

CITY OF CARLSBAD  
**COUNCIL POLICY STATEMENT**

Policy No. 4  
Issued Date December 8, 2009  
Effective Date December 8, 2009  
Cancellation Date \_\_\_\_\_  
Supersedes No. 4 (06-13-2000)

General Subject: STREETS  
Specific Subject: Street Trees

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Copies to: City Council, City Manager, City Attorney, Department and Division Heads,  
Employee Bulletin Boards, Press, File

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**BACKGROUND**

The City Council determined that the Street Tree Policy needed to be updated to ensure the preservation, proper maintenance and continued enhancement of public trees.

**PURPOSE**

Establishing a policy for the preservation, proper maintenance and continued enhancement of street trees in the City of Carlsbad.

**POLICY**

The following street tree policy shall be established

I. **Tree Planting**

- A. It shall be the goal of the City to maintain a tree population approaching 90% of all qualified (valid) tree sites within the developed right-of-way of the City.
- B. The City's Community Forest Management Plan shall set forth standards for planting, removal, replacement, maintenance and the preservation of street trees. The Plan will also target reforestation in areas of the City that do not have a healthy tree population.

II. **Tree Removal**

- A. The City will not remove any tree for the purpose of installation of a new sidewalk, or for street widening, until viable alternatives to tree removal have been investigated. Alternative to tree removal will be referred to the Parks and Recreation Director, or his/her designee, to allow for such alternatives to be considered prior to the removal of such a tree.

- B. It shall be the intent of the City not to remove any tree solely for the cause of damage to hardscape or for the cause of routing underground or overhead utility lines. Trees causing damage to sidewalks, curbs, gutters or pavement shall be inspected by a City arborist. Alternatives to tree removal, if any, will be included in a written report by the City arborist. The written report will be submitted to the Parks and Recreation Director, or his/her designee. The Parks and Recreation Director, or his/her designee, will decide which alternative, if any, to implement.
- C. The City will not remove existing street trees on the basis of individual or group preference for a specific species of tree.
- D. Any person may request the removal of a street tree, which is not dead, dying, hazardous or in such a condition that the City would not normally remove the tree by making a formal appeal to the Parks and Recreation Commission. Such a request shall include the reason for the request for removal.
- E. Potentially hazardous, dead, dying or diseased trees shall be inspected by a City arborist. Upon the written recommendation of the arborist for the removal of hazardous, dead, dying or diseased trees, a Letter of Notification will be posted in accordance with Section II.I.
- F. The City will not remove any tree solely for the cause of view restoration.
- G. Consideration for tree removal will be given a priority rating depending on the following factors:
  - 1. Service Life
  - 2. Damage to utilities and/or sewer lines
  - 3. Damage to hardscape
  - 4. Conformity of the existing tree to recommended species listThe highest priority removal shall be given to trees meeting all four factors. The second priority will be given to trees meeting three factors, etc.
- H. All tree removals, whether by the City, contractor, or resident shall include the removal of the tree stump and the removal of all stump grinding chips and the back-filling of the hole created by stump removal with a good quality top soil suitable for the replanting of a replacement tree.
- I. All trees recommended for removal shall be posted by attaching the Letter of Notification and a non-removable marking upon the subject tree a minimum of 30 days prior to their removal. In addition, notification in the form of a written notice shall be given to the owner of the property where the tree will be removed, and the owner on the adjacent properties and the owners on the property directly opposite, and the owners of the properties adjacent to the opposite property. Notification shall include, but not be limited to the following information:

1. The location of the tree
  2. The reason for the tree's removal
  3. The date of the scheduled removal
  4. The species of tree to be planted
  5. The size of the tree to be replanted
  6. The date by which an appeal must be made to the Parks and Recreation Commission
  7. A description of the appeal process
- J. The City will not use a clear-cut tree replacement strategy for the management of street trees. Where practicable, and when adequately planned, alternative tree sites will be planted a minimum of five years prior to the removal of reforestation.
- K. No Heritage Tree shall be removed except if it is determined by a City arborist that such a tree is creating a hazard to life or property, or by formal appeals process.

### III. **Tree Replacement**

- A. It shall be the goal of the City to replace all removed street trees. The species and approximate date of the replanting shall be included on the notice of tree removal as specified in Section II.I.
- B. It shall be the goal of the City to replace all removed trees within 45 days of their removal if the tree site meets the minimum specifications for a valid tree site.
- C. Tree sites not meeting the minimum specifications for a valid tree site will not be planted.
- D. All removed trees shall be replaced with a tree of the same species as removed, except where the removed species does not conform to the recommended species approved by the City, or the conditions existing at the valid site. No tree shall be planted into the public right-of-way that does not comply with the "*Uniform Street Planting Map*" approved by the City.
- E. Trees touching or nearly touching high-voltage utility lines shall be replaced with a recommended species.
- F. All tree replanting shall be with a minimum 15-gallon container tree, except when a person agrees to pay the difference in cost of a larger replacement tree size and any additional costs associated with the planting of a larger tree.
- G. A person may request replacement of a street tree species specified by the "*Uniform Street Planting Map*", with another species, only when there is a medical allergy certified by a medical doctor. The replacement tree will be approved by the City arborist and the Parks and Recreation Director, or his/her designee. All trees removed for this reason must be replaced with a tree listed as an approved species by the City.
- H. The City will allow short-term rotational plantings.

- I. The Parks and Recreation Director, or his/her designee will review the approved species list annually and will add and delete tree species based on their adaptability to street tree sites in Carlsbad.

IV. **Tree Maintenance**

Standards for tree maintenance shall be developed and incorporated into the City's Community Forest Management Plan, which shall be adopted by resolution of the City Council.

V. **Appeals**

- A. Any person may request a formal appeal to the Parks and Recreation Commission within thirty (30) calendar days of the posting of a City Tree for:
  1. the location or species of any street tree selected by City staff for planting at a specific location; and/or
  2. a staff recommendation for the removal of any non-hazardous street tree.
- B. Any person may request a formal appeal to the Parks and Recreation Commission for:
  1. the removal of a street tree which is not dead, dying or diseased; and/or
  2. the removal of a street tree that is listed as a Heritage Tree; and/or
  3. the removal of a street tree that is causing damage to hardscape or for the cause of routing underground or overhead utilities.
- C. If the Parks and Recreation Commission denies an appeal, the applicant may request a final appeal to the City Council within ten (10) calendar days of the Commission's decision.
- D. Fees for an appeal shall be determined by resolution of the City Council.
- E. Appeals will be made by submitting a Tree Appeal Form available from the office of the City Clerk.