



## City of Arcata Community Development Department

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[www.cityofarcata.org](http://www.cityofarcata.org)

# TREE REMOVAL

## OVERVIEW

Much of Arcata is forested with stands of conifers, most notably redwoods, which are a distinctive part of the City character. These forested areas are protected by City code, however, in certain cases trees posing a hazard or located in areas of planned growth need to be removed. For those purposes the City has adopted specific Land Use Code language that calls for a permit prior to removal of certain sizes and numbers of trees. The purpose of a Tree Removal Permit is to allow an appropriate level of review prior to tree removal. This also preserves and protects trees considered important to the character of the City of Arcata and its neighborhoods. This permit is required in all zones, except for commercial timber operations as allowed within the AE, AR, and NR-TP zone districts.

A Tree Removal Permit must be obtained prior to the removal, relocation, cutting down, topping or other act that causes the destruction of a tree for any tree with a diameter of 16-inches or more; or a group of 30 or more trees with diameters more than 10-inches, measured at 54-inches above natural grade, unless specifically exempted by § 9.58.040. A Tree Removal Permit is also required prior to the approval of discretionary projects, as applicable (e.g. Hillside Development Permit, Grading permit, Coastal Development Permit, Use Permit, etc.).

## HOW TO APPLY

Tree Removal Permit applications are available at the Community Development Department, or on the Department's website at [www.cityofarcata.org](http://www.cityofarcata.org). Staff can assist you with the materials needed for a complete application packet. Submit the completed application packet along with the application fee to the Department for processing.

In some cases a Tree Removal Permit application will accompany another application (e.g. subdivision) for a discretionary project, and those permit applications should be combined for concurrent processing. Otherwise the Tree Removal Permit application must be filed with the Department on its own.

## THE PROCESS

### Step 1: Application Filing and Initial Review

Once your application has been submitted and fees collected, Staff will perform an initial application review for completeness. If this application accompanies another application, both applications should be filed at the same time. Please follow the attached checklist carefully when preparing your application as this is what staff relies on to determine completeness. Should your application be found incomplete, you or your designated agent will be contacted and advised what items must be submitted before processing can continue.

Preliminary Review Option: Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project. This will provide you with an assessment of how the proposed use complies with applicable standards. The application must be complete to proceed beyond that.

### **Step 2: Environmental Review**

The scope of environmental review for a Tree Removal Permit depends on the number of trees proposed to be removed and whether there are accompanying applications. Removal of four or fewer trees in a 10-year period is considered a ministerial project which would, in most cases, be exempt from the California Environmental Quality Act (CEQA) review process. Permits for removal of more than four trees are considered a discretionary action subject to CEQA. The assigned planner will review your application in accordance with the CEQA and § 9.58.020.F to determine if the project is statutorily or categorically exempt from CEQA, or if it is subject to CEQA and further environmental review is required. If the project is exempt from CEQA, then Step 2 is complete. If the project is not exempt from CEQA, then an initial study will be prepared, which determines the required environmental document that must be prepared and circulated for agency and public comment.

### **Step 3: Review Procedure and Review Authority**

For a developed parcel, a Tree Removal Permit will be reviewed as follows: if the request involves the removal of four or fewer trees in a 10-year period within an area less than three acres, then the City can act on the request as a ministerial project; if the request involves the removal of more than four trees, within an area less than three acres regardless of time, then the City will review this as a discretionary act in compliance with §9.58.030 and §9.58.050.

For a vacant parcel, a Tree Removal Permit will be reviewed as follows: if the request involves the removal of four or fewer trees within a proposed access road and buildable area and it is done in conjunction with a Building Permit, then the City can act on the request as a ministerial project; if the request involves the approval of a discretionary project for the same site (e.g. Major Subdivision/Planned Development); or if the request involves the removal of vegetation within the natural area of a parcel, then the City will review this as a discretionary act in compliance with §9.58.030 and §9.58.050.

The Community Development Department may refer Tree Removal Permit applications to other departments where review is warranted. Ministerial permits are issued over the counter. All discretionary Tree Removal Permits will be reviewed and decided by the Zoning Administrator.

### **Step 4: Conditions of Approval and Findings**

In approving a Tree Removal Permit, the review authority may impose any conditions deemed reasonable and necessary for Land Use Code compliance (e.g. removal of invasive vegetation, tree replacement etc.) and to ensure that approval will comply with the required findings. The violation of any required condition may constitute grounds for permit revocation.

### **Step 5: Appeals**

Zoning Administrator actions are appealable to the Planning Commission. Appeals to the Planning Commission must be filed with the Community Development Department within 10 calendar days of the actual date of the final decision. Appeals must be submitted in writing and be accompanied by the required fees.

## **EXPIRATION OF PERMITS**

The work authorized by a Tree Removal Permit must commence within six months from the date of approval or other time limit established through concurrent planning permit approval. Time extensions, for up to a total of two years may be granted.

# Tree Removal Permit Application Checklist

For Staff Use Only	
<input type="checkbox"/>	Ministerial Project
<input type="checkbox"/>	Discretionary Project
Initials: _____	

Visit the Community Development page at [www.cityofarcata.org](http://www.cityofarcata.org). Select the Land Use Code from the menu and then see Chapter 9.58 for complete Tree Preservation and Removal permit regulations.

- Preliminary Review Option: Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project.

Talk with Arcata Community Development Department Planning Staff to determine which of the following items must be submitted along with a completed and signed application form. **Incomplete or inaccurate information will cause a delay in permit processing.**

- Application form with signatures of all owners of the affected parcels.
- Application fee deposit as indicated on the application form.
- 8 copies of a plot (site) plan containing the information shown on the Plot Plan Checklist. Additional copies may be needed for agency distribution. In addition, the plot plan shall include:
  - Site topography for slopes over 15%.
  - Type, size, and location of trees to be topped, removed, retained and planted.
  - Location of existing and proposed skid roads or trails.
  - Natural features of the site: wetlands, creeks, drainages, riparian corridors or other sensitive resource areas.
- One copy of the following application materials and one electronic copy compatible with WORD:
  - Complete description of the proposed use that includes, but is not necessarily limited to:
    - Plan of operation including: hours of operation, method of debris disposal, haul route, and erosion control methods (Best Management Practices). A contact person who is available during the hours of operation shall be included.
    - A statement indicating if the project involves the clearing of vegetation around a house in order to establish defensible space as identified in California Department of Forestry and Fire Protection (CDF) Fire Safe Guidelines and shall state whether a CDF permit is required.
    - An Arborist's or Registered Professional Forester's report at the discretion of the Community Development Director or City Forester. This report may be required to include:
      - The location and type of tree protection measures to be installed for retained trees,
      - Aerial photographs of the project site, and
      - Utility trenching pathway plan (if applicable).
- Include additional information and supporting documentation as needed to assist the processing of the permit. It is strongly recommended that the following required findings be reviewed to ensure the application material supports LUC Section 9.58.050(A) – Tree Removal Permit findings.
- To request an exemption from the California Environmental Quality Act (CEQA), submit justification and evidence to support a CEQA exemption; or
- For projects not exempt from CEQA, submit a CEQA checklist. See staff for a Negative Declaration or Environmental Impact Report determination.
- Cultural Resource Review - Refer to the latest fee schedule and make checks payable to: NCIC (North Coastal Information Center).

Subject to changes or additions at any time. Applications may require additional information for continued processing.