

Roseville Municipal Code

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Chapter 19.66 TREE PRESERVATION

19.66.010 Purpose.

- A.** Roseville’s native vegetation consists of valley grasslands with scattered native oaks and oak and riparian woodlands. Trees in the City enhance the natural scenic beauty, sustain long-term potential increase in property values, maintain original ecology, provide tempering of extreme temperatures, reduce soil erosion and increase the oxygen output of the area needed to combat air pollution.
- B.** For these reasons, the Council finds that, in order to promote the public health, safety and general welfare of the City of Roseville while at the same time recognizing individual rights to develop private property, it is necessary to enact regulations controlling the removal of and preservation of trees within the City and to reforest our urban environment. (Ord. 5428 § 1, 2014.)

19.66.020 Definitions.

Administrative Tree Permit. A Tree Permit issued by the Manager that is not associated with a separate discretionary entitlement.

Arborist. An individual certified as an arborist by the International Society of Arboriculture (ISA).

Arborist, City. An arborist employed by or chosen and retained by the City to review, evaluate and prepare reports and requests to remove and/or relocate protected trees. In performing the duties and responsibilities, the City arborist may conduct field inspections independently or in the company of City employees and/or other arborists.

Arborist Report. A report prepared by an arborist containing specific information on the location, condition, potential impacts of development, recommended actions and mitigation measures regarding one or more trees on an individual lot or project site.

Certification Letter. A concluding statement by an arborist stating that work that was performed was observed by an arborist and complies with the conditions of the discretionary project, the arborist report, the Tree Permit and this Zoning Ordinance.

Cutting. The detaching or separating of any limb, branch or root from a tree.

Dead Tree. A tree that does not contain any live tissue (i.e., green leaves or live limbs).

Deadwood. Limbs or branches that contain no green leaves or live limbs.

Deadwooding. The act of removing deadwood. (Not a regulated activity when performed by or under the direct supervision of a certified arborist.)

Developer. Any person conducting any regulated activity within the protected zone of a protected tree.

Diameter at Breast Height (DBH). The diameter of a tree measured at four and one-half feet above ground level on the high side of the tree. The diameter may be calculated by use of the following formula: $DBH = \text{circumference at breast height} / 3.142$.

Dripline. The outermost edge of a tree’s canopy prior to any cutting. When depicted on a map, the dripline will appear as an irregular shaped circle that follows the contour of the tree’s branches as seen from overhead.

Encroachment. Any regulated activity conducted within the protected zone of a protected tree.

Grading. Any removal or deposit of soil or earth material.

Irrigation. Transfer of water to a site by artificial means.

Native Oak Tree. Any tree of the genus *Quercus* and species *lobata* (valley oak), *douglasii* (blue oak), *wislizenii* (interior live oak) or hybrids thereof.

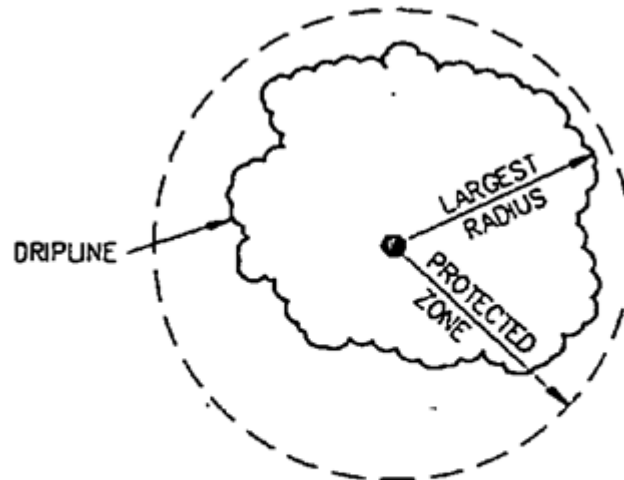
Native Ground Surface Fabric. The layer of topsoil, humus, and vegetation that comprises the native ground surface.

