

Tree Policy



CITY OF MONTCLAIR - OPERATIONS DIVISION

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INTRODUCTION

The purpose of this Tree Policy is to provide guidelines for the protection and preservation of trees planted within the City of Montclair's rights-of-way and at City facilities. There are approximately 6,000 trees planted within the City rights-of-way as well as over 850 trees planted in City parks and public facilities. The collection of these trees is referred to as the City's Urban Forest. Over the past 15 years, the number of trees in many US cities has declined by approximately 30 percent, while the area covered by concrete and other solid surfaces has risen by 20 percent. To redress this imbalance, experts suggest 634 million trees need to be planted in the United States.

The goal of this policy is to gain the maximum benefits from a healthy urban forest at a minimal cost. The City's Urban Forest is a valuable asset that is worthy of protection and preservation. Trees beautify the landscape and enhance the quality of life of our residents. Trees absorb carbon dioxide from the air and are a source of oxygen. They can provide sound buffering and shade for both residential and commercial buildings and can help reduce cooling costs in hot weather. Trees can also provide protection from damage by destructive winds. Recent studies have shown that their leaves, branches and/or trunks also help slow the runoff of storm water. These are only a few of the benefits that can be realized by selecting the appropriate species of tree and then planting and maintaining the tree correctly.

This Tree Policy is a reference source to be used by private contractors and City employees whenever any work is planned or performed to plant, prune, or remove trees in a City rights-of-way or City facility. With the exception of non-residentially owned properties with trees planted as part of a Precise Plan of Design, private property owners are prohibited from performing any planting, pruning, removing and spraying of a City tree as defined in the Tree Policy.

The following sections present guidelines and specifications for selecting, planting, maintaining, and removing trees within City rights-of-way and on City property. These guidelines and specifications conform to the national standards for tree care as set by the International Society of Arboriculture (ISA) and the National Arborists Association (NAA).

Also included in the Tree Policy are 'Oak Tree Preservation' guidelines for both public and private properties within the City. The purpose of this section is to preserve and protect oak trees in recognition of their historical, aesthetic, and environmental value and to provide regulatory guidelines to accomplish this purpose.

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I. TREE PRUNING

A. BY CITY STAFF

The City has been divided into five (5) grids for tree trimming purposes. The grids are shown on Attachment 'A'. Each fiscal year, all the City trees in one grid are pruned. Once the trees in all grids are trimmed over the five-year period, the process begins again. This guarantees that all City trees are trimmed at least once every five (5) years.

Property owners can request street tree pruning in addition to the tree pruning provided through the grid process. A request for tree pruning must be:

- 1) Verified to be within City rights-of-way; and
- 2) Inspected as to its condition

A request does not necessarily guarantee the tree will be trimmed. Unless a dangerous condition exists, or the tree is in immediate need of pruning, the tree will be pruned in the scheduled grid area. If the tree does requires immediate pruning, a work order shall then be prepared and the tree will be scheduled for pruning. In all cases, the person who submitted the request will be notified of the status and schedule of when the tree will be pruned.

If a tree is planted in the City rights-of-way, but is not a designated City tree, the City may either trim the tree as part of the grid trimming process or remove the tree. Palm trees are the most common example of trees planted or trees growing in the rights-of-way that are not designated street trees in residential areas. The Palm tree usually starts as a 'volunteer' from seeds from another Palm tree in close proximity.

B. BY PRIVATE CONTRACTORS

A private contractor may work on a City tree after obtaining written authorization from the City. The Contractor must follow the tree pruning guidelines as listed in Section I. C. All tree work shall be conducted in a manner that causes the least possible interference with pedestrian and vehicular traffic. Traffic shall be allowed to pass through the work areas under conditions of safety and with as little inconvenience and delay as possible. A written traffic control plan must be submitted by contractors to the Public Works Department and approved by the City before any work begins.

Written authorization from the City is not required for maintenance performed on trees planted within the City rights-of-way on non-residentially owned property, which were part of a Precise Plan of Design. However, all work performed should follow the guidelines listed under Section I. C. and I. D. developed pursuant to ISA and NAA guidelines.

