Observations — Generalizations

- Most cities require the submission of a Site Plan
- Effort to examine tree impacts during the initial phases of a project
- Many cities waive permit fees for damaged or diseased trees
- Submission of photographs are not unusual
- Not uncommon to require certified arborist to issue findings and make recommendations on protected trees
- Some cities designate trees planted to meet a Landscape Ordinance as protected, no matter their species

City of Glendale

Tree Program Permit (PDF) Code (12.44)

Fee Structure:

City of Glendale Cutting, Removing, Moving, or Encroaching upon Protected Indigenous Trees	Fe	ee	
1-5 Trees	\$	215.00	
5+ Trees	\$	400.00	
Conducting additional site inspection	\$	100.00	per hour
Consulting or monitoring by an arborist	\$	100.00	per hour
Reviewing a permit application revision	\$	100.00	per hour
Preparing revised or additional report	\$	100.00	per hour
Tree Installation			
15 Gallon Tree	\$	100.00	
24 inch box tree	\$	310.00	
36 inch box tree	\$ '	1,300.00	
48 inch box tree	\$ '	1,500.00	
60 inch box tree	\$ 3	3,500.00	
Pruning	\$	-	No Charge

Permit Review Process:

During weekly project design reviews, staff and community members address potential tree issues – such as removal and replacement – at the early stages of a development project. Glendale follows a paradigm of focusing more attention on building cooperation with applicants and licensed tree-care contractors rather than engaging in enforcement procedures. Glendale has established seven environmental, ecological, and feasibility criteria to guide the permitting process. The following criteria are thus considered when issuing or denying a permit:

- (1) tree removal is necessary for reasonable development;
- (2) tree is in poor or failing health;
- (3) tree is likely to fall;
- (4) impossible to mitigate tree interference with utilities or existing structures;
- (5) topographical considerations;
- (6) proximity and presence of nearby trees;
- (7) forestry practices that encourage the preservation of healthy trees.

Protected Tree Criteria:

Glendale's ordinance protects indigenous trees that measure (6) six inches or more in cumulative diameter breast height (DBH) (see Table 1).

Tree Removal and Replacement:

Upon issuance of a tree removal permit, the City may impose conditions – such as relocation or replacement – that are addressed on a case-by-case basis. Glendale's municipal code does not

Table1: Glendale's Protected Trees by DBH

Protected Trees	DBH (inches)
California Live Oak	6+
Valley Oak	6+
Mesa Oak	6+
Scrub Oak	6+
California Sycamore	6+
California Bay	6+

impose specific findings that regulate replacement DBH, nor does it indicate a preference for onor off-site relocation/replacement. Upon conference with Glendale's planning staff, however, they indicated a staff preference exists for trees to be situated in the best ecological conditions (e.g. criteria 6 and 7). For example, they indicated replacing an ecologically isolated tree with an off-site tree in a healthier habitat is a preferred outcome, especially if relocation is not feasible or it is unlikely the tree would survive.

City of Thousand Oaks

Oak Code (5.14) Landmark Code (5.24)

Fee Structure:

City of Thousand Oaks	Fee
Oak/Landmark Tree Permit (most common)	
Remove 1-3 Oaks, or 1-5 Landmarks (single family)	\$ 185.00 Plus additional \$180 deposit
Remove 1-3 Oaks, or 1-5 Landmarks (comm. + multi-fam.)	\$ 775.00 Plus additional \$180 deposit
Remove 4+ Oaks or 6+ Landmarks (single family)	\$4,000.00 Plus additional \$180 deposit
Remove 4+ Oaks or 6+ Landmarks (comm. + multi-fam.)	\$4,000.00 Plus additional \$180 deposit
Pruning	\$ - No Charge; recent change

Permit Review Process:

The City of Thousand Oaks reviews permit applications to remove Oak and Landmark trees based on several criteria. Most typically, their applicants are home owners or multifamily landlords; the City does not often receive permits for new developments, as they are nearly built out. Before an application can be approved, applicants must hire a private consultant/arborist to inventory trees on the site, make findings, and issue recommendations. Once the application has been deemed complete, City staff makes a site visit to determine the appropriateness of removal, and in turn, issue staff recommendations. If work is permitted and occurs, an arborist must verify the tree(s) were properly removed or protected, and must send a memo to the City.

