



## AGENDA

### SAN CLEMENTE GOLF COURSE COMMITTEE

THURSDAY, AUGUST 7, 2014. 7:00PM

CITY HALL , 100 PRESIDIO  
COUNCIL CHAMBERS

#### **\*\*PLEASE NOTE TIME AND LOCATION\*\***

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FOR ADDRESSING THE COMMITTEE: If you wish to address the Committee, please identify yourself to the Secretary and you will be permitted to speak at the appropriate time.

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**1. ROLL CALL**

**2. APPROVAL OF MINUTES**

Approval of minutes of the Adjourned Regular Meeting held July 3, 2014

**4. PUBLIC INPUT**

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*Members of the audience who wish to address the Committee on matters of public interest pertaining to the City that are not on the agenda may stand, state their name and the City in which they reside, and make their presentation.*

*Please limit presentations to three minutes. Since the Committee cannot discuss or take action on matters not on the agenda, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting a written request to the Beaches, Parks & Recreation Department or Golf Division.*

*For matters on the agenda, public comments will be received at the time the Committee considers the agenda item.*

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**5. OLD BUSINESS**

Continuation of Discussion on Private Cart Policy

**6. NEW BUSINESS**

Discussion of Policy Regarding Requests to Relocate or Replace Public Trees for Private View Purposes (see attached report)

**7. COMMUNICATIONS**

None

**8. ITEMS FROM STAFF**

None

**9. ITEMS FROM COMMITTEE MEMBERS**

**10. ADJOURNMENT**

Adjourn to the Regular meeting of September 4, 2014.

*Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.*

*Written material distributed to the Golf Course Committee after the original agenda packet was distributed is available for public inspection in the Golf Division office, located at 402 Calle Bahia, during normal business hours.*



# Memorandum

## Beaches, Parks & Recreation

Thursday, August 7, 2014

To: Golf Course Committee  
From: Sharon Heider, Beaches Parks & Recreation Director  
Subject: Policy Regarding Requests to Remove, Relocate, or Replace Public Trees for Private View Purposes  
Copies:

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### Summary

The City has recently received requests to remove city trees to provide, maintain, or restore private views. The current policy, City Owned Trees: Protection and Administration (No. 301-2-1) (attached), does not allow removal of trees for view purposes. The City Council has asked that the Beaches, Parks, and Recreation and Planning Commission and Golf Committee study the issue and make a recommendation whether the existing policy should be changed, and if so develop criteria by which such tree removal/replacements should be reviewed. If criteria is to be developed a sub-committee could be formed to discuss the criteria with members of the Beaches, Parks, and Recreation Commission, however the Planning Commission declined to form a sub-committee.

### Background

The City's Policy No. 301-2-1 "City owned Trees: Protection and Administration" (attached) provides for the protection and administration of the City's urban forest. The policy allows removal of City owned Street Trees, if in the judgment of the Director of Beaches, Parks, and Recreation it meets certain criteria (see attachment). However, removal of Park Trees (also includes Golf course and Beaches), and for the purpose of private views has not been allowed. More typical requests to amend landscaping in public spaces, such as removing or replacing a single City tree in front of a residence, are dealt with via the Request for Tree removal process per City Policy 301-2-1.

On April 2, 2013, the City Council discussed the issue of trees as it relates to impacts to ocean views. In response to Council inquiry, City Attorney Goldfarb opined the City should be careful about the way that the concept of view protection is addressed in policy as there is an inevitable desire of people to want to address the impact physical structures and trees have on views.

At the April 2, 2013 meeting, the City Council directed staff to research best practices utilized by other cities, but limited the discussion to trees in parks, golf courses, reservoir sites, and other public special activity areas. The Council was not interested in a policy that would apply to trees located on major city streets or trees located on private or homeowner's association property.

On February 4, 2014, the City Council established several goals as part of the General Plan relative to landscaping:

*"...reflect a lush Mediterranean landscaped character, emphasizing Spanish Architecture and drought tolerant and California native plantings." (UD-5)*

*"Achieve and preserve a well-maintained, healthy stock of mature trees and expanded tree canopy that provide numerous aesthetic, environmental, economic, social and health benefits." (UD-6)*

During discussions surrounding the General Plan, this issue was raised several times in the context of private view preservation. The City Council expressed an interest in developing a policy or process to guide requests for changes to public landscaped areas.

