



COMMERCIAL/INDUSTRIAL DISCRETIONARY TREE REMOVAL APPLICATION

Application fee due upon submittal: See Section 2.5

City of Cerritos approval is required prior to the removal of any privately-owned tree located on a commercial or industrial property. This Commercial/Industrial Discretionary Tree Removal Application is intended for the proposed removal of trees that constitute a private nuisance and that do not qualify for Administrative approval (see Section 2.0 for additional details). Please consult with the Department of Community Development for the appropriate application and approval process (see Section 5.0 of this application for additional details).

Level of review: This application is subject to discretionary review by the Cerritos Planning Commission. The application will first be reviewed administratively by City of Cerritos staff to ensure completeness and clarity of the information provided. Following City staff's determination of completeness, staff will schedule a public hearing before the Cerritos Planning Commission for their review and consideration of the application. In some instances, where the proposed tree replacement would cause a substantial visual impact to the property as viewed from the street, the application may be referred to the City Council for review and consideration following Planning Commission review and recommendation, on a case-by-case basis.

1.0 PROPERTY/CONTACT INFORMATION

1.1 Name of shopping center or business: _____

1.2 Primary property address: _____
(If the commercial or industrial property has multiple addresses, provide the primary address [e.g., major tenant address] for record purposes.)

1.3 Name and title of property owner authorizing this application: _____

1.4 Name and title of contact **removing** trees: _____

1.4a Business name: _____ 1.4b Phone number: _____

1.4c Business address: _____

1.4d Email: _____

1.5 Name and title of contact **replacing** trees (if different from above): _____

1.5a Business name: _____ 1.5b Phone number: _____

1.5c Business address: _____

1.5d Email: _____

2.0 DISCRETIONARY TREE REMOVAL STANDARDS

In accordance with Section 8 of the City of Cerritos Tree Preservation Manual, the following standards shall apply for all discretionary tree removals:

- 2.1 Eligibility – Discretionary tree removal approval may be granted by the Cerritos Planning Commission when a tree constitutes a private nuisance. "Private nuisance" means a privately-owned tree causing significant structural damage to privately-owned structures including, but not limited to, buildings, block walls, shade structures, and trash enclosures. "Private nuisance" also means a tree on private property that poses a danger or threat to the life, health, or safety of the general public.

"Significant structural damage" means significant visible physical damage to any of the aforementioned structures caused by the subject tree's main trunk and/or root system, thereby jeopardizing the structural integrity of said structure. Evidence of significant structural damage must be reported in a Building Inspection Report prepared by an independent Certified Building Inspector, retained by the property owner. Damage to existing privately-owned sidewalks, curbing, asphalt paving, and/or plumbing caused by the root system of an adjacent tree shall not qualify as "significant structural damage" unless any of the following conditions apply:

- 1.) Damage to private property persists after initial root-pruning measures prove to be ineffective;
- 2.) The extent of the required root pruning is deemed by the City Arborist to be detrimental to the long-term health and stability of the subject tree; or
- 3.) The referenced damage to private property is unable to be corrected without first removing the subject tree.

All measures to preserve and protect trees that are not dead, dying, or diseased must be exhausted prior to obtaining Planning Commission approval for the removal of healthy trees that are believed to be causing significant structural damage to a permanent privately-owned structure. Accordingly, leaf debris, droppings, sap, and/or tree branches that can be effectively controlled through pruning and routine maintenance shall not constitute "significant property damage" and thereby shall not be considered as justification for the removal of trees.

Only trees that meet the eligibility criteria outlined in this section should be included in this application. Other trees that qualify for staff-level approval should be included in a separate Administrative Tree Removal Application for staff-level review and approval.

- 2.2 Prior Written Review/Approval – No tree shall be removed without prior written authorization from the respective property owner and subsequent approval by the City of Cerritos. With the submittal of a completed application and required supplemental information, City staff will conduct an inspection and, upon determining whether the trees meet the eligibility criteria outlined above, will authorize consideration of a Discretionary Tree Removal Application by the Planning Commission at a duly noticed public meeting.
- 2.3 Replacement of Prior Removed Trees – No new trees will be considered for approval for removal until all prior removed trees have been replaced in accordance with previous written City approval. Trees that were previously removed without City approval and without replacement shall be included in the proposed Tree Replacement Plan.
- 2.4 One-for-One Replacement – Each removed tree must be replaced with at least one new tree on the same property with similar characteristics, the species and size of which must be approved by the City of Cerritos.