Under certain circumstances, a permit is not required to cut or remove trees if one or more of the following conditions are met:

- (1) an oak trees does not exceed (2) two inches in DBH;
- (2) trees were damaged by weather (thunderstorms, earthquakes, fire, etc.);
- (3) removal deemed necessary by safety personnel (police, fire, etc.);
- (4) landmark trees on occupied single family lots smaller than (2) two acres.

Approval Conditions: if an application is not categorically exempt, a permit may still be approved if one or more of the following conditions are met:

- (1) cutting or removing limbs is required to maintain or aid a tree's health, balance, or structure;
- (2) tree is in poor or failing health;
- (3) tree is likely to fall;
- (4) impossible to reasonably mitigate tree interference with utilities, pedestrian accessibility, or existing structures;
- (5) presence of tree prevents reasonable and conforming use of the site.

Protected Tree Criteria:

Any oak tree (2) two inches or more in DBH is protected. Thousand Oaks also has a variety of protected landmark tree designations with differing DBH requirements (see Table2). Landmark trees can include special or unique trees that have been designated by the Planning Commission or City Council (not listed).

Tree Removal and Replacement:

Thousand Oak's municipal code does not mandate a specific number or cumulative DBH inches to be replaced per each tree removed or injured. However, conditions of approval may require (1) replacement trees be added to the subject property, (2) relocation of trees on- or off-site, (3) replacement of trees on- or off-site, (4) adoption

Table2: Thousand Oaks' Protected
Trees by DBH

Protected Trees	DBH (inches)
California Sycamore	12+
California Bay Laurel	8+
California Black Walnut	8+
California Holly or Toyon	8+
Oak	2+

of approved maintenance program, or (5) payment of a fee or donation of boxed tree to the City if replacement not possible on- or off-site.

Penalties:

An individual or party removing or cutting a protected tree without a permit may be responsible to replace the Landmark or Oak tree by donating (2) two ore more trees of reasonably equivalent size and value. Other fines and penalties may be applied at the discretion of the City.

City of Cupertino

Tree Program Code (14.18) (PDF) Permit (PDF)

Fee Structure:

City of Cupertino	Fee
Tree Removal	
First Tree	\$ 175.00
Additional Tree	\$ 75.00
Penalties	
Retroactive Tree Removal	\$ 2,662.00
Tree Management Plan	\$1,041.00

Permit Review Process:

The City of Cupertino has a very comprehensive tree protection ordinance that stresses the need for replacement trees when protected or heritage trees are removed. Applicants are required to provide many forms of documentation that justify tree removal. These are:

- (1) written explanation;
- (2) photograph(s) of the tree(s);
- (3) arborist report;
- (4) replanting plan;
- (5) permit fee;
- (6) tree survey map of trees to be removed.

Tree removal may omit this process if other demanding circumstances are met:

- (1) removal authorized by emergency personnel;
- (2) the trees are dead;
- (3) actions undertaken by public utilities under the jurisdiction of the Public Utilities Commission.

Under circumstances (1) and (2) above, an application must be submitted within 5 days of removal.

Upon receipt of a complete tree removal application, permits will only be granted if specific findings are possible:

- (1) trees are irreversibly diseased or in danger of falling;
- (2) interferes with or can potentially cause damage to utility services, existing or proposed essential structures, and can not be reasonably mitigated;
- (3) trees restrict economic enjoyment experienced by owners of similar zoned and situated property;
- (4) trees are detriment to the property, and cannot be adequately supported by good forestry standards (overcrowded or overplanted).

Tree Replacement:

Cupertino's code routinely mentions the need for tree replacement, and dedicates an entire section to Tree Replacement (14.18.185). This section provides the permitting agency with the power to attach conditional requirements that applicants *shall* purchase, plant, and maintain any replacement trees deemed necessary. If it is not possible for replacement trees to be placed onsite, an option does exist for applicants to pay in-lieu fees that are based on valuation guidelines. These fees are then used to add or replace trees within the vicinity of the subject property, or to add trees or landscaping to other city property.

Table3: Cupertino's Tree Replacement Guidelines

Trunk Size of Removed Tree	Replacement Trees
Up to 12 inches	One 24" box tree
Over 12 inches and up to 18 inches	Two 24" box trees
Over 18 inches and up to 36 inches	Two 24" box trees or One 36" box tree
Over 36 inches	One 36" box tree
Heritage tree	One 48" box tree

Penalties:

If a protected tree is removed before permit approval, the applicant or responsible party shall be liable for a retroactive tree removal fee.

