

**CITY OF SOUTH PASADENA
NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION
MINUTES – March 28, 2017**

Roll Call – The meeting was called to order at 7:00 p.m. Present were Commissioners: Chair William Kelly, Vice-Chair Al Benzoni, Kay Findley, Stephen Leider, Daniel Snowden-Ifft (arrived at 7:09pm), and Nancy Wilms (arrived at 7:05pm). Absent was Commissioner Noah Puni. Also present were Student Commissioner Hailey Bugg, Staff Liaison Jenna Shimmin. Council Liaison Dr. Schneider was absent.

Minutes – Minutes from February 28, 2017, were approved with minor edits (Leider, Benzoni 6-0).

Public Comments and Suggestions – None.

BUSINESS ITEMS

1. **Gray Water (Shimmin)** – Tabled until the next regular meeting.
2. **Cool Roofs (Benzoni)** – Tabled until the next regular meeting.
3. **Tree Ordinance (Shimmin)** – Commissioner Benzoni submitted a list of questions in March, and updates to the answers were discussed:
 - 1) Why do we have a heritage tree distinction? (reportedly no designation list exists) Is there truly a need? *Jenna to contact Building & Planning to find out what constitutes a heritage tree. List to be provided by either Public Works or Planning and Building.*
 - 2) How many trees removal permits have been issued in last 12/24 months? *Kristine to have Leaonna research this.*
 - 3) For tree trimming – how to define % of foliage? *To reference the ISA pruning standards.*
 - 4) Should there be a SP code definition regarding when a permit is needed for tree trimming? *Referenced in section 34.3 B and C, Violations.*
 - 5) Most private property tree removal permits should be approved by NREC, excepting in emergency situations or City. *Not in case of obviously dead tree, comment only.*
 - 6) We codified that all significant trees require a permit for removal to be consistent with the tree removal guidelines on SP website. *Staff will keep permit language consistent with guidelines on website.*
 - 7) Are we only concerned with “public view” or also adjacent neighbors? (34.7 b1) *NREC discussion concluded that it was also to include neighbors.*
 - 8) Should 24” box have some minimum caliper/height? *Kristine to check, perhaps ISA standard, but recommended not having a fixed standard as size varies by species.*
 - 9) Should the Construction tree replacement policy of one/6” diameter on website be codified? *It was agreed that Public Works would update the application language to reference the municipal code in order to maintain consistency.*
 - 10) How do we ensure independent non-conflicted arborist reports? How to practically implement? *It was suggested that staff obtain a second opinion, from an ISA certified arborist, when WCA’s opinion is in question.*

- 11) 34.2b - should we remove separate item referencing no construction or structure allowed within 6' of significant tree location of structure, as it would typically conflict with item a)? *Jenna to ask PW for explanation and see if better option exists, otherwise this may be removed.*
- 12) Recommend to start using version control on all city tree related documents. *Staff to add version number/date to bottom of document.*
- 13) Private Property Tree Trimming Application has two non-existent code references, see 2nd page of Tree Trimming application _ 34.4 (d) & 3.10 (a) (b). *Will be corrected in code update.*
- 14) All tree related fees (permits & penalties) should go directly into the tree replacement and maintenance fund – can this be codified somehow? *Kristine to check and report back.*
- 15) What is status of new City permit system, what is the “going-live” date? Are tree permits planned to be part of this? Should they be? *A grant has been applied for in order to develop a City permit system. In the meantime PW is developing a system to track permits.*
- 16) What is the process for “Granting of Financial” hardship for tree removal/replacement? Where is this process/allowance specified? *Chair Kelly to work on draft language for consideration.*
- 17) What is the process for any concerned citizen(s) to resolve tree issues? This should be clearly defined. *Section 34.6 governs part of this issue; Jenna to look at making a special reporting email or online request form.*
- 18) What is the ramification (per code and/or policy) if a tree owner trims a tree back so as to effectively kill a tree? *The NREC agreed that the new “no harm” tree code under development would address this.*

There was further discussion amongst the commissioners that they understand there are some tree removal permits that won't need to come before them.

