


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: March 1, 2016

TO: Public Works and Gang Reduction Committee

Attention: Office of the City Clerk
City Hall, Room 395

FROM:  Nazario Saucedo, Director
Bureau of Street Services

**SUBJECT: CITY COUNCIL INSTRUCTION FOR BUREAU OF STREET SERVICES
TO REPORT RELATIVE TO PUBLIC NOTIFICATION OF PROPOSED
PROTECTED TREE REMOVAL APPLICATIONS – CF 03-1459-S2**

SUMMARY

This report is responsive to a Councilman Mike Bonin, Council District (CD) 11, motion (CF 03-1459-S2) regarding proposed protected tree removal public notification processes. The Bureau of Street Services (BSS) is requested by Councilman Bonin to investigate requiring a minimum public notification period of thirty days, public hearing, and other methods of public notification for trees protected by Los Angeles Municipal Code (LAMC) Sec. 46.01-46.06.

Per the LAMC Sec. 46.00, the Board of Public Works (BPW), has jurisdiction and control over the approval or denial of tree removal permits for the Oak (*Quercus*) genus trees, California Sycamore (*Platanus racemosa*) tree, Southern California Black Walnut (*Juglans californica*) tree, and the California Bay (*Umbellularia californica*) tree on private property. Collectively these trees are referred to as Protected Trees.

The BSS authority over protected trees resides only in the power to issue protected tree removal permits and tree replacement conditions pursuant to said permit. The law is not intended to preclude reasonable development nor impede the need for tree removal when a Protected Tree can be shown to be causing property damage.

RECITAL

Protected trees are an integral part of the City's urban forest as a whole. In fact, if not for human interaction, the only trees that would be found in the Southern California region would be native trees, of which the Protected Trees comprise a significant percentage. As Protected Trees constitute a significant cultural and historical component to the regions ecology, the BPW has practices regarding the public notification of any proposed tree removal permit applications. The current practices are as follows:

- Respective Council offices in which the proposed tree removal is contained is notified of all Protected Tree removal applications, regardless of the number of proposed Protected Tree

- removals, at the time the BSS receives the removal permit application
- Notification to the Community Forest Advisory Committee (CFAC) of the proposed Protected Tree removal application
- Including the Protected Tree Removal application on the BSS Tree Removal Notification system
- BPW public hearing held for all Protected Tree removal applications regardless of the number of proposed tree removals

The CD 11 motion requests a minimum thirty day public notification period for proposed Protected Tree removal and the above practices be codified in a formal BPW policy. In conversations with CD 11 legislative staff, the CD also requests additional more proactive public notification be implemented. Therefore, the following recommendations are made:

1. BPW continue the current existing practices.
2. Require applicants to physically post the Protected Tree removal hearing date ten days prior to hearing – The posting requirements, including posting methods, posting size requirements, and other necessary tasks shall be developed by the BSS. BSS shall utilize the current Department of City Planning (DCP) posting requirements as a template and these will be modified to align with the BPW hearing process.
3. Require applicants to provide written notification of the proposed Protected Tree removal to property owners within a 500’ radius of the subject Protected Tree removal property. The specific details of this requirement shall be developed utilizing the current DCP Radius Map Guidelines. The guidelines shall be modified to align with the BPW hearing process.
4. Modify the existing web-based Tree Removal Notification System to allow for property owners to register and be informed of any proposed Protected or Street Tree Removal applications within a 500’ radius of their property.

Recommendations #1 and #2 do not require significant review and modification of existing policies and procedures nor the creation of new policies and procedures. Therefore, the BSS opines these recommendations could be implemented within 90-120 days.

However, recommendations #3 and #4 will require substantial review and modification of the DCP processes in the creation of policies that will effectively address the BPW needs. Additionally, these recommendations may require additional human and monetary resources.

FISCAL IMPACTS

No fiscal impacts at this time.

RECOMMENDATIONS

1. Direct the BPW to continue the current practices requiring Protected Tree removal by notifying the respective Council District office and CFAC, posting on the Tree Removal Notification System, and holding a public hearing.
2. Direct the BSS to require Protected Tree removal applicants to physically post the subject property ten days prior to the public hearing.
3. Require applicants to provide written notification of proposed Protected Tree removal to property owners within a 500’ radius of effected property.
4. Modify the Tree Removal Notification System to allow for property owners to register and receive future notification of proposed Protected or Street Tree removal applications within 500’ of their residence.

MOTION

The City's Protected Tree Ordinance (Ord. No. 177404) was initially adopted in 1980 to establish clear standards for preservation of specific native trees as vital members of the City's urban forest. The trees covered under this ordinance are not only integral to local habitats, but also constitute significant cultural and historical components of the City's natural topography. The intent of the Protected Tree Ordinance and the policies of the Board of Public Works is to protect these considerable environmental benefits.

On June 17, 2015, the Board of Public Works adopted a comprehensive street tree removal permit and tree replacement condition policy. Key elements of this new policy include the following requirements:

- Require the public be notified of the proposed removal of three or more street trees by: placing a public notice for a 30 calendar days minimum period on each proposed tree removal providing the reason for tree removal and BSS contact information, placement of the address/project on the BSS Street Tree Removal Notification System, informing the Community Forest Advisory Committee, and emailing the respective Council District Office(s) in which the street tree removals shall occur.
- Require a Board of Public Works public hearing for the consideration of the removal of three or more street trees at a specific address or a single project containing multiple addresses.

These public notification and hearing requirements for street tree removals should be expanded to include protected trees on private properties.

I THEREFORE MOVE that the City Attorney be requested to prepare and present an ordinance that requires a minimum 30-day public notice and a public hearing for any permit application for the removal of three or more protected trees on private property.

PRESENTED BY:

Mike Bonin
MIKE BONIN
Councilmember, 11th District

SECONDED BY:

Joe Bruen

[Signature]
AUG 13 2015

Report Back 30 days

ORIGINAL