- 2.5 Application Fees – The following application fees shall be required to be submitted with a completed Discretionary Tree Removal Application:
- \$500 public hearing fee AND
 - \$0.39 per mailing label (see Section 4.4) AND
 - Tree removal request fee as follows:
 - \$115 for the proposed removal of 1-5 trees;
 - \$230 for the proposed removal of 6-10 trees; or
 - \$560 for the proposed removal of 11 or more trees.
- 2.6 Pre-Application Meeting – City staff is available upon request to meet with property owner(s) and respective Qualified Landscape Professionals (see Section 4.1) in advance of application submittal to answer questions pertaining to completion of the application and preparation of the required Tree Reforestation Plan. Call (562) 916-1201 to schedule an appointment.
- 2.7 Application Review "Shot Clock" – City staff shall be required to do either of the following within thirty (30) days of receipt of a completed application:
- Complete the plan check review and provide comments and corrections to the applicant for incorporation into a revised plan. If corrections are required, the applicant shall resubmit a revised plan with said changes incorporated for further review by City staff under a new thirty (30) day "shot clock" period; or
 - Find the application to be complete and the plans and supporting documents to be ready for Cerritos Planning Commission review. Staff will schedule a public hearing before the Cerritos Planning Commission for their review and consideration of the application.
 - In some instances, where the proposed tree replacement would cause a substantial visual impact to the property as viewed from the street, the application may be referred to the City Council for review and consideration following Planning Commission review and recommendation, on a case-by-case basis.
- 2.8 Public Hearing Purpose – A duly noticed public hearing is required for consideration of a Discretionary Tree Removal Application in order to provide an opportunity for affected residents to participate in the decision-making process, voicing their comments in support of or against the proposed application. The public hearing process provides for local government transparency in cases where otherwise healthy trees are considered for removal.
- 2.9 Application Denial/Appeal – If a denial is issued by Cerritos Planning Commission for the proposed application, the property owner(s) may elect to withdraw the application or revise the plan to address the Planning Commission's comments for consideration at a continued public hearing. The HOA may also elect to appeal the Planning Commission's decision to the City Council.
- Appeal must be submitted to the City Clerk's Office within fifteen (15) days of said denial.
 - Appeal fee of \$500 shall apply, to cover the cost of the public hearing.
 - The determination of the City Council shall be final and effective immediately.

(This space is intentionally left blank.)

Property address: _____
(same as item 1.2 on page 1)

FOR OFFICE USE ONLY	A/P# _____ <i>(Project Reference Number)</i>
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3.0 SAMPLE TREE LEGEND

Please reference the sample tree legend provided below when conveying information and details about the tree(s) proposed for removal and replacement.

Tree No.	Approximate address or location description	Proposed species for removal	Reason for removal*	Proposed species for replacement	Proposed tree size	Proposed location
1.						
2.						
3.						
4.						
5.						

* In order to qualify for Discretionary (Planning Commission) approval, the subject tree must meet one of the eligibility criteria for removal listed in Section 2.1 above.

(This space is intentionally left blank.)

Property address: _____
(same as item 1.2 on page 1)

FOR OFFICE USE ONLY **A/P#** _____
(Project Reference Number)

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4.0 APPLICATION CHECKLIST

Check the boxes below to acknowledge the submittal, with this completed application, of the items specified below (including all listed details). This application will not be accepted via e-mail.

4.1 Tree Reforestation Plan - three (3) hard copy sets*

The Tree Reforestation Plan shall be prepared by a Qualified Landscape Professional. "Qualified Landscape Professional" means a registered or licensed professional with credentials, such as a Certified Arborist or State-Licensed Landscape Architect.

Site Plan/Aerial Photo Specifications: For the Tree Reforestation Plan, each site plan or aerial photo (printed on 11" x 17" sheet) shall show the following:

- Primary property address identified in item 1.2 above
- Name of shopping center or business, if applicable
- North arrow
- Labeled streets
- Location of each tree, numbered according to the tree legend
- Minimum 4" by 6" blank/white area for approval stamp
- Drawing/photo must be clear and legible.
- If printed in color, it must be easily reproducible in black and white.

