

Article 42. Oak Tree Preservation and Protection

Sec. 9-4.4201. Purpose.

The City lies in the Conejo Valley, the beauty of which is greatly enhanced by the presence of large numbers of majestic oak trees. At one time, the area was almost completely covered by an oak forest, however, development of the City has resulted in the removal of a great number of these trees. Further uncontrolled and indiscriminate destruction of oak trees would detrimentally affect the safety and welfare of the citizens of Thousand Oaks. The preservation program outlined in this chapter contributes to the welfare and aesthetics of the community and retains the great historical and environmental value of these trees.

This chapter sets forth the policy of the City to require the preservation of all healthy oak trees, unless otherwise exempt from this chapter or reasonable and conforming use of the property justifies the removal, cutting, pruning and/or encroachment into the protected zone of an oak tree.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 3, Ord. 1534-NS, eff. April 9, 2010, and Part 3, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4202. Definitions.

- (a) "Authorized agent" means the Community Development Director.
- (b) "Clearance pruning" means removing live branches that interfere with an existing structure, walkway or driveway, or approved parking space.
- (c) "Community Development Director" means the Community Development Director or his or her designee.
- (d) "Cutting" means the detaching or separating, from a protected tree, any limb, branch or root. Cutting shall include pruning.
- (e) "Damage" means any action undertaken which causes injury, death, or disfigurement to a tree. This includes, but is not limited to, cutting, poisoning, overwatering, relocation or transplanting a protected tree, or trenching, excavating or paving within the protected zone of a tree.
- (f) "Deadwood" means limbs, branches or a portion of a tree that contains no green leaves during a period of the year when they should be present.
- (g) "Deadwooding" means removing all deadwood from a tree.
- (h) "Dead tree" is a tree that exhibits no signs of life whatsoever (e.g. green leaves or live limbs) during a period of the year when they should be present and has been determined dead by an authorized agent of the City.
- (i) "Dripline" shall mean the outermost edge of the tree's canopy. When depicted on a map, the dripline will appear as an irregular shaped circle that follows the contour of the tree's branches as seen from overhead.
- (j) "Encroachment" means any intrusion or human activity within the protected zone of an oak tree including, but not limited to, pruning, grading, excavating, trenching, parking of vehicles, storage of materials or equipment, or the construction of structures or other improvements.
- (k) "Ground plane improvements" are low profile improvements, such as paving stones, benches, and statuary, that do not require attachments to an oak tree, the removal of live tissue, or any grading activity.
- (l) "Hazardous oak tree" shall mean any oak tree determined to be dangerous to life or property as determined by an authorized agent of the City.
- (m) "Multiple trunks" refers to trees that have more than one trunk growing from one root system. The aggregate total of the trunks shall equal one tree for purposes of this chapter.
- (n) "Oak tree" shall mean any oak tree of the Genus Quercus including, but not limited to, Valley Oak (*Quercus lobata*),

California Live Oak (*Quercus agrifolia*) and Scrub Oak (*Quercus berberidifolia*), regardless of size.

(o) "Oak tree permit" is an entitlement issued by the City authorizing specific work within the protected zone of an oak tree.

(p) "Oak Tree Preservation and Protection Guidelines" or "Guidelines" means the policy established by the City Council and the administrative procedures and rules established by the Community Development Director for implementing this chapter.

(q) "Person" means any person, partnership, firm, corporation, governmental agency or other legal entity.

(r) "Protected zone" shall mean a specifically defined area totally encompassing an oak tree within which work activities are strictly controlled. When depicted on a map, the outermost edge of the protected zone will appear as an irregular shaped circle that follows the contour of the dripline of the tree. Using the dripline as a point of reference, the protected zone shall commence at a point five (5') feet outside of the dripline and extend inward to the trunk of the tree. In no case shall the protected zone be less than fifteen (15') feet from the trunk of an oak tree.

(s) "Pruning" is any cutting performed upon any portion of an oak tree.

(t) "Removal" means the physical removal of a tree or causing the death of a tree through damaging, poisoning, or other direct or indirect action.

(u) "Routine maintenance" means actions needed for the continued good health of an oak tree, including, but not limited to, removal of deadwood, insect control spraying, watering, and clearance pruning as defined above.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 1, Ord. 1394-NS, eff. June 21, 2002, § 3, Ord. 1534-NS, eff. April 9, 2010, and Parts 3 and 5, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4203. Oak tree preservation.

Any person who owns, controls, has custody or possession of any real property within the City that is improved or has been approved for development, or which is part of or associated with the City approved development of another piece of property, such as any parcel to be maintained as permanent open space or for recreational purposes, shall maintain all oak tree(s) located thereon in a state of good health pursuant to this chapter and the Oak Tree Preservation and Protection Guidelines adopted by City Council resolution. Failure to do so will constitute a violation of this chapter.

