

**CITY OF SANTA CLARITA**

**OAK TREE ORDINANCE REVISION PROCESS:  
PUBLIC MEETING #1**

**PLACERITA NATURE CENTER  
JUNE 23, 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.

**Public:**

- 43 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 Mayor Bob Kellar and Planning Commissioner Rick Winsman.
- Mayor Kellar led the group in the flag salute.
- 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 as presented at the May 4, 2004 study session. [Click here to see a copy of the power point presentation.](#)

#### 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:
  - The ordinance should be made less restrictive for residents, but more restrictive for developers.
  - The current ordinance puts too much of a cost burden on those who only have a few trees. Should be tougher on developers.
  - The costs associated with the ordinance are too high for residents. Particularly for pruning of trees.
  - The ordinance is too restrictive on residents. No residents want to plant oak trees anymore because of restrictions in the ordinance.
  - Oak trees on personal property should be the responsibility of the property owner. The City should not get involved in oak tree matters on residential property.
  - Cost of pruning permits makes care for oak trees prohibitive. The City should reduce the restrictions on residents in the ordinance.
  - The real focus should be on the developers who slaughter oak trees by the thousands – not on residents.
  - Representative of the Oaks Conservancy feels that the ordinance should not restrict residents. Rather the spirit of the ordinance was directed at developers. The spirit of the ordinance has been lost over time.
  - Developers need to be held accountable for the mitigations they claim they will make.
  - Oaks should be planted as street trees.
  - The ordinance itself should not be changed. It's not even as strong as the County's ordinance. Rather better enforcement of the ordinance should be the focus.
  - There needs to be more educational resources about oak tree care and protection. The City needs to hire an oak tree expert.
  - There should be more oaks planted and maintained by the City.
  - There should be a "grandfathering" clause in the ordinance that exempts all residential property owners with oak trees on their property that owned the property prior to 1987 when the City was formed.
  - Residential permits should be issued for no cost.
- Topic #2: What's 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 permit process is too "clunky", too expensive and the City needs to provide better service.
  - Residents should not have to apply for permits to prune their trees.
  - In all cases, however, a Heritage oak should receive special treatment and require a permit.

- Oak trees are a community resource. There are enough laws about oak trees. What is needed is better and more consistent enforcement of the laws.
  - Much of the ordinance itself requires things that are not practical and make no sense. For example, there are many trees that seem to grow well even when their roots are near or underneath concrete. The ordinance specifies that this can not occur.
  - Developers are ruining the permit for residents. There should be no cost for residential permits.
  - Residents have no interest in harming their trees. A majority of residents love their trees and want to protect them. Developers, on the other hand, have an incentive to remove them to clear space for more development. The focus of the ordinance should not be on the residents, but on the developers instead.
  - Realtors should be required to disclose information about the oak tree ordinance to new residents during the sale process. Many residents are not aware of the current ordinance.
  - The ordinance should include a percentage of how much of the tree canopy can be pruned to avoid overtrimming.
  - The ordinance does not allow residents whose structures are threatened by trees to be pruned without a permit. These situations should be exempt.
- 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:
    - For pruning permits half the group felt that there should be a permit mechanism but at no cost while the other half of the group felt there should be no permit mechanism at all for pruning of oak trees on residential property.
    - There should be a sliding fee scale for the encroachment on and/or removal of oak trees on residential properties. The “one-size-fits-all” fee structure does not work and is too expensive for residents.
    - Cases where oaks threaten structures or property should be exempt from the permit.
- 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:
    - Developers should be defined as those who develop a property for profit versus a resident who purchases a property to establish their residence and live.
    - Developers subdivide and sell property.
    - A resident is someone who lives or has primary residence on the site.
    - The ordinance should be harder on developers than on residents.
    - A residential improvement like putting in a swimming pool should not be treated the same way a developer is treated who is making a new development.
    - It’s obvious when considering a large developer versus a resident to make a distinction. What will be difficult is in the cases where a property owner has a several acre piece of property and wants to subdivide it into a few smaller lots and then sell the lots. Is that truly a “developer”?

- 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.
  - Good idea. However people should be encouraged to plant oaks on their property where they do not expect that removing them will be needed in the future.
  - Could the City explore a tax credit program as an incentive to offset the costs of the permit process?
  - All of the oaks in the City of Santa Clarita need to be tagged and tracked.

## **5. Closing Comments:**

- Mr. Wittkopf reminded the group that the next meeting will be held on July 15, 2004 at the Activities Center. The time will be announced.
- Another press release will appear in the Signal newspaper prior to the meeting.
- 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.

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