City of SACRAMENTO
Parks and Recreation

Special Meeting of the Parks and Recreation Commission

COMMISSION MEMBERS

Jeff Harris, Chair	Dave O'Toole	Christiana Dominguez	Caliph Assagai
Araceli Mercado, Vice Chair	Terri Shettle	Virginia Guadiana	Fatima Malik
Rosemarie Ruggieri	Shannon McKinley	David Heitstuman	

CITY STAFF

Jim Combs, Director of Parks and Recreation *Lori Harder, Support Services Manager*

Historic City Hall Hearing Room
915 I Street, 2nd Floor
May 1, 2014 – 6:00 p.m.

The Parks and Recreation Commission is a commission of the City Council that provides recommendations and advise on policies, projects and other matters pertaining to parks, recreation, trees, and human services affecting the City of Sacramento.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3) minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the beginning of the meeting. Comments on controversial items may be limited and any large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160). **Speaker slips are located in the entryway of the hearing room and should be completed and submitted to the Commission Secretary.**

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall. The order of agenda items is for reference only; agenda items may be taken in any order deemed appropriate by the Chair. The agenda provides a general description and staff recommendations; however, the Commission may take action other than what is recommended. The agenda is available for public review on the Monday prior to the meeting. Hard copies of the agenda, minutes, and staff reports are available from the Parks and Recreation Department at 915 I Street, New City Hall, 3rd Floor (25 cents per page). Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Parks and Recreation Department at (916) 808-5172 at least 48 hours prior to the meeting.

SPECIAL MEETING OF THE
PARKS AND RECREATION COMMISSION
May 1, 2014 – 6:00 P.M.

Historic City Hall Meeting Room, 915 I Street, Sacramento, CA 95814

All items listed are heard and acted upon by the Parks and Recreation Commission unless otherwise noted.

Call to Order – *6:00 p.m.*

Roll Call / Commissioner Introduction

Public Comments- Matters Not on the Agenda

1. **To be announced**

Public Hearings

2. **Appeal of a Decision of the Director of Public Works to Issue a Tree Permit to Remove and Replace Five (5) City Street Trees at 1517 and 1531 N Street**
   Location: 1517 and 1531 N Street, Council District 4
   Recommendation: Support Staff Recommendation that the appeal of the Decision of the Director of Public Works to issue a Tree Permit to Remove and Replace Five (5) City Street Trees at 1517 and 1531 N Street be Denied
   Contact: Joe Benassini, Urban Forest Manager, 808-6258

Special Oral Presentation

3. **None**

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

4. **Parks and Recreation Commission Meeting Minutes**
   Location: Citywide
   Recommendation: Approve Commission minutes for April 3, 2014
   Contact: Lori Harder, Support Services Manager, 808-5172

5. **Amend Parks and Recreation Commission's Rules of Procedures to Change Regular Meeting Time to 6:30 p.m.**
   Location: N/A
   Recommendation: Support Staff Recommendation
   Contact: Lori Harder, Support Services Manager, 808-5172

Discussion/Action Reports

Discussion/Action reports include oral presentations including those recommending review and comment

6. **Name the Multipurpose Room at Oak Park Community Center the Leslie "Sarge" Thomas Multipurpose Room**
   Location: 3415 Martin Luther King Blvd, Council District 5
   Recommendation: Support the Proposed Naming
   Contact: Vincene Jones, Neighborhood Services Manager, 808-5072 and Sylvia Fort, Recreation Manager, 808-8381

7. **Update of the City of Sacramento's Tree Ordinances**
   Location: Citywide
   Recommendation: Review and Comment
   Contact: Joe Benassini, Urban Forest Manager, 808-6258

8. **Department of Parks and Recreation's Proposed 2014/15 Operating and Capital Improvement Budgets**
   Location: Citywide
   Recommendation: Review and Comment
   Contacts: Lori Harder, Support Services Manager, 808-5172 and Mary deBeauvieres, Principal Park and Recreation Planner, 808-8722

9. **Parks and Recreation Director Report (Oral): Review Highlights for April and May**
   Recommendation: Review and comment
   Contact: James L. Combs, Parks and Recreation Director, 808-8526

Questions, Ideas, and Announcements of Commission Members

Adjournment

SACRAMENTO
Department of Public Works

May 23, 2013

Parks and Recreation Commission
Sacramento, California

Honorable Members in Session

SUBJECT: Appeal of a decision of the Director of Public Works to issue a tree permit to remove five (5) city street trees at 1517 and 1531 N Street.

COUNCIL DISTRICT: Council District 4

RECOMMENDATION: That the appeal of the decision of the Director to issue a tree permit to remove and replace five (5) city street trees at 1517 and 1541 N Street be denied.

CONTACTPERSON: Joe Benassini, Urban Forester,
Department of Public Works (916) 808-6258

FOR COMMISSION MEETING: May 1, 2014

SUMMARY:

The Capital Area Development Authority (CADA), in cooperation with UrbanCore-Development, is developing a property at 1517 and 1531 N Street, known as the East End Gateway, Site 1. The site is located at the northwest corner of the intersection of 16th and N Streets (Attachment 1). The project is a mixed use, seven story structure. The site holds 5 city street trees, including two trees on 16th Street and 3 trees on N Street. In the spring of 2014, the developer submitted a tree permit application to remove the trees pursuant to Sacramento City Code 12.56 – Trees Generally (Attachment 2). The application was in favor of newer trees better suited to the project and to allow reconstruction of sidewalks, storm drain water quality planters, and to construct underground parking

Pursuant to City policy, on April 1, 2014 the trees were posted with notices of the intended action. On April 9, 2014, a timely appeal was submitted by Leilani Fay (Attachment 3). Notices were removed on April 14, 2014.

BACKGROUND AND DISCUSSION

The Warren is a mixed use development consisting of 118 rental apartments and approximately 5000 square feet of ground floor retail space. It consists of seven stories, with 2 floors of parking below grade and at grade, and 5 stories of residential space (Attachment 4). The estimated development cost is approximately $34,000,000.

Existing Conditions

The site is bounded by 16th Street to the east and N Street to the south. There are two trees existing on the 16th Street side and three trees existing on the N Street side, all in sidewalk planters (Attachment 5). They include:

ID #	Species	Size	Comments
1	Modesto Ash	29"	Poor structure, primary limb failure, tear
2	Chinese Pistache	19"	Fair to good, subdued by adjacent trees
~~3~~	~~Ginkgo*~~	~~1"~~	Transplanted
4	Chinese Pistache	16"	Fair, one sided from branch failure
5	Chinese Pistache	8"	Fair, one sided due to old branch failure
~~6~~	~~Sawtooth Oak*~~	~~1"~~	Transplanted
7	Liquidambar	14"	Poor structure, lower limbs broken out

*It should be noted that the tree permit application targeted a total of 7 trees. However, two trees were recently planted by city forces and have been transplanted to another location. Therefore, the permit affects only the remaining 5.

The liquidambar and Modesto ash are in poor condition, with poor structure and vigor and several visible wounds from previous branch failures. The Chinese pistache are in better condition, with two of the three misshapen due to branch failures (Attachment 6).

Existing planter locations vary and are not evenly spaced. Tree well sizes range from 8 ft. X 8 ft. to 8 ft. x 20 ft. The concrete sidewalk has been replaced in several locations. The total combined area of tree wells for the site is 672 square feet, including vacant wells (Attachment 7). Total potential canopy cover of the existing trees (and assuming vacant tree wells are filled) planters is approximately 9200 square feet.

Proposed Improvements

The proposed streetscape for the project includes three 8 ft. x 13 ft. planters along 16th Street, and a continuous 8 ft. x 155 ft. planting strip on N Street (Attachment 8). Total proposed planter area is 1552 square feet, a net increase of 880 square feet. The landscape architect for the project has proposed a total of ten "Redpointe" red maples, a cultivar which ultimately reaches 45 ft. in height with a 25-30 ft. crown diameter (Attachment 9). Total potential canopy cover is up to approximately 22,180 square feet. However, that number is reduced to a degree due to slightly overlapping crowns in two locations.

In addition to the improvement of growing conditions, the project incorporates storm water treatment planters, which are included in the overall 16th Street Improvement Plans. To date they have been incorporated at the recently completed mixed use project at 16th and O Streets and the 16 Powerhouse project, under construction at 16th and P.

The City of Sacramento Planning Commission reviewed and commented on the project in September of 2009, and provided Advisory Conditions of Approval (Attachment 10). Included within the Advisory Conditions is a section acknowledging early plan check comments noting that the existing trees are not the optimum choice due to size constraints, on-center spacing and proximity to the face of the building.

APPEAL

Pursuant to SCC 12.56.120 – Appeals, a timely appeal to deny the permit and preserve the trees was submitted by Leilani Fay on April 9, 2014, objecting to the loss of shade over the streets and removal of the trees to enable development.

STAFF RECOMMENDATION

Sacramento City Code, section 12.56.070 – Maintenance and Removal Permits, authorizes the director to issue permits to perform maintenance on or to remove city street trees if the applicant has established, to the director's satisfaction, that there is need for the proposed work and that the potential detriment is justified based on the facts presented. Staff has reviewed the existing circumstances and the proposed design and recommends that the appeal of the Director's issuance of the tree permit to remove five city street trees at 1517 and 1531 16th Street be denied.

Respectfully submitted,

Joe Benassini 4/23/14

Joe Benassini, Urban Forester Date

Approved By

Jerry Way 4-25-14

Jerry Way, Director, Department of Public Works Date

Department of Public Works
Maintenance Services Division-Urban Forestry
urbanforestry@cityofsacramento.org

5730 24th Street, Bldg. 12A
Sacramento, CA 95822
916-808-6257

Attachment 1	Aerial Photo of Project Site
Attachment 2	Sacramento City Code 12.56 – Trees Generally
Attachment 3	Appeal from Leilani Fay
Attachment 4	Building elevations
Attachment 5	Existing Trees
Attachment 6	Tree Images
Attachment 7	Sidewalk Images
Attachment 8	Planting Plan
Attachment 9	Redpointe® Maple Data Sheet
Attachment 10	Planning Commission Record of Decision

Attachment 1

Attachment 2

Chapter 12.56 TREES GENERALLY

12.56.010 Findings.

The city council finds and determines that the planting and preservation of trees enhances the natural scenic beauty, increases life-giving oxygen, promotes ecological balance, provides natural ventilation, air filtration, and temperature, erosion, and acoustical controls, increases property values, improves the lifestyle of residents, and enhances the identify of the city. (Prior code § 45.01.001)

12.56.020 Definitions.

When used in this chapter, the following words and phrases shall apply:

"City street tree" means and includes any tree growing on a public street right-of-way. City street trees are maintained by the city.

"Director"means the director of the department of transportation or the director's designated representative.

"Maintain"or "maintenance" means and includes trimming, pruning, spraying, injecting, fertilizing, cabling, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of trees, excepting only watering, unless specifically so stated.

"Maintenance easement" means a strip of land parallel to a public street right-of-way and adjacent thereto, which is six and one-half feet wide, measured from the front property line, (and the side property line if a corner lot), except that a maintenance easement shall not be deemed to exist on any parcel where the adjacent public street right-of-way provides space for a city street tree.

"Maintenance easement private street tree" means and includes any tree growing within a maintenance easement. No parcel contains more than one maintenance easement private street tree per forty (40) feet of street frontage. If there is more than one tree in the maintenance easement per forty (40) feet of street frontage, only the one closest to the street is a maintenance easement private street tree, and the other(s) are private trees.

"Person"means and includes any individual, partnership, corporation or other private or public entity, including, but not limited to, the property owner, a tenant, a licensed or unlicensed provider of tree services retained by the property owner or tenant, or a licensed or unlicensed provider of tree services acting without the consent of the property owner or tenant.

"Planting list" is the list of trees which is approved by the director for planting as street trees.

"Private tree" means and includes any tree on private property outside of the maintenance easement. The owner of the parcel is responsible for maintenance of private trees.

"Property owner" means and includes the person listed as the owner of the property on the then current assessor's roll.

"Public tree" means and includes any tree on public property, excepting trees growing on a public street right-of-way.

"Public utility" means and includes every pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system, and heat corporation, where the service is performed for or the commodity delivered to the public or any portion thereof.

"Street tree" means and includes both city street trees and maintenance easement private street trees. (Ord. 2008-031 § 1; Ord. 2004-040 § 5; Ord. 2004-006 § 1; prior code § 45.01.002)

12.56.030 Planting list—Tree planting.

A. The director shall promulgate a planting list. Such list shall consist of shade and ornamental trees suitable for areas adjacent to sidewalks, streets, utility lines, etc. All new and replacement city street tree plantings shall be confined to trees listed on the then current planting list.

B. The director shall provide for the planting of maintenance easement private street trees within the maintenance easement of any new subdivision in conformity with Sections 16.40.170 and16.48.110 of this code.

C. A maintenance easement, as defined in Section 12.56.020 of this chapter, shall be established for any new development which is not subject to Section 16.40.170 of this code. The director shall provide for the planting of maintenance easement private street trees within the maintenance easement of the development. (Prior code § 45.01.003)

12.56.040 Inspection, maintenance, removal and replacement.

The director may provide the following tree-related services:

A. The removal of street trees or limbs therefrom, which are a hazard to public safety, or a public nuisance; provided however, that the director shall not cause the removal of any tree other than a city street tree without giving thirty (30) days written notice to the properly owner on whose property the tree is located, except in the case of an emergency requiring immediate action. If the owner objects to said tree's removal, the owner may, within said thirty (30) days, file objection in writing with the director, and shall thereafter be given an opportunity to be heard in support of the objection. If such objection is not sustained, the removal may then occur, but only by written order of the director, and only following expiration of the period for appeal pursuant to Section 12.56.120 of this chapter, or upon denial of such appeal.

B. The inspection, maintenance, removal, and replacement of city street trees.

C. The inspection, maintenance, removal, and replacement of maintenance easement private street trees.

D. If there is more than one street tree in the maintenance easement on a lot or parcel of land adjacent to a structure, it is the policy of the city to maintain only the city street tree, or if there is no city street tree on that parcel, the street tree closest to the street. No maintenance service shall be provided to any tree standing on private property beyond the maintenance easement or standing in such a position that the use of mechanized equipment is impeded, or where fences and landscaping beneath the tree might be damaged by the work; provided however, an exception to this policy may be made if the condition of the tree presents a hazard to public safety or if such service is necessary to control insects or diseases which threaten the health of a significant number of street trees.

