



Department of City Planning - Code Studies Section

NOTICE OF PUBLIC HEARING

Citywide Proposed Zoning Code Amendment

CASE: CPC-2016-4520-CA
ENV-2016-4521-CE

Protected Tree Code Amendment
Council District: All

This notice is to inform you of the public hearing for case number CPC-2016-4520-CA, a proposed Zoning Code amendment to update the Protected Tree Ordinance that has been initiated by City Council Motion (Council File #13-1339). All interested persons are invited to attend the public hearing, at which you may listen, speak, and submit written information relating to the proposed project.

PLACE:	Los Angeles City Hall 200 N. Spring Street, Room 1050 (Public entrance is on Main Street) Los Angeles, CA 90012
DATE:	Friday, January 20, 2017
TIME:	10:00 a.m. – 12:00 p.m.

PROPOSED PROJECT: An Ordinance amending provisions of Chapter I Article 7 and Chapter IV Article 6 of the Los Angeles Municipal Code (LAMC) to expand the definition of “Protected Tree” to include the Mexican Elderberry (*Sambucus Mexicana*) and Toyon (*Heteromeles arbutifolia*).

PURPOSE: The purpose of the hearing is to obtain testimony from affected and/or interested persons regarding this project. The hearing will be conducted by a Hearing Officer who will consider oral testimony and any written communication received regarding this proposed Code amendment, as well as the merits of the draft ordinance as it relates to existing land use regulations. After the hearing, a recommendation report will be prepared for consideration by the City Planning Commission at a later date.

Please submit comments to: Shannon Ryan at Shannon.Ryan@lacity.org, (213) 978-3304. In order to be considered in the report to the City Planning Commission, comments should be received by January 31, 2017. Comments received after January 31, 2017 should be addressed to the City Planning Commission at CPC@lacity.org for its consideration.

EXHAUSTION OF ADMINISTRATIVE REMEDIES: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter. Any written correspondence delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

WRITTEN COMMUNICATION: Written communications should cite the Case Number indicated at the top of this notice and may be mailed to the attention of the staff contact identified above at the Los Angeles Department of City Planning, Code Studies Section, City Hall - Room 701, 200 North Spring Street, Los Angeles CA, 90012.

REVIEW OF THE FILE: The complete file including application and an environmental assessment is available for public review at the Department of City Planning, City Hall - Room 701, 200 North Spring Street, Los Angeles, CA, 90012 between the hours of 8:00 AM to 5:00 PM, Monday through Friday. Please call the staff contact indicated at the top of this notice several days in advance to assure its availability. Case files will not be available for inspection on the day of the hearing.

ACCOMMODATIONS: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. *Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance.*

Other services, such as translation between English and other languages, may also be provided upon request. *Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.*

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice. *Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.*

Protected Tree Code Amendment

Q&A | January 6, 2017

CPC-2016-4520-CA | ENV-2016-4521-CE



What is a Protected Tree?

As currently defined in the Los Angeles Municipal Code (LAMC), a Protected Tree is any of the following Southern California native tree species that measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree:

- Oak, including Valley Oak and California Live Oak, or any other tree of the oak genus indigenous to California but excluding the Scrub Oak
- Southern California Black Walnut
- Western Sycamore
- California Bay

These trees are subject to the provisions of the LAMC that regulate relocation, removal, and replacement for Protected Trees.

The City first adopted regulations to protect native trees in 1980. The original ordinance only provided protections for Oak trees (as defined above). In 2006, in order to slow the decline of additional native trees, the provisions were updated to revise the regulations and to expand the definition of Protected Tree to include the Southern California Black Walnut, Western Sycamore, and California Bay trees.

What would the proposed Protected Tree Code Amendment do?

The Protected Tree Code amendment proposes to expand the definition of Protected Tree to include the Mexican Elderberry (*Sambucus Mexicana*) and Toyon (*Heteromeles arbutifolia*) shrubs. The number of protected native trees would increase from four to six.

The proposed Code amendment would broaden the range of trees subject to the Protected Tree regulations, but would not modify any of the regulations themselves.

Please see the attached draft ordinance to review the language of the proposed Code amendment.

Why expand the number of Protected Trees?

There are currently only four trees classified as Protected Trees. When a protected tree is removed, it must be replaced with a tree from the list of protected trees, unless the Bureau of Public Works grants permission for an alternate tree to be planted. In recent years, more and more of the protected trees, especially Oaks and Western Sycamores, have been infested with diseases that sicken the trees

and lead to devastation, especially when there is a monoculture (large numbers of the same tree located in close proximity to each other).

