

Oak Tree Preservation Ordinance

April 6, 2021

Monrovia City Council



Oak Tree Preservation

- Oak Tree Preservation Ordinance was adopted in 1987.
- Encourages the protection of mature oak trees citywide through the implementation of a Oak Tree Preservation Permit process.
- All oak species covered.
- Mature oaks trees protected: any oak tree with a diameter of 10' or more, measured two-feet above ground level.

Purpose

As stated in the Ordinance (MMC 17.20.040(A)):

The purpose of this section is the preservation of healthy oak trees which are necessary to preserve the present scenic beauty and heritage of Monrovia, maintain property values and promote conservation of natural resources. It is the intent of this chapter to establish regulations for the removal and pruning of oak trees within the City in order to retain as many trees as possible consistent with the purpose thereof and the reasonable economic enjoyment of private property.

Location

- All oak trees citywide that meet the size threshold are subject to the provisions of the ordinance, except:
 - For properties developed with a single family dwelling (regardless of zoning district), only oak trees in the front yard and street facing side yard (on a corner lot) are subject to the Ordinance.

Oak Tree Preservation Permit

- Conditions requiring a permit:
 - Removal of an oak tree
 - Pruning of more than one third the canopy and/or root system.
 - Irrigation installed or grading proposed within the drip line of a protected tree.

Oak Tree Preservation Permit process

- Applicant must submit:
 - Site plan showing location of the tree(s)
 - Report from a certified arborist that describes the condition of the tree.
 - \$50 Fee
- Permit reviewed by the Development Review Committee (DRC)
 - DRC appeals are heard by the Planning Commission.
- Emergency Removal exemption
 - If it is determined that a tree poses a hazard to life or property, any member of the Police Department, Fire Department or the Parks Division may authorize the removal without a permit.
 - Actions of public utilities are exempt.

Other tree preservation tools

- Variances. The preservation of an oak tree can be used as a finding for granting a variance.
- Development Review. The preservation of *all* mature trees is a consideration of through the entitlement process. Tree preservation conditions can be imposed when applicable.
- Penalty. Violations of the ordinance are either an infraction (Single family properties) or a misdemeanor (all others)

Surrounding Jurisdictions

- **Arcadia.** Regulates all the removal of all mature oaks and sycamores and certain other mature trees in required setbacks. Public notice required. Reviewed by the Director.
- **Duarte.** Regulates the removal of oaks, California bay laurel, California black walnut, California Sycamore, and Toyon. Trees in the rear yards of SFRs are exempt. Reviewed by the Director
- **Los Angeles County.** Regulations the removal of “heritage” oak trees in unincorporated areas. Reviewed by the Planning Director, County Forester, or Fire Warden. Fees range from \$1,253-\$11,322.
- **California.** Regulations apply to state owned property only.



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