In order to perform the services listed in this section, the director shall have authority to enter upon any part of the maintenance easement, and where necessary the properties adjacent thereto. (Prior code § 45.01.004)

12.56.050 Duties of property owner/tenant and public utilities.

A. It shall be the duty and responsibility of all property owners/tenants to maintain the grounds of maintenance easements on the owner's/tenants' property, and any unpaved portion of the adjacent public street right-of-way where space is provided for a city street tree or other plantings, regardless of whether such property is developed. This maintenance shall include watering as needed and keeping such easements and unpaved areas free from weeds or any obstructions contrary to public safety. Property owners shall be responsible for watering mature city street trees whenever landscaping of the property is changed in such a manner as to deprive the tree of its normal source of water. Such watering shall be continued during dry weather until the city street tree becomes acclimated to the new environment, but need not exceed three years. All watering requirements shall be waived to the extent inconsistent with governmental restrictions on water use.

B. It shall be the duty and responsibility of every person owning or occupying any real property within the city, at his or her own expense, to keep all trees on that property, including trees located in an easement dedicated to the public, trimmed in such a manner that there is a clearance of at least fourteen (14) feet above any street or alley, and a clearance of at least eight feet over any sidewalk. It shall also be the duty and responsibility of every person owning or occupying any real property within the city, at his or her own expense, to keep all trees on that property trimmed in such a manner that they do not obstruct the view of any traffic sign or device for vehicle traffic in the direction controlled by that traffic sign or device.

C. Nothing in this chapter shall be construed to limit the duty or right of a property owner to remove or perform maintenance at the property owner's own expense on any tree other than a city street tree.

D. Whenever the director determines that removal of a private tree, or limbs therefrom, is necessary to eliminate a hazard to public safety or a public nuisance, the director may issue a written notice to the property owner specifying the work to be done.

E. If, in the opinion of the director, any maintenance easement private street tree or private tree is in such a condition as to be imminently hazardous to public safety, the director may arrange to have accomplished such work as is necessary to eliminate the imminent hazard.

F. Nothing contained in this section authorizes any person to remove, trim, prune, cut or otherwise perform any maintenance on any city street tree without first obtaining a permit as required by Section 12.56.060 of this chapter.

G. It shall be the duty and responsibility of any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a public street right-of-way or maintenance easement, to obtain permission from the director before performing any maintenance on said wires, pipes, or conduits, which would cause injury to city street trees or maintenance easement private street trees. Said public utility shall in no way injure, cut roots, deface, prune, or scar any city street tree or maintenance easement private street tree until their plans and procedures have been approved by the director. (Prior code § 45.01.005)

12.56.060 Protection of trees.

A. No person shall remove, trim, prune, cut or otherwise perform any maintenance on any city street tree without first obtaining a permit from the director pursuant to Section 12.56.070 of this chapter.

B. No person shall interfere or cause any person to interfere with any tree related work being done pursuant to this chapter by any employee of the city or any person or firm doing work for the city.

C. No person shall injure or destroy any city street tree by any means, including, but not limited to, the following:

1. Constructing a concrete, asphalt, brick or gravel sidewalk, or otherwise filling up the ground area around any tree so as to shut off air, light or water from its roots, unless ordered or authorized to do so by the city.

2. Piling building material, equipment or other substance around any tree so as to injure the tree.

3. Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk.

4. Posting any sign, poster, notice, or similar device on any tree, tree stake or guard, or by fastening any guy wire, cable, rope, nails, screws, or other device to any tree, tree stake or guard for any purpose other than supporting the tree.

5. Causing any fire or burning near or around any tree.

6. Cutting roots with a diameter of two inches or greater for sidewalk repair or any other purpose; provided, however, that roots with a diameter of two inches or greater may be cut if authorized in advance by the director.

D. The director of public works and the planning director shall notify the director of any applications for new subdivisions, curb, gutter, sidewalk, street light or driveway installations, or other proposed improvements which might require the removal of or cause injury to, any city street tree, or interfere with the fulfillment of the maintenance easement private street tree plantings. (Prior code § 45.01.006)

12.56.070 Maintenance and removal permits.

A. The director shall issue permits to perform maintenance on or to remove city street trees, only if the following conditions are met:

1. The applicant has established, to the director's satisfaction, that there is need for the proposed work on the tree; and

2. The applicant has established, to the director's satisfaction, that the persons who are to perform the work are qualified to do so; and

3. The director, in his or her sole discretion, has determined that any potential detriment to the city street tree population entailed by the proposed work, is justified in the individual case. In making this determination, the director shall consider factors such as the probability that the proposed work will destroy or seriously injure the tree, the tree's health, the desirability of that species as a street tree, whether the tree's condition and size threaten serious damage to property, the condition and number of other city street trees in the vicinity, whether there are other less onerous means of accomplishing the applicant's goals, and other related criteria.

B. All work performed on city street trees pursuant to a permit issued by the director under this section shall be done within a sixty (60) day period from the issuance of said permit, or within such longer period as the director shall specify.

C. The director shall condition any permit granted pursuant to this section for the removal of a city street tree, on the permittee removing, and where the director determines it to be appropriate, replacing the tree. In such case, the full cost of removal and replacement shall be borne by the permittee and such service shall not be provided by the city.

D. The director may condition any permit granted pursuant to this section on any conditions as the director determines to be necessary.

E. The provisions of Section12.56.110 of this chapter shall be complied with whenever an applicant seeks a permit to remove or trim a city street tree to facilitate moving any building or other structure. (Prior code § 45.01.007)

12.56.080 Removal work.

Where the director has granted a permit to remove a city street tree, removal work shall include removal of the tree stump and nearby roots to a depth of eighteen (18) inches, and filling of the hole with clean topsoil. If no replacement tree is required

by the director, then lawn, groundcover, or paving to match the adjacent area shall be provided by the permittee. The permittee shall also repair any damages to the street, curb or sidewalk caused by the tree's removal. (Ord. 2004-006 § 2; prior code § 45.01.008)

12.56.090 Replacement trees.

Where the director has granted a permit to remove a city street tree, and conditioned said permit on the permittee replacing the tree, the permittee shall provide the replacement tree of a size and species determined by the director, and plant said tree in the location specified by the director. The minimum replacement tree size shall be as follows:

A. If the city street tree being removed is six inches or larger in diameter, measured four and one-half feet above ground, then the permittee shall cause to be replanted a tree of at least twenty-four (24) inch box size.

B. If the city street tree being removed is smaller than six inches diameter, measured four and one-half feet above ground, then the replacement tree shall be a minimum of fifteen (15) gallon can size. (Prior code § 45.01.009)

12.56.100 Dutch Elm disease.

In the event of discovery of the Dutch Elm disease fungus, ceratocystus ulmi, infecting any tree in the city, the regulations of Chapter 12.60 of this title shall prevail over any conflicting regulation contained in this chapter. (Prior code § 45.01.011)

12.56.110 House moving.

A. The director of public works shall consult with the director prior to issuing a permit for moving any building or other structure along any city street.

B. The director may require the person moving any structure to furnish a bond in an amount sufficient to cover the anticipated damage or destruction of any city street trees or maintenance easement private street trees, if the route over which the structure is to be moved potentially entails damage to city street trees or maintenance easement private street trees.

C. No person shall remove a city street tree to facilitate the moving of a house or other structure, without first complying with the permit provisions of Section 12.56.070 of this chapter. Similarly, if a permit is issued and the tree removed, the person moving the structure shall comply with all other provisions of Sections 12.56.070 through12.56.090 of this chapter, including stump and root removal, planting an appropriate replacement tree, and repairing any damage to the street, sidewalk, or curb which the tree's removal entails.

D. In connection with the relocation of a listed historic resource as defined in chapter 17.604, the director shall give greater consideration to the removal of street trees if there is no alternative way to preserve the structure. Factors to be considered by the director include the historical significance of the structure, whether it could be preserved in its present location, the condition, size, and species of the trees to be

removed, and other related factors. (Ord. 2013-0021 § 35; Ord. 2006-065 § 9; prior code § 45.01.012)

12.56.120 Appeals.

A. Appeal to parks and recreation commission. Any person who is denied a permit to remove or maintain a city street tree pursuant to section 12.56.070 or who objects to the removal of a street tree pursuant to section 12.56.040 is entitled to meet personally with the director to review the permit application or the proposed work. Except as provided in subsection B of this section, any person aggrieved by the director's decision may appeal such decision to the parks and recreation commission by filing a written notice of appeal with the secretary of the commission within 10 days of the date of the director's final decision. The notice shall clearly specify the action or determination appealed from, and the reasons for which a hearing is requested. The decision of the commission is final and is not subject to appeal.

B. Appeal to planning and design commission.

1. If the subject of the director's decision under subsection A of this section is a tree located on property for which an application for a discretionary development entitlement under Title 16 or Title 17 of this code is then currently pending or has been approved and is not expired, and the purpose of the proposed maintenance or removal is to facilitate development of the property consistent with the pending application or approved entitlement, then any person aggrieved by the director's decision may appeal such decision to the city planning and design commission by filing a written notice of appeal with the secretary of the planning and design commission within 10 days of the date of the director's final decision. The notice shall clearly specify the action or determination appealed from, and the reasons for which a hearing is requested. The filing of the notice of appeal shall be accompanied by the fee specified in the city fee and charge report. The director shall determine whether the appeal shall be heard by the planning and design commission under this subsection, and the director's decision on this issue is final and is not be subject to appeal.

2. Notice of the appeal hearing shall be given by posting and by mail pursuant to section 17.812.010, except that the notice by mail shall be given to the owners of real property located within 500 feet of the subject real property.

3. The decision of the planning and design commission is final and is not subject to appeal.

4. Except as otherwise specified in this section, the hearing before, and the decision of, the planning and design commission on an appeal under this chapter is governed in all respects by chapter 17.812. (Ord. 2013-0007 § 5; Ord. 2012-004 § 27; Ord. 2009-030 § 1; Ord. 2004-040 § 2; Ord. 2004-006 § 3; prior code § 45.01.013)

12.56.130 Liability.

Nothing in this chapter shall be deemed to impose any liability upon any member of the city council or the city, or any of its officers, agents, or employees, or to relieve

the owner or occupant of any private property from the duty to keep their private property, sidewalks, and adjacent public street right-of-way planting area in a safe condition and so as not to be hazardous to public use. (Prior code § 45.01.014)

12.56.140 Registration of persons maintaining street trees.

Any person, firm, or corporation desiring to perform maintenance on any city street tree or maintenance easement private street tree shall register with the director on a form to be provided by the director.

Nothing contained herein exempts any registrant from obtaining required permits for maintenance or removal of street trees. (Prior code § 45.01.016)

12.56.150 Suspension and reinstatement.

In the event that the director determines that any registrant has performed substandard maintenance work on one or more street trees, the director shall issue an order suspending the registrant's privilege to maintain street trees. The privilege shall be reinstated when the registrant provides evidence, through further education or training, or certification by a recognized national organization, that the registrant can perform tree maintenance work in accordance with acceptable industry standards. Any registrant who contests suspension of his or her or its privilege to maintain street trees shall be entitled to meet personally with the director to review the suspension. The registrant may appeal the director's decision to the parks and recreation commission by filing a written notice of appeal with the secretary of the commission within ten (10) days of the date of the director's final decision. The notice shall clearly specify the determination appealed from and the reasons for which a hearing is requested. The decision of the commission shall be final. (Ord. 2004-040 § 3; prior code § 45.01.017)

12.56.160 Solar Shade Control Act.

The city is exempt from the provisions of the Solar Shade Control Act, Chapter 12 (commencing with Section 25980) of Division 15 of the Public Resources Code. (Prior code § 45.03.200)

12.56.170 Violation—Penalty.

Any person violating any provision of this chapter is guilty of an infraction. (Prior code § 45.01.015)

Attachment 3

Joe Benassini

Subject: FW: tree removal (Parks & Rec Inquiry 2014-22)

-----Original Message-----
From: leilani fay [mailto:lleilaniff@gmail.com]
Sent: Wednesday, April 09, 2014 4:10 PM
To: JoAn Dominno-Day
Cc: Steve Hansen
Subject: tree removal

City Mgr.
Attn: JoAn Domino-Day

Ms. Domino-Day:

I formally protest the proposed destruction of the large, healthy trees on the north side of N St. between 15th and 16th. A notice posted less than 72 hours ago states they are to be removed to enable development.
These trees form the best shaded passage on N St. east of Capitol Park, partly because "ancestors" of present city staff saw fit to plant shae-less palms; they are part of what the urban forester cited as "substantial canopy in surrounding areas" (paraphrased) as justification for the destruction of virtually all the trees in the vicinity of 16th and O Sts.

Those trees, too, were destroyed for development--even though the original development permit entailed preservation of trees. A formal protest resulted in a hearing and a decision to save half of the trees. They were cut regardless! Of course evelopment is more expensive when magnificent trees must be accommodated, but that is as it should be. Development should to be good for people; Taking those trees is good only for the developers,

The doomed trees on N Street are to be replaced, almost certainly by the pathetic "twigs" that have replaced so many of our neighborhood's majestic giants. If the twigs survive--not a sure thing since several of the recent plantings are already dead--they will not actually replace the lost trees for 40 years, at best.

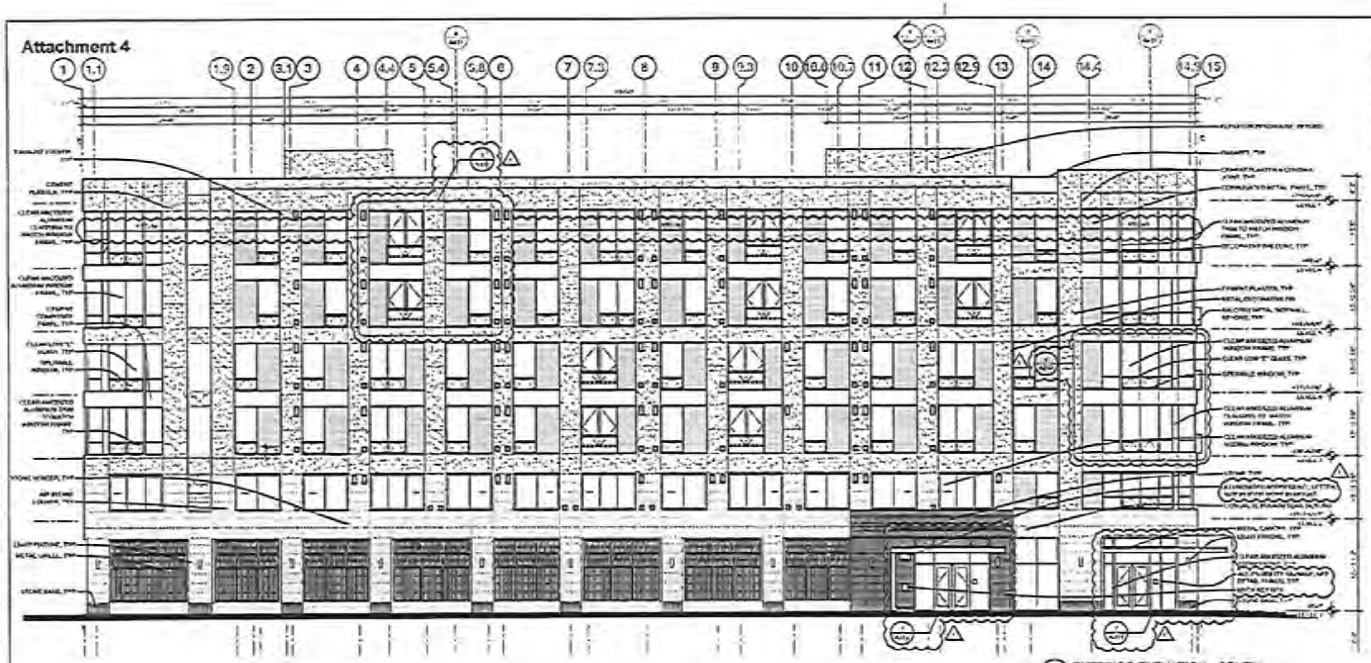
This is not fair to many the people who walk under these trees daily, or even to those who drive under them. It is especially unfair to those of us who live in this neighborhood.

