



City of Pomona Planning Division
**MAJOR AND MINOR
OAK TREE PERMIT APPLICATION PROCESS**
non-historic districts

Minor Oak Tree Permits are subject to administrative review by the Planning Manager and City Arborist. **Major Oak Tree Permits** are subject to a public hearing before the Planning Commission. Not less than ten (10) days before the date set for the Planning Commission hearing, notice of the hearing shall be published in a daily newspaper of general circulation and mailed to owners and occupants of property located within a radius of four hundred (400) feet from the external boundaries of the property described in the OTP application.

Review and Recommendation by City Arborist. All applications for Major and Minor Oak Tree Permits are subject to review and recommendation by the City Arborist before final approval of an Oak Tree Permit by the Planning Commission or Planning Manager.

Trimming. All Oak trees subject to the provisions of this Section shall be trimmed under the direction of a certified arborist in a manner that is consistent with the adopted trimming policies outlined in the City of Pomona Street Tree Policy Manual and ISA standards.

Application Submittal Requirements for Minor Oak Tree Permits

On forms available in the Planning Division, an application for a Minor Oak Tree Permit for trimming shall be submitted, together with any required fee, to the Planning Division. An application is required for trimming Oak trees of any species that have a diameter greater than 8 inches as measured 4.5 feet above the mean natural grade. The application shall include the following information and items:

- A description of the work proposed.
- A plot plan indicating the location of the oak tree(s).
- Recent Photographs of the Oak tree(s) to be trimmed.

Application Submittal Requirements for Major Oak Tree Permits

An application for a Major Oak Tree Permit for relocation or removal shall be submitted, together with any required fee, to the Planning Division. The application shall contain the following information and items:

- A statement as to the reasons for the proposed relocation or removal;
- The number, species and size (diameter measured 4.5 feet above the mean natural grade) of the Oak tree(s) proposed to be relocated or removed;
- A site plan showing the location of all trees on the subject property in relation to existing and proposed structures and improvements such as buildings, streets, sidewalks, fences, slopes, retaining walls, public right-of-way or improvement, etc.;
- Photographs of the Oak tree(s) proposed to be relocated or removed;
- Proposed method of removal or relocation;
- Identification of the relocation site and methods of site preparation; and
- Verification by the City Arborist of the health of any Oak tree declared diseased, infested or dying.

Findings for Major Oak Tree Permits

A Major Oak Tree Permit for relocation or removal may only be approved based on the following findings:

1. The proposed relocation or removal of the Oak tree(s) will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
2. The proposed relocation or removal of the Oak tree(s) is necessary as continued existence at the present location impedes the planned improvement or proposed use of the subject property to such an extent that:
 - a. Alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive, or
 - b. Placement of the Oak tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized;
3. The proposed trimming, cutting and pruning will be limited to the minimum necessary to promote the health of the tree and protect the public safety, and whenever possible trees should remain in place or be moved only the minimum distance necessary to preserve the health of the tree and protect the public safety.
4. The Oak tree(s) proposed for relocation or removal interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than the relocation or removal of the Oak tree(s);
5. The condition of the Oak tree(s) proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices; and
6. The proposed relocation or removal of the Oak tree(s) will not be contrary to or in substantial conflict with the purpose and intent of the Oak Tree Permit process.

Appeals

Within ten (10) calendar days of a determination on a Minor Oak Tree Permit by the Planning Manager or a determination on a Major Oak Tree Permit by the Planning Commission, the application for an Oak Tree Permit may be appealed to the Planning Commission in the case of the Planning Manager's decision or to the City Council in the case of the Planning Commission's decision. The appeal shall be submitted to the Planning Division on forms available in the Planning Division.

Exemptions

The following activities are exempt from the requirements of the Oak Tree Permit process:

1. City Arborist initiated trimming of Oak trees located on City property only when the minimum amount of trimming needed will be carried out to foster and preserve the health and aesthetics of the tree, or to correct or prevent a potentially dangerous or hazardous condition posing an immediate threat to public health, safety and welfare subject to all provisions of Section .5809-23 D 6. Findings for Major Oak Tree Permits;
2. Removing the dead wood from Oak trees located on private and City property without damaging any living portions of the trees;
3. Trimming, relocation or removal of Oak trees planted, grown or held for sale by a licensed nursery or tree farm;
4. Trimming, relocation or removal of Oak trees located on property within a rail road right-of-way;
5. Trimming, relocation or removal of Oak trees located on property owned by Caltrans or the Los Angeles County Flood Control District; and
6. Trimming, relocation or removal of Oak trees that the City Arborist determines are dangerous or hazardous and pose an immediate threat to the public health, safety and welfare.
7. Utility company or utility service trimming, relocating or removal of an Oak tree(s) when the City Arborist or a State licensed, City approved arborist provides documentation that the trimming, relocation or removal is needed to correct or prevent a potentially dangerous or hazardous condition posing an immediate threat to the public health, safety and welfare. Said trimming, relocating or removal shall be proposed and completed in a manner to preserve, to the fullest extent possible, the tree in place, with the minimum physical alteration needed to preserve the health of the tree and protect public safety.

Within ten (10) days of completing said trimming, the City Arborist or the State licensed, City approved arborist shall perform a field inspection of the completed work on the tree(s) in question and shall provide written documentation that the work was completed in conformance with all standards and requirements contained within Section .5809-23 "Oak Tree Preservation."

Permit Expiration

An approved Major or Minor Oak Tree Permit shall be valid for not more than thirty (30) calendar days from the date of Permit approval. One (1) thirty (30) day extension may be granted by the Planning Manager without fee.

Final Oak Tree Permit Inspection

Within seventy-two (72) hours of the completion of any trimming, cutting, pruning, relocation or removal of an Oak tree(s) under an approved Major or Minor Oak Tree Permit, the permittee shall contact the Planning Division to request a final inspection. Said inspection shall be completed by the City Arborist within seventy-two (72) hours of the Planning Division's having received the inspection request to verify that all work was performed in conformance with the approved Oak Tree Permit and this Ordinance.

Unless a final inspection is requested and completed within thirty (30) calendar days following the approval of a Major or Minor Oak Tree Permit, or an extension thereof, the City Arborist shall perform a field inspection to verify that all work was completed in conformance with the approved Oak Tree Permit and this Ordinance.

If the final inspection determines that the work performed was not completed in conformance with the approved Oak Tree Permit or the Ordinance, then the work shall be corrected within seven (7) calendar days following written notice from the Planning Manager of said nonconformance, or within a time period approved by the Planning Manager. Failure of the permittee to complete the required corrections shall be deemed to constitute a misdemeanor as noted in Subsection "I" herein for each tree identified within the Oak Tree Permit which was not altered in compliance with said Permit and this Ordinance. Further, upon conviction of a misdemeanor for violation of this section, if any Oak tree identified within the approved Oak Tree Permit dies within three (3) years of the date of conviction, then the person so convicted shall be required to pay to the City the dollar amount for a replacement tree of equal size, including installation costs. The dollar replacement value shall be determined by the criteria set forth by the International Society of Arboriculture (ISA). Said dollar value shall be remitted to the City and used only to install a new Oak tree(s) within the same City Council district where the dead tree(s) was originally located.