

GEORGE RANCH COMMUNITY ASSOCIATION TREE POLICY
June 27, 2020

As of January 1, 2000¹, all California Community Associations are required, when providing a copy of a Governing Document, to include a cover page with the following statement:

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

It has been and continues to be the Association's policy not to discriminate on the basis of race, color, religion, gender, gender identity, gender expression, sex, familial status, marital status, sexual orientation, disability, national origin, or ancestry.

George Ranch Tree Policy

June 27, 2020

Background:

The combination of sudden oak death (SOD) syndrome exacerbated by the drought conditions in recent years has contributed to several instances where trees growing close to the roadways have fallen across the Common Area roads. At times traffic has been blocked. Prompt emergency response by the Buildings and Grounds Committee (B&G), usually assisted by some homeowners or outside contractors, has resulted in clearing roadway passages promptly.

Subsequently, the remaining portions of the fallen trees were removed either by B & G or by the homeowner. Inspections along the roadways indicate that we will likely need to deal with further occurrences of at risk trees. This policy supercedes the previous GRCA Tree Policy dated 7/17/2010 and documents current procedures to manage risks from roadside trees.

Responsibility:

Our roadways are constructed within a 50 foot wide strip of Common Area, which typically extends 25 feet from the center line of the roadway to each side of the roadway. The Homeowners Association (GRCA) has certain rights and certain responsibilities with regard to this Common Area, including maintenance of trees growing within it (i.e. the whole of the trunk of the tree is within the Common Area). Trees that grow on private property, typically beyond 25 feet from the center line of the road, are the responsibility of the property owner. (See CC&R Definitions of Common Area and Road, Article VII COMMON AREA EASEMENTS, and sub-paragraphs 7.5 Loss or Damage to Common Areas and 7.6 Easements for Repairs, Maintenance, & Emergencies.)

Safety Procedures:

During the normal course of work, B & G will identify and 'tag' trees or limbs that appear to represent a danger of falling onto the roadway. Typically these will be dead or dying, but could include a large limb in a healthy tree that has 'drooped', inhibiting the right of way for trucks. B&G will schedule remediation for those trees growing within the Common Area. For trees on private property (or limbs emanating from trees on private property), B&G will advise the Board of the safety hazard in writing (including by email). Before notifying the property owner, the Board will inspect the site to assess the degree of hazard to safe passage on the roadway. In those cases where the Board agrees that the risk appears substantial, the Board will act on its obligation to preserve access and safety for the Homeowners and their guests by notifying the property owner in writing (including by email) of necessary remedial actions and a timeframe within which the remediation is to be completed by the homeowner. If the homeowner does not complete the work within the proscribed time frame, and if the Board has been petitioned by the homeowner for an extension, but has deemed such extension to represent unacceptable risk, the Board shall act to remediate the risk, and the homeowner shall be charged for the expense incurred. (See Article VII of the CC&Rs, COMMON AREA AND EASEMENTS, 7.5 Loss or Damage to Common Areas)

Emergency Response:

When notified that a roadway is blocked by a fallen tree or limb, B&G, and /or the Board, will coordinate a response as quickly as possible to clear the roadway. During an emergency response to clear blockage emanating from a private property tree, the GRCA will act to clear the roadway only, and the private property owner shall be invoiced for the cost of the emergency response. For trees growing within the Common Area, the GRCA will complete the removal as necessary. For trees growing on private property, the property owner will be responsible for completing removal of trunks and branches remaining after emergency road clearing. For private property trees that had been "tagged" per the 'safety procedure' described above, where remediation had not been completed within the stipulated time-frame, emergency response expense to clear the roadway will be billed back to the property owner.

Role of the Architectural Control Committee (ACC)

For any tree, other than tagged trees as described above, the property owner is required to obtain approval from the ACC if any proposed tree work would increase visibility, or if the tree work would destroy, damage or remove any tree. (See CC&Rs 5.2 RESIDENTIAL LOTS: USES AND RESTRICTIONS (i) Except when required by agricultural uses permitted in Section 5.4, no trees exceeding caliper diameter of six inches (6") at one foot (1') above ground, located on any portion of any Residential Lot, shall be removed, cut down or in any way damaged or destroyed without the prior written approval of the Architectural Control Committee. No tree described above may be trimmed in such a way as to increase the visibility of a structure from Neighboring Property without the prior written approval of the Architectural Control Committee.)