THOUSAND OAKS CITY COUNCIL

Supplemental Information

L. Lawrence

Agenda Related Items - Meeting of November 10, 2015
Supplemental Packet Date: November 10, 2015
5:00 P.M.

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed, typically a minimum of two—one available on the Thursday preceding the City Council meeting and the second on Tuesday at the meeting. The Thursday Supplemental Packet is available for public inspection in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2) Both the Thursday and Tuesday Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2100 E. Thousand Oaks Boulevard.

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In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk Department at (805) 449-2151. Assisted listening devices are available at this meeting. Ask City Clerk staff if you desire to use this device. Upon request, the agenda and documents in this agenda packet, can be made available in appropriate alternative formats to persons with a disability. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.

John Prescott - Item 8A on City Council Agenda This Evening

From: Janet Wall <walljanetm@gmail.com>
To: Stephen Kearns <skearns@toaks.org>, John Prescott <jprescott@toaks.org>,...
Date: 11/10/2015 3:25 PM
Subject: Item 8A on City Council Agenda This Evening
CC: Marilyn Carpenter <carpmail5@gmail.com>, Joan Edwards <jcedithers@gmail....
Attachments: 10.10.2015 LTR CITY COUNCIL RE OAK&LANDMARK MODS TO ORDINANCES.pdf

Good Afternoon Chair Adam, Council Members, Mr. Prescott and Mr. Kearns,

Conejo Oak Tree Advocates (COTA) submits the attached letter regarding Item 8A on this evening's City Council Agenda. Although some COTA members are able to attend the meeting, we thought it best to have a few of our ideas presented to you in advance of the meeting.

Thank you for your attention to COTA's interests in how the City of Thousand Oaks can best protect its oak and landmark trees.

~Janet Wall
for Conejo Oak Tree Advocates

2015 NOV 10 PM 3:49
CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

TO COUNCIL 11-10-2015
AGENDA ITEM NO. 8.A.
MEETING DATE 11-10-2015

CONEJO OAK TREE ADVOCATES

conejooaktreeadvocates@gmail.com

November 10, 2015

City of Thousand Oaks City Council
Community Development Department
2100 East Thousand Oaks Boulevard
Thousand Oaks, Ca. 91362

Re: Item 8A: Modifications to Thousand Oaks Oak Tree and Landmark Tree Ordinances

Dear Chair Adam and Council Members,

Conejo Oak Tree Advocates (COTA) has reviewed the packet for this evening and applauds you for your willingness to continue strong oak and landmark tree protection for trees in our City. In particular, we are pleased that a standard has been set for diameter of oak trees that must be reviewed by Thousand Oaks Planning Commission before any removal is permitted. However, COTA does not agree that the 24" diameter set for landmark trees is adequate. We would request that the City Council consider a 12" diameter for landmark trees since these trees rarely, if ever, reach the same large size as our native oak tree species.

COTA also questions one segment of your Staff report (page 14; page 2 of Attachment #2) referred to at the bottom of the page as CDD:620-21/Ordinance-CC#10/pz (FILE ID MCA 2014-70145), Page 2 where the phrase ***"subject to the penalties contained in Section 5-14.09."*** is deleted from the text. The City Council did not discuss removing penalties for those who intentionally remove oak trees without pursuing the City's required permit process. COTA requests that City Council please ensure that any and all penalties for removing oak and landmark trees without a permit remains or is updated to even better standards.

In addition, COTA encourages City Council to consider the formation and appointment of a new "Tree Advisory Board" as brought up by Councilmember Bill de la Pena at your October 20th meeting. COTA members feel it is particularly important to begin the process of designating heritage trees in Thousand Oaks as well as monitoring the 3:1 success rate of replacement trees. In the meantime, COTA is happy to assist with these endeavors.

Sincerely,

Gail Bianchino, Yvonne Brockwell, Bonnie Clarfield-Bylin, Marilyn Carpenter, Anne LaFianza, Joan Edwards, Ed Lawrence and Janet Wall
for **Conejo Oak Tree Advocates**

City of Thousand Oaks

Community Development Department
MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

2015 NOV 10 PM 4:58
CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

To: Scott Mitnick, City Manager

From: John C. Prescott, Community Development Director

Date: November 10, 2015

Subject: **Agenda Item 8.A. – Letter from Conejo Oak Tree Advocates**

This afternoon, a letter was submitted from the "Conejo Oak Tree Advocates" providing comments regarding certain contemplated modifications to the Oak and Landmark Tree Ordinances.

A specific statement, contained in the second paragraph of their letter, and emphasized in ***bold/italics,*** refers to a deletion of text which states "***subject to the penalties contained in Section 5-14.09***."

The deletion was included in ordinance presented to, considered by, and approved by City Council at its April 14, 2015 and October 20, 2015 meetings. This modification was one of the "clean-up" items.

The reason for the recommended deletion was two-fold:

1. It eliminated redundancy. Section 5-14.09 itself was not changed (shown below). That section specifies violations and penalties and was not necessary to reference it in the text of a previous section.

   "Sec. 5-14.09. Enforcement.

   (a) Violation, penalty. Any person who cuts, damages, moves, or removes any oak tree within the City or encroaches into the drip line of an oak tree in violation of this chapter shall be deemed guilty of a misdemeanor and upon conviction, may be punished as set forth in Chapter 2 of Title 1 of this Code.

   (b) Stop work notice. Whenever any construction or work is being performed contrary to the provisions of this chapter, oak tree preservation guidelines, oak tree permit, or conditions of any applicable underlying development permit, the Community Development Director may issue a written notice to the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation or danger and no work shall be allowed until the violation has been rectified and approved by the Community Development Department.

   (c) Violation, restitution. It has been determined that the oak trees within the City are valuable assets to the citizens of this community and to the citizens of the

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Conejo Valley, and as a result of the loss or damage to any of these trees, the public should be recompensed. In addition to any penalties provided by subsection (a) above, any person who cuts, damages or removes any tree in violation of the terms of this chapter is responsible for proper restitution and may be required to replace the oak tree(s) so removed or damaged, by the donation of or by replanting two (2) or more oak trees of reasonable equivalent size and value to the tree damaged or removed. The number, size and location of said equivalent replacement oak tree shall be determined by the Community Development Director."

2. Avoids the possibility of inadvertently referring to incorrect code sections should future amendments occur and code references are not changed.

The deletion of the specific code section reference does not remove the applicability of the penalties associated for violating any provision of the oak tree ordinance.