Species diversity is key to preventing monocultures and to protecting the health of trees. An expanded protected tree list is needed to widen the palate for replacement trees and to help promote tree health and resiliency. The expanded list will also allow for fewer deviations from the list and potentially lessen review by the Bureau of Public Works for the planting of alternate trees.

Why are the Mexican Elderberry and Toyon proposed to become Protected Trees?

The Mexican Elderberry and Toyon have been proposed to be classified as Protected Trees because they are native species, they promote native wildlife and habitats, they can grow to a variety of sizes, and they are species that are important to the history and identity of Los Angeles.

The Mexican Elderberry and Toyon are native to California and require very little water. Both species produce berries, attract butterflies, birds, and other wildlife, and are important to maintaining natural habitats. When one of these trees is removed, the impacts go far beyond aesthetics and effect entire ecosystems. Additionally, the Toyon tree is said to have inspired the name for Hollywood and is the official City Native Plant.

How would this Code amendment effect my property or my project?

The Code amendment would expand the definition of Protected Tree to include the Mexican Elderberry and Toyon, and the trees would then be subject to the Protected Tree provisions of the Code. Mexican Elderberry or Toyon trees proposed for relocation or removal after the effective date of the Code amendment would be subject to the Protected Tree provisions of the Code.

What are the next steps? How can I get more information or share my input?

The Planning Department will give a presentation, answer questions, and conduct a public hearing on the proposed Code amendment at 10 a.m. on January 20, 2017 at City Hall in Room 1050 (200 N. Spring Street, Los Angeles, CA 90012).

The public hearing will be held to obtain testimony from affected and/or interested persons regarding this project. The hearing will be conducted by a Hearing Officer who will consider oral testimony and any written communication received regarding this proposed Code amendment, as well as the merits of the draft ordinance as it relates to existing land use regulations. After the hearing, a recommendation report will be prepared for consideration by the City Planning Commission.

The City Planning Commission will consider the Code amendment at a public meeting tentatively scheduled for March 9, 2017, and will make a recommendation

to the City Council. The Code amendment will then be considered by the City Council's Planning and Land Use Management (PLUM) Committee, followed by the full City Council.

Please submit comments or questions to: Shannon Ryan at Shannon.Ryan@lacity.org, (213) 978-3304. In order to be considered in the report to the City Planning Commission, written comments should be received by January 31, 2017. Comments received after January 31, 2017 should be addressed to the City Planning Commission at CPC@lacity.org for its consideration.

ORDINANCE NO. _____

An Ordinance amending provisions of Chapter I Article 7 and Chapter IV Article 6 of the Los Angeles Municipal Code (LAMC) to expand the definition of “Protected Tree” to include the Mexican Elderberry (*Sambucus Mexicana*) and Toyon (*Heteromeles arbutifolia*).

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 17.02 of Article 7 or Chapter 1 of the Los Angeles Municipal Code is amended by adding language specifying two additional shrubs to the definition of Protected Trees and shall read as follows:

Protected Tree – Any of the following Southern California native tree [or shrub](#) species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree [or shrub](#):

- (a) Oak tree including Valley Oak (*Quercus lobate*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus dumosa*).
- (b) Southern California Black Walnut (*Juglans California var. californica*)
- (c) Western Sycamore (*Platanus racemosa*)
- (d) California Bay (*Umeellularia californica*)
- (e) [Mexican Elderberry \(*Sambucus Mexicana*\)](#)
- (f) [Toyon \(*Heteromeles arbutifolia*\)](#)

The definition shall not include any tree grown or held for sale by a licensed nursery, or trees planted or grown as part of a tree planting program.

Section 2. Section 46.01 of Article 6 of Chapter IV of the Los Angeles Municipal Code is amended by adding two shrubs to the list of Protected Trees and to the amend the definition of Protected Tree to read:

Sec. 46.01. DEFINITION.

“**PROTECTED TREE**” means any of the following Southern California native tree [or shrub](#) species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree [or shrub](#):

- (a) Oak tree including Valley Oak (*Quercus lobate*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus dumosa*).
- (b) Southern California Black Walnut (*Juglans California var. californica*)
- (c) Western Sycamore (*Platanus racemosa*)
- (d) California Bay (*Umeellularia californica*)
- (e) [Mexican Elderberry \(*Sambucus Mexicana*\)](#)
- (f) [Toyon \(*Heteromeles arbutifolia*\)](#)