



Staff Report

City of Pomona Planning Commission

DATE: August 12, 2026

FILE NO: MAJOTP-000565-2025

A request for a retroactive Major Oak Tree Permit for the removal of one (1) mature Oak Tree within the front yard of a single-family property located within the Residential Neighborhood District 1 (RND1) zone.

ADDRESS: 2047 Pandora Way (APN: 8331-021-012)

APPLICANT: Jose L. Guerra, Property Owner

PROJECT PLANNER: Karina Diaz, Associate Planner

ENVIRONMENTAL REVIEW: This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 (Class 4: Minor Alterations to Land) of the California CEQA Guidelines in that the project consists of the alteration of landscaping.

RECOMMENDATION: Approve Case File No. MAJOTP-000565-2025 and adopt PC Resolution No. 26-011

Project Information:

GENERAL PLAN DISTRICT: Residential Neighborhood

ZONING DISTRICT: Residential
Neighborhood District 1
(RND1) [HM1-N1-R1]

TRANSECT: T3

SPECIFIC PLAN DISTRICT: NA

GENERAL PLAN DENSITY: 20 DU/AC

CITY COUNCIL DISTRICT 3

Project Request:

The applicant, Jose L. Guerra, is requesting the retroactive approval of a Major Oak Tree Permit for the unpermitted removal of one (1) mature oak tree that is located within the front yard of the property at 2047 Pandora Way. The tree was removed around August 2025 by the property owner, and no permit was obtained with the Planning Division for the removal of this tree. This is associated with an existing code case with the Code Compliance Division under CE-001263-2025 and is related to the unpermitted Oak Tree removal. Though no longer possible to definitively verify, the City Arborist determined through historic imagery, that the tree was mature and likely in a healthy condition. According to the applicant, the tree had matured to the point where it had begun interfering with the sewer lines. Root intrusion into the sewer lines resulted in repeated clogs and substantial plumbing expenses. Additionally, the applicant stated that tree growth resulted in bee infestations in the second story of their home.

Please note that the Urban Forestry Manual identified roots in sewer line, excessive insects creating a nuisance to the resident, and hardscape damage as invalid reasons to remove a tree (Attachment No. 6). Moreover, Oak Trees are protected in the City of Pomona pursuant to Section 1300.J. "Oak Tree Preservation" of the Pomona Zoning and Development Code.

Project Background:

The property at 2047 Pandora Way is improved with a single-family residence with an attached garage, originally constructed in 1964. It is located in the southeastern quadrant of the City within City Council District 3. The surrounding neighborhood is comprised primarily of single-family homes that were developed during the same period as the subject property.

The subject Oak Tree was removed in or around August 2025, after which the Code Compliance Division issued a citation for the unauthorized removal. Pursuant to Section 1300.J, "Oak Tree Preservation," of the Pomona Zoning and Development Code, a Major Oak Tree Permit is required prior to the removal or relocation of any Oak Tree.

According to the applicant, the Oak Tree had matured to the point that its root system was interfering with the existing sewer lines. In accordance with the objective methodology established in the Pomona Tree Preservation Guidelines, staff recommends replacement at a 4:1 ratio, requiring the planting of four (4) replacement trees on-site. If on-site planting is determined to be infeasible, the applicant shall pay an in-lieu fee to the City, allowing the Public Works Department to plant the required replacement trees within the same City Council District, either in public parks or within the public right-of-way.

Project Review:

A Major Oak Tree Permit is required to be approved by the Planning Commission for the removal or relocation of any healthy and mature Oak Tree, pursuant to Section 1300.J "Oak Tree Preservation" of the Pomona Development and Zoning Code. In this case, since the tree was removed without a permit, we have no way of determining the size and health of the tree, which makes determining a tree value impossible. As an alternative, the City used the objective methodology used as part of the tree preservation program for the protection of trees in historic districts. A replacement ratio is determined through an objective methodology established within the Pomona Tree Preservation Guidelines, which have been provided for the Commission's reference (Attachment No. 4).

REPLACEMENT RATIO:

The Pomona Tree Preservation Guidelines establishes an objective replacement methodology based on the tree type proposed for removal, its size (diameter at breast height or dbh), and the proposed replacement tree species. Pursuant to this methodology, the tree must be replaced on a four-to-one (4:1) ratio, resulting in a total of four (4) replacement trees.

<i>Tree Type:</i>	<i>1:1</i>
<i>Heritage Tree:</i>	<i>2:1 (Oak tree with 24-inch dbh)</i>
<u><i>Retroactive Permit</i></u>	<u><i>2:1</i></u>
<i>Total Replacement Value:</i>	<i>4:1</i>

The Replacement Methodology is based on the following three (3) factors:

Factor 1. Any tree replaced with the same species **or** replaced with a tree on a preferred or required list is replaced with a 1:1 replacement ratio. However, any tree removed over twenty-four (24) inches in diameter shall be replaced at a rate double the rate specified under “Tree Type.” (2:1 replacement). The City Arborist, based on google imagery, estimated that the one removed Oak had a diameter greater than twenty-four (24) inches, making the tree a heritage tree. Therefore, the 2:1 replacement ratio is required.

Factor 2. All applications requiring retroactive approval of a previously removed tree are replaced at double the combined rate of Tree Type and Heritage Tree. This requires that the 2:1 replacement be doubled, requiring that each tree be replaced on a 4:1 ratio, totaling four (4) trees. Note tree removed was a Heritage Tree.

