Sacramento Tree Ordinances Update
Stakeholder Advisory Committee Meeting
January 28, 2014

presented to

Stakeholder Advisory Committee

presented by

Sacramento Tree Ordinances Update Project Team

The Economics of Land Use

EPS

Berkeley
Denver
Los Angeles
Sacramento

Meeting Agenda

1. Self-Introductions

2. SAC Meeting #1 and Field Tour Review (Gene Endicott)

3. Priority Issues Overview (Joe Benassini/Jim Clark)

4. Stakeholder Feedback on Priority Issues (Gene Endicott)

5. Tree Ordinance Review and Status (Amy Lapin)

6. Wrap-up/Next Steps (Gene Endicott)

SAC Meeting #1

- October 30, 2013

- Approximately 30 in attendance

- Community values exercise

- Dozens of stakeholder comments and recommendations

Field Tour

- December 12, 2013

- Approximately 30 Stakeholder Advisory Committee and City Working Group members attended

- Highlighted several issues/situations

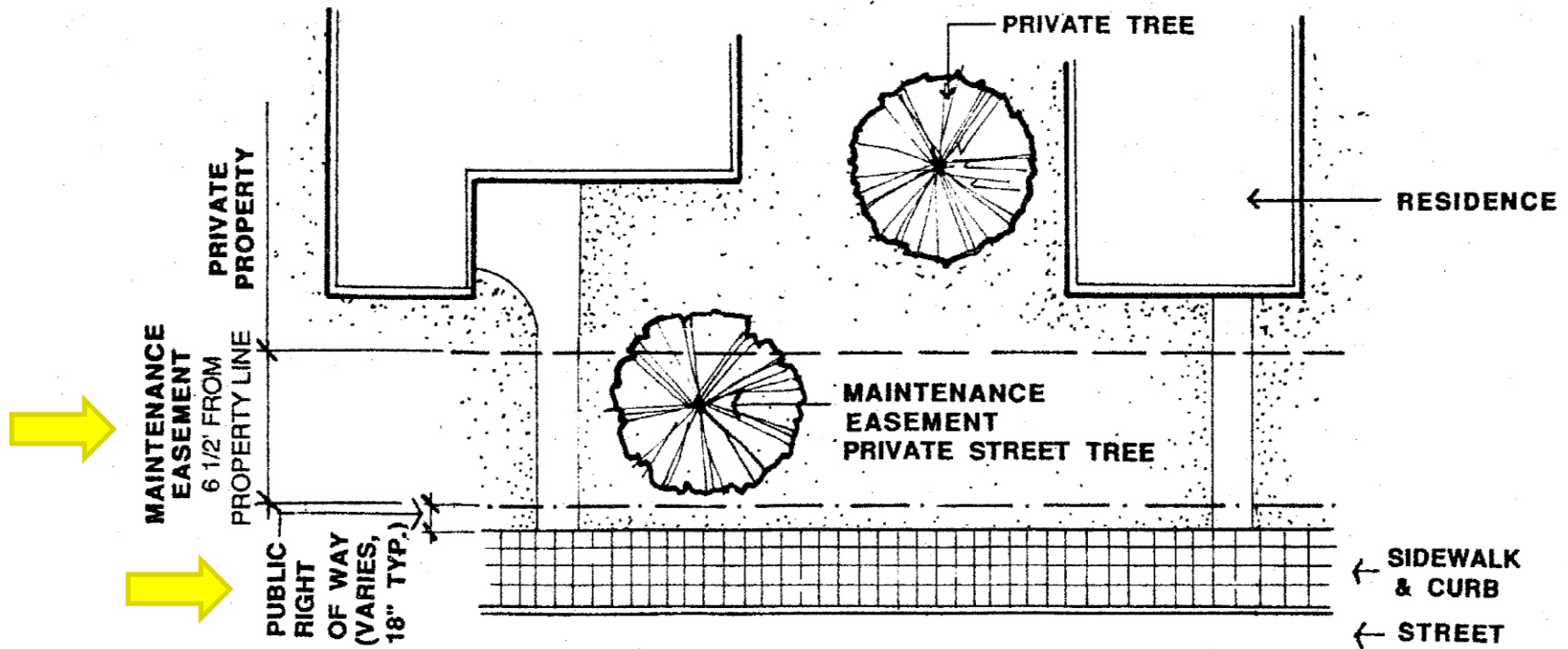- Midtown, East Sacramento, North Natomas, Natomas, North Sacramento

Priority Issue:

Tree Planting, Maintenance and Removal Responsibility Along City Streets

Trees Between Curb and Sidewalk

Trees in Right-of-Way and Maintenance Easement

Source: City of Sacramento Urban Forest Management Plan, April 1994.