Preconstruction Phase. The time between the approval of a discretionary project and the site planning meeting.

Protected Public Tree. Any protected tree with one-half or more of its trunk or canopy on or above public land.

Protected Tree. Native oak tree equal to or greater than six inches diameter at breast height (DBH) measured as a total of a single trunk or multiple trunks.

Protected Zone. A circle equal to the largest radius of a protected tree's dripline plus one foot. The radius is measured from the trunk at the base of the tree to the greatest extent of the tree's dripline.



**PROTECTED ZONE = LARGEST DRIPLINE
RADIUS PLUS ONE FOOT**

Regulated Activities. Any activity done within the protected zone of a native oak tree, (with the exception of routine maintenance performed by or under the direct supervision of a certified arborist) which would adversely impact the health of a native oak tree, including, but not limited to, cutting, grading, irrigating and trenching.

Removal. The physical removal of a tree or substantially all of a tree.

Routine Maintenance. Actions taken for the continued health of a protected tree including, but not limited to, deadwooding, mowing grass close to a tree, and application of insecticides in conformance with standards established by the International Society of Arboriculture or the National Association of Arborists.

Site Planning Meeting. An on-site meeting with the developer and the developer's contractors, superintendent, and engineers; utility providers; the arborist; and City representatives to delineate special procedures, limits of work, lines of authority and special conditions or procedures not specifically covered by this chapter.

Tree Permit. An authorization to conduct specific work or regulated activities within the protected zone of a protected tree.

Utility Trenching Pathway Plan. A plan approved by the Planning Manager setting forth the location of utility trenches in the vicinity of protected trees. (Ord. 5428 § 1, 2014.)

19.66.030 Tree Permits.

A. Permit Required. No person shall conduct any regulated activities within the protected zone of any protected tree; or harm, destroy, kill or remove any protected tree unless authorized by a Tree Permit or as provided in subsection C.

B. Type of Permit.

1. Administrative Tree Permit. An Administrative Tree Permit is required for any regulated activity affecting one or more protected trees, when the regulated activity is not associated with a discretionary project, does not include the removal of a protected tree, and the requested encroachment does not exceed 20 percent of the protected zone of any individual protected tree.

2. Tree Permit. A Tree Permit is required for any regulated activity within the protected zone of a protected tree where the encroachment exceeds 20 percent of the protected zone, or where the regulated activity is related to a discretionary project. In addition, a Tree Permit is required for the removal of any protected tree, unless otherwise exempted by this chapter.

C. Exemptions. A Tree Permit is not required for the removal of a protected tree under the following circumstances:

1. Trees damaged by thunderstorm, windstorm, flood, earthquake, fire or other natural cause and determined by a peace officer, fire fighter, public utility official, civil defense official or City code enforcement officer, acting in his or her official capacity, to present a danger to persons or property. Upon discovery of a condition justifying removal, the officer or official making the determination shall immediately provide written notification of the condition and action taken to the Planning Manager.
2. When removal is determined to be necessary by fire department personnel actively engaged in fighting a fire.
3. When compliance would interfere with activities of a public utility necessary to comply with applicable safety regulations and/or necessary to repair or avoid the interruptions of services provided by such a utility. Unless there is an imminent threat to the public health, safety or welfare, the Planning Manager shall be notified prior to the removal by a public utility of a protected tree.
4. The Planning Manager may allow removal of a protected tree which has been certified by an arborist to be a dead tree. An arborist-certified dead tree may be removed without any replacement or mitigation requirements.
5. A protected tree located on property developed with a single-family or two-family dwelling which has been granted occupancy.
6. When a protected living tree presents a hazard to health and safety or structures due to its structural condition and location, the tree may be removed without any replacement or mitigation requirements. The hazardous condition of the tree must be determined by an arborist. The Planning Manager must review the arborist's determination and consider the location of the protected tree prior to approving removal. (Ord. 5428 § 1, 2014.)

