

Sarah Hardgrave

From: Jay Tulley [jay.tulley@gmail.com]
Sent: Wednesday, December 28, 2011 6:03 PM
To: Sarah Hardgrave
Subject: UFMP comments

Attachments: UFMP comments.doc; ATT217205.txt



UFMP
omments.doc (32 KE



ATT217205.txt
(300 B)

Sarah

Here are my comments on the UFMP. It's really good!
Thanks
Jay

>

Page 9 – Why does top arrow go left too? Shouldn't it just go right so that the whole thing goes around clock-wise?

Page 11 – 4th paragraph – Why does city arborist approve administrative amendments? Isn't the arborist is contracted. Shouldn't it be the NRC?

p. 28 last paragraph – Does PG pay to pump water up to Marina? What happens if outside development (e.g. Monterey or Pebble Beach) adds to the volume?

P. 34 – Importance value- importance of what? CO2 sequestration? It seems silly that we list the Black Acacia as important though it is an invasive species.

p. 36 – Can you also provide before and after maps from Keady/Williams study? - This one just shows net loss or gain. Also, the map should be superimposed on city map since the area is not the full city limits.

p. 47 – The public plantings was a good thing but how many of the 1,000 trees lived?

p. 53 – Great potential. But there is financial risk for city. Perhaps a contract to have a private firm run the nursery on public land with oversight and option years on contract. With a re-bid every 5 years.

p. 55 – UFRP – Great idea.

p. 56 – A watering truck with a long hose is probably needed. Otherwise, how do we plan to water trees in GW and RVW park?

p. 57 – This will use GIS right? Can this be an ongoing project for schools? Or even better Adult Ed or CSUMB students? GIS takes a lot of field work. But as a growing field, it would be great job training.

p. 59 – Consider adding the south side of Sinex by PG Middle School.

p. 60-61 – Along with vegetative solutions, add permeable pavement as a strategy. Consider a pilot project with permeable pavement- either a sidewalk or gutter or even a road. See if permeable pavement helps pine tree roots from breaking pavement which is a common problem. Encourage or incentivize private parties to use permeable pavement for driveways or sidewalks.

p. 65 – The plan should take into consideration that people like to be in the sun in PG. I would recommend trying to keep the sidewalk on the north side of Lighthouse sunny. That would mean shorter trees in the middle and taller trees on the south side. Actually, I think the sidewalk on the north side should be widened to encourage more tables and gathering on that side.

p. 66 – All great ideas! Also perhaps bulb-outs along GW park to slow down the traffic on Sinex.

p. 73-75 – Excellent! Though again, consider some sunny areas near restaurant patios. E.g. in front of Tourist center and new Italian restaurant. Maybe a patio bulb-out?

p. 86 – Consider trees and bulb-outs to slow down drivers in front of PGHS and PGMS?

p. 93 – D.5 – Would this mean designated trails in GW park and RVW park?

Table 4-3

1. Perhaps you could get some assistance with this from a CSUMB student or a team of them. I recommend contacting Jessica Brown of CSUMB's Undergraduate Research Opportunity Center (UROC) at jessica_brown@csumb.edu or 582-4266. <http://csumb.edu/uroc>. They have students looking to do research projects/internships. This would be a perfect project. We (Presidio) are working with her to have some of their students do their research projects with us.
2.
 - b. Can this be done in conjunction with the City of Monterey?
 - d. A briquette machine using wood chips may be a worthwhile investment for the city. It could be a profit center. <http://www.biomassbriquettesystems.com/home>
3. B. Again, I recommend having a CSUMB student set up an Access Database. This could really reduce the cost.

P. 107 – Section 5.2.1.2 needs clarification: The second and third paragraphs both start with the line: “Pruning or removal of trees in designated Monarch Butterfly Habitat Trees...” That doesn't make grammatical sense. Also, is there a distinction between trees in the habitat and within 100 yards? It is not clear.

p. 108 – Section 5.3 – the first paragraph seems to be out of place. Should it go in section 5.2.1.1? The second paragraph seems to be a more appropriate opening.

p. 111 – Table 5-1 –

- Should clarify that the goal is to have both the Upper Canopy and Lower Canopy.
- Should clarify the appropriate review authority for lots above 8,000 SF.

p. 116 – 5.4.2, #14 – I think the risk rating is in section 5.5.2, not 5.2

p. 131 – 5.6.6.4, #15. Good to learn this. This relates to my comment above regarding LID strategies on pages 60-61. Perhaps it should be added to that section too.

Appendix A

Overall it looks great. But there doesn't seem to be clarity on when/if a dead protected tree needs to be replaced.

- 12.02.140.B. – Permit Application says that no fee is required for a dead or high risk tree.
- 12.16.230 – third paragraph – says replacing protected trees on a lot that meets the density goal would not require replacement. But what about lots that don't meet the density goals?
- The last paragraph says that dead trees shall be replaced. I think this answers the question. But it seems to be tacked on to the very end and may be seen to only pertain to replacement trees being inspected.
- 12.16.400 – Does “High Risk” correlate with the risk rating described in 5.5.2? This paragraph seems more subjective.

Possible suggestions:

- Include the total PG acreage and how much canopy coverage in each neighborhood.
- Include specific pruning guidance for protected trees. E.g. there has been considerable discussion on how to prune the cypress trees at Lovers' Point.

Sarah Hardgrave

From: Rebecca Lee [rebeccalee311@gmail.com]

Sent: Sunday, January 01, 2012 10:03 PM

To: Sarah Hardgrave

Subject: tree plan

Hi Sarah,

I've been meaning to write you for weeks and the holidays got in the way. Hope yours were well and happy.

The last meeting raised a concern about planting and requiring canopy trees on small lots. I believe the suggestion was to amend the table 5-1: Tree Canopy Coverage Goals for Residential Properties on page 9 with the intent to combine the first two sections so that the first lot size column would read 0-6000SF. I can't agree with that because the difference in a 3000sf or 4000sf lot size and a 5000sf or 6000sf lot size is considerable. Because my lot size is a tad over 4000sf, I can recognize that with an additional 1000sf of yard, a canopy tree would be easy. I don't have a canopy tree right now. If I planted one, it would be in the front yard because as a personal choice, I would rather lose my view than my sun for my garden. I'm imagining with a 5000sf or 6000sf lot, the tree could be planted and some of the sun for the garden or some of the view could be maintained so the issue would be less intense.

I've also noted that in my whole block there is a complete dearth of canopy and lower canopy trees. I have two oaks and another neighbor has three oaks and that's it. Everything else are things like loquat and ornamental plum and if they are sizable, it appears they were allowed to grow without having been trimmed for a long time. Because all the lots on my block are this average 4000sf size, it may demonstrate that at this lot size, large trees are not desired or opted for.

I would like to see the table kept with the same original 4 rows and simply change the top row to "up to 4750sf." Right now my lot size according to a surveyor is 4039sf. So to be jumped from a requirement of 0-1 canopy trees and 1-2 lower canopy trees to 2 canopy trees and 2-3 lower canopy trees is unrealistic.

Then the second row of course would read: 4750-6000sf. Under these guidelines, I believe resistance to planting would be resolved.

I believe it was Tom Moss who made the original proposal regarding changing the table. I hope to be able to speak with him to see what he thinks of this. The compassion showed was gratifying yet the modifications were a bit more than what is needed from what I can tell from my experience living on my lot.

Thank you for hearing me and your amazing efforts at this project.

Now I can go look at the whole plan. See you at the next meeting.

Rebecca

Sarah Hardgrave

From: Bruce and Judy [brucenjudy@mailbug.com]
Sent: Friday, January 06, 2012 9:45 AM
To: Sarah Hardgrave; tmoss@parks.ca.gov; bwiseman@RBF.com; jpallen@cruzio.com
Subject: Safer Pine Trees for Pacific Grove Residential Lots (Corrected)

(Corrections regarding susceptibility to pine pitch canker)

SAFER PINE TREES FOR PACIFIC GROVE RESIDENTIAL AREAS

To Urban Forest Advisory Committee:

Re: Urban Forestry Standards--Replacement Trees in Tree Ordinance

At the previous discussion it was suggested that tree replacement even for non-native trees removed in lots over 4,000 sq. ft. must include at least one native upper canopy tree, meaning Monterey pine or Monterey cypress.

Monterey cypress are sturdy, fast-growing long-lived trees of massive size (see ones at Lovers Point Park and along Ocean View Blvd.) not generally suited for small yards. They may require extensive trimming and removal of dead branches. (A huge spreading one in my neighborhood recently cost the owner \$3,000 just to have it pruned!)

Pines really define the character of our town more than cypress. However, a neighbor recently expressed concern to me about a requirement to replace a large dangerous, dying overmature Monterey pine with another Monterey pine as soon as it is removed. I fully understand why this person would be reluctant to replace a tree that has caused a lot of fear or worry and expense for months, even years, with one or two more of the same fast-growing species.

Monterey pines in our yard gave us many sleepless nights during windstorms, and finally two fell on separate occasions damaging neighbors' properties. I love Monterey pines in the local forests, but fully understand why anyone would not wish to live beneath an upper canopy Monterey pine. During my 44 years as a resident of Pacific Grove, I've seen a number of large pines that have come down during windstorms, damaging houses--especially in my Del Monte Park neighborhood. It is only a matter of time until someone dies. One visitor was killed in the Monarch Sanctuary a few years ago by a falling pine branch.

Many residents, my wife and I included, love the "Piny Woods" character of Pacific Grove. It is a primary reason we moved here. Our native Monterey pine (*Pinus radiata*) is a beautiful tree, definitely worthwhile preserving in our forests. This should be the only species of pine selected for Washington Park and Rip Van Winkle. However, it is a dangerous tree not very satisfactory for residential properties in Pacific Grove--grows too big too fast, falls readily and is short lived for a tree. It is susceptible to pine pitch canker. Sunset Western Garden Book describes it as follows: "Very fast growing to 80 to 100 feet, 6 feet a year when young. 50 feet in 12 years. Often shallow rooted, subject to blowdown. In coastal California gets many pests, suffers smog damage, water molds." Susceptible to pine pitch canker disease, although some Monterey pines are resistant and others appear to be developing resistance. Predictions of 85% mortality have not occurred.

Upper canopy Monterey pines do create pleasant views along the streets of Pacific Grove. They are a pleasurable part of our community--except to the property owner or neighbor who happens to live under one. Probably within the lifetimes of most PG residents virtually every upper canopy Monterey pine in Pacific Grove that is mature now will either fall, or die, or need to be removed for safety reasons. A young Monterey pine makes a good landscape tree for ten, maybe 15 years. By age 25--the age this species is harvested for lumber in New Zealand--it can already cause problems to infrastructure, or perhaps even become dangerous.

I believe residents should be given more choice about what trees to plant on their own properties. Several other pines that I believe may be more appropriate than Monterey pines (*Pinus radiata*) for urban landscapes here include:

Italian stone pine or umbrella pine (*Pinus pinea*). A number of them are already planted in PG, including some street trees and a few at the golf course/cemetery area. Foliage looks similar to a Monterey pine, with two needles per cluster instead of three. Growth is shorter and more rounded, like an oak. Becomes too massive for small yards, but if side

branches are removed as it grows it will have a straight trunk with a rounded top. I saw forests of them in Spain, and particularly in Portugal near the Atlantic coast. I never saw any tall enough to look threatening to buildings or houses. Sunset Western Garden Book says: "Moderate growing to 40-80 feet. Excellent in beach gardens. Eventually too large for small gardens. Splendid roadside tree. Young trees are handsome, old trees striking."

Canary Island pine (*Pinus canariensis*). A handsome, upper canopy tree that looks similar to ponderosa pine of the Sierras, but is more adapted to a coastal environment. The City of Monterey has planted a number of them, including at the bus transit center and along Del Monte Blvd. Sunset Western Garden Book says, "Fast growth to 60-80 ft., sometimes less. Resistant to oak root fungus. Very young plants are gawky, but soon outgrow their awkward phase. Drought tolerant, but needs water in Southern California." Some books mention that they are good for narrow spaces.

