have been designed into the original grading plan. However, this is not the case with custom lots and custom lot tracts. Therefore, in an effort to avoid establishing drainage patterns that intrude into the protected zone of oak trees, the following procedures have been established.

a. Custom Lots and Custom Lot Tracts

A fine grading permit will need to be obtained from the Public Works Department before any fine grading work may begin. The landscape architect or engineer shall design a pattern what will completely avoid the protected zone utilizing surface and/or subsurface drainage devices. Additionally, the oak tree consultant will be required to submit a supplemental oak tree report to the Department of Community Development for review and approval prior to fine grading the lot.

Following approval of the plan and the completion of the work, the oak tree consultant will submit a letter within ten (10) working days of certification to the Department of Community Development.

b. Other Lots and Projects

On all other projects, grading plans will be designed at the outset to avoid the protected zone of the oak trees. The procedure for these lots will be as described in custom lots, above.

4. Post Construction Phase

This period is defined as the time following the completion of all building improvements. In residential projects, the construction phase and the post-construction phase will overlap as houses are completed and new houses are still being constructed. For purposes of this section, certain conditions will be required to be completed prior to Community Development Department approval.

4.1 Certification of Oak Tree Work

On all lots containing oak trees, the inspector from the Department of Community Development will require that all of the oak tree work required by the conditions of the development permit, the oak tree report and the oak tree permit, as applicable, have been completed and certified by the applicant's oak tree preservation consultant prior to Community Development Department approval.

4.2 Oak Tree Information Packet

In cooperation with the sales agent, the applicant will be required to provide and certify that an oak tree information packet, as approved by the Director, has been provided to the buyer of the property and the homeowners' association. The information to be included in this packet is as follows:

- a. Oak Trees - Care and Maintenance
- b. Oak Tree Ordinance
- c. Oak Tree Preservation Guidelines
- d. Development Permit: Copy of the City-approved conditions of approval of the oak tree permit.
- e. Certification of receipt of the oak tree information packet will be accomplished as follows:

Applicant/sales agent shall prepare a letter introducing the packet. The letter and the packet shall then be sent

by certified mail to the property owner. The applicant shall forward a copy of the letter and a signed copy of the return receipt card to the Department of Community Development where it will be recorded and stored.

VIII. ENFORCEMENT

A. General

The Department of Community Development, through its Code Enforcement Officers, shall vigorously enforce the provisions of the oak tree ordinance and the oak tree preservation guidelines contained within this ordinance. Additionally, inspectors from Building and Safety and Public Works, in the course of their regular duties, will monitor activities on-site on a daily basis. Any irregularities or suspected violations will be immediately reported to the Code Enforcement Section for follow-up action.

B. Stop Work Orders

Whenever any construction or work is being performed contrary to the provisions of the oak tree ordinance, oak tree preservation guidelines, oak tree permit or conditions of the appropriate development permit, a City inspector may issue a written notice to the responsible party to "stop work" on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation or danger and no work shall be allowed until the violation has been rectified and approved by the Code Enforcement Officer or the City's oak tree consultant.

C. Citations

1. Additional Remedies

Any person who cuts, damages, moves or removes any oak tree within the City or encroaches into the drip line of an oak tree in violation of section 22.56.2100, of the City's zoning ordinance shall be subject to the following remedies in addition to any penalties provided by the Municipal Code:

- a. A suspension of any building permits until all mitigation measures specified by the City are satisfactorily completed.
- b. Completion of all mitigation measures as established by the City.

2. Restitution

- It has been determined that the oak trees within the City are valuable assets to the citizens of this community and to the citizens of the State of California and as a result of the loss or damage to any of these trees, the public should be recompensed.

Any person violating the provisions of this chapter shall be responsible for proper restitution and may be required to replace the oak tree(s) so removed or damaged. Replacement shall be made based on the value or the actual replacement cost, whichever is higher, plus the cost of planting the replacement trees. The number, size and location of said equivalent replacement oak trees shall be determined by the Director.

The value shall be established as provided in the tree evaluation formula, as prepared by the International Society of Arboriculture "Guide to Establishing Values for Trees and Shrubs".