19.66.040 Tree Permit application processing.

A. Application Filing. Applications for Tree Permits not associated with discretionary projects shall be filed with the Planning Division. Applications for Tree Permits for regulated activities associated with a discretionary project shall be included as part of the land use permit and/or subdivision application for the discretionary project. All Tree Permit applications shall use the forms provided by the Planning Division, and shall include an arborist's report as specified by Section 19.66.050, and a site plan with information as deemed necessary by the Planning Manager. The application shall also be accompanied by any application fee required by the City Council.

B. Site Plan Map. The requirement for a site plan map may be waived by the Planning Manager if the permit is for removal of dead trees or hazardous trees. A site plan map shall include the following information:

1. **Physical Characteristics.** The site plan map shall accurately portray the following existing and proposed features:
 - a. Property lines.
 - b. Streets, access easements and/or public or private driveways and other paved areas.
 - c. Existing and proposed buildings or structures, including eaves and other architectural features.
 - d. Setbacks of all buildings and structures from property lines.
 - e. Parking and other paved areas.
 - f. Land uses on parcel (existing and proposed as applicable).
 - g. Proposed grading and construction - including utilities, if available.
 - h. Existing and proposed grades.

- i. Location of chimney(s).

2. Tree Locations. All protected trees located on the property must be depicted on the site plan map. Additionally, the site plan map shall indicate the exact location of the base and dripline for all protected trees within the project areas. A survey of the exact location(s) of the protected tree(s) trunks both horizontally and vertically shall be conducted by a professional engineer or a licensed land surveyor. The tree number(s) shall be shown on both the site plan and grading plan. The base elevation of each protected tree shall be shown on the grading plan.

3. Protected Zone of Protected Tree(s). The exact location of the protected zone of a protected tree is crucial in order to evaluate any impacts resulting from construction. Consequently, rough approximations will not be acceptable. In certain cases, it may be possible to physically stake the surveyed corner of building(s) or related improvements in the field in order to assess the potential impacts upon the trees.

C. Application Evaluation Criteria. The following criteria shall be used to support the finding identified in Section 19.78.060(F) for action on a Tree Permit requested to allow removal of native oak tree(s) or to encroach within the protected zone of any native oak tree(s):

1. General.

- a. The proposed building's gross floor area in relation to the "usable" size of the site and the amount of usable space on the parcel which does not require the removal of protected trees;
- b. Design features in comparison with other existing or approved building developments in the same vicinity and zone which have or had protected trees on the parcel;
- c. Factors that are unique to the proposed property such as topographic constraints, lot configuration and other physical limitations;
- d. The overall health and structural condition of the potentially impacted protected trees;
- e. The approximate age of the protected tree compared with the average life span for that species;
- f. The number of healthy protected trees that a given parcel of land will support, with and without the proposed development;
- g. The effect of removal on soil stability/erosion, particularly near water courses or on steep slopes;
- h. Whether or not there are any alternatives that would allow for the preservation of the protected tree; and
- i. Any other information the approving body finds pertinent to the decision, including, if necessary, information obtained at a public hearing.

2. For Removal.

- a. Age of the protected tree with regard to whether or not removal of the protected tree would encourage healthier, more vigorous growth of younger similar trees in the area;
- b. The number of existing protected trees in the area and the effect of removal upon public health, safety and general welfare of the area;
- c. The potential for the protected tree to be a public nuisance or interfere with utility service, as well as its proximity to existing structures; and
- d. Present and future shade potential with regard to solar heating and cooling.

3. For Encroachment. Whether or not the degree of encroachment is likely to result in the subsequent decline of the affected protected tree or create a future risk to public safety or pose a hazard to adjacent structures.

D. Discretionary Project. Any non-ministerial development project that must be approved by either the City Council, Planning Commission, or the Design Committee. Discretionary projects include, but are not limited to, Conditional Use Permits, parcel maps, rezones, Design Review Permits, subdivision maps, or variances.