At its June 17, 2014 meeting, the City Council directed staff to present this potential policy change to the Beaches, Parks and Recreation Commission, Golf Committee, and Planning Commission for input.

### **Discussion**

Staff has received City Council direction to address only public trees in parks, golf course, residential streets, and utility site locations (i.e. reservoir sites). Addressing only public trees for removal for view purposes could create inequity in that those living above parks, golf courses, or public lands may be allowed to better their views, while those who live above private areas would not be afforded the same ability to amend their neighbors' or their homeowners associations' (HOA) landscapes. Single trees may be easier to analyze in terms of overall impacts and/or unintended consequences, but the more complex issue of large or complete removal and replacement of park or golf course landscapes for view purposes will require greater analysis and community input.

As directed by the City Council at the April 2, 2014 meeting, staff researched best practices used by communities who endeavor to preserve private views. Three examples were found, and the processes varied. Each of these addressed protection of views on both public and private property. Staff did not find an example of protecting views only through public property. The City of Laguna Beach has a process outlined in its municipal code that consists of discussions, mediation, arbitration and litigation. The City of Solana Beach has a Committee that oversees the process of view assessment and processing. The City of Palos Verdes has a View Restoration/View Preservation permit

process with a 29 page guideline packet for application which requires a non-refundable fee of \$5,160 for processing time and costs. These applications are reviewed by a Committee that provides recommendations to the Planning Commission.

Based on the research of best practices, it appears there is a high potential for creating divisiveness in the community between those with views and those who support the preservation of trees. Therefore, staff does not recommend creating a policy for view preservation, which may imply views are guaranteed. However, Landscapes can be changed and potentially redesigned to better meet current needs and conditions. The City currently has discretionary review processes in place to approve landscaping and other exterior improvements, including Site Plans and Park Master Plans. These review processes are intended to ensure proposed landscaping is done in accordance with the General Plan, applicable Specific Plans, Design Guidelines, involve community input, gain City Council approval, and have already proven successful. Staff's recommendation is that these same processes be used to allow a resident(s) or HOA(s) to submit an application to amend an existing Site or Park Master Plan. In cases where the landscape was installed without an approved plan, the process could put in place a new approved plan.

#### Proposed Process:

Add a new section 6.4 to the existing City Owned Trees: Protection and Administration.

6.4 Property owners may request replacement, relocation, or removal of City Park or Street trees\* by amending or creating a Site or Park Master Plan. The property owner shall be responsible for all costs associated with the processing, removals, relocations, and replacements.

*\*Note the current policy defines Park and Street trees to include those on the golf course and beaches, and medians and in rights of way.*

Criteria would need to be developed for what trees and what circumstances would be appropriate to amend public landscapes. The process would be the same as currently required for a Park Master Plan amendment or a Site Plan amendment. As an overview, the applicant would first submit an application and deposit account/application fee to cover staff time. Staff would then review the location and determine the level of noticing needed for review. As an example, the City Council heard from a resident above a water reservoir whose home has had their ocean view compromised by tall trees planted by the City to shield the view of a City reservoir. A site like the reservoir would likely have a notice of a 300' radius, in order to assess whether any residents may be benefitting by having the utility buffered from view by the trees. A park, golf course, beach, or publicly used facility would require greater scrutiny and input and include at least surrounding HOAs, businesses, and concerned residents with publicly noticed review. Utility site locations and residential street requests for landscape modifications would be reviewed by the Design Review Subcommittee and Planning Commission.

Parks and street tree applications would be reviewed by the Beaches, Parks, and Recreation Commission and then City Council as Park Master Plan amendments. Golf Course amendments would be processed through the Golf Course Advisory Committee and then City Council.

Staff and the City Council are seeking recommendations as to whether the existing policy should be changed to allow removal/replacement for private view purposes, and if so, develop criteria regarding the proposed policy and process.