Trees in Right of Way

Trees in Maintenance Easement

Tree Planting, Maintenance, and Removal Responsibility Along City Streets

Key Questions

What are the advantages and disadvantages of the following scenarios:

1. City continues to manage trees between the curb and sidewalk.

2. City continues to manage trees within the street right-of-way but located behind the sidewalk on private property.

3. Removing the designation of "Maintenance Easement Tree" from the ordinance?

Tree Planting, Maintenance, and Removal Responsibility Along City Streets

Overview

Tree Scenario	Between Sidewalk and Curb	Behind Sidewalk but within Street Right-of-Way (ROW)	Outside Street ROW but in Maintenance Easement
Existing Conditions	• Included in current code. • Applies to 83% of City street trees. • Condition is prevalent throughout City.	• Included in current code. • Applies to 17% of City street trees. • Localized in few neighborhoods (e.g., Land Park, East Sac).	• Included in current code. • Number of applicable trees unknown. • Council voted against, for budget reasons, as part of Urban Forestry Mgmt. Plan.
Strengths	• Trees are inventoried & maintained by City.	• Element of streetscape.	• Key element of streetscape.
Potential Issues	• Sidewalk displacement and associated financial burden by certain tree species.	• City maintains trees on private property. • City records not perfect. • Difficulty in determining applicable trees. • Prop. owners may not be aware of maint. responsibility.	• City does not possess current inventory. • Prop. owners may not be aware of maintenance responsibility. • Requires reversal of City Council decision.

Tree Planting, Maintenance, and Removal Responsibility Along City Streets

Ordinance Revision Options

Tree Scenario	Between Sidewalk and Curb	Behind Sidewalk but within Street ROW	Outside Street ROW but in Maintenance Easement
Ordinance Revision Options	• **Retain** as is?	• **Retain** or remove these trees from City authority?	• **Retaining** authority would require City inventory and maintenance. • **Removing** authority would reflect existing condition.

Tree Planting, Maintenance, and Removal Responsibility Along City Streets

Key Questions

What are the advantages and disadvantages of the following scenarios:

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3. Removing the designation of "Maintenance Easement Tree" from the ordinance?

Priority Issue:
Tree Removal Process

Tree Removal Process

Key Questions

1. Should Sacramento post a notice of intent to remove trees growing along city streets?

2. Should there be an appeal process for trees that the City intends to remove?

3. Should there be a fee for posting such an appeal?

4. Should Sacramento continue to require a permit for the removal of "Heritage Trees" growing on private property?

Tree Removal Process

Overview

Tree Scenario	City Tree, Between Sidewalk & Curb OR Behind Sidewalk in Street ROW	Trees on Private Property (Excluding Development Projects)
Existing Conditions	• City posts regarding "Street Trees" only for removal. • Ordinance is unclear if citizen or group can appeal decision. • No fee to appeal decision.	• Permit required for "Heritage Trees" • No permit required for other types of trees. • City posts regarding "Heritage Trees" only for removal and mails notice to property owners within 500 feet. • No fee to remove "Heritage Trees", except for permit fee. • Citizen or group can appeal decision regarding "Heritage Tree" removal.
Strengths	• Post informs public about upcoming tree removal.	• City staff can inspect trees when permit is requested. • Ensures transparency.
Potential Issues	• Sign is posted on tree, or property where visible, only.	• Tree owners may not be aware if a permit is required (no City information or outreach). • Appeal process is lengthy.

Tree Removal Process

Ordinance Revision Options

Tree Scenario	City Tree, Between Sidewalk & Curb OR Behind Sidewalk in Street ROW	Trees on Private Property (Excluding Development Projects)
Ordinance Revision Options	• Eliminate, continue, or change process for posting? • Eliminate, continue, or change process for appeal and hearing? • Maintain existing "no fee" policy or establish fee?	• Require mitigation fee for removal of "Heritage Trees"? • Limit appeals to a reasonable radius from the property boundaries? • Limit appeals to City resident or property owner?

