

## Exhibit B

### TREE REMOVAL POLICY

#### An Administrative Policy based on Chapter 31 of The Lompoc City Code (Tree Ordinance)

#### INTRODUCTION

The City of Lompoc is planted with thousands of trees. These trees provide wind protection, shade, reduce water run off, clean air by capturing floating particles, and add to our quality of life by buffering noise. Maintenance of the trees in city rights-of-way is the responsibility of the Urban Forestry Division. Urban Forestry staff members and contract services plant, prune, maintain, and remove trees on City property.

Citizens may request tree maintenance and/or removal by contacting the Urban Forestry Division. Requests for the removal of dead trees may be made by phone; requests for removal of live trees must be made in writing to the Lompoc Beautification and Appearance Commission. Upon receipt of the request, the tree in question will be evaluated within three (3) days, and an appropriate plan of action will be implemented. The citizen will be notified of the inspection findings, what course of action will be taken, and when that action will occur. In the case of a request for removal of a live tree, the notification will be in writing. All other notifications will be made by telephone. Chapter 31, Section 3111 of the Lompoc City Code provides that of local law abuse or mutilation of City trees to facilitate the removal of the tree is a violation and may result in penalties.

#### PROCEDURES FOR TREE REMOVAL

##### City tree crews will remove a tree when:

1. **The tree is a "City tree".** A "city tree", as defined by Chapter 31, Section 3101.D of the Lompoc City Code, is any woody plant which will obtain a height of 15 feet or greater at maturity, planted by the City on City property or right of way purposes; and
  - A. **The tree is hazardous.** A hazardous tree, as defined by the International Society of Arboriculture, is a tree with a condition which makes failure imminent, of a size to cause damage if the tree falls, and a target which will be damaged by the fall; or
  - B. **The tree will be made hazardous by publicly funded construction and the project cannot be reasonably re-routed away from the tree.** Any of the following conditions would result in a hazardous tree: 1/3 or more of the root system is removed or damaged by construction; or work is performed within 4' feet of the buttress, and 4 roots greater than 4" in diameter are removed; or

## Tree Removal Policy

### Procedures for Tree Removal (Continued)

- C. **If the removal request is due to a sight distance problem, and no other cost effective alternatives exist.** In the event that the removal request is due to a tree that is causing a blind corner at an intersection, the Urban Forestry Division will work with the Engineering and Streets Divisions to best address the situation. Options that will be evaluated may include pruning, installing stop signs, traffic signals, or other control devices. The tree will be removed only if no cost effective alternatives exist; and removal is consistent with the interest of Lompoc's citizens' safety and will not detrimentally affect the City's urban forest, as determined by the Parks & Urban Forestry Manager. Reasons for removal may include, but are not limited to, irreparable decline of the tree resulting in the death of more than 50% of the canopy; the site of the tree is under power lines, and repeated pruning of the tree has severely disfigured it, etc.

**The City will allow a tree to be removed at the requester's expense when:**

1. **The tree is a "City tree";** and
2. **A free permit has been issued by the Urban Forestry Office,** per Chapter 31, Sections 3102, 3103 and 3104 of the Lompoc City Code; and
3. **Removal of the tree is consistent with the interest of Lompoc's citizen's safety,** and will not detrimentally affect the City's urban forest, as determined by the Parks & Urban Forestry Manager. Reasons for removal may include, but, are not limited to, irreparable decline of the tree resulting in the death of more than 50% of the canopy; the site of the tree is under power lines, and repeated pruning of the tree has severely disfigured it, etc:
4. **The request for removal is based on proposed privately funded construction, and the proposed construction project cannot be reasonably relocated away from the tree.** This applies to any type of construction, including all utility construction.

Any of the following conditions would result in a hazardous tree: 1/3 or more of the root system is removed or damaged by construction; or work is performed within 4' of the buttress, and 4 roots greater than 4" in diameter are removed. Prior to issuing a permit, the Parks & Urban Forestry Manager or designee may meet with the permit requester on site to evaluate the scope of the project and the tree in question, and to assess potentials for re-routing the construction project; and

## **Tree Removal Policy**

### Procedures for Tree Removal (Continued)

**5. The permittee agrees in writing to comply with any and all conditions on the permit.** Conditions may include, but are not be limited to, the following:

- Showing proof of statutory benefits for Worker's Compensation in an amount not less than \$1,000,000 per occurrence;
- Showing proof of automobile liability insurance of \$500,000 per accident (minimum);
- Showing proof of general liability insurance of \$1,000,000 minimum per occurrence with, the City of Lompoc named as additional insured. An original endorsement to effect this coverage must be provided along with the certificate evidencing all the required insurance;
- Showing proof that all tree workers on the job are American National Safety Institute (ANSI) certified line clearance tree workers;
- Grinding the stump to a depth of 12" to 24" below grade;
- Legally disposing of all debris generated by the removal; and
- Paying for a replacement tree in a location to be determined by the Parks & Urban Forestry Manager.

**The City may require the removal of a tree growing on private property by the property owner if:**

1. The tree endangers the life, health, safety or property of the public and,
2. The tree is declared a public nuisance, and the owner or agent of the owner is notified by certified mail (return receipt requested), and given a specific period of time of thirty (30) days or more to correct or remove the nuisance. If the nuisance is not corrected within the specified time, the City shall correct or remove the nuisance, and the cost of correction or removal will be billed to the property owner.

**The City may require the removal of a tree growing on public property by the property owner if:**

1. The tree was not planted by the City; and
2. The tree was planted on public property without first securing an Urban Forestry permit for planting ; and

## **Tree Removal Policy**

### Procedures for Tree Removal (Continued)

3. The tree is determined to be a nuisance to the public; and
4. The person who planted the tree will be notified and ordered to remove the tree and restore the site to its condition before the tree was planted within thirty (30) days or more. If the tree has not been removed, the City will remove the tree, and the cost of removal will be billed to the property owner.

### **The City will not allow the removal of a City tree when:**

1. The tree is not hazardous; or
2. No construction project is scheduled which would alter the health of the tree.

### **APPEALS.**

The Lompoc City Code, Section 3110, any interested person who is dissatisfied with the decision of the Parks and Urban Forestry Manager may file a written appeal to the City Clerk within 10 days after the decision. The appeal will be placed on the City Council agenda within 30 days thereafter. Decisions of the City Council are final.