Please ensure that the trees are not cut until the issue has been heard. Also, ptell me if I need to redirect my protest.

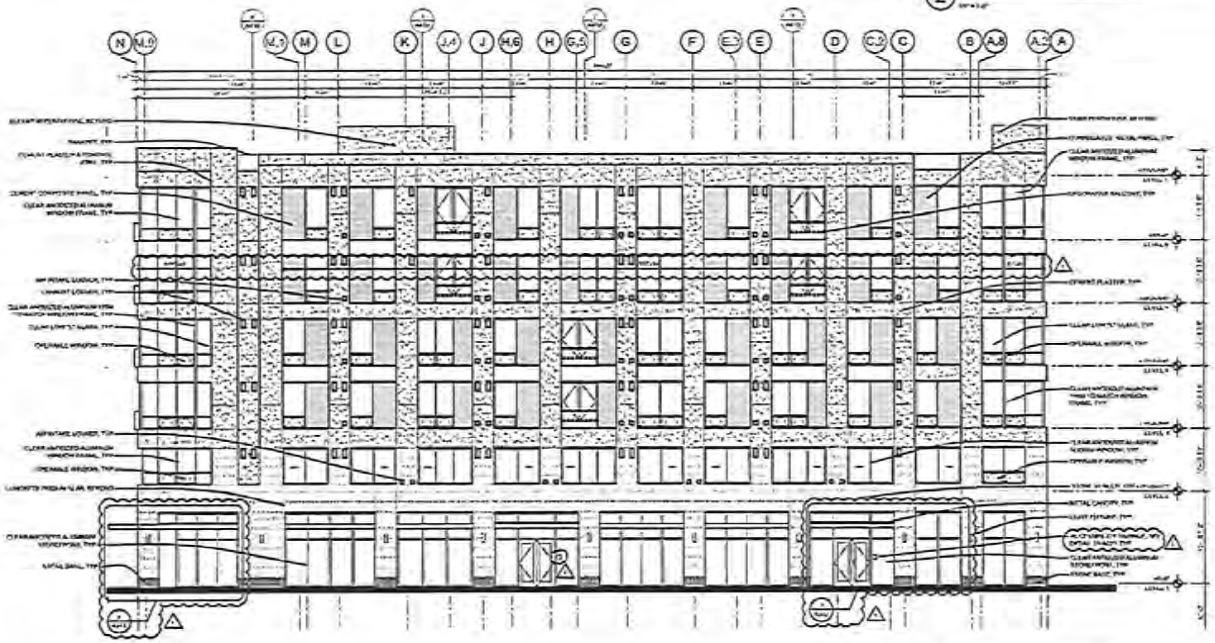
Thank you.

Leilani Fay
916-446-4468
1704 N St., 95811

Attachment 4



2 EXTERIOR ELEVATION - SOUTH



1 EXTERIOR ELEVATION - EAST

SHEET NOTES

LEGEND

LDA Architects, Inc.
Architecture Planning Interiors

PROGRESS SET 2014-04-09
NOT FOR CONSTRUCTION

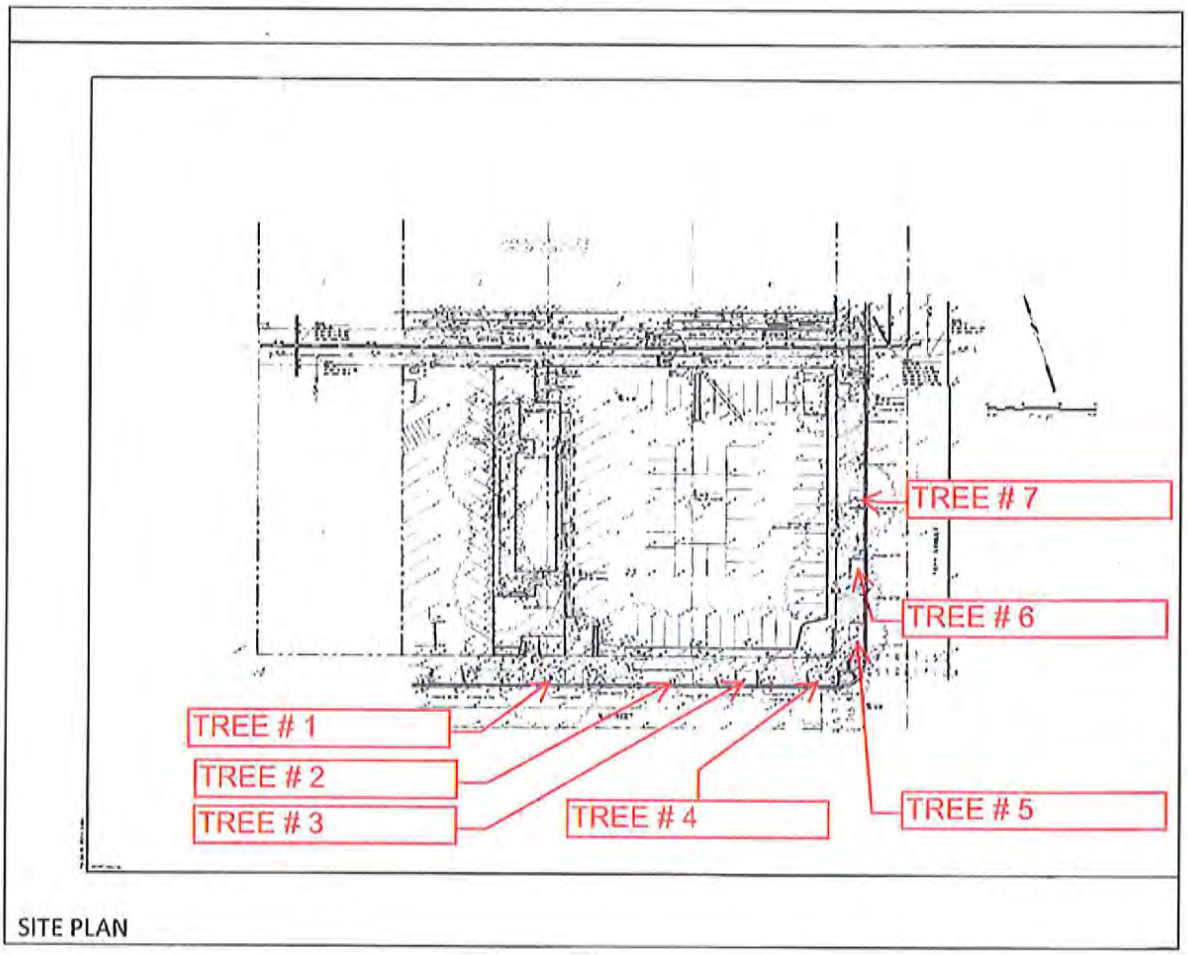
LDA Project: 1200
The Warren
Apartments / Mixed Use
16th & N Street
Sacramento, CA
Cold LAd Gateway One, LLC

PHASE 2

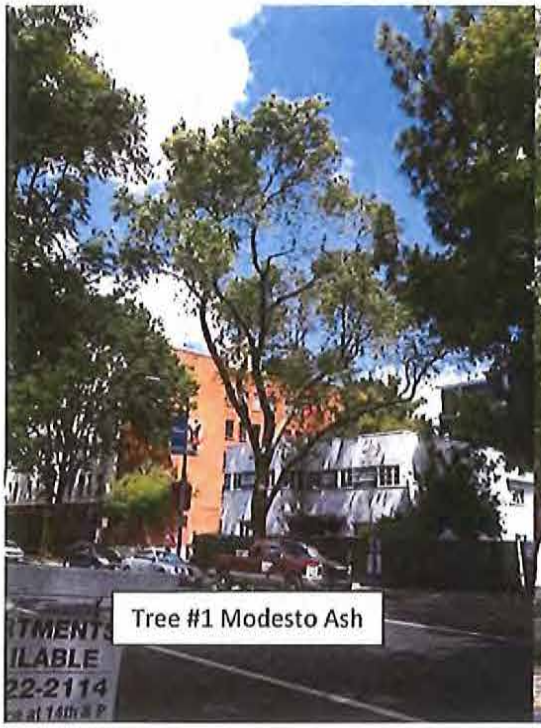
Sheet Title:
ARCHITECTURAL
EXTERIOR ELEVATIONS
SOUTH (N STREET)
EAST (16TH STREET)

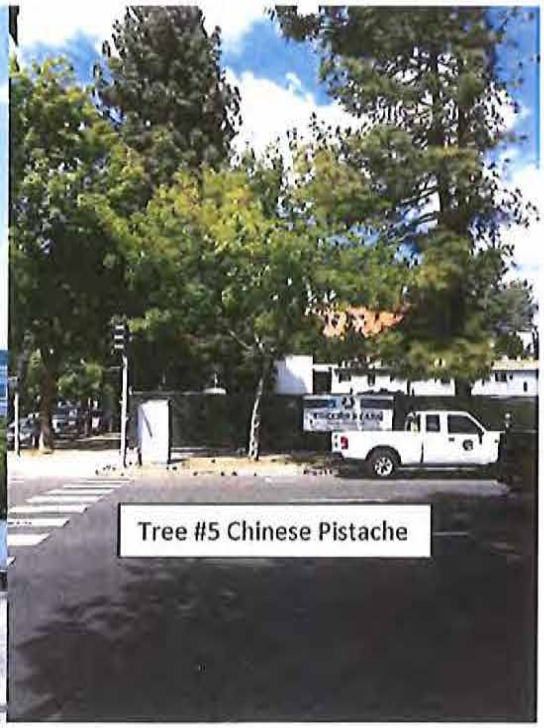
Sheet Number:
A300

Attachment 7



Attachment 6





Attachment 6 (cont.)

Tree #7 Liquidambar

Attachment 7

16th Street Frontage

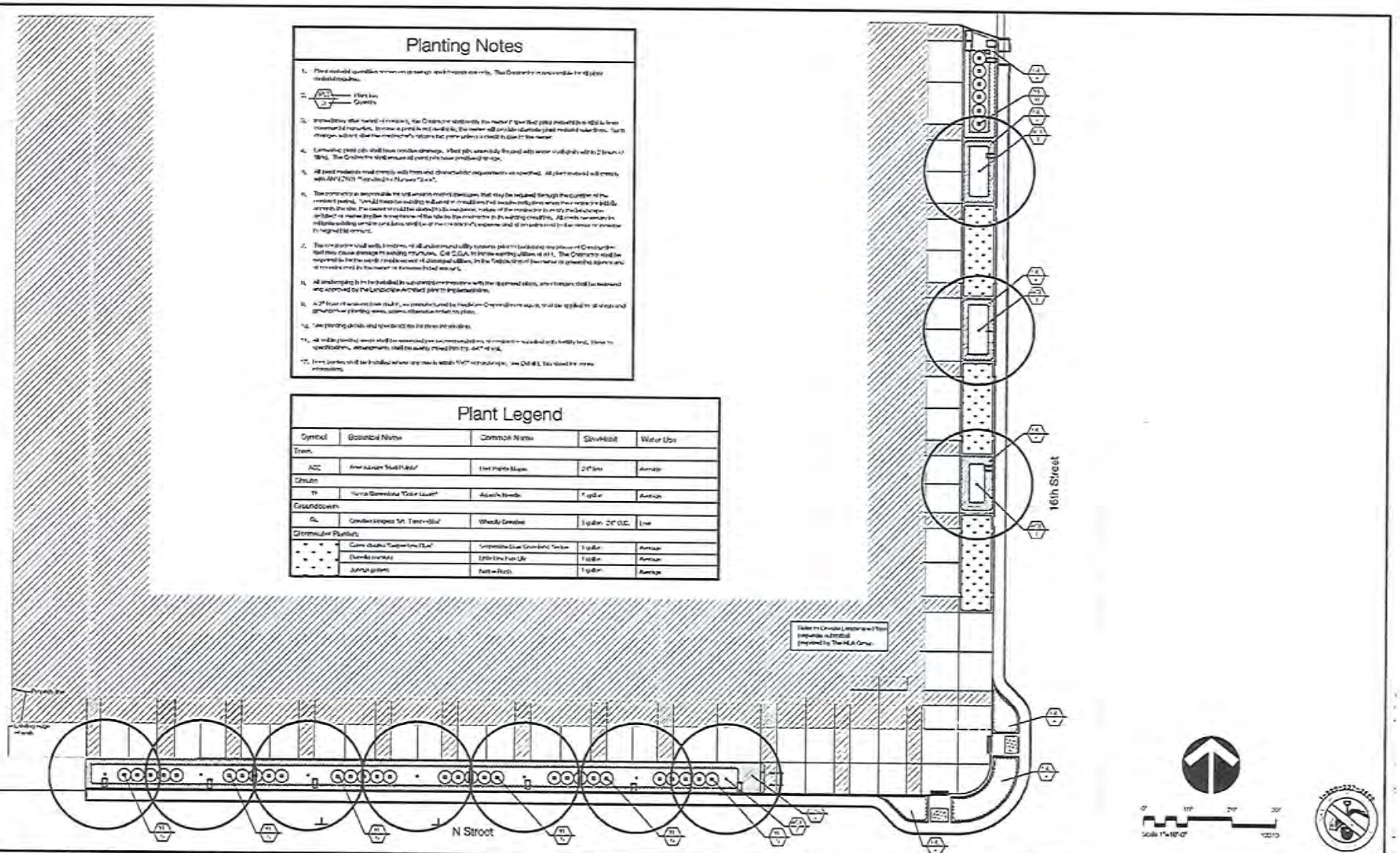
N Street Frontage

Planting Notes

1. [illegible]
2. [illegible] — Plant key; Quantity
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]
7. [illegible]
8. [illegible]
9. [illegible]
10. [illegible]
11. [illegible]
12. [illegible]

Plant Legend

Symbol	Botanical Name	Common Name	Size/Habit	Water Use
Trees				
ACC	[illegible]	[illegible]	[illegible]	Average
Shrubs				
TF	[illegible]	[illegible]	[illegible]	Average
Groundcovers				
GL	[illegible]	[illegible]	[illegible]	Low
Stormwater Plantings				
	[illegible]	[illegible]	[illegible]	Average
	[illegible]	[illegible]	[illegible]	Average
	[illegible]	[illegible]	[illegible]	Average



REVISIONS			
NO.	DESCRIPTION	DATE	BY

BENCH MARK ELEV. [illegible]
DESCRIPTION [illegible]

FIELD BOOK XXXX
SCALE HORIZ. N/A VERT. ____

CITY OF SACRAMENTO
DEPARTMENT OF TRANSPORTATION

DRAWN BY: [illegible] DATE ____
DESIGN BY: [illegible] R.C.E. ____ DATE ____
CHECKED BY: SAC R.C.E. ____ DATE ____

IMPROVEMENT PLANS FOR
THE WARREN
Planting Plan

The HLA Group
Landscape Architects & Planners, Inc.