Japanese black pine (*Pinus thunbergiana*). Looks somewhat like Monterey pine, but with two needles instead of three. Growth habit may be twisting and irregular, but I've never seen any large enough here to cause severe damage or injury if they fall. A typical one may be seen on the wall at the southwest corner of the PG Police Station on Pine and 16th. Sunset Western Garden Book says, "Fast growing to 100 ft. in Northwest, moderate to 20 feet in southern California and desert. Handsome tree in youth. Takes to pruning like cloth to scissors: shear it into Christmas tree form or make it into cascade. Excellent in planter or as bonsai." I've not seen any with pine pitch canker, but can't verify its resistance.

Below is another pine, untested here, that could potentially be perfect for many of our urban landscapes--even small yards:

Shore pine, beach pine (*Pinus contorta*). Same species as lodgepole pine of the high Sierra, but smaller and adapted to coastal environment. Very common in coastal areas of northern California and especially the Oregon coast, both in natural forests and in landscapes. They look somewhat like Monterey pines but with shorter, stiffer needles in twos instead of threes. Trees are straight trunked if not subject to direct ocean wind, but in any case they are smaller and not risky like Monterey pines. Sunset Western Garden Book says, "Fairly fast growing to 20-35 feet. Nursery-grown trees compact, pyramidal, somewhat irregular. Coast trees dwarfed, contorted by winds. Hardy anywhere, but not at its best in hot dry areas. Good looking in youth. Densely foliated, takes training well. One of the best small pines for small gardens. Does well in containers."

No shore pines have been planted on the Monterey Peninsula as far as I know, but I think they could be very successful for small yards in our coastal environment. Coming from a rainier environment than PG, they might need a little more irrigation, especially to get them started. I'd suggest checking a website for wholesale nurseries in northern California that might carry them, and purchase a bunch of seedlings or young ones and maybe a couple of larger ones to test.

Note: Italian stone pines and Canary Island pines have, up until this past year, seemed resistant to pine pitch canker. In Monterey the pathogen has infected a few of each; two Italian stone pines have died. I have no knowledge of shore pines' susceptibility or resistance to pine pitch canker.

Bruce Cowan
Landscape Volunteer, Consultant

Sent without a computer! www.mailbug.com GetMailBugInfo@landel.com

Sarah Hardgrave

From: Bruce and Judy [brucenjudy@mailbug.com]
Sent: Friday, January 06, 2012 10:51 AM
To: Sarah Hardgrave; tmoss@parks.ca.gov; bwiseman@RBF.com; jpallen@cruzio.com; reid@ci.monterey.ca.us
Subject: Fwd: RE: Re: Canary Island Pine and Pitch Canker

On January 6, 2012 at 6:14am -0800, "Love, Eric" <LoveE@pebblebeach.com> wrote:

Bruce

We have had good success with the clones that have been planted in the forest. Some trees have died due to deer and others appear to have twig beetles. Some also have shown signs of pitch canker. The trees were originally only screened for a couple of strains of the fungus and more recently additional strains have been found. All in all we probably have had less than 20% mortality with the resistant clones that have been planted. We are planting many more seedlings than clones and having the same or better success. I hope this helps.

Eric

-----Original Message-----

From: Bruce and Judy [mailto:brucenjudy@mailbug.com]
Sent: Thursday, January 05, 2012 3:33 PM
To: Love, Eric; staubtre@pacbell.net; reid@ci.monterey.ca.us
Subject: Fwd: Re: Canary Island Pine and Pitch Canker

Eric, Steve:

Do you know if the clones and/or selected Monterey pines seedlings grown by Pebble Beach Co. are reliably more resistant to pine pitch canker than ordinary seedlings? It seems that pitch canker is not spreading very fast in the forest anymore, probably from acquired resistance or perhaps a mellowing of the pathogen. Or maybe weather, which varies from year to year.

On of the PBC resistant clones planted in the PG Cemetery Thicket a decade ago died last year. Not sure of the cause.

--Bruce

On January 5, 2012 at 8:28am -0800, "Robert Reid" <Reid@ci.monterey.ca.us> wrote:

Happy New Year Bruce. Yes, we noticed PC on the Canary Island pine at Transit Plaza about 6 months ago. It was the first time I had seen the disease on that species of pine. I just saw a second younger Canary Pine with the symptoms in a median on Airport Rd. at Dundee by the Fairgrounds. Lets hope we do not see much further infection, but no guarantee we will not. I have also seen PC symptoms on Italian Stone pine within the last year and at least two trees killed from it. I still intend to recommend planting both species as an alternative to Monterey pine in some urban settings because these pines seem to have a much lower infection rate at this time.

The PC fungus continues to evolve into a dynamic tree killing disease that has yet to be tamed by science, or nature. Do you have any knowledge about how the Monterey pine clones are holding up in Pebble Beach?

>>> "Bruce and Judy" <brucenjudy@mailbug.com> 1/4/2012 4:54 PM >>>

Robert:

I have been promoting Canary Island pine (*Pinus canariensis*) as a safer alternative to Monterey pine in Pacific Grove's residential neighborhoods, including in an article to Cedar Street Times. I've mentioned that the City of Monterey has planted a number of them, including on Del Monte Ave. and at the Transit Terminal. I've been stating that one of its good features is resistance to pine pitch canker.

Unfortunately I just noticed several obviously dead branches on one of the pines at the Transit Terminal. Is it pitch canker? This is the first symptom of any kind like this on a Canary Island pine.

Your reply would be appreciated.

Thanks,
Bruce Cowan

Sent without a computer! www.mailbug.com GetMailBugInfo@landel.com

Sent without a computer! www.mailbug.com GetMailBugInfo@landel.com

Date: January 9, 2012

To: Pacific Grove Urban Forestry Management Plan Advisory Committee

From: David Myers, 106 17th St., PG

Subject: Comments on Draft PGUFMP Draft

Acknowledgements—List Chair, Vice- Chair, & Sec. of NRC, also Dolores Mollring replaced Pat Ready

Page 11—Administrative changes to plan can be approved by Arborist? What about Community Dev. Dir or Public Works Supt.? What kind of changes does this include?

17—Enviro Values.....wildlife including

21—Challenges---“View shed” not mentioned

44—Lack of City Staff---What will change after plan approval?

47—last sentence: Arbor day.....successfully engagedd

53 & 54---How will nursery be financed?

57—Who will maintain tree inventory and records of plantings & removals?

60—2nd Paragraph---What are “sales” in this context?

74—PG Chamber “Tourist Info” sign has been replaced with better sign.

80—There is not enough room for replacement trees. Cypress are fast growing and should only be planted when an old tree is removed.

85—What is meant by “Green Streets” along Oceanview Blvd? The coastline and views of it are our greatest natural resource!

96—Will PG be able to afford a full time Arborist?

98—Self Guided Tour in year 2 is pretty optimistic.

105—the circumference of a 6” diameter tree is 28.26” not 36”. Reference to circumference should be removed.

109—Tree Removal Criteria: items 5-9 should probably be included under 4. Tree condition criteria.

112—What does “next larger container size” mean in this context?

118—Will there actually be an “Urban Forestry Development Dept.”?

119—Top of page: Administering

122—Stumps: “distance to of a target” should be to or of, but not both.

ORDINANCE

13—As mentioned in 109 above, items 5-9 should probably be included under 4. Tree condition criteria

14—1st paragraph should be included tree removal section rather than replacement section.

Thank you for your consideration.

Dave Myers, PG resident and Chair of Natural Resource Commission

RECEIVED

From: michael clark <mclarknpg@gmail.com>
Subject: **Tree Ordinance**
Date: January 9, 2012 3:22:12 PM EST
To: Michael Clark <mclarknpg@gmail.com>

JAN 9 2012



COMMUNITY DEV. DEPT.

The Monterey Peninsula (Pacific Grove included) is nationally and internationally recognized as the most beautiful and spectacular coming together of land and sea in the world; many urban areas have beautiful trees, only we have been blessed with this remarkable coast line. These ocean views are not only beautiful for visitors and residents alike, they significantly enhance property values which directly impact property tax revenues for the city. Ask any resident with any amount of ocean view if they would be willing to surrender all or part of it in exchange for the view of a tree. I think we all know the answer.

Consider the situation of some of our senior citizens with limited mobility whose ocean experience is limited to what they view from their homes.

By including the following four provisions in the final draft of the tree ordinance, I think we can avoid major opposition and have an ordinance that all citizens of Pacific Grove can enthusiastically support.

- 1) Any new trees planted will be positioned so that they do not, upon reaching full size, obstruct any public or private ocean view.

- 2) Residents, who have been working with the city in good faith through the permit process for the purpose of preserving and maintaining ocean views, will be allowed to continue to do so into the future; residents who pay the cost of maintenance will not be charged a permit fee.

- 3) City officials and residents will be allowed to work together for the purpose of preserving and maintaining existing ocean views.

- 4) Property owners will have complete control of all vegetation, including trees, on their property. The only exception is when vegetation has the potential to harm or endanger surrounding properties. (When property owners do not have this control, they will never plant trees.- a clear case of unintended consequences.)

Michael Clark- Resident of Upper Lighthouse Avenue

Science

FINDINGS

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issue one hundred thirty seven / november 2011

"Science affects the way we think together."

Lewis Thomas

Growing Quality of Life: Urban Trees, Birth Weight, and Crime



R. Mazza

A study in Portland, Oregon, found a relationship between tree cover within 50 meters of an expectant mother's house and a reduced risk of her baby being born underweight. Houses fronted by more street trees experienced lower crime rates than houses without street trees.

"The best time to plant a tree was 20 years ago. The next best time is now."
—Chinese proverb

Choosing a jogging route down a tree-lined street, walking the dog to a neighborhood park, or simply being entertained by the front-yard drama between squirrels and crows: urban trees and green spaces can enhance quality of life for a city-dweller in many ways. Trees also have a measurable economic value. The September 2010 issue of *Science Findings* featured a study in Portland, Oregon, by Geoffrey Donovan showing that a tree in front of a home increased that home's sale price by more than \$7,000, and that it also increased the value of the homes around it.

But Donovan, an economist and research forester with the Pacific Northwest Research Station, says the value of urban trees goes beyond dollars and cents.

"Urban residents treasure their trees and green spaces. Each person might articulate a different reason for this, but most would agree that trees can make a neighborhood a more desirable place to live," he says.

Given this premise, Donovan set out to measure just how beneficial trees are to our health, our sense of well-being, and the safety of our homes. He and his collaborators designed two studies in Portland. The first looked for a connection between urban trees and birth outcomes. The second looked at the relationship between urban trees and crime.

IN SUMMARY

City dwellers can find many reasons to value neighborhood trees. Urban greenery provides relief from the built environment that many people find appealing. In fact, a previous study found that a tree in front of a home increased that home's sale price by more than \$7,000. Two new studies explore the measurable effects that urban trees and green spaces have on human health and crime rates.

Geoffrey Donovan, an economist and research forester with the Pacific Northwest Research Station, used public health data, crime statistics, tax records, aerial photos, and other information in the two recent studies. He found that women who live in houses with more trees are less likely to have underweight babies. The study on crime revealed a more complex relationship. Larger trees, including trees located near the street, are associated with a lower incidence of property crimes. Larger numbers of smaller trees—especially trees planted near the home, which may provide a screen for burglars—are associated with higher crime.

Cities within the Portland, Oregon, metropolitan area are using this information as they rewrite street tree regulations. Likewise, local crime prevention programs and tree planting advocates are sharing the findings with urban residents.

Donovan's curiosity about possible associations between trees and community well-being was piqued while he was doing field work for the earlier study examining the effect of trees on house prices. As he walked through different neighborhoods, measuring trees, he was struck by the profound difference he felt around homes that had trees compared to those that did not. Although unquantifiable, the presence of trees simply gave a sense of well-being. "I started to think more about trees and their connection to quality-of-life issues," he says.

Donovan recalled a study that looked at trees and their effects on crime in and around public housing projects in Chicago. "But it raised questions for me," he says. "I wanted to approach it differently in studying Portland."