Photograph Specifications: The photograph sheets (minimum 8.5" x 11") shall show:

- At least one color photo (minimum 4" x 6") of each tree proposed for removal, numbered according to the tree legend

*Note: Following completion of staff's review, additional hard copy sets of corrected plans will be required for review by the Cerritos Planning Commission, along with a CD or emailed files containing electronic copies of the plans. The request for these items will be made in writing by City staff.

4.1.1 Tree Disposition Plan

The Tree Disposition Plan shall include:

- Site plan and/or aerial photo (printed on 11" x 17" sheet) identifying the location and condition of the subject tree(s) to be removed within the commercial or industrial area, numbered according to the tree legend. Trees eligible for removal must be dead, dying, diseased, and/or constitute a public nuisance as determined by the Director of Public Works or his/her designee.
- Tree legend
- Photographs of the subject tree(s)
- Supporting documentation (minimum 8.5" x 11") illustrating the reason(s) for tree removal

4.1.2 Building Inspection Report

The Building Inspection Report shall be prepared by an independent certified building inspector retained by the property owner and shall include:

- Evidence of a "private nuisance" existing by way of the subject tree causing "significant structural damage" to privately-owned commercial/industrial property. (See Section 2.1 above for definitions of "private nuisance" and "significant structural damage.")

Property address:

_____ *(same as item 1.2 on page 1)*

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- 4.1.3 **Tree Replacement Plan**
The Tree Replacement Plan shall include:
 - Site plan and/or aerial photo (printed on 11" x 17" sheet) identifying the location and type of replacement tree(s) that is required to be comparable in size and shape to the corresponding subject tree(s) being removed
 - Tree legend

- 4.1.4 **Planting Plan Detail**
The Planting Plan Detail is required only when the replacement tree is to be located in an alternative location and shall include:
 - Drawing (printed on 8.5" x 11" or 11" x 17" sheet) identifying the plant material (shrubs and/or groundcover) to be installed in the subject area

- 4.1.5 **Schedule of Performance**
The Schedule of Performance establishes the timeframe for completing the removal and replacement of City-approved trees and/or the phased removal and replacement of City-approved trees over an extended period of time. The Schedule of Performance shall include:
 - Document (printed on 8.5" x 11" sheet) identifying the outer date (month and year) planned for completion of the removal and replacement of each tree
 - If a phased schedule is proposed, the outer date (month and year) corresponding to each tree, numbered according to the tree legend

4.2 Property Owner’s Consent to File Application
This form is attached to the end of this application. It must be signed by the property owner(s) and notarized.

4.3 Public Notice Base Map
Submit one copy of a base map showing the subject HOA, including all properties within the commercial or industrial property, and adjacent properties within 500 feet of the exterior boundaries of the commercial or industrial property.

- Each property must be numbered to correspond to the information on the Gummed Mailing Labels (see item 4.4 below).
- The map must be printed to scale at 1" = 100'-0" or 1" = 200'-0".

(This space is intentionally left blank.)

Property address: _____

(same as item 1.2 on page 1)

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4.4 Public Notice Gummed Mailing Labels

The applicant/list preparer shall type a list of the names and addresses of all property owners within 500 feet of the exterior boundary of the applicant's property onto gummed labels. Each property shown on the gummed label should be numbered to correspond to information on the Base Map (see item 4.3 above).

- Mailing labels must be printed on a 8.5" x 11" label sheet, with 3 equal rows across and 10 or 11 rows down.
- Labels submitted in formats other than that specified will not be accepted.
- Sample label:

John Doe 12345 Main Street Cerritos, CA 90703	14
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- The number on the bottom-right corner of the label corresponds to the number on the Base Map.
- Mailing labels must be current within the six (6) months of filing the application.

4.5 Adjacent Property Owner's List Preparer's Affidavit

This form is attached to the end of this application. It must be completed by the person who prepares the map and list referenced in items 4.3 and 4.4 above.

4.6 Environmental Information Form (Appendix H)

This form is attached to the end of this application. It is required under the California Environmental Quality Act (CEQA) to be completed whenever a proposed project undergoes discretionary review.

4.7 Legal Description

Attach a copy of the legal description of the HOA-owned property. This information will be referenced in the resolution to be adopted by the Cerritos Planning Commission.