P:
JN:
SHEET L3.1 OF ____

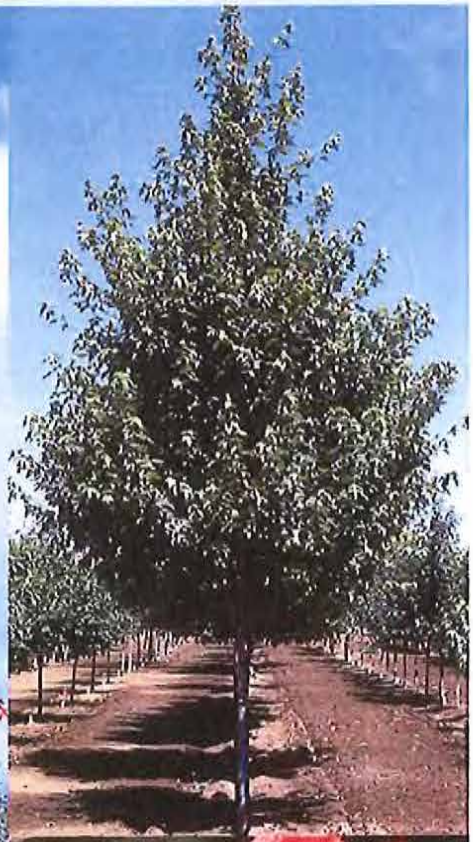
Attachment 9

Redpointe® Maple

Acer rubrum 'Frank Jr.' PP 16769

Zone: 5
Height: 45'
Spread: 30'
Shape:
Broadly pyramidal
Foliage:
Dark green
Fall Color:
Bright red

Brilliant red fall color plus upright, broadly pyramidal form make this Schmidt introduction a standout. The refined form and foliage of the best *Acer rubrum* cultivars combine with the faster growth rate normally found in *Acer x freemanii*. A straight and dominant central leader results in strong branch angles that make it easier to grow.



J. FRANK SCHMIDT & SON CO.

P.O. Box 189 • Boring OR 97009
503-663-4128 • Fax 503-663-2121
Toll-Free 1-800-825-8202 • Toll-Free Fax 1-800-283-7537
www.jfschmidt.com

CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION

300 Richards Boulevard, Sacramento, CA 95811

Project Name:	East End Gateway Site 1
Project Number:	P09-029
Project Location:	1517-1531 N Street, Sacramento, CA 95814
Assessor's Parcel No.:	006-0172-011, -012, -017, and -018
Applicant:	Todd Clayter, EM Johnson Interest/NCRF Holdings, 442 Grove Street, San Francisco, CA 94102
Action Status:	Review and Comment — Action Date: 9/24/09
REQUESTED ENTITLEMENT(S):	A request of a Review and Comment for the East End Gateway Site 1; a proposed CADA project consisting of an 8-story mixed use building comprised of 117 residential units and 5,200 square feet of ground floor retail space, on approximately 0.71 acres in the General Commercial (C-2) zone.

ACTIONS TAKEN: On 09/24/09, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Review and Comment only.

Action certified by: David Kwong, Planning Manager

Sent to Applicant: 10/05/2009 By: Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 10/05/09. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

As the proposed project is Review and Comment a formal recommendation and findings are not required.

Conditions Of Approval

The following are ADVISORY CONDITIONS OF APPROVAL:

Building:

1. Building height and building areas shall comply with 2007 CBC Table 503.
2. Provide occupancy separation between R-2 & S-2, & between S-2 & M per CBC Table 508.3.3.
3. Fire-resistance requirements for exterior walls based on fire separation distance (setback distance from property line to exterior walls of a building) per CBC Table 602.
4. The proposed building is mixed use & occupancy & clearly specify either non-separated occupancies or separated occupancies per CBC section 508.
5. Accessibility requirements in terms of accessible route, accessible parking, & adaptable dwelling units etc. shall comply with 2007 CBC Chapter 11A. Accessibility of M occupancy shall comply with 2007 CBC Chapter 11B.
6. If electrical room on the ground floor meets 2007 CBC section 1008.1.9, then both exit doors shall swing in the direction of egress travel, & equipped with panic hardware.

Utilities:

7. There is a 12" public water main in Capitol/N alley that can be tapped.
8. Our pressure model shows the static design pressure in this area is about 54 psi.
9. In order to do fire calculations for this project a water supply test should be ordered at the public counter located on the 3rd floor at 300 Richards Blvd.
10. There is an 8" combined sewer main that flows east in Capitol/N alley.
11. A sewer study is required to determine if the 8" sewer main in Capitol/N alley is large enough to accept the additional flow that will be produced from this project, and the extent to which any up-sizing may be required.
12. There is an 18" drainage main that flows west in Capitol/N alley that can be tapped for drainage.
13. Combined Sewer Development Fees are required for any project in the Combined Sewer System. The Combined Sewer Development fee for this project is currently estimated at $183,731.59, based on the current project information. A more accurate estimate can be made once more detailed project information is provided.
14. This project is located in Flood Zone "X"; however , there is a history of localized street flooding a the intersection of 15th and N and the intersection of 16th and N. This should be taken into account when setting the building's finish floor elevation.
15. If the total disturbed area for this project is over an acre a Notice of Intent must be filed with the State and a Waste Discharge Identification Number will be assigned, and a Storm Water Pollution Plan (SWPPP) will be required to be submitted to the City at the time Building Plans are submitted.

Fire:

16. Provide the required fore hydrants in accordance with CFC 508 and Appendix C, Section C105.
17. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
18. Provide a water flow test (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95811). CFC 508.4.
19. Provide appropriate Knox access for site.
20. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.
21. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
22. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8.

Parks:

23.Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal

to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)

24.Maintenance District: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

25. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

a) Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at $308,880. This is based on 117 multi-family units and an average land value of $250,000 per acre for the Central City Planning Area, plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

b) Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at $167,609. This is based on 117 multi-family units at the Specified Infill rate of $1,425 per unit for a subtotal of $166,725 and 5200 square feet of retail space at the Specified Infill rate of $0.17 per square foot for a subtotal of $884. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

c) Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Urban Forest Services:

26.General Comments:

- The proposed set back, step back and building height will not provide adequate canopy space for large or medium species trees. Designs that provide less tree canopy space than the City UFS recommendation should be planted with columnar or semi columnar trees at a spacing of 20' to 30'. Designs that require columnar species street trees significantly reduce street tree canopy potential and are inconsistent with the City general plan and Greenprint tree canopy coverage goals. These goals cannot be met without a requirement for greater set backs or step backs.
- No off site landscape plan or existing street trees were shown in the reviewed packet. Off site landscape plan review and approval is required before permitting any project related activity that impacts heritage or City trees.
- Reviewed plans appear to propose removal of several City trees and one heritage tree. The applicant must obtain UFS permits prior to pruning or removal of City or heritage trees.
- All utility installations shall be designed to avoid eliminating plantable space for City trees.

27.Specific Comments:

- (N Street) If the building design is not revised to provide greater tree canopy space plan will remove five existing trees plant six semi columnar species trees at a spacing of 20' to 30' in the park strip planter, (see red line). The existing Pistache trees on N Street are approximately one third to one half of their mature size. This species typically develops a wide spreading canopy with a radius of 25' to 30' at maturity. The proposed building will only allow a canopy radius of 15' to 16'. Trees planted in the City right of way will receive mitigation credit at a rate of $325 per caliper inch (up $650 each). The total off site mitigation planting credit for this project is $4550. The remaining mitigation for street tree removal is $22,125.
- (16th Street) The reviewed plan appears to allow three existing trees along 16th Street to remain in place. Tree spacing shown along 16th Street is approximately 38', the available tree canopy radius with the proposed building wall is 15' to 16'. Generally columnar and semi columnar trees are planted in the City right of way at a spacing of 20' to 30'. The 38' tree spacing can remain pending UFS review and approval of an off site landscape plan.
- Streetscape, (sheet 16) does not provide adequate planter conditions for street trees. Revise to show an 8'x 16' or longer planter for each street tree.
- Eliminate decomposed granite surface inside the tree planters.
- More detailed review will be possible after submittal of an off site landscape plan.

28.Species Selection:

- Show six semi columnar species trees planted 20'- 30' apart along N Street at midpoint between carriage path crossings in 16'x 8' or longer planters. Choose one of the following trees for planting along N Street:

-Acer nigrum 'Greencolumn' Maple
-Acer rubrum 'Redpointe' Maple
-Fraxinus pennsylvanica 'Georgia Gem Ash' (recommended to match proposed trees further east)
-Tilia Americana 'Boulevard' Linden
-Tilia x flavescens 'Glenleven' Linden'

29.Irrigation:

- All trees are to be irrigated on a non-turf station by a minimum of two 6" to 12"pop-up heads w 8'-15' radius corner strip nozzles. Laterals will be installed as far away from the center trunk line of trees as possible. Other designs may be approved pending City Landscape Architecture or UFS review.

30.Planting notes:

- All trees are to be planted on a gradual mound 2" to 3" higher than the surrounding grade and mulched with wood chips (playground fiber or coarser) to a depth of approximately 3".
- No turf, groundcover or shrubs will be planted within 4' of any tree trunk.

Department of Transportation:

31. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City standards. This shall include street lighting and the repair replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the entire property per City standards and to the satisfaction of the Department of Transportation.

32. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation.

33. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P07-162) and/or (P09-029).

34. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards at the north-west corner of the intersection of 16th Street and N street to the satisfaction of the Department of Transportation.

35. The applicant shall install bulb outs/curb extensions where there is on-street parking in the central City area or as directed by the Department of Transportation. Locations of bulb outs must be reviewed and approved by the City Traffic Engineer.

36. Prior to issuance of any Building permits, the applicant/CADA shall enter into an agreement with the City of Sacramento that states that a fair share amount for the construction of two future signals at the intersections of 15th Street and O Street and 16th Street and O street is required. The agreement shall also state that the fair share amounts is due when the City of Sacramento deems that any of the signals construction is required.

37. The applicants shall repair/reconstruct the existing alley per City standards (in Concrete) along the project's frontage on the existing alley to the satisfaction of the Department of Transportation.

38. The applicant shall insure that there will be a minimum 6-foot clear sidewalk provided along the project's frontage on both 16th Street and N street.

39. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).

40. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Transportation.

Meeting Minutes
City of Sacramento
Parks and Recreation Commission

AGENDA

April 3, 2014
Historic City Hall Hearing Room
915 I Street, Sacramento

Call to Order – 7:06 p.m.

The meeting was called to order by Chair Harris at 7:06 p.m. All Commissioners were in attendance.

Public Comments- Matters Not on the Agenda

1. **None**

Public Hearings

2. **None**

Special Oral Presentation

3. **None**

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

4. **Parks and Recreation Commission Meeting Minutes**
   Location: Citywide
   Recommendation: Approve Commission minutes for meeting on March 6, 2014
   Contact: Lori Harder, Support Services Manager, 808-5172
   Action: Moved, seconded and carried to approve as mailed. (Guadiana/Dominguez: Ayes: Harris, Dominguez, O'Toole, Guadiana, McKinley, Shettle, Mercado, Heitstuman, Assagai, Malik; Abstain: Ruggieri)

5. **Report back on Summer Oasis/Children's Summer Program Management and Staff Training**
   Location: Citywide
   Recommendation: For Commission Information
   Contact: Alan Tomiyama, Recreation Manager, 808-8958

   Staff and commissioners discussed program cost, promotion, planning and communication with parents.

Discussion/Action Reports

Discussion/Action reports include oral presentations including those recommending review and comment

6. **McKinley Village Project (P08-086)**
   Location: South of Sutter's Landing Regional Park across Capital City Freeway, Council District 3
   Recommendation: Review and Comment
   Contact: Mary de Beauvieres, Principal Planner, 808-8722

   Mary de Beauvieres, Principal Parks and Recreation Planner introduced Phil Angelides, the project developer. Mr. Angelides reviewed the proposed project and park, tree and recreation public space elements, benefits and considerations. Commissioners, Mr. Angelides and staff discussed park planning, public vs. private uses, park development and maintenance financing, tree and plant materials, and relationship of the project and future recreation needs to nearby Sutter's Landing Regional Park. Citizens spoke to concerns about habitat loss and future impacts on Sutter's Landing Regional Park.

   Action: Moved, seconded, and failed to recommend to City Council that McKinley Village park fees not used within the project site be committed to Sutter's Landing Regional Park so that Sutter's Landing Regional Park may receive the attention and funding it needs. (Dominguez/Heitstuman: Ayes: Dominguez, Heitstuman, Ruggieri, O'Toole, Mercado; Noes: Malik, Shettle, Assagai, Guadiana; Abstain: Harris, McKinley)

   Action: Moved, seconded and carried to recommend to City Council that McKinley Village park fees not used within the project site be substantially committed to Sutter's Landing Regional Park for neighborhood and community serving amenities so that Sutter's Landing Regional Park may receive the attention and funding it needs. (Dominguez/Heitstuman: Ayes: Harris, Ruggieri, Assagai, Dominguez, O'Toole, Guadiana, Heitstuman, Shettle, Mercado; Abstain: Malik, McKinley)

   Action: Moved, seconded and motion failed to recommend to City Council that the current Quimby standard of five acres of parkland per one thousand residents be preserved in the McKinley Village Project development agreement whether or not the standard changes. (Heitstuman/Ruggieri: Ayes: Dominguez, Heitstuman, Ruggieri, Malik; Noes: McKinley, Harris, Assagai, Guadiana, O'Toole; Abstain: Shettle, Mercado)

   Action: Moved, seconded and motion failed to recommend to City Council that the McKinley Village Project development agreement contain a separate financial contribution towards the development of Sutter's Landing Regional Park to help mitigate the impact of the project on the park. (Ruggieri/Dominguez: Ayes: Ruggieri, Malik; Noes: Dominguez, Shettle, Heitstuman, McKinley, Harris, Assagai, Guadiana, O'Toole; Abstain: Mercado)

7. **Special Event Permit Fee Structure and Special Use Conditions for High Demand Parks**
Location: Chavez Plaza Park and William Land Park, Council District 4
Recommendation: Support Staff Recommendation
Contacts: Vincene Jones, Neighborhood Services Manager, 808-5072; Teresa Jackson, General Recreation Supervisor, 808-3818

Teresa Jackson reviewed the item, and Commissioners asked about the recommended rate structure which of four tiers depending on anticipated attendance, affordability of the increase, and use of future fee revenue.

