**TREES 4 SACRAMENTO**

**A Coalition of Tree Advocates**

**KEY COMMUNITY CONCERNS**

**Sacramento City Staff's**

**PROPOSED TREE ORDINANCE REVISIONS**

**May, 2016**

Unfortunately, the City Staff's proposed revisions continue to conflict with existing General Plan policies to protect and retain trees and tree canopy. If approved, the proposed Tree Ordinance revisions will:

1)  Establish processes that approve removal of healthy protected trees and replace with new trees to  "manage" the forest not to protect and enhance the City's tree canopy;

2) Codify current City staff practices that ignore the City's General Plan policies, existing Tree Ordinance requirements and Management Plan rules;

3)  Result in more frequent removal of Sacramento's existing healthy protected trees, significant changes in the number and size of Sacramento's trees,  and reduction in accompanying benefits to Sacramento residents, e.g. air quality, heat reduction, increased property values.

4) Eliminate and degrade current tree ordinance and Urban Forest Management Plan requirements and best practices to protect and expand the City's tree canopy

**WEAKENS EXISTING URBAN FOREST PROTECTION POLICIES**

* Continues to conflict with the 2035 General Plan Environmental Resources (ER) Goals 3.1.1-3.1.9 to protect and retain trees. Deletes current ordinance language that directs City Staff give priority to protection of existing trees.
* Eliminates existing Tree ordinance requirement that trees be included in new development and redevelopment projects - makes tree requirement optional at Director's discretion. (Existing [12.56.030 Planting list—Tree planting (B) and (C).](http://www.qcode.us/codes/sacramento/view.php?topic=12-12_56-12_56_030&frames=on) and GP ER 3.1.2)
* Requires Director to approve protected tree removals for "reasonable use of private property", for any public project, and if a tree could possibly threaten a main building in the future, even if it is not currently a problem.
* Contains no language to authorize the Director to try to retain trees by working with a private developer to redesign a project.

• Dutch elm disease protection totally eliminated – potentially endangering other trees.

* Totally eliminates existing ordinance language that protects city street trees from damage (Existing [12.56.060 Protection of trees](http://www.qcode.us/codes/sacramento/view.php?topic=12-12_56-12_56_060&frames=on) prohibits trenching, grading or paving or placing deleterious substances in drip line of protected tree and placing fill around trees that cuts off air, light or water from roots.)

**CITY-OWNED TREES ARE NOT PROTECTED FROM REMOVAL**

**•** Ordinance conflicts with General Plan ER 3.1.3., which requires retention of city trees.

* Excludes trees in city parks and on other city property from protections accorded to street trees.
* Double standard established for city and private property owners--city is exempt from making findings for protected tree removal, while private property owners have to meet "factors" to remove a private protected tree.
* City "public projects" only require written request to Director for removal of protected trees.

**TREE PERMIT FACTORS (CRITERIA) ARE BIASED IN FAVOR OF TREE REMOVALS**

* No consideration of tree benefits required, i.e. canopy, streetscape aesthetics, air quality, energy reduction, etc.
* No documentation or proof required for tree removals, e.g., an arborist's report showing structural damage has occurred.
* Biased factors (criteria), such as age and ground space available, will be used to remove healthy, structurally-sound trees. No "weighting" of factors that help retain trees.
* Requires Director to approve tree removals for uses permitted by right.
* Trees as part of a development approval can be removed after the fact through a tree permit request.

**WEAKENS EXISTING TREE REMOVAL NOTIFICATIONS AND APPEAL PROCESSES**

* No notification for tree removals in park or city-owned properties, unless a street tree, or part of a city project - then, only 10 day notice.
* Creates meaningless "objection" process to Director of Public Works or Parks for private or city street tree removals – this is a private meeting with no independent review process; the Director's decision is final. There is no neutral third party review to prevent abuse of discretion and ensure accountability in protected tree removal.
* Removes Parks and Recreation Commission authority to hear citizen appeals of proposed protected tree removal in favor of a less pubic process with a Hearing Officer. No requirement that a Hearing Officer be independent (not city staff) or a qualified arborist.

**UNCLEAR AND WEAK ENFORCEMENT PROCEDURES**

* Enforcement process is not required.
* Urban Forestry not responsible for enforcement.
* Enforcement is not funded.

• Allows tree replacement requirementfor new projects to be met by existing trees on site that will not be removed. This is not replacement.

**The City of Sacramento's Law and Legislation Committee will hear the proposed revisions to the Tree Ordinance on Tuesday, May 10 at 3 pm at the new City Hall, 915 I Street.**

For more information contact: trees4sacramento.org