



Placentia Streetscape and Transportation Advisory Commission Agenda

Special Meeting
January 22, 2024
6:00 p.m.

City Hall Front Community Room
401 E. Chapman Avenue, Placentia, CA 92870

Meredith Castillo
Commissioner

Dr. Arinder Chadha
Commissioner

Thomas Ingalls
Commissioner

Nick Polichetti
Commissioner

Matthew Rocke
Commissioner

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Streetscape and Transportation Advisory Commission's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE the item is called.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

**PLEASE SILENCE CELL PHONES AND OTHER ELECTRONIC
EQUIPMENT WHILE THE COMMISSION IS IN SESSION.**

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8148

Fax: (714) 528-4640

Website: www.placentia.org

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Public Works Counter, Placentia Library Reference Desk and the internet at www.placentia.org under the Streetscape & Transportation Advisory Commission page. Persons who have questions concerning any agenda item may call the Public Works Department at (714) 993-8148 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Streetscape and Transportation Advisory Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Front Community Meeting Room.

SPECIAL MEETING
6:00 p.m. – City Hall Front Community Room

CALL TO ORDER:

ROLL CALL: Commissioner Rocke
Commissioner Polichetti
Commissioner Chadha
Commissioner Castillo
Commissioner Ingalls

PLEDGE OF ALLEGIANCE:

ORAL COMMUNICATIONS:

At this time the public may address the Streetscape and Transportation Advisory Commission concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the Streetscape and Transportation Advisory Commission. There is a five (5) minute time limit for each individual addressing the Streetscape and Transportation Advisory Commission.

CONSENT CALENDAR: None

PUBLIC HEARING:

1. Appeal of Denied Tree Removal Request – 2107 Carleton Circle

Recommended Actions: It is recommended that the Streetscape and Transportation Advisory Commission:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 2107 Carleton Circle; and
2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 2107 Carleton Circle.

2. Appeal of Denied Tree Removal Request – 626 Sherwood Avenue

Recommended Actions: It is recommended that the Streetscape and Transportation Advisory Commission:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 626 Sherwood Avenue; and

2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 626 Sherwood Avenue.

3. Appeal of Denied Tree Removal Request – 1913 Twain Place

Recommended Actions: It is recommended that the Streetscape and Transportation Advisory Commission:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 1913 Twain Place; and
2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 1913 Twain Place.

REGULAR AGENDA: None

NEW BUSINESS:

1. Citywide Tree Planting Updates

Recommended Actions: It is recommended that the Streetscape and Transportation Advisory Commission:

1. Receive oral presentation.

OLD BUSINESS: None

INFORMATION/COMMUNICATIONS :

1. POLICE DEPARTMENT TRAFFIC SUMMARY
Statistical update on accident and enforcement information provided by the Placentia Police Department.

STREETSCAPE AND TRANSPORTATION ADVISORY COMMISSION REQUESTS

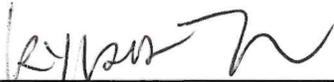
Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Streetscape & Transportation Advisory Commission CLOSE to the next regular meeting on Monday, March 18, 2024, at 6:00 p.m. in the City Front Community Meeting Room located at 401 East Chapman Avenue, Placentia CA, 92870.

CERTIFICATION OF POSTING

I, Kyra Tao, Transportation Manager/Secretary to the Streetscape and Transportation Advisory Commission of the City of Placentia, hereby certify that the Agenda for the January 22, 2024, Special Meeting of the Streetscape and Transportation Advisory Commission of the City of Placentia was posted on January 18, 2024.



Kyra Tao, PE, PTP
Transportation Manager/
Secretary to Streetscape and Transportation Advisory Commission



Streetscape and Transportation Advisory Commission

AGENDA STAFF REPORT

TO: STREETScape AND TRANSPORTATION ADVISORY COMMISSION
FROM: ELSA ROBINSON, SENIOR MANAGEMENT ANALYST
DATE: JANUARY 22, 2024
SUBJECT: **APPEAL OF DENIED TREE REMOVAL REQUEST – 2107 CARLETON CIRCLE**

RECOMMENDATION:

It is recommended that the Streetscape and Transportation Advisory Commission take the following actions:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 2107 Carleton Circle; and
2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 2107 Carleton Circle.

BACKGROUND:

On May 10, 2023, the Public Works Department (Department) received a tree removal request from Ms. Heather Comey for one (1) Liquidambar styraciflua tree (Tree), located in the parkway in front of 2107 Carleton Circle (Attachment 1). The basis for the applicant's street tree removal request was that she had to install a new sewer line due to damage from the tree roots. On May 16, 2023, Ms. Comey was mailed a decision letter notifying her that her tree removal request was denied since it did not meet the criteria for Staff approval for removal as defined in the City's Urban Forest Protection Ordinance (Ordinance), Section 14.12.070 of the Placentia Municipal Code ("PMC"). On September 11, 2023, the City received via mail an appeal form from Ms. Comey for the Streetscape and Transportation Advisory Commission (Commission) to consider her tree removal request.

Tree Removal Request Review Process

On May 10, 2023, City staff inspected the tree and evaluated the reported problems with the parkway tree. The tree is a Liquidambar styraciflua. The tree was found to be in good health with no apparent structural issues or diseases present. The tree is approximately thirteen plus feet (13+') in height with a trunk diameter of fifteen plus inches (15+"). The tree has been maintained by the City as part of its four-year tree trimming cycle and was last trimmed on August 2, 2022 (Attachment 2).

