

**CITY OF SOUTH PASADENA
NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION
MINUTES – June 19, 2017**

Roll Call – The meeting called to order at 7:02 p.m. Present were Commissioners: Chair William Kelly, Vice-Chair Al Benzoni, Kay Findley, Stephen Leider, Daniel Snowden-Ifft, and Nancy Wilms. Absent were Commissioner Noah Puni, Council Liaison Dr. Schneider and Student Commissioner Hailey Bugg. Also present was Staff Liaison Jenna Shimmin.

Minutes – Minutes for April 25th, 2017 were approved with no corrections (Wilms, Leider; Ayes: All, Nays: 0).

Minutes for May 11th, 2017, were approved with minor corrections (Benzoni, Leider; Ayes: All, Nays: 0).

PUBLIC COMMENTS – none.

BUSINESS ITEMS

1. **Tree Ordinance** – The commission discussed various updates to the tree ordinance, including:

- The no harm to trees ordinance could be integrated into Chapter 34 of the SPMC to create a cohesive document.
- Care and damage during construction updated per code from neighboring cities (Arcadia, Pasadena, and Los Angeles).
- Need to update code per comment and observation at prior hearings.
- Definitions should be in alphabetical order.
 - o Should include a Heritage Tree of any size.
 - o Trees greater than 12" should be protected.
 - o Shrubs and protected shrubs should be included.
- The application calls out certain things that aren't permitted in the code.
 - o Key items should be in the code, whereas generalized items don't have to be.
- The replacement plans governed under 34.5(d) should be included in the permit application.
 - o This will help mitigate issue of not knowing what will happen after approval. This information should be included ahead of time to help speed up the process.
- Need to determine why construction site replacement is greater than regular replacements.
- Need to determine if ban on future permits should be five or ten year if the ordinance is violated.

Chair Kelly: Summarized what the commission would like to change about the code: having a better idea of an applicant's tree replacement plan, better definitions, alignment of the application with the code, and changing the initial approval entity. Also, the commission needs to address the harm of trees ordinance, as directed by Council.

Approving commission – Chair Kelly noted that during his prior tenure on the NREC, they heard more tree removal permit requests because there was more opposition from neighbors and residents. He feels that Public Works staff should handle the request initially and the NREC should hear all protests, appeals, etc.

Commissioner Leider stated that he’s concerned there isn’t enough structure to the current process.

Commissioner Findley stated that she doesn’t want to hold up permits for residents, but she does want to ensure that requests are being given a correct and thorough review.

Commissioner Benzoni stated that if anyone in a 100 foot radius protests, it should come before the NREC. All protests, appeals, etc. should come with director recommendations.

No Harm Ordinance – Chair Kelly explained that a better definition is needed, as well as a language update.

Commissioner Benzoni said that tree houses and similar uses should be allowed.

Staff explained that the way “damage” is defined doesn’t include tree houses or hammocks, so homeowners should be fine for these types of uses.

Definition of a shrub: Commissioner Leider reminded the council of the issue of a tree versus a shrub the NREC recently encountered. What is under the purview of the NREC per Chapter 34? Commissioner Benzoni asked staff to contact the City’s arborist for definitions of a shrub versus a tree.

Tree replacement plan as part of the application – Commissioner Leider stated this could be similar to an irrigation plan.

Commissioner Benzoni stated that it would be extremely helpful when neighbors are protesting due to aesthetics.

Significant trees – The commission determined they currently aren’t protected under any section outside development activity. These trees should be protected no matter the species and no matter the location (front or back yard).

Draft language 34.2(d) – The commission found that the City of Arcadia doesn’t allow for anything being built under the drip line of an oak tree.

Commissioner Snowden-Ifft stated that a certain amount should be allowed (ex. ½ or 1/3 can be developed).

Commissioner Leider stated that the intent of this section is to dissuade people from damaging trees, but they could apply for a permit and plead their case for permission.

Draft language 34.3(b) & (c) – Section (c) should be a mirror of section (b) so that (b) exempts oaks or natives (any size), and (c) includes oak (even if a heritage tree). Need to remove exact months for permit.

2. **Tree Removal Permit Hearings Policy (Kelly)** – Commissioner Wilms discussed the edits she has to this document and staff is to add them to next draft.