He also recalled a 1984 study that found that patients recovering from gallbladder removal surgery in a room with a view of a natural scene were discharged sooner and required less pain medication than those who recovered in a room with a view of a brick wall. Other studies showed that greenness was associated with lower obesity, mor-

KEY FINDINGS	
•	Scientists found a positive association between urban trees and birth outcomes. Greater tree canopy cover within 50 meters of the mother's house was associated with a reduced risk of having an underweight baby. Proximity to private open space also appeared to reduce this risk. Past research has shown that exposure to the natural environment can reduce stress levels, so it may be that trees improve birth outcomes through stress reduction.
•	Houses fronted with more street trees experienced lower crime rates, as did houses with large yard trees. These results hold for total-crime rates as well as specific property crimes such as vandalism and burglary. Trees may reduce crime by signaling that a neighborhood is well cared for.
•	Yards that contained many small trees had higher crime rates, perhaps because small trees and shrubs can obstruct views, making it easier for criminals to hide. Other view-obstructing features, such as fences, were also associated with higher crime rates.

idity, and mortality, and higher perceived general health.

Although these studies indicated a connection between trees and human health, Donovan thought more could be done. From an economic standpoint, planting trees may be one of the simplest, most inexpensive

ways to enhance community well being.

Tight budgets, however, mean that city planners and decisionmakers are looking for information that will help quantify the return on urban forestry investments. The two studies designed by Donovan and his colleagues begin to fill this need.

MORE TREES, BIGGER BABIES?

To learn more about the beneficial influences trees have on health, Donovan looked for something that was easy to quantify—something that had a fixed period of time associated with it and that had readily available data. Birth outcomes seemed the natural choice.

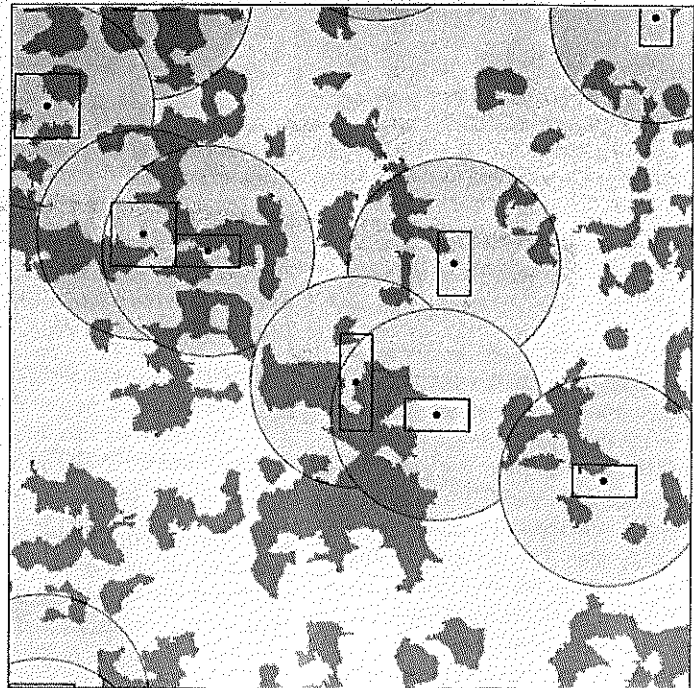
Other studies have shown that exposure to the natural environment lowers stress. "You can imagine how trees and stress-reduction might have an effect on a number of health issues," Donovan says. There was no research, however, on the relationship between trees

(or any other part of the natural environment) and reproductive health.

He hypothesized that greater access to urban trees would reduce the incidence of preterm birth and underweight newborns (those below the 10th percentile for gestational age and



The researchers used aerial photos and ground-level verification to link tree canopy cover to houses.



Canopy data was then mapped in a way to allow analysis while protecting privacy.

gender). Both factors are major causes of neonatal and infant mortality and contribute to health problems in later life.

Donovan chose to study the effect of trees on birth outcomes because urban trees are an element of the natural environment that can be more readily modified than other natural amenities. It is easier to plant trees in a neighborhood, for example, than to increase the size of parks or other open spaces.

Birth outcomes are also easier to analyze than other kinds of health information. They're simpler than studying heart disease or other ailments that can have numerous causes and may not be detected until years after onset. Births are almost always recorded with very objective data: the size and the weight of the newborn. "And with pregnancy there is a definite beginning and end," he points out.

Donovan collaborated with epidemiologists Yvonne Michael from Drexel University in Philadelphia and Amy Sullivan with the Multnomah County, Oregon, Health Department. With their backgrounds in public health, they were able to help structure the study and compile a list of control variables. To protect privacy, the data were collected

in two stages. First, Donovan and his field crew collected the house and neighborhood tree data. These were then sent to Sullivan who combined the data with information from birth certificates, but removed names, addresses, and any other personally identifiable information before returning them to the other scientists for analysis.

The researchers asked the Oregon Public Health Division for the addresses of every single live birth during 2006 and 2007. Donovan chose only addresses in which the mother lived in a detached single-family home. He got records of 5,696 homes overall. Of those, 348 were homes of mothers whose babies were born prematurely (the gestational period was less than 37 weeks), and 397 infants were below the 10th percentile for gestational age and gender. Thirty three of the births fell into both categories.

The next job was to link the statistics with the presence of trees. Using aerial imagery, Donovan was able to measure the amount of tree canopy within 50, 100, and 200 meters of the center of each mother's house.

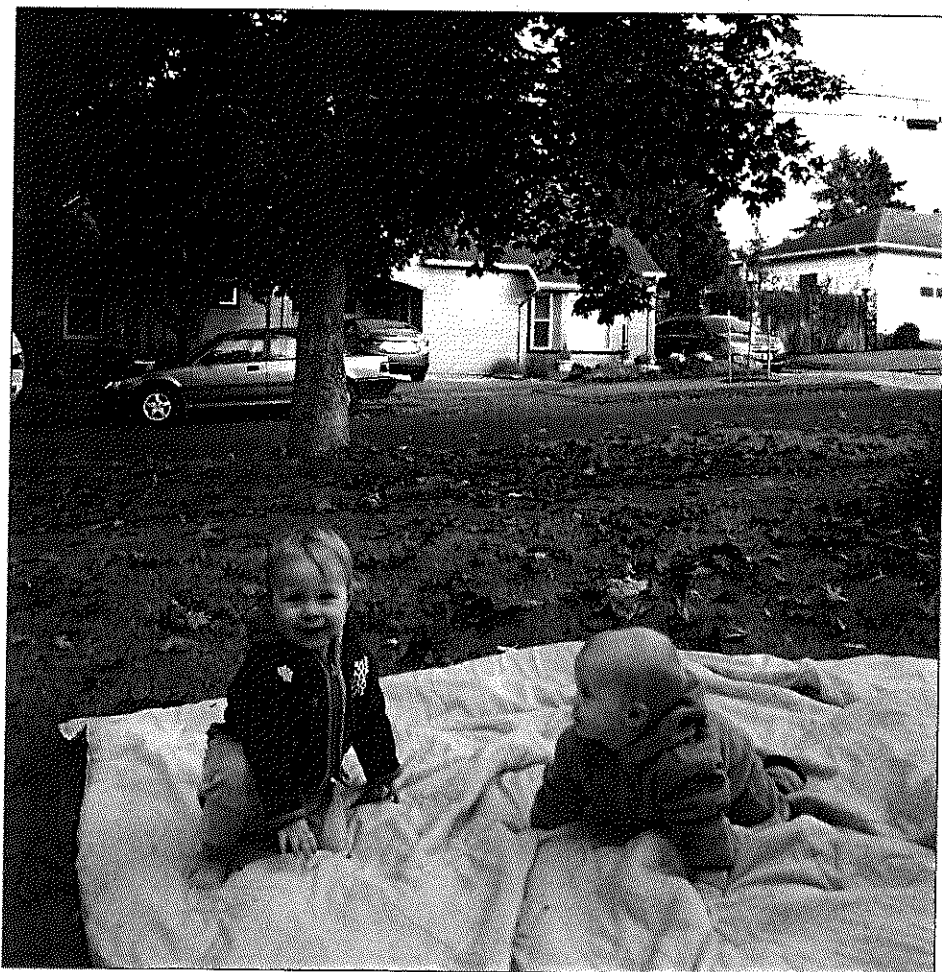
He also was able to get information about the houses themselves—the number of bedrooms, the type of heating, the presence of air

conditioning, the lot size and market value—as a way of gauging the relative affluence of residents. Donovan also gathered data on population density; street connectivity; and distance to parks, commercial districts, freeways, and public transit to measure each home's exposure to urban stress. He included these other factors as a way of assessing if tree canopy (or the lack of it) was independently related to the incidence of low birth weights and preterm births.

The answer was yes and no. He found that mothers who had more canopy cover within 50 meters of their home, or lived closer to private open space, were less likely to have an underweight baby. There was no significant correlation between trees and preterm births, however.

The correlation between canopy cover and birth weight bolsters the findings of previous studies that suggest stress increases the probability of underweight births and that exposure to natural environments reduces stress.

A subsequent study conducted in Barcelona, Spain, also supports this finding. The Spanish study looked at how green spaces affect birth outcomes among different socioeconomic groups. It concluded that green spaces made a positive difference among the poorest, least educated group. Why? Because this group spent more time close to home. If "home" was near a green space, birth outcomes were better.



R. Mazza

Babies whose mothers lived in homes near large trees were less likely to be born underweight.

Purpose of PNW Science Findings

To provide scientific information to people who make and influence decisions about managing land.

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TREES AND CRIME

Previous studies looking for links between trees and crime have yielded mixed findings. Some studies found that trees and vegetation can increase the fear of crime; others showed that they reduced the fear or occurrence of crime. Donovan had some ideas as to why the studies contradicted each other. For example, there was little or no distinction between large trees and much smaller trees or bushes, or their placement on or near a property.

“Carefully distinguishing between different types of vegetation allowed us to untangle these competing influences,” he says. He hypothesized that trees influence crime, and that the degree of their influence depends on their size and location.

Donovan constructed his study using input from Portland’s Crime Prevention Program. He distinguished between trees in a house’s yard and street trees in the parking strip between the sidewalk and the street. He made that distinction for two reasons. First, street trees are farther from a house than yard trees. Second, street trees typically do not block the view of a house from the sidewalk.

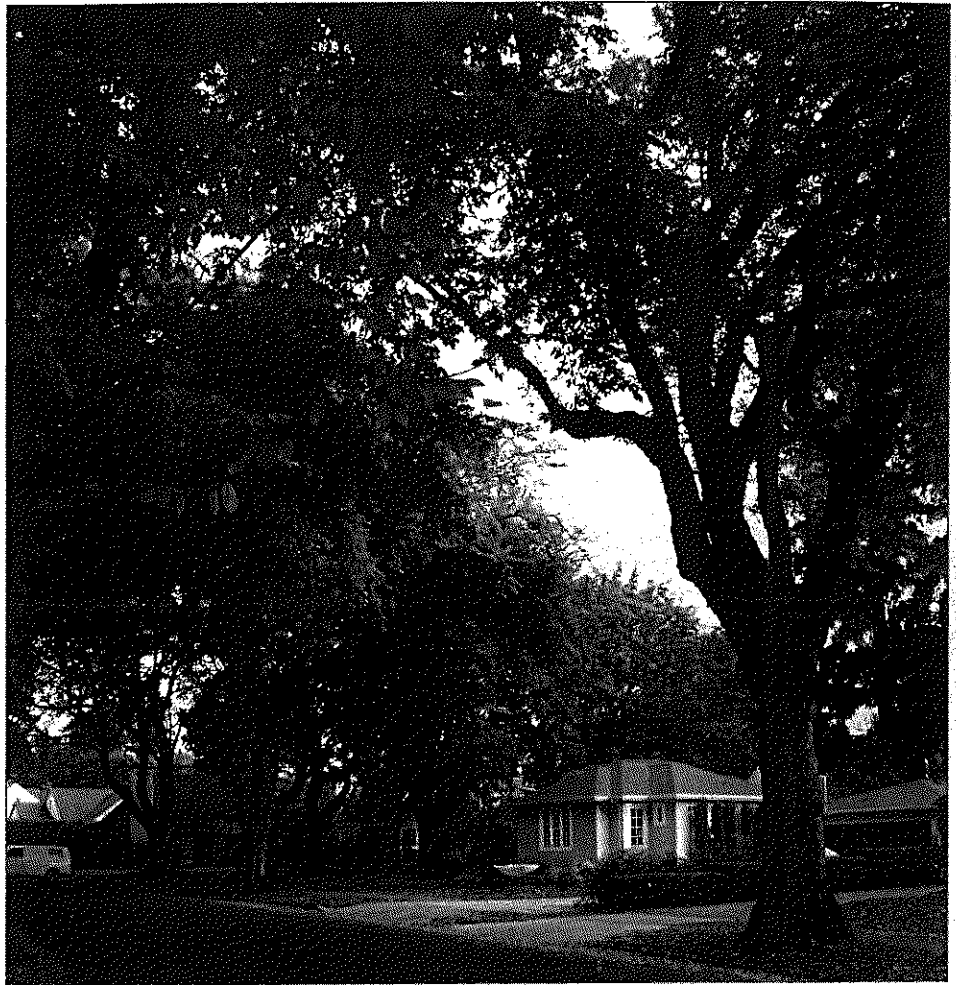
He confined his study to Portland’s southeast precinct because of its high proportion of single-family homes, and obtained crime data for 2002 to 2007 from the Portland Police Bureau. As in the birth study, Donovan used aerial photographs to show the placement of trees in relation to the homes where crimes had occurred.