Per Section 14.12.070 of the Placentia Municipal Code, a City tree can be remove based upon the following conditions:

1. Hazardous Trees. The Public Works Department shall identify hazardous trees based on the severity of the following signs of decline:
 - a. Large dead branches in the tree.
 - b. Cavities or rotten wood along the trunk or in major branches.
 - c. Mushrooms present at the base of the tree.
 - d. Cracks or splits in the trunk or where branches are attached.
 - e. Strong lean at the trunk.
 - f. Many major branches arise from one (1) point on the trunk.
 - g. Damaged, broken, or injured roots.
 - h. Tree has been topped or otherwise heavily pruned.
2. Dead Trees. Trees that are dead or have been determined by an ISA certified arborist to be in a state of severe decline with no available remedies to save the tree, although perhaps not an immediate hazard, shall be removed.
3. Emergency Removals. Healthy trees may be removed if the Director or designee decides an emergency condition exists, and tree removal is determined to be the only option available.
4. Public Safety. Healthy trees may be removed if the Director or designee decides that a public safety concern exists, and the tree removal is determined to be the only option available.
5. Other Removals. Other examples where a condition shall warrant removal include:
 - a. Diseased/Insect Infested Trees. The tree is diseased, has lost its productive capacity, and is not likely to recover despite the application of available remedies. Trees that acquire an infectious disease or are infested with an insect that is declared to be a serious pest threat to other nearby trees shall be removed, if removal is determined to be the best pest control solution by a certified arborist.
 - b. Building Damage. If a tree is causing structural damage to a building, and the condition cannot be corrected without removing the tree, or severely damaging its root structure causing it to fail or potentially topple over.
6. Surface Roots. In situations where tree roots have developed above the surface, an ISA certified arborist shall evaluate the roots and determine if root pruning can occur without

jeopardizing the health and stability of the tree. Should the arborist decide that roots cannot be pruned without jeopardizing the tree, and those same roots pose a safety concern, the tree may be removed.

7. Hardscape Damage. If hardscape repairs cannot be completed without severe root pruning which would jeopardize the health and stability of the tree, the tree may be removed. The general policy that shall be observed when repairing or replacing hardscape adjacent to a city tree is that the health and integrity of the tree take precedent over the installation of concrete or asphalt. Every effort shall be made to protect the tree from root or trunk damage.
8. Several alternatives are available for accommodating the installation of new hardscape without severely infringing upon a tree's root system. Any hardscape installation that may involve the removal of an extensive portion of a tree's root system or may require the removal of one (1) or more roots that are of a diameter greater than two (2) inches, shall first be evaluated by the certified arborist. If it is determined by the certified arborist that the removal of the offending roots might jeopardize the health or integrity of the tree, then one (1) of the following alternatives should be considered:
 - a. Offset. An offset is the tapering or reduction of a sidewalk's size down to a width no less than thirty-six (36) inches.
 - b. Reconfiguration. Sidewalks do not need to be constructed in a straight line. If the public easement can accommodate it, a sidewalk may be reconfigured to curve around a tree in a suitable manner. In some cases, the property owner may wish to extend the easement over their property to accommodate the installation of sidewalk without removing a tree. Any root removal that occurs while completing hardscape installation shall conform with the root pruning specifications provided by city staff.
 - c. In all cases, all sidewalk modification must conform to all current ADA or CBC standards.

The following reasons are not valid for tree removal:

1. Leaf litter in gutters, on sidewalks or private property.
2. Messy/excessive fruit.
 3. Root intrusion into sewer laterals because of deteriorating infrastructure.
 4. Hardscape damage unless a feasible, economic solution does not exist to save the tree.

Appeal of City Staff's Decision

Ms. Heather Comey is appealing Staff's denial of her removal request on the basis that she believes the tree roots are raising and cracking the public sidewalk people walk on, creating a public safety hazard (Attachment 3).

The Applicant has been notified of the Commission meeting and has been sent an agenda and a copy of this staff report. Notification of the tree removal request was posted on

2107 Carleton Circle, and letters were sent to the adjacent and abutting property owners to the tree involved.

Pursuant to Section 14.12.080, of the PMC, the Commission may grant the tree removal request if it finds that the burden to the property owner if the request is denied substantially outweighs: (A) the benefit that a denial provides to the public; and (B) the burden to the public if it is granted. The decision of the commission is final. The Commission may evaluate the following factors:

- a. Species of tree.
- b. Size of the tree.
- c. Approximate age of the tree.
- d. Physical characteristics of the tree.
- e. Environmental productivity of the tree.
- f. Safety of the property owner and general public will be considered.
- g. Asset value of the tree.
- h. Utility conflicts, both above and below ground, may be considered when evaluating a removal request.
- i. Species and age diversification may be considered to determine if the street would benefit from having a more diverse street tree population to reduce threats of deforestation.

If the Commission grants the tree removal request, subsequent removal of the tree(s) shall be at the applicant's cost and expense. The property owner shall also be responsible for the cost of procuring and planting two (2) replacement trees; and funds remitted to the city shall be deposited into the City's Tree Replacement and Planting fund. The costs for removal and planting of the two (2) replacement trees are based upon the City's current tree maintenance contract rates for removal and planting.

RECOMMENDATION

The City-owned tree that has been requested to be removed is in the public right-of-way at 2107 Carleton Circle. The tree is in good condition, has been maintained appropriately on a regular schedule and is not creating a public safety hazard. Therefore, it does not meet the criteria for removal. It is recommended that the Commission deny the request to have the tree removed.

Prepared by:

Elsa Y. Robinson
Senior Management Analyst

Reviewed and approved:



Luis Estevez
Deputy City Administrator

Attachments:

1. Tree Removal Request from Applicant
2. Tree Maintenance History

3. City Letter of Denial for Tree Removal Request
4. Appeal Form/Letter from Ms. Heather Comey



City of Placentia
 Public Works Department
 401 East Chapman Avenue
 Placentia, CA 92870
 (714) 993-8148
 www.placentia.org

CITY TREE REMOVAL REQUEST FORM

TREE REMOVAL/MAINTENANCE REQUEST FORM

Please TYPE or PRINT all information clearly.