E. Limitation on Approved Activities. Tree Permits shall not be issued for temporary parking or storing of vehicles, trailers, equipment, construction materials or temporary structures within the protected zone of a protected tree.

F. Permit Time Limits. An approved Tree Permit shall be valid for a period of six months from the date of issuance. An extension of time may be granted for a period not to exceed an additional six months. Tree Permits associated with discretionary projects shall be valid only as long as the approval for the discretionary project is valid.

G. Subsequent Permits. After all Tree Permit conditions have been complied with and occupancy has been granted or a notice of completion filed for a project involving a Tree Permit, the Tree Permit conditions shall be deemed satisfied. Any future work around the trees is subject to a new Tree Permit and pursuant to the criteria of Section 19.66.030. (Ord. 5428 § 1, 2014.)

19.66.050 Arborist's report.

The arborist's report required by Section 19.66.040 shall be prepared in accordance with this section.

A. Minimum Information. The arborist's report shall include the following information:

1. Identification of each protected tree by number;
2. Botanical name of tree(s) by tree number;
3. Common name of tree(s) by tree number;
4. Location of tree(s) by tree number;
5. Diameter at breast height (DBH) by tree number;
6. Height by tree number (optional);
7. Dripline radius by tree number (measure longest radius);
8. Condition by tree number; and
9. Recommendations for each protected tree by number.

B. Determination of a Tree's Condition. The information on tree condition in the report shall be developed as follows:

1. **Rating System.** The condition of each tree is to be considered when determining a tree's rating according to the following categories: excellent (it is rare that a tree qualifies in this category); good; fair to good; fair; fair to poor; or poor.
2. **Factors to Be Considered.** At least the following factors shall be considered in light of a tree's life expectancy under existing and planned conditions when determining a tree's rating:
 - a. The condition and environment of the tree's root crown (also roots, if applicable).
 - b. The condition of the trunk, including decay, injury callusing or presence of fungus sporophores.
 - c. The condition of the limbs, including strength of crotches, amount of deadwood, hollow areas, and whether there is excessive weight borne by the limbs.
 - d. The condition and growth rate history of the twigs, including pest damage and diseases.
 - e. Leaf appearance, including abnormal size and density as well as pest and disease damage.
 - f. The dripline environment, including evidence of grade changes and presence of water courses or ponding.
3. **Formulation of Tree Condition.** Using an averaging of the above factors together with the arborist's best judgment, the tree shall then be described using the above rating categories. It is important to rate the tree's structural condition separately from the tree's vigor condition if they are different. Root crown, trunk and limb ratings relate most to structure, while twigs and foliage, including growth rate, relate most to vigor. The structure of the root crown-trunk area is of primary importance and takes precedence over any other factor. This information should not be considered to be a formula but simply a guideline to help describe a tree's condition.

C. Arborist's Recommendations. The arborist's recommendations shall be developed in compliance with the following:

- 1. Recommendations by Tree Number.** Based upon the conditions and findings, recommendations should be made that logically follow the report conditions. For instance, if weak crotches are reported, cabling may be a logical recommendation to include in the report. These recommended mitigation measures should be spelled out and in some cases may even improve the tree's condition ratings.
- 2. General Recommendations.** Specific and general preservation measures to be taken for each tree not being removed. The specific recommendations must consider the impacts from the activities proposed. (Ord. 5428 § 1, 2014.)

19.66.060 Standard policies and procedures for approved work.

Great care must be exercised when work is conducted upon or around protected trees. The purpose of this section is to define procedures necessary to protect the health of the affected protected trees. The policies and procedures described in this section apply to all encroachments into the protected zone of protected trees. All Tree Permits shall be deemed to incorporate the provisions of this chapter except as the Tree Permit may otherwise specifically provide.