Action: Moved, seconded and motion failed to recommend modifying the proposed event fee structure to add a new first tier Standard Permit fee of $150, and a High Demand Event Venue fee of $240 (or 60% more) for events with an anticipated attendance of 50 to 100 people. (O'Toole/Assagai: Ayes: O'Toole/Assagai; Noes: Ruggieri, Malik; Dominguez, Shettle, Heitstuman, McKinley, Harris, Assagai, Guadiana, O'Toole, Mercado; Abstain: Guadiana)

Action: Moved, seconded and carried to support the recommended Special Event Permit Fees for High Demand Event Venues and the Establishment of Special Use Conditions for those facilities as contained in the staff report. (Dominguez/ Guadiana: Ayes: Ruggieri, Malik, Dominguez, Shettle, McKinley, Heitstuman, McKinley, Harris, Guadiana, No: O'Toole; Abstain: Assagai)

8. **Nomination and Election of Chairperson and Vice Chairperson of the Parks and Recreation Commission**
Location: N/A
Recommendation: Nominate and Elect a Chairperson and Vice Chairperson
Contact: Jim Combs, Parks and Recreation Director, 808-8526

Commissioner Guadiana nominated Chair Harris to continue to serve as chairperson. There were no other nominations. Commissioner Harris was elected chairperson by unanimous vote. Chair Harris nominated Commissioner Mercado to continue to serve as vice chairperson. There were no other nominations. Commissioner Mercado was elected vice chairperson by unanimous vote.

9. **Parks and Recreation Director Report (Oral): Review Highlights for March and April**
Recommendation: Review and comment
Contact: James L. Combs, Parks and Recreation Director, 808-8526

Director Combs commented on the Guerrero Park groundbreaking event.

Questions, Ideas, and Announcements of Commission Members

Chair Harris and Commissioner Guadiana spoke to the valuable services and contributions Councilmember Bonnie Pannell achieved.

Adjournment

The meeting adjourned at 10:10 p.m.

Respectfully submitted:

Lori Harder

Lori Harder, Support Services Manager
Department of Parks and Recreation

Approved by:

Jeff Harris, Chairperson
Parks and Recreation Commission

City of
SACRAMENTO
Parks and Recreation

April 23, 2014

Parks and Recreation Commission
Sacramento, California

SUBJECT: Amend the Park and Recreation Commission's Rules of Procedure to Change the Regular Meeting Time to 6:30 p.m.

LOCATION: Citywide

RECOMMENDATION: Support Staff Recommendation to Amend Park and Recreation Commission's Rules of Procedure to Change the Regular Meeting Time to 6:30 p.m.

CONTACT PERSON: Lori Harder, Support Services Manager, 808-5172

FOR MEETING DATE OF: May 1, 2014

Sacramento City Code section 2.64.040 authorizes the Commission to adopt rules and procedures for the conduct of its business. The rules and procedures must be consistent with those rules and procedures adopted by the City Council for the conduct of its business. Rules of Procedure for the Parks and Recreation were adopted by the Parks and Recreation Commission on April 3, 2013. Staff recommends that Section V, Meetings, be amended to state the regular meetings begin at 6:30 p.m. (as opposed to 7:00 p.m.).

Respectfully submitted,

Lori Harder

Lori Harder, Support Services Manager

City of
SACRAMENTO
Parks and Recreation

May 1, 2014

Parks and Recreation Commission
Sacramento, California

Honorable Members in Session:

SUBJECT: Designation of Oak Park Community Center Multi-Purpose Room to the "Leslie "Sarge" Thomas Multi-Purpose Room"

LOCATION AND COUNCIL DISTRICT: 3425 Martin Luther King Jr., Boulevard, Council District 5

RECOMMENDATION: Support staff recommendation to name the Oak Park Community Center Multi-Purpose Room to the "Leslie "Sarge" Thomas Multi-Purpose Room".

CONTACT PERSONS: Vincene R. Jones, Neighborhood Services Manager, 808-5072 and Sylvia Fort, Recreation Manager, 808-8381

FOR COMMISSION MEETING: May 1, 2014

On February 26, 2008, City Council adopted Resolution 2008-112, establishing a Facility Naming Policy. The policy contains guidance when naming facilities or portions of facilities. One of the guiding policies encourages facilities to be named for individuals or families that have contributed significantly to the community or facility.

The Oak Park community would like to honor Mr. Thomas and Councilmember Jay Schenirer, representing District 5, proposes to name the Oak Park Community Center Multi-Purpose Room (gymnasium) the "Leslie "Sarge" Thomas" Multi-Purpose Room in recognition of Mr. Thomas. Mr. Thomas was an exceptional person who provided outstanding volunteerism to the Oak Park Community Center and to the larger community of Oak Park. The dedication of the Multi-Purpose Room at the Oak Park Community Center would honor Mr. Thomas' service and honor his memory.

Department of Parks and Recreation
915 I Street, 3rd Floor, City Hall
Sacramento, CA 95814
(916) 808-5200

The Director of the Department of Parks and Recreation supports the Councilmember's proposal

and is recommending support of the proposed name by the Parks and Recreation Commission.

Leslie "Sarge" Thomas was born on August 30, 1927 in Amhearst County, Virginia and passed at the age of 87 on January 14, 2014 while visiting his hometown.

Mr. Thomas came from the generation of hardworking and loyal individuals which is evident by his dedication and commitment as a volunteer at the Oak Park Community Center for over 33 years, beginning in 1980 when the center first opened its doors.

After serving in the United States Air Force for 26 years, Mr. Thomas retired here in Sacramento and was an Oak Park resident for over 50 years. A community activist and proud of where he lived, he selflessly devoted his time to volunteering and making a positive difference in the lives of those who also lived in Oak Park.

Mr. Thomas was not only a community activist but also began his second career as a cashier at one of Oak Park's better known stores, the Red Foxx. His third career was with California State University, Sacramento, in the sports equipment supply room for over 10 years.

Mr. Thomas served on the Oak Park Project Area Committee and in1980 was instrumental in the movement for the construction of the Oak Park Community Center and key in the development of the Multi-Purpose Room (gymnasium) in 2009. He was a devoted volunteer at the Oak Park Community Center since its opening. You could see him greeting center guests often with a hug or handshake. He would often reward individuals with flowers and candy for their volunteering efforts; he often praised the unsung heroes of the community. A great humorist, he was known as the "community comedian".

Mr. Thomas supported and assisted with fundraising efforts for a variety of events focused on the Oak Park Community Center. He mentored young men in the community, including youth and teens in afterschool programs and was affectionately known as the "ambassador" to the senior program where he was the "life" of the party.

Because of his devotion and commitment as a volunteer with over 30 years to the Oak Park Community Center, renaming the Multi-Purpose Room (gymnasium) is a small gesture acknowledging Mr. Thomas memory and his many years of service.

FINANCIAL CONSIDERATIONS:

The financial impact would be $500, which includes a 12 x 10 inch plaque renaming the Oak Park Community Center Multi-Purpose Room (gymnasium) to the Leslie "Sarge" Thomas Multi-Purpose Room (gymnasium) and the installation of that plaque.

Respectfully Submitted,

Vincene R. Jones

Vincene R. Jones
Neighborhood Services Division Manager

City of
SACRAMENTO
Parks and Recreation

April 25, 2014

Parks and Recreation Commission
Sacramento, California

Honorable Members in Session:

SUBJECT: City of Sacramento Update of Tree Ordinances: Status Update

LOCATION AND COUNCIL DISTRICT: All Districts

RECOMMENDATION: Review and provide comment regarding the City of Sacramento's update of the tree ordinances.

CONTACT PERSONS: Deanna Hickman, Program Analyst, 808-5384; Joe Benassini, Urban Forester, 808-6258

FOR COMMISSION MEETING: May 1, 2014

The City of Sacramento (City) retained Economic & Planning Systems, Inc. (EPS), in conjunction with subconsultants Endicott Communications and HortScience, Inc. (collectively the Project Team), to assist the City in preparing a comprehensive update of its existing ordinances related to tree planting and preservation (also referred to as the "Project").

The attached memorandum provides a summary of the impetus and methodology for updating the tree ordinances, which included identifying key issues to be resolved, establishing stakeholder groups to solicit input, and conducting research to determine best urban forestry management practices employed by other comparable municipalities. This memorandum also provides the draft revised ordinance structure and an examination of revised policies pertinent to the City Parks and Recreation Commission (Commission).

The purpose of this memorandum is to provide information related to the Project for the Commission's review and comment.

Respectfully Submitted,

Deanna Hickman, Program Analyst
Joe Benassini, Urban Forester

MEMORANDUM

To: City of Sacramento Parks and Recreation Commission

From: Jamie Gomes and Amy Lapin, EPS
Gene Endicott, Endicott Communications
Jim Clark, HortScience

Subject: City of Sacramento Update of Tree Ordinances: Status Update; EPS #122098

Date: April 25, 2014

The Economics of Land Use

Introduction

The City of Sacramento (City) retained Economic & Planning Systems, Inc. (EPS), in conjunction with subconsultants Endicott Communications and HortScience, Inc. (collectively the Project Team), to assist the City in preparing a comprehensive update of its existing ordinances related to tree planting and preservation (also referred to as the "Project").

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The purpose of this memorandum is to provide information related to the Project for the Commission's review and comment.

Background and Purpose

The City has a long standing reputation as the City of Trees. An emphasis on the importance of trees in the City dates back to its founding over 160 years ago. In the late 1970's and 1980's, the City's urban forestry program drew international recognition for its beautiful tree canopy, partnerships, and innovative elm preservation programs. The City was a primary subject for many urban forest researchers.

Economic & Planning Systems, Inc.
2295 Gateway Oaks Drive, Suite 250
Sacramento, CA 95833-4210
916 649 8010 tel
916 649 2070 fax

Oakland
Sacramento
Denver
Los Angeles

www.epsys.com

However, over the last three decades, the programs and policies that were originally in place have slowly become outdated as work practices evolved, land development increased, funding was changed, and the City's demographics have transformed which has reduced the space specifically allocated for public trees. The resulting inconsistent policies, procedures, and management practices have led to confusion for both City staff and public- and private-sector stakeholders. Furthermore, it has become apparent to the City that interest groups have an incomplete understanding of the urban forest and its management, and need to be included in the update process to facilitate community involvement and understanding.

The City has attempted to resolve these issues by adopting the 1994 Urban Forestry Management Plan (UFMP), and conducting the Best Management Practices (BMP) Review in 2003. Both of these efforts highlighted a number of issues that required public attention and guidance, including: how the City and private property owners could properly maintain the City's urban forest; and who was responsible for the maintenance of specific types of trees in the City. Unfortunately, many of the recommendations from both of these efforts were not implemented. Later efforts by a citizen's advisory group helped to facilitate implementation and contributed to ongoing maintenance and management practices. Despite this effort, it has become apparent that a revision of the tree ordinance itself is necessary to implement key policy and procedure. Once established, the ordinance will serve as a basis to develop a new management plan and specification documents.

The purpose this Project is to gather public input and professional guidance to create a comprehensive and easy to understand ordinance, and to ultimately establish effective urban forestry policies. As stated, the updated ordinance will serve as a foundation to an updated urban forestry management plan and the development of specific urban forestry guidelines, standards and specifications for maintaining, expanding and enhancing our urban forest.

Ordinance Objectives

The current Project fulfills the City's goal of preparing a comprehensive update of the existing tree ordinances in order to streamline urban forestry policy, ensure a consistent application of best management practices, and focus the policy on outcomes that will contribute to the sustenance of the City's urban forest. The Project Team will revise the tree-related ordinances according to the following objectives:

1. **Incorporate the three exiting tree-related ordinances into a single ordinance**. One of the objectives of this Project is to create a single ordinance chapter that addresses all urban forestry policies. The City currently has three code chapters that address urban forestry policies: Chapter 12.56 Trees Generally; Chapter 12.60 Dutch Elm Disease; and Chapter 12.64 Heritage Trees.

2. **Ensure that the updated ordinance is clear and concise**. Another objective of this Project is to clarify and simplify the City's urban forestry policies. The current ordinances are confusing for both City staff and public- and private-stakeholders and inhibit effective management of the City's urban forest. Further, the existing ordinance deficiencies offer no predictability for developers, design professionals, and City residents and business owners. For example, the ordinances: do not acknowledge the reasons why the City should maintain its urban forest; they omit or poorly define key terminology; they inadequately define "heritage trees" and presume the City maintains a list of these types of trees; they impose

minimal penalties for violations; they describe an ineffective tree permit, hearing, and appeal process; and they fail to address fees and mitigation requirements for removal of trees.

3. **Align policies among internal City departments**. The third objective of this Project is to align updated urban forestry policies with new development, capital improvement projects, streetscapes, park maintenance, and water and energy conservation programs and practices within and between City departments.

Methodology

The Project Team initiated the Project with a meeting in August 2013 to discuss the methodology to be employed for the Project. Over the course of the Project to date, the methodology has consisted of the following key components.

- Identifying **key issues** related to the current ordinances to be resolved;
- Establishing a **stakeholder process** to solicit input on key issues;
- Conducting **case study research** to identify the best urban forestry management practices used by other comparable jurisdictions; and
- Conducting research on other **urban forestry and City-specific resources** to inform the process of updating the ordinance.

The Project Team will then present an overview of the Project to relevant City commissions – Parks and Recreation Commission, Planning and Design Commission, and Historic Preservation Commission – for review and comment before submitting a revised ordinance to the City Draft Ordinance Review Committee (DORC). Following DORC's review and edits, the Project Team will present the revised ordinance to the City Law and Legislation Commission and City Council for approval.

The following sections describe the methodological components of the Project in greater detail.