RECEIVED
 MAY 03 2023
 CITY OF PLACENTIA
 PUBLIC WORKS DEPT

1) REQUESTOR'S INFORMATION

Date: 5/3/23 Name: Heather Comey Phone: (714) 900-2573

Mailing Address: hcomey@hotmail.com

Email Address: 2107 Carleton Circle

2) REQUESTED ACTION

Remove Trim Plant New Tree Inspect Other: _____

Tree Species (if known): _____ Number of Trees: 1

Address/Location of Tree: 2107 Carleton Circle

Nearest Cross St: Kraemer (major cross street)

Located within a parkway Yes No Unknown

3) REASON FOR REQUEST

Causing Damage Dead Uprooted/Safety Hazard Diseased Beautify

Other/Description: had to have new sewer placed due to damage from roots.

Supplemental Data Attached: _____

FOR CITY USE ONLY

APPROVED ACTION:

Remove Trim Plant New Tree Inspect Other: _____

Tree ID# and/or Species (if known): _____ Diameter (inches) _____ Height (inches) _____

Inspected by: _____ Date: _____
 (Signature)

Director or Designee: _____ Date: _____
 (Signature)

Date of Applicant Notification: _____ Email Mail

Site Detail (33.900388970808,-117.8622592999)(WCA InventoryID: 869188)

District	Address	Location	Species	DBH	Height
5	2107 CARLETON CIR	Front-1	<i>Liquidambar styraciflua</i> AMERICAN SWEETGUM	13-18	15-30

Maintenance	Valid	Est. Value	Utility	Parkway
Grid/Routine Trim	Yes	\$3,260	No	4

Crew	Date	Work Type / Comments	Job # / Acct #	Invoice#	Amount
WCA	08/02/2022	Grid Pruning	69736	189746	\$59.00
WCA	08/08/2018	Grid Pruning	44255	139428	\$59.00
WCA	08/06/2012	Grid Pruning	22408	82158	\$39.00
WCA	07/10/2008	Grid Pruning	12683	53701	\$44.40
WCA	07/30/2001	Raises Trimming	4330		\$20.75

The People are the City

Mayor

WARD L. SMITH

Mayor Pro Tem

JEREMY B. YAMAGUCHI

Councilmembers:

KEVIN KIRWIN
RHONDA SHADER
CHAD P. WANKE



City Clerk:

ROBERT S. MCKINNELL

City Treasurer

KEVIN A. LARSON

City Administrator

DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

May 16, 2023

Heather Camey
2107 Carleton Circle.
Placentia, Ca, 92870

SUBJECT: TREE REMOVAL REQUEST – 2107 CARLETON CIRCLE.

Dear Ms. Camey

The Public Works Department has reviewed your request for a tree removal of one (1) Liquidamber syraciflua tree located at 2107 Carleton Circle. and has denied your request.

City staff inspected the tree and evaluated the reported problems with the tree. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition, that presents legitimate public safety concerns. The tree does not meet the criteria for approval for removal as defined in the City's Urban Forest Protection Ordinance, Section 14.12.070 of the Placentia Municipal Code.

The City's Urban Forest protection Ordinance was adopted to protect, preserve, and expand the City's urban forest. Trees are a valuable resource to the community that provide environmental, economic, social and public health benefits along City streets and parks, and are critical to maintaining an attractive City. The ordinance established a tree removal process and criteria for the orderly removal of City trees when appropriate. Based on inspection of the tree, City staff determined that the tree does not meet the ordinance's criteria for tree removal.

You may appeal this decision to Streetscape and Transportation Advisory Commission (Commission) by filing a written appeal within **five (5) business days** of the date of this letter. To ensure transparency and inform the public, appeals will be reviewed by the Commission at a public meeting to provide a final determination. The entire appeal policy is attached to this letter.

If you have any questions, please contact Joel Cardenas, Public Works Superintendent at (714) 993-8212 or by email at jcardenas@placentia.org.

Sincerely

Luis Estevez,
Deputy City Administrator

Attachment:

City Tree Removal Appeal Policy & Form

From: heather comey
Sent: Tuesday, July 25, 2023 10:51 AM
To: erobinson@placentia.com
Subject: Fwd: Appeal- Heather Comey

Get [Outlook for iOS](#)

From: heather comey
Sent: Monday, July 24, 2023 12:11:13 PM
To: erobinson@placentia.com <erobinson@placentia.com>
Subject: Appeal- Heather Comey

Hello Elsa,

This was one of the documents (attached) that I mentioned I would submit in the appeal email once my plumber wrote it up, shortly after I sent in the paperwork for my appeal. The damage to the pipe was caused by the tree we are requesting to take down. We are fine paying for the removal, we just need the approval. The cost of keeping it could be another several thousand dollars for the same issue in a few years. We have both our water and gas lines right where the roots of that tree grow. We are trying to mitigate any further damages. This cost us just under \$15K to replace both pipes. The 2nd pipe had another tree on our property that we will cut down ourselves. This appeal is for the one tree on the grassy area closest to the street. Thank you for your quick return call this morning and I would greatly appreciate your confirmation of receipt for this email.

Thank you,
Heather Comey
714-906-2573

Get [Outlook for iOS](#)



Streetscape and Transportation Advisory Commission

AGENDA STAFF REPORT

TO: STREETScape AND TRANSPORTATION ADVISORY COMMISSION
FROM: ELSA ROBINSON, SENIOR MANAGEMENT ANALYST
DATE: JANUARY 22, 2024
SUBJECT: **APPEAL OF DENIED TREE REMOVAL REQUEST – 626 SHERWOOD AVENUE**

RECOMMENDATION:

It is recommended that the Streetscape and Transportation Advisory Commission take the following actions:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 626 Sherwood Avenue; and
2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 626 Sherwood Avenue.

