

City of Pacific Grove
Beautification & Natural Resources Committee
Minutes of Meeting – May 27, 2009

Present: Committee members: Akeman, Myers, Anton, Kapp,

Staff: Martinez

Absent: Phillips (e) Travaille (UE)

Guest: Roger Pasquire, Guest 1, Mary O'Connell, Georgia Booth, Sally Moore, Mary Craft, Jessie Bray, Bruce Cowan, John Fischer, Barbara Thomas, Bruce Obbink, Guest 2, Guest 3, Hal Laughlin, Christine Crozier, Bill Kampe, Barbara Puget

1. The meeting was called to order at 4:00 pm.
2. Oral Communications: Mrs. Bray spoke regarding needs for clarification of the BNRC. Mrs. Bray spoke to reasonable use of the Golf Course Club House. Mr. Pasquire inquired as to the use of how items get onto the agenda. He stated that there should be no use permit changes proposed (to the Golf Course Club House).
3. Approval of Minutes: Mr. Kapp moved to approve the minutes as received. Seconded by Mr. Akeman. 5 ayes
4. Old Business
 - A. Staff reported that the Rip Van Winkle Open Space Park parking area would go to the City Council agenda on June 3, 2009.
 - B. Tree Replant Compliance

Staff spoke to the compliance to date. There are 15 outstanding permits from the 124 that were checked by the volunteer group. The compliance rate for this group is 88%. The October-December rate of compliance is 62%. Staff will commence the 2009 permit compliance checks soon.
 - C. McIndoo Estate

The Forest Ave/Lighthouse Ave. intersection is with Jeanne Byrne AIA for development of a plan. Staff reviewed the research conducted regarding asphalt versus concrete versus pavers. It was concluded that concrete using a new method will be the best application.

D. Golf Course Parking Lot Lights

Staff reviewed the issue regarding lights and the possible need for them. The ADA Committee has recommended that lights be installed. In addition, there have been falls after dusk when golfers are finishing up their rounds. Staff reviewed the photometric site plans that were done to show the light spillage and that there would not be light spillage into the neighborhood, particularly the homes on Del Monte Ave. It was shared with the committee that their purview would be the recommendation as to style. The photometric review was for information only.

Public Comment: Mr. Basquire stated that there has been no need for lights for 40 years. He spoke to the viewshed at the Lighthouse and that the views would be ruined. He stated that the path between the clubhouse and the cemetery should be lighted and used for exiting the area after dusk. Mr. Fischer stated that golfers are done before or at dusk but come out of the clubhouse area after dusk. He went on to say that ugly is different for different minds and that safety is most important. Guest 1 said the item was not the place for the BNRC and that the item should not be with the BNRC but with the City Attorney.

E. Cemetery

Staff reported that there was nothing to report.

Public Comment: Mr. Cowan stated that there should be a map of the cemetery areas to assist people when there is not staff available.

F: Fog Horn Building

Staff reported that the grant deed did not indicate that the building was protected but that the National Registry information needed to be checked and it was not available on line at this time. Staff requested that a committee member assist with the research.

G. Tree Ordinance

Discussion was opened by Mr. Akeman and he presented his memo regarding what he thought were the issues. The main items he cited were:

1. Type and safety of trees near homes
2. The 2 for 1 planting provision
3. Limits on choosing from the City's landscape tree list
4. City requirements on private property
5. Criminal nature of tree violations.
6. Rigidity /non specificity of tree ordinance
7. "Very High Fire Hazard Severity Zone" (VHFHSZ)
8. Guidelines for density
9. Latitude to allow residents to remove aging pine trees that worry them
10. Including fruit trees on the city preferred list of preferred trees and allowing them as replacement trees.

Mr. Akeman stated that he does not believe the whole ordinance needs to be reviewed in depth. The review can be focused. Mr. Myers agreed. Ms. Anton stated that items identified fit into specific areas. She stated that there is plenty of flexibility in the ordinance with flex words. Mr. Akeman stated the ordinance has flexibility with regard to the arborist. There are opportunities for education and the guidelines are clear. He stated that remuneration issues can be dealt with.

