



CITY OF SIERRA MADRE

ENERGY ENVIRONMENT AND NATURAL RESOURCES COMMISSION REGULAR MEETING AGENDA

Jane Nelsen, Chair | Vicky Ryan, Vice Chair
Dr. Allison Evans, Commissioner | Dr. William Patzert, Commissioner
Kimberly Rodriguez, Commissioner
Robert Parkhurst, City Council Liaison
Wednesday, September 16, 2026, 6:30 PM

City Council Chambers, 232 W. Sierra Madre Blvd.

AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (626) 355-7135. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

PUBLIC COMMENT & ACCESS

The Brown Act provides the public with an opportunity to make public comments at any public meeting. As an alternative, public comment may be submitted by e-mail to publiccomment@sierramadrecal.gov by 3:00PM on the day of the meeting. Emails will be acknowledged at the Commission meeting, filed into public record, and scanned onto the City website for public review.

If you require special assistance to participate in this meeting, please contact the City Clerk's Office at (626) 355-7135 at least 48 hours prior to the meeting.

CODE OF CONDUCT

The purpose of a Commission meeting is to conduct City business. Members of the public that behave in a manner that interrupts or obstructs the Commission's ability to conduct City business may be asked to leave the meeting. Any and all demonstrations which disrupt, interrupt, or obstruct the Commission's ability to conduct City business are prohibited. No signs, posters, or other large objects shall be brought into the Council Chambers or other meeting place if doing so would disrupt, disturb, or otherwise impede the orderly course of the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF COMMISSIONERS

Jane Nelsen, Chair
Vicky Ryan, Vice Chair
Dr. Allison Evans, Commissioner
Dr. William Patzert, Commissioner
Kimberly Rodriguez, Commissioner

4. REPORTS FROM COMMISSIONERS OF CITY BUSINESS (including reports from Commission related to meetings attended at City expense per AB 1234)

5. REPORTS FROM CITY STAFF

6. PRESENTATIONS

7. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Any person wishing to speak before the Commission is asked to complete a Speaker Card and provide it to City staff prior to the start of the meeting. Speakers are generally limited to three (3) minutes per person and time may not be delegated; any changes to the allotted time will be announced prior to the Public Comment period. Under the Brown Act, the Commission is prohibited from discussing or taking action on any item not listed on the posted agenda. Addressing the Commission from the audience is not permitted; all comments addressing the Council must be made from the podium. Only public comment made from the podium will be recognized by the Commission and entered into public record.

8. PUBLIC HEARING

Any person wishing to speak before the Commission on a public hearing item is asked to complete a Speaker Card noting the agenda item number and provide it to City staff prior to the start of the public hearing. Separate and apart from the applicant (who may speak longer in the discretion of the Commission) speakers are generally limited to three (3) minutes per person; any changes to the allotted time will be announced prior to the Public Comment period. Under the Brown Act, the Commission is prohibited from discussing or acting on any item not listed on the posted agenda. The applicant may additionally submit rebuttal comments, at the discretion of the Commission.

9. CONSENT CALENDAR

A. Meeting Minutes of July 15, 2026

10. DISCUSSION ITEMS

A. Bailey Canyon Restoration Project Completion and RPOSD RESTORE Grant Closeout Update

B. Sierra Madre Municipal Code Section 12.20 "Tree Preservation and Protection" Update

11. ITEMS FOR FUTURE AGENDAS

12. ADJOURNMENT

MINUTES
NATURAL RESOURCES COMMISSION SPECIAL MEETING
WEDNESDAY

July 15, 2026, 6:30 PM
City Hall – Council Chambers
232 W. Sierra Madre Blvd.

1. CALL TO ORDER

Chair Nelsen called the meeting to order at 6:30pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Analyst Carlson called the roll. All Commissioners were present, except for Chair Nelsen and Vice Chair Vicky Ryan, who were excused. Commissioner Evans acted as Chair.

4. REPORTS FROM COMMISSIONERS

Commissioner Patzert informed the Commission that he thinks the Tesla lot has become a nice success.

5. REPORTS FROM CITY STAFF/CITY COUNCIL LIAISON

Senior Analyst Carlson provided an update on two Clean Power Alliance Programs, Power Ready 1, which will provide emergency backup power to the Public Safety and City Hall buildings.

And Power Ready 2, which is at the application stage for providing solar power to the Public Library. Analyst Carlson also provided an update on the City's Fleet program, which will include a component of leased vehicles from EnterpriseFleet. Electric vehicles will be phased in as part of the lease program.

Councilmember Parkhurst updated the Commission on a Clean Power Alliance development which includes the Pattern Energy Sun Z Project in New Mexico. It is the largest wind energy producer in the US.

6. PRESENTATIONS

There were no presentations.

7. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Glen Hickman from 480 Fairview provided comments regarding the need to update the Urban Forest Management Plan. The utilities should work closer with the city and conduct their trimming in a better way. The City also needs to provide treatment for the numerous trees that are experiencing borer problems.

8. PUBLIC HEARING

There was no Public Hearing.

9. CONSENT CALENDAR

a. Meeting Minutes of May 20, 2026

Motion to approve the Consent Calendar:

Rodriguez

Second:

Patzert

Vote:

Unanimous

10. DISCUSSION ITEMS

- a. Presentation from Sierra Madre City Clerk, Laura Aguilar, regarding the recently adopted Commission Attendance Policy. CEQA: Not a Project**

This item was tabled.

- b. Update on the RPOSD Grant Funded improved at Bailey Canyon Wilderness Park. CEQA: Not a project.**

In the absence of Management Analyst Lozick, Senior Analyst Carlson provided a very brief update and indicated a more detailed presentation will be included at the next meeting.

- c. Section 12.20 of the Sierra Madre Municipal Code "Tree Protection and Preservation" Update.**

The Commission briefly discussed the code update and also discussed a matrix provided by Commissioner Rodriguez on various tree species. Analyst Carlson also provided a memo from Assistant City Manager Hernandez on how various communities regulate damage to public property from private trees.

Public Comment:

Glen Hickman from 480 Fairview provided additional comments on how to approach the ordinance update and restated the need for updated Urban Forest Management Plan. He also suggested an increase in education, especially as the zone zero regulations for fire preparations are coming into effect.

- d. Consideration of cancelling August Regular Commission meeting. CEQA: Not a project**

Motion to go "dark" for the August meeting:

Rodriguez

Second:

Patzert

Vote:

Unanimous

10. ADJOURNMENT:

Motion to Adjourn:

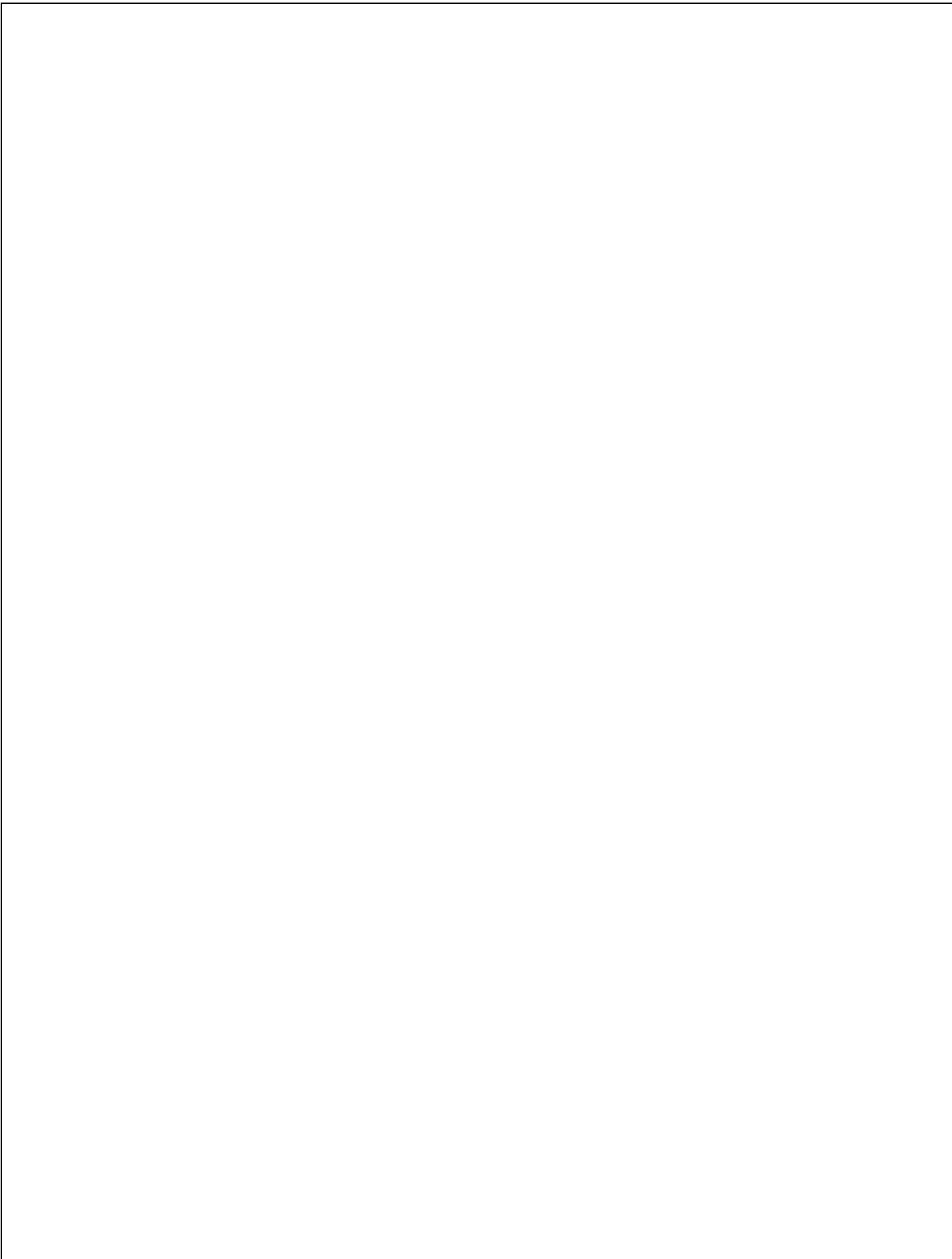
Patzert

Second:

Rodriguez

Vote:

Unanimous





CITY OF SIERRA MADRE

STAFF REPORT

PUBLIC WORKS SERVICES

DATE: September 16, 2026
TO: Honorable Chair and Members of the Natural Resources Commission
FROM: Brian A. Dickinson, Public Works Director
SUBJECT: **Bailey Canyon Restoration Project Completion and RPOSD RESTORE Grant Closeout Update**

RECOMMENDATION

Staff recommends that the Natural Resources Commission receive and file this update on the completed Bailey Canyon restoration improvements and the status of RPOSD RESTORE grant reimbursement and administrative closeout.

SUMMARY

Field implementation of the Bailey Canyon restoration project was completed by July 31, 2026. Work included invasive vegetation removal, tree pruning, naturalized drainage and erosion-control improvements, permanent irrigation, and native planting. This report and the accompanying presentation summarize the completed improvements and final funded scope.

The approved Los Angeles County Regional Park and Open Space District (RPOSD) RESTORE budget totals \$200,000 across agreements R76B25 and R76A25. The City's August 28, 2026 combined closeout report identifies \$164,441.01 requested for reimbursement. Field completion is separate from administrative grant closeout, which the report identifies as subject to payment documentation and RPOSD acceptance of the implemented scope and supporting records.

DISCUSSION & ANALYSIS

The January 2025 Eaton Fire damaged vegetation and affected drainage and trail-supporting areas at Bailey Canyon Wilderness Park. The coordinated RESTORE effort began with site investigation, survey, and engineering support at Bailey Canyon and the Mt. Wilson staging area.

When preliminary bridge pricing exceeded available construction funding and the completion schedule, the City refined the restoration program to prioritize improvements that could be completed within the grant budget and July 31, 2026 deadline. On May 8, 2026, RPOSD approved revised budgets of \$175,000 for Bailey Canyon and \$25,000 for Mt. Wilson staging-area professional services.

VEGETATION MANAGEMENT, FUEL REDUCTION, AND STEWARDSHIP

The Los Angeles Conservation Corps (LACC) mobilized approximately six to ten young adult Corpsmembers for a three-week field effort. LACC's final field report documents 15,392 square feet of invasive vegetation removal and an additional 2,983 linear feet of vegetation removal. Crews also trimmed or pruned nine designated trees, removed debris, and completed work-area cleanup.

Corpsmembers received hands-on training in plant identification, vegetation removal and disposal, safe tool use, tree work, grading, and bioswale construction. Sierra Madre Environmental Action Council volunteers provided native-habitat and stewardship education during the work.

DRAINAGE, EROSION CONTROL, AND SITE STABILIZATION

LACC constructed and shaped north and south naturalized drainage features, with 2,072 square feet of bioswale work documented in its final report. Work included excavation, field-fit grading, rock and boulder placement, channel shaping, and outlet stabilization. These improvements slow and direct runoff, reduce erosion exposure, and stabilize disturbed areas while retaining the park's natural character.

IRRIGATION AND NATIVE PLANTING

Mariposa Landscapes installed permanent irrigation to support revegetation, including a battery-operated controller, backflow protection, pressure regulation, approximately 350 linear feet of two-inch mainline, ten quick couplers, rotor irrigation, and bubbler irrigation. Mariposa also supplied and installed 115 native plants and reported completion on July 28, 2026. The irrigation system was tested and documented operating in the completed project area.

DEBRIS DISPOSAL AND FIELD COMPLETION

Athens Services provided a 40-yard organic roll-off container and disposal for debris generated by the restoration work. LACC's final report records a City final walkthrough on July 22, 2026 and acceptance of its contracted deliverables. With Mariposa's completion on July 28, field implementation was completed before the grant deadline.