BACKGROUND:

On September 25, 2023, the Public Works Department (Department) received a tree removal request from Mr. Tim Brogden for one (1) Carrotwood tree, located in the parkway in front of 626 Sherwood Avenue (Attachment 1). The basis for the applicant's street tree removal request was that tree's roots have cracked three irrigation pipes and a drain line. In addition, the request from the applicant stated that several elderly people have fallen due to ponding water and uplifted sidewalk as result of the tree. On October 4, 2023, Mr. Brogden was mailed a decision letter notifying him that his tree removal request was denied since it did not meet the criteria for Staff approval for removal a defined in the City's Urban Forest Protection Ordinance (Ordinance), Section 14.12.070 of the Placentia Municipal Code (PMC). On October 9, 2023, the City received via mail an appeal form from Mr. Brogden for the Streetscape and Transportation Advisory Commission (Commission) to consider his tree removal request.

Tree Removal Request Review Process

On September 26, 2023, City staff inspected the tree and evaluated the reported problems with the parkway tree. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition that presents legitimate public safety concerns. The tree is a Carrotwood. The tree was found to be in good health with no apparent structural issues or diseases present. The tree is approximately thirty plus feet (30+') in height with a trunk diameter of nineteen plus inches

(19+"). The tree has been maintained by the City as part of its four-year tree trimming cycle and was last trimmed on July 27, 2023 (Attachment 2).

Per Section 14.12.070 of the Placentia Municipal Code, a City tree can be remove based upon the following conditions:

1. Hazardous Trees. The Public Works Department shall identify hazardous trees based on the severity of the following signs of decline:
 - a. Large dead branches in the tree.
 - b. Cavities or rotten wood along the trunk or in major branches.
 - c. Mushrooms present at the base of the tree.
 - d. Cracks or splits in the trunk or where branches are attached.
 - e. Strong lean at the trunk.
 - f. Many major branches arise from one (1) point on the trunk.
 - g. Damaged, broken, or injured roots.
 - h. Tree has been topped or otherwise heavily pruned.
2. Dead Trees. Trees that are dead or have been determined by an ISA certified arborist to be in a state of severe decline with no available remedies to save the tree, although perhaps not an immediate hazard, shall be removed.
3. Emergency Removals. Healthy trees may be removed if the Director or designee decides an emergency condition exists, and tree removal is determined to be the only option available.
4. Public Safety. Healthy trees may be removed if the Director or designee decides that a public safety concern exists, and the tree removal is determined to be the only option available.
5. Other Removals. Other examples where a condition shall warrant removal include:
 - a. Diseased/Insect Infested Trees. The tree is diseased, has lost its productive capacity, and is not likely to recover despite the application of available remedies. Trees that acquire an infectious disease or are infested with an insect that is declared to be a serious pest threat to other nearby trees shall be removed, if removal is determined to be the best pest control solution by a certified arborist.
 - b. Building Damage. If a tree is causing structural damage to a building, and the condition cannot be corrected without removing the tree, or severely damaging its root structure causing it to fail or potentially topple over.

6. **Surface Roots.** In situations where tree roots have developed above the surface, an ISA certified arborist shall evaluate the roots and determine if root pruning can occur without jeopardizing the health and stability of the tree. Should the arborist decide that roots cannot be pruned without jeopardizing the tree, and those same roots pose a safety concern, the tree may be removed.
7. **Hardscape Damage.** If hardscape repairs cannot be completed without severe root pruning which would jeopardize the health and stability of the tree, the tree may be removed. The general policy that shall be observed when repairing or replacing hardscape adjacent to a city tree is that the health and integrity of the tree take precedent over the installation of concrete or asphalt. Every effort shall be made to protect the tree from root or trunk damage.
8. Several alternatives are available for accommodating the installation of new hardscape without severely infringing upon a tree's root system. Any hardscape installation that may involve the removal of an extensive portion of a tree's root system or may require the removal of one (1) or more roots that are of a diameter greater than two (2) inches, shall first be evaluated by the certified arborist. If it is determined by the certified arborist that the removal of the offending roots might jeopardize the health or integrity of the tree, then one (1) of the following alternatives should be considered:
 - a. **Offset.** An offset is the tapering or reduction of a sidewalk's size down to a width no less than thirty-six (36) inches.
 - b. **Reconfiguration.** Sidewalks do not need to be constructed in a straight line. If the public easement can accommodate it, a sidewalk may be reconfigured to curve around a tree in a suitable manner. In some cases, the property owner may wish to extend the easement over their property to accommodate the installation of sidewalk without removing a tree. Any root removal that occurs while completing hardscape installation shall conform with the root pruning specifications provided by city staff.
 - c. In all cases, all sidewalk modification must conform to all current ADA or CBC standards.

The following reasons are not valid for tree removal:

1. Leaf litter in gutters, on sidewalks or private property.
2. Messy/excessive fruit.
 3. Root intrusion into sewer laterals because of deteriorating infrastructure.
 4. Hardscape damage unless a feasible, economic solution does not exist to save the tree.

Appeal of City Staff's Decision

Mr. Tim Brogden is appealing Staff's denial of his tree removal request on the basis that he believes the tree is a hazard to the sidewalk and property (Attachment 3). In addition, he stated in his appeal letter that he has experience sewer issues due to roots from the tree. He

noted that there been several instances where people walking by have tripped due to the sidewalk and that is extremely destructive to vehicles that parked next to the tree.

The Applicant has been notified of the Commission meeting and has been sent an agenda and a copy of this staff report. Notification of the tree removal request was posted on January 10, 2024, and letters were sent to the adjacent and abutting property owners to the tree involved.

