

A better job is right around the corner.

Enter Keywords

Enter City

ALL

SEARCH

Los Angeles Times
latimes.com

[http://www.latimes.com/classified/realestate/printedition/la-re-oak7may07,0,155697,full.story?
coll=la-class-realestate](http://www.latimes.com/classified/realestate/printedition/la-re-oak7may07,0,155697,full.story?coll=la-class-realestate)

From the Los Angeles Times

Score one for trees

To keep the mighty from falling, L.A. has toughened rules protecting oaks, sycamores and other trees. Some say it's about time. Others predict headaches for homeowners.

By Chip Jacobs

Special to The Times

May 7, 2006

READY or not, Los Angeles is about to confront its inner tree-hugger.

A recently toughened city regulation protecting four species of indigenous trees could, as never before, pit homeowners' control over their land against preservation of the Southland's development-thinned urban canopy.

The stricter native tree ordinance, which went into effect April 23, covers all oaks (except the scrub oak), the California bay laurel, the Southern California black walnut and the Western sycamore. It is now illegal to remove or fatally harm any of these species if they measure at least 4 inches wide at 54 inches above ground level; the previous width threshold was 8 inches. Now even parcels of less than 1 acre must comply, tugging homes of all sizes into the regulatory mix.

"Before this [enhanced] ordinance, Los Angeles had the worst protection of trees," said Paul Edelman, deputy director of natural resources and planning at the Santa Monica Mountains Conservancy. "People could do whatever they wanted. Now we're knocking on the door of the more elite, native-tree-protective cities."

Preservationists insist that the strengthening of this law comes none too soon. For years, they claim, subdividers have killed adolescent trees to avoid the controversy of later removing a grown oak. In some parts of the city, Sundays are sometimes called "chain-saw day" because people have lopped trees, knowing inspectors wouldn't be around to stop them.

Until now, homeowners were required only to safeguard oaks. Cutting one down without a permit or taking actions that resulted in its death was grounds for up to a \$1,000 fine and six months in jail, depending on what the L.A. city attorney's office recommended. Today, those same penalties apply to all four species, along with an added punitive bite: Officials can withhold building permits for as long as 10 years in egregious cases.

Damaging a native tree by poisoning it, burning it, imperiling its root system or changing its natural grade also is forbidden. As before, L.A. property owners don't need a permit to prune these trees, though experts caution against trimming an oak by more than 10% of its green foliage at one time.

Homeowners do have wiggle room. They can eliminate a protected tree if, among other criteria, it's in danger of falling, it's too sickly to survive or it stymies the property's "reasonable development." For a go-ahead, residents must hire an arborist or other tree expert to advise them, request a permit — the review process can take one to two months — and replace the lost tree with two new native ones somewhere on the lot. Also, homeowner-planted trees are exempt.

"This idea is not about bureaucracy, it's about ecology," said City Council President Eric Garcetti, who championed the regulation. "We expect to see more stable hillsides, cleaner air and a generally better quality of life. These trees act as great anchors."

Several pro-business groups view things differently, suspecting the beefed-up ordinance is intended to blunt residential construction in the foothills ridging the Westside, the Hollywood Hills and elsewhere. City officials expect subdividers will be most affected.

Brad Rosenheim, chair of the land use committee for the Valley Industry and Commerce Assn., said he believes average landowners will bear the brunt of the stricter rules.

"The ordinance, good intentions and all, is going to create a ton of surprising headaches for homeowners trying to go about their daily lives," Rosenheim said. It will create inadvertent violators of the law, he said. "You want a safe environment for your home, or to expand it, and you don't know you have to go to the city to get a tree permit."

Los Angeles has mostly been on the sidelines of man-versus-tree skirmishes experienced by more rural suburbs such as Thousand Oaks and Calabasas, which have large numbers of oaks and have gone to lengths to protect them. Activist John Quigley made national headlines in 2002 when he lived in a historic Santa Clarita Valley oak for 71 days to spare it from the bulldozer. Old Glory, as the Stevenson Ranch oak was dubbed, was eventually moved to a site a quarter of a mile away.

Every city and county has rules about indigenous foliage. In unincorporated areas of Los Angeles County, property owners may not remove, trim or encroach on any oak if it's 8 inches or wider at 54 inches from ground level. County officials are mulling tougher regulations that could be in place by the end of summer.

