

Reinstated by Resolution No.
NS-29,092

RESOLUTION NO. NS-23,710

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
RESCINDING RESOLUTION NO. NS-21,433 REGARDING THE ADOPTION
OF CRITERIA AND STANDARDS FOR THE ALTERATION OR REMOVAL
OF HERITAGE TREES AND SHRUBS

WHEREAS, Chapter 9.56 of the Santa Cruz Municipal Code titled "Preservation of Heritage Trees and Heritage Shrubs" authorizes the alteration or removal of any heritage tree or heritage shrub only under circumstances to be set forth by City of Santa Cruz City Council resolution; and

WHEREAS, it is the intention of the City Council of the City of Santa Cruz that this resolution, and the criteria and standards hereby adopted, shall be used to determine the only circumstances under which any heritage tree or heritage shrub may be altered or removed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby adopts the criteria and standards set forth in Exhibit A attached hereto and by this reference incorporated herein for the determination of the circumstances under which any heritage tree or heritage shrub may be altered or removed, and that Resolution No. NS-21,433 is hereby rescinded.

PASSED AND ADOPTED this 14th day of April, 1998, by the following vote:

AYES: Councilmembers: Beiers, Rotkin, Hernandez, Mathews, Kennedy;
Mayor Scott.

NOES: Councilmembers: None.

ABSENT: Councilmembers: Campbell.

DISQUALIFIED: Councilmembers: None.

APPROVED: Calvin Scott
Mayor

ATTEST: Kimberly Proctor
City Clerk

RESCINDED BY
RESOLUTION NO. NS- 28,706

EXHIBIT A

CRITERIA AND STANDARDS

1. A heritage tree or heritage shrub, as defined in Chapter 9.56 of the City of Santa Cruz Municipal Code shall only be altered or removed in the following circumstances:

(a) Alteration of a heritage tree or heritage shrub would only affect less than twenty-five percent (25%) of the crown of said heritage tree or heritage shrub;

(b) Findings by the Director of Parks & Recreation can be established in conformity with the City's Urban Forest and Wildland Interface Policy Statement; or

(c) One or more of the following findings are established by the applicant and confirmed by the Director of Parks and Recreation:

(1) The heritage tree or heritage tree shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;

(2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or

(3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

2. For every heritage tree or heritage shrub altered, damaged or removed, mitigation shall occur in accordance with the City Council resolution establishing mitigation requirements for alterations, damage and removals of heritage trees and shrubs.

3. During the pendency of any appeal arising out of the approval or disapproval of a heritage tree removal/alteration permit application processed pursuant to S.C.M.C. 9.56, the tree, grove of trees or shrub which is the subject of that appeal shall be maintained in the same condition as on the permit application date and shall not be pruned or altered in any fashion whatsoever whether or not the pruning or alteration would otherwise require a permit.

RESOLUTION NO. NS-29,092

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
RESCINDING RESOLUTION NS-28,706 AND REINSTATING
RESOLUTION NO. NS-23,710 REGARDING THE ADOPTION OF
CRITERIA AND STANDARDS FOR THE ALTERATION OR REMOVAL
OF HERITAGE TREES

RESOLVED by the City Council of the City of Santa Cruz that, pursuant to the judgment of the Superior Court of the County of Santa Cruz entered on March 21, 2016 in Case No. CV178084, Resolution No. NS-28-706, adopted by the City Council on October 22, 2013 is hereby rescinded in full, and the City Council hereby re-adopts the criteria and standards set forth in former Resolution No. NS-23,710 in its place. This resolution shall not be enforced until Ordinance No. 2016-05, repealing Ordinance No. 2013-18 and re-adopting provisions of Chapter 9.56 in effect prior to its adoption goes into effect.

PASSED AND ADOPTED this 26th day of April, 2016, by the following vote:

AYES: Councilmembers Noroyan, Lane, Terrazas, Posner, Comstock; Vice Mayor Chase; Mayor Mathews.

NOES: None.

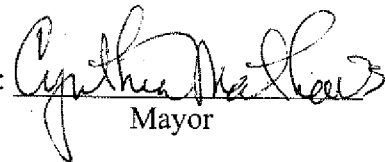
ABSENT: None.

DISQUALIFIED: None.

ATTEST:



City Clerk Administrator

APPROVED: 
Mayor