4. **Solar Building Ordinance (Kelly)** – Tabled until the next regular meeting.
5. **Tree Removal Request (Shimmin)** – Kristine Courdy, the Public Works Operation Manager, gave a brief background on the tree removal application for 1920 Edgewood Drive. She explained that the property owner submitted a request to remove two large Coastal Oak trees, providing an arborist's report showing they were improperly cabled together at some point. This has caused stress fractures in the branches, branches that are main stability branches and can't be removed without destabilizing the tree, causing a fall hazard. The report also states that the roots are damaging the foundation of the structure, as well as the sewer lines; and some large branches are hanging over a neighbor's property, causing safety concerns there as well. The Public Work's Department was going to approve the request; however a neighbor submitted a protest letter. This neighbor wasn't able to make the meeting, and so they have submitted a second letter asking the commission to move this item to the April meeting, or to at least consider their additional comments in the letter. Staff liaison, Jennifer Shimmin, advised the commission that it is at their discretion to move the item; however, the neighbor's letters provide substantial explanation of their comments. After some discussion, Chair Kelly found the consensus to be to hear the applicant tonight, and then decide if they wish to continue this item at the next meeting.

Present to represent the applicant was the property owner, [REDACTED]. He stated that he has attempted to contact the objecting neighbor in order to explain to him what the arborist's findings were, but has gotten no response. Other neighbors he has interacted with have understood the circumstances, once explained. [REDACTED] also explained that his homeowner's insurance company has stated they can't guarantee renewal of his policy if the trees remain in their current condition.

Commissioner Wilms – Asked where the permit stands with Public Works. To which Ms. Courdy responded that they are waiting the decision of the commission before making a final ruling.

Vice-Chair Benzoni – Asked [REDACTED] to provide proof stating the homeowner's insurance company had an issue with the trees. [REDACTED] produced the email and showed it to the commission. The commissioner also asked about what aesthetics the trees provide to the property.

Public Comment – The next door neighbor, Steve Choi, whose house is underneath one of the trees, answered that while the tree is rather large and provides shade to both properties, he's had a long standing concern with the integrity of the tree that hangs over a large portion of his home.

Vice Chair Benzoni – Asked how the [REDACTED] knows there is sewer line damage, and if the branches could be trimmed back. [REDACTED] responded he had a hydro analysis done that showed the sewer line damage. Kristine Courdy responded that per the arborist, the branches in question can't be trimmed without stabilization issues.

Commissioner Findley – Noted that it is obvious that the roof was built around the tree, and that the branches are rather large and do appear to be improperly cabled causing a stress fracture. She asked if the tree branch is actually touching the home; to which [REDACTED] responded that it was, causing a rodent issue.

Commissioner Leider – Asked if these issues are new or long standing, and asked if the prior owner was aware of these issues. The neighbor, Mr. Choi, responded that these are long standing issues, and that the prior owner was elderly and wasn't able to maintain the property well for several years.

Chair Kelly – Asked why Public Works had given approval. Kristine Courdy responded that based on the arborist report the trees are causing damage and are a hazard if large branches are removed due to stability issues.

Public Comment- [REDACTED] mentioned that he has attempted to make contact with the protesting neighbor, but has been unsuccessful with talking to him.

Chair Kelly – asked how far from the property the tree trunk is, to which [REDACTED] responded that it was 4-5' away.

Student Commissioner Bugg – Asked who pointed out the stress fracture to the property owner, to which [REDACTED] responded that the arborist had, as no one had noticed it prior to the inspection.

Commissioner Snowden-Ifft – Stated that he feels the seriousness of tree limb issues should be taken into consideration. He stated that he's not sure how severe this stress fracture is, and that it would be a good idea to get a second opinion whether or not the branches can safely be removed or not. He hopes to see a way to mitigate the safety concerns while still saving the trees.

It was requested that the property owner get a second arborist's opinion, and then bring this item back at the April meeting.