For the L.A. County Fire Department's Forestry Division, which enforces the policy, the most common problem is feuding neighbors attempting to get each other in trouble over oak maintenance.

"It's a daily occurrence, people squabbling about it," said Frank Vidales, assistant forestry chief. "But for the most part we haven't seen many cases where people try to destroy the trees, sneakily or not."

Oaks can be frustrating for homeowners because their prickly leaves fall year round, creating drainage and maintenance issues, and their roots fan out. Oaks' acorns and walnut trees' seeds can spawn saplings rapidly after rains.

Partly because of that, the estimated 1 billion oaks in California today are not on the federal endangered species list. Neither are the other species protected by the expanded city ordinance, experts said.

Still, city foresters and environmentalists believe too much green has vanished. As housing tracts, golf courses, brush clearance and development crept deeper into woodlands, the general tree cover

started showing bald spots. The thinning was first visible in wildlife habitats, which drove regulations in the 1980s.

"We just don't have that many native trees in Los Angeles, and we think the oak is the most important," said Ronald Lorenzen, superintendent of the city's Urban Forestry Department. "They're a valuable resource that was here before people, and by that alone they're worth saving."

There has been a wave of calls to the city about the ordinance, Lorenzen said, and he hopes education will minimize the prosecutions. The Forestry Department has 12 to 15 inspectors covering the city's 465-square-mile ecosystem.

"But remember," Lorenzen added, "we're tree people, not the tree police."

Influential groups such as the Santa Monica Mountains Conservancy and the Sherman Oaks Homeowners Assn. embraced the rule change, but some arborists have not. They fear that Los Angeles will go overboard as they claim some small cities have done by exerting their power to use tree fines as a cash cow.

"You can get into so much trouble cutting an oak, it's not worth it," said veteran arborist Robert Wallace. "Your whole life can be turned upside down overnight — fines, city hearings, misdemeanor charges. Generally speaking, homeowners absolutely love and treasure their oaks, and go to Herculean efforts to save them...."

Certainly they have protectors in the community. "I don't see oaks being cut down all over the place," Wallace said.

Several years ago, about 40 residents from or around Multiview Drive in the Hollywood Hills convened an emergency neighborhood meeting to demand that a property owner who had razed half a dozen mature oak trees to clear land for a home stop the destruction and replace what'd he'd ripped out.

"These were professionals, busy people with jobs, and for them to show up on short notice tells you how strongly most people in the area feel about the environment," said Patricia Marlatt, a homeowner who attended the gathering.

Under pressure from the city and others, the property owner eventually planted fresh oaks on the sloping, wooded parcel just south of Universal Studios.

Fran Offenhauser, the project's architect, said the owner removed the trees during escrow after he received a brush clearance order from the fire department that mentioned nothing about oak-tree protections. The project today sits in limbo over design specifications.

Marlatt said she protested the oak destruction because the trees provide a bucolic feel in the big city. Marlatt is also working to protect a huge, 200-year-old-plus oak on her property from a possible street widening. Over the years, the tree gave her solace and shade as she battled a chronic illness.

"These trees remind us where we live," Marlatt said. "If the city allows them to be destroyed, they're taking away history."

Chip Jacobs is a freelance writer who can be reached at chip@chipjacobs.com.

*

(INFOBOX BELOW)

Leafing through resources

To learn about the city of Los Angeles' tree policies and maintenance of its urban forest, go to <http://www.lacity.org/boss/streettree/index.htm> , or call the Bureau of Street Services, (213) 485-5675.

For information about tree regulations in unincorporated Los Angeles County, go to http://www.lacofd.org/Forestry/EnvironmentalReview_OakTreeCareAndMaint.asp and click on "Oak Tree Ordinance," or call (323) 890-4330.

Contacts for general information:

- California Oaks Foundation, <http://www.californiaoaks.org>
- California Native Plant Society, <http://www.cnps.org>
- TreePeople, treepeople.org

— Chip Jacobs

If you want other stories on this topic, search the Archives at latimes.com/archives.

TMSReprints

Article licensing and reprint options

Copyright 2006 Los Angeles Times | [Privacy Policy](#) | [Terms of Service](#)
[Home Delivery](#) | [Advertise](#) | [Archives](#) | [Contact](#) | [Site Map](#) | [Help](#)

partners:  