Donovan’s research team also visited every house to note barriers in the front and back of each house. These were categorized as either low (less than three feet tall), high and solid (e.g., a rock wall or a solid wooden fence taller than three feet), or tall and see-through, such as a wrought-iron fence.

He found that the crown area of street trees fronting a house and the crown area on a house’s lot were associated with decreased crime occurrence. But the number of trees on a lot was associated with increased crime.

One possible explanation is that more trees in a small area, like a yard, could lead to more crime by providing cover to criminals, Donovan surmises. A large number of trees might also mean that they’re relatively small, so their crowns create a screen closer to the ground. Large trees don’t present that problem because their crowns are higher.

There are other theories as to why mature trees are associated with less crime. One postulates that mature trees create a pleasant setting where people will want to congregate. Because they’re a public attraction, criminals

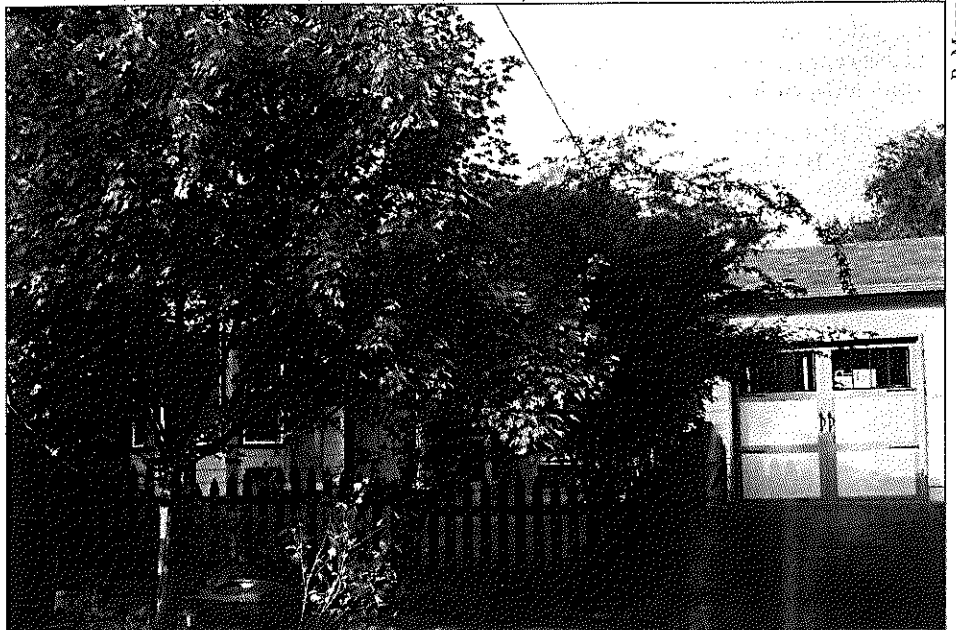


Lower crime rates were found around houses with large street trees.

are less likely to break into nearby houses. It’s too risky.

Another is the “broken window” theory that suggests that criminals are attracted to poorly

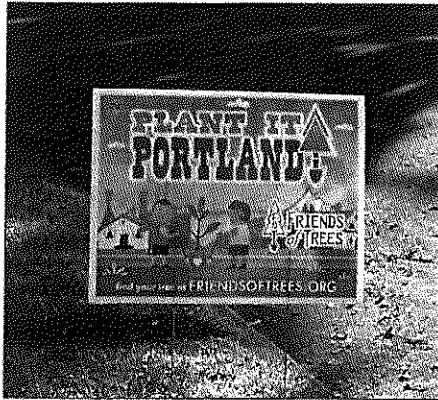
maintained neighborhoods, because evidence of neglect—broken windows, for example—implies a lack of law enforcement. “If trees help a neighborhood appear well-maintained, they may deter crime,” Donovan explains.



Higher crime rates were found around houses with many small yard trees.

THE RIGHT TREE FOR THE RIGHT SPOT

These findings are already informing public policy and being used in educational outreach efforts. The City of Portland used these findings when it updated the city's tree ordinance. Tigard and Gresham, two other cities in the Portland metropolitan area, also are incorporating the information in their street-tree regulations. Friends of Trees, a nonprofit group that promotes the planting of trees in Oregon's two largest metropolitan areas, uses Donovan's findings in its educational literature, providing practical information to homeowners about how, where, and why to plant trees on their property.



R. Mazza

Friends of Trees, a nonprofit organization in Portland, is sharing this information with homeowners.

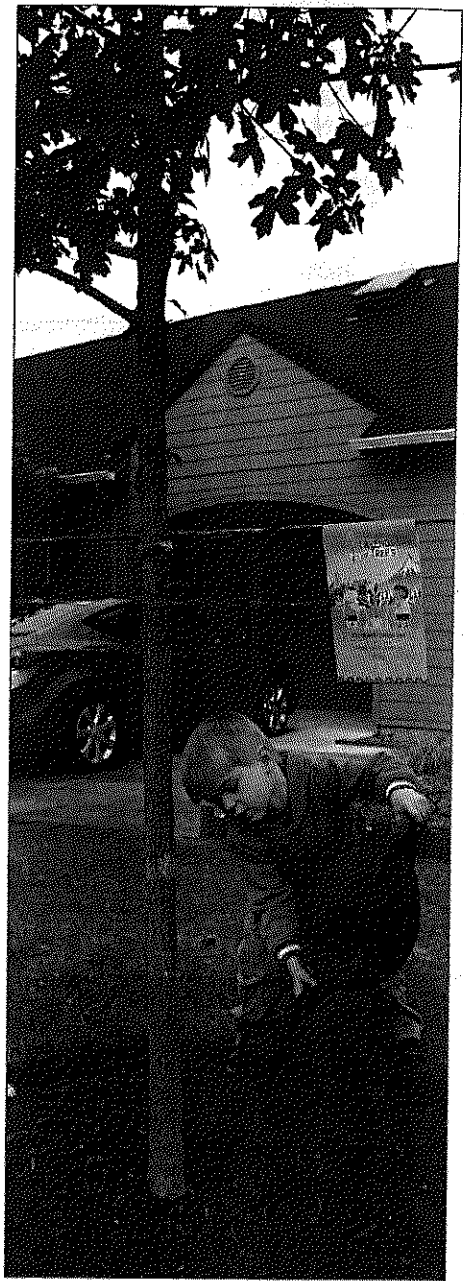
Stephanie Reynolds, manager of Portland's Crime Prevention Program, which offers guidelines on the planting of residential trees and shrubs, says these findings gave them a level of detail about the role of urban trees that they didn't have before.

Now she and her team members can give more detailed advice to homeowners about pruning and planting trees to reduce the possibility of crime. Pruning away the lower limbs of older trees, for example, opens the view between the house and the street. By carefully placing new plantings, a homeowner can avoid creating a visual barrier.

"In the past, we said trees made a place feel lived in and loved, and that neighborhoods with lots of trees are ones that people want to live in. But we had never differentiated between mature trees and young trees," says Reynolds. "Geoff's study added legitimacy and detail to those general principles. It added nuance to the kinds of recommendations we give."

"No town can fail of beauty, though its walks were gutters and its houses hovels, if venerable trees make magnificent colonnades along its streets."

—Henry Ward Beecher



R. Mazza

Through proper tree placement and maintenance, homeowners can find a balance between privacy and security.

FOR FURTHER READING

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LAND MANAGEMENT IMPLICATIONS



- Urban trees have a quantifiable effect on human health and crime rates. City planners, law enforcement, landscape designers, and neighborhood associations can use this information to create conditions that discourage criminal activity or improve human health.
- Understanding how tree placement and maintenance can discourage criminal activity helps homeowners find a balance between privacy and security.
- These studies illustrate ways in which nature can be integrated with built systems to create more livable urban communities.

WRITER'S PROFILE

John Kirkland has been writing about science, higher education, and business for more than 20 years. He lives in Portland, Oregon.



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SCIENTIST PROFILE

GEOFFREY H. DONOVAN is an economist and research forester with the Pacific Northwest Research Station in Portland. He received his Ph.D. at Colorado State University in 2001. His current research interests include the economics of wildfire management and quantifying the benefits of urban trees, including their effects on property values, energy use, crime, and health.

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Fact Sheet #4: Control Stormwater Runoff with Trees

Points to remember

RAINFALL INTERCEPTION is influenced by:

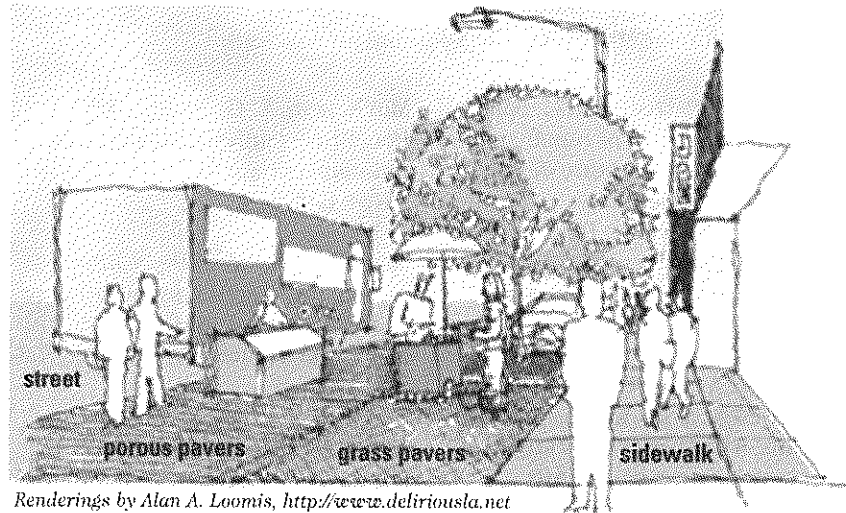
- ☞ Intensity and duration of the rainfall event
- ☞ Tree species—deciduous, broadleaf evergreen, or conifer
- ☞ Tree architecture—size, number of leaves, and arrangement of leaves and branches
- ☞ Weather—temperature, relative humidity, net solar radiation, and wind speed

TREES STORE MORE WATER during a 1-inch rainfall event that lasts two days versus one that lasts only two hours. Therefore:

- ☞ As compared to flood events, small storms are responsible for most of the annual pollutant loading of receiving waters
- ☞ Trees are most effective in intercepting rainfall during small events
- ☞ Urban forests are likely to produce more benefits through water quality protection than flood control.

ONE OF OUR STUDIES FOUND that a typical medium-sized tree can intercept as much as 2380 gallons of rainfall per year.

BROADLEAF EVERGREENS AND CONIFERS intercept more rainfall than deciduous species where winter rainfall patterns prevail.



Renderings by Alan A. Loomis, <http://www.deliriousla.net>

Redesign streets where trees work in combination with grass and porous pavers to retain water on site.