Pursuant to Section 14.12.080, of the PMC, the Commission may grant the tree removal request if it finds that the burden to the property owner if the request is denied substantially outweighs: (A) the benefit that a denial provides to the public; and (B) the burden to the public if it is granted. The decision of the commission is final. The Commission may evaluate the following factors:

- a. Species of tree.
- b. Size of the tree.
- c. Approximate age of the tree.
- d. Physical characteristics of the tree.
- e. Environmental productivity of the tree.
- f. Safety of the property owner and general public will be considered.
- g. Asset value of the tree.
- h. Utility conflicts, both above and below ground, may be considered when evaluating a removal request.
- i. Species and age diversification may be considered to determine if the street would benefit from having a more diverse street tree population to reduce threats of deforestation.

If the Commission grants the tree removal request, subsequent removal of the tree(s) shall be at the applicant's cost and expense. The property owner shall also be responsible for the cost of procuring and planting two (2) replacement trees; and funds remitted to the city shall be deposited into the City's Tree Replacement and Planting fund. The costs for removal and planting of the two (2) replacement trees are based upon the City's current tree maintenance contract rates for removal and planting.

RECOMMENDATION

The City-owned tree that has been requested to be removed is in the public right-of-way at 626 Sherwood Avenue. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition that presents legitimate public safety concerns. Therefore, it does not meet the criteria for removal. It is recommended that the Commission deny the request to have the tree removed.

Prepared by:

Reviewed and approved:

Elsa Y. Robinson
Senior Management Analyst



Luis Estevez
Deputy City Administrator

Attachments:

1. Tree Removal Request from Applicant
2. Tree Maintenance History
3. City Letter of Denial for Tree Removal Request
4. Appeal Form & Letter from Mr. Tim Brogden



City of Placentia
 Public Works Department
 401 East Chapman Avenue
 Placentia, CA 92870
 (714) 993-8148
 www.placentia.org

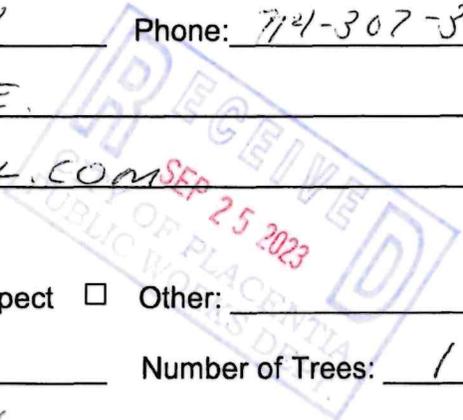
CITY TREE REMOVAL REQUEST FORM

TREE REMOVAL/MAINTENANCE REQUEST FORM

Please TYPE or PRINT all information clearly.

1) REQUESTOR'S INFORMATION

Date: 9-25-23 Name: TIM BROGDEN Phone: 714-307-3919
 Mailing Address: 626 SHERWOOD AVE.
 Email Address: TBROGDEN58@GMAIL.COM



2) REQUESTED ACTION

Remove Trim Plant New Tree Inspect Other: _____

Tree Species (if known): CALWOOD Number of Trees: 1

Address/Location of Tree: 626 SHERWOOD AVE

Nearest Cross St: CAMBRIDGE

Located within a parkway Yes No Unknown

3) REASON FOR REQUEST

Causing Damage Dead Uprooted/Safety Hazard Diseased Beautify

Other/Description: HAS CRACKED THREE IRRIGATION PIPES & DRAIN LINE

Supplemental Data Attached: HAS CRACKED & UP LIFTED SIDEWALK

FOR CITY USE ONLY

APPROVED ACTION:

Remove Trim Plant New Tree Inspect Other: _____

Tree ID# and/or Species (if known): _____ Diameter (inches) _____ Height (inches) _____

Inspected by: _____ Date: _____
 (Signature)

Director or Designee: _____ Date: _____
 (Signature)

Date of Applicant Notification: _____ Email Mail

I have had several elderly people
who walk in the neighborhood
trip/slip and fall due to water
and uplitted sidewalk.

Site Detail (33.893011189644,-117.87570584168)(WCA InventoryID: 869829)

District	Address	Location	Species	DBH	Height
13	626 SHERWOOD AV	Front-1	<i>Cupaniopsis anacardioides</i> CARROTWOOD	19-24	30-45

Maintenance	Valid	Est. Value	Utility	Parkway
Grid/Routine Trim	Yes	\$6,080	No	4

Crew	Date	Work Type / Comments	Job # / Acct #	Invoice#	Amount
WCA	07/27/2023	Grid Pruning	76555	202804	\$64.00
WCA	09/16/2019	Grid Pruning	50026	152649	\$59.00
WCA	07/31/2012	Grid Pruning	22408	81848	\$39.00
WCA	11/05/2007	Grid Pruning	11078	49949	\$43.00
WCA	11/23/2004	Prune Backup - Crew	7348	34956	Hourly
WCA	06/25/2003	Trim Backup - Crew	5271		Hourly
WCA	07/16/2001	Raises Trimming	4330		\$20.75

The People are the City

Mayor

WARD L. SMITH

Mayor Pro Tem

JEREMY B. YAMAGUCHI

Councilmembers:

KEVIN KIRWIN
RHONDA SHADER
CHAD P. WANKE



City Clerk:

ROBERT S. MCKINNEL

City Treasurer

KEVIN A. LARSON

City Administrator

DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

October 4, 2023

Tim Brogoen
626 Sherwood Ave.
Placentia, Ca, 92870

SUBJECT: TREE REMOVAL REQUEST – 626 SHERWOOD AVE.

Dear Mr. Brogoen

The Public Works Department has reviewed your request for a tree removal of one (1) Carrotwood tree located at 626 Sherwood Ave. and has denied your request.

City staff inspected the tree and evaluated the reported problems with the tree. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition, that presents legitimate public safety concerns. The tree does not meet the criteria for approval for removal as defined in the City's Urban Forest Protection Ordinance, Section 14.12.070 of the Placentia Municipal Code.

