RESOLUTION NO. R-2003-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH ADOPTING THE CITY TREE POLICY

WHEREAS, In some respects, the Municipal Code is unclear regarding planting, trimming and removal of trees in the public right of way, and.

WHEREAS, Clarification of these issues would provide better efficiency and improved communication with the public.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Pismo Beach adopts the Tree Policy attached as Exhibit "A".

UPON MOTION OF Councilmember Reiss, seconded by Councilmember Natoli, the foregoing Resolution is hereby passed, approved and adopted by the City Council of the City of Pismo Beach this 4th day of February, 2003 on the following roll call vote, to wit:

AYES: Councilmembers Reiss, Natoli, Gonzales-Gee, Rabenaldt, and Mayor Crescione
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Joe Crescione

ATTEST:

Mandy Cutting, City Clerk

EXHIBIT "A"
TREE POLICY

This policy supplements and clarifiies specific requirements and responsibilities of Chapter 12.12 of the Municipal Code.

RESPONSIBILITY

1. RESIDENTIAL: Trees and all plant material in parkways are the responsibility of the homeowners for whose residential property boundaries abut the parkway(s). (City Municipal Code section 12.12)
2. COMMERCIAL: The City Public Works Department will maintain all street trees and plant material in business/commercial-zoned parkways.

THE FOLLOWING APPLIES TO RESIDENTAIL PROPERTIES:

PERMISSION FOR REMOVAL OR TRIM, for other than safety or health reasons:

1. Encroachment permits will be required
2. It will be the homeowner's responsibility to obtain permits and to bear the cost of removal.
3. Removal will be at the discretion of the Public Works Director or appointed representative.
4. Whenever a tree is removed, it is required that a tree be planted as a replacement with an approved tree consistent with the City's approved tree list on a one for one basis unless replacement is due to a violation, then Ordinance 12.12.100 applies.

PERMISSION TO PLANT TREES

1. Permission to plant in public places and parkways will be determined in accordance with City Municipal Code Section 12.12.030
2. It is the applicant's responsibility to obtain an encroachment permit and to bear the cost.

MAINTENANCE OF TREES AND ALL PLANT MATERIAL IN RESIDENTIAL PARKWAYS.

1. No encroachment permit will be required.
2. Maintenance in parkways is the adjacent property owner's responsibility and will be at the owner's cost
3. Diseased trees or trees suspected of being diseased are the adjacent property owner's responsibility to either remove or treat.
4. If the City is requested or it becomes necessary for the City to perform the work, the owners will be billed based on the "Cost of Services Study" dated 2001, prepared by Revenue & Cost Specialist LCC.

REMOVAL OF TREES, LIMBS OR PLANT MATERIAL CAUSING A STREET OR SIDEWALK OBSTRUCTION OR CONSTITUTING A SAFETY HAZARD.

Residential trees or plant material in the public right of way or on private property, which cause an obstruction or constitute a safety hazard, will be removed when necessary by the City and the cuttings or material will be left on the adjacent owner's property for the homeowner to dispose of within five (5) working days.

WORK HOURS

1. Work hours will conform to the noise ordinance 92-93 (1992) and the City's Municipal Code Section 9.24.055(b)(i)
2. Applicants who are permitted to have a tree removed or planted in parkways, will be responsible to notify adjacent homeowners within 300 feet of the work, at least 24 hours prior to commencement of the work.