

ORDINANCE NO. _____

An ordinance adding Section 62.177 to the Los Angeles Municipal Code to establish a tree replacement in-lieu fee to satisfy the City's tree planting requirements when a required tree cannot be planted on-site.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 62.177 is added to Article 2, Chapter VI of the Los Angeles Municipal Code to read as follows:

**SEC. 62.177. ESTABLISHMENT OF TREE REPLACEMENT AND PLANTING
IN-LIEU FEE.**

(a) **Definitions.** The definitions provided in Section 62.00 of this Code along with the definitions contained in this subsection shall govern the construction, meaning and application of words and phrases used in this section.

(1) **"Board"** shall mean the Board of Public Works or its designee.

(2) **"Development Tree Planting Requirement"** shall mean the tree planting requirement under Section 12.21(G)(2)(a)(3) of this Code.

(3) **"Public Works Tree Planting Requirement"** shall mean a tree planting requirement imposed as a permit condition for the removal of a street tree under Section 62.169 of this Code.

(b) An in-lieu fee is hereby established to cover the cost to procure, plant and provide water for three years for each tree required pursuant to a Development Tree Planting Requirement or a Public Works Tree Planting Requirement, as defined herein, when the required tree cannot feasibly be planted on-site. The in-lieu fee under this section shall be as follows:

(1) In-Lieu Fee - Development Tree Planting Requirement: \$2,612 per tree.

(2) In-Lieu Fee - Public Works Tree Planting Requirement: \$1,945 per tree.

(c) Upon the approval by the Board, including a determination by the Board that the site cannot feasibly accommodate a required tree, the in-lieu fee established in Subsection (b) may be used to satisfy a Public Works Tree Planting Requirement.

(d) Upon the approval pursuant to a Director's Decision under Section 12.21(G)(3) of this Code, including a determination by the Director that the site cannot

feasibly accommodate a required tree, the in-lieu fee established in Subsection (b) may be used to satisfy a Development Tree Planting Requirement.


(e) The In-Lieu Fee – Public Works Tree Planting Requirement established in Subsection (b) shall be reduced to \$267 per tree for any residential property with four or fewer dwelling units.

(f) The in-lieu fees established in this section shall be collected by the Board and solely used to procure, plant and provide water and maintenance for three years for the required trees. The Board, with Council approval, shall determine the locations for trees planted using the in-lieu fees based on the location of the project triggering the Development Tree Planting Requirement or the tree removal permit triggering the Public Works Tree Planting Requirement, as well as the need for additional trees in an area.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
EDWARD M. JORDAN
Assistant City Attorney

Date 5-15-2018

File No. 16-0461

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I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles on May 15, 2018, and was passed at its meeting of May 22, 2018.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____