The City's Urban Forest protection Ordinance was adopted to protect, preserve, and expand the City's urban forest. Trees are a valuable resource to the community that provide environmental, economic, social and public health benefits along City streets and parks, and are critical to maintaining an attractive City. The ordinance established a tree removal process and criteria for the orderly removal of City trees when appropriate. Based on inspection of the tree, City staff determined that the tree does not meet the ordinance's criteria for tree removal.

You may appeal this decision to Streetscape and Transportation Advisory Commission (Commission) by filing a written appeal within **five (5) business days** of the date of this letter. To ensure transparency and inform the public, appeals will be reviewed by the Commission at a public meeting to provide a final determination. The entire appeal policy is attached to this letter.

If the Commission grants the Tree Removal Request, subsequent removal of the tree(s) and stumps shall be at the property owner's cost and expense. Property owner shall also be responsible for the cost of procuring and planting two (2) replacement, 24" box trees; and funds remitted to the City shall be deposited into the City's Tree Replacement and Planting Fund, as described in Section 14.12.090 of the Placentia Municipal Code for that purpose.

If you have any questions, please contact Joel Cardenas, Public Works Superintendent at (714) 993-8212 or by email at jcardenas@placentia.org.

Sincerely

Luis Estevez,
Deputy City Administrator

Attachment:

City Tree Removal Appeal Policy & Form

City of Placentia
401 East Chapman Ave
Placentia, Ca. 92870

Subject: Tree Removal Request Appeal 626 Sherwood Ave

To Streetscape and Transportation Advisory Commission:

I submitted a request for the removal of a Carrotwood tree on September 25, 2023. It was denied on October 4, 2023. The denial letter stated it did not meet the criteria. However, the tree may still be alive, but it is certainly a hazard to the sidewalk and property (including vehicles parked on the curb). I have had to repair irrigation lines three times due to damage from roots. I have also had to have a plumber clear out the small roots from inside the sewer line because it became completely clogged. There is currently a massive root that appears to be going through the water meter and/or water line connected to it. It is only a matter of time before it breaks those structures. Most of the sidewalk has been lifted and cracked from these roots. There have been several instances where people walking by have tripped and fell because of the sidewalk. These people become very angry with me, even though I can't do anything about it. Fortunately, nobody has been seriously injured yet. This tree is EXTREMELY destructive to the vehicles that are parked on the curb when it is dropping its shells and seeds. It simply ruins the paint job of vehicles with the stains and scratches. On several occasions over the last two decades large heavy branches have fallen from this tree. It has simply been luck that they have not fell on the vehicles parked there.

I would be more than happy to pay for the fees associated with the removal of this tree. I understand that I would need to pay for the encroachment permit, the removal of tree, and the procuring of a new tree (24" box) to be planted. I would prefer a Crape Murtle (preferably red) which would be a much more beautiful tree and far less destructive. I thank you for your time and consideration into this matter.

Sincerely,



Tim Brogden





Streetscape and Transportation Advisory Commission

AGENDA STAFF REPORT

TO: STREETScape AND TRANSPORTATION ADVISORY COMMISSION
FROM: ELSA ROBINSON, SENIOR MANAGEMENT ANALYST
DATE: JANUARY 22, 2024
SUBJECT: **APPEAL OF DENIED TREE REMOVAL REQUEST – 1913 TWAIN PLACE**

RECOMMENDATION:

It is recommended that the Streetscape and Transportation Advisory Commission take the following actions:

1. Open the Public Hearing concerning the Appeal for Denied Tree Removal Request at 1913 Twain Place; and
2. Receive the staff report and consider all public testimony; and
3. Close the Public Hearing and Deny the Appeal for Denied Tree Removal Request at 1913 Twain Place.

BACKGROUND:

On August 2, 2023, the Public Works Department (Department) received a tree removal request from Mr. Jerry Thompsen for one (1) Liquidamber styraciflua tree (Tree), located in the parkway in front of 1913 Twain Place (Attachment 1). The basis for the applicant's street tree removal request was that the tree has lifted the sidewalk and has become a tripping hazard for the neighborhood children. On August 29, 2023, Mr. Thompsen was mailed a decision letter notifying him that his tree removal request was denied since it did not meet the criteria for Staff approval for removal as defined in the City's Urban Forest Protection Ordinance (Ordinance), Section 14.12.070 of the Placentia Municipal Code ("PMC"). On September 11, 2023, the City received via mail an appeal form from Ms. Thompsen for the Streetscape and Transportation Advisory Commission (Commission) to consider his tree removal request.

Tree Removal Request Review Process

On August 9, 2023, City staff inspected the tree and evaluated the reported problems with the parkway tree. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition that presents legitimate public safety concerns. The tree is a Liquidambar styraciflua. The tree was found to be in good health with no apparent structural issues or diseases present. The tree is approximately thirteen plus feet (13+') in height with a trunk diameter of fifteen plus inches (15+"). The tree has been maintained by the City as part of its four-year tree trimming cycle and was last trimmed on August 5, 2022 (Attachment 2).