ELEMENTS OUTSIDE THE FINAL FUNDED SCOPE

The natural wet crossing, Live Oak Nature Trail work, trail signage, interpretive wayfinding, and educational kiosks were omitted from the final field contracts because contractor quotations exceeded available construction funding. These elements were outside the executed field contracts, rather than outstanding contracted construction obligations. The City's closeout report requests RPOSD acceptance of the implemented scope. Any future work on these elements would require a separate scope and funding decision.

PROFESSIONAL SERVICES AND GRANT CLOSEOUT

Tetra Tech provided survey, mapping, engineering, conceptual grading and drainage review, estimating, and related planning services for Bailey Canyon and the Mt. Wilson staging area. Three invoices total \$44,630.00, allocated as \$25,000.00 to R76B25 and \$19,630.00 to R76A25. The Mt. Wilson request covers professional services only, not field construction.

The August 28, 2026 combined closeout report (Attachment 1) includes the Tetra Tech warrant package as City payment support. It identifies payment documentation for LACC, Mariposa, and Athens as remaining to be uploaded to RPOSD's Grant Management System before those reimbursements are processed. Final closeout requires RPOSD acceptance of the implemented Bailey Canyon scope and applicable grant records. These amounts are reimbursement requests, not confirmation of funds received.

STRATEGIC PLAN RELATIONSHIP

The completed restoration supports stewardship of City parkland through vegetation management, erosion control, native habitat recovery, and improvements supporting continued City and volunteer maintenance.

ENVIRONMENTAL ANALYSIS

The recommended action is limited to receiving and filing an informational project completion and grant closeout update. It does not authorize new construction, additional funding, or changes to the completed project scope. This administrative action is not a project under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) because it will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT

Receiving and filing this update does not request a new appropriation or authorize additional expenditures. The approved combined RPOSD RESTORE budget is \$200,000. R76B25 provides \$175,000 for Bailey Canyon, consisting of \$25,000 for professional services and \$150,000 for construction. R76A25 provides \$25,000 for Mt. Wilson staging-area professional services.

Requested reimbursement by agreement, as documented in the August 28, 2026 closeout report:

RPOSD agreement	Approved budget	Requested reimbursement	Budget less requested costs
R76B25: Bailey Canyon	\$175,000.00	\$144,811.01	\$30,188.99
R76A25: Mt. Wilson	\$25,000.00	\$19,630.00	\$5,370.00
Combined RPOSD total	\$200,000.00	\$164,441.01	\$35,558.99

Bailey Canyon Restoration Project Completion and Grant Closeout

September 16, 2026

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Requested costs consist of the following vendor amounts:

Vendor and work	Amount requested
Tetra Tech: professional services for both sites	\$44,630.00
LACC: Bailey Canyon restoration work	\$69,874.20
Mariposa Landscapes: irrigation and native planting	\$49,058.77
Athens Services: organic debris disposal	\$878.04
Combined reimbursement request	\$164,441.01

The \$35,558.99 difference between the approved combined budget and requested costs is an arithmetic balance, not confirmation that funds are available for additional work.

Reimbursement and the final disposition of the grant balance remain subject to RPOSD review and closeout. The recommendation does not request use or reallocation of this balance.

Project expenditure GL account: 37010.85000.56002.

Prepared by:

Eric Lozick
Management Analyst

Reviewed by:

Brian A. Dickinson
Public Works Director

Approved by:

Michael Bruckner
City Manager

Attachment(s):

1. Combined RESTORE Project Completion and Closeout Report, dated August 28, 2026
2. Bailey Canyon Restoration Project presentation, Natural Resources Commission, September 16, 2026



CITY OF SIERRA MADRE

CLOSEOUT REPORT

PUBLIC WORKS SERVICES

DATE: August 28, 2026
TO: Susan Castro-Valenzuela, Los Angeles County Regional Park and Open Space District
FROM: Eric Lozick, Management Analyst, City of Sierra Madre
SUBJECT: **COMBINED RESTORE PROJECT COMPLETION AND CLOSEOUT REPORT**
PROJECTS: Bailey Canyon Trails Restoration (R76B25) and Mt. Wilson Trails Restoration (R76A25)

COMBINED CLOSEOUT REQUEST

The City of Sierra Madre submits one combined completion and closeout report for Bailey Canyon Trails Restoration (R76B25) and Mt. Wilson Trails Restoration (R76A25). R76B25 covers the Bailey Canyon field implementation and Bailey Canyon soft costs. R76A25 covers the Mt. Wilson staging-area soft costs. Although presented in one narrative, each agreement's costs and requested reimbursement are identified separately.

Bailey Canyon field implementation was completed by July 31, 2026. This report also reconciles \$44,630.00 in Tetra Tech invoices across both agreements. The Tetra Tech warrant package is included as City payment support. City payment documentation for L.A. Conservation Corps, Mariposa Landscapes, and Athens Services will be uploaded to GMS when available, before those hard-cost reimbursements are processed.

Agreement	Project	Work covered in this report	Approved budget
R76B25	Bailey Canyon Trails Restoration	Bailey Canyon field implementation and Bailey Canyon soft costs	\$175,000.00 (\$25,000 soft; \$150,000 hard)
R76A25	Mt. Wilson Trails Restoration	Mt. Wilson staging-area soft costs	\$25,000.00 (soft costs only)

PROJECT BACKGROUND

The January 2025 Eaton Fire damaged vegetation and affected drainage and trail-supporting areas at Bailey Canyon Wilderness Park. The coordinated RESTORE effort began with site investigation, survey, and engineering support at Bailey Canyon and the Mt. Wilson staging area. When preliminary bridge pricing exceeded the available grant construction budget and completion schedule, the City refined the funding plan. RPOSD approved revised budgets on May 8, 2026: \$175,000 for R76B25 (\$25,000 soft costs and \$150,000 hard costs) and \$25,000 for R76A25 soft costs.

The February 24, 2026 City Council record documented the City's planning rationale and the need to direct available construction funds to improvements that could be completed within the grant budget and schedule. The final field contracts focused on drainage, erosion control, vegetation management, irrigation-supported revegetation, and related park restoration.

ACCOMPLISHMENTS AND WORK PERFORMED

15,392 SF invasive vegetation removed	2,983 LF additional vegetation removed	2,072 SF bioswale and drainage work
9 trees trimmed or pruned	115 native plants installed	Approx. 350 LF 2-inch irrigation mainline

Vegetation management, fuel reduction, and stewardship

The Los Angeles Conservation Corps (LACC) mobilized a crew of approximately six to ten young adult Corpsmembers for a three-week field effort. The crew removed invasive and overgrown vegetation, cleared work areas and debris, pruned nine designated trees, and completed final cleanup. Corpsmembers received hands-on training in plant identification, vegetation removal and disposal, safe tool use, tree work, grading, and bioswale construction. Sierra Madre Environmental Action Council volunteers also provided native-habitat and stewardship education during the work.

Organic debris handling and disposal

Athens Services provided a 40-yard organic roll-off container and organic material disposal for debris generated by the Bailey Canyon restoration work. Athens invoice 22278672, dated August 1, 2026, documents \$878.04 in project disposal services and related charges.

Drainage, erosion control, and site stabilization

LACC and its technical training support constructed and shaped naturalized north and south drainage features using field-fit grading, excavation, rock and boulder placement, channel shaping, and outlet stabilization. LACC's final field report documents 2,072 square feet of

bioswale work. The improvements slow and direct runoff, reduce erosion exposure, and stabilize disturbed areas while retaining a natural park character.

Irrigation and native planting

Mariposa Landscapes installed permanent irrigation improvements to support revegetation, including a battery-operated controller, backflow protection, pressure regulation, approximately 350 linear feet of two-inch mainline, ten quick couplers, rotor irrigation, and bubbler irrigation. Mariposa also supplied and installed 115 native plants. The vendor reported completion on July 28, 2026; the system was tested and documented operating in the completed project area.

Completion and acceptance

LACC's final report records a City final walkthrough on July 22, 2026 and acceptance of its contracted deliverables. Mariposa completed its work on July 28, 2026. Together, the improvements reduced wildfire fuel and invasive vegetation, restored drainage function, supported native habitat recovery, improved long-term irrigation capacity, and created a maintainable foundation for continued City and volunteer stewardship.

Quantity note: accomplishment quantities are taken from LACC's final field report. LACC's invoice uses the agreement's schedule-of-values billing quantities; the invoice total is used in the reimbursement summary.

R76B25 FINAL IMPLEMENTED SCOPE

Following receipt of construction quotations, the City finalized a restoration program that fit within R76B25's \$150,000 hard-cost budget and the July 31, 2026 deadline. The completed program prioritized vegetation management, fuel reduction, drainage and erosion control, irrigation, native planting, and related site stabilization. The natural wet crossing, Live Oak Nature Trail work, trail signage, interpretive wayfinding, and educational kiosks were omitted from the final field contracts because the quotations received exceeded available grant funding. The City requests RPOSD acceptance of the implemented scope as part of R76B25 closeout.

Approved work category	Completed work or final treatment	Closeout status
Trail repair and stabilization	Rock and boulder placement, field grading, disturbed-area stabilization, and cleanup adjacent to park circulation areas.	Completed under the executed field scope.
Drainage and runoff improvements	North and south naturalized drainage features; 2,072 SF of bioswale work documented in LACC's final report.	Completed.
Fuel reduction and defensible-space improvements	15,392 SF plus 2,983 LF of invasive vegetation removal; nine trees pruned; debris and work-area cleanup.	Completed.
Limited irrigation repair and installation	Controller, backflow and pressure regulation, approximately 350 LF mainline, ten quick couplers, rotor system, and bubbler system.	Completed July 28, 2026.
Engineered swales and erosion control	Excavation, shaping, field-fit grading, rock and boulder placement, channel shaping, and outlet stabilization.	Completed.

Approved work category	Completed work or final treatment	Closeout status
Fire-resistant native plant materials	115 native plants supplied and installed by Mariposa Landscapes and supported by the new irrigation system.	Completed.
Natural wet crossing and Live Oak Nature Trail work	Contractor quotations exceeded available R76B25 construction funding.	Omitted from the final field contracts.
Trail signage, interpretive wayfinding, and educational kiosks	Contractor quotations exceeded available R76B25 construction funding.	Omitted from the final field contracts.

PROJECT SITE CONTROL

The executed R76B25 GMS application identifies the City of Sierra Madre as the project-site landowner. Los Angeles County Assessor, LA Parks Portal, title, deed, property-tax, and parcel records are included with the supporting site-control documentation for the closeout record.

TETRA TECH SOFT-COST WORK AND SUPPORTING RECORDS

Tetra Tech billed three invoices totaling \$44,630.00 for coordinated professional services supporting Bailey Canyon and the Mt. Wilson staging area. The billed work included field reconnaissance, survey and topographic control, data processing, base mapping, civil and site planning, conceptual grading and drainage review, Bailey Canyon bridge-area coordination, construction estimating, and technical-document preparation. Supporting records include the itemized invoices, City warrant package, correspondence, and dated Bailey Canyon and Mt. Wilson plan materials in the City project record.

Invoice	Service period	Billed professional activity	Amount
52478747	August 2025	Initial assessment, field reconnaissance, survey control and data processing, base mapping, engineering support, and photo documentation.	\$13,190.00
52495618	September 2025	Site visit and survey, mapping and civil support, survey coordination, construction estimating, and technical-document preparation.	\$5,512.50
52517923	Through Nov. 7, 2025	Topographic-plan preparation, grading-exhibit review, bridge-area coordination, construction planning, and subconsultant support.	\$25,927.50
		Total documented Tetra Tech soft costs	\$44,630.00

Supporting technical documentation includes the October 24, 2025 Bailey Canyon topographic plan materials, the October 17, 2025 Mt. Wilson Trail Head topographic plan materials, and the October 17, 2025 Mt. Wilson staging-area plan materials. These records are submitted with the invoices and warrant package to document the professional services performed under the coordinated soft-cost effort.

Soft-cost allocation by agreement

The Tetra Tech invoices cover coordinated professional services supporting both Bailey Canyon and the Mt. Wilson staging area. For reimbursement, the City allocates \$25,000.00 to R76B25 and \$19,630.00 to R76A25. Each allocation is within the \$25,000 soft-cost budget approved for that agreement, and together they account for the full \$44,630.00 invoice total.

Payment documentation. The Tetra Tech warrant package is included with the invoices and technical documentation supporting the soft-cost reimbursement request.

COMBINED FINANCIAL RECONCILIATION

The schedule below reports the vendor costs requested from RPOSD under each agreement. The Tetra Tech warrant package is included. City payment documentation for LACC, Mariposa, and Athens will be uploaded to GMS when available, before reimbursement of those hard costs is processed.

Agreement	Vendor and cost	Supporting record	Amount requested
R76B25	Tetra Tech: Bailey soft costs	Allocated share of the combined Tetra Tech invoices; warrant package included.	\$25,000.00
R76B25	LACC: hard costs	Final invoice 05-1922-001 and completion report included; City payment documentation will be uploaded when available.	\$69,874.20
R76B25	Mariposa Landscapes: hard costs	Invoice 121249 and completion records included; City payment documentation will be uploaded when available.	\$49,058.77
R76B25	Athens Services: hard costs	Invoice 22278672 for a 40-yard organic roll-off and debris disposal; City payment documentation will be uploaded when available.	\$878.04
R76B25	Bailey Canyon subtotal	R76B25 soft and hard costs included in this request.	\$144,811.01
R76A25	Tetra Tech: Mt. Wilson soft costs	Allocated share of the combined Tetra Tech invoices; warrant package included.	\$19,630.00
Combined	R76B25 and R76A25 total	Combined reimbursement request, with costs identified by agreement.	\$164,441.01

Payment documentation. The Tetra Tech warrant package is included as payment support. The City will upload LACC, Mariposa, and Athens payment-register, warrant, or cancelled-check documentation to GMS when available, before reimbursement of those hard costs is processed.

