



City of Laguna Beach

Community Development
Department

INFORMATIONAL GUIDE

TREE REMOVAL PERMIT PROCESS

The Laguna Beach City Council adopted the Tree Removal Permit Process, Laguna Beach Municipal Code (LBMC) Chapter 12.06 on June 26, 2018. The Ordinance establishes protection of trees by establishing a permit process prior to the removal of trees categorized as Heritage trees, design review approved trees and privately maintained trees in the public right-of-way. Privately maintained trees that do not fall into one of the aforementioned categories do not require a permit prior to removal. Each property owner in the City of Laguna Beach is responsible for determining if a permit is required prior to removal of a tree.

What is the purpose of the tree removal permit process?

The City Council declares that trees serve an important feature to the urban forest of Laguna Beach. The Ordinance establishes a permit process prior to the removal of significant or landmark trees that add value to the City and neighborhoods.

When is a Tree Removal Permit required?

In accordance with LBMC Chapter 12.06, trees that fall into three categories are subject to application for a Tree Removal Permit prior to removal of the tree.

- Category I: Trees listed on the city Heritage Tree List. (*City Council approval.*)
- Category II: Trees on a landscape plan approved through the Design Review process. (*DR approval.*)
- Category III: Trees privately maintained in the public right-of-way. (*Director approval.*)

What criteria are used to issue a tree removal permit?

Criteria for removal of Heritage trees are established in LBMC Section 12.08.070 of the Municipal Code. Criteria for removal of design review approved trees are established in LBMC Section 25.05.040. Criteria for removal of privately maintained trees in the public right-of-way are established in LBMC Section 12.06.050 and include suitability of the tree to the planting area, potential negative impacts to the public infrastructure, potential adverse impacts to screening or shading and/or potential impacts to the streetscape or neighborhood aesthetics.

Are replacement trees required with approval of a tree removal permit?

Yes. Each application submitted for removal of a tree in Category I, II or III is required to include a suggested species for replacement. The deciding body for each permit Category shall approve the replacement species and size and shall so state on the permit approval. Replacement tree(s) shall be planted within 30 days after removal of the subject tree.

Arborist fees

Should the City require a certified arborist consultation or report at any time during processing of the permit application, those fees shall be the responsibility of the applicant.

Expiration

Tree Removal Permit applications that have not been acted upon within one year from the date of issuance, or if an appeal is filed, one year of the date of the final decision, shall become null and void.

Is there a penalty for removing a tree without a permit?

Yes. Removal of a tree that falls into a Category I, II or III permit, without first obtaining a permit, is subject to daily accrual of civil fines associated with an administrative citation in accordance with LBMC Section 1.04.025. The City may also delay issuing final building permits associated with a project and/or may assess any costs incurred by the City to comply with the tree removal permit process. Additionally, any person removing a tree without a permit shall be subject to penalties based upon the size and the number of trees removal as noted in LBMC Section 12.06.100. Penalties for removal of Category I, Heritage trees, shall be double the penalty for removal of Category II & III trees. Each tree removed without a permit or in violation of a permit shall constitute a violation and a separate fine may be assessed. Any property owner, firm or corporation, including a contractor of the property owner, who violates any provision of LBMC Chapter 12.06 may be subject to administrative, civil or criminal remedies permitted by law available to the City.

Removal without or in violation of a permit.	Trunk DBH		Trunk DBH		Trunk DBH	
	6" up to 12"		over 12" up to 24"		over 24"	
Permit Category	I	II & III	I	II & III	I	I / II & III
First Violation	\$2,000	\$1,000	\$6,000	\$3,000	\$10,000	\$5,000
Second Violation	\$6,000	\$3,000	\$14,000	\$7,000	\$24,000	\$12,000
Third Violation	\$10,000	\$5,000	\$20,000	\$10,000	\$30,000	\$15,000

A Tree Removal Permit application sufficient for filing with the City shall consist of all the following items:

1. A completed and signed Tree Removal Permit application including a written narrative detailing the request for removal of the tree. The narrative should describe the extent, if any, to which the current tree is negatively impacting the site or why the tree is considered a danger to the public health, safety and welfare. The application shall also include an arborist report when decline in health of the tree is cited.
2. Color photographic prints submitted on 8 ½ X 11 paper for each tree subject to the application. Photographs must clearly depict the size of the tree and the location of tree on the site in relation to existing structures and any public infrastructure. Photographs of any negative impacts to the site or to the neighborhood must also be attached when stated as a reason for the request for removal.
3. A plot plan which details the property boundary, adjacent streets and alleys, and the location of all tree subject to the application. Category II permit applications should also include a copy of the landscape plan approved through the design review process.
4. The common name, species and approximate DBH (diameter at breast height 4'-6" above grade) of each tree subject to the application.
5. Suggested replacement tree (common name and species) and the proposed size of the replacement tree.
6. A fee appropriate for the permit Category assigned to the application as adopted by resolution of the City Council.
7. Category I & II permit applications require submittal of a Noticing List pursuant to LBMC Section 12.08.040 and LBMC Section 25.05.065. The noticing list must to be submitted when scheduling the hearing.

After submitting a Tree Removal Permit application, as outlined above, staff will review the claim for completeness and assign a permit Category to the application. The application will be processed in accordance with the LBMC Section 12.06.040.

Cost for removal

All costs associated with the removal of the tree shall be the responsibility of the property owner. Any damages to the public infrastructure that may occur as a result of the removal of the tree shall be assessed by the City to the property owner.