



**City of Santa Barbara
Tree and Landscaping Preservation and
Enforcement Procedures - September 22, 2008**

1. What trees and landscaping do the City of Santa Barbara currently regulate?

- **Street Trees** - trees within the public right of way
- **City Trees** - trees on City property (parks, public facilities, etc.)
- **Setback Trees** – trees (more than 4" in diameter) within the front setback of private property. Front setbacks vary in residential zones from 10' to 35', and are not required in manufacturing and most commercial zones.
- **Parking Lot Trees** - trees required by the Zoning Ordinance for commercial, industrial, and multi-family residential parking lots.
- **Historic or Specimen Trees** - trees designated as Historic or Specimen trees by the City Council.
- **Approved Landscape Plans**- vegetation included on approved landscape plans.
- **El Pueblo Viejo Landmark District** - vegetation located in the El Pueblo Viejo Landmark District.

2. How does the City currently regulate these trees and landscaping?

- **Street Trees** - A permit (no fee required) from the Parks & Recreation Department is required for any pruning or removal. Considerations for tree removals are outlined in SBMC §15.24.060.
- **Setback Trees and Parking Lot Trees** – A permit (no fee required) from the Parks & Recreation Department is required if removing a tree or if pruning will reduce the overall size by more than 1/3 or alter its character. An arborist's report is required for major pruning.
- **Approved Landscape Plans** are reviewed by the Community Development Department and may require design review approval from the Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), or Single Family Design Board (SFDB).
- **El Pueblo Viejo Landmark District (EPV)** – all vegetation within EPV is reviewed by the Historic Landmarks Commission.

3. How does the City currently enforce these regulations?

- The Community Development Department enforces **Street Tree, Setback Tree and Parking Lot Tree** violations, in consultation with the Urban Forest Superintendent.
 - City investigates situation, determines violation and issues an Administrative Citation and fine (\$100 per tree), if warranted
 - If warranted, fines are imposed on the property owner *and the person/company who performed the work*
- The Community Development Department enforces violations of **Approved Landscape Plans** and changes within the **El Pueblo Viejo Landmark District**.
 - Written notice is sent to the property owner with a deadline to correct the violation (replace and/or restore the trees/landscaping, or request review and approval of a revised landscape plan by the appropriate design review body).

- If the deadline is not met, an Administrative Citation is issued and a fine (\$100 per violation) is imposed on the property owner. Additional fines are imposed if the violation remains uncorrected.
- If necessary, the City Attorney can litigate and take action to collect unpaid fines and/or obtain a court order requiring compliance. Any violation of the Municipal Code can be prosecuted as a misdemeanor.

4. What procedural changes has the City already implemented?

- Impose a fine (\$100 per tree) for Setback Tree, Street Tree, and Parking Lot Tree violations, if warranted
- In most cases, impose fines on the property owner and the person/company who performed the work.
- In addition to fines, require follow-up action to correct tree and landscaping violations.
- The Community Development Department, Parks & Recreation Department, and Fire Department will continue to work together to identify and enforce tree removals, severe pruning, and changes to approved landscape plans.

5. What additional changes is Staff considering?

- Impose fines on the property owner and the person/company who performed the work for tree and landscaping plan violations
- Increase fines from the current \$100 per violation. Under consideration is a sliding scale for Single Family Residence, Multi-Family Residence, and Commercial properties:
 - \$250 - \$500 per tree for inappropriate pruning (1st offense)
 - \$500 - \$1,000 per tree for inappropriate pruning (2nd offense)
 - \$500 - \$1,000 per tree removal without a permit, or landscape plan violation
- Establish a voluntary “certification program” for tree/landscaping maintenance companies to inform them of the City’s regulations, and for use in referrals.
- Add an exemption to allow tree removal or pruning when required by the Fire Department to maintain defensible space or comply with the City’s Wildland Fire Plan.
- Establish a maintenance standard for trees and landscape plans.
- Consistently measure tree diameter at 4½ feet above grade per current industry standard for the purposes of regulation.

We welcome your feedback on the proposed changes, and the following questions:

- a) Is the current Parks & Recreation permit review and approval process working?
- b) Would a “Certification Program” for tree/landscaping maintenance companies be beneficial?
- c) Is the proposed fine structure appropriate?
- d) Should we expand regulation to include 8” or larger oak and sycamore trees anywhere on private property?
- e) What other enforcement measures should be considered?
- f) How can we educate others about the City’s tree and landscaping regulations?

Please submit written comments by October 10, 2008 to:

Tim Downey, Urban Forest Superintendent, at TDowney@SantaBarbaraCA.gov
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