- A. Trenching Procedure.** Trenching within the protected zone of a protected tree, when permitted, may only be conducted with hand tools or as otherwise directed by an arborist, in order to avoid root injury.
- B. Cutting Roots.**
 1. Minor roots less than one inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area.
 2. Major roots over one inch in diameter may not be cut without approval of an arborist. Depending upon the type of improvement being proposed, bridging techniques or a new site design may need to be employed to protect the root and the tree.
- C. Ground Surface Fabric.** If any native ground surface fabric within the protected zone must be removed for any reason, it shall be replaced within 48 hours.
- D. Irrigation Systems.** An independent low-flow drip irrigation system may be used for establishing drought-tolerant plants within the protected zone of a protected tree. Irrigation shall be gradually reduced and discontinued after a two-year period.
- E. Plant Materials Under Oaks.** Planting live material under native oak trees is generally discouraged, and it will not be permitted within six feet of the trunk of a native oak tree with a diameter at breast height (DBH) of 18 inches or less, or within 10 feet of the trunk of a native oak tree with a DBH of more than 18 inches. Only drought tolerant plants will be permitted within the protected zone of native oak trees.
- F. Protective Fencing.**
 1. **Type of Fencing.** A minimum five-foot high chain link or substitute fence approved by the Manager shall be installed at the outermost edge of the protected zone of each protected tree or groups of protected trees. Exceptions to this policy may occur in cases where protected trees are located on slopes that will not be graded. However, approval must be obtained from the Planning Division to omit fences in any area of the project.
 2. **Fence Installation.** The fences shall be installed in accordance with the approved fencing plan prior to the commencement of any grading operations or such other time as determined by the review body. The developer shall call the Planning Division for an inspection of the fencing prior to grading operations.
 3. **Signing.** Signs shall be installed on the fence in four equidistant locations around each individual protected tree. The size of each sign must be a minimum of two feet by two feet and must contain the following language:

“WARNING, THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE ROSEVILLE PLANNING DIVISION.”

Signs placed on fencing around a grove of protected trees shall be placed at approximately 50-foot intervals.
 4. **Fence Maintenance.** Once approval has been obtained, the fences shall remain in place throughout the entire construction period and shall not be removed, relocated, taken down, or otherwise modified in whole or in part without prior written authorization from the Planning Division.

G. Performance Guarantee. A minimum \$10,000.00 deposit (or greater, if deemed necessary by the Approving Authority) shall be posted and maintained to insure the preservation of protected trees during construction. The deposit shall be posted in a form approved by the City Attorney prior to any grading, delivery of materials, or movement of heavy equipment onto the site, or issuance of any permits. Each violation of any Tree Permit condition regarding tree preservation shall result in forfeiture of a portion or the entirety of the deposit, at the discretion of the Approving Authority, provided that such determinations may be appealed as provided by Chapter 19.80.

H. Retaining Walls and Root Protection. Where a Tree Permit has been approved for construction of a retaining wall(s) within the protected zone of a protected tree, the developer will be required to provide for immediate protection of exposed roots from moisture loss during the time prior to completion of the wall. The retaining wall shall be constructed within 72 hours after completion of grading.

I. Preservation Devices. If required, preservation devices such as aeration systems, oak tree wells, drains, special foundation systems, special paving and cabling systems must be installed per approved plans and certified by the project arborist.

J. Grading.

1. Every effort should be made to avoid cut and/or fill slopes within or in the vicinity of the protected zone of any protected tree.

2. No grade changes are permitted which would cause water to drain to the area within twice the longest radius of the protected zone of any protected tree.

3. No grade changes are permitted which would result in the ground being lowered on all sides of the tree.

K. Chimney Locations. A chimney for wood burning fireplaces or stoves shall not be located within the canopy of the tree or in such a location that sparks emitted from the chimney may damage a tree.

L. Certification Letters. Certification letters are required for all regulated activities within the protected zone of protected trees, attesting that all work was conducted in accordance with the appropriate permits and the requirements of this chapter. The project arborist will be required to submit a certification letter to the Planning Division within five working days of completing any regulated activity.