Ms. Anton asked if the committee wished to establish a sub committee or work as

a whole committee. General agreement was to work on the ordinance as a committee. She told the guest that the ordinance was on line and in a very clear format. Mr. Akeman stated the tree list should also be reviewed by the committee. **Open Comment:** Mrs. O'Connell stated that relying on a city arborist means the arborist has to be competent. Relying on feasible, a term in the ordinance broadens the latitude. She stated she has problems with language that is not tight and feasible is not a good solution. She stated this opens things up to interpretation. Mrs. Booth stated she has approached staff regarding language changes. Her concerns with are with the language itself. She felt the entire policy should be reviewed and if most is agreeable then the review should go quickly. There is no need to piece meal. Guest 1 stated that the law should be followed and a \$50 charge should not be changed to \$600.00. He stated the 88% compliance rate does not say things are working well. He objects to enforcement agents who are not deputized. They are in competition with police enforcers. Mr. Fischer commented that the arborist should change his address to reflect his residency here versus the Central Valley. He looked up the arborist's certification and stated he is a certified arborist in good standing. He also asked that the arborist double check the VHFSHZ. Mr. Cowan expressed his concern regarding large trees. He sits on the Open Space Advisory Committee for the Del Monte Forest. Their key item is fire defense plans. A good portion of the Del Monte Forest area is very flammable. He stated the Del Monte pine forest needs to be looked at. Trees should be spaced 12' to 16' apart and "limbed" up 10'. All brush should be removed to 18" and lower. He went on to state that areas around Del Monte Park-Pebble Beach use goats primarily to remove genesta. He said the city should consider the same factors in the Pacific Grove pine forest. Mrs. Booth said she did not see BNRC members at the City Council meetings. When the VHFSHZ issue was in front of the council. She stated she appreciated Councilmember Garcia's inquiry regarding the zones. She encouraged a thorough re-visit for the ordinance with an eye to safety first. Mrs. Booth went on to say that an ad that had been placed in a newspaper had been responded to and that every neighborhood responded to three items-conformity to the CALFire landscape and upkeep guidelines re: insurance and utility lines; that property owners have a right to replace 1:1; and that for her and for others safety is first. Mr. Laughlin spoke to a tree that fell on his house in the storm of January 2008. He mentioned that he had spoken with a previous city arborist regarding its condition. He stated that in Pebble Beach anyone can take down a tree with no problem. He made a referral to the city's Management and Budget Director and his replant thoughts. Guest 2 made comments about the city arborist. Mrs. Thomas made the remark by name that the city arborist does not return phone calls and went on to say that it takes months to make a decision. She stated that people do not understand why they cannot take down trees leaning on a house or that look dead. She also stated that without permission people do things they should not do out of frustration. Also, that every time there is a storm people are scared to death. Mrs. Bray shared her length of time in the city and that when she lived in her home she had seven big trees and worked with Frank Ono to monitor them. The "tone" is what bothers her. She is frustrated by good, good people who are trying to interact. She thanked Polly Fry for bringing information she had requested. She also thanked Bill Kampe, she watched him on television at the council meeting and stated that he treats others with common decency. She requested a copy of the meeting tape. Mrs. Moore stated that there are three versions of the ordinance. She searched in August and found an approved version from September 2007 and said the current version was passed in 04/15/09 and on the web (city) site. She stated the

response she got from the arborist regarding a tree replant was that she was told anywhere on the west side of her property. She feels that citizens need more help from the arborist. Mr. Cowan stated that off the tree list Mr. Akeman referred to there are 9 to 13 good trees. Mrs. Puget stated that she had finally spoken to the arborist and he referred her to the BNRC with regard to her replant requirement. Mr. Kampe told the group that Mayor Cort had asked him to sit in on the meetings. He stated that he was in partial concurrence with Mr. Akeman's observations. He felt that, currently, trees are "not our friends" rather problems in the making and that the ordinance needs to be shifted to make trees our friends. Mrs. O'Connell stated that the street trees at Funston and Presidio need branch cleaning and that hazardous trees should be removed.
Open Comment was closed.

The 90 minute tape ended. Mr Myers stated that he was sympathetic to a lot of issues. He stated he has a big pine that is a big pain. He does not support the 2:1 replant requirement. He said it does not make sense. He shared a personal story of a second pine on his property that was not growing well. He further stated that we cannot let future generations worry about trees.

Mr. Akeman stated that the 2:1 is required because half of all trees die.

Replacement is in the ordinance that way because the enforcement period is only for 2 years.

Ms. Anton recommended that the first part of the review be for the first six pages of the tree portion of the ordinance to Article 4.

"Point of Order"

Mrs O'Connell asked for a copy of the ordinance and Ms. Anton responded that she would take one to her home and would provide copies to anyone who requested one.

"Point of Order"

Motion by Mr. Kapp, second by Mr. Myers that the scope of the will be to review the entire tree ordinance by the full committee, certain sections each month.
5 ayes.

D. Rocky Shores Trail: Nothing to report

E. BID: Nothing to report

F. Reviewed goals, no changes

5. New Business

A. Tree permit summary: Motion by Mr. Akeman, second by Mr. Kapp to accept the report. 5 ayes.

B. Appeal by Barbara Puget re: tree plant requirements.

Mrs. Puget reported that she has removed one tree and is removing another one and cannot plant 4 trees, the recommendation by the arborist is Canary Island pines. She stated that she has 13 trees on her property including oaks and pittisporums. The committee will go to her property to see the existing conditions.

Guest 1 was shocked that the committee would make a site visit. Mrs. O'Connell stated it was a waste of time to visit and the better effort is to clean up the language of the ordinance.

6. Sub Committee reports

A: Recycling: Staff will be putting out additional recycling containers

B: Shoreline Steering Sub Committee: Signs will be going up over the summer

Other items:

Mr. Akeman shared that 19 pups were born this season on the 5th St. beach and the protection fence can come down.

7. Correspondence: None

8. Agenda items for next meeting: 69 17 Mile Drive appeal
Site visit at Hillcrest and Forest re: lamposts

9. Adjournment: Motion by Mr. Akeman, second by Mr. Myers at 6:10 pm 5 ayes