URBAN FOREST TASK FORCE

01/24/2018
2. REPORTS OF STAFF/MEMBERS
NEXT URBAN FOREST TASK FORCE MEETING

03/28/2018
3. PUBLIC INPUT
3. PUBLIC INPUT
4. CONSENT CALENDAR

A. Approve the Minutes of the November 15, 2017 UFTF Meeting
5. NEW BUSINESS

A. Tree Removal Appeal for 2828 Arizona Avenue
Ficus at 2828 Arizona Avenue
5. NEW BUSINESS

B. Bikeway on 17th Street
5. NEW BUSINESS

C. Private Tree Ordinances
TREE LAW IN THREE MINUTES OR LESS

Presentation by Ellis Raskin
Santa Monica Urban Forest Task Force
September 27, 2017
Tree “Ownership”

- Trees belong to the person (or entity) that owns the land where the trunk touches the ground. (Civil Code section 833).

- When a trunk is located on the border between two properties, both property owners are co-owners of that tree. (Civil Code section 834).
Branches and Roots that Cross Boundary Lines

- The portion of the branches or roots that cross over the boundary line belong to the individual who owns the property upon which the branches or roots encroach. (*Grandona v. Lovdal* (1889) 78 Cal. 611; *see also* Civil Code section 829.)
  
  - **OLD RULE:** Property owners had an "absolute right" to cut off encroaching branches or roots. (*Bonde v. Bishop* (1952) 112 Cal.App.2d 1.)

  - **CURRENT RULE:** The right to cut encroaching branches and roots is constrained by a duty to act reasonably; in general, property owners cannot unilaterally take actions that may cause harm to a neighbor’s tree. (*Booska v. Patel* (1994) 24 Cal. App. 4th 1786.)
Privately Owned Trees that Encroach Into Sidewalks and Streets

- By ordinance, a city can force a private property owner to remove trees that obstruct “sidewalks, parkings, or streets,” and the city may charge the property owner for the cost of removal. (Government Code section 39502.)

- A city can also require property owners to remove “weeds” and “rank growths” from sidewalks. (Government Code section 39502.)
Municipal Regulation of Trees on Private Property

- Land use regulations must have a “substantial relation” to “public health, safety, morals, or general welfare.” (Associated Home Builders etc., Inc. v. City of Livermore (1976) 557 P.2d 473.)

- California law recognizes the rights of property owners to trim trees on their property (as long as doing so does not harm others). (Booska v. Patel (1994) 24 Cal. App. 4th 1791.)

- California courts have upheld landscaping restrictions that preserve views and regulate aesthetics. (See, e.g., Echevarrieta v. City of Rancho Palos Verdes (2001) 103 Cal.Rptr.2d 165, 169-70.)
Examples of Tree Ordinances

San Francisco:
- Protects “significant trees” within 10 feet of a public right of way that meet the following size requirements:
  - 20 feet or greater in height,
  - 15 feet or greater canopy width, or
  - 12 inches or greater diameter of trunk measured at 4.5 feet above grade.

Pasadena:
- In specified zones, protects native and specimen trees in:
  - Established front yard,
  - Required side yard,
  - Established corner yard, or
  - Required rear yard
5. NEW BUSINESS

D. Private Tree at 1122 California Avenue
5. NEW BUSINESS

E. Boards & Commissions Questionnaire
6. CONTINUED ITEMS

A: Urban Forest Management Update
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* Updated tracking protocol for this metric
City of Santa Monica
Public Works Department
Public Landscape Division

Urban Forest Tree Pruning Program
FY 17 - 18 (July 1, 2017 - June 30, 2018)

Pruning Program

This map illustrates the City of Santa Monica’s urban forest tree pruning program. There are four colors that represent the frequency of tree inspection cycles for each designated street segment, per the Santa Monica Urban Forest Master Plan. Frequency is based on tree species and volume of street use. Only trees identified as requiring work during inspection will be pruned. Cycles are based on current available resources and may be subject to change.

Tree Pruning Cycles

- Annual Cycle (Street)
- Annual Cycle (Median)
- 2 Year Cycle (Street)
- 2 Year Cycle (Median)
- 3 Year Cycle (Street)
- 3 Year Cycle (Median)
- 5 Year Cycle (Street)
- 5 Year Cycle (Median)

300 Street Segment Number

City Park

Note: The map indicates the areas to be pruned, but actual pruning will be conducted by the appropriate City staff.
PCH – Bluff Work

Jan 29 – Feb 1

N/B = CA Incline to City Limit

One Lane Closed 8am-2pm
10th Annual Tree Hugging Day on Spring Equinox

Public • Hosted by Tree Hugging Friends
Arbor Day 2018
6. CONTINUED ITEMS

B: Urban Forest Observations
6. CONTINUED ITEMS

C: Additional 2018 Meeting Dates
UFTF Meeting Dates 2018

- March 28, 2018 *update to March 21 or April 4 special meeting?*
- May 23, 2018
- July 25, 2018 *update to July 18 or August 1 special meeting?*
- September 26, 2018
- November 28, 2018

Proposed Additional Special Meetings

- June 27, 2018
- October 24, 2018
9. FUTURE AGENDA ITEMS

- Early Childhood Learning Center
- Street Tree Planting Update
- UTC Report
THANK YOU