



## *PARKWAY TREE POLICY*

### INFORMATION:

The Cameo Community Association has prepared this policy for “supplemental trimming” of the City-maintained “Parkway Trees”. Parkway is defined as the area between the curb and the sidewalk at the front, rear or side of the residences. Cameo owners are responsible for this area which includes ground cover, irrigation and maintenance. The City of Newport Beach has a “maintenance / utility easement” over parkways as many of the water, sewer, cable and other utilities are located in these areas. Trees located in the Parkway are the maintenance responsibility of the City and they cannot be trimmed or modified by any owner. Currently, the City trims Orchard trees on an annual basis and other types of trees every 2 – 3 years.

### POLICY:

#### A. REQUEST FOR SUPPLEMENTAL TRIMMING FOR PARKWAY TREE ADJACENT TO OWNER’S RESIDENCE:

For supplemental trimming in the Parkway where the requesting owner lives, the owner must complete a Request Form, which can be found on the City website. A fee is also required. Pursuant to the City’s G-1 Policy, the Association must also provide approval on the Request Form.

#### B. REQUEST FOR SUPPLEMENTAL TRIMMING DUE TO VIEW COMPLAINT:

- 1) If the owner is requesting supplemental trimming on a tree that is in the Parkway adjacent to another owner’s residence due to a view complaint, the owner with the view complaint must contact the applicable owner to request that he/she submit a request to the City for supplemental trimming. The owner with the view complaint shall pay the City fee, unless otherwise agreed to by the parties. The Association will provide its approval on the Request Form.
- 2) If the owner adjacent to the Parkway does not agree to submit a request for supplemental trimming, the owner with the view complaint may submit a complaint to the Association in the same manner required for all other view complaints.

- 3) After receipt of a Parkway Tree view complaint, the Architectural Committee (“AC”) will conduct a site inspection to determine if the Parkway Tree unduly impairs or impedes the complaining owner’s view. The AC shall evaluate the view using the same criteria utilized for all other view complaints.
- 4) If the AC determines that the Parkway Tree does not unduly impair or impede the view from the complaining owner’s lot, the Association will notify the owner of its finding and the Association will take no further action.
- 5) If the AC determines that the Parkway Tree does unduly impair or impede the view from the complaining owner’s lot, the Association will notify the owner adjacent to the Parkway Tree of the AC’s finding and request the owner submit a request to the City for supplemental trimming. The complaining owner will be responsible for paying the fee. The Association will provide its approval on the Request Form (owner consent is also required).
- 6) If the owner adjacent to the Parkway Tree refuses to consent to supplemental trimming, the Association will take no further action and the dispute will remain between the two owners.