

Agenda Report

TO: CITY COUNCIL

DATE: December 16, 2002

FROM: CITY MANAGER

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.80 OF THE PASADENA MUNICIPAL CODE (PMC), ENTITLED DESIGN COMMISSION REGARDING THE ROLES AND RESPONSIBILITIES OF THE URBAN FORESTRY ADVISORY COMMITTEE

RECOMMENDATION:

It is recommended that the City Council:

Direct the City Attorney's Office to prepare an amendment to the Ordinance entitled Design Commission to clarify the roles and responsibilities of the Urban Forestry Advisory Committee.

BACKGROUND:

At its meeting of April 29, 2002, the City Council undertook first reading of an Ordinance creating the Urban Forestry Advisory Committee (UFAC). The adopted Ordinance was a combination of a version presented by staff and a version offered that day on the floor of the City Council. It was critical to adopt the ordinance expeditiously to preserve significant trees that, absent the ordinance would be destroyed. Staff supported this objective and accepted the invitation to return to Council if the Tree Ordinance or related ordinances had any unintended consequences.

Following further study and evaluation of the ordinance creating the UFAC, there is one matter which staff would recommend fine tuning as the potential impacts of the ordinance, as written, may have implications beyond those which may have been apparent on the day the language was both first presented and then adopted.

The matter relates to the scope of responsibilities of the UFAC regarding the review of protected trees on private property as well as for planting new trees on such property. The ordinance provides the Committee with the authority to review private development projects as follows:

" The design commission may delegate to the urban forestry advisory committee the following: the reviews, advice and recommendations ... for projects sent to the commission for review under title 17 of this code, the review of landscape design plans, and related permits and tree protection plans for protected trees on public and private property as well as for planting new trees on such property..."

In the likelihood that every mid-sized and major project is sent to UFAC the result of this action may be delays for reviewing projects and overlapping reviews between the Design Commission and UFAC. These reviews would significantly add to the current scope of responsibilities of UFAC. Unlike other reviewing bodies such as the hearing officer or commissions that also look at landscape plans, UFAC meets only monthly. Consequently, another month would be added to project reviews along with the commensurate staff workload increase.

These implications may not have been fully understood when the ordinance was introduced. Staff recommends that this language be removed and that the Council amend Section 2.80.135 of the PMC to delete UFAC review of private development projects. Exception to this may be protected tree reviews for master development plans and planned developments. These actions differ in that impact on protected trees may be greater and/or these actions would require Council action where the UFAC could serve in an advisory capacity.

FISCAL IMPACT:

The Department of Public Works has been serving as staff support to the Urban Forestry Advisory Committee and will continue this role. Sufficient funds are available in the current fiscal year 2002 operating budget to provide this support.

Respectfully submitted,


Cynthia J. Kurtz
City Manager

Prepared by:



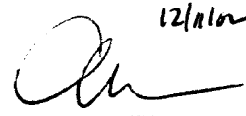
Roderick A. Olguin
Building & Neighborhood Revitalization Manager

Approved by:



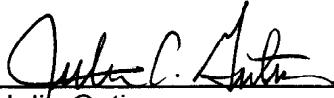
Richard Bruckner
Director of Planning & Development

Reviewed by:

12/1/12


For Michele B. Bagneris
City Attorney

Concurrence by:



Julie Gutierrez
Director of Public Works