



Legislation Details (With Text)

File #: 19-445 **Version:** 1 **Name:** Street Tree AC Amendments (RESO)
Type: Resolution - Council **Status:** Passed
In control: City Council
On agenda: 9/3/2019 **Final action:** 9/3/2019
Enactment date: 9/3/2019 **Enactment #:** Reso 2019-150
Title: RESOLUTION of the City of San Leandro City Council to Amend Title 12, Chapter 8 of the City of San Leandro Administrative Code Pertaining to Street Tree Policy and Procedures
Sponsors: Debbie Pollart
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/3/2019	1	City Council	Adopted	Pass

RESOLUTION of the City of San Leandro City Council to Amend Title 12, Chapter 8 of the City of San Leandro Administrative Code Pertaining to Street Tree Policy and Procedures

WHEREAS, the City of San Leandro has over 20,000 street trees that provide many benefits to the City and its residents; and

WHEREAS, the City of San Leandro desires to provide an option to residents who may wish to remove a street tree, as long as appropriate risks are mitigated and just compensation is realized.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That Title 12, Chapter 8, Sections 12.8.100, 12.8.105, 12.8.110, and 12.8.115 of the City of San Leandro Administrative Code are amended to read as follows:

[New provisions proposed to be added are printed in **bold italic type**; Existing provisions proposed to be deleted are printed in ~~strikeout type~~.]

§12.8.100: GENERAL.

A street tree is a plant of arborescent form planted **by the City** within the public right-of-way. Except as specifically provided in this Chapter, trees planted **by the property owner that are located inside** or outside the public right-of-way, **and/or City trees that have been at some point maintained by the property owner** are the sole and exclusive responsibility of the property owner.

§12.8.105: STREET TREE PLANTING.

Property owners desiring a new street tree must contact the City to request a tree. The City will plant the tree for a fee set forth in §6.4.100 of the San Leandro Administrative Code. The property owner will have limited discretion as to the type of tree based on the area available for planting.

If an existing street tree is being removed by the City under the circumstances in §12.8.110 **and the property owner asks for** ~~City will require~~ a replacement tree to be planted, there will be no cost to the property owner for this service.

§12.8.110: STREET TREE REMOVAL.

The City will remove a street tree under the following circumstances:

- (a) Where the tree is dead or damaged beyond expected recuperation (by storm, vehicle accident, etc.).
- (b) Where hazardous conditions exist (e.g., a tree in danger of falling over).
- (c) Where the City determines a tree has caused concrete or sewer damage and further damage cannot be prevented by normal tree maintenance measures, such as root pruning.
- (d) Where the City is engaged in a scheduled and phased tree removal and replacement program.
- (e) Under unusual hardship circumstances upon ~~approve~~ **approval** by the Public Works Services Director.

A property owner may prune or remove a City street tree under the following conditions:

- (f) ***The property owner shall obtain an encroachment permit from the City Engineering & Transportation Department prior to pruning or removal of the City tree.***
- (g) ***The tree removal shall include stump-grinding, with return of the planting area to either softscape or hardscape that does not create a tripping hazard to the public.***
- (h) ***The cost of pruning or removal and stump-grinding of the City tree shall be the exclusive responsibility of the property owner.***
- (i) ***If a replacement tree is not requested by the property owner as set forth in §12.8.105, the property owner shall be required to pay the City the fee set forth in §6.4.100 of the San Leandro Administrative Code for a tree to be planted in a location of the City's choosing.***

§12.8.115: STREET TREE TRIMMING.

The City trims young street trees as needed for proper growth. Mature trees are trimmed by area on a scheduled basis depending on the size and species of the trees.

Pacific Gas & Electric, as the local electricity utility purveyor, may trim or remove City trees at any time in order to maintain electrical line clearance, and will attempt to provide prior notification to the property owner. It is noted that Pacifica Gas & Electric does not remove/grind the stumps of trees that they remove.