Per Section 14.12.070 of the Placentia Municipal Code, a City tree can be removed based upon the following conditions:

1. Hazardous Trees. The Public Works Department shall identify hazardous trees based on the severity of the following signs of decline:
 - a. Large dead branches in the tree.
 - b. Cavities or rotten wood along the trunk or in major branches.
 - c. Mushrooms present at the base of the tree.
 - d. Cracks or splits in the trunk or where branches are attached.
 - e. Strong lean at the trunk.
 - f. Many major branches arise from one (1) point on the trunk.
 - g. Damaged, broken, or injured roots.
 - h. Tree has been topped or otherwise heavily pruned.
2. Dead Trees. Trees that are dead or have been determined by an ISA certified arborist to be in a state of severe decline with no available remedies to save the tree, although perhaps not an immediate hazard, shall be removed.
3. Emergency Removals. Healthy trees may be removed if the Director or designee decides an emergency condition exists, and tree removal is determined to be the only option available.
4. Public Safety. Healthy trees may be removed if the Director or designee decides that a public safety concern exists, and the tree removal is determined to be the only option available.
5. Other Removals. Other examples where a condition shall warrant removal include:
 - a. Diseased/Insect Infested Trees. The tree is diseased, has lost its productive capacity, and is not likely to recover despite the application of available remedies. Trees that acquire an infectious disease or are infested with an insect that is declared to be a serious pest threat to other nearby trees shall be removed, if removal is determined to be the best pest control solution by a certified arborist.
 - b. Building Damage. If a tree is causing structural damage to a building, and the condition cannot be corrected without removing the tree, or severely damaging its root structure causing it to fail or potentially topple over.

6. **Surface Roots.** In situations where tree roots have developed above the surface, an ISA certified arborist shall evaluate the roots and determine if root pruning can occur without jeopardizing the health and stability of the tree. Should the arborist decide that roots cannot be pruned without jeopardizing the tree, and those same roots pose a safety concern, the tree may be removed.
7. **Hardscape Damage.** If hardscape repairs cannot be completed without severe root pruning which would jeopardize the health and stability of the tree, the tree may be removed. The general policy that shall be observed when repairing or replacing hardscape adjacent to a city tree is that the health and integrity of the tree take precedent over the installation of concrete or asphalt. Every effort shall be made to protect the tree from root or trunk damage.
8. Several alternatives are available for accommodating the installation of new hardscape without severely infringing upon a tree's root system. Any hardscape installation that may involve the removal of an extensive portion of a tree's root system or may require the removal of one (1) or more roots that are of a diameter greater than two (2) inches, shall first be evaluated by the certified arborist. If it is determined by the certified arborist that the removal of the offending roots might jeopardize the health or integrity of the tree, then one (1) of the following alternatives should be considered:
 - a. **Offset.** An offset is the tapering or reduction of a sidewalk's size down to a width no less than thirty-six (36) inches.
 - b. **Reconfiguration.** Sidewalks do not need to be constructed in a straight line. If the public easement can accommodate it, a sidewalk may be reconfigured to curve around a tree in a suitable manner. In some cases, the property owner may wish to extend the easement over their property to accommodate the installation of sidewalk without removing a tree. Any root removal that occurs while completing hardscape installation shall conform with the root pruning specifications provided by city staff.
 - c. In all cases, all sidewalk modification must conform to all current ADA or CBC standards.

The following reasons are not valid for tree removal:

1. Leaf litter in gutters, on sidewalks or private property.
2. Messy/excessive fruit.
 3. Root intrusion into sewer laterals because of deteriorating infrastructure.
 4. Hardscape damage unless a feasible, economic solution does not exist to save the tree.

Appeal of City Staff's Decision

Mr. Jerry Thompson is appealing Staff's denial of his tree removal request on the basis that he believes the tree roots are raising and cracking the public sidewalk people walk on, creating a public safety hazard (Attachment 3).

The Applicant has been notified of the Commission meeting and has been sent an agenda and a copy of this staff report. Notification of the tree removal request was posted on January 10, 2024, and letters were sent to the adjacent and abutting property owners to the tree involved.

Pursuant to Section 14.12.080, of the PMC, the Commission may grant the tree removal request if it finds that the burden to the property owner if the request is denied substantially outweighs: (A) the benefit that a denial provides to the public; and (B) the burden to the public if it is granted. The decision of the commission is final. The Commission may evaluate the following factors:

- a. Species of the tree.
- b. Size of the tree.
- c. Approximate age of the tree.
- d. Physical characteristics of the tree.
- e. Environmental productivity of the tree.
- f. Safety of the property owner and general public will be considered.
- g. Asset value of the tree.
- h. Utility conflicts, both above and below ground, may be considered when evaluating a removal request.
- i. Species and age diversification may be considered to determine if the street would benefit from having a more diverse street tree population to reduce threats of deforestation.

If the Commission grants the tree removal request, subsequent removal of the tree(s) shall be at the applicant's cost and expense. The property owner shall also be responsible for the cost of procuring and planting two (2) replacement trees; and funds remitted to the city shall be deposited into the City's Tree Replacement and Planting fund. The costs for removal and planting of the two (2) replacement trees are based upon the City's current tree maintenance contract rates for removal and planting.

RECOMMENDATION

The City-owned tree that has been requested to be removed is in the public right-of-way at 1913 Twain Place. The tree is in good condition, has been maintained appropriately on a regular schedule and is not creating a public safety hazard. Therefore, it does not meet the criteria for removal. It is recommended that the Commission deny the request to have the tree removed.

Prepared by:

Elsa Y. Robinson
Senior Management Analyst

Reviewed and approved:



Luis Estevez
Deputy City Administrator

Attachments:

1. Tree Removal Request from Applicant
2. Tree Maintenance History
3. City Letter of Denial for Tree Removal Request
4. Appeal Form & Letter from Mr. Jerry Thompsen



City of Placentia
 Public Works Department
 401 East Chapman Avenue
 Placentia, CA 92870
 (714) 993-8148
 www.placentia.org

**CITY TREE REMOVAL
 REQUEST FORM**

TREE REMOVAL/MAINTENANCE REQUEST FORM
 Please TYPE or PRINT all information clearly.