TREES WORK IN COMBINATION with other stormwater controls to produce a comprehensive solution to rainfall interception, runoff and landscape water use:

- ☞ Backyard cisterns capture roof runoff, and provide supplemental irrigation
- ☞ Swales hold overflow
- ☞ Bermed lawn-area retention basins facilitate infiltration
- ☞ Grates/drywells capture driveway runoff

STRATEGIES TO ENHANCE the urban forest and improve the control of stormwater runoff:

- ☞ Plant more trees in appropriate places
- ☞ Improve the maintenance of existing trees
- ☞ Plant species with a higher rate of growth where appropriate

- ☞ Plant species with architectural features that maximize interception
- ☞ Match trees (deciduous, evergreen) to rainfall patterns
- ☞ Plant trees in groves where possible
- ☞ Plant low water-use species
- ☞ Plant broadleaf evergreens where appropriate and avoid south-facing windows
- ☞ Use native plants, which, once established, can easily withstand summer dry seasons and reduce the need for supplemental irrigation.

In Oakland, California, the continuous tree canopy is estimated to intercept 4 inches of rain over one acre in a typical year—about 108,000 gallons.

NOTE: In looking for solutions to stormwater runoff it is important to consider an integrated approach that uses other water conservation, water retention, flood management, and pollution control strategies. Community solutions include but are not limited to: porous pavement, vegetated swales and filter strips, recharge areas under parking lots, holding tanks and cisterns under playfields, surface area holding ponds, turf grass filters, and riparian retention and treatment areas. For more information on these solutions see the TreePeople website at <http://www.treepeople.org/trees/charrette.htm>, and their book, *Second Nature: Adapting Los Angeles' Landscape for Sustainable Living*, edited by Patrick Condon and Stacy Moriarity.

References: Control Stormwater Runoff with Trees

For more information, refer to the following publications:

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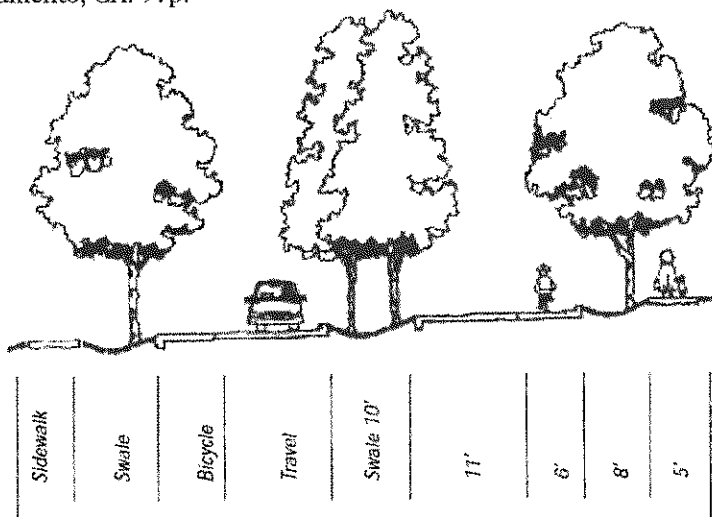
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Incorporate stormwater treatment into street design by adding trees and swales. From Green Neighborhoods, a publication of NeighborhoodLAB, <http://neighborhood.uoregon.edu/>.

Trees protect water and soil resources.

A healthy urban forest can reduce the amount of runoff and pollutant loading in receiving waters in four primary ways:

- 1) Through evapotranspiration, trees draw moisture from the soil ground surface, thereby increasing soil water storage potential.
- 2) Leaves, branch surfaces, and trunk bark intercept and store rainfall, thereby reducing runoff volumes and delaying the onset of peak flows.
- 3) Root growth and decomposition increase the capacity and rate of soil infiltration by rainfall and reduce overland flow.
- 4) Tree canopies reduce soil erosion by diminishing the impact of raindrops on barren surfaces.

Urban forests can dispose of waste water

Urban forests can provide other hydrologic benefits. For example, irrigated tree plantations or nurseries can be a safe and productive means of wastewater treatment and disposal. Reused wastewater can recharge aquifers, reduce stormwater treatment loads, and create income through sales of nursery or wood products. Recycling urban wastewater into green-space areas can be an economical means of treatment and disposal, while at the same time providing other environmental benefits.

Visit our newly redesigned website at <http://cufr.ucdavis.edu>

January 9, 2011

Sarah Hardgrave
Environmental Programs Manager
City of Pacific Grove

Re: Comments on Draft Tree Ordinance and Urban Forestry Standards Documents

Dear Ms. Hardgrave,

I am unable to attend the January 10 and 17th meetings but wanted to share my edits/comments/questions.

On the draft Ordinance, just a few minor typos and questions/comments. General question- when to capitalize "t" in Trees and Protected Trees and Street Trees throughout? I have included handwritten edits on your pdf of the draft ordinance attached to show where I was questioning lower or uppercase "t". Too many to list.

In the definitions section 12.02.120 "upper canopy trees" the definition has mistakes. Monterey Cypress and Monterey Pine listed twice, but oaks are not listed at all.

Section 12/02.149 B under Permit application- I think breast height should be better defined in feet or some appropriate unit like feet!

Chapter 12.14- I think that header needs to be more clear, that Chapter 12.16 is completely replacing 12.14, while adding a proper header for the new Chapter 12.16. I work in environmental law so I think I see your need for keeping the place holder 12.14 for any historic references, but we still need a proper header for Chap. 12.16.

Typo only- extra space on Pg 12 Section 12.16.100 section 4 (an extra tab was inserted).

Section 12.16.220- little "t"s throughout this section.

Section 12.16.230- this was discussed at one of the last meetings I was able to attend, better defining an emergency situation where one can just get the tree out quickly if need be. What to do if the emergency happens over the weekend if the tree (or power lines) is severely damaged in a bad storm for example, etc....? It seems there will likely be a lot of legitimate cases of "emergency" but I can also

see the potential for abuse if not better cleaned up in the ordinance. What comes to mind here are those old oaks with the "spongy" or "cork-like" junctions between branching tree systems. We have many old oaks going over power-lines and houses in PG now. I don't see the same situation happening with the older Monterey Pines, though... they are more likely to have large branches fall, many of which are unpredictable in a storm and can happen to even healthy trees in a bad storm.

On the Draft Urban Forestry Standards, again, great job. Nothing attached on this one since just three comments/questions:

3.1.2 I think it is still unclear what an "emergency situation" is as defined in 3.1.1 (which says to see below where high-risk is defined). I understand the "high-risk" situations, but the language does not equate a risk of 6 or more with no permit required.... kind of confusing. Section 5.2.1 does a great job defining risk, but does not tie back very well to section 3.1.2.

You know this already, but sections are missing from 4.4. Is more coming?

5.2.2- I would like to see a better definition of all three terms since I had to look up what a slash was.

Thank you for your time, energy and community involvement in this new draft tree ordinance.

Regards,

Virginia St. Jean

City of Pacific Grove
Title 12 – Trees and Vegetation

Edit definitions:

~~Strikethrough old text~~

Insert new text

Comment (TPO) on needed change, TPO = Terrence P. O’Connell

Title 12 – Trees and Vegetation

Chapters:

Chapter 12.02 Purpose, Definitions, Applicability, and Effect *[new chapter]*

Chapter 12.04 Infected Trees, Plants, and Shrubs *[unchanged]*

Chapter 12.12 Weeds and Rubbish Abatement *[unchanged]*

Chapter 12.16 Trees and the Urban Forest *[replacing existing chapter]*

Chapter 12.02 Purpose, Definitions, Applicability, and Effect *[new chapter]*

Sections:

12.02.10 Purpose

12.02.120 Definitions

12.02.130 Applicability, Conflicts, and Other Requirements

12.02.140 Authority and Responsibility

12.02.150 Interpretations and Exceptions, Language, and Time Limits

12.02.100 Purpose

A. The purpose of this title is to facilitate the protection, preservation, and restoration of Pacific Grove’s urban forest and other vegetation; and enhance the visual and aesthetic uniqueness of Pacific Grove.

B. Accordingly, this title provides regulations relating to the removal and pruning of Trees in public and private areas, to safeguard life, limb, health, property and

Comments – Terry O-Connell Received January 17, 2012

public welfare, by
managing the urban forest pursuant to these regulations and the Urban
Forest Management Plan.

C. This Code is adopted pursuant to the authority granted by Section 7 of
Article XI of the State
constitution to a City to make and enforce such local, police, sanitary and
other regulations as are
not in conflict with the general laws of the State.

12.02.120 Definitions

A. For the purposes of this title the following words shall have the
meaning ascribed to them
below:

“Root Crown” means the zone of transition between the tree trunk and
supporting roots.

"Building coverage" has the meaning assigned in Chapter 23.08 (Zoning--
Definitions).

“Community tree program fund” means a dedicated city fund comprising
donations, moneys
appropriated by the city council, fines, Tree damage assessments, and in-
lieu fees collected under
the authority of this title and established by the city council in the city’s
master fee schedule.

**We the people have not proclaimed our will to even have a
tree fund and we don’t need any more armed tax collection
by an already greedy government (TPO).**

City of Pacific Grove
Title 12 – Trees and Vegetation

Community Tree Program Fund expenditures shall be used solely for the planting and maintenance of Street Trees and Trees on city property.

“Development” has the meaning assigned in Chapter 23.08 (Zoning--Definitions).

"Discretionary development approval" has the meaning assigned in Chapter 23.08 (Zoning--Definitions).

“Feasible” means capable of being implemented, taking into account such factors as safety of persons and property, the environment, aesthetics, and economic considerations.

"High Risk Tree" means an imminent hazard or threat to the safety of persons or property.

"Hedge" means and includes any plant material, shrub or plant, when planted in a dense, continuous line or area, as to form a thicket or barrier.

Hedges are immaterial here since this is a tree ordinance and there is no need to extend our powerful empire to include hedges. (TPO)

“Lower canopy trees” means native trees or other trees identified as such in *Landscape Trees for Pacific Grove*, as amended from time to time, which is available at City Hall and on the City’s website.

"Parks" means and includes all parks to which names have been given by action of the city council.

"Person" means and includes any individual, partnership, firm,

Comments – Terry O-Connell Received January 17, 2012

association, corporation,
governmental agency, and other legal entity, and the agents, employees,
and representatives
thereof.

"Plant" means and includes all other plant material, non-woody, annual,
or perennial in nature,
not necessarily hardy.

"Protected tree" means those trees as defined in Section 12.16.100 and
described in more detail
in the Urban Forestry Standards.

"Prune" or "pruning" means to remove dead growth, tip live branches,
thin live foliage, or a
combination. Pruning does not include topping. However, cutting small
diameter branches at the top of a tree shall not be construed as
topping.

Property owners need to be able to control the height of trees while
they are still manageable and have not grown into a big problem and
have not yet grown large enough to become protected under the city's
oppressive tree ordinance (TPO).

"Prune substantially" or "substantial pruning" shall apply to both above-
surface and underground
cutting or removal. With reference to branches, either term shall mean
cutting or removal of
more than 25 percent of the live branches of the entire Tree within a 12-
month period; or
removal of foliage so as to cause the unbalancing of a tree; and/or cutting
or removal of any live
limb with a diameter of six inches or greater or a circumference of 18
inches or greater at any
point on such limb. With reference to roots, either term shall mean
cutting or removal of any
root four inches or greater in diameter.

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City of Pacific Grove
Title 12 – Trees and Vegetation

"Public property" means and includes all grounds, other than streets or parks, owned by or leased to and under the control of the city of Pacific Grove or other governmental agency.

"Public Trees" means trees located on public property in addition to Street Trees.

“Qualified Professional” means possess credentials, degrees or qualifications that supports the resource specific skill required to adequately prepare and submit assessment reports such as:

International Society of Arboriculture:

- Certified Arborist
- Municipal Specialist
- Board Certified Master Arborist
- Certified Tree Risk Assessor

American Society of Consulting Arborists:

- Registered Consulting Arborist

Forest Ecologist

Qualified Professionals shall not be a principal or employee of a tree service or other contract service provider that has a vested interest or conflict of interest in the subject project.