It should be noted that any landscape removal, tree removal or major tree pruning on properties with Precise Plan of design must obtain approval for such work from the Planning Division of the Community Development Department.

C. TREE PRUNING GUIDELINES

Attention is directed to Part I, Section 4, "Control of Materials," and to Part II, "Construction Materials," of the Standard Specifications for specifications covering concrete aggregates, concrete pipe, miscellaneous metal items, Portland cement, bituminous materials, and other materials to be incorporated into the work. Certificates of Compliance may be required on all pipe materials.

All materials furnished and all work performed shall be subject to inspection by the Engineer. The City will hold strictly to the true intent of the Specifications and Drawings in regard to quality of materials and workmanship. Such inspection may include mill, plant, and shop or field inspection as required. The Engineer shall be permitted access to all parts of the work, including plants where materials or equipment are manufactured or fabricated, and he shall be furnished with such materials, information and assistance by contractors and any subcontractors and suppliers involved in building Public Works facilities. As is required to make a complete and detailed inspection.

Work done in the absence of prescribed inspection may be required to be removed and replaced under the proper inspection, and the entire cost of removal and replacement, including the cost of all materials which may be furnished by the City and used in the work thus removed, shall be borne by the party doing such work regardless of whether the work removed is found to be defective or not. Work covered up without the authority of the Engineer shall, upon order of the Engineer, be uncovered to the extent required, and the party shall similarly bear the entire cost of performing all the work and furnishing all the materials necessary for the removal of the covering and its subsequent replacement as directed and approved by the Engineer.

D. SITE CLEAN UP

After trimming is complete, the City or private contractor shall ensure the work area is cleaned and all trimmings for disposal are promptly removed. Under no circumstances shall the accumulation of limbs, logs or other debris be allowed in such a manner as to result in a hazard to the public. Any firewood generated from the trimming of City trees can be left with the property owner if so requested. If not, the wood will be taken to the Public Works Department City Yard for disposal.

E. EMERGENCY TREE PRUNING

Street tree pruning is done on an emergency basis. Emergency pruning includes, but is not limited to, the following situations:

- 1) Pruning of tree limbs that interfere with utility lines unless work can be done by the respective utility company.
- 2) Pruning tree limbs that interfere with:
 - a. Street light illumination
 - b. Street signal lights
 - c. Street signs
 - d. Buildings or other public or private facilities
 - e. Safe vehicular or pedestrian traffic (including utility vehicles such as street sweepers and trash trucks).
- 3) Pruning of hazardous limbs, such as large dead limbs greater than 2 inches in diameter.
- 4) All emergency tree pruning must still adhere to the tree pruning guidelines listed in Section IA.

II. TREE REMOVALS

It is the City's policy to preserve and to protect healthy trees that provide valuable benefits to our environment. In general, tree removal without cause is prohibited. However, whenever a tree must be removed, every attempt to replace the tree with an acceptable species should be made. The following guidelines have been developed to determine when cause for removal exists for trees located within City rights-of-way or City facilities. Trees planted on nonresidential properties that were part of a Precise Plan of Design cannot be removed without written authorization from the Planning Division of the Community Development Department.

- 1) **Diseased / Insect Infested Trees.** Trees that have been determined to be diseased or infested by insects that are a threat to healthy nearby trees, if chemical or biological control would be ineffective, may be removed to prevent damage to the other healthy trees.
- 2) **Hazardous Condition Removal.** If a tree causes a liability (i.e. blocking a stop sign or signal light), it may be removed. Reasons for tree removal must include one or more of the following considerations:
 - a. If pruning to correct the hazard would seriously disfigure the tree
 - b. If the cost of the continual pruning of the tree outweighs the value of the tree
 - c. If potential liability exists because of conditions caused by the tree which may result in litigation.
- 3) **Hardscape Damage.** A tree may be considered for removal whenever hardscape repairs (i.e. sidewalk, curb or gutter, driveway, driveway approach, block wall, etc.) cannot be completed without causing severe damage to the tree's root system.
- 4) **Building Structure or Maintenance.** A tree may be removed if it is causing serious damage to the structural integrity of a building. One example of this situation is a tree whose root system is lifting or cracking a building foundation.

