



**MINUTES**  
**SPECIAL MEETING OF**  
**CITY COUNCIL/SAN DIMAS**  
**REDEVELOPMENT AGENCY**  
**TUESDAY, MAY 25, 2010, 5:30 P. M.**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**MEETING ROOM, 201 E. BONITA AVE.**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem John Ebner (Arrived 5:55 p.m.)  
Councilmember Emmett Badar  
Councilmember Denis Bertone

City Manager Blaine Michaelis  
City Attorney J. Kenneth Brown  
City Clerk Ina Rios  
Assistant City Manager of Community Development Larry Stevens  
Assistant City Manager Ken Duran  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Landscape Manager Mark Rheude  
Associate Planner Marco Espinoza

Bryce Carnehl, Landscape Architect, David Volz Design

**ABSENT:**

Councilmember Jeff Templeman  
Director of Development Services Dan Coleman

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 5:32 p.m.

**2. ORAL COMMUNICATIONS**

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. Speakers are limited to three minutes or as may be determined by the Chair.)

- a. Members of the Audience

There were no comments.

**3. STUDY SESSION**

- a. Cataract and Bonita Landscape Improvement Project.

Director of Parks and Recreation Bruns stated that at the Council/Staff Retreat, staff was directed to move forward with the landscaping project at Cataract and Bonita Avenues and bring back a plan for consideration. She introduced Bryce Carnehl, Landscape Architect, with David Volz Design, who was contracted to design landscaping along the perimeter of the City's undeveloped property bounded by Cataract Avenue on the east, Bonita Avenue on the north and Acacia Street on the west. She said only two trees, a Carrotwood and a Carob Tree will be removed, leaving 33 trees and adding 36 additional trees to the project. She said Mr. Carnehl will present his plans and palette.

**Bryce Carnehl**, Landscape Architect, David Volz Design, explained the plan to create an 18-inch buffer from the sidewalk, for the vacant lot on Bonita Avenue. He said 70% California native plants will be utilized to minimize water use, pesticide application, and maintenance. 30% non-native, drought tolerant plants will be used to provide aesthetic benefits. He explained the irrigation system that was designed to meet the current water efficient landscape requirements.

Director Bruns stated that while working on the plan, Mr. Carnehl has taken into consideration the State Water Efficiency Ordinance and the City's adopted Water Efficiency Ordinance.

In response to Councilmember Badar, Director Bruns replied that the plan does not include landscaping the center flat area of the property.

In response to City Manager Michaelis, Assistant City Manager Stevens said the intent of the Specific Plan is to encourage buildings at the street front, rather than have the normal set back. He said it is possible that a significant portion of the landscape could be utilized with a future development project.

In response to Councilmember Bertone, Mr. Stevens replied that the last approved design included retail and a pedestrian arcade up against the street front.

At the request of City Manager Michaelis, Director Bruns summarized the project schedule and said the project is budgeted in the 2010-11 Budget and the bid process will start in June, award in July, and once the contract is awarded, it will take approximately six weeks for completion.

In response to Council, Mr. Michaelis stated that Mr. Garland, President of the California Street Hockey Association (CSHA), is contemplating utilizing the entire Bonita/Cataract property for his needs and other uses. Mr. Michaelis said Bravo Burgers has expressed interest in being considered by CSHA. He said Mr. Garland is still in need of financial investments and a progress report is expected within the next few weeks.

Councilmember Badar requested a status report on the ice rink development project be brought back to the City Council at the next meeting.

Councilmember Bertone stated his objections to expending funds for the landscaping project or to consider the ice arena. He made the motion to convert the entire property into a public park.

Mayor Morris suggested this item be placed on the agenda for consideration at the next meeting.

- b. Tree Ordinance - report on Staff administration since last update and discussion of potential changes and adjustments.

City Manager Michaelis commented that Councilmember Templeman would want to participate in discussions on the Tree Preservation Ordinance and suggested that staff review the issues and seek direction. He said this item will be brought back to the City Council for consensus.

Assistant City Manager Stevens said the Tree Preservation Ordinance was amended at the end of 2006 and staff believes that the implementation of the ordinance over the last two years demonstrates that permits are consistent with the Council's desire to accommodate 15-gallon trees. He said there was only one instance that a 24-inch box tree was required as a penalty provision when trees were removed without permits. Mr. Stevens stated that staff also specified certain findings be made to allow for reduction of replacement ratio and believes the amendments to the ordinance gave staff sufficient discretion to determine on a case-by-case basis appropriate replacement ratios.