CITY CERTIFICATION AND CLOSEOUT REQUEST

The City certifies that this report accurately reflects the work completed, the final implemented scope, the vendor invoices received, and the supporting records assembled for the combined RESTORE closeout. The City requests that RPOSD accept the implemented Bailey Canyon scope and process the costs identified in the combined financial reconciliation under R76B25 and R76A25. The City will upload LACC, Mariposa, and Athens payment documentation when available and requests closeout of both agreements once the applicable GMS records have been accepted.

Sincerely,
Eric Lozick
Management Analyst
City of Sierra Madre

SUPPORTING-DOCUMENT INDEX

Exhibit	Supporting record	Purpose
A	R76B25 and R76A25 NTPs; May 8 approval and City acknowledgment; August 3 and August 12 closeout emails; Amendment No. 2; February 24 City Council record; agreement-specific GMS forms	Award, revised budgets, scope history, schedule, closeout correspondence, and submission forms.
B	Tetra Tech PSA; invoices 52478747, 52495618, and 52517923; City allocation reconciliation; warrant package	Contracted services, site attribution, cost allocation, and City payment.
C	Bailey Canyon and Mt. Wilson topographic plan materials; Mt. Wilson staging-area plan materials	Technical support for the invoiced professional services.
D	LACC agreement; revised proposal and schedule of values; final invoice and report; Week 3 summary	Scope, cost, completion metrics, and walkthrough records. City payment documentation will be added in GMS.
E	Mariposa authorization and NTP; scope directives; invoice 121249; plant and irrigation completion records; photographs	Irrigation and planting scope, invoiced cost, and completion. City payment documentation will be added in GMS.
F	Athens Services invoice 22278672	40-yard organic roll-off and disposal for Bailey Canyon restoration debris. City payment documentation will be added in GMS.
G	Before-and-after photo summary; City completion photographs; Appendix A planning photographs; City project webpage; Assessor and LA Parks records; title, deed, property-tax, and parcel records	Project photographs, completed conditions, project-site ownership, and site control.

APPENDIX A: REPRESENTATIVE PROJECT PHOTOGRAPHS

Appendix A presents representative images from the LACC field log, City completion records, the Bailey Canyon bridge assessment area, and the Mt. Wilson staging area. Sierra Madre Before After photos summary.docx remains the source file for the dated Bailey Canyon field sequence.

Project assessment areas



Bailey Canyon bridge area, existing footbridge condition documented during project planning.



Bailey Canyon creek channel and bridge abutment area, existing condition documented during project planning.



Mt. Wilson staging area and trailhead, existing condition documented during project planning.



Mt. Wilson staging-area surface and drainage path, existing condition documented during project planning.

Source: City Council RESTORE grant presentation, February 24, 2026.

COMPLETED IMPROVEMENTS



Project team at the completed naturalized bioswale and rock-lined drainage area.



Installed irrigation system operating within the restored project area.



Representative native planting supported by the new irrigation improvements.

Source: City Public Works project update, August 2026.

Before and during: vegetation removal and site restoration



July 6, 2026: Baseline condition before field work.



July 6, 2026: Same work area after initial clearing.



July 15, 2026: Work area during vegetation removal and site grading.



July 15, 2026: Continued fuel-reduction and clearing work.

Source: LACC dated field photo log.

DURING AND AFTER: DRAINAGE AND EROSION-CONTROL IMPROVEMENTS



July 16, 2026: Rock placement and naturalized drainage construction in progress.



July 16, 2026: Constructed rock-lined drainage and stabilized work area.



July 17, 2026: Site condition before drainage-area grading.



July 17, 2026: Same area after clearing and grading.

Source: LACC dated field photo log.

LATE-STAGE FIELD WORK AND COMPLETED CONDITIONS



July 24, 2026: Work area before final vegetation treatment.



July 24, 2026: Same area after final treatment and cleanup.



July 24, 2026: Crew performing final field work.



July 24, 2026: Crew removing final debris during project cleanup.

Source: LACC dated field photo log.



CITY OF SIERRA MADRE
Public Works Department

Bailey Canyon Restoration Project

Project completion and
grant closeout update

Natural Resources Commission
September 16, 2026



Project background and status

Restoration after the Eaton Fire

Work focused on vegetation management, drainage, erosion control, irrigation and native planting.

RPOSD RESTORE grant

Los Angeles County Regional Park and Open Space District

R76B25: Bailey Canyon

R76A25: Mt. Wilson staging area

May 8, 2026

RPOSD approved the revised \$200,000 combined budget.

July 31, 2026

Field implementation complete by the grant deadline.

August 28, 2026

Completion and closeout report prepared for RPOSD.

Vegetation management and fuel reduction

Before vegetation removal



15,392 sq ft

Invasive vegetation removed

After vegetation removal



2,983 linear ft

Additional vegetation removal

9 trees

Pruned or trimmed





Clearing around established shrubs

Before clearing



After clearing



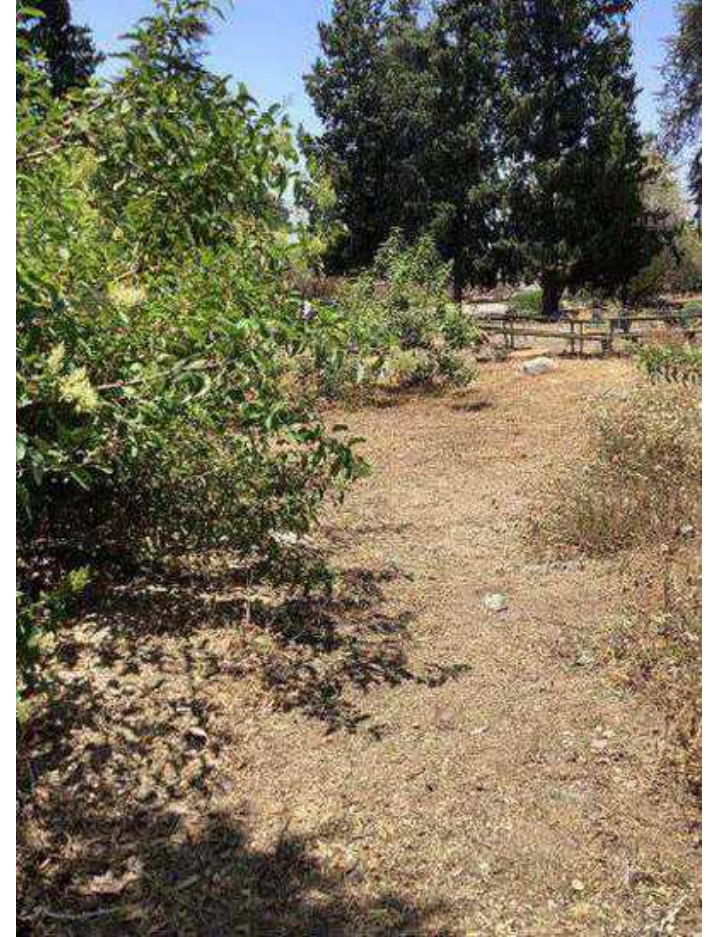
LACC cleared tall, dry vegetation around established shrubs.

Clearing along the park path

Before clearing



After clearing



Clearing around mature trees

Before clearing



After clearing



Undergrowth removal beneath existing trees

Before clearing



After clearing



Vegetation removal opened the ground beneath the existing canopy.

Drainage and erosion control

2,072 sq ft of bioswale work



Completed bioswale



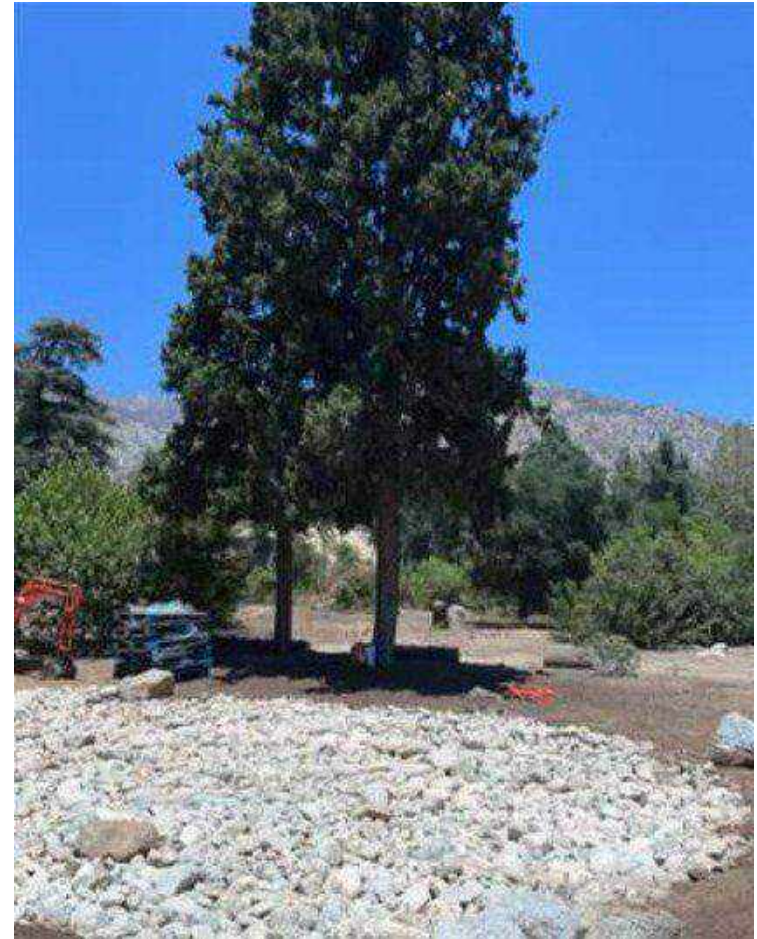
Second completed bioswale

Bioswale grading and completion

Before rock placement



Completed bioswale



Bioswale rock placement

During rock placement



Completed bioswale



Irrigation and native planting

Irrigation installation



Irrigation operating



Native planting



Approx. 350 linear ft

Two-inch mainline and 10 quick couplers

115 native plants

Completed July 28, 2026

Project partners and stewardship

Los Angeles Conservation Corps

Clearing, drainage and site stabilization

Mariposa Landscapes

Permanent irrigation and native planting

Athens Services

Organic debris container and disposal

Tetra Tech

Survey, engineering and planning

Sierra Madre Environmental Action Council

Native-habitat and stewardship education



SMEAC ecological instruction
for LACC Corpsmembers

Elements outside the final funded scope

Contractor quotations exceeded available grant funding.

Natural wet crossing
Live Oak Nature Trail work
Trail signage and interpretive wayfinding
Educational kiosks

These elements were outside the final field contracts.



Existing footbridge during planning

RPOSD RESTORE grant budget

Combined R76B25 and R76A25 reimbursement request

Vendor / work	Amount requested
Tetra Tech: both project sites	\$44,630.00
LACC: restoration work	\$69,874.20
Mariposa: irrigation and planting	\$49,058.77
Athens: organic debris disposal	\$878.04
Total requested	\$164,441.01

\$200,000.00

Total RPOSD budget

\$35,558.99

Budget less
requested costs

Budget allocation: Bailey Canyon \$175,000. Mt. Wilson \$25,000.

Final grant closeout steps

Administrative status in the August 28, 2026 report

1 City payment records

Provide payment documentation for LACC, Mariposa and Athens.

2 RPOSD review

Obtain acceptance of the implemented scope and grant records.

3 Reimbursement and closeout

Complete reimbursement processing and agreement closeout.

Commission discussion



CITY OF SIERRA MADRE

STAFF REPORT

NATURAL RESOURCES COMMISSION

DATE: September 16, 2026

TO: Natural Resources Commission

FROM: James Carlson, Senior Analyst

SUBJECT: **Sierra Madre Municipal Code Section 12.20 “Tree Preservation and Protection” Update**

RECOMMENDATION

It is recommended that the Commission review the third draft of the ordinance update. Please review changes, additions, and deletions, and provide any comments to the staff.

SUMMARY

SMMC 12.20 “Tree Preservation and Protection” was last updated in 2014. Staff has received a number of comments from the community about the code, and what should be eliminated and also what should be added. Staff is asking the Commission to review the third draft of the ordinance update. Once the Commission has finalized its recommended updates, the item will go to the City Council for consideration. (Note: it may also be referred to the Planning Commission prior to the City Council.)

DISCUSSION & ANALYSIS

As a result of the Eaton Fire, homeowner’s insurance challenges, and development in Sierra Madre, the current code needs to be updated to meet the current conditions and preferences regarding the City’s trees. The ordinance covers both City-owned trees as well as private tree that may or may not be potentially affected by development and construction activities. Please also note that the draft ordinance reflects the addition of the Department of Planning and Community Preservation's new roles in reviewing protected trees that are conjunction with proposed development

ENVIRONMENTAL ANALYSIS

Staff will confer with the City Attorney’s office for the proper CEQA requirements.

FISCAL IMPACT

There is no impact to the General Fund as a result of the recommended action.

Attachments:

Third Draft of Ordinance update "Clean"

Third Draft of Ordinance update "Track Changes"

Approved by:

James Carlson
Senior Analyst

Chapter 12.20 TREE PRESERVATION AND PROTECTION¹

Sections:

12.20.010 Purpose and intent.

- A. The city is located at the foothills of the San Gabriel Mountains in Los Angeles County. Native oak and other native and ornamental trees are dominant features in the landscape. These trees significantly enhance the aesthetics, increase property value, improve air quality, reduce summer cooling costs and improve the health and welfare of the community. Native trees are a historic resource as well, hearkening back to the earliest days of the community. The city council adopts this update to the "tree preservation and protection ordinance" in order to continue to contribute to a better public understanding of the value of the city's trees, and to prohibit indiscriminate damage and destruction of this significant resource. This chapter establishes basic standards and measures for preservation and protection of the city's public trees and landmark protected trees located on private property. This chapter is intended to guide homeowners in their efforts to include beneficial and firesafe trees on their property. This chapter also specifies requirements for planting trees on public property within or adjacent to newly planned or renovated commercial and residential developments and provides a means to designate particularly important trees as legacy trees.
- B. Preserving and protecting existing trees are worthwhile because:
1. Trees are a valuable long-term community asset and tend to increase property values;
 2. Trees protect from climatic extremes. They recycle water, absorb carbon dioxide, sequester carbon, release oxygen, provide shade and windbreak protection, and moderate the temperatures of the neighborhood and community;
 3. Trees screen dust and absorb pollutants;
 4. Trees diffuse the effects of rain that weathers houses, erodes topsoil, and causes flooding and watershed pollution;
 5. Trees provide habitat for wildlife;
 - 6.
 7. Trees enhance the architectural character of a neighborhood, accent or soften the effect of structures, promote visual aesthetic interest, and can screen undesirable views.

(Ord. No. 1303, § 1, 2-11-14)

12.20.020 Definitions.

For the purposes of this chapter, certain terms are defined as set forth in this section:

¹Editor's note(s)—Section 1 of Ord. No. 1303, adopted Feb. 11, 2014, repealed former Ch. 12.20, §§ 12.20.010—12.20.155, and enacted new provisions as herein set out. Former Ch. 12.20 pertained to similar subject matter, and derived from Ord. No. 1157, § 1(part), adopted in 1998; Ord. No. 1201U, § 2, adopted in 2003; and Ord. No. 1202, § 2, adopted in 2003.

"Arborist" means a person who is accredited by the Western Chapter of the International Society of Arboriculture.

"City arborist" means a professional, certified arborist under contract to the city.

"Commission" means the natural resources commission.

"Contractor." For purpose of this chapter, "contractor" is defined as a professional tree maintenance expert. The contractor shall hold valid C-27 or C-61/D-49 state contractor's licenses, liability and workers compensation insurance policies. The contractor shall also hold a valid business license in the city of Sierra Madre.

"dbh." Diameter at breast height: The diameter of a tree shall be measured at a point approximately four and one-half feet above natural or established grade. See also, "Tree Trunk diameter."

"Damage" means any action undertaken which causes injury, death or disfigurement of a tree. This includes, but is not limited to, cutting, poisoning, under- or over-watering, unauthorized relocating or transplanting, trenching, excavating or paving, storing of material beneath the dripline, or applying materials that pierces the bark of the tree by means of nails or other objects.

"Director" means the director of public works of the city of Sierra Madre or his/her designee.

"Dripline" means the outermost edge of the tree's canopy. When depicted on a map, the dripline will generally appear as an irregular shape that follows the contour of the tree's branches as seen from overhead.

"Legacy tree" means:

1. Any existing tree in the city, whether located on public or private property, which is at least thirteen inches in circumference (approximately four inches in diameter) measured four and one-half feet above natural or established grade and which has been designated by action of the commission as a legacy tree.
2. A multi-stemmed tree which has one stem of at least twenty-four inches or more in circumference as measured at four and one-half feet above natural or established grade and which has been designated by action of the commission as a legacy tree.
3. Any tree or group of trees which has a relationship to an event of historical significance or is of public interest and which has been designated by action of the commission as a legacy tree.
4. Any tree newly-planted on private property in order to memorialize a person or event and which has been designated by action of the commission as a legacy tree.
5. Any horticultural specimen of unique and/or extraordinary attributes. Such designation of "Legacy" may use the appropriate descriptor other than "tree".

"Major root" means a root two inches or more in diameter.

"Person" has the meaning set forth in Section 1.04.030 of this code except that for purposes of this chapter, "person" does not include a city employee acting within the course and scope of his or her employment.

"Protected tree" means any legacy tree as defined herein, any tree on city-owned property, including parkways, or California Scrub Oak (*Quercus berberidifolia*), Coast Live Oak (*Quercus agrifolia*), Coastal Scrub Oak (*Quercus dumosa*), Engelmann Oak (*Quercus engelmannii*), Southern California Black Walnut (*Juglans californica*), or Western Sycamore (*Platanus racemosa*) or other tree species as added from time to time by city council resolution whose trunk exceeds a diameter of four inches as measured at four and one-half feet above natural or established grade.

"Remaining tree" means a tree on a project site, or on property neighboring a project site, which is not to be removed in conjunction with a project pursuant to a permit issued under this chapter.

"Removal" means the immediate or long-term killing of a tree by any means, including cutting, poisoning, or other lethal means.

"Root feeding zone" means the outer two-thirds of the root zone.

"Root zone" means the circular area surrounding the trunk with a radius fifteen times the trunk diameter or the area between the dripline and the trunk, whichever is greater.

"Street trees and other public trees" means any tree of which more than one-half of the trunk's basal cross-sectional area is located on city property.

"Substantial trimming" or "substantially trim." See "Trim substantially."

"Topping" means removal of the highest part of a tree by the use of a large heading cut.

"Tree" means a woody perennial plant distinguished from a shrub by having a comparatively greater height and, characteristically, a single trunk rather than several stems.

"Tree expert" means a professional forester, arborist or an authority whose academic training and/or long practical experience, as determined by natural resources commission, allows that person to reliably recommend the removal or preservation of trees based on their species, location, health, form, longevity and monetary value. Such person may be a resident of the city volunteering his/her services, a city employee, or a member of the commission appointed to the position of tree expert by the commission.

"Tree protective measures" means that list of measures that may be used to protect trees from damage due to construction activity as developed by the commission and approved by city council resolution. Tree protective measures also include specific recommendations of the individual project's arborist reports.

"Tree replacement fund" means a separate revenue account within the city's general fund, the proceeds of which shall be utilized exclusively for the planting and maintaining new or replacement trees within the public lands of the city.

"Tree replacement matrix" means a standard developed by the commission and approved by city council resolution which specifies the number of replacement trees to be planted as mitigation for the removal of protected trees. The matrix-specified replacement ration shall be based on the size and health of the tree proposed for removal.

"Tree trunk diameter." The diameter of a tree measured at dbh. The height of a tree on sloping ground shall be measured from ground level on the high side of the tree. The diameter of a multi-trunked tree shall be measured at dbh and shall include the sum of all trunks over one inch in diameter at dbh.

"Trim substantially" means and applies to both above surface and underground cutting. For branches, it shall mean the removal of more than an estimated twenty-five percent of the live branches of the tree in any one-year period or removal of any limb with a diameter of three inches or greater. For roots, it shall include the removal of more than an estimated twenty-five percent of the live root mass in any two-year period, or cutting of any root with a diameter of two inches or greater.

(Ord. No. 1303, § 1, 2-11-14; Ord. No. 1435, § 5, 10-27-20)

12.20.030 Reserved.

Ord. No. 1435, § 2, adopted Oct. 27, 2020, repealed former § 12.20.030, which pertained to energy, environment and natural resources commission, and derived from Ord. No. 1303, § 1, adopted Feb. 11, 2014.

12.20.040 Tree removal or substantial trimming.

- A. It is unlawful for any person to remove or substantially trim any protected tree, public tree, or street tree without a permit from the city.
- B. Except as expressly provided in Section 12.20.045(C), no person other than a contractor with a current Sierra Madre business license may accept payment to remove or substantially trim any tree in the city.
- C. In the event that any protected tree or public tree is removed, damaged, substantially trimmed, or otherwise destroyed in violation of this chapter, the director shall establish appropriate mitigation according to mitigation guidelines developed by the commission and adopted by city council resolution. Any person who, and any person who owns or controls property who has allowed another to, remove, damage, substantially trim or otherwise destroy any protected tree, public tree, or street tree in violation of this chapter shall be financially responsible for the required mitigation.
- D. The director, in consultation with the city's arborist or tree expert, may authorize the substantial trimming or removal of protected trees from city parks and street rights-of-way. Such removals may be approved on the basis of the health of the tree or hazardous condition of the tree as determined by the arborist, tree expert, or the director.
- E. Any contractor who removes or substantially trims any tree in violation of this chapter is subject to revocation of their business license.

(Ord. No. 1303, § 1, 2-11-14)

12.20.045 Tree planting, removal, trimming on public streets—Permission required— Standards—Appeals.

- A. It is unlawful for any person to plant any trees along public streets, or to remove any device necessary for the protection or growth assistance of any tree from a public street or right-of-way Without a permit from the department of public works.
- B. Except as otherwise permitted in this chapter, no person may substantially trim any tree along a public street without a permit from the department of public works.
- C.

Utilities may take emergency action with respect to any protected tree, street tree, or public tree without giving advance notice when immediate action is required to protect the public or the utility's employees, prevent damage or destruction of facilities and property, or to effect expeditious reinstatement of utility service following an interruption. Any utility taking emergency action under this paragraph shall notify the city of such action within seventy-two hours of commencement of the action.
- D. In permitting any planting, trimming, or removal of trees pursuant to this section, the director shall be guided by this chapter, the standards of the International Society of Arboriculture (latest edition), the American National Standards Institute A300 standards for tree maintenance (latest edition), and a street landscaping plan approved by the commission.

(Ord. No. 1303, § 1, 2-11-14)

12.20.050 Exemptions and emergency removal of trees.

A permit to remove a tree pursuant to this chapter is not required in the following circumstances:

- A. No permit shall be required for the removal of a protected tree damaged by a storm, fire or other natural disaster and determined by the city manager, director, peace officer or a firefighter to be an immediate hazard to persons or property.
- B. A permit shall not be required for the removal of a protected tree when removal is deemed necessary by fire department personnel actively engaged in fighting a fire.
- C. A permit shall not be required when determination has been made by the director, tree expert, or the commission that the tree is not viable or is a threat to persons or property.
- D. A permit shall not be required for removal of a tree by an overhead utility franchise holder which reasonably determines it must remove a tree that threatens to interrupt utility service or damage utility property.
- E. A permit shall not be required to prune those branches of a tree that encroach upon neighboring property. The owner of the property into which the branches encroach may act reasonably to trim or remove encroaching branches provided that the trimming does not endanger the health or safety of the tree.
- F. The city may, at no cost to adjoining property owners, remove or substantially trim, any street or public tree which the city expert, contracted arborist, commission, or director has found to be dangerous to persons or property.

(Ord. No. 1303, § 1, 2-11-14)

12.20.060 Duty of abutting landowners to remedy damage caused by private trees to public infrastructure..

- A. All owners of real property in the city shall properly cultivate, care for, and maintain all private trees in a manner that causes no damage or obstruction to public infrastructure, including sidewalks, curbs, gutters, streets, paths, and utility laterals and mains.
- B. Responsibility for private tree maintenance under subsection (A) of this section includes:
 - 1. Pruning roots as needed to prevent damage to public infrastructure;
 - 2. Pruning branches to maintain a clearance of 8 feet above a sidewalk or path, and 14 feet above a street;
 - 3. Pruning or removal of infested trees.
 - 4. Removal of dead trees.
 - 5. Pruning or removal of trees as ordered by the city's fire department.

12.20.070 Duty of abutting land owners to cultivate trees on public property.

- A. All owners of real property in the city shall properly cultivate, care for, and maintain all trees within any public street planting areas adjacent to that real property, subject to the requirements of this chapter.

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- B. Responsibility for street tree maintenance under subsection (A) of this section includes:
2. On-going irrigation;
 3. Maintaining the right-of-way planting area free from weeds, vines, and debris..
 4. Maintaining the right-of-way free of obstructions inimical to public safety;
 5. Keeping tree trunks and branches free from climbing vines;
 6. Maintaining understory planting and irrigation in a manner beneficial to the tree;
 7. Keeping trees trimmed so as to remove any foliage encroaching into the space above a street to a height of fourteen feet and above sidewalk areas to a height of eight feet.
- C. No person may place water-impermeable material, including but not limited to, tar paper, plastic, or artificial turf over the root zone of a street tree or public tree, or use materials or chemicals that sterilize the soil within the root zone of a street tree or public tree.
- D. Notwithstanding [any] other provision of this chapter, persons owning or controlling any land within the city shall maintain any sewer lateral lines serving that land clear of tree root obstructions, whether from city-owned or privately-owned trees. Any application for a permit for the removal of a city-owned parkway tree or a privately-owned protected tree for any purpose, including but not limited to relieving the applicant's sewer lateral of maintenance difficulties, may be approved only if subject to mitigation measures such as those described in Section 12.20.115. E. All owners of real property in the city shall be responsible for the cost of removal and replacement of or substantial trimming of street trees when the property owner's (applicant) request for removal or substantial trimming is approved by the director or his/her designee. For the removal or substantial pruning of a public tree that is not determined to be a hazard or otherwise detrimental to the urban forest or fire prevention, the following shall apply:
1. The applicant shall post a sign on the subject tree for no less than 15 days indicating the intention and mitigation to be done. The posting shall be done by the applicant and the sign shall be approved by the department of public works.
 2. The applicant will be required is financially responsible for removal and any mitigation that is required to be done. Any replacement trees shall be approved by the department of public works.

12.20.080 Tree work in public parks.

- A. Tree work in public parks shall be performed only by city employees or the city's contractors

12.20.090 Designation of an official tree.

The Engelmann Oak, *Quercus Englemanni*, is designated as the official tree of the city of Sierra Madre.

12.20.095 Designation of legacy to trees and horticultural specimens.

- A. To be designated a "legacy" tree" by the commission, a horticultural specimen, tree or trees must meet the following criteria:
1. The item must be considered an outstanding specimen (or group) of its species by virtue of either its location, health, conformation, age, size, identification with a specific person or historic event, or rarity, or any combination of the same.
 2. The item must be in a location and in a state of health which indicates a high possibility of survival, given reasonable care, and in a location which would not automatically preclude reasonable future development of the site.

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3. The item shall not be of a species prohibited for planting under Section 12.20.105 or of a species determined surplus by the commission under Section 12.20.150.
 4. A item may be planted by a private property owner in order to memorialize a person or event and subsequently nominated by that property owner for legacy tree status.
- B. Any person may nominate a hoticutltural specimen, tree, or trees for "legacy" status. The natural resources commission shall receive nominations of itme for "legacy" status through the director of public works. The property owner, if not the nominator, shall be provided with a notice of the date, time, and place for the commission meeting at which the nomination will be considered. Such notice shall be provided at least ten days prior to the commission meeting. No tree shall be designated as a legacy tree by the commission without the written consent of the property owner.
 - C. Any legacy item may be identified with a marker or other means as determined by the commission, provided the property owner consents to such an identification. The director of public works shall maintain a current list of all legacy items so designated by commission. The cost of making or installing legacy item markers shall be the responsibility of the property owner.
 - D. An item which meets the definition of a "legacy" as defined in Section 12.20.020, or which is designated as a "legacy" by the commission, shall remain the property of the landowner. The care of the item shall be the responsibility of the property owner; any property owner having a legacy item on the property shall be expected to give the item reasonable care to ensure its continued good health.
 - E. Upon designation of the commission as a legacy item, the item shall be afforded the same protection as provided for public and private protected trees under this code. Such protection of the legacy item shall apply regardless of the species of the designated tree.
 - F. From time to time, the commission may recommend to the city council for adoption by council resolution, incentives for property owners to designate items as "legacy".

(Ord. No. 1303, § 1, 2-11-14)

12.20.100 Protected Tree removal—Private property.

- A. It is unlawful for any person, firm, or corporation to remove, damage, or substantially trim any protected tree (as defined herein) on private property without a permit from the department of public works. There shall be no fee charged the applicant for this permit, provided the action being taken on the tree is not associated with development/construction-related impacts.
- B. In the event that a property owner applies for a building permit for a property from which a protected tree has been removed in the prior twelve months, the property owner shall provide mitigation for the removal of the tree in the form of replacement trees in accordance with the mitigation guidelines described in Section 12.20.040(C).
- C. In the event that a property owner has been found to have removed a protected tree without a permit the property owner shall provide mitigation for the removal of the tree in the form of replacement trees in accordance with the mitigation guidelines described in Section 12.20.040(C), and the commission may recommend to the planning commission that approval of building permit application or other development entitlement application be prohibited for up to five years. In determining whether to impose such a five-year prohibition, the planning commission shall consider whether the tree violation appears to be in furtherance of development, as evidenced in the extent of damage, removal, damage to the root system, and/or excessive trimming of trees within the buildable area of a property; oral or written admissions or repeated actions taken in spite of prior warnings; notices of violations; and the number and size of the damaged and/or removed trees.

(Ord. No. 1303, § 1, 2-11-14)

12.20.105 Planting of selected tree species prohibited.

- A. The commission shall develop a list of tree species prohibited for planting in city right-of-way to be incorporated into this code by city council resolution. The list may also be updated by resolution from time to time and a formal amendment to this ordinance shall not be required.
- B. The commission shall develop a list of tree species that are prohibited for planting within the high fire hazard zone, or per current or future local and state fire prevention regulations or best practices, which will be incorporated into this code by city council resolution. The list may also be updated by resolution from time to time, and a formal amendment to this ordinance shall not be required.

(Ord. No. 1303, § 1, 2-11-14)

12.20.110 Reserved

12.20.115 Development-related permit procedure.

This section shall govern applications for removal or substantial trimming of protected trees in connection with the issuance of a discretionary permit issued by the city under the building code, zoning ordinance, or any other authority for development or other activity that will result in the removal or substantial trimming of protected trees.

- A. An application for a tree removal or substantial trimming permit from the city shall be on a form prepared by the city and shall be accompanied by a fee established by the city council. Any application for a tree removal permit shall be accompanied by a tree survey which shall indicate (i) the location of the trunks and drip lines of all the protected trees on the project site or immediately adjacent to the project site which are affected by the project; (ii) the species and diameter at breast height of each such tree; and (iii) whether or not the protected trees are to be removed or pruned as part of the project. The tree survey shall include photographs illustrating all of the protected trees on the site or immediately adjacent to the project site which are affected by the project. The director of planning and community preservation, or his/her designee, may also require a professional arborist report prepared at the expense of the applicant containing specific information on tree condition, analysis of the potential impact of the project on affected protected trees, valuation of the tree as calculated utilizing ISA tree valuation standards, recommended actions and mitigation measures, and proposed monitoring conditions with respect to one or more trees. Where monitoring is required, a certified arborist, selected and hired by the applicant must monitor work on the site that might impact the protected trees and, at completion of such work, submit a letter that the conditions of approval of the permit were complied with or specifying the manner in which the conditions were not complied with.
- B. Applications shall first be reviewed by the director of planning and community preservation, or his/her designee, or his/her designee, to determine whether the submittal is complete. Upon review of the application, the director of planning and community preservation, or his/her designee, may require the applicant to provide a comprehensive arborist report to guide the administrative or planning commission review of the proposed construction project.
- C. Applications for permits under this section shall be evaluated under the following standards:
 - 1. The design and placement of development should preserve existing healthy protected trees in place.

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2. The visual prominence and function of each protected tree on the site shall be considered prior to a decision on the application.
 3. Protected tree removal or substantial trimming shall not be approved unless one of the following applies:
 - a. The tree(s) prevent reasonable development of permitted uses due to site topography and required setbacks. Existing development on similar sites in the same zone as the project site and having similar topography and vegetation shall be considered. "Reasonable development" will be determined by the planning and community preservation Department and/or planning commission.
 - b. A hazardous condition of the tree(s) with respect to disease, maturity, danger of falling, proximity to existing structures, parking, high pedestrian traffic areas, activity areas or interference with utility services, which condition cannot be controlled or remedied other than by removing or substantially trimming the tree;
 - c. Good forestry practice suggests a reduction in the number of trees due to the incapacity of the property to sustain the trees present in a healthy condition after completion of the project.
 4. Protected trees approved for removal shall be replaced, unless a finding is made at the time of granting an application that the site is inadequate to support the required number of replacement trees, as follows:
 - a. Protected trees that prevent reasonable development shall be replaced within one year of removal by a minimum of one tree of the same species, or a suitable alternative species approved by the city arborist which serves a comparable function (shade, screening, erosion control, etc.) as that of the tree removed. Minimum replacement tree size shall be not less than fifteen gallons and not larger than forty-eight-inch box, as determined by mitigation guidelines developed by the commission and established by resolution of the city council. If a replacement tree dies within five years of being planted, the permittee or his or her successor in interest in the property shall replace the tree with one of comparable size, within six months of the death or removal of the failed replacement tree;
 - b. Trees estimated by the city tree expert or contracted arborist to be one hundred years old or more, or trees the commission determines to be of high visibility or extraordinary aesthetic quality shall be replaced by large, specimen trees if deemed appropriate by the city tree expert or contracted arborist, or mitigated so as to address the loss of such extraordinary and important trees if the city arborist determines that replacement with a large specimen tree is not appropriate;
 - c. The permittee and his or her successor in interest in the property are obliged to provide for continuing maintenance of required replacement trees for five years after they are planted. Mitigation monitoring requirements shall be specified in mitigation agreements pursuant to Section 12.20.130(C).
 5. If a site cannot support all of the replacement trees required by this chapter, the applicant shall, at the city's discretion, provide:
 - a. Planting native trees or related species approved by the director on public property identified by the city; and/or
 - b. Payment of an in lieu fee to the city's tree replacement fund according to a fee schedule established by resolution of the city council.

In either of the above cases, priorities for such tree planting locations shall be given to replacement of public and street trees, as noted in Section 12.20.120.

- 6.
- D. A project shall not negatively affect a remaining tree. In particular:
 1. All cut, fill and/or building foundation work shall be located a distance from the outside edge of the trunk of any remaining tree at least three times the diameter (dbh) of the affected tree, unless the certified arborist under contract to the applicant determines a lesser distance is adequate due to the species of the tree. No stockpiling, storage, or placement of project materials or excavated soils or other changes in grade may occur within the drip line of any protected tree, either temporarily during construction or permanently.
 2. The ground area surrounding the trunk of any remaining tree in which construction or other project activity may not intrude shall be conspicuously designated prior to the commencement of the project by durable semi-permanent means acceptable to the director or specified in the permit, such as construction fencing. In no event shall the designated area be closer than five feet from the trunk of a remaining tree unless the certified arborist under contract to the applicant determines a lesser distance is adequate for the protection of the tree. Areas so designated shall not be used to park vehicles or store demolition/construction-related materials and supplies, shall be maintained in a natural condition, and shall not be compacted by foot traffic, vehicle traffic or other means.
 3. The applicant shall submit a utility trenching plan to the director of planning and community preservation or his/her designee, for review and approval prior to issuance of a building permit for the project. The plan shall depict all facilities to be placed below grade, including, but not limited to, storm and runoff drains; sewers; gas lines; electrical, cable television, and telephone lines; irrigation facilities and water mains. The plan must also show all lateral lines serving the proposed construction and any proposed subgrade irrigation facilities. The plan must locate all trees on the project site and trees on neighboring properties with root zones that intrude into the project site, and plot the portion of the root zones of such trees which lies within the project site. The plan shall comply with the following unless the director of planning and community preservation, or his/her designee, determines otherwise:
 - a. The trenching pathway plan shall avoid the root zone of any protected tree.
 - b. In cases where alternative routes are not available, tunneling under roots shall be used for all underground lines such as utility and drain lines in order to preserve roots two inches or larger in diameter. All tunneling shall be performed under the on-site supervision of the certified arborist under contract to the applicant.
 - c. Wherever possible, underground lines shall be combined in the fewest possible trenches.
 - d. Where it is not possible to avoid encroachment into root zones, the design must minimize such encroachment. The director may require that these encroachments and mitigation measures be documented in a supplemental report prepared by the certified arborist under contract to the applicant.
 4. No more than one-third of the root feeding zone of remaining protected oak trees may be affected by new development, unless the certified arborist under contract to the applicant demonstrates to the satisfaction of the director that the tree will not be harmed as a result.
 5. Damage to the root feeding zone of remaining trees other than protected oaks shall be permitted only as specified by the certified arborist under contract to the applicant. The commission shall establish root feeding zone standards for other tree species common to Sierra Madre, which,

when adopted by resolution of the city council, shall govern future permitting decisions under this chapter and shall be made available to the public at city hall and the city library.

6. All approved construction work within the root zone of trees scheduled for preservation shall observe the following minimum tree protection practices:
- a. Hand trenching shall be done at point of grade cuts closest to the trunk to expose major roots. Major roots shall be cut only with permission of the certified arborist under contract to the applicant. In cases where rock or unusually dense soil prevents hand trenching, the director, or his/her designee, may approve the use of mechanical equipment, provided that work inside the drip line of any remaining tree is closely supervised by the certified arborist under contract to the applicant to minimize tearing or other damage to major roots.
 - b. Permitted cutting of major roots shall be accomplished with a hand saw. Major roots shall not be ripped by backhoe, ditching machine, or similar grading equipment.
 - c. Absorbent tarp or heavy cloth secured by stakes shall be placed over new grade cuts with the root zone of a remaining tree. Two to four inches of compost or woodchip mulch shall be spread over the tarp or cloth to prevent soil moisture loss. The compost or mulch and tarp shall be thoroughly wetted twice per week to maintain soil moisture until backfilling occurs unless the arborist under contract to the applicant otherwise directs.
 - d. Trimming of branches shall be done with a hand saw, cut clean and performed according to standards of the International Society of Arboriculture. No tree sealant shall be used on cuts.
 - e. Decks located above the root zone of remaining trees shall be of post and beam construction or another design that reduces the need for root pruning or removal over that which would occur with raised foundation design.
 - f. On-grade patios or paving that cover more than one-third of the root feeding zone of remaining protected oak trees shall be constructed of permeable materials that allow air and water to penetrate the soil.
 - g. Planting and weed control beneath remaining trees shall take into consideration the watering requirements of such trees, so as to prevent damage from over- or under-watering or other adverse effects on the health of the trees. A list of plants suitable for under-planting shall be developed by the commission and adopted by resolution of the city council and maintained on file for public review at city hall. However, planting beneath oak trees should generally be avoided as placing a lawn or other plants that require frequent watering insure a slow death for oak trees due to their sensitivity to over-watering and susceptibility to oak root fungus.
- E. Appeals. Any interested person may appeal approval or denial of a permit application. Such appeals shall be directly to the city council.
- F.

(Ord. No. 1303, § 1, 2-11-14)

12.20.120 Reserved

12.20.130 New subdivisions.

A.

- A. The owner of any development project in which protected tree removal is proposed shall enter into a mitigation agreement with the city. The mitigation shall be in a form approved by the city and shall specify the tree removal mitigation measures directed by the city and agreed to by the owner. The agreement shall also specify the time frame under which the mitigation measures are to be implemented by the owner and the penalties to be imposed should the owner fail to comply to the provisions of the mitigation agreement.

(Ord. No. 1303, § 1, 2-11-14)

12.20.150 Sale of surplus trees.

The natural resources commission is hereby authorized to review the stock of city-owned trees and determine which, if any, trees may qualify as surplus stock. The commission may recommend to the city council sale of such surplus trees. Any proceeds from such a sale shall be applied to the budget for maintenance of city street trees.

(Ord. No. 1303, § 1, 2-11-14)

12.20.155 Repeal of prior ordinances.

Ordinances 1103, 1146U, 1147U, 1148U and 1157 are repealed.

(Ord. No. 1303, § 1, 2-11-14)

Chapter 12.20 TREE PRESERVATION AND PROTECTION¹

Sections:

12.20.010 Purpose and intent.

- A. The city is located at the foothills of the San Gabriel Mountains in Los Angeles County. Native oak and other native and ornamental trees are dominant features in the landscape. These trees significantly enhance the aesthetics, increase property value, improve air quality, reduce summer cooling costs and improve the health and welfare of the community. Native trees are a historic resource as well, hearkening back to the earliest days of the community. The city council adopts this update to the "tree preservation and protection ordinance" in order to continue to contribute to a better public understanding of the value of the city's trees, and to prohibit indiscriminate damage and destruction of this significant resource. and to ensure that there will be no net loss of trees in the community. This chapter establishes basic standards and measures for preservation and protection of the city's public trees and the last vestiges of the city's landmark oak protected trees located on private property. This chapter is intended to guide homeowners in their efforts to include beneficial and firesafe trees on their property. This chapter also specifies the requirements for planting trees on public property in or adjacent to newly planned or renovated commercial and residential developments and provides a means of designating requirements for planting trees on public property within or adjacent to newly planned or renovated commercial and residential developments and provides a means to designate particularly important trees as legacy trees.
- B. Preserving and protecting existing trees are worthwhile because:
1. Trees are a valuable long-term~~long-term~~ community asset and tend to increase property values;
 2. Trees protect from climatic extremes. They recycle water, absorb carbon dioxide, sequester carbon, release oxygen, provide shade and windbreak protection, and moderate the temperatures of the neighborhood and community;
 3. Trees screen dust and absorb pollutants;
 4. Trees diffuse the effects of rain that weathers s houses, erode-erodes topsoil, and cause-causes flooding and watershed pollution;
 5. Trees provide habitat for birds and other animals~~wildlife~~;
 6. Trees contribute to the pleasantness and serenity of neighborhoods and help reduce the stress of modern living;
 7. Trees enhance the architectural character of a neighborhood, accent or soften the effect of structures, promote visual aesthetic interest, and can screen undesirable views.

(Ord. No. 1303, § 1, 2-11-14)

¹Editor's note(s)—Section 1 of Ord. No. 1303, adopted Feb. 11, 2014, repealed former Ch. 12.20, §§ 12.20.010—12.20.155, and enacted new provisions as herein set out. Former Ch. 12.20 pertained to similar subject matter, and derived from Ord. No. 1157, § 1(part), adopted in 1998; Ord. No. 1201U, § 2, adopted in 2003; and Ord. No. 1202, § 2, adopted in 2003.

Commented [JC1]: Should we keep this standard?

12.20.020 Definitions.

For the purposes of this chapter, certain terms are defined as set forth in this section:

"Arborist" means a person who is accredited by the Western Chapter of the International Society of Arboriculture.

~~"Certification letter" means a concluding statement by an appointed tree expert stating that a work required to be monitored was duly performed and observed by him/her and that such work fully complied with the conditions of the discretionary permit, tree expert report, tree permit and/or the applicable provisions of this chapter.~~

~~"City arborist" means a professional, certified arborist under contract to the city. City arborist may also mean a member of the energy, environment and natural resources commission person who has been appointed to the position of "tree expert" by the commission or a person recognized by the commission whose academic training and/or long practical experience allows him/her to reliably recommend the removal, trimming, or preservation of trees.~~

"Commission" means the ~~energy, environment and~~ natural resources commission.

"Contractor." For purpose of this chapter, "contractor" is defined as a professional tree maintenance expert. The contractor shall hold valid C-27 or C-61/D-49 state contractor's licenses, liability and workers compensation insurance policies. The contractor shall also hold a valid business license in the city of Sierra Madre.

"dbh." Diameter at breast height: The diameter of a tree shall be measured at a point approximately four and one-half feet above natural or established grade. See also, "Tree Trunk diameter."

"Damage" means any action undertaken which causes injury, death or disfigurement of a tree. This includes, but is not limited to, cutting, poisoning, under- or over-watering, ~~unauthorized~~ relocating or transplanting, trenching, excavating or paving, storing of material ~~beneath the dripline, or applying materials which pierce~~ pierces the bark of the tree by means of nails or other objects.

"Director" means the director of public works of the city of Sierra Madre or his/her designee.

"Dripline" means the outermost edge of the tree's canopy. When depicted on a map, the dripline will ~~generally~~ appear as an irregular shape that follows the contour of the tree's branches as seen from overhead.

"Legacy tree" means:

1. Any existing tree in the city, whether located on public or private property, which is at least thirteen inches in circumference (approximately four inches in diameter) measured four and one-half feet above natural or established grade and which has been designated by action of the commission as a legacy tree.
2. A multi-stemmed tree which has one stem of at least twenty-four inches or more in circumference as measured at four and one-half feet above natural or established grade and which has been designated by action of the commission as a legacy tree.
3. Any tree or group of trees which has a relationship to an event of historical significance or is of public interest and which has been designated by action of the commission as a legacy tree.
4. Any tree newly-planted on private property in order to memorialize a person or event and which has been designated by action of the commission as a legacy tree.
5. Any horticultural specimen of unique and/or extraordinary attributes. Such designation of "Legacy" may use the appropriate descriptor other than "tree".

"Major root" means a root two inches or more in diameter.

"Person" has the meaning set forth in Section 1.04.030 of this code except that for purposes of this chapter, "person" does not include a city employee acting within the course and scope of his or her employment.

"Protected tree" means any legacy tree as defined herein, any tree ~~planted~~ on city-owned property, including parkways, or California Scrub Oak (*Quercus berberidifolia*), Coast Live Oak (*Quercus agrifolia*), Coastal Scrub Oak (*Quercus dumosa*), Engelmann Oak (*Quercus engelmannii*), Southern California Black Walnut (*Juglans californica*), or Western Sycamore (*Platanus racemosa*) or other tree species as added from time to time by city council resolution whose trunk exceeds a diameter of four inches as measured at four and one-half feet above natural or established grade.

"Remaining tree" means a tree on a project site, or on property neighboring a project site, which is not to be removed in conjunction with a project pursuant to a permit issued under this chapter.

"Removal" means the immediate or ~~long-term killing of a tree by any means, including cutting, poisoning~~ long-term killing of a tree by any means, including cutting, poisoning, or other lethal means.

"Root feeding zone" means the outer two-thirds of the root zone.

"Root zone" means the circular area surrounding the trunk with a radius fifteen times the trunk diameter or the area between the dripline and the trunk, whichever is greater.

"Street trees and other public trees" means any tree of which more than one-half of the trunk's basal cross-sectional area is located on city property.

"Substantial trimming" or "substantially trim." See "Trim substantially."

"Topping" means removal of the highest part of a tree by the use of a large heading cut.

"Tree" means a woody perennial plant distinguished from a shrub by having a comparatively greater height and, characteristically, a single trunk rather than several stems.

"Tree expert" means a professional forester, arborist or an authority whose academic training and/or long practical experience, as determined by ~~the energy, environment and~~ natural resources commission, allows that person to reliably recommend the removal or preservation of trees based on their species, location, health, form, longevity and monetary value. Such person may be a resident of the city volunteering his/her services, a city employee, or a member of the commission appointed to the position of tree expert by the commission.

"Tree protective measures" means that list of measures that may be used to protect trees from damage due to construction activity as developed by the commission and approved by city council resolution. Tree protective measures also include specific recommendations of ~~the~~ individual project's arborist reports.

"Tree replacement fund" means a separate revenue account within the city's general fund, the proceeds of which shall be utilized exclusively for the planting ~~and maintaining of~~ new or replacement trees within the public lands of the city.

"Tree replacement matrix" means a standard developed by the commission and approved by city council resolution which specifies the number of replacement trees to be planted as mitigation for the removal of protected trees. The matrix-specified replacement ration shall be based on the size and health of the tree proposed for removal.

"Tree trunk diameter." The diameter of a tree measured at dbh. The height of a tree on sloping ground shall be measured from ground level on the high side of the tree. The diameter of a multi-trunked tree shall be measured at dbh and shall include the sum of all trunks over one inch in diameter at dbh.

"Trim substantially" means and applies to both above surface and underground cutting. For branches, it shall mean the removal of more than an estimated twenty-five percent of the live branches of the tree in any one-year period or removal of any limb with a diameter of three inches or greater. For roots, it shall include the removal of

more than an estimated twenty-five percent of the live root mass in any two-year period, or cutting of any root with a diameter of two inches or greater.

(Ord. No. 1303, § 1, 2-11-14; Ord. No. 1435, § 5, 10-27-20)

12.20.030 Reserved.

Ord. No. 1435, § 2, adopted Oct. 27, 2020, repealed former § 12.20.030, which pertained to energy, environment and natural resources commission, and derived from Ord. No. 1303, § 1, adopted Feb. 11, 2014.

12.20.040 Tree removal ~~or substantial trimming—Tree trimming.~~

- A. It is unlawful for any person to remove or substantially trim any protected tree, public tree, or street tree without a permit from the city.
- B. Except as expressly provided in Section 12.20.045(C), no person other than a contractor with a current Sierra Madre business license may accept payment to remove or substantially trim any tree in the city.
- C. In the event that any protected tree, ~~or public tree or street tree is removed, damaged, substantially trimmed is removed, damaged, substantially trimmed,~~ or otherwise destroyed in violation of this chapter, the director shall establish appropriate mitigation according to mitigation guidelines developed by the commission and adopted by city council resolution. Any person who, and any person who owns or controls property who has allowed another to, remove, damage, substantially trim or otherwise destroy any protected tree, public tree, or street tree in violation of this chapter shall be financially responsible for the required mitigation.
- D. The director, in consultation with the city's arborist or tree expert, may authorize the substantial trimming or removal of protected trees from city parks and street rights-of-way. Such removals may be approved on the basis of the health of the tree ~~or~~ hazardous condition of the tree as determined by the arborist, tree expert, or the director, ~~and/or to allow for repair of tree related damage to private property or public improvements.~~
- E. Any contractor who removes or substantially trims any tree in violation of this chapter is subject to revocation of their business license.

(Ord. No. 1303, § 1, 2-11-14)

12.20.045 Tree planting, removal, trimming on public streets—Permission required—Standards—Appeals.

- A. It is unlawful for any person to plant ~~or set out~~ any trees along public streets, or to remove any device necessary for the protection or growth assistance of any tree from a public street or right-of-way ~~except pursuant to a tree permit. Without a permit from the department of public works.~~
- B. Except as otherwise permitted in this chapter, no person may substantially trim any tree along a public street without a permit from the ~~city~~ department of public works.
- C. ~~New construction, modification or replacement of existing utility facilities, and the replacement or repair of utility lines and structures, shall be governed by the provisions of this chapter except that utility company employees need not be contractors to accept payment to remove or substantially trim any tree in the city. Utilities shall be responsible for damage to any protected tree, street tree, or public tree. Utilities shall be required to notify the city five working days prior to any maintenance activity that might affect any protected~~

tree, street tree, or public tree. "Maintenance activities" as used in this section shall include public utilities commission-mandated line clearing.

As an alternative to individual prior notifications for each maintenance activity, the utility may submit an annual notification of maintenance activities to the city. This notification shall include, but is not limited to, the following:

1. List of facilities;
2. Schedule of work;
3. Extent of maintenance activities;
4. List of protected trees, street trees, or public trees that might be affected.

Utilities may take emergency action with respect to any protected tree, street tree, or public tree without giving advance notice when immediate action is required to protect the public or the utility's employees, prevent damage or destruction of facilities and property, or to effect expeditious reinstatement of utility service following an interruption. Any utility taking emergency action under this paragraph shall notify the city of such action within seventy-two hours of commencement of the action.