- 5) **Construction.** A tree may be removed within City rights-of-way to allow for construction. This would include the installation of sidewalk and/or the construction of a block wall. Removal is allowed only after the property owner obtains an encroachment and construction permit from the City's Public Works Department.
- 6) **Sewer Lateral and Main Line Damage.** Invalid reasons for tree removal include but are not limited to the following:
- a. Leaves fall into gutters and/or leaves have to be raked
 - b. Tree does not conform to property owners landscape theme
 - c. Hardscape damage if a reasonable solution exists to save the tree
 - d. New landscape installation does not match the existing tree

III. TREE PLANTING

- 1) **Suitability of the Tree.** Before any tree is planted within a City right-of-way or on City property, several important questions should be answered. These include the following:
 - a. Is adequate spacing (both above and below ground) present to allow healthy growth to maturity?
 - b. Is the type of tree (evergreen, deciduous) conducive to its surroundings?
 - c. Does the tree achieve the desired effect on the landscape?
 - d. Does the location of the tree to be planted consider the proximity to buildings, sewer lines, water lines, sidewalks, curbs, gutters, block walls, driveway approaches, driveways, street signs, traffic signals, street lights, etc.?
 - e. Is the soil type suitable for the tree?
 - f. Does a watering source exist? Where is it located? And what type of irrigation is needed?
 - g. What type and level of maintenance of the tree is necessary?
 - h. If utility lines are located in close proximity to the tree, have the growth characteristics of the selected species been taken into consideration so as to avoid pruning that is inconsistent (i.e. topping) with ISA and NSA standards?
- 2) **Planting Standards.** All trees planted must conform to the City standard which is shown in Attachment B. Street trees shall be planted to the maximum width of the public right-of-way. A minimum of one street tree shall be planted on each residential lot (two trees on a corner lot). If a property owner requests an additional tree, it may be provided at the property owner's expense. Standard tree replacement size shall be 15-gallon, 6-foot tall for residential sites. The size and quantity of trees for new residential and commercial sites may be upgraded by the Planning Division of the

Community Development Department upon their review of the development. Trees planted within the public rights-of-way on nonresidential properties shall be maintained by the property owner. These trees cannot be removed without the approval of the Planning Division of the Community Development Department.

3) **Tree Characteristics.** Tree characteristics to be encouraged are:

- a. Drought tolerant
- b. Minimal allergy problems (pollen producing trees include sycamore and alder)
- c. Native to California
- d. Minimal root damage potential
- e. Long lifespan
- f. Good branch strength and structure
- g. Insect/disease resistant
- h. Low maintenance
- i. Minimal messy fruit and/or plant parts

4) **Approved Street Trees.** In accordance with these characteristics, the following is a list of approved trees that may be planted within City rights-of-way in front of residential property. They include:

- | | | |
|---------------------|-------------------------|---------------------------|
| ▪ Jacaranda | ▪ Carob | ▪ Pink Trumpet |
| ▪ Magnolia | ▪ Evergreen Pear | ▪ Thornless Honey Locust |
| ▪ Purple Plum | ▪ Crepe Myrtle | ▪ Camphor |
| ▪ Golden Rain | ▪ Carrot Wood (Cupania) | ▪ Holly Oak |
| ▪ Flowering Plum | ▪ Eastern Redbud | ▪ Long-Leafed Yellow-Wood |
| ▪ Australian Willow | ▪ Maidenhair Tree | ▪ Chinese Pistache |
| ▪ African Sumac | ▪ Cape Chestnut | ▪ Gold Medallion |
| ▪ Chinese Fringe | ▪ Chinese Fringe | ▪ Chinese Flame |

Trees being planted within City rights-of-way must be consistent with the predominant species of tree on the street. Exceptions to the list of the approved trees may be made by the Planning Division of the Community Development Department where the following land use assignments occur:

- a. On commercial and industrial sites where a Precise Plan of Design is adopted
- b. In new development pursuant to an adopted Specific Plan
- c. In large lot residential areas where the lot size exceeds 20,000 square feet.

