DUBLIN
CALIFORNIA

HERITAGE TREE ORDINANCE REGULATIONS

DOES THE CITY OF DUBLIN HAVE A HERITAGE TREE ORDINANCE?

Yes. The Heritage Tree Ordinance was adopted by the City Council in 1999. Its purpose is to enhance the scenic beauty; increase property values; encourage quality development; prevent soil erosion; protect against flood hazards and the risk of landslides; counteract pollution in the air; and maintain the climatic balance within the City. The City's intent is to preserve as many Heritage Trees as possible; consistent with the reasonable use and enjoyment of private property.

WHAT IS THE DEFINITION OF A HERITAGE TREE?

A "Heritage Tree" means any of the following:

- Any oak, bay, cypress, maple, redwood, buckeye and sycamore tree having a trunk or main stem of twenty-four (24) inches or more in diameter measured at four (4) feet six (6) inches above natural grade;
- Any tree required to be preserved as part of an approved Development Plan, Zoning Permit, Use Permit, Site Development Review or Subdivision Map; or
- Any tree required to be planted as a replacement for an unlawfully removed tree.

WHAT IF I DO NOT KNOW THE SPECIES OF MY TREE(S)?

The City of Dublin does not have a certified arborist on staff. In the event that a tree species is unknown to the resident and the City of Dublin, the burden of proof shall be that of the resident to show that the tree is not protected. It may be required of the resident to hire their own certified arborist.

HOW DO I DETERMINE THE DIAMETER OF MY TREE(S)?

To determine the diameter of a tree, simple geometric formulas are used. Start by using a flexible measuring tape to determine the tree's circumference (measurement around tree). With the circumference determined, find the radius and multiply it by two in order to obtain the tree's diameter.

$d = 2r \qquad r = C/2(3.14) \qquad C = 2(3.14)r$

Example: C=70 inches (converted = 5.83 feet)

r=5.83/6.28 = .928 x 2 = 1.86 feet in diameter

All trees must be measured at four (4) feet six (6) inches above natural grade.

CAN I PRUNE A HERITAGE TREE?

Yes. Heritage Trees may be pruned providing that it conforms to the guidelines of the International Society of Arboriculture (ISA), Tree Pruning Guidelines, current edition. A copy is on file in the Community Development Department.

WHAT ARE THE PENALTIES FOR IMPROPERLY PRUNING A HERITAGE TREE OR REMOVING A HERITAGE TREE WITHOUT SECURING A PERMIT FIRST?

- Any person who unlawfully removes, destroys or damages a Heritage Tree shall pay a civil penalty equal to twice the amount of the appraised value of the tree. A City selected arborist shall estimate the replacement value of the lost tree(s) in accordance with industry standards. The penalty shall include the City's costs incurred in performing the appraisal.
- Any person violating any portion of this chapter that results in the loss of a Heritage Tree, shall be required to replace said tree with a new tree and/or additional plantings, of the same species. The Director shall determine the size and location of replacement tree(s). The Director may refer to the recommendation of a City selected arborist.

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- In addition to civil penalties, a citation may also be issued to anyone found to be in violation of the provisions of the Heritage Tree Ordinance.

IS A PERMIT REQUIRED BEFORE A HERITAGE TREE CAN BE REMOVED?

Yes. Per Dublin Municipal Code Section 5.60.50(a) it is prohibited to remove, cause to be removed, or effectively remove any Heritage Tree from any property within the City of Dublin without first obtaining a removal permit from the Community Development Department.

WHAT ARE THE GUIDELINES USED TO DETERMINE WHETHER OR NOT A HERITAGE TREE REMOVAL PERMIT WILL BE GRANTED?

The following guidelines are used to determine the granting of a tree removal permit:

- The condition of the tree or trees with respect to health, imminent danger of falling, proximity to existing or proposed structures and interference with utility services or public works projects.
- The necessity to remove the tree or trees for reasonable development of the property.
- The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of stream waters.
- The number of trees existing in the neighborhood and the effect the removal would have upon shade, privacy impact, scenic beauty and the general welfare of the City as a whole.

WHAT ARE THE APPLICATION REQUIREMENTS FOR HERITAGE TREE REMOVAL?

Any person wishing to remove one or more Heritage Trees shall apply to the Community Development Department for a permit. The permit application is available at the Community Development Department and must include the following:

- A drawing showing all existing trees and the location, type, and size of all tree(s) proposed to be removed;
- A brief statement of the reason for removal;
- If the tree or trees are proposed for removal because of their condition (a certified arborist's determination of the state of health of the Heritage Tree(s) may be required);
- Written consent of the owner of record of the land on which the tree(s) are proposed to be removed;
- A tree removal permit fee is needed to cover the cost of permit administration. An additional deposit may be required by the Director to retain a certified arborist to assist the City in assessing the condition of the trees; and Other pertinent information as required by the Director. See current fee schedule for pricing.

ARE THERE ANY EXCEPTIONS TO THE REMOVAL OF A HERITAGE TREE?

Yes. A permit is not required for any of the following:

- Removal of a Heritage Tree that presents an immediate hazard to life or property, with the approval of the Community Development Director, City Engineer, Police Chief, Fire Chief or their designee.
- Removal that is specifically approved as part of a City approved Panned Development, Plan, Conditional Use Permit, Site Development Review, or Subdivision Map.