Protected Trees:

Cupertino has many protected tree species (see Table4), but also protects heritage trees (not listed). Designation of heritage trees on private property may be initiated by property owners; trees on public or quasi-public property may be nominated for designation by member of the public.

Table4: Cupertino's Protected Trees by DBH

Protected Trees	DBH (inches)	
	Single Trunk	Multi-Trunk
Coast Live Oak	10+	20+
Black Oak	10+	20+
Big Leaf Maple	10+	20+
Valley Oak	10+	20+
Blue Atlas Cedar	10+	20+
California Buckeye	10+	20+
Interior Live Oak	10+	20+
Deodar Cedar	10+	20+
Western Sycamore	10+	20+
Blue Oak	10+	20+
Bay Laurel	10+	20+

City of Myrtle Beach, South Carolina

Code (903)

Fee Structure:

[still working on this]

Measuring Standard:

It should be noted Myrtle Beach does not consistently follow a specific measurement standard. Instead, they employ a caliper (or diameter) measurement taken (12) twelve inches above the soil line. For multi-stem trees, caliper measurements are made quite complex through a series of mathematical steps. Myrtle Beach employs DBH and caliper measurements when defining their replacement standards, despite the inherent conflicts between these standards.

Permit Review Process:

Permits are required to remove any Landmark and Protected tree. The City of Myrtle Beach has implemented different protection guidelines to reflect the different levels of importance they've ascribed to tree species, size, and age.

Landmark trees have much larger calipers (or diameters) and are thus typically older. Permits to remove landmark trees are only granted if:

- (1) the tree is hazardous or in decline;
- (2) an arborist determines the tree is diseased or infectious.

Exemptions can be granted if a tree prevents reasonable development of property.

Protected trees, moreover, are covered by more interpretative guidelines, and may be removed if:

- (1) a tree is hazardous;
- (2) an arborist determines the tree is diseased or infectious;

- (3) a tree or its root system is interfering with or damaging existing structures, pedestrian walkways, or vehicular movement;
- (4) tree is within a public utility easement and cannot be properly pruned;
- (5) tree is located within (10) ten feet of a single family residential unit's footprint;
- (6) and other variables not applicable to urban settings (e.g. commercial timber harvesting).

Protected Trees:

Table5: Myrtle Beach's Protected and Landmark Trees

Tubles: Wythe	Deach 5 I lotected
Protected Trees	Height (feet)
Wax Myrtles	10+
Crape Myrtles	10+
	DBH (inches)
Sycamore	12+
Sweet-Gum	12+
Pine	18+
Japanese Black Pine	2+
Circu	ımference (inches)
Indigenous Trees	
Live Oak	4+
Eastern Red Cedar	4+
Southern Magnolia	4+
Bald Cypress	4+
Any Tree in Public Right of Way	3+
All Other Species	5+

Landmark Trees	DBH (inches)
Eastern Red Cedar	30+
Southern Magnolia	30+
Live Oak	30+
Laurel Oak	36+
Willow Oak	36+
Red Maple	36+
Bald Cypress	30+
American Holly	20+
Flowering Dogwood	15+
Hickory (except Pecan)	36+

While the City has designated a large variety of trees for conservation, it is especially important to note their designation of "all other species" (5) five inches or larger. This requirement goes far beyond most cities, and ensures all trees removed are adequately replaced.

Mitigation and Replacement:

Unlike most jurisdictions, Myrtle Beach has an established replacement framework that indicates applicants *shall* replace trees based on specific criteria. Table6 provides the general framework, but some distinctions exist for specific tree species.

Table6: City of Myrtle Beach's Replacement Guidelines

Each Exiting Tree	Will Be Replaced By	DBH (caliper)
Any tree with less than 6" DBH	1	2.5
2 1/2" in caliper to 6" DBH Oak		
Tree	1	3
1 tree, over 6-9" DBH	2	4
1 tree, over 9-12" DBH	3	4
1 tree, over 12-15" DBH	5	4
1 tree, over 15"+ DBH	7	4
Sycamore or Sweet-Gum 12" or		
greater caliper	1	4
Pine 18" or greater caliper	1	4