(§1, Ord. 937-NS, eff. November 14, 1986, as amended by § 3, Ord. 1534-NS, eff. April 9, 2010, and Parts 3 and 6, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4204. Permit required.

(a) Permit required. No person shall cut, remove, encroach into the protected zone, or relocate any oak tree on any public or private property within the City, unless a valid oak tree permit has been issued by the City pursuant to the provisions of this chapter and the oak tree preservation and protection guidelines.

(b) Scope of permit approval. An oak tree permit may authorize the removal, cutting, or encroachment within the protected zone of one (1) or more oak trees subject to the conditions set forth in said permit. An oak tree permit may also authorize future maintenance of oak trees within the permit area, such as pruning, within parameters established in an oak tree maintenance program approval in conjunction with the oak tree permit. Activities included within an approved oak tree maintenance program may be undertaken in compliance with said program without the filing and approval of a separate

oak tree permit application. Provided, however, an oak tree not covered by the initial oak tree permit may not be encroached upon without approval of a subsequent oak tree permit or modification to the original permit.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 3, Ord. 1534-NS, eff. April 9, 2010, and Part 3, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4205. Exemptions.

(a) Exemptions. A permit is not required to cut, remove, or encroach within the protected zone of any oak tree(s) under

the following circumstances.

- (1) Trees that do not exceed two (2") inches in diameter when measured at a point four and a half (4-1/2') feet above the tree's natural grade.
- (2) Ground plane improvements that are proposed between the dripline and the protected zone limit.
- (3) Clearance pruning that involves removal of live branches that do not exceed two (2") inches in diameter, except in conjunction with any new construction activity.
- (4) Deadwooding.
- (5) When removal is determined necessary by fire department personnel engaged in fighting a fire.
- (6) Trees planted or grown in containers and held for sale as part of a licensed nursery business.
- (7) Any encroachment, pruning, or removal deemed necessary by an authorized agent of the City for public safety purposes.

(§ 3, Ord. 1534-NS, eff. April 9, 2010, as amended by Parts 3 and 7, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4206. Processing of permits: Standards for granting or denying permits.

(a) Processing. The applicant shall furnish all necessary information as required by the Oak Tree Preservation and Protection Guidelines in a clear and accurate format to the Community Development Department and pay the appropriate filing fee prescribed by City Council resolution.

(1) Administrative process. Except as provided below, the Community Development Director may approve, deny, or conditionally approve a request for removal of three (3) or fewer oak trees that are less than twenty-four (24") inches in diameter when measured at a point four and one half (4-1/2') feet above the tree's natural grade on a single parcel without hearing or notice. Provided, however, that if one or more of the oak trees proposed to be removed extends into any adjoining property, the owner of said adjoining property(ies) shall be notified in writing of the request prior to the Director rendering a decision. Any decision of the Director may be appealed to the Planning Commission and the Commission's decision may be appealed to the City Council pursuant to the provisions of Article 28 of this chapter.

(2) Planning Commission process. Any request for removal of any non-exempt oak tree twenty-four (24") inches or greater in diameter when measured at a point four and one half (4-1/2') feet above the tree's natural grade, and/or four (4) or more non-exempt oak trees on a single parcel shall be reviewed by the Planning Commission following a public hearing, which hearing shall be held in conjunction with the Commission's consideration of other entitlement applications for a project related to the request, if any. The Commission may approve, conditionally approve, or deny the permit application. The decision of the Commission may be appealed to the City Council pursuant to the provisions of Article 28 of this chapter. Notice of all hearings required hereby shall be provided in the manner set forth in Chapter 12 of Title 9 of this Code.

(b) Standards. An oak tree permit may be approved based upon one of the following findings by the decision maker:

(1) The condition or location of the oak trees requires cutting to maintain or aid its health, balance, structure, or to maintain adequate clearance from existing structures.

(2) The condition of the tree(s) with respect to disease, danger of falling, proximity to existing structures, high pedestrian traffic areas such as parking lots, pedestrian walkways, interference with

utility services, or is causing or is likely to cause substantial property damage based on sufficient evidence and/or documentation and said damage cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices.

(3) A permit may be approved when necessary to remove, relocate, cut or encroach into the protected zone of an oak tree to enable the reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the tree. Reasonable use of the property shall be determined in accordance with the Oak Tree Preservation and Protection Guidelines.