Key Issues

The following section highlights ten key issues related to the current tree ordinances identified by the Project Team. Several key issues were selected for presentation and in-depth discussion with the Project stakeholder groups, as described later in this memorandum.

Issue 1. Maintenance Easements and Maintenance Easement Trees

Where planting strips or dedicated tree planting areas do not exist within the right-of-way (ROW), many cities, including Sacramento, have had a policy of planting and maintaining trees adjacent to streets but within the front yards of private property. The rationale is that those trees are in close physical proximity to the public ROW and contribute to the visual aesthetic of the streetscape or neighborhood.

Based on the City's current municipal code, Tree "maintenance easements" are to be created where the ROW does not provide dedicated space for a tree and no public utility easement (PUE) exists. Tree maintenance easements are described as a strip of land parallel to the property line and 6.5 feet in width. For many years, the City planted and maintained trees within these areas (as well as PUE's) where dedicated space within the ROW was absent. However, maintenance

easements were never actually recorded on tentative or final subdivision maps. From a legal perspective, maintenance easements existed only in the City's code.

In the early 1980's, internal discussion began to try to address the maintenance requirements of street trees, a growing backlog of work requests, and low service levels. Discussions centered on implementation of proactive cycled pruning, whether the city should continue to maintain trees in tree maintenance easements, preservation of old trees while encouraging new plantings, and other forestry issues. At the time, trees in easements comprised approximately one third of the total population of street trees.

In 1990, the City Council placed a temporary moratorium on continued maintenance of these easement trees and opted for staff to continue to provide technical assistance to property owners until additional funding could be developed. Those discussions led to recognizing a need for a long range plan for Sacramento's urban forest, and in the early 1990's, Wolfe Mason Associates was commissioned to create the UFMP for the City.

The UFMP offered a series of recommendations and a menu of options for City leaders to use to address these issues. In particular, options included continuing the technical assistance "self-help" program for maintenance easement trees, shifting the responsibility of maintaining maintenance easement trees to the private property owner, or increasing public funding to return the responsibility for easement trees to the City. In November 1993, the City Council adopted the management plan with the option to continue to offer technical assistance and self-help for maintenance easement trees with the intention of resuming City maintenance if additional funding became available. As such, the code language continued to include reference to maintenance easements with some modifications.

Notably, the report failed to recognize trees growing in PUE's. Based on the descriptions and figures within the UFMP, maintenance easements were associated with any property that did not contain a planting strip or a dedicated tree planting area and ignored the fact that tree maintenance easements are to be created only where PUE's do not exist. The overwhelming majority of properties within the city have PUE's, which should make the necessity of creating a tree maintenance easement rare. While the intent is clear, by the letter of the law, the 1993 City Council decision is almost moot since only maintenance easement trees were mentioned.

Issue 1 Ordinance Implications

Current City practices for trees in both easements are to provide trees for planting, offer technical advice, and to administer tree permits as defined under the City code but to exclude maintenance of these trees.

If the city wishes to continue to recognize tree maintenance easements where PUE's do not exit, those easements must be recorded on subdivision maps to be recognized as legal easements, there should be a distinction made between the two, and the City code should be clarified to reflect that position.

If the City prefers to maintain current practices, the revised ordinance should omit all references to maintenance easement trees.

Issue 2. Trees within Right-of-Way (ROW)

The City code describes "City Street Trees" as any tree growing on a public street ROW (excluding PUEs). In many areas of the City, the public ROW extends beyond the actual limits of the streets and sidewalks and over the front and side yards of adjoining properties. Historically, the City has maintained those trees.

However, given the issues noted in the previous section, a question is raised about whether the practice should continue. It is unclear whether the intent of the 1993 City Council decision was to include or exclude ROW trees. Functionally, the trees in these locations are front yard trees. Practically, issues of equity of service arise where a property owner may or may not enjoy City maintenance of a front yard tree depending on its location, often a matter of a few feet.

Maintaining these trees is contrary to other City practices. The City does not maintain any other hardscape or landscape features in the ROW. The City does not own the trees, only the easement for the ROW. Trees within street ROW and also in the front yards' of private property owners account for approximately 17 percent of the total street tree population. Under these circumstances, it is important that the distinction be made and that the City address whether this is a desired work practice.

Important to note, ROW trees are not evenly distributed across the City but concentrated in specific neighborhoods that were designed without planting strips. To remove them from City responsibility leaves little to no City management in these areas.

Issue 2 Ordinance Implications

The City ordinance should reflect the position of whether maintaining trees in the ROW is a desired work practice given the relatively small percentage of total street trees, the concentration of these types of trees in specific neighborhoods, and the inconsistency with other City practices.

Issue 3. Posting & Notice for Removal of City-Managed Trees

While not specifically called for, past practice for tree removals has included public notification by posting a notice on the tree in question for trees with trunks ten inches or larger in diameter measured at a standard height. Notices were left for 30 days prior to any action being taken.

In 2007, it became apparent that work orders for trees posted for removal were being delayed as a result of other, more urgent service needs. At the time, proactive pruning was minimal and service requests were reactionary, and on one occasion, a tree removal was discovered to have been deferred for over two years, even though the tree was condemned based on structural integrity. As a result, the noticing period was reduced to 10 days in an effort to avoid potential liability should a posted tree fail and cause damage or injury.

In 2010, Urban Forestry was contacted by a constituent who wished to contest the decision to remove a city street tree that had been posted. The constituent was informed that the posting was a courtesy notice only and that the decision to remove the tree could not be appealed. The current ordinance section 12.56.040(B) did not require public notice under that circumstance, there was no process described therein for hearing an objection or appeal, and the practice had been in effect for many years. However, in a case before the Sacramento Superior Court, a judge ruled in favor of the constituent, citing current ordinance section 12.56.120 (Appeals),

which clearly allowed for a meeting with the director to review the matter and the opportunity to appeal if the person was aggrieved by the decision, despite the fact that no noticing or hearing process was described in or mandated by section 12.56.040.

While it is important that constituents be informed and the process transparent, it is equally important that routine work that is required is done in an efficient and expeditious manner and that staff is not encumbered by unnecessary hearings and appeals. The judge's opinion did allow for staff discretion where a dangerous condition may exist. However, tree risk and the ability to predict failure is in no way an exact science, and even under that circumstance, special interest groups or individuals have pursued remedies through appeals, though not normally supported by the Planning and Design or Parks and Recreation commissions.

Issue 3 Ordinance Implications

The ordinance should be clarified, the rights of constituents defined, and the authority for the director to act clearly outlined.

Issue 4. Applications for Development

Currently, there are no specific requirements outlined in the ordinance that detail information required to approve a permit in regards to a development project. Language is needed that mandates a certain level of information in order to provide informed feedback and plan checking for approval of a tree permit.

Beyond the application form, the checklist should include an arborist report, a site map indicating trees to remain and those proposed for removal, physical characteristics, property lines and easements, existing structures, setbacks, proposed grading and utility plans, surveyed tree locations with elevations, and tree preservation plans, if appropriate. Dependent on how the changes in this code may affect private trees on development sites, the requirements may affect all trees over a given trunk diameter or be limited to street trees.

Issue 4 Ordinance Implications

For discretionary development projects, the revised ordinance should clearly identify tree permit application requirements to be processed and acted upon by the applicable approving authority. Tree permit requirements should include an arborist report and a tree protection plan, both of which should be clearly defined in the "Definitions" section of the revised ordinance. Tree permit applications for "no building projects" and "administrative projects" should be addressed separately and require a written statement detailing the necessity for a tree permit.

Issue 5. Appeals

Under the current procedures for appeals, the hearing body is determined based on whether the matter involves a discretionary development entitlement. Where there are no entitlements, the matter is heard by the Parks and Recreation Commission. Where the project approval is discretionary, the matter is heard by the Planning and Design Commission. The decision of either commission is final and not subject to further appeal.

There have been a number of issues with this process. First and foremost, where applicable, applicants are required to obtain approval of a tree removal permit separately, normally after the project review process. Approval of a project by the Planning and Design Commission or City Council does not imply that a tree permit is automatically approved. This bifurcated process is

problematic, unnecessarily time consuming and unpredictable. In the eyes of the applicant, the project has been approved by a higher authority, and the tree permit should be ministerial. Additionally, decisions regarding discretionary entitlements are normally heard by the Planning and Design Commission. Should the tree permit be contested, the appeal must be heard by the same body, a duplicative and ineffective effort.

Certain development and capital improvement projects are not subject to a discretionary entitlement. In those cases, any appeal relative to a tree permit is heard by the Parks and Recreation Commission, who may not possess adequate expertise to hear matters regarding building and development. An urban forestry advisory body or sub-committee may be able to play an important role in issues regarding these cases as well as owner-occupant permit issues. In regards to Planning and Design Commission decisions, the appeal process should follow the same course as any other appeal as defined in the City code.

Noticing periods, correspondence by first class mail as mandated, meetings with the director, publishing decisions, submitting staff reports and scheduling an appeal can be well over a 60-day process and result in frustration for all parties. A recent process mapping exercise found that there are potentially 16 separate steps from the time an application is received. There may be an opportunity to streamline these procedures by assigning responsibility to a separate body such as a tree board or committee.

Issue 5 Ordinance Implications

If the City supports the establishment of an urban forestry advisory body, tree permit appeals for administrative and "no building" projects (i.e., no entitlement projects), may shift from the Park and Recreation Commission to the advisory body. Tree permit appeals associated with discretionary projects would be heard by the same body hearing any other permit appeals, as defined by City code. The revised ordinance should reference these policies under the "Appeals" section. In addition, the revised ordinance should then include a section on the creation, responsibilities, authority, composition, and rules that govern the advisory body. One of the advisory body's responsibilities would be to hear low-level appeals.

As a separate matter, the Project Team wishes to address the bifurcated tree permit approval process currently in place. The Project Team does not anticipate making any ordinance-level changes to facilitate the desired tree permit approval process. Rather, the remedy to this confusing process is procedural; the Public Works department will work with the Community Development department, and other departments as appropriate, to streamline the permit approval process.

Issue 6. Mitigations/Fines

There are no mitigation requirements set forth in the code for removal of trees apart from the ability of the director to "condition" a permit per section 12.56.070(D). Consequently, there is no incentive to try and work around existing street trees where preservation might be considered. Where healthy trees are removed to accommodate development, the City should be compensated for a loss of a valuable resource.

The typical mitigation model found in other cities is based on trunk diameter with a pro-rated value such as inch-for-inch or even tree-for-tree. Some cities require an appraisal of the tree to establish a dollar value. Regardless of methodology, the city typically invests a substantial sum

to purchase, plant, and maintain the tree over its lifetime. Re-planting on the project site is a common practice, as are conservation easements. However, these measures are normally not practical for modern urban infill projects or subdivisions. An in-lieu fee is commonly accepted, and a fund could be established through these fees for the purpose of tree planting and replacement.

Issue 6 Ordinance Implications

The ordinance should include a section dedicated to tree mitigation to reduce or offset impacts to the urban forest caused by the removal of established trees. Tree mitigation should be flexible and include on-site or off-site mitigation options including tree plantings, or in-lieu fees, as determined by City Council. In addition, tree mitigation should include a monitoring plan Applicants who are granted tree permits to remove protected trees, except Landmark Trees, shall be required to prepare and implement an on-site and/or off-site tree mitigation plan as determined by the Approving Authority. Tree Mitigation plans shall include provisions for tree planting, establishment and monitoring for a 2-year period.

Issue 7. Heritage vs. Other "Special" Trees

There have been recent discussions about redefining the heritage tree ordinance to make it more focused on iconic, memorable trees. However, this would leave a large number of trees on development sites unprotected.

Tree ordinances for "heritage" or "landmark" trees are intended to highlight and raise awareness of a special characteristic or attribute that distinguishes them from other trees. They may be of a significant size or age, a remarkable specimen of a particular species, hold special meaning to a neighborhood or community, mark a significant location, celebrate a person, event or historic location or hold any number of other distinctive features. These "special trees" are iconic and generally intended to be preserved as long as possible through a jurisdiction's ordinances. These are honorable objectives. However, practicing arborists and urban foresters understand some of the more hidden challenges in carrying out the provisions of such ordinances if they are not carefully considered.

Determining and interpreting the definition of a special tree within an ordinance is often a greater challenge than it may appear. Without specific details as to how a definition is applied, terms such as "significant specimen trees," "location" and "generally accepted horticultural standards" can be interpreted subjectively and are often not equitable.

In the past, the definition of a "heritage" tree in the City has been applied to almost any tree that meets the trunk circumference criteria and is in generally good health. However, there is no requirement to have the tree thoroughly evaluated by a qualified professional to determine the health and structural condition. Branches or other tree failures may expose the City to liability issues where trees hold a "special tree" designation.

Where a size factor includes trees of a large trunk measurement, many trees that are, by their nature, smaller in stature are overlooked, even though they may have the characteristics of a special tree. For example, a Seville orange tree planted in the mid 1800's, historic by any definition, is in excellent condition but escapes the designation because it falls short of the minimum trunk diameter.

Dependent on the individual arborist, "location" has been interpreted as a species suitable for the region in which it is growing, and in other cases as its placement within the landscape on the property, often without regard to potential damage to or interference with structures or other features. Under those interpretations, many trees within the total tree population are granted a special status, so much so that the designation loses significance. It is important to differentiate a "special tree" ordinance from a more general tree preservation ordinance. In an effort to more narrowly define these trees, the City's current interpretation of the location factor is placement in a location where the tree can thrive and be preserved for the duration of its lifetime with a low probability that it will be disturbed.

Many such ordinances protect trees on private land, raising the predictable issue of property rights. However, the responsibility to enact protection of these special trees is challenged by possession of a building permit. The City code requires that a tree removal permit must be issued if the project is within zoning restrictions and that such use of the property cannot be made without removing the tree. In most circumstances, site designs to avoid removal of these special trees end up contrary to what an engineer, architect, builder or property owner wish to achieve with their project. The building permit negates and trumps the designation. Nonetheless, in these cases, an applicant is still required to take the matter to a public hearing for a permit that must approved, yet the issue is moot and the hearing pointless. In the case of owner-occupants where development is not a factor, most property owners are unaware of the status of the tree and resent the idea of compulsory preservation when it is discovered.

The fact that an individual property owner has no say in the matter of a special tree on their property, must bear the cost of maintenance and may be required to expend resources to defend a challenge against approval or denial of a tree permit creates an adversarial relationship. While healthy trees are indeed a community benefit, that fact must be balanced by recognizing a right to the best and highest use of the property.

Like any ordinance, the requirements must be enforced through regular inspections and the results documented. Where rules are violated, complex code enforcement processes are prescribed though criminal or civil actions, a time consuming and potentially litigious process.

