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NEWPORT BEACH

PB&R Commission Staff Report

May 5, 2026
Agenda Item: **VI-B**

TO: Parks, Beaches & Recreation Commission

FROM: Municipal Operations Department
John Salazar, Acting Deputy Municipal Operations Director
949- 644-3055, jsalazar@newportbeachca.gov

PREPARED BY: Kevin Pekar, Parks and Trees Superintendent
949-644-3069, kpekar@newportbeachca.gov

TITLE: Overview of City Council Policy G-1 - Retention and Removal City Trees Update

RECOMMENDATION:

Staff recommends that the Parks, Beaches and Recreation (PB&R) Commission receive and file the overview of updates to City Council Policy G-1-*Retention and Removal of City Trees* (G-1).

BACKGROUND:

City Council Policy G-1 was originally adopted on May 9, 1966, and amended multiple times, with the most recent amendment on May 9, 2023. The City Council established the Ad Hoc Council Policy Review Committee last year to review and recommend revisions to the City Council Policy Manual. As part of a larger City Council program to revise and align Council Policies for uniformity, City staff re-organized the existing G-1 to improve clarity for applicants, staff and Commission. Additionally, several parts of the G-1 were altered to match the formatting of other City Council Policies.

At its February 3, 2026 meeting, PB&R Commission reviewed the reorganized policy and substantive changes. Based on PB&R Commission and public comments, staff made edits and forwarded the policy to City Council. On February 24, 2026, City Council approved updates to the City Council Policy Manual, including the proposed revisions to G-1. On March 3, Commission discussed the City Council approval of the policy and requested another review of the restructuring and changes to G-1.

DISCUSSION:

On January 14, 2025, the City Council adopted Resolution No. 2025-5, establishing the Ad Hoc Council Policy Review Committee which consisted of Mayor Lauren Kleiman and Councilmembers Joe Stapleton and Sara J. Weber. The Committee was tasked with reviewing the City Council Policy Manual to ensure the policies are current, clearly written

and concise. City staff were tasked to review G-1 to ensure its relevancy, eliminate redundancy, provide clarity, and consistency with the City Charter, Municipal Code, and established administrative practices. Previous revisions of the policy were merely added to the existing policy over the years and over time created confusing language and contradictory procedures. Save for several substantive changes that are described below, the revised G-1 is a *reorganization* to conform with the layout of other City Policies and includes: definitions, basis for removal of city trees, application process, findings necessary to remove trees, reforestation/appeals process, and public hearing/notification requirements.

Section I-Definitions

Section I of the proposed amendment to G-1 consolidates definitions that were previously dispersed throughout the policy into one section. The definitions are the same with the exception of the definition of Reforestation which was augmented to include appeals by a homeowners' association and/or private property owner of the Landscape Manager's decision to deny removal of a Standard or Problem Tree.

Section II-Basis for Removal of a Tree

While the existing policy describes in various places the scenarios where a tree removal request may be made, *Section II-Basis to Remove a City Tree* of the proposed amendment to G-1 describes at the outset the scenarios where a tree removal request may be made. This includes:

- Dead, diseased, dying, or hazardous trees, including imminent failure,
- Impact on infrastructure,
- City Council–approved beautification or capital improvement projects,
- Development projects with approved encroachment or demolition permits requesting removal in conjunction with the project, or
- Departmental determination by the City Manager upon advice of designated officials to resolve claims or safety issues.

That said, the amendment to G-1 continues to maintain that excessive leaves, fruit, flowers, petals, bees, birds, and other animals, or insects are not a basis for tree removal.

Section III-Application Process

Section III of the proposed amendment to G-1 lays out the application materials required depending upon whether the request for removal is for Standard, Special and Problem Trees. A summary of the application process is described as follows:

- Initiation: The Municipal Operations Department, a homeowners' association (HOA), or a private property owner may initiate removal by submitting the City Tree Removal form to the City Arborist/City Clerk via the Municipal Operations Department website.

- **Required Reports:** Upon receipt of an application, the City Arborist prepares a (a) Tree Inspection Report; (b) mitigation analysis; (c) Level 2 Basic Tree Risk Assessment for hazard requests; and for Landmark Trees, a Tree Risk Assessment including Level 3 testing.
- **Standard City Trees and Problem Trees:** Standard Trees and Problem Trees' initial approval is at the staff level. Once the application materials are complete, the City Arborist recommends to the Landscape Manager whether findings can be made. If approved, notice of removal is provided in accordance with Section VII (Notifications); if denied, the applicant may appeal to the Commission pursuant to Section VI (Reforestation/Appeal).
- **Special City Trees:** In the case of Special Trees, the HOA or property owner must provide HOA Board approval or a petition signed by 60% of property owners within a 500' radius with the application to remove the tree. Once the required reports are completed, staff publishes notice and agendas a Commission hearing with the Commission either approving or denying the request. If the request for removal is approved, the tree is posted with notice prior to its removal. Notwithstanding the foregoing, in the case of an emergency, removals of dead or hazardous Special Trees may proceed upon Manager or City Arborist recommendation.