(4) Approval of the request is not contrary to or in conflict with the general purpose and intent of this chapter.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 2, Ord. 1178-NS, eff. May 28, 1993, and § 2, Ord. 1394-NS, eff. June 21, 2002, as amended by Part 1, Ord. 1446-NS, eff. November 25, 2005, § 3, Ord. 1534-NS, eff. April 9, 2010,

and Parts 3 and 8, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4207. Conditions on removal.

Conditions that may be imposed on the permit at the discretion of the decision maker include, but are not limited to, any of the following:

(a) A condition requiring the replacement or placement of additional oak tree(s) on the subject property or at an appropriate location on public property to offset the permitted removal of the tree(s). Replacement shall be in accordance with this Chapter and the standards provided by the oak tree preservation and protection guidelines, subject to approval by the Community Development Director.

(b) The relocation of a tree on-site or off-site.

(c) A condition requiring that a maintenance and care program be initiated to ensure the continued health and care of oak tree(s) for which pruning or encroachment is permitted, as well as other on-site oak trees on the property.

(Part 3, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4208. Non-liability of City.

Nothing in this chapter or within the oak tree preservation and protection guidelines shall be deemed to impose any liability for damages or a duty of care and maintenance upon the City or upon any of its officers or employees. The person in possession of any property shall have a duty to keep the oak trees upon the property and under their control in a safe, healthy condition. 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, as appropriate to safeguard both persons and improvements from harm.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 3, Ord. 1534-NS, eff. April 9, 2010, and Part 3, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4209. Enforcement.

(a) Violation, penalty. Any person who cuts, damages, moves, or removes any oak tree within the City or encroaches into the drip line of an oak tree in violation of this chapter shall be deemed guilty of a misdemeanor and upon conviction, may be punished as set forth in Chapter 2 of Title 1 of this Code.

(b) Stop work notice. Whenever any construction or work is being performed contrary to the provisions of this chapter, oak tree preservation guidelines, oak tree permit, or conditions of any applicable underlying development permit, the Community Development Director 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 or danger and no work shall be allowed until the violation has been rectified and approved by the Community Development Department.

(c) Violation, restitution. It has been determined that the oak trees within the City are valuable assets to the citizens of this community and to the citizens of the Conejo Valley, and as a result of the loss or damage to any of these trees, the public should be recompensed. In addition to any penalties provided by subsection (a) above, any person who cuts, damages or removes any tree in violation of the terms of this chapter is responsible for proper restitution and may be required to replace the oak tree(s) so removed or damaged, by the donation of or by replanting two (2) or more oak trees of reasonable equivalent size and value to the tree damaged or removed. The number, size and location of said equivalent replacement oak tree shall be determined by the Community Development Director.

(§ 1, Ord. 937-NS, eff. November 14, 1986, as amended by § 3, Ord. 1534-NS, eff. April 9, 2010, and Part 3, Ord. 1610-NS, eff. January 15, 2016)

Article 43. Landmark Tree Preservation and Protection

Sec. 9-4.4301. Purpose.

The City lies in the Conejo Valley, the beauty of which is greatly enhanced by the presence of large numbers of majestic trees. At one time, the area was almost entirely covered by an oak woodland, however, development of the City has resulted in the removal of a great number of these trees. Further uncontrolled and indiscriminate destruction of trees would detrimentally affect the health, safety and welfare of the City of Thousand Oaks. This preservation program outlined in this chapter contributes to the welfare and aesthetics of the community and retains the great historical and environmental value of these trees.

This chapter sets forth the policy of the City to require the preservation of all healthy landmark trees unless reasonable and conforming use of the property justifies the removal, cutting, pruning, and/or encroachment into the protected zone of a landmark tree.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4302. Definitions.

(a) "Cutting" means the detaching or separating, from a protected tree, any limb, branch, or root. Cutting shall include pruning.

(b) "Damage" means any action undertaken which causes injury, death, or disfigurement to a tree. This includes, but is not limited to, cutting, poisoning, overwatering, relocation or transplanting a protected tree, or trenching, excavating, or paving within the protected zone of a tree.

(c) "Deadwood" means limbs, branches, or a portion of a tree that contains no green leaves during a period of the year when they should be present.

(d) "Dripline" shall mean the outermost edge of the tree's canopy. When depicted on a map, the dripline will appear as an irregular shaped circle that follows the contour of the tree's branches as seen from overhead.

(e) "Encroachment" means any intrusion or human activity into the protected zone of a landmark tree including, but not limited to, pruning, grading, excavating, trenching, parking of vehicles, storage of materials or equipment, or the construction of structures or other improvements.

(f) "Historic tree" shall mean a tree that because of its historic or cultural significance will be preserved and safeguarded as a symbol of the City's heritage and to the beauty and image of the City of Thousand Oaks. All historic trees shall be designated pursuant to the procedure set forth within this article.

