



STAFF REPORT

DATE: 11/06/2024
TO: Honorable Mayor and City Council Members
FROM: Community Services Department

2024-126

REQUEST FOR CITY COUNCIL ACTION

SUBJECT:

CITY COUNCIL ADOPTION OF ORDINANCE NO. 3401, SECOND READING OF AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING CHAPTER 12.22 OF THE CORONA MUNICIPAL CODE TO CLARIFY TREE MAINTENANCE RESPONSIBILITIES

EXECUTIVE SUMMARY:

This staff report asks the City Council to approve an amendment to the Urban Forest Management Plan to include an optional tree trimming residential pay program, a tree refusal process, and protection measures for large native trees. Approval of this action will enable Community Services to offer a payment program for residents who wish to have City trees or shared responsibility trees located in the parkway adjacent to their home trimmed outside of the regular grid pruning schedule for aesthetic reasons. It will also provide residents with a refusal process for new tree planting in the resident's parkway and allow the City to protect large native trees in both public right of way and open space. This staff report also asks the City Council to amend certain sections of Chapter 12.22 of the Corona Municipal Code (CMC) to clarify the City's responsibilities with respect to the maintenance of city trees and shared responsibility trees.

RECOMMENDED ACTION:

That the City Council:

- a. Adopt Resolution No. 2024-084 approving the updated Urban Forest Management Program and repealing Resolution No. 2021-029.
- b. Introduce, by title only, and waive full reading of consideration of Ordinance No. 3401, the first reading of an ordinance approving an amendment to Sections 12.22.030 and 12.22.050 of the Corona Municipal Code regarding the City's responsibilities for maintenance of trees in parkways.

BACKGROUND & HISTORY:

The City of Corona's Urban Forest Management Plan ("Management Plan") was adopted on May 19, 2021. The Management Plan outlines the guidelines and procedures for the care and protection of trees to enhance the health, safety, welfare, and quality of life for all residents, business owners, and visitors in Corona. The City of Corona ("City") recognizes that trees offer numerous benefits, including environmental, aesthetic, social, and economic advantages. Specifically, trees offer visual appeal, provide shade and cooling, conserve energy, control erosion, filter airborne pollutants, decrease noise, offer privacy, support wildlife habitats, and release oxygen.

The City of Corona has over 77,000 tree sites in open spaces and landscaped areas. Within the framework of the City's Tree Maintenance Program, these trees receive regular trimming following the standards as set by the International Society of Arboriculture and ANSI-A300, ensuring their health, integrity, and public safety. Regular trimming promotes the health and safety of trees, reducing the risk of falling branches or tree-related accidents. This safeguards both public and private properties and minimizes liabilities for the city. West Coast Arborists, Inc. (WCA) is the City's contracted maintenance provider, and they trim an average of 12,000 trees annually.

Chapter 12.22 of the Corona Municipal Code sets forth the Community Urban Forest and Landscape Guidelines, which creates a framework for the planting and maintenance of city and shared responsibility trees, and provides guidance for the proper selection, planting, removal, and maintenance of the City's community forest.

Currently, the Community Service Department maintains a five-year grid pruning schedule for all city-maintained trees, except for palm trees, which are pruned annually. The City receives many additional tree-trimming requests each year from residents due to the proximity of many City trees and shared responsibility trees located near privately owned properties. Upon receiving such requests, staff thoroughly inspect the trees, assessing whether trimming is warranted according to current standards and criteria. Priority is given to health and safety concerns, and requests for purely aesthetic reasons generally do not meet the City's criteria for tree trimming.

ANALYSIS:

UPDATED URBAN FOREST MANAGEMENT PLAN

Residential Pay Program

City staff recommends updating the Management Plan to include a "Residential Pay Program" that will permit residents to pay for additional tree trimming services beyond the

regularly scheduled pruning if desired for aesthetic reasons or to minimize leaf litter and fruit drop.

By proactively maintaining trees through a residential pay program, the City will optimize the allocation of resources by prioritizing tree maintenance based on the residents' preferences. In Fiscal Year 2023, the City incurred expenditures of \$400,133 for additional tree trimming requests from residents. In Fiscal Year 2024, expenditures increased to \$628,526. This program is anticipated to mitigate some of these costs.