It should not be assumed that a tree service or other contract service providers, who are qualified professionals in their field, have a vested interest in a project when receiving a contract to do tree work during the normal course of business; their opinion should count as a fair offset to city appointed officials, and they may be more expert than city officials.

"Remove" or “removal” means any of the following:

Complete removal, such as cutting to the ground or extraction, of a tree.

Taking any action foreseeably leading to the death of a **protected** tree or permanent damage to its health; including but not limited to excessive pruning, cutting, girdling, poisoning, overwatering, unauthorized relocation or transportation of a tree, or trenching, excavating, altering the grade, or paving within the Tree Protection Zone.

“Review authority” means the city official or body responsible for reviewing and making decisions on permit requests, either initially or on appeal.

"Shrub" means and includes any woody perennial plant, normally low, several-stemmed, and capable of being shaped and pruned without injury, within the area planted.

Shrubs are immaterial here since this is a tree ordinance and there is no need to extend our powerful empire to include shrubs (TPO).

"Street" means and includes all land lying between the boundaries of property abutting on all public streets, boulevards, alleys and walks.

"Street tree" means any tree whose trunk is located all or primarily within the street easement or on public property between the street right of way and a street-facing property.

City of Pacific Grove
Title 12 – Trees and Vegetation

“Suitable” shall mean appropriate to the situation, taking into account: safety of persons and property; environmental values such as wind break, soil erosion, and wildlife habitat; tree density; tree health; aesthetic results; and economic factors.

"Tree" means any **protected** woody plant which has a trunk four inches or more in diameter at four and one-half feet (54 inches) above natural grade level. For purposes of this title, a multi-trunk tree shall be considered a single tree and the circumference of that tree shall be the sum of the circumferences of the trunks of that tree.

Nuisance bushes or other bushes such as holly and bottle brush are woody plants which can grow to the size of what would be considered as a tree, but must not be given the status of a protected tree. Only protected species should come under the parameters of this definition (TPO).

“Tree protection zone” means that area around each Protected Tree whose outer edge is a circle, the radius of which equals the trunk diameter in inches (at 54 inches above grade) times 1.5 with the resulting product measured in feet (e.g., 8 inches x 1.5 = 12 feet), or the outer edge of the Tree’s leaf canopy, whichever is larger.

"Tree report" means a report prepared by a Qualified Professional.

“Upper Canopy Trees” include Monterey pine, Monterey cypress, Coast redwood, Monterey cypress, Monterey pine, or Torrey pine, or other trees as identified as such in *Landscape Trees* for Pacific Grove: A Guide to Selection, Planting, and Care , as amended from time to time. **The addition of other species to the protected tree list shall require specific action by the City Council.**

Comments – Terry O-Connell Received January 17, 2012

Unelected City officials must not be given the latitude to impose more and more arbitrary restrictive requirements on private property owners with out the approval of elected officials (TPO).

"Urban Forestry Standards" means the regulations issued to implement this title, as found in the Urban Forest Management Plan .

12.02.130 Applicability, Conflicts, and Other Requirements

A. Applicability. This title applies to all Protected Trees and other vegetation within the City of Pacific Grove, except on Federal lands and school district lands, which are exempt from these standards.

This Title must not apply to every tree which breaks the surface, but only to protected trees of specified dimension (TPO).

B. Conflicts. If conflicts occur between this title and PGMC Title 18 (Building and Construction) or Title 23 (Zoning), the ~~more protective requirements~~ priorities set by the City Council shall prevail. If conflicts occur between this title and other titles of the PGMC, or other City regulations, ~~this title~~ the priorities set by the City Council shall prevail.

This Title is heavily biased in favor of trees and not in favor human needs, property protection, and other priorities and therefore needs to be tempered by a broader minded judgement available from the City Council (TPO).

C. Liability. Nothing contained in this title, within the *Urban Forest Management Plan* , the Landscape Trees for Pacific Grove: a Guide to Selection, Planting, and Care, any street tree landscaping plan, or other city document, shall be deemed to impose any liability for duty of care or for damages upon the city, its officers, or employees, or private property owners, nor shall it relieve the owner of private property , nor the City, from the duty to keep a Protected Tree in any

Comments – Terry O-Connell Received January 17, 2012

street right of way, on ~~his~~its property, or under ~~his~~its control in such condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any street, park, pleasure ground, boulevard, alley, or public place within the City.

This paragraph as originally written is preposterous in that it relieves the City of liabilities and responsibilities while imposing them on private property owners. The City must be held to the same standards and liabilities as it expects from its citizens. This paragraph is an affront to the individual property owner, and must be completely eliminated or rewritten to give equal liability risk and tree care responsibilities to both the City and private property owners (TPO).

D. Severability. Should any part or provision of this title be declared by a court of competent jurisdiction to be invalid, the same ~~shall not~~may affect the validity of the ordinance as a whole or any part thereof ~~other than~~along with the part held to be invalid.

The declaration of this ordinance as being in violation of individual property rights may affect many parts of this restrictive ordinance.

City of Pacific Grove
Title 12 – Trees and Vegetation

E. Adoption of Standards. The city may adopt Urban Forestry Standards, a Street Tree landscaping plan (not to include the intrusive planting of trees by the City in the parking and utility easements in front of private homes), and other standards for the planting, maintenance, and removal of trees, ~~shrubs, and other landscaping~~ on public ~~and private~~ lands. All work performed in streets, parks, or public places shall be performed in accordance therewith (unless a deviation is allowed by the City). A copy of such standards shall be available at city hall and on the city's website.

The ordinance must just apply to Trees and not to shrubs and not to other private landscaping (TPO).

The City must reserve the right to place tree preservation priorities in their appropriate place versus competing City interests.

Other Requirements. Nothing in this title eliminates the need for Persons to adhere to any other requirements of the PGMC, or any requirement of any regional, State, or Federal agency.

12.02.140 Authority and Responsibility

A. Generally. The Person in possession of Public Property and the owner of any private property ~~shall have a duty to keep the~~ may solicit the City's help when Protected Trees upon the property and under their control ~~in a safe and healthy~~ are found to be in an unsafe or unhealthy condition. The City is responsible for maintaining all streets along City streets not planted by the property owner.

The private property owner is not an expert on the preservation of Protected Trees, and/or may not have the expensive equipment or chemicals, strength, or funds necessary to treat a tree. If the City wants the tree, they must be willing to work with the property owner when asked. Also drought/watering restrictions, or other natural

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occurrences may interfere with tree health, and the private property owner must not be held responsible.

It is the responsibility of all Persons owning any land within the city to keep all private Trees that extend over any public street or walkway pruned so as to remove any foliage encroaching into space above a street to a height of 14 feet, and above sidewalk areas to a height of eight feet.

The City holds the same responsibility for Street Trees and other Public Trees.

Any Person who feels a Tree located on property possessed, owned, or controlled by them is a danger to the safety of themselves, others, or structural improvements on-site or off-site, shall

have an obligation to secure the area around the Tree or support the Tree, or notify the City to do the same, as appropriate, to safeguard both Persons and improvements from harm.

The City has the prime responsibility and liability for securing dangerous trees which it mandates to be preserved, and most property owners do not have the appropriate equipment, strength, and capability to support and secure falling and/or hazardous trees (TPO).

Pruning, other maintenance, and replacement of Protected Trees shall generally be the responsibility and discretion of the property owner(s) ~~and shall be~~ if it is to be at property owner's expense.

Pruning, other maintenance, and the replacement of Street Trees shall generally be the responsibility of the city and shall be at city's expense.

B. Permit required for Certain Work. It shall be a violation of this title for anyone to remove or cause to be removed or Substantially Pruned a Protected Tree, except as allowed in this section and as addressed by the Urban Forestry Standards.

In the absence of development, Protected Trees shall not be removed unless determined by the

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city arborist, on the basis of a tree report prepared by a certified arborist for the applicant and other relevant information, that the tree should be removed because it is dead, is high risk, is a detriment to or crowding an adjacent Protected Tree, or constitutes a nuisance under Section 12.16.040 and 12.16.410 of this code.

Unless authorized by permit, no person shall:

1. Plant, remove, top, or in any way damage, destroy, injure, or mutilate a public tree.
2. Fasten any sign, wire, or injurious material to any public tree.
3. Excavate any ditch or tunnel, or place concrete or other pavement, within a distance of ten feet of the center of the trunk of any public tree.

This requirement (3.) makes most City curbs illegal. A ten foot radius circle is a lot of real estate to give away to a tree. Is the City going to be as generous with the private property owner as it will be with itself when violating this highly restrictive requirement?

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Permit Application. Removal of a Protected Tree requires completion of a tree removal application as provided by the city accompanied by a fee as established in the city's master fee schedule. (Note: No fee will be charged for a permit for removal of a dead or High Risk Tree). The application shall include a written arborist report from a certified arborist on company letterhead and include the following information for each tree:

A written narrative identifying the tree species (common and scientific).
Tree location (in relation to street, structures and property line).
Size (DBH [diameter at breast height], height, and crown spread).
Condition (foliage, vigor, structural integrity, etc.).
Life expectancy and prognosis (is the Tree High Risk, in severe decline, causing or likely to cause property damage, etc.?).
Photos of the subject tree.

Additional information may be required by the city arborist depending on site conditions.

Application for Permit. Any person desiring to do any of the work described in this section shall apply for such permit to the city arborist on forms provided by the city, accompanied by the fee specified in the city's master fee schedule.

Review of Application and Issuance of Permit. The city arborist shall review each application for a permit and may inspect the Tree and the surrounding area to determine whether or not, and under what conditions, the permit is to be granted.

The city arborist may refer a permit application to the natural resources commission for review

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and recommendation.

Before approving any application, the city arborist shall be required to make the findings that the approved actions best further the purposes of this title, as specified in Section 12.02.100 (Purpose).

The city arborist shall include such conditions on a permit as are necessary to fulfill the standards set out herein.

A permit shall be issued authorizing so much of the work as:

1. Will not create, continue or aggravate any hazardous condition, or public nuisance;
2. Will not prevent or interfere with the growth; location or planting of approved public trees;
3. Is consistent with the planting plan being followed by the city.

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Response will generally be mailed to the applicant within 10 days and in no case longer than 20 days.

Public Noticing Requirements. A permit to remove or substantially alter any Protected Tree is not effective until the tenth day following the date of posting the property on which the Tree or Trees subject to the permit are located. The posted notice shall state that the permit approval may be appealed by any interested person during the 10-calendar-day posting period. City personnel shall post one notice on the subject tree(s), two identical notices on public property within 200 feet of the property on which the subject tree or trees are located, in positions clearly visible to the public, and on the city's website. The subject Tree(s) must also be marked with a bright chartreuse ribbon around the trunk, which shall remain on the Tree until work has begun. All notices shall remain posted until all work is completed.

Each tree work permit shall expire 60 days after its effective date. The city arborist may grant up to one extension not to exceed 30 days.

C. City Staff. The city manager, through the departments of Public Works and Community Development, shall be responsible for the development and maintenance of standards necessary for implementation of this title, which shall be known as the Urban Forestry Standards found in Chapter 5, Pacific Grove *Urban Forest Management*. The city arborist and public works director are charged primarily with the duty of administering and enforcing this title. Among other

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duties, the city arborist and public works director shall issue tree maintenance and removal permits, oversee implementation of the *Urban Forest Management Plan* as adopted by the city council and amended from time to time, and monitor and evaluate the effectiveness of this title.

The city manager or his designee may enforce the provisions of this title by the issuance of citations. The city attorney may bring a civil action in any court of competent jurisdiction to enforce and/or recover civil penalties for the city as may be allowed by this title.

D. Natural Resources Commission. The natural resources commission shall prepare a Street Tree landscaping plan setting forth the types and kinds of Trees and shrubs, especially recommending native species, suitable and desirable for planting along public streets within the city.

The natural resources commission shall also develop lists of Trees ~~and shrubs~~ recommended for use on private property. The commission shall make such determinations after consultation with city staff, arborists, and nursery operators familiar with the subjects of such plantings.

Shrubs are immaterial here since this is a tree ordinance and there is no need to extend our powerful empire to include shrubs (TPO).

Thereafter, the commission shall from time to time prepare updates covering the same subjects, each of which shall be complete in itself. Such lists shall be made available at City Hall and shall be posted on the city's website.

