



Public Landscape Division  
Public Works Department 2600  
Ocean Park Blvd Santa  
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Tel: (310) 458-8974  
public.landscape@smgov.net

## PUBLIC TREE REMOVAL APPEAL POLICY

**The Public Tree Removal Appeal Process addresses:**

- (1) An appeal of a determination to remove a tree; or**
- (2) An appeal of a determination that a tree cannot be removed – Exception Process**

In accordance with the Urban Forest Master Plan (Plan) ensuring a healthy urban forest for residents, visitors and future generations, the City has established a policy to appeal the City's determination to remove a tree as well as the City's determination to not remove a tree.

Authority to remove trees is articulated in the Plan and municipal code section 7.40.090, Responsibility of Director. The Director of Public Works (Director) is ultimately responsible for the duty of supervising the removal of public trees. To ensure transparency and inform the public, appeals will be reviewed by the Urban Forest Task Force (UFTF) at a monthly meeting to provide a recommended determination. The Director will consider the UFTF recommendation in making a final determination.

**Tree Removal Criteria: Pursuant to the Urban Forest Master Plan, a tree may be removed when:**

- A tree is dead
- A tree has reached an over-mature condition and is in declining health which will result in its death within the year
- A tree is infected with a disease which cannot be treated successfully and/or there is a strong potential that the pathogen could spread to other trees in the immediate vicinity
- A tree has been determined through a Risk Assessment Report to be a hazard because of its high potential for failure due to considerable dead or dying foliage, branches, roots or trunk
- A tree requires extensive root pruning because of excessive hardscape damage resulting in the severe reduction of its capacity to support itself, thereby creating a potential safety hazard
- A tree is not a good candidate for relocation
- A tree is not a good candidate for relocation and has been approved for removal as a part of a City Council approved public improvement project that has already gone through the established public process
- A tree planted by a private party in the public right-of-way after City Council approval of the Master Plan (December 13, 2011) may be subject to removal of the tree by the City

The Urban Forest Master Plan is available in PDF format online at [www.santamonicatrees.com](http://www.santamonicatrees.com) .



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### **(1) An appeal of a determination to remove a tree**

As outlined in the Plan, a member of the public can appeal the removal of a posted tree during the 14 calendar day notification period. The appeal form can be found at [www.santamonicatrees.com](http://www.santamonicatrees.com) or at the Public Landscape Division offices. The appeal policy can be found in the Plan and the process is outlined below.

1. *The Urban Forester determines that a tree should be removed.*
2. *A notice of the removal determination is posted on the tree for 14 calendar days.*
3. *A written appeal can be filed at any time during the 14-day removal notification period. The Public Tree Removal Appeal Form is available at [www.santamonicatrees.com](http://www.santamonicatrees.com) or at the Public Landscape office.*
4. *The appellant must submit all materials supporting their appeal within ten calendar days after filing the appeal form and only that information will be considered in the appeal.*
5. *After all appeal materials have been submitted in a timely manner, the appeal will be heard at the next available Urban Forest Task Force (UFTF) meeting.*
6. *The UFTF will make a recommendation on the appeal to the Public Works Director.*
7. *The Director, or designee, will consider the appeal and the UFTF recommendation. The appellant will receive a written determination from the Director with the final decision no later than 30 calendar days after the item is heard by the UFTF.*

### **(2) An appeal of a determination that a tree cannot be removed – Exception Process**

To obtain an exception to remove a tree that does not meet the Plan criteria as determined by the Urban Forester, the determination must be appealed. The appeal form can be found at [www.santamonicatrees.com](http://www.santamonicatrees.com) or at the Public Landscape Division offices. The exception policy and process are outlined below.

Property Owner Appeals to Remove a Tree: When a property owner requests for a public tree to be removed on their property and the Urban Forester makes a determination that the tree should not be removed based on criteria in the Plan (outlined above), individual property owners may request to appeal the determination after their request to have a tree removed has been denied by the City. The appeal will be presented to the UFTF to make a recommendation on the appeal. The Director, or designee, will consider the appeal and the UFTF recommendation. The appellant will receive a written determination from the Director with the final decision no later than 30 calendar days after the item is heard by the UFTF. If exception is granted, all removal and replacement costs will be borne by the applicant. The applicant must agree to the mitigation plan issued with the exception determination. If exception is denied, the appellant must wait for a period of 5 years before resubmitting a tree removal request, or if the tree's condition changes enough to warrant reconsideration.