The most successful efforts to designate a "special tree" status incorporate a cooperative property owner, political support through a declaration or resolution of the local government, a process to identify truly spectacular trees in locations where preservation is reasonably possible and the area accessible, recognition and celebration by the public, official documentation in the ownership title to the property, and a process to declassify the tree under certain circumstances. While such an approach would reduce the number of trees recognized as special trees, it also elevates the designation to be distinct and extraordinary. Such a concept serves as an incentive to citizens and elected officials to recognize and nominate historic or otherwise notable trees and may allow the city to contribute to maintenance needs. Ultimately, there should be a benefit to the owner along with the public.

In summary, though well intended, most ordinances regulating special trees are very difficult, impractical and awkward to administer and enforce. Better results are gained through a program that: purports voluntary participation and compliance that benefits the tree owner rather than mandates it; recognizes the very best of trees and most iconic of trees; and raises public awareness and respect. Any such program should recognize the very best of trees as a

mark of something special or iconic. Designation of that status should lie with local elected officials on a case by case basis with technical and administrative support from forestry staff.

Issue 7 Ordinance Implications

Currently, there is a separate ordinance addressing "heritage trees" specifically. As discussed under the Project objectives, these types of trees, proposed to now be called "landmark trees," will be incorporated under the primary tree ordinance (Chapter 12.56). The purpose of the "landmark tree" designation would be to recognize iconic trees worthy of documentation by the City. The ordinance should outline the criteria and procedure for classifying and declassifying a landmark tree. The ordinance should also address the protection of other significant trees not designated as landmark trees.

Issue 8. Dutch Elm Disease

Currently, the City contains a separate tree ordinance addressing Dutch elm disease. It is no longer relevant to address the control and prevention of the spread of Dutch elm disease within the City's code specifically. Rather, this issue should be addressed generally for all "high risk" trees. High risk trees are defined as any tree that has been determined by an arborist as being dead, dying, or alive and so affected by a significant structural defect, damage, disease, or instability that may not provide adequate support; falling or failure appears imminent; and poses a high risk to human safety and/or property, or which in any way may endanger the security or usefulness of any public street, sewer, or sidewalk, or the full and safe operation of public utility wires.

Issue 8 Ordinance Implications

The ordinance should clearly reference the City's ability to classify any tree as "high risk" and authorize the Public Works director to immediately remove, cut, prune, or trim any part of a "high risk" tree that is deemed a hazard to public safety.

Issue 9. Project Review and Design Guidelines

City staff has identified the need for clear tree guidelines that identify appropriate species and their respective planting requirements to assist private developers as they landscape their projects. By way of example, many of the trees planted in North Natomas were selected and planted for immediate impact and marketing, without enough thought to space or species. Specifically, trees were located in park strips that were too narrow to accommodate their eventual size. Trees have performed poorly and have caused displacement of adjacent pavement, where sidewalk repair is the burden of the property owner and is quite expensive. Further, property owners object to replacement tree planting when street trees maintained by the City result in sidewalk cracks and displacement. In another example, City staff noted that small trees have been planted in open spaces where larger trees would be more appropriate. An approved tree species list with space requirements could help avoid this problem in the future and connect design review to urban forestry.

Issue 9 Ordinance Implications

This issue is likely not appropriately addressed in the ordinance. Rather, as numerous jurisdictions have done, the City should develop a separate tree list that identifies tree species approved to be planted or excluded from being planted within the City's boundaries. The tree list would also specify tree planting guidelines for each approved tree species. However, it may be

appropriate to reference a forthcoming adopted tree list in the "Definitions" section of the revised ordinance.

Issue 10. Tree Shading Requirements for Parking Lots

Tree shading requirements for parking lots are not included in the current tree ordinance but are addressed in Title 17 (Planning and Development Code section 17.612.040).

Issue 10 Ordinance Implications

It may be appropriate to include a reference to parking lot shade trees in the revised tree ordinance in order to apply protection to these types of trees in the same way other trees (e.g., City-maintained trees) are protected. Further, Title 17 may be revised to be consistent with the Parking Lot Shade Guidelines, which note that a tree permit is required for maintenance or removal of parking lot shade trees.

Stakeholder Process

Another key component of the Project Team's methodology included establishing a stakeholder process for soliciting feedback and guidance on many of the key issues described above. This section describes the details of the stakeholder process.

At the commencement of the Project, the Project Team assembled two stakeholder groups that have met over the duration of the Project. The two groups include the Stakeholder Advisory Committee (SAC), the external community stakeholder group; and the internal City Working Group (CWG).

Stakeholder Advisory Committee (SAC)

The SAC membership includes approximately 70 contacts representing community organizations, neighborhood groups, Property Business Improvement Districts (PBIDs), business associations, government agencies, development firms and other community members with an interest in helping to shape the updated tree ordinance.

The external stakeholder process included an outreach and communications program that was designed to engage community stakeholders in:

- Identifying community values and goals related to an updated tree ordinance;
- Identifying and addressing information gaps, concerns, obstacles and opportunities;
- Prioritizing potential tree-ordinance modifications; and
- Shaping structure and content of the proposed updated tree ordinance.

City Working Group (CWG)

The CWG is composed of City staff from relevant departments (e.g., Community Development; Economic Development; Public Works; GIS; Finance; Solid Waste and Recycling).

The CWG was formed to keep City staff apprised of the Project and facilitate achieving the objective of aligning updated urban forestry policies with the programs and practices of other City departments.

Stakeholder Outreach Program Elements

The outreach program's primary elements included:

- Coordination and facilitation of SAC meetings, including agenda development, facilitation and follow-up reporting. Each SAC meeting was designed and implemented to ensure tangible outcomes, and so that participants were provided with significant opportunity to shape proposed ordinance content. Our original plan was to hold four SAC meetings, but a fifth meeting was added to ensure sufficient opportunity for stakeholders to be involved in the updated ordinance's development.
- Facilitation of the CWG to identify issues to be addressed in the ordinance update and to review draft content. Our program included coordination and facilitation of four CWG meetings.
- Coordination of a citywide tree tour for the SAC and CWG, including scheduling, outreach and logistics. The tour was designed in collaboration with the City's Urban Forestry team to provide a firsthand perspective on issues, challenges and opportunities associated with development of the updated ordinance.
- Development of tree-ordinance project content for the "Urban Forestry" section of the City's website. Information posted to the website included a project overview, project timeline, SAC meeting materials and summaries, and additional background documents and resources. We also added an "external resources" page to the Urban Forestry website where additional stakeholder-provided materials were posted for easy access.

SAC and CWG Meeting Details

Table 1 provides an overview of meetings held as well as pending meetings with the SAC and CWG.

Table 1
Sacramento Tree Ordinance Update
Summary of Past and Pending Stakeholder Meetings

Stakeholder Group	Meeting Date	Meeting Location	Attendance	Topics Covered
Meetings Held				
SAC	October 30, 2013	Old City Hall	30	Project overview, community values related to trees, project schedule and approach
CWG	November 21, 2013	New City Hall	15	Tree-policy context, department considerations, outreach update, process and schedule
SAC/CWG	December 12, 2013	Field Tour	30	Field tour highlighting challenges and opportunities related to trees throughout the City
SAC	January 28, 2014	Sac Food Bank	25	City responsibilities for planting, maintenance and removal; private-property removal (non-development); development-related preservation and removal; ordinance report and schedule; outreach update
CWG	February 6, 2014	300 Richards Blvd	10	City responsibilities for planting, maintenance and removal; private-property removal (non-development); development-related preservation and removal; ordinance report and schedule; outreach update
SAC	March 6, 2014	300 Richards Blvd	25	Noticing, appeals and Urban Forestry Advisory Committee; Protected Trees; performance standards for tree care professionals
CWG	March 13, 2014	300 Richards Blvd	10	Noticing, appeals and Urban Forestry Advisory Committee; Protected Trees; performance standards for tree care professionals
SAC	April 17, 2014	Sac Food Bank	25	Overall ordinance structure and content; commission and City Council review process and schedule
Upcoming Meetings				
CWG	May 22, 2014	New City Hall		Review draft ordinance structure and content
SAC	May 29, 2014	New City Hall		Review draft ordinance structure and content

"stakeholder meetings"

Case Study Research

Another important component of the Project Team's methodology for updating the revised ordinance included conducting case study research on Tree Ordinances and Tree Master Plans to provide background information for updating the City's tree-related ordinances. The following four cities were selected as case studies because their ordinances or Tree Master Plan are regarded as best practice examples within the urban forestry discipline:

- Palo Alto, CA
- Santa Monica, CA
- Pittsburgh, PA
- Spokane, WA

Table 2 provides key characteristics of each case study city, summarizes primary ordinance sections of each city's Tree Ordinance, and lists their approaches for developing and implementing a Tree Master Plan. The purpose of the matrix is to identify common elements that are typically found in either a tree ordinance or tree master plan and also to highlight unique features that may be appropriate to incorporate into the City's tree policies. Details regarding tree ordinances and master plans are described in the following sections.

Tree Ordinances

For each case study city, the primary ordinance sections are listed to highlight sections that have been included in these best practice examples. All ordinances included sections pertaining to "Protection" and "Permits Required," and multiple ordinances referenced "Care and Maintenance Requirements" and "Enforcement or Penalties for Violations."

Other components varied, particularly with regard to the degree to which the ordinance covered technical guidelines and planting standards. Some jurisdictions covered these topics directly within the ordinance, but many provide a supplemental technical manual. The ordinances also varied on whether the concept of hazardous trees and protected trees were covered, the definition or designation of each, and the policies and procedures for management of each. Each city's ordinance was also compared against the Sacramento Tree Foundation's (STF) Draft Model Tree Ordinance, to identify unique ordinance sections, which the City may consider including in the updated tree ordinance.

Tree Master Plans

Though preparation of an update to the UFMP is not currently underway, discussions during stakeholder meetings occasionally broached subjects related to practices and procedures typically contained within a master plan rather than an ordinance. As such, major components of each jurisdiction's tree master plans were included in the matrix to serve as a springboard for discussion during this Project and consideration during the future update of the UFMP. The matrix compares the purpose or function of each jurisdiction's tree master plan, the tools used to develop the plan, goals of the plan, and implementation actions and technical guidelines that were a byproduct of the plan.

Table 2
Sacramento Tree Ordinance Update
Comparison of Case Study Jurisdictions

	Tree Ordinance		Tree Master Plan			
City and Key Characteristics	Primary Ordinance Sections[1]	Unique Subsections Relative to Model Ordinance and Case Study Ordinances	Purpose	Tools Used to Develop Plan	Goals	Implementation Actions and Technical Guidelines
Pittsburgh, PA 2012 Population: 306,212 Area: 58.3 Sq. Mi. 30,358 Street Trees 5,666 Park Trees 2,628,000 Trees in Complete Urban Forest	• **Jurisdiction (Chp. 481)** Authorizes Pittsburgh Department of Public Works with sole control over planting, maintaining, and removing trees in an public areas of the City. • **Care/Maintenance (Chp. 483)** Includes requirements and limitations for planting, removing, and pruning trees on private or public property by either public or private parties. • **Protection (Chp. 485)** Prohibits damaging or destroying public trees (either accidentally or purposely), details requirements for protecting trees in the process of construction or excavation, and detail requirements for paying for repairs or replanting should trees be damaged. • **Shade Tree Commission (Chp. 487)** Establishes the Pittsburgh Shade Tree Commission and its purposes of maintaining trees, providing public education, planting new trees, protecting trees, and raising funds to support the urban forest. • **Landscaping/Screening Standards (Chp. 918)** Details landscaping requirements, including the number of trees that must be planted when new buildings are constructed, the type and size of trees that may be planted, planting areas, distances between trees, and maintenance of the trees.	• **Open Space Around Base of Tree (Chp. 483)** Describes minimum dimensions and care for open ground surrounding public trees. • **Removal and Replacement Program (Chp. 483)** Program where property owner may request the the Forestry Division public tree to be removed and/or replaced at owner's cost. • **Hazardous Trees in Public Areas (Chp. 483)** Describes process and requirements for removing or pruning trees in public areas that are considered hazardous due to damage, disease, disfigurement or pose a threat to property or other trees on private property.	• Address environmental challenges. • Coordinate a shared vision for the urban forest. • Develop baseline metrics and clear goals for urban forest managers. • Cultivate lasting advocacy and increase civic participation. • Facilitate efficiency and cooperation among all urban forest partners.	• Partner survey • Public survey • Existing Resources o Tree inventory, o i-Tree[2] ecosystem analysis o Urban tree canopy analysis o Regional Parks Master Plan o Regional planning documents	• **Connect** (interagency cooperation, research, increase access to trees.) • **Engage** (advocacy, public outreach and education, volunteerism.) • **Manage** (funding, proactive management regime, risk management, tree planting.) • **Plan** (stormwater management, achieve 60% urban tree canopy cover in 20 years, storm preparedness.) • **Protect** (control exotic and invasive pests, update and enforce ordinances that protect trees.)	**Implementation Actions** • **Report Card Monitoring** Report card measures progress toward implementing plan recommendations and is distributed to the public every 2-3 years. • **Cyclical Maintenance** Regularly monitor public trees for maintenance needs, risks, and pests and implement a seven-year cycle of inspection for all street trees. • **Risk Management Program** Maintain an updated tree inventory with risk rating. Create a prioritization scheme that rates trees based on risk levels. Promptly remove or prune severe and high risk trees. • **Establish Benchmark Values** Canopy cover, tree count, species diversity, pest susceptibility, annual benefit value, structural value. **Technical Guidelines** • **Tree Diversity Goals and Recommendations** Provides list of trees that should be planted sparingly due to overabundance and susceptibility to disease and pests and sets maximum thresholds for uniformity of species, genus, and family for any one planting project.

[1] All ordinances included sections pertaining to "Protection" and "Permits Required"
[2] i-Tree is a software developed by the U.S. Forest Service that provides a dollar value indication of the environmental benefits provided by each tree.