6. **Tree Removal Request (Shimmin)** – Kristine Courdy, the Public Works Operation Manager, gave a brief background on the tree removal application for 616 El Centro. She explained that the owner is remodeling the home, and an avocado tree is in the footprint of the addition. The designer of the remodel had an arborist come and assess the tree and found it to be diseased. Originally the City’s arborist denied the removal. Upon further inspection the City’s arborist agreed with the owner’s arborist and approved the removal. A neighbor protested the removal, and so it was brought before the NREC. The designer and property owner are amenable to working with the neighboring properties regarding the planting plan and tree selection.

Commissioner Findley – Asked why the City’s arborist denied the request initially. Ms. Courdy responded that the arborist thought it was just a general request, and did not know it was associated with the construction design. She also wasn’t aware to check the roots for disease.

Public Comment – Neiel Norhem, the designer, stated that initially the removal request didn’t include that it was because of construction, or that the disease was found during a root inspection. The City’s arborist met with theirs and did a more extensive investigation to determine that the tree was in fact diseased.

Public Comment – Dr. Brad Steele, the property owner, added that the tree is a Florida Avocado that is near the end of its life expectancy.

Kristine Courdy stated that the planting plan is a condition of approval for the overall project.

A motion was made to approve the removal with the condition that the replacement be a native species (Benzoni, Leider 6-0).

INFORMATION ONLY

7. **Update on Renewable Energy Request for Proposals (Shimmin)** – Jenna Shimmin advised the commissioners that the renewable energy request for proposals (RFP) is currently open and that 15 agencies have requested it so far.
8. **Urban Forest Update** – Kristine Courdy provided an update that trimming is near completion in the following grids: Grid 9 (90% complete) south east side of City, Grid 8B (95% complete) eastern side of the City, War Memorial Park (50% complete), and has been completed in the area of Arroyo Park and Arroyo Drive. Grid pruning has been placed on hold due to storm damage. Removals and replacements have been ongoing throughout the City. To date 120 trees have been planted, and it is anticipated that an additional 25 trees will be planted by the end of April. Of these roughly 150 trees, South Pasadena Beautiful was able to donate 60 through a tree planting drive held over the last few months. She also stated that staff has been in contact with Metro rail staff regarding a tree branch that fell on the Gold Line tracks. As a result, all trees along the path through the City have been trimmed. Commissioner Benzoni – asked if the numerous trees lost along the Fair Oaks route will be replaced. Ms. Courdy responded that we aren’t able to replace the trees as quickly as they’re being

damaged, but are working as best they can to try and catch up. Commissioner Benzoni recommended looking into some sort of hardscape feature to protect the trees.

9. **Upcoming Events** – Watershed Restoration Program event - April 8th, California Friendly Landscape Class - April 11th, Local Business Earth Day Expo - April 18th, Reduce Waste Earth Day event - April 21st, General Plan Charrette – April 24th-28th, South Pasadena Garden Tour - April 30th

Chair Communications- No updates at this time.

Commissioner Communications-

Commissioner Benzoni: No updates at this time.

Commissioner Findley: Discussed the success of the recent general plan meetings. Mentioned that the rent stabilization issue is still under review.

Stables Subcommittee Update: A draft RFP has been developed, and there is a meeting on April 11th to finalize this document. Ron Hagen spoke very positively of what has been developed.

Commissioner Leider: No updates at this time.

Commissioner Snowden-Ifft: No updates at this time.

Commissioner Wilms: Discussed that one of the two tree removal permits heard today was more clear cut with better details and formatting, making it easier for the commission to come to a decision. Having more information and a more streamlined procedure would be helpful for decision making. It was also mentioned that the Hanscom property that the commission received public comment on recently will be coming before the NREC once the Council makes a determination on the historical significance of the property.

Staff Liaison Communications- Mrs. Shimmin advised the commission that the grant staff had recently applied for from the California Energy Commission regarding Climate Action Plan (CAP) development and implementation was denied. The grant staff stated that because the City is already using another grant to develop the CAP, that this grant wasn't a good fit at this time. They encouraged staff to reapply once the CAP is near completion or finalized.

Adjournment – Commissioner Benzoni motioned to adjourn the meeting at 9:50 p.m., Commissioner Leider seconded. Ayes: All, Nays: None.

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


William Kelly, Chair