4.8 Application fees (see Section 2.5)

(This space is intentionally left blank.)

Property address:

_____ *(same as item 1.2 on page 1)*

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DETERMINATION OF COMPLETENESS - FOR OFFICE USE ONLY

This application is deemed (check one):

Complete. All required application materials have been submitted. The application is accepted and will be processed. Following review of all of the submitted materials and inspection by City staff, comments and/or corrections will be provided in writing within 30 days of receipt.

Date: _____

Received by (City staff name): _____

Incomplete. The following application materials are missing and/or incomplete:

The above item(s) must be provided in order to deem the application complete for processing.

Date: _____

Returned by (City staff name): _____

Complete after Resubmittal. All required application materials have been submitted. The application is accepted and will be processed. Following review of all of the submitted materials and inspection by City staff, comments and/or corrections will be provided in writing within 30 days of receipt.

Date: _____

Received by (City staff name): _____

(This space is intentionally left blank.)

Property address: _____
(same as item 1.2 on page 1)

FOR OFFICE USE ONLY A/P# _____
(Project Reference Number)

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5.0 COMMERCIAL/INDUSTRIAL TREE REMOVAL INFORMATION

The City of Cerritos maintains separate procedures for the removal of trees in residential areas depending on the location and condition of the subject tree. Below is a summary of the various applications, associated fees, and reference documents. Fees are intended only to recoup the City's cost associated with the review, processing, and facilitation of the tree removal applications.

Application/Document	Fee	Contact	Download Location
City of Cerritos Tree Preservation Manual Policy document outlining City standards and procedures for removal of trees	N/A	N/A	http://www.cerritos.gov/buildingpermits
Commercial/Industrial Administrative Tree Removal Application Trees that are dead, dying, diseased, and/or constitute a public nuisance	1-5 trees: \$115 6-10 trees: \$230 11+ trees: \$560	Department of Community Development (562) 916-1201	
Commercial/Industrial Discretionary Tree Removal Application Trees that constitute a private nuisance and/or do not qualify for Administrative approval	\$500 public hearing fee + above fees		
Commercial/Industrial Emergency Tree Removal Application Trees that posed an immediate threat to public safety and prior verbal City approval was granted	No fee if replaced within 60 days		

6.0 ACKNOWLEDGEMENT

By signing below, I acknowledge an understanding of the following declarations:

- 6.1 Review of Requirements. I declare, under penalty of making a false statement, that I have read and understand the statements and requirements of this application.
- 6.2 Conditions of Approval. I understand and will comply with the following conditions of approval:
 - 6.2a: Prior to installation of replacement tree(s), the City Arborist shall be contacted at (562) 407-2659 to inspect the tree(s) to verify species, size, and good health.
 - 6.2b: Ongoing trimming of all trees on the subject property shall be subject to approval of a Tree Pruning Permit and shall be performed in accordance with standards set forth in Cerritos Municipal Code Chapter 9.75.
 - 6.2c: The contractor performing the approved tree removal and replacement shall hold a business license issued by the City of Cerritos.
- 6.3 Plan Adherence.
 - 6.3a: No tree shall be removed without prior written approval by the City of Cerritos.
 - 6.3b: I attest that the plans submitted for review in connection with this application are complete and accurate. Approval of the submitted plans is subject to the applicant having submitted accurate information.

Property address: _____
(same as item 1.2 on page 1)

FOR OFFICE USE ONLY	A/P# _____ <i>(Project Reference Number)</i>
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- 6.3c: All work shall be performed in accordance with the approved plans and application. If modifications or deviations from the approved plans and application are deemed necessary, any and all such modifications shall be submitted in the form of revised plans and revised application to the Department of Community Development for review in accordance with the requirements set forth herein. No modification or deviation shall proceed without prior written approval by the Department of Community Development. If these requirements are violated, the City of Cerritos may require the work to be completely removed and redone in accordance with the approved plans.

6.4 Penalties for Violation. A violation of the statements and requirements of the Municipal Code may constitute an infraction punishable pursuant to Section 1.08.020 of the Cerritos Municipal Code.

(This space is intentionally left blank.)

Property address:

_____ *(same as item 1.2 on page 1)*

FOR OFFICE USE ONLY	A/P# _____ <i>(Project Reference Number)</i>
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I acknowledge and understand declarations 6.1 through 6.4 above.

