

CITY OF SANTA CLARITA

**OAK TREE ORDINANCE REVISION PROCESS:
PUBLIC MEETING #2**

**CITY OF SANTA CLARITA ACTIVITIES CENTER
JULY 15, 2004**

6:30 P.M. TO 8 P.M.

MEETING NOTES:

In attendance:

City Staff:

- David Peterson. Management Analyst, Field Services Department, City of Santa Clarita
- William Wittkopf. Facilities Manager, Field Services Department, City of Santa Clarita
- Robert Sartain. City Arborist, Division of Urban Forestry, City of Santa Clarita.
- Wayne Smith. Oak Tree Specialist, Division of Urban Forestry, City of Santa Clarita.
- Kai Luoma. Senior Planner, Department of Planning and Building Services, City of Santa Clarita

Public:

- 11 members of the general public attended the meeting.

1. Opening Comments / Introductions:

- The meeting began at 6:35 p.m.
- Mr. Peterson introduced members of City staff and acknowledged the attendance of Planning Commissioner Rick Winsman.
- Mr. Peterson concluded opening remarks.

2. Meeting Expectations:

- Mr. Wittkopf outlined the format, expectations and goals of the meeting.
- Mr. Wittkopf commented that conflicting comments and or opinions may be expressed during the meeting due to the nature of the issue. However, he also commented that the intent of the meeting is to gather feedback from the public and that all opinions were valid and should be respected.

3. Overview of Ordinance and Guidelines:

- Mr. Wittkopf gave a brief overview of the current Oak Tree Ordinance and Preservation Guidelines.

4. Discussion of Revisions:

- Mr. Peterson led the discussion which was split into five different topics. The topics and the corresponding comments are as follows:
- Topic #1: What should the City do about the Oak Tree Ordinance? Should the City make no changes; keep the ordinance but make it less restrictive for residents; do away with the ordinance; or make the ordinance more restrictive. Those who made comments were asked to explain their responses. Comments from the public included:
 - Pruning requirements are far too restrictive.
 - Restrictions of the pruning permit make routine pruning difficult. This can lead to dangerous situations.
 - The City staff act like police – the enforcement of the ordinance is far too strict. The ordinance is not the problem so much as the staff that enforces it is.
 - What happens in emergency weather situations that may damage trees? (Mr. Sartain indicated that the City would respond with exemptions if needed).
 - Too many residents are afraid to prune their trees. The process hampers residents from doing necessary pruning. Staff, however, must enforce the rules. They do a good job and are friendly but their hands are tied by an overly restrictive ordinance.
 - If a resident plants a tree themselves or if an acorn from a resident's tree sprouts a sapling it should be exempt.
- Topic #2: What is the biggest challenge with the current ordinance? What specifically are the issues with the ordinance itself? Is the permit system too cumbersome? Is the ordinance not restrictive enough? Comments from the public included:
 - The area of the protected zone should be reduced. The area of the protected zone should be directly linked to the diameter of the trunk.
 - Every day issues such as parking a car, having a horse or having a picnic table under an oak tree should not count as encroachments on the protected zone.
 - The fee for pruning should be removed. There also needs to be an incentive to plant oak trees.
 - Encroachment permits are also too restrictive.
 - Restrictions of the ordinance should be linked to how many trees are on the property and how many of the trees are being impacted.
 - Residents should be able to use the City's Arborist for no cost instead of having to pay for their own privately.
 - If an oak tree restricts reasonable development of the property it should be exempt.
 - A nexus should be established between encroachments and the permit. Trees still grow with a variety of materials in the protected zone. In many cases around the City cement comes directly up against the trees and they still grow.
 - There are several homes that were built long before the ordinance was passed that would be out of compliance with the ordinance now. Many of these homes have oak trees with driveways in their protected zones. These trees are healthy.
 - The City should encourage good oak tree "planning" as part of the development process.
 - The City should monitor mitigation oaks more closely. Many of them are dead.

- Topic #3: What should be added, if anything, to the list of permit exemptions? What things should be added to the list of permit exemptions for residents? Comments from the public included:
 - Residents should be allowed to encroach into the protected zone.
 - Encroachments and removals if the reasonable use of the property is inhibited by oak trees.
 - Residents should be able to prune for clearance similar to the City.

- Topic #4: What is the difference between a resident and a developer? For the purposes of defining residents and developers in the eyes of the ordinance, a distinction must be made. Comments from the public included:
 - Residents should be grandfathered into the ordinance if the resident lived on their property prior to the City's Oak Tree Ordinance.
 - The difference should be reliant on how many structures are built. A threshold should be established (5 was suggested). If these structures are not accessory structures than the ordinance should view it as a development.
 - The difference should also be reliant on the amount of dirt and/or grading done.
 - The creation of a subdivision of the property should trigger the ordinance to define the property(ies) as a development.
 - When construction on a property is not for the personal enjoyment of the resident but is instead built to be speculated for a profit.
 - Everything in the ordinance should be subject to appeal to the Planning Commission and the City Council.

- Topic #5: Feedback regarding the propose Reforestation Project: City staff presented preliminary information on a potential reforestation project. The project would provide a mechanism for residents where, when a resident plants an oak tree themselves, the City will mark the tree using Global Positioning software. Later, should the resident decide to remove or encroach on the tree they may do so without the need for a permit so long as the City is informed. Special considerations would be made if the tree that was planted had matured to a heritage oak. Comments from the public included:
 - The minimum threshold diameter of the ordinance should be increased.
 - The City should plant oak trees as City trees.
 - A bonus of some kind should be offered to those residents that plant oaks.
 - Other native species of oaks should be planted.
 - An oak trail in Central Park should be created.
 - The City should hire an "oak expert" on staff that is only concerned with oak issues in the City.
 - All oak trees in the City should be registered and tracked. Heritage oaks should receive special recognition as should their owners. These trees need to be celebrated.
 - Reforest public spaces as mitigation (see trail reference above).
 - Assign community groups like the Boy Scouts to get involved with oak tree planting projects.

5. Closing Comments:

- Mr. Wittkopf also encouraged the attendees of the meeting to log onto the City's web site and make additional comments and to complete the on-line survey.
- The last day to take the on-line survey is July 31, 2004.
- Staff hopes to take this item before the Planning Commission in September/October and before the City Council in October/November.

DGP:

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