1) REQUESTOR'S INFORMATION

Date: 8/2/23 Name: Jerry Thompsen Phone: (562)631-4376
 Mailing Address: 1913 Twain Pl.
 Email Address: jdthompsen@verizon.net

2) REQUESTED ACTION

Remove Trim Plant New Tree Inspect Other: _____
 Tree Species (if known): _____ Number of Trees: 1
 Address/Location of Tree: 1913 Twain Pl.
 Nearest Cross St: Bastanchury and Valencia
 Located within a parkway Yes No Unknown

3) REASON FOR REQUEST

Causing Damage Dead Uprooted/Safety Hazard Diseased Beautify
 Other/Description: Tree has lifted sidewalk so that it has become a hazard to fall off of for the neighborhood children
 Supplemental Data Attached: _____

FOR CITY USE ONLY

APPROVED ACTION:

Remove Trim Plant New Tree Inspect Other: _____
 Tree ID# and/or Species(If known): _____ Diameter (inches) _____ Height (inches) _____
 Inspected by: _____ Date: _____
 (Signature)
 Director or Designee: _____ Date: _____
 (Signature)
 Date of Applicant Notification: _____ Email Mail

Site Detail (33.89658506799,-117.85278199868)(WCA InventoryID: 866825)

District	Address	Location	Species	DBH	Height
8	1913 TWAIN PL	Front-1	<i>Liquidambar styraciflua</i> AMERICAN SWEETGUM	13-18	30-45

Maintenance	Valid	Est. Value	Utility	Parkway
Grid/Routine Trim	Yes	\$3,260	No	4

Crew	Date	Work Type / Comments	Job # / Acct #	Invoice#	Amount
WCA	08/05/2022	Grid Pruning	69736	189746	\$59.00
WCA	08/06/2018	Grid Pruning	44255	139428	\$59.00
WCA	07/23/2012	Grid Pruning	22408	81848	\$39.00
WCA	08/28/2008	Grid Pruning	12683	54604	\$44.40
WCA	08/28/2001	Raises Trimming	4330		\$20.75

The People are the City

Mayor

WARD L. SMITH

Mayor Pro Tem

JEREMY B. YAMAGUCHI

Councilmembers:

KEVIN KIRWIN
RHONDA SHADER
CHAD P. WANKE



City Clerk:

ROBERT S. MCKINNELL

City Treasurer

KEVIN A. LARSON

City Administrator

DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

August 29, 2023

Jeffrey Thompson
1913 Twain Pl.
Placentia, Ca, 92870

SUBJECT: **TREE REMOVAL REQUEST – 1913 TWAIN PL.**

Dear Mr. Thompson

The Public Works Department has reviewed your request for a tree removal of one (1) Liquidamber syraciflua tree located at 1913 Twain Pl. and has denied your request.

City staff inspected the tree and evaluated the reported problems with the tree. The tree is not dead, diseased, irreparably injured, hazardous, or in a condition, that presents legitimate public safety concerns. The tree does not meet the criteria for approval for removal as defined in the City's Urban Forest Protection Ordinance, Section 14.12.070 of the Placentia Municipal Code.

The City's Urban Forest protection Ordinance was adopted to protect, preserve, and expand the City's urban forest. Trees are a valuable resource to the community that provide environmental, economic, social and public health benefits along City streets and parks, and are critical to maintaining an attractive City. The ordinance established a tree removal process and criteria for the orderly removal of City trees when appropriate. Based on inspection of the tree, City staff determined that the tree does not meet the ordinance's criteria for tree removal.

You may appeal this decision to Streetscape and Transportation Advisory Commission (Commission) by filing a written appeal within **five (5) business days** of the date of this letter. To ensure transparency and inform the public, appeals will be reviewed by the Commission at a public meeting to provide a final determination. The entire appeal policy is attached to this letter.

If you have any questions, please contact Joel Cardenas, Public Works Superintendent at (714) 993-8212 or by email at jcardenas@placentia.org.

Sincerely

Luis Estevez,
Deputy City Administrator

Attachment:

City Tree Removal Appeal Policy & Form



City of Placentia
 Public Works Department
 401 East Chapman Avenue
 Placentia, CA 92870
 (714) 993-8148

CITY TREE REMOVAL APPEAL FORM

APPEAL OF TREE REMOVAL REQUEST

Please TYPE or PRINT all information clearly.

RECEIVED
 SEP 11 2023
 CITY OF PLACENTIA

Pursuant to PMC, Chapter 14.12, a denied Tree Removal Request made by the Director of Public Works may be appealed to the Streetscape and Transportation Advisory Commission by filing a written notice of appeal with the Public Works Department. Appeals shall be filed within **five (5)** business days of the date of denial.

1) APPELLANT'S INFORMATION

Name: JERRY THOMPSON (Not Jeffrey) Phone: (562) 631-4376

Mailing Address: 1913 TWAIN PLACE, PLACENTIA 92870

Email Address: jdthompson@verizon.net

Date of Administrative Decision: 8-29-23 ?

2) LOCATION OF PROPOSED TREE REMOVAL

Address: 1913 TWAIN PLACE, PLACENTIA 92870

3) REASON FOR APPEAL

Please state the specific reason(s) for the appeal (use separate sheet if necessary).

The tree in question is a hazard to anyone around it. Big branches fall and could damage vehicles or injure someone. I have caught my foot in the raised portion of sidewalk. Roots have caused me to replace sprinklers. The balls that fall from the tree have caused me to turn my ankle. Only a matter of time until something bad happens!

(continued on another page)

Appellant's Signature: [Signature] Date: 9-4-23
(Labor Day)

FOR CITY USE ONLY

Date Received: _____	Received by: _____
Appeal File No: _____	Related File No: _____
Commissions' Meeting Date: _____	
Decision by Commission: _____	<input type="checkbox"/> Appeal Granted <input type="checkbox"/> Appeal Denied

The tree is in front of my house, but belongs to the City of Placentia. I believe it should not be my responsibility to take care of this problem. And definitely not at my expense. As a homeowner, I take pride in my property. We moved here a little over one year ago. We have made many improvements. The tree is a real problem. I would really appreciate whatever you can do.

Thank you, JERRY THOMPSON