Factor 3. The Oak Tree Preservation Section of the Code (Section 1300.J.8.b) states that the removal of Oak trees shall be replaced at a one-to-one ratio and with a 24-inch box tree. It also states that “additional or larger trees and other vegetation may be required as conditions of permit approval, if they are determined to be necessary to compensate for the loss of the original oak tree and/or to aid in erosion control or to otherwise protect the environment from the effects of the tree removal”. Staff’s recommendation is that a ratio greater than one-to-one (1:1) is required to compensate for the loss of the mature, healthy tree and that the four-to-one (4:1) ratio with 24-inch box trees as determined in the tree preservation guidelines is an appropriate ratio to compensate for the tree loss.

REPLACEMENT AND MITIGATION:

Per the Pomona Zoning and Development Code, replacement Oak Trees must be planted on the property where the Oak Tree was removed. If an appropriate replanting location does not exist, the alternative is to donate the replacement trees to the City or pay an in-lieu fee to satisfy the required planting of the replacement trees. This fee will go to the City to facilitate tree planning within parks and public right-of-way within City Council District 3. Due to the size of the residential property, on-site replanting of four (4) replacement oak trees is not considered feasible. Therefore, staff recommends that the Planning Commission approve payment of an in-lieu fee as an alternative means of satisfying the oak tree replacement requirements. The replacement tree species will be determined by the City arborist depending on the location of where the trees will be planted (i.e. public right-of-way or park).

Required Findings:

The findings required in Section 1300.J.4.f of the Pomona Zoning and Development Code for a Major Oak Tree Permit are contained in the attached resolution (Attachment 1). A Major Oak Tree Permit for removal may only be approved based on the following findings:

1. The proposed relocation or removal of the Oak Tree(s) will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

The removal of the Oak Tree along the Pandora Way frontage of the subject site will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. The tree was located within the existing front yard that is generally flat in topography on firm soil and is not located within a hillside area or area prone to landslides.

2. The proposed relocation or removal of the Oak Tree(s) is necessary as continued existence at the present location impedes the planned improvement or proposed use of the subject property to such an extent that:

- a. Alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive; or
- b. Placement of the Oak tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized.

Based on information provided by the applicant, the tree's root system had begun impacting the existing sewer infrastructure serving the residence, creating a condition that impaired the property's utility and required corrective action. Further growth of the Oak Tree's root system would have lead to increased damage to the existing sewer line running under the property, inherently creating less safe conditions for the property owner. The tree is proposed to be replaced with Oak species in appropriate locations or with an in-lieu fee payment.

3. The proposed trimming, cutting and pruning will be limited to the minimum necessary to promote the health of the tree and protect the public safety, and whenever possible trees should remain in place or be moved only the minimum distance necessary to preserve the health of the tree and protect the public safety.

The subject Oak Tree was removed prior to the issuance of the required Major Oak Tree Permit; therefore, staff cannot verify that the trimming, cutting, or removal was limited to the minimum extent necessary to preserve the health of the tree or protect public safety, nor whether relocation was feasible. According to the applicant, the tree's root system was impacting the existing sewer lines, prompting its removal. To mitigate the unauthorized removal, staff is conditioning replacement of the tree in accordance with the Pomona Tree Preservation Guideline, requiring replacement at a 4:1 ratio or payment of an in-lieu fee if on-site planting is infeasible.

4. The Oak Tree(s) proposed for relocation or removal interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than the relocation or removal of the Oak Tree(s).

The subject Oak Tree that was removed did not interfere with utility services, streets, or highways. However, per the applicant, the tree's root system was causing significant damage to the property's sewer lines. As the tree was removed without permits, the replacement ratio is 4:1 for new trees or payment of an in-lieu fee.

5. The condition of the Oak Tree(s) proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices.

The subject Oak Tree has been removed and, in such, cannot be remedied through reasonable preservation procedures and practices.

6. The proposed relocation or removal of the Oak tree(s) will not be contrary to or in substantial conflict with the purpose and intent of the Oak Tree Permit Process.

The removal of the one (1) Oak Tree is not contrary to or in conflict with the purpose and intent of the Oak Tree Permit process, as the Oak Tree will be adequately replaced to maintain or increase tree canopy. The replacement ratio is in accordance with recommendations by the City Arborist and the objective methodology established by the Pomona Tree Preservation Guidelines.

Environmental Review:

Staff has determined that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304, Class 4 (Minor Alterations to Land) of the California CEQA Guidelines in that the project consists of the alteration of landscaping.

Public Noticing:

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on Friday, July 31, 2026 (Attachment No. 5). A notice was also sent to the owners and occupants of properties within a 400-foot radius of the subject site on July 30, 2026. As of the writing of this report, Staff has not received any comments in opposition to or in support of the proposed project.

Conditions of Approval:

The Conditions of Approval are contained in the attached resolution (Attachment No. 1).

Conclusion:

According to the applicant, the subject Oak Tree had matured to the point where it had begun to interfere with sewer lines, thus necessitating its eventual unpermitted removal. In accordance to the objective methodology for tree replacement in the Pomona Tree Guidelines, Staff is requiring that the removed Oak be replaced on a four-to-one ratio (4:1), instead of a one-to-one (1:1) ratio, requiring a total of four (4) trees be planted to adequately compensate for the loss of tree canopy.

Due to the limited size of the residential property, accommodating four (4) replacement oak trees on-site is not feasible. Therefore, staff recommends that the Planning Commission authorize the applicant to satisfy the replacement requirement through payment of the applicable in-lieu fee. This will support tree planting within City parks and the public right of way, ensuring that the exiting tree canopy in District 3 is maintained.

Based on the applicable findings, staff recommends that the Planning Commission approve MAJOTP-000565-2025 and adopt the attached draft Resolution No. 26-011.

Attachments:

1. Draft Planning Commission Resolution No. 26-011
2. Site Plan
3. Site Photographs
4. Pomona Tree Preservation Guidelines
5. Proof of Publication
6. Applicant Correspondence