



Agenda Report

21-1680

Agenda Date: 12/7/2021

REPORT TO COUNCIL

SUBJECT

Action to Waive Second Reading and Adopt Ordinance No. 2036 Amending Chapter 12.35 "Trees and Shrubs" of Title 12 Streets, Sidewalks and Public Places of the Code of the City of Santa Clara to Incorporate New Best Practices and Regulations to Preserve the Urban Forest

COUNCIL PILLARS

Deliver and Enhance High Quality Efficient Services and Infrastructure, and Promote Sustainability and Environmental Protection

BACKGROUND

At the November 16, 2021 Council meeting, proposed Ordinance No. 2036 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, proposed Ordinance No. 2036 was published on December 1, 2021, and copies were posted in three public places. The Ordinance now comes to Council for final adoption.

DISCUSSION

The Department of Public Works led a collaboration with staff from the Parks & Recreation Department, Community Development Department, City Attorney's Office and City Manager's Office to modernize the existing ordinance to better protect existing trees and require planting of new trees to preserve the City's urban forest. Staff surveyed ordinances from other municipalities, including the Cities of Cupertino, Mountain View, Sunnyvale, Palo Alto, Milpitas, and San Jose to develop a baseline understanding of tree protection standards throughout Santa Clara County.

The proposed ordinance would establish new regulations for the installation, maintenance, removal, and management of trees and plants in public places, provide protections for trees designated as Heritage Trees and trees of certain species and/or size, and provide enforcement mechanisms for violations of those regulations and protections.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(2) as a general policy making activity.

FISCAL IMPACT

There was no fiscal impact associated with this report.

COORDINATION

This report has been coordinated with the Department of Public Works, City Attorney's Office, Parks & Recreation Department, Community Development Department and City Manager's Office.

PUBLIC CONTACT

A summary of proposed Ordinance No. 2036 was published to the Santa Clara Weekly on December 1, 2021, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Waive Second Reading and Adopt Ordinance No. 2036 amending Chapter 12.35, entitled "Trees and Shrubs" to incorporate new best practices and regulations to preserve the urban forest.

Reviewed by: Caio Arellano, Assistant City Attorney

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Ordinance No. 2036 (Introduction)