Tree Removal Process

Key Questions

1. Should Sacramento post a notice of intent to remove trees growing along city streets?

2. Should there be an appeal process for trees that the City intends to remove?

3. Should there be a fee for posting such an appeal?

4. Should Sacramento continue to require a permit for the removal of "Heritage Trees" growing on private property?

Priority Issue:

Tree Preservation and Removal Associated with Development Projects

Tree Preservation & Removal Associated with Development Projects

Key Questions

1. Should a tree removal permit for a development project be considered by the Planning Commission as part of the project application?

2. Should a tree report/tree preservation plan be required as part of a development project submittal?

3. Should development projects of the City of Sacramento follow the same rules for tree protection as a private development would?

4. Should tree removal on a development project be mitigated?

Tree Preservation & Removal Associated with Development Projects

Overview

Tree Scenario	Entitled Projects (Residential, Commercial, Industrial)	Remodeling Project
Existing Conditions	• Formal application to City, staff review & Planning Commission decision. • Planning Commission approves project but not tree removal; If approved by City and appealed, Planning Commission hears appeal. • Arborist report not required at submittal but can be requested.	• Over-the-counter application with Planning Department. • Presence of trees not always declared. • Building counter Planning staff approves project but not tree removal. • Arborist report not required at submittal but can be requested.
Strengths	• Simple process.	• Simple process.
Potential Issues	• Planning Department staff don't how many, if any, trees are present on site. • City Urban Forester is not always informed of project or informed after the fact. • Separate project and tree removal approval processes.	• Planning Department staff don't how many, if any, trees are present on site. • City Urban Forester is not always informed of project or informed after the fact. • Tree removal approval process is unclear.

Tree Preservation & Removal Associated with Development Projects

Overview (continued)

Tree Scenario	Capital Area Development Authority (CADA) Projects (No Entitlements)	City Agency Capital Projects (No Entitlements)
Existing Conditions	• Application and approval process is internal within City. • No arborist report required but can be requested. • Planning commission reviews project for comments but does not approve project. • Parks Commission hears tree permit appeals.	• Application and approval process is internal within City. • No arborist report required but can be requested. • City adheres to ordinance provisions. • Parks Commission hears tree permit appeals.
Strengths	• Simple process.	• Simple process.
Potential Issues	• Parks Commission hears tree permit appeals without the benefit of project history, lacks development background.	• Parks Commission hears tree permit appeals without the benefit of project history, lacks development background.

Tree Preservation & Removal Associated with Development Projects

Ordinance Revision Options

Tree Scenario	Entitled Projects (Residential, Commercial, Industrial)	Remodeling Project
Ordinance Revision Options	• No change in application process suggested. • Require Tree Disclosure sheet for applicant to complete as part of project submittal? • Require Tree Report, if trees are present, as part of project submittal? • Recommend combining project approval with tree removal permit at Planning Commission level? • Require bonding for trees to be preserved? • Require mitigation for trees to be removed?	• No change in application process suggested. • Require Tree Disclosure sheet for applicant to complete as part of project submittal? • Require Tree Report, under certain circumstances if trees are present (e.g., "Heritage Tree," street or neighbors' trees affected), as part of project submittal? • Project approval based on review of Tree Report by Urban Forestry Department, if applicable?

Tree Preservation & Removal Associated with Development Projects

Ordinance Revision Options (continued)

Tree Scenario	CADA Projects	City Agency Capital Projects
Ordinance Revision Options	• Tree permit appeals heard by Planning Commission rather than Parks Commission?	• Tree permit appeals heard by Planning Commission (or Council) rather than Parks Commission?

Tree Preservation & Removal Associated with Development Projects

Key Questions

1. Should a tree removal permit for a development project be considered by the Planning Commission as part of the project application?

2. Should a tree report/tree preservation plan be required as part of a development project submittal?

3. Should development projects of the City of Sacramento follow the same rules for tree protection as a private development would?

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Wrap Up/Next Steps

- **Upcoming SAC Meetings**
  - Thursday, March 6
  - Thursday, April 17

- **Envision Sacramento**

- **Commission/Council Process**
  - Parks and Recreation Commission
  - Planning Commission
  - Council Law and Legislation Committee
  - City Council