Chair Kelly explained that the intent for this document was to give applicants guidelines when they come in for a hearing. This allows for better decision making by the NREC and cohesiveness for hearings.

Commissioner Leider stated that this document should “encourage the applicant to follow these guidelines as best as possible”.

Commissioner Benzoni stated that there should be a code governance disclaimer. And that a tree replacement plan should be submitted before approval.

3. **Greywater Ordinance (Benzoni)** – Craig Melicher sent updated language with a few items of clarification for the commission.

1 – Define the goal: to make buildings (single family, duplexes, and new construction) graywater ready-to-use (stub out).

2 – Stub-out ensures the most difficult part of the installation has been completed.

3 – Could address the issue of storing water on site by stating what kind of screening should be used.

4 – Requiring that each permitted plumbing fixture be allowed to drain to the system is in line with what the NREC wants.

5 – Staff to work with Craig and Building & Planning to ensure there are no overlaps with zoning issues.

6 – The Health Department doesn’t need to approve partial systems, and so there is the concern that no inspection could mean a faulty system is installed that allows for cross connection to a fresh water system. Need to assess if someone in house is able to do these inspections. (LA Department of Public Health charges a \$387 permit fee, possible for us to recoup costs of a partial system inspection with a smaller fee)

Chapter 15 of the building code helps spell out how much water per person will percolate (percolation rate). Because of the new language of this chapter, the NREC no longer needs to define “net irrigable area”. Instead it can just require applicants to comply with the code of Chapter 15.

- Exceptions in Chapter 15 include an undue hardship clause.

Staff to send Craig new language of Chapter 15 and have him review in order to weigh in on installation requirements.

4. **Solar Building Ordinance (Kelly)** – Tabled until a later date.

5. **Water Conservation Rebate Program Review (Shimmin)** – Tabled until a later date.

6. **Water Conservation Programs and Drought Update (Shimmin)** – Jenna Shimmin updated the commission that there was a 15% reduction in water use for May 2017 versus 2013 usage.

INFORMATION ONLY

7. **Update on Renewable Energy RFP (Shimmin)** - Interviews were held with a panel made up of four people, 3 city staff and one member of the REC. This panel chose Climatec as the top candidate. An item will go to Council on June 21st to award the contract for an investment grade audit.
8. **Urban Forest Update (Shimmin)** – Jenna Shimmin provided an update that trimming is near completion in the following grid: Grid 5 (50% complete), south west side of the City; and has been completed in Grid 8B, eastern side of the City; and Grid 9 south east side of City War Memorial Park; and the area of Arroyo Park.
Service request trimmings are done on an as needed basis. Removals are ongoing throughout the City, with replacements resuming in fall 2017. To date 175 trees have been planted.
9. **Upcoming Events** – Household Hazardous Waste and E-waste event in Pasadena – July 15th.

Chair Communications – None at this time.

Commission Communications –

Commissioner Wilms – Asked staff for an updated on the EPS ban.

Staff responded that the year grace period ends in October, and from October 1st through December 31st staff will be issuing warning citations. Beginning January 1, 2018, official citations will given for all violations of the ordinance.

Commission Findley – Updated the commission that the RFP for the 2018 stables management went out.

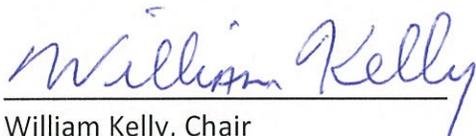
Commissioner Benzoni – Advised the commission that the e-waste event at the high school was successful with lots of items dropped off.

Staff Liaison Communications – The Public Works director is asking the NREC to nominate one commissioner to be on the Water and Sewer Rate Study Review Board.

A motion was made by Chair Kelly to nominate Commissioner Nancy Wilms, with himself as the backup. This motion was seconded by Commissioner Findley (Ayes: All, Nays: None).

Adjournment – Commissioner Leider motioned to adjourn the meeting at 9:21 p.m., Commissioner Benzoni seconded. Ayes: All, Nays: None.

NEXT MEETING – The next meeting of the Natural Resources and Environmental Commission will be held on July 25, 2017 at 7:00 p.m.



William Kelly, Chair