

CHA

Crestwood
Hills
Association

Crestwood
Hills
Tree
Committee

Tree Committee Guidelines & FAQ

The Crestwood Hills Tree Committee (Tree Committee) is a Committee of the Crestwood Hills Association (CHA) Board of Directors authorized by the CC&Rs under sections 1.15, 7.12 and 9.2. The main purpose of the Tree Committee is to preserve and protect views, and primarily the Protected (Primary) View, of Crestwood Hills members from large trees and other vegetation which may block these views. The Tree Committee offers a voluntary process to facilitate a peaceful resolution between owners involved in a dispute where trees and/or other vegetation may be unreasonably blocking a view.

Guidelines

Views of the Los Angeles basin, coastline, hills, canyons and sky are an important part of what makes Crestwood Hills a special place to live. Trees and other vegetation, such as bushes and shrubs, may materially interfere with a homeowner's Protected View in the subjective, good faith opinion of the Tree Committee. A Protected View of a Crestwood Hills home will ordinarily be a sixty (60) degree cone of vision perpendicular to the side of a house determined by the Tree Committee to be that home's Protected View. Trees generally should be kept to a homeowner's first story roof height or 14 feet, whichever is lower.

Tree Committee Procedure

If engaged by a Crestwood Hills Homeowner (typically the "View Party"), the Tree Committee will issue a Findings Letter on the following conditions: (i) the View Party is a member in good standing of the Association (i.e. the View Party owns a lot located in Tract 14944 in Crestwood Hills and has paid dues in the current year); (ii) The "Tree(s) Party" owns a lot located in Tract 14944 in Crestwood Hills; (iii) the View Party signs an agreement in the form required by the Association and pays a non-refundable processing fee of \$250; and (iv) the View Party has contacted the Tree(s) Party and attempted in good faith to resolve the matter by mutual agreement. The Tree Committee encourages neighbors to work together to preserve views and to resolve issues consensually. If the matter cannot be resolved consensually, the Tree Committee will thereupon contact both parties and will view the tree(s) and/or other vegetation from the View Party's home.

Findings Letter

Based on its review of a Homeowner's view in question, the Tree Committee will issue its Findings Letter. The Findings Letter will specify whether the tree(s) and/or other vegetation in question comply with the guidance regarding a Protected View as well as the height restrictions outlined in this document and in the Crestwood Hills Architectural Guidelines.¹ If they are not in compliance, the Findings Letter will state what trimming or removal will be required to bring the relevant trees into compliance with respect to the View Party's property. Typically, the Findings Letter will also include a photograph with a depiction of the level at which the trees and/or other landscaping should be maintained. The Findings of the Tree Committee are considered final, although they may be appealed to the CHA Board of Directors (or designated Board Committee), in which case the Board's decision will be final.

Enforcement

The Tree Committee's Findings are not binding and neither the Tree Committee nor the Association will bring legal action to enforce these Findings. However, the View Party may do so on his/her own behalf and the Findings Letter may provide the basis for a claim.

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FAQ: Trees & Views in Crestwood Hills

The Tree Committee has found that tree and view-related issues tend to be similar throughout the community. Below are commonly asked questions and responses.

Typical Concerns of the Tree(s) Party

> “The trees have been on this property for a long time and no one has complained.”

Because the Association does not police the obstruction of views by trees or other vegetation, it is up to the View Party to contact the Association. The failure to do so, even for a period of many years, is not a waiver of the View Party’s right to their Protected View. Noncompliant trees or other vegetation do not become compliant because no one has complained about their growth simply due to the passage of time.

> “A neighboring property has tall trees. Why should I have to trim mine?”

Your neighbor is entitled to a view free of obstruction by your trees and/or other vegetation regardless of whether there are trees on his/her property. Those trees on a neighbor’s property to which you refer may not obstruct anyone’s Protected View. You (or another neighbor) may ask that the neighbor to whom you refer to trim their offending trees and they will also be obligated to do so if they are obstructing a Protected View.

> “There are other tall trees in the neighborhood. Does that mean that the height restrictions outlined in the Tree Committee guidance document no longer apply?”

The restrictions continue to apply. Some of the trees you see are not within the Association boundaries. Some do not obstruct views. However, views are an important part of what makes Crestwood Hills special, and if we allow them to be blocked we lose one of the cherished benefits of living here.

> “Trimming could injure or kill my trees—I have a letter from an arborist to this effect.”

Most trees, including eucalyptus and pine trees, are remarkably resilient. While the Tree Committee has reviewed several such letters in the past, very few trees die when trimmed appropriately, even when such trimming is extensive. If trimming is not feasible, the trees can be replaced with more appropriate trees or shrubs.

> “I need trees for privacy reasons.”

In many cases, hedges make a better alternative as they are dense and provide excellent screening. Additionally, they reduce noise. The trunk of a tall tree provides very little privacy and the bushy part of the tree at the top, which blocks your neighbor’s view, generally provides little privacy.

> “My trees were just trimmed.”

Trees and other vegetation can grow very quickly. If regular annual trimming is an inconvenience, removing the trees is an option. However, if you like the amenity of trees

on your property, you need to keep them trimmed to a level that does not interfere with your neighbor's Protected View and the height of your trees should be maintained at the level of the first floor of your house or 14 feet, whichever is lower.

Typical Concerns of the View Party

> "Could you contact my neighbor and tell them to trim their trees?"

The Tree Committee will issue a Findings Letter, if engaged. However, we are not your spokesperson or advocate. Before the Tree Committee becomes involved, we expect you to contact your neighbor, communicate what you are requesting, and work in good faith to come to a neighborly resolution.

> "I can't contact my neighbor because we have had other disputes in the past."

The Tree Committee only addresses view issues. We make our determination based on the view, not the personalities of the individuals involved or other issues between them.

> "I have a petition signed by several neighbors, all of whom have a problem with the trees."

The Tree Committee generally only addresses issues between two properties at a time. We cannot, and do not purport to, review trees from every conceivable angle or make a global determination as to whether every view from every vantage point is affected.

> "My neighbor trimmed the trees, but not to the level specified in the Findings Letter."

If you request, the Tree Committee will do a follow up report to determine whether trimming was conducted in conformity with the Findings Letter.

> "My neighbor received your report, but still refuses to comply."

We find that most tree/view issues are resolved amicably. It is in your neighbor's interest to be cooperative since their own view is likely important to them and they live in the same community. However, in the rare instance where your neighbor refuses to cooperate, you may need to retain the services of an attorney to enforce the Findings of the Findings Letter and of the guidance in this document.