The addition of other species to the protected tree list shall require specific action by the City Council.

Unelected City officials must not be given the latitude to

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impose more and more arbitrary restrictive requirements on private property owners with out the approval of elected officials (TPO).

E. Appeal of city arborist decision. Any Person aggrieved by or objecting to any exercise of authority by the city arborist under this title shall have the right of appeal to the natural resources commission. Filing a timely and complete appeal with the city clerk shall suspend any permit or

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approval until the hearing on the appeal has been completed. A complete appeal shall include the: action being appealed, property address or location of the Tree impacted by the action; name and contact information of the Person or Persons filing the appeal; reasons for the appeal; and any fee for such appeal as adopted by the city council and included in the city's master fee schedule, which is available at city hall and on the city's website.

Appeals of the city arborist's action hereunder shall proceed as follows:

1. Any applicant or interested person may, upon payment of a fee established by the council, appeal a permit decision to the Natural Resources Commission within the 10-day posting period. The appeal will suspend a permit approval pending the commission's hearing on the appeal.

2. Within 60 days of receipt of an appeal, the Natural Resources Commission will hold a public hearing on the appeal unless the appeal is continued for good cause demonstrated.

At least 10 calendar days prior to the hearing, the property on which the tree or trees subject to the appeal are located shall be posted with a notice of the date and time of the public hearing. Two identical notices are required to be posted on public property within 200 feet of the property on which the subject tree or trees are located, in positions clearly visible to the public. The party appealing shall be notified by mail of the date and time of the hearing.

3. The Natural Resources Commission may affirm, reverse or modify the action of the city arborist, and in so acting apply the standards set out in subsection (c) of this section.

4. The action of the Natural Resources Commission may be appealed to the City Council within 10 calendar days.

5. Once the City Council has considered an application for removal or alteration of a tree, all further applications relating to that tree shall be made directly to the council.

Notice of Commission Hearing. Within 45 days of receipt of an appeal by the city clerk, the natural resources commission shall hold a public hearing on the appeal unless such time is continued by the commission for good cause demonstrated. At least 10 days prior to the hearing, the property on which the Tree or Trees subject to appeal are located shall be posted with notice of the time and date of the hearing at or near the subject Tree or Trees. Two identical notices shall be posted by the city arborist on public property within 200 feet of the property on which the Tree or Trees are located, in positions clearly visible to the public. The subject Tree or Trees shall be marked with a bright ribbon around the trunk. The property owner and party appealing shall be notified by mail of the date and time of the hearing.

Decision of the Natural Resources Commission. Following the public hearing, the natural resources commission may affirm, reverse, or modify any decision of the city arborist and, in so doing, shall apply the regulations contained herein and the referenced standards.

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Review by City Council. The decision of the natural resources commission may be appealed to the city council within 10 days by filing the appeal in writing, together with the fee set forth in the city's master fee schedule, with the city clerk. Filing of this appeal shall suspend any permit or approval until the hearing on the appeal has been completed.

Notice of Council Hearing. Within 30 days of receipt of an appeal, or its next regular meeting, the City Council shall hold a public hearing on the appeal unless such time is continued for good cause demonstrated. At least 10 days prior to the hearing, the property on which the Tree or Trees subject to the appeal are located shall be posted with a notice of the date and time of the public hearing. Two identical notices shall be posted on public property within 200 feet of the property on which the subject Tree or Trees are located, in positions clearly visible to the public. The property owner and party appealing shall be notified by mail of the date and time of the hearing.

Decision of the City Council. The council may affirm, reverse, or modify the decision of the natural resources commission, and/or the action of the city arborist and, in so doing, shall apply the standards set out in this title and the Urban Forestry Standards.

Further Action. Once the natural resources commission or city council has considered, on appeal, an application for removal or alteration of a Tree(s), all further applications relating to that Tree shall be made directly to that same appeal authority.

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F. Enforcement. It shall be unlawful for any Person to violate **any** major provision or fail to comply with ~~any of~~ the major requirements of this title. Knowingly ~~or negligently~~ providing false or misleading information in response to any requirement of this title shall constitute a violation of this title. Any Person who violates any provision of this title, or any condition of a permit issued pursuant to this title, shall be subject to enforcement pursuant to PGMC Chapters 1.19 (Municipal Code and Ordinance Enforcement).

This Title is very extensive and refers to requirements contained in other documents. The use of the word “any” could refer to the violation of any small detail in an expansive field. The legal hazard is very great here. Only major actions should be considered unlawful (e.g., cutting down a tree versus trimming a branch). This ordinance must not be written for the purpose of making prosecution easy (TPO).

Anyone making an honest mistake can be accused of negligence by an onlooking armchair quarterback (“You should have known!”). Negligence is in the eye of the beholder. Differences in interpretation or judgement could be called negligence. The word “negligently” presents too much of a legal hazard. Again, this ordinance must not be written for the purpose of making prosecution easy (TPO).

Stop Work Notice. If construction or work is performed contrary to the provisions of this title, the city manager or his designee may issue a written notice to the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation. No work shall be allowed until the violation has been rectified, subject to approval by the city manager or his designee.

Interference with Enforcement. No person shall interfere with or delay the authorized representatives of the city from the execution and enforcement of this

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title, except as provided by

law. City inspectors may not enter private property without either having obtained the owners consent or with having a duly issued warrant in his possession.

Injunctive Relief . A civil action may be commenced to abate, enjoin, or otherwise compel the cessation of such violation.

Penalty Assessment. If violation of this title results in ~~the disfigurement or~~ major Damage to a Tree, or the unauthorized transplanting, destruction, or removal of a Tree, the responsible Person shall, in addition to any other penalty, be liable for administrative penalties and mitigation. Any such

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finances, penalties, and charges shall accrue to the Community Tree Program Fund. Mitigation costs for damage to any Public Tree, caused by any act or omission by any Person, whenever such act or omission is prohibited by or not authorized pursuant to this title, shall be charged to such Person consistent with the city's master fee schedule. Mitigation may include planting one or more replacement Trees, either on site and off site, as well as protection and maintenance.

Alternatively, a contribution to the Community Tree Program Fund, equal to the value of the disfigured, Damaged, transplanted, destroyed, or removed Tree, as well as the costs of replacing and maintaining it, may be required. The appraised value of the disfigured, Damaged, transplanted, destroyed, or removed Tree shall be based on the *Guide for Plant Appraisal* (latest edition as published by the International Society of Arboriculture) and on file at City Hall and on-line.

Disfigurement of a tree is not well defined and is in the eye of the beholder. It is too broad a term to enforce. Some trees appear disfigured after a pruning but come back very well the next season. Again, this ordinance must not be written for the purpose of making prosecution easy (TPO).

Court Costs. In any civil action brought pursuant to this title in which the city prevails, the court shall award to the city all costs of investigation and preparation for trial, the costs of trial, reasonable expenses including overhead and administrative costs incurred in prosecuting the action, and reasonable attorney fees.

[For once let reasonable attorney fees be set like the rest of the world, e.g. \\$15 per hour \(TPO\).](#)

Failure to Receive Notice . The failure of any Person to receive a duly mailed, posted, or delivered notice required under this title shall not affect the validity of any proceedings or actions taken by the city or its employees, agents, or contractors under this title.

G. Utility Franchises. Duly authorized personnel of utility companies whose franchises from the city are current and in effect may in any emergency prune Trees or remove Trees in the public street that are threatening to interrupt or have interrupted utility service only to the extent necessary to alleviate the emergency. The utility company shall report all such instances of emergency action on any Street Tree to the city arborist within 72 hours of the event. All other Tree pruning or removal by utility companies is subject to the requirements of this title.

12.02.150 Interpretations and Exceptions, Language, and Time Limits

Interpretations and Exceptions. The city manager or his designee has the authority to interpret any provision of this title. Whenever the city manager determines that any aspect of this title is subject to interpretation, the city manager may issue an official written interpretation. Such official interpretation shall be forwarded to the natural resources commission for informational purposes. The city manager or his designee may also make exceptions to this title, with natural resources commission notification, where a substantial hardship or other unusual condition warrants. [The City Council may override City Manager interpretations.](#)

[Interpretations of regulation and law should be under the control of elected officials \(TPO\).](#)

Language. As used in this title, the words “shall,” “must,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended; “may” is permissive. The present tense includes the past and future tenses; the future tense includes the present. The singular number includes the plural, and the plural the singular, unless the natural construction of the sentence indicates otherwise. The words “includes” and “including” shall mean “including but not limited to”. Where there are references to code citations that no longer

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exist or have been renumbered due to code changes over time, it shall be construed that the reference is to the new or renumbered code section.

Time Limits. Whenever a number of days are specified in this title, or in any permit, condition of approval, notice issued or given as provided in this title, the number of days shall be construed as calendar days. Where the last of the specified number of days falls on a weekend, holiday, or other day City Hall is closed, the time limit will extend to the following working day.

Chapter 12.04 Infected Trees, Plants, and Shrubs *[unchanged]*

Chapter 12.12 Weeds and Rubbish Abatement *[unchanged]*

Chapter 12.14 Trees and the Urban Forest *[replacing existing chapter]*

Sections

12.16.100 Protected Trees

12.16.200 Removal and Replacement of Protected Trees

12.16.300 Trees and Development

12.16.400 High Risk Trees

12.16.500 Tree Reports

12.16.100 Protected Trees

Four categories of Trees are protected by these regulations and the Urban Forestry Standards, as specified below. Removal or excessive pruning of any “protected Tree

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“ requires a City
permit.

1. Native Trees – all Coast live oak, Coast redwood, Monterey cypress, Monterey pine, and Torrey pine trees 6 inches or greater in diameter, measured at 54 inches above native grade.

2. Monarch Butterfly Habitat Trees – all Trees in or within 100 yards of designated Monarch Sanctuaries. For the purposes of this title, the following sites are designated as Monarch Sanctuaries, serving as official Pacific Grove monarch butterfly overwintering sites:

Monarch Grove Sanctuary. That portion of land bordered on the east and west by Ridge Road and Grove Acre Avenue, respectively, on the south by Short Street, and on the north by the northerly boundary of assessor’s parcel numbers 006-361-30-031, -032, -033, and -034, extended from Grove Acre easterly to Ridge Road.

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Washington Park Site. That portion of land bordered on the east and west by Alder Street and Melrose Avenue, respectively, on the north by Pine Avenue, and on the south by the imaginary extension of Junipero Avenue westerly from Alder to Melrose.

Pruning or removal of Trees in a Monarch Sanctuary shall be prohibited except as prescribed in the approved *Monarch Sanctuary Habitat Management Plan* or upon a finding by the city council that such is necessary for proper maintenance of the site or for public health, safety, or welfare. The plan is available at city hall and on the city's website.

Pruning or removal of Trees within 100 yards of any boundary of a Monarch Sanctuary shall be prohibited during the months of October through April unless deemed necessary by the public works director for public health, safety, or welfare.

Owners of properties surrounding the Monarch Sanctuaries are encouraged to plant trees that serve as windbreaks and that otherwise benefit the Sanctuaries.

3. Public Trees – all Trees on Public Property and all Street Trees 6 inches or greater in diameter, measured at 54 inches above native grade, ~~and all Street Trees, regardless of size.~~ There has to be a minimum size specified. All kinds of small trees are growing along streets, and they should not be protected unless they have reached a certain size or have been intentionally planted by the City on public property (TPO).

4. Designated Trees – all Trees that are specifically designated to be saved and protected on a public or private property during Development and all Trees otherwise identified for special

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protection by the property owner.

Approval from the chief planner or designee is required to remove a Designated Tree. Approval from the city arborist or public works director is required to Substantially Prune a Designated Tree, as specified in Section 12.16.220.

Nothing in this title limits or modifies the existing authority of the city under Title 23 (Zoning) to require Trees and other plants not covered by this title to be identified, retained, protected, and/or planted as conditions of the approval of Development.

12.16.200 Removal and Replacement of Protected Trees.

12.16.210 Viewshed Protection .

~~Trees shall not be removed, pruned, or otherwise altered for the purpose of providing an unobstructed view. Instead, Trees may be pruned in order to provide a framed or filtered view.~~

Views are very important to an ocean view community. If we the people chose to give views a priority over trees, then it must be done or we don't have a democracy here (TPO).

