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RESOLUTION NO. 2016-89

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
APPROVING CLARIFICATIONS TO MUNICIPAL CODE SECTION 12-16-070**

WHEREAS, in 2015, the city was awarded a \$150,000 grant from CAL FIRE's Greenhouse Gas Reduction Fund to create an Urban Forest Master Plan (UFMP) and to plant 1,000 trees; and

WHEREAS, it is the city's current policy that each interior residential lot shall have at least one approved street tree and each corner residential lot have at least three approved street trees (MC Section 12.16.070); and

WHEREAS, the City Council fully supports the presence of trees in Patterson and recognizes their benefits; and

WHEREAS, due to tree-planting objections during Phase I of Year 1, the City Council requested staff to establish recommendations on how to enforce the current Street Tree Ordinance and policy but still resolve the residents' concerns; and

WHEREAS, due to the Street Tree Ordinance being under review as part of the UFMP's scope of work, staff does not recommend an ordinance change until the consultant has had time to review the city's urban forest practices, policies, and procedures and makes their findings to the City Council; and

WHEREAS, to momentarily address the current tree planting project and tree planting objections, staff recommends approving this Resolution clarifying temporary tree planting exemptions. It will be up to the City Council on whether to continue with these exceptions or repeal them once the UFMP consultant has done a full review and makes their findings to the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Patterson has approved the following guidelines:

- 1) At this time there are approximately 12,800 city owned and maintained trees. Each tree has its own GPS coordinates and location. The city maintains a database with this location information. Every location that currently has a tree (as of October 2016) shall continue to have a tree. If a tree is removed for any reason, it shall be replaced.
- 2) Every location in a planting strip/park strip that currently has a vacancy but could host a tree, will have a tree planted there and not be subject to appeal. A planting strip/park strip occurs when the sidewalk is physically separated from the curb and gutter. This arrangement is common in the Old Town area and some newer parts of town, such as Walker Ranch or Patterson Gardens. City staff will determine whether or not a tree is appropriate.

- 1 3) Every location with an existing monolithic curb, gutter and sidewalk, for example in
2 Heartland Ranch or Amberina Court, that currently has a vacancy but could host a
3 tree, will be allowed to defer planting a tree based on property owner objection. The
4 existing 34 objections the city has received would fall into this category. The
5 deferment will become invalid once the property changes ownership or occupancy.
6 4) In order to fulfill the obligation of the grant, any homeowner who stated a medical
7 condition based off the proposed tree will get a tree but will be given the option of
8 multiple tree species from which to choose. This will be coordinated between
9 operations and the property owner.
10 5) If a property owner has a significant objection to a specific tree species scheduled to
11 be planted, staff will make available to the property owner multiple tree species
12 options from which to choose.
13 6) All single family residential units built after October 2016 shall conform to the
14 existing Street Tree Ordinance.
15 7) These exceptions will begin on the date this resolution is approved by the City
16 Council and will expire once the tree ordinance has been updated.
17 8) When a change of ownership on a property occurs, the new property owner shall be
18 required to conform to the existing Street Tree Ordinance.
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21 The foregoing resolution was passed by the City Council of the City of Patterson at a regular
22 meeting held on the 6th day of December 2016, by Councilmember McCord, who moved its
23 adoption, which motion was duly seconded by Councilmember La Torre, and the resolution
24 adopted by the following roll call vote:
25

26 AYES: Councilmembers McCord, Novelli, La Torre and Mayor Molina
27 NOES: None
28 EXCUSED: Councilmember Farinha
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31 APPROVED:
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34 _____

35 Luis I. Molina, Mayor of the City of Patterson
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38 ATTEST:
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40 
41 _____

42 Maricela L. Vela, City Clerk of the City of Patterson
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1 I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by
2 the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus,
3 State of California, at a regular meeting held on the 6th day of December 2016, and I further
4 certify that said resolution is in full force and effect and has never been rescinded or modified.

5 DATED:
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8 _____
9 City Clerk of the City of Patterson