IV. TREE SPRAYING

All trees should be sprayed when a controllable disease or pest exists and when such spraying will control the problem. An example of necessary spraying would be the use of a fungicide to control powdery mildew on crape myrtle trees. The required spraying must be done by a licensed pesticide applicator or the Public Works Department who have been trained in the proper use and application of pesticides. Before any spraying is performed, a written recommendation by a licensed Pest Control Advisor must be obtained specifying the pest or disease to be eradicated as well as the method required.

In cases where infestation or the disease has gone undetected and the recovery of the tree is not likely, removal of the infected tree would be recommended.

When trees require spraying that are located within City rights-of-way on nonresidential property and are part of a Precise Plan of Design, spraying should be done by a licensed pesticide applicator after obtaining a written recommendation by a Pest Control Advisor.

IV. ROOT PRUNING

Root pruning shall be performed for removal of surface roots, but also whenever such practice will prevent further damage to hardscape and structures and will not cause serious damage to the tree. There are four (4) methods for root cuts as recommended by the I.S.A. These root cut methods are listed as follows:

- A. YRC – Arbitrary root cut without the installation of root barrier.** When the trunk or root flare is more than 2 to 3 feet from the sidewalk or curb area to be cut along and the inspection warrants the tree would not be a hazard if the tree roots were cut.
- B. YRB – Arbitrary root cut and the installation of root barrier.** This root cut would be the same as an YRC, but adds the installation of a root barrier. The root barrier should be placed one (1) inch or less below grade with the raised root deflectors facing toward the tree and as near to the hardscape as possible.
- C. YNB – Selective root pruning without root barrier.** All tree roots that occur within the sidewalk, curb, or structure construction area will be removed or shaved down. Roots selected for removal shall be selected on the basis that they will have the least impact on the vigor and stability of the tree. This process shall be used when a tree trunk or root flare is less than one to two feet from the construction area and the size, species or condition of the tree warrants a root cut to be hazardous to the tree. Selective root pruning is performed with an ax or stump-grinding machine instead of a root-cutting machine.
- D. YBB – Selective root pruning with installation of a bio-barrier fabric.** This root cut process is the same as the YNB, but adds the installation of a bio- barrier fabric. A 12-inch wide swath of root barrier fabric shall be used and shall extend on either side of the root cut six inches. The root barrier fabric must be one inch or less below grade of the top of the new sidewalk and extend at least two inches below the root cut.

Trees planted within City right-of-way on nonresidential property that are part of a Precise Plan of Design should follow the guidelines listed under Root Pruning 1, 2, 3, and 4.

VI. OAK TREE PRESERVATION

The purpose of this section is to preserve and protect oak trees in recognition of their historical, aesthetic, and environmental value and to provide regulatory guidelines to accomplish this purpose. 'Oak tree' shall mean any oak tree of the genus *Quercus*, including but not limited to California Live Oak and Holly Oak.

No person, partnership, corporation or other legal entity shall remove or cause to be removed any oak tree within the City on public or private property unless compelling reasons justify the removal of such trees (such as those listed in Section II Tree Removals of this policy) without the written approval from the City.

In the event an Oak tree must be removed, a similar tree must be planted in its place within sixty calendar days, based on one of the following options as determined by the City:

- 1) For each six inches of the protected trees diameter, two trees of the same species with a minimum 15-gallon container size shall be planted at the same location as recommended by the City.
- 2) For each protected tree removed, three replacement trees of the same species with a minimum 15-gallon container be planted at the same location as recommended by the City.

If the site is inadequate in size to accommodate the number of replacement trees as outlined, the City may require a lesser number of trees to be planted.