

From: [Cyrena Nouzille](#)
To: [Comments](#)
Subject: City Council Goals Workshop comments, March 9, 2022
Date: Friday, February 25, 2022 11:11:53 AM

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Dear City Council members,

I would like to request that the City Council move to update the City's oak tree ordinance to include native trees (specifically [Juglans californica](#), California Black Walnut), heritage specimen trees, historic trees, and those associated with bird nesting habitats. The California Black Walnut is an important native endemic species, and a locally [but unofficially designated] endangered tree which should be afforded all protections pertaining to removal, encroachment, and mitigation. I urge the Council to adopt the language of the Biological Resources Standards of the North Area Plan, Chapter 22 into the City's Oak Tree Ordinance. In addition to homeowners, tree-trimming companies should be held accountable for permit violations and illegal removals.

Additionally, I would like to request that the City mitigate the destruction of the two large CA Black Walnut trees that were removed during the reconstruction of the Chesebro Bridge overpass at the NAP mitigation ratio (see Table 22.336-A: Protected Trees Mitigation Ratios).

Thank you for the post-Woolsey fire habitat restoration efforts and funding to the Santa Monica Mountains Conservancy in the Chesebro creek areas of Cheesboro Canyon NPS.

Sincerely,
Cyrena Nouzille
Agoura Hills resident

For more information please see:

https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV10COSTDI_CH22.336SAMOMONOARCOSTDI

Chapter 22.336 - SANTA MONICA MOUNTAINS NORTH AREA COMMUNITY STANDARDS DISTRICT

22.336.060 - Biological Resource Standards.

B. Trees. Except as otherwise permitted in Subsection 3, below, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the protected zone of any tree species specified in a protected native tree list titled, "Protected Trees in the Santa Monica Mountains," which is to be maintained by the Department.

1. Definitions.

- a. "Encroachment," as used in this Subsection, shall mean an intrusion, disturbance, or construction activity within the protected zone of a tree.
- b. "Protected zone," as used in this Subsection, shall mean that area within the dripline of a tree and extending therefrom to a point at least five feet outside the dripline, or 15 feet from the trunk, whichever is greater.
- c. "Trim" or "Prune," as used in this Subsection shall mean the cutting of or removal of any limbs, branches or roots of trees.

2. Protected Trees.

- a. Native Trees. Trees native to the Santa Monica Mountains North Area, as specified in a list held by the Department, shall be protected under the provisions of this Chapter, if their trunk meets or exceeds the diameter listed in the "Protected Trees in the Santa Monica Mountains" document, measured at 54 inches above natural grade, except as otherwise outlined in this Subsection.
- b. Oak Trees. Any tree or shrub of the oak genus (*Quercus* sp.), with a diameter of at least six inches, as measured 54 inches above natural grade; any tree or shrub of oak genus having two or more trunks that measure a total of at least eight inches in diameter at 54 inches above natural grade. Oak trees shall be subject to the protections, requirements and mitigation ratios of [Chapter 22.174](#) (Oak Tree Permits).
- c. Mitigation or Replacement Trees. Any tree that has been provided as a replacement tree, required in accordance with a County-approved permit, shall be protected under the provisions of this Chapter.
- d. Heritage Trees. Any species of tree, whether native or non-native, is considered a heritage tree when it has a single trunk that measures 36 inches or more in diameter, or two trunks that collectively measure 54 inches or more in diameter; or for trees with naturally occurring thin trunks when full grown, and trees with unnaturally enlarged trunks due to injury or disease (e.g., burls and galls), the tree must be at least 60 feet tall or 50 years old. Age shall be determined from historical accounts, photographs, or associations with historic structures; age shall not be determined by growth ring counts in cores taken from the edge to the center of the tree.
 - i. A Conditional Use Permit shall be required to remove any heritage tree.
 - ii. Any application for development shall be accompanied by a signed statement by the property owner or authorized

agent, which discloses whether any trees of heritage size exist on the property, and describes on the plans associated with the application the location of each such tree, its species, trunk size, and drip line area.

- e. Historic Trees. A non-native tree(s) may receive protected status through designation as a historic tree. A non-native tree can be nominated to become a designated historic resource via discretionary review, subject to approval and the following requirements:
 - i. The tree has been identified as a historic resource by the County; or
 - ii. The tree is listed or determined eligible for listing in the California Register of Historic Resources and/or National Register of Historic Places; and
 - iii. The tree must be associated with events or person that made a significant contribution to the history of the County, California, or the nation, or the location of the tree is associated with a historically significant view or setting.
3. Tree Maintenance. Tree maintenance that is limited to removal of dead wood, trimming, or pruning of branches not to exceed two inches in diameter and 25 percent of live foliage within a two-year period, and which does not adversely affect the health of the tree, shall not require permitting, pursuant to Subsection 6, below. All tree maintenance shall be performed in a manner that ensures the continued health of a protected tree, in accordance with guidelines published by the National Arborists Association. Should excessive maintenance, trimming, or pruning adversely affect the health of the tree, a Protected Tree Permit or Conditional Use Permit shall be required, as prescribed in this Chapter.
4. Tree Relocation(s). Tree relocations pose a potential danger to the health or survival rate of a tree. Any tree relocation in this CSD shall, therefore, be processed as a removal, and shall not be counted toward the required mitigation ratio for trees located in Subsection 11, below.
5. Bird Nesting. Any tree maintenance, encroachment or removal activities, or construction activities, near a tree suitable for nesting bird habitat shall follow all regulations located in Subsection A.5, above.
6. Mitigation Ratios. The mitigation ratios for various impacts to protected trees are provided in Table 22.336-A (Protected Trees Mitigation Ratios). Mitigation ratios may be increased depending on the review type and any associated hearings. All mitigation trees shall be monitored for a period of seven years. If at any time during that period mitigation trees are destroyed as a result of natural disaster, any destroyed mitigation trees must be replaced, and the mitigation period shall continue from the date of the original approval.