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- D. In permitting any planting, trimming, or removal of trees pursuant to this section, the director shall be guided by this chapter, the standards of the International Society of Arboriculture (latest edition), the American National Standards Institute A300 standards for tree maintenance (latest edition), and a street landscaping plan approved by the commission. ~~The aforementioned standards, as they may be amended from time to time, shall be kept on file and available for public reference at city hall and the city library.~~

~~E. In the event that removal of a public tree or street tree, four inches or more in diameter, is proposed, due to a city determination that such removal is desirable for public safety, preservation of public utilities or sidewalk repair, or similar reasons, notice of the proposed removal shall be posted on such tree(s), by a method which does not penetrate the trunk. Persons objecting to the removal of any such tree may file a written appeal to the director no later than ten business days after the date of the posting of the notice. The appeal shall be processed in the manner specified in Chapter 17.66 of this code. If a timely appeal is filed, no action shall be taken to remove such tree until the director, commission or city council has heard the appeal as provided in this chapter.~~

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~~F. In the event of the removal of a public tree or street tree, four inches or more in diameter is proposed due to the application of the owner of property on which such tree(s) is (are) situated, notice of the proposed removal shall be posted on such tree(s) by a method which does not penetrate the trunk. In addition to posting the tree, the property owner shall be responsible for the notification of all property owners or residents within one hundred feet of such tree; the applicant to pay the cost for city staff to compile the ownership list and mail notification postcards. Persons objecting to the removal of any such tree may file a written appeal to the director no later than ten business days after the date of the posting of the notice. The appeal shall be processed in the manner specified in Chapter 17.66 of this code. If a timely appeal is filed, no action shall be taken to remove such tree until the director, commission or city council has heard the appeal as provided in this chapter.~~

~~G. Any person objecting to any act or determination of the director in the exercise of the authority granted by this section may appeal to the commission. Any person objecting to any act or determination of the commission in the exercise of the authority granted by this section may appeal to the city council. All such appeals shall be filed with the director within ten business days of the director or commission action being appealed and shall be accompanied by a written statement of grounds for the appeal. Failure to include a written statement of grounds for appeal shall invalidate the appeal and constitute a waiver of such appeal. At least ten days prior to the city council hearing on an appeal, notice of the time and date of the hearing shall be posted at or near the subject tree or trees and mailed to the appellant.~~

(Ord. No. 1303, § 1, 2-11-14)

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(Supp. No. 39)

12.20.050 Exemptions and emergency removal of trees.

A permit to remove a tree pursuant to this chapter is not required in the following circumstances:

- A. No permit shall be required for the removal of a protected tree damaged by a storm, fire or other natural disaster and determined by the city manager, director, peace officer or a firefighter to be an immediate hazard to persons or property.
- B. A permit shall not be required for the removal of a protected tree when removal is deemed necessary by fire department personnel actively engaged in fighting a fire.
- C. A permit shall not be required when determination has been made by the director, tree expert, or the commission that the tree is not viable or is a threat to persons or property.
- D. A permit shall not be required for removal of a tree by an overhead utility franchise holder which reasonably determines it must remove a tree that threatens to interrupt utility service or damage utility property.
- E. A permit shall not be required to prune those branches of a tree that encroach upon neighboring property. The owner of the property into which the branches encroach may act reasonably to trim or remove encroaching branches provided that the trimming does not ~~constitute substantial trimming, endanger the health or safety of the tree, or otherwise violate law other than this chapter.~~
- F. The city may, at no cost to adjoining property owners ~~remove, cut, prune, remove or substantially trim, or trim~~ any street or public tree which the city ~~arborist expert, contracted arborist, commission,~~ or director has found to be dangerous to persons or property.

(Ord. No. 1303, § 1, 2-11-14)

12.20.060 Duty of abutting landowners to remedy damage caused by private trees to public infrastructure. ~~Reserved.~~

- A. All owners of real property in the city shall properly cultivate, care for, and maintain all private trees in a manner that causes no damage or obstruction to public infrastructure, including sidewalks, curbs, gutters, streets, paths, and utility laterals and mains.
- B. Responsibility for private tree maintenance under subsection (A) of this section includes:
 - 1. Pruning roots as needed to prevent damage to public infrastructure;
 - 2. Pruning branches to maintain a clearance of 8 feet above a sidewalk or path, and 14 feet above a street;
 - 3. Pruning or removal of infested trees.
 - 4. Removal of dead trees.
 - 5. Pruning or removal of trees as ordered by the city's fire department.

12.20.070 Duty of abutting land owners to cultivate trees on public property.

- A. All owners ~~and persons having the possession or control of~~ real property in the city shall properly cultivate, care for, and maintain all trees ~~now or hereafter planted or set out~~ within any public street planting areas adjacent to that real property, subject to the requirements of this chapter.
- B. Responsibility for street tree maintenance under subsection (A) of this section includes:
- ~~1. Financial responsibility for damage or loss;~~
 2. On-going irrigation;
 3. Maintaining the right-of-way planting area free from weeds, vines, and debris, ~~or uneven walking surfaces;~~
 4. Maintaining the right-of-way free of obstructions inimical to public safety;
 5. Keeping tree trunks and branches free from climbing vines;
 6. Maintaining understory planting and irrigation in a manner beneficial to the tree;
 7. Keeping trees trimmed so as to remove any foliage encroaching into the space above a street to a height of fourteen feet and above sidewalk areas to a height of eight feet.
- C. No person may place water-impermeable material, ~~such as including but not limited to,~~ tar paper, ~~or plastic, or artificial turf~~ over the root zone of a street tree or public tree, or use materials or chemicals that sterilize the soil within the root zone of a street tree or public tree, ~~unless expressly authorized to do so by the director.~~
- D. Notwithstanding [any] other provision of this chapter, persons owning or controlling any land within the city shall maintain any sewer lateral lines serving that land clear of tree root obstructions, whether from city-owned or privately-owned trees. Any application for a permit for the removal of a city-owned parkway tree or a privately-owned protected tree for any purpose, including but not limited to relieving the applicant's sewer lateral of maintenance difficulties, ~~may be approved only if subject to mitigation measures such as those described in Section 12.20.115, which call for replacement of the tree or payment of fees for offsite tree replacement.~~
- E. All owners ~~and persons having the possession or control of~~ real property in the city shall be responsible for the cost of removal and replacement of or substantial trimming of street trees when the property owner's (applicant) request for removal or substantial trimming is approved by the director ~~or his/her designee, and the cause for the removal has not been determined by the city arborist or director to be a hazard to the safety of the public or private property.~~ For the removal or substantial pruning of a public tree that is not determined to be a hazard or otherwise detrimental to the urban forest or fire prevention, the following shall apply:
1. ~~The applicant shall post a deposit equal to the estimated cost to remove and replace the subject tree. Any unused portion of the deposit shall be returned to the applicant upon completion of the removal and replacement of the subject tree.~~ sign on the subject tree for no less than 15 days indicating the intention and mitigation to be done. The posting shall be done by the applicant and the sign shall be approved by the department of public works.
 2. ~~The director shall schedule the city's tree maintenance contractor to remove and replace the subject tree upon receipt of the deposit. The applicant will be required is financially responsible for removal and any mitigation that is required to be done. Any replacement trees shall be approved by the department of public works.~~

3. ~~The number of replacement trees required shall be as specified in the tree replacement matrix. Should the area from which the tree was removed be too small to accept the number of replacement trees so specified, or should the applicant be unwilling to accept a replacement tree, then replacement shall be in the form of payment of the cost of required planting(s) into the city's tree replacement fund.~~

~~(Ord. No. 1303, § 1, 2-11-14)~~

12.20.080 Tree work in public parks.

- A. Tree work in public parks shall be performed only by city employees or the city's contractors, ~~whether under contract with the city or working in conjunction with the city's adopt-a-tree program.~~
- B. ~~In permitting any planting, trimming or removal of trees pursuant to this section, the director shall be guided by the standards identified in Section 12.20.045(D).~~

~~(Ord. No. 1303, § 1, 2-11-14)~~

12.20.090 Designation of an official tree.

The Engelmann Oak, *Quercus Englemanni*, is designated as the official tree of the city of Sierra Madre. ~~The Engelmann Oak shall be a preferred replacement tree for mitigation measures, and shall be given special consideration for preservation in the review of development plans.~~

~~(Ord. No. 1303, § 1, 2-11-14)~~

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12.20.095 Designation of legacy ~~tree~~ to trees and horticultural specimens.

- A. To be designated a "legacy" tree by the commission, a horticultural specimen, tree or trees must meet the following criteria:
1. The ~~tree-item~~ must be considered an outstanding specimen (or group) of its species by virtue of either its location, health, conformation, age, size, identification with a specific person or historic event, or rarity, or any combination of the same.
 2. The ~~tree-item~~ must be in a location and in a state of health which indicates a high possibility of survival, given reasonable care, and in a location which would not automatically preclude reasonable future development of the site.
 3. The ~~tree-item~~ shall not be of a species prohibited for planting under Section 12.20.105 or of a species determined surplus by the commission under Section 12.20.150.
 4. A ~~tree-item~~ may be planted by a private property owner in order to memorialize a person or event and subsequently nominated by that property owner for legacy tree status.
- B. Any person may nominate a horticultural specimen, tree, or trees for "legacy-~~tree~~" status. The ~~energy, environment and~~ natural resources commission shall receive nominations of ~~trees-item~~ for "legacy-~~tree~~" status through the director of public works. The property owner, if not the nominator, shall be provided with a notice of the date, time, and place for the commission meeting at which the nomination will be considered. Such notice shall be provided at least ten days prior to the commission meeting. No tree shall be designated as a legacy tree by the commission without the written consent of the property owner.
- C. Any legacy ~~tree-item~~ may be identified with a marker or other means as determined by the commission, provided the property owner consents to such an identification. The director of public works shall maintain a current list of all legacy ~~trees-items~~ so designated by commission. The cost of making or installing legacy ~~tree-item~~ markers shall be the responsibility of the property owner.

- D. A ~~tree~~ item which meets the definition of a "legacy ~~tree~~" as defined in Section 12.20.020, or which is designated as a "legacy ~~tree~~" by the commission, shall remain the property of the landowner. The care of the ~~tree~~ item shall be the responsibility of the property owner; any property owner having a legacy ~~tree~~ item on ~~the~~ his property shall be expected to give the ~~tree~~ item reasonable care to ensure its continued good health.
- E. Upon designation of the commission as a legacy ~~tree~~ item, the ~~tree~~ item shall be afforded the same protection as provided for public and private protected trees under this code. Such protection of the legacy ~~tree~~ item shall apply regardless of the ~~species~~ species of the ~~tree~~ so designated designated tree.
- F. From time to time, the commission may recommend to the city council for adoption by council resolution, incentives for property owners to designate ~~trees~~ items as "legacy" ~~trees~~.

(Ord. No. 1303, § 1, 2-11-14)

12.20.100 Protected Tree removal—Private property.

- A. It is unlawful for any person, firm, or corporation to remove, damage, or ~~trim substantially~~ substantially trim any protected tree (as defined herein) on private property without ~~the written consent (permit) of a permit~~ from the department of public works, the director of public works. There shall be no fee charged the applicant for this permit, provided the action being taken on the tree is not associated with development/~~construction-related~~ construction-related impacts.
- B. In the event that a property owner applies for a building permit for a property from which a protected tree has been removed in the prior twelve months, the property owner shall provide mitigation for the removal of the tree in the form of replacement trees in accordance with the mitigation guidelines described in Section 12.20.040(C).
- C. In the event that a property owner has been found to have removed a protected tree without a permit the property owner shall provide mitigation for the removal of the tree in the form of replacement trees in accordance with the mitigation guidelines described in Section 12.20.040(C), and the commission may recommend to the planning commission that approval of building permit application or other development entitlement application be prohibited for up to five years. In determining whether to impose such a five-year prohibition, the planning commission shall consider whether the tree violation appears to be in furtherance of development, as evidenced in the extent of damage, removal, damage to the root system, and/or excessive trimming of trees within the buildable area of a property; oral or written admissions or repeated actions taken in spite of prior warnings; notices of violations; and the number and size of the damaged and/or removed trees.

(Ord. No. 1303, § 1, 2-11-14)

12.20.105 Planting of selected tree species prohibited.

- A. The commission shall develop a list of tree species prohibited for planting in city right-of-way to be incorporated into this code by city council resolution. The list may also be updated by resolution from time to time and a formal amendment to this ordinance shall not be required.
- B. The commission shall develop a list of tree species that ~~is prohibited for planting within the high fire hazard zone (as described in Chapter 15-28 of this code)~~ are prohibited for planting within the high fire hazard zone, or per current or future local and state fire prevention regulations or best practices, which will be incorporated into this code by city council resolution. The list may also be updated by resolution from time to time, and a formal amendment to this ordinance shall not be required.

(Ord. No. 1303, § 1, 2-11-14)

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(Supp. No. 39)

12.20.110 ~~Administrative permit procedure.~~ Reserved

~~Permits to remove or substantially trim trees pursuant to this chapter are discretionary and shall be issued by the director, after director or commission approval pursuant to Section 12.20.115. This section shall govern all applications for removal or substantial trimming of protected trees whether or not in connection with the issuance of a discretionary or ministerial permit issued by the city under the building code, zoning ordinance, or any other authority for development or other activity that will result in the removal or substantial trimming of protected trees.~~

~~A. An application for a tree removal or substantial trimming permit shall be on a form prepared by the city and shall be accompanied by a fee established by the city council, unless a no-fee permit is issued pursuant to subsection (B).~~

~~B. Applications shall first be reviewed by the director to determine whether the submittal is complete. If the director determines that the removal or substantial trimming is not related to a project, that the project will not necessitate adverse impacts on protected trees, and/or that the project for which an application is received requires no further discretionary approval of any city official or agency, the director may issue a no-fee permit under this chapter specifying mitigation measures or other conditions of approval.~~

~~C. If the director determines that commission review of the project is required, the director shall place the application on the agenda for the next available commission meeting for commission review under Section 12.20.115.~~

~~(Ord. No. 1303, § 1, 2 11 14)~~

12.20.115 ~~Commission-Development-related~~ permit procedure.

This section shall govern applications for removal or substantial trimming of protected trees in connection with the issuance of a discretionary permit issued by the city under the building code, zoning ordinance, or any other authority for development or other activity that will result in the removal or substantial trimming of protected trees.