6.5 Applicant's signature: _____ Date: _____

6.6 Authorized property owner representative signature: _____ Date: _____

6.7 Primary property address: _____
(same as item 1.2 on page 1)

APPROVAL/DETERMINATION - FOR OFFICE USE ONLY	
City Arborist review: Transmitted on (date): _____ Returned on (date): _____	
Public hearing held by the Cerritos Planning Commission on (date): _____ Cerritos Planning Commission Resolution Number: _____	
This application is (check one): <input type="checkbox"/> Approved , subject to the findings and conditions of approval incorporated by reference into the above-referenced resolution. <input type="checkbox"/> Denied , subject to the findings in the above-referenced resolution.	
City Staff Name: _____ Title: _____	
Signature: _____ Date: _____	
(If approved) Project Reference Number:	A/P# _____

ENVIRONMENTAL INFORMATION FORM

Appendix H

Date Filed: _____

GENERAL INFORMATION

- 1. Name and address of developer or project sponsor: _____

- 2. Address of project: _____
Assessor's Book, Page and Lot Number: _____
- 3. Name, address, and telephone number of person to be contacted concerning this project:

- 4. Existing zoning district: _____
- 5. Proposed use of property (project for which this form is filed): _____

PROJECT DESCRIPTION

- 6. Property size: _____ acres, _____ square feet.
- 7. Proposed building square footage: _____
- 8. Number of floors and square footage of each floor: _____

- 9. Amount of off-street parking provided: _____ spaces.
- 10. Anticipated phasing of development: _____

- 11. If multifamily residential, include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected: _____

- 12. If commercial, include the type of use, whether neighborhood, city or regionally oriented, square footage of sales area and loading facilities: _____

- 13. If industrial, indicate type of use, estimated number of employees per shift and loading facilities: _____

- 14. If institutional, indicate the major function, estimated number of employees per shift, estimated occupancy, loading facilities and community benefits to be derived from the project:

- 15. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required: _____

(Continues on Next Page)

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

YES NO

- 16. Change in existing property features or substantial alteration of ground contours.
- 17. Change in scenic views or vistas from existing residential areas or public lands or roads.
- 18. Change in scale or character of general areas surrounding project.
- 19. Add significant amounts of solid waste or litter.
- 20. Change in the level of dust, ash, smoke, fumes or odors in vicinity.
- 21. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
- 22. Substantial change in existing noise or vibration levels in the vicinity.
- 23. Property on filled land or on slope of 10 percent or more.
- 24. Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
- 25. Substantial change in demand for municipal services (police, fire, water, sewage, etc).
- 26. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc).
- 27. Relationship to a larger project or series of projects.

Environmental Setting

- 28. Describe the property as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the property and the use of said structures. Attach photographs of the site.
- 29. Describe the surrounding properties, including information on plants and animals, and on any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment, houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity.

Certification:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: _____ Signature: _____

For: _____

PROPERTY OWNER'S CONSENT TO FILE APPLICATION

I (we), _____, hereby certify that I am (we are) the owner(s) of the property located at _____, and identified as

APN _____ and that I (we) have reviewed this application and that this application is being filed with the full knowledge and consent of the above property owner(s). I (we) further acknowledge and understand that if the application is approved by the City, the application shall subject the property to conditions of approval. I (we) certify, under penalty of perjury, that the foregoing statements presented herein are in all respects true and correct to the best of my (our) knowledge and belief.

Signature: _____

Mailing Address: _____

Phone: _____

Signature: _____

Mailing Address: _____

Phone: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____
(insert name and title of notary public)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS, my hand and official seal.

Signature of Notary

ADJACENT PROPERTY OWNER'S LIST PREPARER'S AFFIDAVIT

I, _____ being duly sworn, depose and certify that I am the owner of all or part of the property located at _____, and identified as APN _____ or am a duly appointed representative of such owner(s), and hereby certify that the attached list contains the names and addresses of all persons to whom all property is assessed as they appear on the latest available assessment roll of the County of Los Angeles within the area described and for a distance of five hundred (500) feet from the exterior boundaries of property legally described as:

Date: _____ Signature: _____
Mailing Address: _____ Phone: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____
(insert name and title of notary public)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS, my hand and official seal.

Signature of Notary