(g) "Landmark tree" shall mean a tree that because of its size, age, or unique and irreplaceable values to the community needs to be preserved and safeguarded as symbolic of the City's heritage, beauty and image. Landmark trees shall include specimens of the following species which have reached the designated maturity: *Platanus racemosa*, (California Sycamore) which exceed twelve (12") inches in diameter when measured at a point four and one-half (4-1/2') feet above the natural grade at the base of the tree; *Umbellularia californica*, (California Bay Laurel) which exceed eight (8") inches in diameter when measured at a point four and one-half (4-1/2') feet above the natural grade at the base of the tree; *Juglans californica*, (California Black Walnut) which exceed eight (8") inches in diameter when measured at a point four and one-half (4-1/2') feet above the natural grade at the base of the tree; *Heteromeles (Photinia) arbutifolia*, (California Holly) or (Toyon) which exceeds eight (8") inches in diameter when measured at a point four and one-half (4-1/2') feet above the natural grade at the base of the tree. Trees with multiple trunks shall be deemed to have reached maturity if the sum of the diameters of the multiple trunks exceed the required diameter plus two (2") inches of a single trunked tree. Landmark trees shall also include all designated historic trees. Likewise, landmark trees shall also include any tree(s), of any type, designated as landmark trees by the Planning Commission or City Council during review of any land use entitlement request and which trees are required to be preserved as a condition of that City approved entitlement, land division, or tract map. This designation shall continue whether or not the use for which the entitlement is issued is inaugurated or the land division or tract map is recorded.

(h) "Person" shall mean any natural person, partnership, firm, corporation, governmental agency, or other legal entity.

(i) "Protected zone" shall mean a specifically defined area totally encompassing a landmark or historic tree within which work activities are strictly controlled. When depicted on a map, the outermost edge of the protected zone will appear as an irregular shaped circle that follows the contour of the dripline of the tree. Using the dripline as a point of reference, the protected zone shall commence at a point five (5) feet outside of the dripline and extend inward to the trunk of the tree. In no case shall the protected zone be less than fifteen (15) feet from the trunk of a landmark tree.

(j) "Removal" means the physical removal of a tree or causing the death of a tree through damaging, poisoning, or other direct or indirect action.

(k) "Routine maintenance" means actions needed for the continued good health of a landmark tree including, but not limited to, removal of deadwood, insect control spraying, and watering.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Parts 4 and 9, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4303. Landmark tree preservation.

(a) Any person who owns, controls, has custody or possession of any real property within the City that is improved or has been approved for development, or which is part of or associated with the City-approved development of another piece of property such as any parcel to be maintained as permanent open space or for recreational purposes, shall maintain all landmark trees located thereon in a state of good health pursuant to the provisions of this chapter. Failure to do so will constitute a violation of this section.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4304. Permit required: Exemptions.

(a) Permit required. No person shall cut, remove, encroach into the protected zone, or relocate any landmark tree on any public or private property within the City unless a valid landmark tree permit has been issued by the City pursuant to the provisions of this chapter. The status of major limbs or trees as deadwood must be confirmed by the City's Landmark Tree Preservation Consultant.

(b) Exemptions. A permit is not required to cut, encroach, remove, or relocate a tree(s) under the following circumstances:

(1) Trees damaged by thunderstorms, windstorms, floods, earthquakes, fires, or other natural disasters and determined to be dangerous by a peace officer, fireman, civil defense official, or code enforcement officer in their official capacity. The Community Development Department shall be promptly noticed of the nature of the emergency and action taken;

(2) When removal is determined necessary by fire department personnel actively engaged in fighting a fire;

(3) Trees planted, grown and/or held in for sale as part of a licensed nursery business. This exemption is limited to trees with main trunks under ten (10) inches in diameter;

(4) Trees within the property boundaries of an occupied single-family detached dwelling; provided, that the parcel in question is smaller than two (2) acres;

(5) City of Thousand Oaks staff in maintaining public property.

(c) Use of explosives. All tree fellers, tree surgeons, or anyone using explosives within the City limits in connection with the cutting down or removal of any landmark tree shall first apply to the

City Manager or his or her designee for a permit to do so and shall furnish such bond or insurance as the City Manager or his or her designee shall deem necessary for the protection of the property owner or any other person from any possible damage as a result of such work.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4305. Processing of permits: Standards for granting or denying permits.

(a) Processing. The applicant shall furnish all necessary information as required by the landmark tree permit application in a clear and accurate format to the Community Development Department and pay the appropriate filing fee as set by Council resolution.