M. On-Site Information. The following information must be continuously maintained on-site while any construction activity is ongoing for a project requiring a Tree Permit:

1. Arborist's report and all modifications;
2. Tree location map with a copy of the tree fencing plan;
3. Tree Permit conditions of approval and compliance verification and inspection checklist;
4. Approved, stamped construction plans;
5. Tree preservation guidelines; and
6. Approved planting and irrigation drawings.

N. Information on Standard Policies and Procedures. The developer shall be responsible for informing all contractors, subcontractors and persons who will be performing work around protected trees, of the standard policies and procedures for working around trees and conditions of approval for the project's Tree Permit. The developer shall provide all such information in writing.

O. Utility Trenching Pathway Plan. As a condition of the Tree Permit, the developer will be required to submit a utility trenching pathway plan for approval concurrent with approval of the project improvement or civil plans.

1. **Contents.** The trenching pathway plan shall depict all of the following systems: storm drains, sewers, easements, water mains, area drains, and underground utilities. The trenching pathway plan must show all lateral lines serving buildings. To be completely effective, the trenching pathway plan must include the surveyed locations of all protected trees on the project as well as an accurate plotting of the protected zone of each protected tree.

2. **Standards for Plan.** The trenching pathway plan should be developed considering the following general guidelines:

- a. The trenching pathway plan must be developed to avoid encroaching into the protected zone of any protected tree.

- b. Where it is impossible to avoid encroachment, the design must minimize the extent of such encroachment. Encroachments and mitigation measures must be addressed in a supplemental arborist's report.

P. Final Certification of Tree Work. All of the tree preservation measures required by the conditions of the discretionary project approval, the arborist's report and the Tree Permit, as applicable shall be completed and certified by the project arborist prior to issuance of an occupancy permit. (Ord. 5428 § 1, 2014.)

19.66.070 Oak tree planting and replacement program.

The Approving Authority may condition any Tree Permit involving removal of a protected tree upon the replacement of trees in kind. The replacement requirement shall be calculated based upon an inch for an inch replacement of the DBH of the removed tree(s) where a 15-gallon tree will replace one inch DBH of the removed tree; a 24-inch box tree will replace two inches, and a 36-inch box tree will replace three inches. The replacement trees shall have a combined diameter equivalent not less than the total diameter of the tree(s) removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species. The Approving Authority may approve a replacement program using one of the following four methods or any combination of the four methods. The preferred alternative is on-site replacement.

- A. Replacement Trees.** Replacement trees may be planted on-site or in other areas where maintenance and irrigation are provided to ensure survival of the trees.
- B. Relocation of Trees.** In certain cases, the City may consider the relocation of native oak trees from one area in a project to another. Credit shall be given for relocation on the same basis as replacement. The guidelines and limitations for relocation are as follows:
1. The tree(s) being recommended for relocation must be approved by the Approving Authority whose decision will be based upon factors relating to health, type, size, time of year and proposed location.
 2. The relocation of a tree shall be conditioned to require a secured five-year replacement agreement for the tree with security provided by the developer in a form satisfactory to the City Attorney. If at the end of five years the tree is deemed by an arborist to be in a substantially similar condition to that prior to the transplanting, the agreement will be terminated. If the tree dies during the five-year period, it shall be replaced as required by this section.
- C. Revegetation Requirements.** The Approving Authority may, instead of requiring replacement trees, require implementation of a revegetation plan. The developer shall enter into a written agreement with the City obligating the developer to comply with the requirements of the revegetation plan. A performance security or bond for 150 percent of the cost of the revegetation plan shall be required to insure that the agreement is fulfilled. The Approving Authority shall approve the proposed plan. The revegetation program shall propagate native oak trees from seed using currently accepted methods. A revegetation program shall identify the seed source of the trees to be propagated, the location of the plots, the methods to be used to ensure success of the revegetation program, an annual reporting requirement, and the criteria to be used to measure the success of the plan. A revegetation program shall not be considered complete until the trees to be propagated have reached one-half inch in diameter or the revegetation plan demonstrates the need for alternative success criteria and achieves mitigation on an inch for inch basis as approved by the Planning Commission.
- D. In-Lieu Mitigation Fee.** The Approving Authority may determine that the remedies described above are not feasible or desirable and may require instead payment of a cash contribution based upon the cost of purchasing, planting, irrigating and maintaining the required number of 15-gallon trees. The cost of purchasing, planting, irrigating and maintaining a 15-gallon oak tree shall be set by City Council resolution. The cash contribution shall be deposited into one or both of the following funds as determined by the Planning Manager:
1. **Native Oak Tree Propagation Fund.** This fund shall be used to propagate, purchase, plant, protect and maintain native oak trees. Uses of the fund include, but are not limited to, purchasing property to plant or protect native oak trees, propagating native oak trees from seed or container stock and maintaining existing and replacement native oak trees.
 2. **Non-Native Tree Fund.** This fund shall be used to purchase, plant, irrigate and maintain non-native trees within Roseville. Uses of the fund include, but are not limited to, purchasing and propagating non-native