- A. An application for a tree removal or substantial trimming permit from the ~~commission-city~~ shall be on a form prepared by the city and shall be accompanied by a fee established by the city council. Any application for a tree removal permit shall be accompanied by ~~a tree survey~~ a tree survey which shall indicate (i) the location of the trunks and drip lines of all the protected trees on the project site or immediately adjacent to the project site which are affected by the project; (ii) the species and diameter at breast height of each such tree; and (iii) whether or not the protected trees are to be removed or pruned as part of the project. The tree survey shall include photographs illustrating all of the protected trees on the site or immediately adjacent to the project site which are affected by the project. The

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director of planning and community preservation, or his/her designee, may also require a professional arborist report prepared at the expense of the applicant containing specific information on tree condition, analysis of the potential impact of the project on affected protected trees, valuation of the tree as calculated utilizing ISA tree valuation standards, recommended actions and mitigation measures, and proposed monitoring conditions with respect to one or more trees. Where monitoring is required, a certified arborist, selected and hired by the applicant must monitor work on the site that might impact the protected trees and, at completion of such work, submit a letter that the conditions of approval of the permit were complied with or specifying the manner in which the conditions were not complied with.

- B. Applications shall first be reviewed by the director of planning and community preservation, or his/her designee, or his/her designee, to determine whether the submittal is complete. Upon review of the application, the director of planning and community preservation, or his/her designee, may require the applicant to provide a comprehensive arborist report to guide the administrative or planning commission review of the proposed construction project. Complete applications shall then be submitted to the commission. The commission shall recommend whether or not and under what conditions, a permit should be granted by:
- ~~1. The planning commission as part of any application requiring only planning commission action.~~
 - ~~2. The city council as part of any application requiring any action by the city council.~~
 - ~~3. By the director for any proposal not requiring planning commission or city council action and which has been submitted to the commission for review under Section 12.20.110(C).~~
- C. Applications for permits under this section shall be evaluated under the following standards:
1. The design and placement of development should preserve existing healthy protected trees in place.
 2. The visual prominence and function of each protected tree on the site shall be considered prior to a decision on the application.
 3. Protected tree removal or substantial trimming shall not be approved unless one of the following applies:
 - a. The tree(s) prevent reasonable development of permitted uses due to site topography and required setbacks. Existing development on similar sites in the same zone as the project site and having similar topography and vegetation shall be considered. "Reasonable development" will be determined by the planning and community preservation Department and/or planning commission.
 - b. A hazardous condition of the tree(s) with respect to disease, maturity, danger of falling, proximity to existing structures, parking, high pedestrian traffic areas, activity areas or interference with utility services, which condition cannot be controlled or remedied other than by removing or substantially trimming the tree;
 - c. Good forestry practice suggests a reduction in the number of trees due to the incapacity of the property to sustain the trees present in a healthy condition after completion of the project.
 4. Protected trees approved for removal shall be replaced, unless a finding is made at the time of granting an application that the site is inadequate to support the required number of replacement trees, as follows:
 - a. Protected trees that prevent reasonable development shall be replaced within one year of removal by a minimum of one tree of the same species, or a suitable alternative species

approved by the city arborist which serves a comparable function (shade, screening, erosion control, etc.) as that of the tree removed. Minimum replacement tree size shall be not less than fifteen gallons and not larger than forty-eight-inch box, as determined by mitigation guidelines developed by the commission and established by resolution of the city council. If a replacement tree dies within five years of being planted, the permittee or his or her successor in interest in the property shall replace the tree with one of comparable size, within six months of the death or removal of the failed replacement tree;

- b. Trees estimated by the city ~~tree expert or contracted~~ arborist to be one hundred years old or more, or trees the commission determines to be of high visibility or extraordinary aesthetic quality shall be replaced by large, specimen trees if deemed appropriate by the city ~~tree expert or contracted~~ arborist, or mitigated so as to address the loss of such extraordinary and important trees if the city arborist determines that replacement with a large specimen tree is not appropriate;
 - c. The permittee and his or her successor in interest in the property are obliged to provide for continuing maintenance of required replacement trees for five years after they are planted. Mitigation monitoring requirements shall be specified in mitigation agreements pursuant to Section 12.20.130(C).
5. If a site cannot support all of the replacement trees required by this chapter, the applicant shall, at the city's discretion, provide:
- a. Planting native trees or related species approved by the director on public property identified by the city; and/or
 - b. Payment of an in lieu fee to the city's tree replacement fund according to a fee schedule established by resolution of the city council.

In either of the above cases, priorities for such tree planting locations shall be given to replacement of public and street trees, as noted in Section 12.20.120.

6. ~~Permit applications under this chapter shall be subject to the provisions of the California Environmental Quality Act, including the provisions of the city's most recently adopted local CEQA guidelines except as otherwise provided by CEQA or other law.~~

- D. A project shall not negatively affect a remaining tree. In particular:
- 1. All cut, fill and/or building foundation work shall be located a distance from the outside edge of the trunk of any remaining tree at least three times the diameter (dbh) of the affected tree, unless the certified arborist under contract to the applicant determines a lesser distance is adequate due to the species of the tree. No stockpiling, storage, or placement of project materials or excavated soils or other changes in grade may occur within the drip line of any protected tree, either temporarily during construction or permanently.
 - 2. The ground area surrounding the trunk of any remaining tree in which construction or other project activity may not intrude shall be conspicuously designated prior to the commencement of the project by durable semi-permanent means acceptable to the director or specified in the permit, such as construction fencing. In no event shall the designated area be closer than five feet from the trunk of a remaining tree unless the certified arborist under contract to the applicant determines a lesser distance is adequate for the protection of the tree. Areas so designated shall not be used to park vehicles or store demolition/construction-related materials and supplies, shall be maintained in a natural condition, and shall not be compacted by foot traffic, vehicle traffic or other means.

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3. The applicant shall submit a utility trenching plan to the director of planning and community preservation or his/her designee, for review and approval prior to issuance of a building permit for the project. The plan shall depict all facilities to be placed below grade ~~including, but not limited to, storm and runoff drains; sewers; gas lines; electrical, cable television, including, but not limited to, storm and runoff drains; sewers; gas lines; electrical, cable television,~~ and telephone lines; irrigation facilities and water mains. The plan must also show all lateral lines serving the proposed construction and any proposed subgrade irrigation facilities. The plan must locate all trees on the project site and trees on neighboring properties with root zones that intrude into the project site, and plot the portion of the root zones of such trees which lies within the project site. The plan shall comply with the following unless the director of planning and community preservation, or his/her designee, determines otherwise:
 - a. The trenching pathway plan shall avoid the root zone of any protected tree.
 - b. In cases where alternative routes are not available, tunneling under roots shall be used for all underground lines such as utility and drain lines in order to preserve roots two inches or larger in diameter. All tunneling shall be performed under the on-site supervision of the certified arborist under contract to the applicant.
 - c. Wherever possible, underground lines shall be combined in the fewest possible trenches.
 - d. Where it is not possible to avoid encroachment into root zones, the design must minimize such encroachment. The director may require that these encroachments and mitigation measures be documented in a supplemental report prepared by the certified arborist under contract to the applicant.
 4. No more than one-third of the root feeding zone of remaining protected oak trees may be affected by new development, unless the certified arborist under contract to the applicant demonstrates to the satisfaction of the director that the tree will not be harmed as a result.
 5. Damage to the root feeding zone of remaining trees other than protected oaks shall be permitted only as specified by the certified arborist under contract to the applicant. The commission shall establish root feeding zone standards for other tree species common to Sierra Madre ~~which, when adopted by resolution of the city council, which, when adopted by resolution of the city council,~~ shall govern future permitting decisions under this chapter and shall be made available to the public at city hall and the city library.
 6. All approved construction work within the root zone of trees scheduled for preservation shall observe the following minimum tree protection practices:
 - a. Hand trenching shall be done at point of grade cuts closest to the trunk to expose major roots. Major roots shall be cut only with permission of the certified arborist under contract to the applicant. In cases where rock or unusually dense soil prevents hand trenching, the director or his/her designee, may approve ~~use of mechanical equipment;~~ the use of mechanical equipment, provided that work inside the drip line of any remaining tree is closely supervised by the certified arborist under contract to the applicant to minimize tearing or other damage to major roots.
 - b. Permitted cutting of major roots shall be accomplished with a hand saw. Major roots shall not be ripped by backhoe, ditching machine, or similar grading equipment.
 - c. Absorbent tarp or heavy cloth secured by stakes shall be placed over new grade cuts with the root zone of a remaining tree. Two to four inches of compost or woodchip mulch shall be spread over the tarp or cloth to prevent soil moisture loss. The compost or mulch and tarp shall be thoroughly wetted twice per week to maintain soil moisture until backfilling occurs unless the arborist under contract to the applicant otherwise directs.

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- d. Trimming of branches shall be done with a hand saw, cut clean and performed according to standards of the International Society of Arboriculture. No tree sealant shall be used on cuts.
 - e. Decks located above the root zone of remaining trees shall be of post and beam construction or another design that reduces the need for root pruning or removal over that which would occur with raised foundation design.
 - f. On-grade patios or paving that cover more than one-third of the root feeding zone of remaining protected oak trees shall be constructed of permeable materials that allow air and water to penetrate the soil.
 - g. Planting and weed control beneath remaining trees shall take into consideration the watering requirements of such trees, so as to prevent damage from over- or under-watering or other adverse effects on the health of the trees. A list of plants suitable for under-planting shall be developed by the commission and adopted by resolution of the city council and maintained on file for public review at city hall. However, planting beneath oak trees should generally be avoided as placing a lawn or other plants that require frequent watering insure a slow death for oak trees due to their sensitivity to over-watering and susceptibility to oak root fungus.
- E. Appeals. Any interested person may appeal approval or denial of a permit application ~~pursuant to subsections (B)(1) or (B)(3) of this section~~. Such appeals shall be directly to the city council. ~~pursuant to Chapter 17.66.~~
- F. ~~Once the city council has acted upon an appeal regarding an application for removal or substantial trimming of a tree, all further applications and appeals relating to that tree within the following twelve months shall be made directly to the city council.~~

(Ord. No. 1303, § 1, 2-11-14)

12.20.120 ~~Tree planting required by the city; violation a public nuisance. Reserved~~

- ~~A. The city, in considering applications for any discretionary approval, may require tree planting on or adjacent to the project site, should the city determine that such tree(s) will mitigate a project's biological, aesthetic and land use impacts. Where tree planting adjacent to a project site is required, priority shall be given to replacement of public street trees in the vicinity which have died, or have been removed in accordance with the provision of this chapter.~~
- ~~B. The failure to provide or complete such mitigation, or otherwise fail to comply with the terms of a mitigation agreement, or a violation of any section of this chapter constitutes a public nuisance and may result in commencement of abatement procedures pursuant to Title 8 of this code and/or in any other remedy available at law or in equity.~~
- ~~C. In order to minimize impacts upon adjoining properties the planting of replacement trees shall be subject to the following setback restrictions. No replacement tree shall be planted within five feet from side property lines or ten feet from front and rear property lines.~~

~~(Ord. No. 1303, § 1, 2-11-14)~~

12.20.125 ~~CEQA application.~~

~~All applications for tree removal from undeveloped property (as defined herein) or relative to development shall be subject to the provisions of the city of Sierra Madre Guidelines for Implementing California Environmental Quality Act (CEQA) as adopted by the city council in April of 1998.~~

~~(Ord. No. 1303, § 1, 2-11-14)~~

12.20.130 New subdivisions.

- A. ~~Before any street improvements in any new subdivision of real property in the city are accepted by the city council, the subdivider shall enter into a subdivision improvement agreement and provide to the city a bond in an amount equal to the total cost for purchasing and planting of all trees to be planted along all streets in such subdivision. The subdivider shall be responsible for the planting of the trees at the proper time as determined by the tree expert. If the subdivider fails to plant the trees as directed by the tree expert, the bond shall be forfeited to the city and the city will plant such trees.~~
- ~~B. All applications for tree removal relative to development shall be subject to the provisions of the city of Sierra Madre Guidelines for Implementing California Environmental Quality Act (CEQA) as adopted by the city council in April of 1998.~~
- CA. The owner of any development project in which protected tree removal is proposed shall enter into a mitigation agreement with the city. The mitigation shall be in a form approved by the city and shall specify

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the tree removal mitigation measures directed by the city and agreed to by the owner. The agreement shall also specify the time frame under which the mitigation measures are to be implemented by the owner and the penalties to be imposed should the owner fail to comply to the provisions of the mitigation agreement.

(Ord. No. 1303, § 1, 2-11-14)

~~12.20.145 Conservation easements.~~

~~Any property owner may petition the city to establish a conservation easement to set aside all or a portion of any parcel of land in perpetuity to provide for the preservation and protection of trees deemed worthy of special concern by resolution of the city council. All petitions shall be reviewed by the energy, environment and natural resources commission, which shall make written recommendations to the city council on the feasibility and desirability of protective easements.~~

~~The terms and conditions of any easement shall comply with the provisions in the California Civil Code Sections 815-816 governing conservation easements, and shall include provisions allocating liability for both maintenance of any protected trees and liability of damages to third parties. The easement shall ensure to the benefit of the city of Sierra Madre, the Sierra Madre Mountains Conservancy, or any other governmental agency or nonprofit organization as designated by the city council. The form of the easement shall be approved by the city attorney. Upon approval of the city council, the easement shall be recorded in the official records of the clerk/recorder of the county of Los Angeles.~~

~~(Ord. No. 1435, § 6, 10-27-20)~~

12.20.150 Sale of surplus trees.

The ~~energy, environment and~~ natural resources commission is hereby authorized to review the stock of city-owned trees and determine which, if any, trees may qualify as surplus stock. The commission may recommend to the city council sale of such surplus trees. Any proceeds from such a sale shall be applied to the budget for maintenance of city street trees.

(Ord. No. 1303, § 1, 2-11-14)

12.20.155 Repeal of prior ordinances.

Ordinances 1103, 1146U, 1147U, 1148U and 1157 are repealed.

(Ord. No. 1303, § 1, 2-11-14)