12.16.220 Removal of Protected Trees

A Protected Tree may not be removed without city review and approval, except in an emergency.

All such work shall be done under the direction of the city arborist and public works director.

Standards and criteria to be observed during tree removal and alteration are as follows:

~~1. A tree shall not be removed or substantially pruned for the primary purpose of securing or improving a view, for acquiring more sunlight or air, or to reduce litter.~~

Views are very important to an ocean view community. If we the people chose to give views a priority over trees, then it must be done or we don't have a democracy here. Nuisance trees which deposit large amount of obnoxious debris should certainly be allowed to be pruned or removed

in some cases. Tree debris on roofs and in eaves drains is a significant problem. Sunlight and air are also important to reduce mold and dampness. People have the right increase the sunlight exposure of their property and air flow across their property. Human needs are more important than tree needs (TPO).

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2. A tree that serves as part of the windbreak system, or assists in drainage or the avoidance of soil erosion, or serves as a component of a wildlife habitat, is to be preserved if at all feasible.

~~3. No tree can be pruned to an extent that destroys its identity as a tree, unless conditions for removal exist.~~

The criteria for the identity of a tree has not been established and is in the eye of the beholder. It is too broad a term to enforce. Some trees appear have their appearance changed after a pruning but come back very well the next season (TPO).

4. Tree Condition criteria:

a. The tree is dead and in falling would conceivably strike a use area, personal/public property or a Protected tree.

b. The tree poses a high risk to the immediate area that cannot be mitigated through prescriptive treatments.

c. Tree Risk Assessment Level (defined in Section 5.2) is greater than 6 and alternative risk reduction treatments have been considered and are unable to be

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implemented including:

- i. Risk reduction pruning
- ii. Cabling or bracing
- iii. Propping
- iv. Relocating the target

d. The tree is irretrievably infested with insects that vector disease or result in mortality and

may infect/attack adjacent trees that cannot be preventatively treated.

e. The tree is infected with Pitch Canker and crown damage exceeds 50% of total canopy

volume.

5. Trees that are causing significant damage to hardscape (house foundations, driveways, retaining walls, patios etc.), utility service lines or infrastructure (streets, curb, sidewalk,

storm drain etc) that cannot be mitigated with cost effective, low risk, remedial solutions (see

Section 6.6 – Trees and Infrastructure).

6. Trees identified as a nuisance and causing illness or emotional distress as verified by a

Medical Doctor.

7. Trees with high pollen counts that cause incurable allergies if verified by a Medical Doctor.

8. Trees with heavy cones or fruit drop that cannot be reasonably cleaned or targets relocated.

9. Trees in densely planted areas where thinning is the proper forestry practice.

10. Healthy trees with equal sized trees or full appraised value as mitigation.

11. Invasive species as identified by Landscape Trees for Pacific Grove, California Invasive

Plant Council and/or the California Invasive Species Advisory Committee.

12. The visual prominence and function of each tree on the site will be considered prior to a

decision on the removal or alteration.

13. The City Arborist may refer permit applications to the Natural Resources Commission for

review and recommendation.

14. Trees of unusually large size, high visibility, or extraordinary

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aesthetic quality may be

required to be replaced by specimen trees as deemed appropriate by the City Arborist.

15. All work done under a permit shall be performed according to the standards of the

International Society of Arboriculture.

12.16.230 Replacement of Protected Trees.

A Protected Tree may not be removed without city review and approval, except in an emergency.

All such work shall be done under the direction of the city arborist and public works director.

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A tree shall not be removed or substantially altered for the primary purpose of securing or improving a view, for acquiring more sunlight or air, or to reduce litter. A tree shall not be

Views are very important to an ocean view community. If we the people chose to give views a priority over trees, then it must be done or we don't have a democracy here. Nuisance trees which deposit large amount of obnoxious debris should certainly be allowed to be pruned or removed in some cases. Tree debris on roofs and in eaves drains is a significant problem. Sunlight and air are also important to reduce mold and dampness. People have the right increase the sunlight exposure of their property and air flow across their property. Human needs are more important than tree needs (TPO).

removed solely because it is diseased if the disease is readily curable or is not spreading. In cases where an applicant for a tree permit feels that the tree is diseased, the city arborist may require an analysis of the tree to determine the type, extent, and degree to which the disease directly affects the tree. Such testing shall be performed by an independent expert chosen by the city arborist. Costs for the analysis shall be borne by the applicant.

In some cases, a removed Tree shall be replaced by the property owner. Removal of any Protected Tree on a property that will continue to meet the tree-density-and-canopy standards in the Urban Forestry Standards after the removal shall not require replacement.

Replacement trees shall be of a Suitable species as determined with the city arborist, after considering lot size, structure locations, other trees in the area,

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community aesthetics, and environmental values such as wind break, soil erosion, and wildlife habitat, selected from *Landscape Trees for Pacific Grove* . Where Feasible for smaller lots, and in all cases for Upper Canopy Trees on lots in excess of 4,000 square feet, each replacement tree shall be a Coast live oak, Coast redwood, Monterey cypress, Monterey pine, or Torrey pine.

In order to maintain the existing coniferous tree cover, particularly in the area between Sunset Drive and Seventeen Mile Drive, replacement planting shall be with pitch canker resistant Monterey pines if available and where Feasible.

The city arborist shall inspect replacement Trees during the first two years after planting to monitor survivability and growth progress. Dead Trees or Trees in an irreversible decline shall be replaced. **Replacement trees, if replaced, shall be replaced by one tree.**

12.16.240 Planting and Maintenance.

The city, its residents, and its property owners **may or may not** benefit by having the right Tree planted in the right place. The planting, maintenance, and removal of Protected Trees shall be in accordance with the city's Urban Forestry Standards, available at city hall and on the city's website.

Pruning of any Protected Tree that does not conform to those standards shall require a city permit, as described in subsection 12.02.140B (Permit required for certain work).

Root management promotes structurally stable and healthy trees and contributes to storm water management. **However, roots may require removal or trimming when they cause damage to streets, sidewalks, plumbing, masonry, walls, and building foundations, etc.**

12.16.250 Public and Street Trees and Street Landscaping.

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Planting of Public and Street Trees (not to include the intrusive planting of trees by the City in the parking and utility easements in front of private homes), shall be in conformance with an approved management for the public property, including a Street Tree landscaping plan. Street Tree plantings on public property shall be considered first from the viewpoint of the people passing on or using the streets, the benefits to stormwater management, the extension of pavement life as a result of the shade they provide, and from the other broader community benefits. Of secondary consideration to the City, but of highest importance to the voting public is the enhancement, embellishment, or other benefit of the properties abutting the street or public property.

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12.16.260 Flammable Fuel Management.

Fuel management is the planned reduction of living or dead vegetation to prevent the ignition of wildland fires and to reduce the spread and intensity of any wildfire. Property owners shall manage flammable fuel loads on their respective properties per the guidelines provided below and CalFire General Guidelines for Creating Defensible Space.

12.16.270 Wildlife Protection.

Tree pruning and removal activities shall take place outside of nesting periods or other timeframes that disrupt wildlife.

12.16.280 Tree Service Contractors.

All Tree Service Contractors providing Tree trimming and removal services in the city of Pacific

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Grove shall:

Hold a valid business license with the city of Pacific Grove, a current California State

Contractors License, C61-D49 classification and sufficient liability insurance; be bonded; and participate in the state's workers' compensation program.

As a condition of obtaining or renewing a business license, meet with the city arborist at least

once a year, in meetings to be set by the arborist, to review written standards for Tree Trimming and Removal Services in the city of Pacific Grove, and agree in writing to abide by such standards.

Visibly mark all truck(s) and/or other vehicles utilized by the Tree Service Contractor with the

contractor's name, state contractor's license number, business address, and phone number, in letters at least two inches high.

If the city arborist finds work by a licensed tree service contractor to be in conflict with this title

or the Urban Forestry Standards, the arborist will review the concerns with the contractor.

Continued failure to abide by these standards shall be grounds for revocation of the city business license.

12.16.300 Trees and Development

The standards for protection of Trees during development and construction are contained in the

Urban Forestry Standards shall be followed during any development on property containing

Designated Trees.

12.16.400 High Risk Trees

In order for a tree to be designated high risk, there must be both: 1) one or more defects in the

Tree (e.g., disease, significant lean, large cracks, a shallow root system),

Comments – Terry O-Connell Received January 17, 2012

and, 2) one or more

targets (e.g., a use area or structure that would be struck in the event the Tree fell).

To remove a Protected Tree that has been verified as high risk, written approval from the city

arborist is required and must be available on site when the tree is being removed, unless

emergency conditions exist.

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For the purposes hereof, the following are defined to be High Risk Trees:

1. Any dead, diseased, infested, or dying tree in any street, or on any private property so near to any public tree, as to constitute a danger to public trees, or streets, or portions thereof.
2. Any tree or shrub on any private property or in any street, of a type or species apt to destroy, impair, or otherwise interfere with any street improvements, sidewalks, curbs, approved street trees, gutters, sewers, or other public improvements, including utility mains or services.
3. Any tree limb, shrub, hedge, or plant reaching a height more than three feet above the curb grade adjacent thereto, except tree trunks having no limbs lower than nine feet above curb grade, within the thirty-five foot triangle of public or private property, measured from the projected curb lines, at the intersections of any street improved for vehicular traffic where either traffic signals, stop signs, or yield signs are not installed, or at any intersections which are determined by the chief transportation official to contain tree limbs, shrubs, hedges, or plants that obscure and impair the view of passing motorists, cyclists, or pedestrians so as to create a safety hazard.
4. Vines or climbing plants growing into or over any public tree; or any public hydrant, pole or electrolier.

5. Existence of any tree within the city limits that is infested, infected, or in danger of becoming infested or infected with objectionable insects, scale, fungus or growth injurious to trees.
6. The existence of any branches or foliage which interfere with visibility on, or free use of, or access to, obstruct public vehicular or pedestrian travel on any portion of any street improved for vehicular or pedestrian travel.
7. Hedges or dense thorny shrubs and plants on any street or part thereof.
8. Shrubs and plants more than two feet in height in any street, measured above top of curb grade.

12.16.410 Abatement of Public Nuisances

When any public nuisance as defined herein exists, a notice may be sent by ordinary United States mail to the owner or tenant involved. Such notice shall describe the condition, state the work necessary to remedy the condition, and shall specify the time within which the work must be performed. If, at the end of the time specified, such work has not been performed, the city may perform such work, and the cost thereof shall constitute a charge against such owner or tenant, and if unpaid within 90 days of notice, shall be proposed to the city council as a lien on such property.

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12.16.500 Tree Reports

An arborist report is needed for development projects and Tree removal permits. The report must be prepared by a Qualified Professional for the applicant and submitted to the city for the purpose of providing accurate information and opinion regarding the condition, welfare, maintenance, preservation, and value of a protected or designated Tree. The requirements and uses of such reports are specified in the Urban Forestry Standards.

URBAN FORESTRY STANDARDS

January 2012: Recommended Revisions for UFAC Meetings

Section 3.2.7 should be retitled **Street Trees and Adjacent Private Property Owners**.

The first paragraph should be reworded to say:

Street tree plantings will be considered first from the perspective of the private property owners adjacent to these (public) tree plantings, secondly from the perspective of the people passing on or using the streets, the impact on pavement life as a result of root growth and expansion, and from possible broader community benefits. Of primary consideration is the safety, well-being, and possible negative impact these street trees may have on private properties abutting the street.

The second paragraph should be reworded to begin:

No Street Tree shall be planted, topped....

Third paragraph: *The city is responsible for planting and maintaining all Street Trees along all city streets. Private property owners may not plant trees in public sidewalks, medians, etc.*

PARAGRAPHS FOUR AND FIVE SHOULD BE DELETED.

The final (now "fourth") paragraph should state:

Private property owners may remove any dead, high risk, or diseased tree not protected by this section, or device necessary for the protection thereof, from public streets along street frontages on or adjacent to their property without a permit.