trees from seed or container stock and maintaining existing and replacement non-native trees. (Ord. 5428 § 1, 2014.)

19.66.080 Violations and enforcement.

- A. Penalty.** Violation of this chapter shall be punishable as a misdemeanor or an infraction in the discretion of the City Attorney.
- B. Administrative Remedies.**
- 1. Administrative Enforcement.**
 - a. In addition to any other penalties allowed by this Code, the Manager may issue a citation or citations upon finding that a violation of this Code and/or a violation of the conditions of approval of a permit issued pursuant to this Code has occurred. The citation shall be issued in accordance with Chapter 2.50 (Administrative Citations) of the Roseville Municipal Code.
 - b. If, upon review of a report prepared by a certified arborist and/or the City arborist, the Manager determines that damage to a native oak tree or trees has resulted due to violation of this Code, the Manager shall forward the matter to the Planning Commission for determination of the appropriate remedial action and/or restitution.
 - c. Whenever any construction work or other regulated activity is being performed contrary to and/or in violation of the provisions of this chapter or the conditions of a Tree Permit, the Manager may issue a written notice to the responsible party to stop work on the project on which the violation has occurred or upon the property where the native oak trees are located. The notice shall state the nature of the violation and the risk to the trees. No work shall be allowed to continue and no subsequent permits shall be issued until the violation has been rectified.
 - 2. Planning Commission Enforcement—Remediation and Restitution.**
 - a. In addition to any other penalties allowed by this Code, in cases where a native oak tree or multiple native oak trees are damaged, killed, removed or damaged to the point where their long term survival cannot be assured, due to violation of this Code, the Planning Commission may require remediation and/or restitution. Any person or entity who commits, allows, causes, maintains or assists in any violation of any provision of this chapter or who damages, kills, or removes any tree in violation of this chapter, or assists another in doing so, may be required to provide remediation and/or restitution to the City.
 - b. The remediation amount for a damaged tree or trees shall be as determined by the Planning Commission and shall be the amount recommended by a certified arborist and/or the City arborist upon inspection of the tree(s) and development of a detailed course of remediation designed to repair the damage and ensure the long term survival of the tree(s), in order to assure the recovery of the tree(s).
 - c. The restitution amount for a removed, killed or damaged tree or trees, where the damage is to the extent that the tree's long term survival cannot be assured, shall be as determined by the Planning Commission and shall be calculated at triple the rate stated in Section 19.66.070(D).
 - 3.** A remediation or restitution requirement may be appealed to the City Council as provided in Chapter 19.80.
 - 4.** In addition to any other penalties allowed by this title, the Planning Commission may recommend revocation of a permit per the provisions of Chapter 19.88. (Ord. 5428 § 1, 2014.)

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