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Mitigation Plan: Any tree removal determined by the Director to be an exception to the Plan's removal criteria shall be subject to the following mitigation plan policy. A tree determined as dead, diseased, structurally unsound, hazardous or otherwise meeting the tree removal criteria in the Plan may qualify the tree to be listed for removal, upon inspection by the Urban Forester or designee, and does not require a mitigation plan. If a tree is healthy, but 1) there is an unavoidable conflict between tree and proposed plan, 2) no project design solutions, or 3) no tree preservation or pruning solutions (clearance pruning), the tree may qualify for removal. This qualification will be determined by the Urban Forester or designee, and will require a mitigation plan.

In accordance with the Plan, the Urban Forester shall develop a mitigation plan. No tree removal will be allowed until all mitigation requirements have been formally agreed to including the provision of restitution for all tree removals. Any public tree removed as part of a mitigation plan shall be replaced with the planting policies established in the Plan and in accordance with ANSI (American National Standards Institute) A300. Planting stock and planting locations must be approved by the Urban Forester prior to installation in the field.

The restitution value of trees will be calculated by the Urban Forester using the City of Santa Monica's Tree Valuation Protocol. The value of a tree will be calculated using methodologies developed by the Council of Tree and Landscape Appraisers (CTLA) in their Guide for Plant Appraisal, 9th edition. The value is based on the tree's size and after making adjustments for its condition, species and location. The restitution value will be calculated in terms of replacement trees. The number of replacement trees will never be less than 'Caliper Replacement' as defined in the Tree Valuation Protocol. The Tree Valuation Protocol can be found at [www.santamonicatrees.com](http://www.santamonicatrees.com) or at the Public Landscape Division offices.

Steps to file an exception process appeal are:

1. *A request to remove a street tree has been denied by the Urban Forester.*
2. *A property owner can submit a written appeal any time after their request to have a tree removed has been denied by the City. The Street Tree Removal Appeal Form is available at [www.santamonicatrees.com](http://www.santamonicatrees.com) or at the Public Landscape office.*
3. *The appellant must submit all materials supporting their appeal within ten calendar days after filing the Street Tree Removal Appeal Form.*
4. *Within ten calendar days after receipt of all the necessary materials, the Urban Forester will provide a mitigation plan in writing.*
5. *The appeal will be heard at the next available Urban Forest Task Force (UFTF) meeting.*
6. *The UFTF will make a recommendation on the appeal to the Public Works Director.*
7. *The Director, or designee, will consider the appeal and the UFTF recommendation. The appellant will receive a written determination from the Director with the final decision no later than 30 calendar days after the item is heard by the UFTF.*
8. *If an exception is granted through the appeal process, all removal and replacement costs will be borne by the applicant. The applicant must agree to the mitigation plan issued with the exception process determination.*

### NOTE:

If a tree is posing an immediate hazard and is considered to be a threat to public safety, the Public Works Director can order immediate removal. This appeal process does not apply to City initiated Public Improvement Projects.



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## PUBLIC TREE REMOVAL APPEAL APPLICATION

Please TYPE or PRINT all information clearly.

What kind of tree removal appeal are you filing? Please check the correct box.

- An appeal of a determination to remove a tree
- An appeal of a determination that a tree cannot be removed – Exception Process

Is your request related to a planning application or an existing construction project with the city?

- No
- Yes, please specify your City contact \_\_\_\_\_

APPELLANT NAME: \_\_\_\_\_

APPELLANT ADDRESS: \_\_\_\_\_  
 (All correspondence will be mailed to this address)

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

TREE(S) LOCATION: \_\_\_\_\_

Please state the specific reason(s) for the appeal (use separate sheet if necessary).

REASON FOR APPEAL:  
 \_\_\_\_\_  
 \_\_\_\_\_

APPELLANT SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this form to **public.landscape@smgov.net** or Public Landscape Division, 2600 Ocean Park Blvd, Santa Monica, CA 90405.

For office use only.

	Filed: _____
Application Number: _____	By: _____