Table 2
Sacramento Tree Ordinance Update
Comparison of Case Study Jurisdictions

	Tree Ordinance		Tree Master Plan			
City and Key Characteristics	Primary Ordinance Sections[3]	Unique Subsections Relative to Model Ordinance and Case Study Ordinances	Purpose	Tools Used to Develop Plan	Goals	Implementation Actions and Technical Guidelines
Palo Alto, CA 2012 Population: 66,359 Area: 25.8 Sq. Mi. 29,151 Public Trees	• **Tree Technical Manual** Separate technical document that provides standards and specifications regarding protection during construction, replacement, maintenance of protected trees, tree report requirements, and criteria for determining hazardous tree. • **Disclosure of Information Regarding Existing Trees** Applications for discretionary development approval must disclose and describe any protected trees on site. • **Prohibited Acts** Describes when a protected tree may be removed. • **No Limitation of Authority** If conflicts arise between Tree Ordinance and Zoning or Building code, the more protective requirements prevail. • **Development Conditions** Discretionary development approvals for property with protected trees will include conditions for tree protection. • **Heritage Trees Designation** May be designated as such if tree is an outstanding specimen of desirable species, especially large or old, distinct form, size, age, location or historical significance. • **Enforcement Responsibility and Remedies for Violation** Designates city employees who may enforce tree ordinance and describes penalties for violation.	• **Tree Technical Manual (Chp. 8.10.030)** Separate technical document that provides standards and specifications regarding protection during construction, replacement, maintenance of protected trees, tree report requirements, and criteria for determining hazardous tree. • **No Limitation of Authority** If conflicts arise between Tree Ordinance and Zoning or Building code, the more protective requirements prevail.	• Establish value (communicate information about urban forest benefits that are integral to Palo Alto's high quality of life.) • Establish baselines for future monitoring and management • Engage the community • Prove a plan for action	• Community survey • i-Tree ecosystem analysis (for analyzing entire urban forest) • i-Tree streets (for analyzing street tree systems)	• A well-developed canopy. • A citywide *Sustainability Plan* that coordinates the goals of the *Urban Forest Master Plan* with those related to water conservation, carbon neutrality, solar energy, etc. • A community that appreciates its urban forest and is in partnership with the city and canopy to be its steward. • An efficient and effective Urban Forestry Division.	**Implementation Actions** • **Integrated Sustainability Planning** Incorporation of other City policies and programs that can affect the urban forest. • **Monitoring Programs** Follow up on the following baselines established as part of the Master Plan: 1. Overall Canopy 2. Canopy for street trees 3. Stocking levels of street trees 4. Species diversity of street trees 5. Benefits of street trees 6. Dollar values for those benefits 7. Benefits-investment ratio for street trees 8. Composition and performance of street trees 9. Thirst ratings of street trees 10. Progress toward a less thirst forest 11. Public tree removals and plantings 12. Community Hot Topics **Technical Guidelines** • **Tree Technical Manual (Chp. 8.10.030)** • **Thirst Ratings Appendix** Provides California Department of Water Resources Water Use Classification of Landscape Species list.

[3] All ordinances included sections pertaining to "Protection" and "Permits Required"

Table 2
Sacramento Tree Ordinance Update
Comparison of Case Study Jurisdictions

	Tree Ordinance		Tree Master Plan			
City and Key Characteristics	Primary Ordinance Sections[4]	Unique Subsections Relative to Model Ordinance and Case Study Ordinances	Purpose	Tools Used to Develop Plan	Goals	Implementation Actions and Technical Guidelines
Santa Monica, CA 2012 Population: 91,814 Area: 8.4 Sq. Mi. 33,800 Public Trees	• **Responsibility of Director** Director is to supervise planting, maintenance, and removal of any public tree. • **Permit Requirements** No person shall remove, cut, trim, prune, plant, injure, or interfere with any tree, shrub, or plant on any public property without first obtaining a permit authorizing such work. • **Interference with Administration** No person shall interfere with any City employee or City contractor engaged in planting, maintaining, or removing public trees or plants. • **Intentional Damage** Prohibits damaging or destroying public trees purposely by improperly disposing of harmful substances, impeding growth, or attaching objects to trees. • **Protection of Trees** Any person in charge of construction, alteration, or removal of any structure in the City is responsible for protecting trees and planting space within the vicinity. • **Enforcement and Penalties** Describes fines and other penalties for violation.	• **Interference with Administration (Chp. 7.40.130)** No person shall interfere with any City employee or City contractor engaged in planting, maintaining, or removing public trees or plants.	• Establish guiding principles and goals that result in strategies for addressing needs of the urban forest. • Set guidelines for periodic tree species performance evaluations and adjustments in the use of individual species. • Provide historical account of urban forest and describe existing conditions. • Analyze environmental benefits and calculate value. • Establish baseline data to help make informed decisions and promote better understanding of environment, which will lead to increased community investment in the stewardship of trees. • Provide guidelines for care and lays out specific street tree designations.	• Community survey • Topography, soils, and micro-climate mapping • Tree inventory including (species, growspace, right tree for the right place assessment, canopy coverage) • i-Tree analysis	• Enhance understanding of various environmental benefits. • Disseminate information to community on tree benefits and Best Management Practices and ensure residents are involved in decision making. • Achieve sufficient financial resources to enhance and conserve the urban forest, and to raise awareness of its economic importance. • Develop inter-departmental process for development plan review to and make sure City staff and contractors are following Best Management Practices. • Take into account the entire life cycle of trees and encourage stewardship practices.	<u>Implementation Actions</u> • **Biennial Reporting on Performance** Reports on number of trees, existing vacancies, trees removed, planted, trimmed, emergency tree responses, and street tree performance and aesthetics. • **Seven-Year Reporting on Performance** Reports on energy savings, reduction of stormwater runoff, air quality improvements, and carbon sequestration; canopy coverage; urban forest wildlife activity; list of top 15 species planted; ratio of deciduous to evergreen; ratio of native to exotic trees. • **Public Advisory Body** Urban Forest Task Force advises staff on capital projects, species selection, education, funding, report evaluation, and land use and circulation element as they pertain to the urban forest. <u>Technical Guidelines</u> • **Tree Care Guidelines** Including the following: 1. City tree inventory (seven-year inventory cycle) 2. Selecting nursery stock and planting procedures 3. Pruning treatments 4. Root protection and root pruning 5. Guidelines for parkway landscaping 6. Guidelines for watering 7. Contractor standards for 8. Inspection and removal

[4] All ordinances included sections pertaining to "Protection" and "Permits Required"

Table 2
Sacramento Tree Ordinance Update
Comparison of Case Study Jurisdictions

	Tree Ordinance		Tree Master Plan			
City and Key Characteristics	Primary Ordinance Sections[5]	Unique Subsections Relative to Model Ordinance and Case Study Ordinances	Purpose	Tools Used to Develop Plan	Goals	Implementation Actions and Technical Guidelines
Spokane, WA[6] 2012 Population: 209,504 Area: 60 Sq. Mi.	• **Urban Forestry Program** Gives authority to official within parks department to exerciser jurisdiction over public trees and shrubs. • **Hazard Evaluation Criteria** Response to hazards is in City's sole discretion and no obligation to act is created. • **Abutting Owner Responsibilities** Describes street tree care and maintenance required by property owners. • **Street Tree Permit Required** Outlines permit process and requirements. Exceptions made for emergency cases. • **Removal, Pruning of Trees and Shrubs** Outlines under what situations pruning or removal is allowed. • **Protection, Conservation and Preservation** Lists measures to be taken during construction and prohibits intentional damage. • **Protection of Heritage Trees** Outlines process for designation, which may be based on historical significance, height, caliper, or canopy spread, aesthetic qualities, and prominence. • **Disposal of Urban Forest Products** Urban forester may sell wood and forest products generated during operations. Proceeds are deposited in urban forestry fund.	• **Hazard Evaluation Criteria** Response to tree hazards is in City's sole discretion. In prioritizing a response, City may use the International Society of Arboriculture's twelve-point hazard evaluation system, but no obligation to act is created. • **Urban Forestry Program** Describes authority of the administration, which includes regulating and permitting planting, maintenance and removal of street trees, preparing Arboricultural Manual and Vegetation Management Plan, examining public trees for hazards, develops educational and volunteer programs. • **Abutting Owner Responsibilities** Responsibilities include obtaining permits for planting, maintenance, and removal of street trees, maintenance of tree lawn surrounding street trees. • **Disposal of Urban Forest Products** Urban forester may sell wood and forest products generated during operations. Proceeds are deposited in urban forestry fund.	• Address long-term goals and strategic planning related to tree planting, pruning, removal and maintenance needs of community trees to encourage the sustainability of the urban forest.	• Street tree inventory	• Maintain, preserve and improve existing street tree environments. • Become and remain a Tree City USA. • Preserve and protect native, significant, and historical trees and landscapes. • Coordinate all construction activities affecting trees/shrubs with urban forestry program.	**Implementation Actions** • **Urban Forestry Program** Exercises jurisdiction over public trees and shrubs. Develops a plan for assisting property owners with their street trees, which may include educational programs and criteria for financial assistance. • **Citizen Advisory Committee** A group established to facilitate citizen participation by assisting the Urban Forestry Program director. **Technical Guidelines** • **Arboricultural Specifications and Standards** Addresses technical requirements for removals, pruning, planting, and maintenance, public tree design, and preservation during construction and development.

[5] All ordinances included sections pertaining to "Protection" and "Permits Required"
[6] Spokane does not have a Master Plan but rather a Vegetation Management Plan.

Other Urban Forestry and City Resources

In addition to the detailed case study research described in the previous section, the Project Team referenced the following additional resources to inform the ordinance update.

- **STF's Draft Model Ordinance**. The STF developed a comprehensive regional model ordinance designed to be used within the 6-county Sacramento Area Council of Government (SACOG) region. As such, the Project Team began revising the ordinance by referencing and borrowing language from specific sections included in the model ordinance.
- **International Society of Arboriculture's (ISA) October 31, 2001 Guidelines for Developing and Evaluating Tree Ordinances**. The Project Team referenced the ISA's Guideline document extensively in commencing the revision process. The guide is not a "model" ordinance but includes a listing of provisions from various tree ordinances that can be used to help achieve specific goals.
- **Local Tree Ordinances**. The Project Team referenced ordinance content and structure from local tree ordinance sections identified by City Urban Forestry staff as exemplary. In particular, the Project Team reviewed specific sections related to the tree permit process, appeals, and enforcement from the City of Folsom and the City of Davis' tree ordinances to inform revisions to the current City ordinance.
- **City General Plan**. The Project Team reviewed the adopted 2030 City General Plan to identify tree-related policies and ensure consistency with the revised ordinance.
- **Other Existing City Code Sections**. In commencing the ordinance revision process, the Project Team reviewed other existing code sections to ensure consistency with respect to established definitions, regulatory processes, and other policies related to existing or proposed tree policies (e.g., parking lot shade requirements; establishing an urban forestry advisory body).

Current Draft of Proposed Revised Tree Ordinance Structure

The Project Team is currently in the process of revising the tree ordinance Chapter 12.56, proposed to be renamed "Tree Planting and Preservation" (changed from "Trees Generally"). The proposed structure (chapter sections), which is subject to change based on forthcoming input from City commissions and the DORC, is provided below.

1. **Findings**. Includes the reasons the local government finds it necessary to adopt an ordinance.
2. **Purpose**. Includes the goals to be achieved through the ordinance.
3. **Definitions**. Includes key words which are to be used in the ordinance.
4. **Liability Limitation**. Disclaims liability for any personal injury or property damage caused by trees on private property.
5. **Protected Trees**. Defines the types of trees that will be protected under the ordinance.

6. **Director's Authority**. Identifies the duties and responsibilities of the Public Works Director.
7. **Duties of Property Owners.** Identifies the duties of private property owners related to the maintenance of protected trees.
8. **Tree Permit Requirements**. Identifies activities for which a tree permit is required or exempted.
9. **Tree Permit Applications**. Ensures the maintenance and sustainability of Protected Trees within the City's urban forest.
10. **Notice Required.** Specifies how the City will inform the community of actions pertaining to the removal of Protected Trees.
11. **Appeals Process**. Establishes an appeals process for Tree Permit decisions.
12. **Tree Mitigation**. Protects existing Protected Trees and prevents the net loss of existing tree canopy in the City.
13. **Landmark Trees**. Establishes a process for designating and declassifying Landmark Trees.
14. **Urban Forestry Advisory Committee**. Proposes the establishment of an urban forestry advisory committee.
15. **Penalties and Enforcement**. Defines penalties for violating provisions of the ordinance and designates the position responsible for enforcing the ordinance.
16. **Solar Shade Control Act**. Exempts the City from the provisions of the California Solar Shade Control Act.

Issues Relevant to Parks and Recreation Commission

Updates to the City's tree ordinance that are directly relevant to the Parks and Recreation Commission include those described below.

- **Appeals Process**. As mentioned under the "Key Issues" section above, tree permit appeals for projects that do not require entitlements are currently heard by the Parks and Recreation Commission. The Project Team is proposing the establishment of an Urban Forestry Advisory Committee, a tree-related advisory body that would be responsible, among other tasks, for hearing the type of tree permit appeals currently heard by the Parks and Recreation Commission.
- **Maintenance of City Park Trees**. City practices are currently evolving such that the responsibility for maintenance of trees within City Parks and along Class I bike trails will be shifting from the Parks and Recreation Department to the Department of Public Works through its Maintenance Services Division. Language in the proposed revised ordinance will reflect that these trees are City trees rather than Park trees. By using this language, the authority for maintenance of these trees will be under the authority of the Director of Public works, or whoever is designated for care and maintenance of all City trees by City Council. Maintenance Services will be caring for an additional 28,000 trees with the addition of the trees in City Parks. A survey of the trees along Class I Bikeways is currently underway and the exact number of trees for which maintenance will be assumed is currently unknown;

however, it is estimated that Maintenance Services will be taking over maintenance for at least another 7,000 trees along the Class I Bikeways.

City of
SACRAMENTO
Parks and Recreation

April 23, 2014

Parks and Recreation Commission
Sacramento, California

SUBJECT: Parks and Recreation Commission's Annual Budget Workshop

RECOMMENDATION: Staff recommends the Parks and Recreation Commission discuss proposed Fiscal Year 2014/15 operating and capital improvement budgets and take action if desired.

CONTACT PERSONS: Lori Harder, Support Services Manager, 808-5172 and Mary deBeauvieres, Principal Park and Recreation Planner, 808-8722

FOR MEETING DATE OF: May 1, 2014

Proposed FY 2014/15 Operating and Capital Budgets

The City of Sacramento's fiscal year is July 1st through June 30th. Per City ordinance, the Parks and Recreation Commission is to conduct an annual workshop to review the Department of Parks and Recreation's proposed operating and capital improvement budgets for the upcoming fiscal year. The City Manager is scheduled to release proposed budgets on Friday, April 25th. Sections pertinent to Parks and Recreation may be posted to the City's website that day. A link will be forwarded to the Commission.

The City Council will conduct budget hearings throughout May and early June. Currently, the Department of Parks and Recreation's proposed operating budget hearing is to be heard by Council on Tuesday, May 25th at 2:00 p.m. following a discussion on Measure U sales tax proceeds and uses. The City's proposed capital improvement program, including Parks and Recreation, is scheduled for Thursday, June 5th at 6:00 p.m. Commissioners are welcome to attend these hearings.

Respectfully submitted,

Lori Harder

Lori Harder, Support Services Manager