Section IV-Findings Necessary to Support Removal

Section IV-Findings Required for Removal of a City Tree of the proposed amendment to G-1 consolidates the findings required to remove based on the type of tree and circumstances warranting its removal. It includes:

- **Hazardous/Dead/Diseased/Dying:** The findings for removal of a Standard, Special or Problem Trees are based on whether the reports described above determine that the tree is hazardous, dead, diseased and/or dying as those terms are defined in Section I (Definitions).
- **Impact on Infrastructure:** If a tree has a repeated history of damage or interference with various utilities or infrastructure, findings may support removal of the tree. However, Special Trees are evaluated further to determine whether an alternative to removal is available.
- **Problem Trees:** Findings for removal of a Problem Tree are supported if the tree has a repeated history of damage or drainage interference; unresolved view impediments; repeated, significant damage to private property from Tulip tree scale; and/or maintaining the tree jeopardizes the homeowner's insurance.
- **Beautification/Capital Improvement:** Findings for removal can be made if removal of the tree is required in conjunction with Council-approved projects.
- **Private Development Projects Necessitating Encroachments and/or Demolition Permits:** In the case of development projects that require an encroachment or

demolition permit, findings for removal can be made if the tree unreasonably impedes the planned construction as demonstrated by the plans submitted with the permit application materials.

- Departmental Determination/Claims and Safety Issues: City Manager can authorize removals upon advice of designated officials.

Section VI -Reforestation/Appeals Procedure

The current policy lumps Reforestations of Special Trees with appeals of decisions related to Standard and Problem Trees. With that in mind, *Section VI-Reforestation/Appeal* of the proposed amendment to G-1 incorporates appeals into the reforestation section and differentiates Special Trees versus appeals to Commission for the removal of Standard or Problems Trees. A Reforestation application may be initiated by a City Department, HOA, or property owner by submitting the City Tree Removal form via the Municipal Operations Department website:

- Signature Requirements: Petitions must be signed by at least 60% of property owners within 500 feet of the proposed removal(s) while HOA members subject to mandatory associations must proceed through their Board with a resolution and member notice.
- Staff Report and Hearing: Once the required reports are completed, staff publishes notice and agendizes a Commission hearing with the Commission either approving or denying the request.
- Commission Considerations: In addition to required findings, the Commission may consider health/condition, degree of property damage, degree of view impairment, whether the species is a Problem Tree, community support/opposition, comparative value, species/location appropriateness and notice in its decision to remove the tree.
- Final Decision: Whereas the current policy provides that the decision of the Commission may be appealed and/or called for review by the City Council, the proposed amendment to G-1 now has the Commission as the final decision-making authority.
- Reforestation Work Upon Approval: Prior to removal of a tree, notice is provided in accordance with *Section VII-Notifications*.

Section VII-Public Hearing/Notification Procedures

Section VII delineates the two types of noticing requirements. The first is notification required prior to removal, while the second is the notice of public hearing requirements to consider a tree removal.

In the case of tree removal notifications, the prior notice is set forth as follows:

- Prior to the removal of any City Tree that is not an emergency, the tree is posted with an 8" x 5" placard at least seven days before removal along with providing advance written notification, as applicable, to adjacent property owner, the HOA, and district Councilmember.

For public hearings on reforestations and/or appeals of decisions related to Standard and Special Trees, the notice requirements are set forth as follows:

- **Standard or Problem Trees:** A Standard or Problem Tree is posted with an 8" x 5" placard at least 14 days before the Commission meeting including posting date, meeting date/time/location, and staff contact information. Additionally, postcards are sent to property owners within a 500-foot radius from the proposed removal(s) 14 days before the Commission meeting. Advanced written notification, as applicable, is provided to adjacent property owner, the HOA, and district Councilmember.
- **Special City Trees (Before Commission Meeting):** A Special Tree is posted with an 8" x 5" placard at least 30 days before the Commission meeting including posting date, meeting date/time/location, and staff contact information. Additionally, postcards are sent to property owners within a 500-foot radius from the proposed removal(s) 30 days before the Commission meeting. Advanced written notification, as applicable, is provided to adjacent property owner, the HOA, and district Councilmember.

Environmental and Urban Forest Considerations

Approvals under the updated policy require a finding that removals will not adversely impact inventory, diversity, or age structure of the City's Urban Forest, and promote a stable, sustainable urban forest through efficient use of City resources and through selective reforestation commitments.

Substantive changes

There were five recommended substantive revisions:

1. Trees infested with Tulip tree Scale to a degree of property damage and trees preventing property owners gaining fire insurance were included as Problem Trees.
2. Property owners appealing through reforestation and in a dense community will have the petition area set at a maximum of 100 properties.
3. Notifications on Standard and Problem Trees that are not of an emergency nature will be seven days advance notice versus 14.
4. Special tree inventory numbers were updated with removals and additions since the last amendment.

5. Appeals or reforestations will end with the PB&R Commission's decision.

Conclusion

In conclusion, the adopted updates to G-1 consolidate and add definitions, streamline application and appeal processes, consolidate findings necessary to approve or deny an application, and incorporate appeals into the reforestation standards. Additionally, provisions associated with tree care and maintenance were relocated to City Council Policy G-6. These revisions streamline the standards while preserving the City's Urban Forest.

A future opportunity for Commission to review and provide suggestions to Council Policy G-1 will occur as staff will be recommending updating the policy after Phase 2 and Phase 3 of the city-wide tree inventory project and completion of the Urban Forest Management Plan.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).