City staff will oversee the evaluation of requests under the residential pay program, assess whether trees meet the program's criteria, and arrange the trimming schedules. The pricing structure was established based on various factors, including the specific purpose of the requested tree trimming and the location of the tree. Based on WCA's current pricing schedule, trees requiring trimming for clearance purposes would cost \$94 per tree. Trees requested to be trimmed for aesthetic purposes and/or trees situated on aerial slopes are priced at \$239 per tree, and trees on slopes are priced at \$359 per tree. Residents can request to have trees trimmed up to every six months, and all services approved within this program will be scheduled for completion within 30 days following payment. The fees charged as part of the residential pay program will correspond to the City's then-current contracted rates for tree maintenance services.

The fees associated with the Residential Pay Program will be returned to Council for review and approval as part of the City's minor fee update and clean-up scheduled for October 16, 2024.

Tree Refusal Process

The updated Management Plan includes a "Tree Refusal Process" that allows residents to appeal the planting of trees in residential parkways adjacent to or in front of their homes. This process offers residents a structured way to resolve disputes regarding new tree plantings within their adjacent parkways and ensures that decisions regarding trees are made objectively and comply with local laws, regulations, and ordinances.

The Tree Refusal Process requires the property owner to submit a written formal request for refusal of a tree with a statement listing their reasons for refusal. The following reasons are *not* eligible for refusing a tree and will not be considered through this process:

- a. The property owner does not want a tree on their property.
- b. The tree will produce fruiting or leaf litter.
- c. The tree will block views.
- d. The tree has the potential to cause root damage in the future.
- e. The property owner perceives the tree to be a fire hazard.
- f. The property owner does not want to pay irrigation costs for the tree.

Such appeals would be reviewed by the Parks & Recreation Commission, and a recommendation by the Commission will be forwarded to the City Council for final review and decision. The City Council determination will not be subject to appeal.

Staff will continue to educate property owners through the implementation of this process about the importance of trees, proper tree care, and the environmental benefits they provide to help reduce misconceptions about trees and build more understanding and support for the City's reforestation efforts. The process supports long-term planning for urban forestry and green infrastructure and ensures that decisions regarding trees align with broader community goals and objectives.

Protection of Large Native Trees

The updated Management Plan also provides for the protection of Large Native Trees in a manner similar to Heritage Trees. Large Native Trees are defined in the Management Plan as a tree that is indigenous to Riverside County and has a diameter of 30 inches or greater at breast height (4.5 feet above ground). For a listing of native trees, visit [Search California Native Plants \(calflora.org\)](https://www.calflora.org/).

The Large Native Tree Protection allows for existing established native trees that are either in the public right of way, parks, or general open spaces to be protected from removal. This policy may also apply to private trees with the written consent of the owner of the real property on which the private tree is located at the time the designation is made. Trees protected under this policy include those that may be impacted by construction activities or development of the area. The trees would be evaluated by an Arborist to ensure their health and safety, and the City would make efforts to protect them or relocate them. In cases where it is not feasible to retain the trees and removal is deemed necessary, the trees would be replaced at a 2:1 ratio indicated in the Management Plan with a City approved tree species.

CHAPTER 12.22 AMENDMENTS

City staff is also recommending amendments to CMC Sections 12.22.030 and 12.22.050 to make changes consistent with the updates to the Management Plan and to clarify the responsibilities of the City with respect to the maintenance of City trees and shared responsibility trees.

Chapter 12.22 of the Management Plan states that the City is responsible for the planting and maintenance (other than watering) of shared responsibility trees. Shared responsibility trees are defined as trees planted within a parkway at the City's express written direction and approval. Property owners are responsible for, among other things, properly watering shared responsibility trees.

The proposed ordinance would clarify that the City's tree maintenance obligations, if any, are limited to those placed on the City by applicable state laws, rules, or regulations, including, but not limited to, any case law governing the City's responsibility with respect to avoiding a dangerous condition of public property.

FINANCIAL IMPACT:

Approval of the recommended actions will result in no additional appropriation of funds as prior approval of \$413,000 is already in place for the upfront cost of the contractual

obligation with the landscape contractor. Residential Pay Program revenue estimates will be included with the proposed fees for the October 16, 2024 meeting.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action is to approve updates to the Urban Forest Management Plan and CMC Chapter 12.22, and there is no possibility that this project will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: SARAH ARCE, MANAGEMENT ANALYST I & MOSES CORTEZ, FACILITIES, PARKS, AND TRAILS MANAGER

REVIEWED BY: DONNA FINCH, COMMUNITY SERVICES DIRECTOR

ATTACHMENTS:

1. Exhibit 1 – Ordinance No. 3401 Amending CMC Sections 12.22.030 and 12.22.050