(1) Administrative process. The Community Development Director may approve, deny, or conditionally approve a request for removal of three (3) or fewer landmark trees on a single parcel provided the request does not involve any designated historic tree or landmark tree greater than twenty-four (24") inches in diameter when measured at a point four and one half (4-1/2') feet above the tree's natural grade. The decision of the Director may be appealed to the Planning Commission and the Commission's decision may be appealed to the City Council pursuant to the provisions of this Code.

(2) Planning Commission process. Any request for removal of any non-exempt landmark tree that is twenty-four (24") inches or greater in diameter when measured at a point four and one half (4-1/2') feet above the tree's natural grade, the removal of four (4) or more non-exempt landmark trees on a single parcel, or request for removal of any designated historic tree, shall be heard by the Planning Commission in conjunction with the Commission's consideration of other entitlement applications for a project, if any. The Commission may approve, conditionally approve, or deny the permit. Any decision of the Commission may be appealed to the City Council pursuant to the provisions of Article 28 of this chapter.

(b) Standards. A landmark tree permit may be approved based upon one of the following findings by the decision maker:

(1) The condition or location of the landmark tree requires cutting to maintain or aid its health, balance, or structure;

(2) The condition of the tree(s) with respect to disease, danger of falling, proximity to existing structures, high pedestrian traffic areas such as parking lots, pedestrian walkways, interference with utility services, or is causing or is likely to cause substantial property damage based on sufficient evidence and/or documentation and said damage cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices.

(3) A permit may be approved when necessary to remove, relocate, cut or encroach into the protected zone of a landmark tree to enable the reasonable and conforming use of the property which is otherwise prevented by the presence of the tree.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by § 3, Ord. 1394-NS, eff. June 21, 2002, as amended by Part 2, Ord. 1446-NS, eff. November 25, 2005, and Parts 4 and 10, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4306. Conditions on removal.

The conditions may be imposed on the permit at the discretion of the decision maker including, but not limited to, any of the following:

(a) A condition requiring the replacement or placement of additional trees on the subject property to offset the impacts associated with the loss of a tree, limbs, or encroachment into the protected zone of a landmark tree;

(b) The relocating of a tree on-site or off-site, or the planting of a new tree off-site to offset the loss of a tree;

(c) A condition requiring an objectively observable maintenance and care program be initiated to insure the continued health and care of landmark trees on the property;

(d) Payment of a fee or donation of a boxed tree to the City or other public agency to be used elsewhere in the community should a suitable replacement location of the tree not be possible on-site or off-site.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4307. Nonliability of City.

Nothing in this chapter shall be deemed to impose any liability for damages or a duty of care and maintenance upon the City or upon any of its officers or employees. The person in possession of any public property or the owner of any private property shall have a duty to keep the landmark trees upon the property and under their control in a safe, healthy condition. 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, as appropriate to safeguard both persons and improvements from harm.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Parts 4 and 11, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4308. Penalties.

(a) Violation, penalty. Any violation of this section shall be deemed a misdemeanor as set forth in Chapter 2 of Title 1 of this Code.

(b) Violation, restitution. It has been determined that the landmark trees within the City are valuable assets to the citizens of the Conejo Valley and as a result of the loss or damage to any of these trees, the public should be

recompensed. In addition to any penalties provided by subsection (a) above, any person who cuts, damages, or removes any tree in violation of the terms of this chapter is responsible for proper monetary restitution and may be required to replace the landmark tree(s) so removed and damaged, by the donation of or by replanting two (2) or more landmark trees of reasonable equivalent size and value to the tree damaged or removed. The number, size and location of said equivalent replacement landmark tree shall be determined by the Community Development Director or his or her designee.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4309. Tree valuation.

For the purposes of replacement for trees removed, the method of valuation shall be the "Standards for Valuation of Amenity Trees" of the International Society of Arboriculture. These standards shall apply to those trees removed without a permit as well as those removed with a permit, which require off-site replacements of similar value for the trees removed.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Part 4, Ord. 1610-NS, eff. January 15, 2016)

Sec. 9-4.4310. Designation of historic trees.

In recognition of the historic or cultural value of certain trees within the City, the designation of "Historic Tree" may be assigned. The assignment of the "Historic Tree" designation shall be the responsibility of the City Council, serving as the Cultural Heritage Board.

In considering the designation of a "Historic Tree," the City Council shall evaluate whether public interest would be served by the placement of the HL (Historic Landmark) overlay zone on the property.

(§ 2, Ord. 1217-NS, eff. October 28, 1994, as amended by Parts 4 and 12, Ord. 1610-NS, eff. January 15, 2016)