



DRAFT MINUTES
Ad Hoc LADBS Policies Committee Meeting
Wednesday, December 7, 2022, 4:00 PM-5:00 PM

Call to Order and Roll Call: Stella Grey, Committee Chair, called the meeting to order at 4:00 PM.

4 Present: Stella Grey, Stephanie Savage, Bob Schlesinger, Leslie Weisberg

8 Absent: Shawn Bayliss, Ellen Evans, Robin Greenberg, Bobby Kwan, Maureen Levinson, Nickie Miner, Steve Ramras, Michael Schweitzer

1. Motion: Approve proposed December 7, 2022, Ad Hoc LADBS Policies Committee meeting Agenda.

Moved by none; **seconded** by none; **0/0/0**. No vote was taken due to lack of a quorum

2. Motion: Approve October 12, 2022, Ad Hoc LADBS Policies Committee meeting minutes.

Moved by none; **seconded** by none; **0/0/0**. No vote was taken due to lack of a quorum

3. General Public Comments

Refer to Item 4 below

4. Discussion:

Our guest, Brian Ramirez, Street Tree Superintendent-1 at the Department of Public Works, Bureau of Street Services/Urban Forestry Division discussed multiple questions. The list of main questions is enclosed below. Recording is available.

Public comments were made by Jamie Hall, Mindy Mann, Joanne D'Antonio and Bob Schlesinger.

Jamie Hall suggested that:

- Instructions for reporting any issues related to protected trees be disseminated to the NC constituency
- To look at Administrative Code Enforcement (ACE) pilot program to revise LAMC 46.02.a.3

Joanne D'Antonio suggested that:

- Enforcement element needs to be added;
- To get familiar with the motion 15-0745 that passed City Council;
- To get familiar with the Protected Tree removal powerpoint by the Planning Commission
- The authority to issue tickets for violations related to protected trees was given to UFD. It is currently a responsibility of Street Services inspectors who are lacking specific expertise and only act if requested by UFD.

5. Adjournment: The meeting adjourned at 5:10 PM.

Next meeting date TBD

QUESTIONS FOR BRIAN RAMIREZ

References to Existing Rules and Regulations:

The Urban Forestry Division (UFD) is responsible for implementing the City's Protected Tree Ordinance https://planning.lacity.org/code_studies/other/protectedtreeord.pdf

This Committee's primary concern is regarding communication between LADBS and Planning department with UFD that supposes to support this function.

Below are two excerpts from the Building Permit Clearance Handbook that is used to train LADBS plan checkers

https://www.ladbs.org/docs/default-source/publications/misc-publications/clearance-handbook.pdf?sfvrsn=4d7be453_41:

"...this handbook provides plan checker engineers with the necessary information for them to properly refer permit applicants to the right office for departmental clearance. "

From page 34 of the Handbook:

"Urban Forestry Division – Clearance is required for:

- Ø Disturb/Remove Protected Trees in private property*
- Ø New/alter driveways and curb*
- Ø New/alter sidewalks*
- Ø New/alter parkway*

Note: Clearance from BOSS requires immediate attention. Arborist report by a Tree Expert may be required per Urban Forestry Division, BOSS. Please contact the Urban Forestry Division at 213 847-3088 or 213 847-3077 to schedule an appointment."

Question 1

Could we imagine a new by-right project for a single-family dwelling that just applied for permits and does not require an environmental review?

- What tools are available to the plan checker to determine whether the lot has protected trees?
- What tools are available to UFD to assure that the protected trees are treated in accordance with the ordinance? Could you please go step-by-step over the process?

Question 2:

As we have learned from the case of 8875 Thrasher, it is apparent that the matter of determining whether a parcel has any protected trees completely relies on the integrity of an applicant who may or not be motivated or does not have the expertise to report it, as well as the level of expertise of the individual plan checker.

- What, in your opinion, could be done to replace applicant's discretion with a more certain, mandatory requirement for all projects across the City?
- While some fundamental changes in the review process are being considered, could UFD urgently revise the current plan check manual to improve plan check training and to assure that

plan checkers request the correct clearances for projects under review? Could you require that they verify (using GoogleEarth) whether a lot has existing vegetation and, if it does, they request justified clearances?

- LADBS stated that their current protocols regarding protected trees are designed per requirements of UFD. Any revisions to these protocols can only be considered by LADBS if UFD requests them. Are you willing to initiate a dialogue with LADBS?

Question 3:

We are aware of several properties where developers cut down protected trees prior to applying for permits. Publicly available aerial views and photos taken by real estate agents, previous owners or neighbors can prove this.

- What are the consequences of these sorts of actions? Could they be so severe (not allowing development for X number of years, or a monetary fine, or an order to replace by 10-folds the number of removed trees) as to make this type of violation financially unfeasible?
- Does a system of fines or other punitive measures for documented violations already exist?
- If a resident sees what they believe is a protected tree being illegally cut, what is the suggested course of immediate actions to stop this activity and to save the tree? Call UFD? Call 311? Call LAPD? Personally intervene?

Question 4:

A Protected Tree Removal Permit must be obtained to remove a DEAD Protected Tree.

- Is a permit required to remove (or cut off at the trunk base) a protected tree that has fallen from natural causes (a wind event; or soil saturation from heavy rain following drought conditions)?
- If not, it would doubtless be good policy to require a permit (maybe a "no-fee" permit once the genuineness of the loss is confirmed), to remove a "fallen" protected tree because it would require a UFD staff visit to determine whether the PT had genuinely "fallen" or was undermined by construction.
- What if a fallen tree retained a decent amount of roots-in-ground after falling to remain alive and continue to grow with the trunk now lying along the ground. It remains very valuable for wildlife. What are your thoughts about it?

Question 5

According to the Planning Department, current codes do not require applicants to submit a tree report or show existing trees on site plans for by-right projects.

- Should the code be revised to require that all site plans include the trees onsite and that they be submitted to UFD, as well?
- Will you commit to working with us on code revisions that you deem necessary?

Question 6

The City has recently begun to process applications for SB9 projects in our neighborhood. SB9 contains various eligibility requirements. One such threshold issue is whether the parcel in question contains "habitat for protected and sensitive species" such as walnut groves. Applicants are required to submit biological and arborist reports to demonstrate that the parcel does not contain any sensitive woodlands/groves.

We already found one SB9 application that submitted an erroneous Tree Report.

- Will UFD be reviewing and commenting on these applications and reports to ensure they are accurate?