In response to Council, Planning Associate Espinoza explained that as allowed by code, based on a request and an explanation for a reduction, staff visits the site and makes a determination that a reduction would be appropriate. He added that in the event of inappropriate plantings, the tree can be allowed to be removed under the finding of good forestry practices.

Mr. Stevens stated there are sufficient reasons that give people adequate opportunity to remove problem trees and flexibility to address permits. He said each circumstance will be evaluated before a permit can be issued.

In response to Councilmember Badar, Mr. Stevens replied that staff would consider the decision made by the Homeowners Association (HOA) and if a permit is issued to the homeowner to remove a tree in the private portion, it would still be subject to the applications of the CC&Rs. He stated that the HOA is responsible for a common area tree and staff would not move forward with the removal request unless it came from the HOA. Mr. Espinoza added that staff would not accept the application for a tree removal in a private area until documentation is received from the HOA.

Mr. Stevens highlighted the current exceptions from tree removal permits that include tree farms, trees in public rights-of-way, trees damaging public improvements, trees affecting public utilities, trees damaged by natural causes, dead trees and fruit trees. He said less than 25% of the applications received are for trees in the rear yard areas. He said it is staff's view that there is not a fee for tree removal applications, replacement ratio application has been fair, consistent and equitable, and staff would prefer to not treat backyard trees differently than other trees. He said if Council desires to change the requirements, the only solution is to create a backyard exemption.

Councilmember Badar stated that the community's perception is that San Dimas is very strict on the Tree Ordinance.

Mayor Pro Tem Ebner suggested the Tree Ordinance be amended to address heritage trees in the back yards.

Mayor Morris suggested using good forestry practices on the backyard. Landscape Manager Rheude stated that as an alternative to removing trees, homeowners can contact brokers to have trees moved.

Assistant City Manager Stevens remarked that heritage trees are not currently addressed in the Tree Preservation Ordinance and he inquired if the City Council is inclined to create a separate characterization or process to address heritage trees. He said the Ordinance can be amended to include an additional definition for heritage trees and/or create additional standards related to removal, pruning, trimming, and replacement ratios. He added that oak trees and trees which measure 10 inches or more in trunk diameter would be classified in this category and get special consideration.

In response to Mayor Pro Tem Ebner, Mr. Stevens replied that although there is an appeal process, there are no fees to be paid.

Assistant City Manager Stevens mentioned that some cities provide specific standards governing trimming by either requiring a permit for pruning and/or by limiting pruning to standards set forth by the National Arborists Association (NAA) or the International Society of Arborists (ISA). He said staff's view is that pruning requirements would be difficult to administer. He stated that the existing City standard is not specific and has only been applied in a few cases for extreme topping in commercial parking lots. He suggested there are some species of trees, such as oak trees or heritage trees, that could be addressed incorporating clear standards using the NAA and ISA standards.

Mayor Pro Tem Ebner was not in favor of issuing permits for pruning or trimming.

Mr. Stevens said there are three additional items that staff feels need to be addressed as code amendments to the Tree Preservation Ordinance. He said while a permit is required, there is no replacement requirement for the removal of dead, diseased or dying trees when part of a grove, commercial or residential planned development. He felt staff should have the option of evaluating the site to determine if a replacement was reasonable or appropriate consistent with other standards applied.

In response to Council, Mr. Stevens replied that the removal of four trees would trigger Development Plan Review Board review.

It was the consensus of the Council to amend the Tree Preservation Ordinance to consider some tree replacement where appropriate for the removal of four or more trees.

Assistant City Manager Stevens reported that existing regulations prohibit all fill or construction within the driplines of mature significant trees. He said there may be some circumstances where limited construction can be allowed without adversely affecting the tree. This should include an arborists report to ensure no adverse impacts. Mr. Stevens would also like to clarify appeal procedures in an amendment to the Ordinance. He said there is no urgency to amend the Ordinance.

Mr. Stevens mentioned that public outreach efforts are handled through brochures and handouts at the public counter and on the City's website, as well as advertisements in the community newsletter. He said the City Arborist conducts tree plantings and other related events in connection with the Tree City USA designation program and the Proposition 40 education grant could be utilized for training classes on proper tree maintenance.

The City Council praised staff for their efforts and suggested this item be brought back when Councilmember Templeman can participate.

#### **4. ADJOURNMENT**

Mayor Morris adjourned the meeting at 6:58 p.m. The next City Council meeting is Tuesday, May 25, 2010, 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk