

ORDINANCE NO. 2013-\_\_\_\_\_

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA AMENDING CHAPTER 2.450 OF THE SAN BUENAVENTURA MUNICIPAL CODE TO REORGANIZE THE TREE ADVISORY COMMITTEE FROM THE PUBLIC WORKS DEPARTMENT TO THE PARKS, RECREATION AND COMMUNITY PARTNERSHIPS DEPARTMENT AND TO ADD UNREASONABLE VIEW AND SUNLIGHT OBSTRUCTION CLAIMS TO THE COMMITTEE'S RESPONSIBILITIES OVER CITY STREET TREES**

The Council of the City of San Buenaventura does ordain as follows:

Section 1. Findings. The City Council finds and determines that it does not wish City trees of any kind to be subject to the View Dispute Resolution Ordinance set forth in Chapter 8.900 of the San Buenaventura Municipal Code. However, the Council does wish to provide the opportunity for staff and the Tree Advisory Committee to consider the impacts of City trees upon view and sunlight when the question arises.

Section 2. Chapter 2.450 of the San Buenaventura Municipal Code is amended in its entirety to read as follows:

Chapter 2.450 – Tree Advisory Committee

Sec. 2.450.010. - Administration.

The director of ~~public works~~parks, recreation and community partnerships, or designee, shall serve as the committee secretary and custodian of its records, but shall have no vote.

Sec. 2.450.020. - Duties.

The tree advisory committee has the power and the duty to consider, investigate, report, and recommend any issue or questions relating to street or private trees, including questions about unreasonable view and sunlight obstruction which may be caused by city owned or maintained trees, as requested by the City Council, City Manager, or designee through the parks and recreation commission. In addition, the tree advisory committee will assist, advise, and recommend action to the parks and recreation commission regarding the following matters:

1. Assist in developing, reviewing, and amending the comprehensive street tree management plan, street tree inventory, and City tree master plan.

2. Advise on technical problems related to trees, including management techniques concerning all phases of urban forest management.

3. Recommend policies and guidelines on tree removal, replacement, and maintenance. The committee will review these policies and guidelines annually.

Section 4. CEQA Findings.

EXEMPTION FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council finds that this Ordinance is exempt under Section 15061(b)3 of the of Title 14 of the California Code of Regulations (the "State CEQA Guidelines") in that the enactment of this Ordinance merely implements an administrative process that will not foreseeably result in construction activities or other physical activities, either directly or indirectly. Accordingly, it can be seen with certainty that the enactment of this Ordinance does not have the potential to result in significant effects on the environment.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2013.

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Mike Tracy, Mayor

ATTEST:

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Cynthia M. Rodriguez, MMC  
City Clerk

APPROVED AS TO FORM

By: \_\_\_\_\_  
Ariel Pierre Calonne  
City Attorney