



**MONDAY, AUGUST 8, 2011**

**7:00 P.M. - REGULAR ENVIRONMENTAL COMMISSION MEETING**

Council Chambers, Los Altos City Hall  
One North San Antonio Road, Los Altos, California

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Members of the audience may bring to the Commission's attention any item that is not on the agenda. Please complete a "Request to Speak" form and submit it to the Staff Liaison. Speakers are generally given two or three minutes, at the discretion of the Chair. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as "the Brown Act") items must first be noticed on the agenda before any discussion or action.

**CONSENT CALENDAR**

These items will be considered by one motion unless any member of the Commission or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Chair.

1. Commission Minutes  
Approval of minutes -- Regular Meeting of July 11, 2011.

**DISCUSSION ITEMS**

2. Opportunity for Partnership with Cal Water for Water Efficient Landscape Education Classes  
Presentation by Cal Water staff.
3. Sustainability Element in the General Plan
  - a. Activity progress report by Environmental Commission Task Force.
  - b. Status update on Request for Proposal (RFP).
4. City of Los Altos 60<sup>th</sup> Anniversary Celebration  
Report by Commissioner Anderson on Planning Committee meeting May 19, 2011.
5. Environmental Commission Work Plan Progress Review

Review and discussion of 2011-2012 Work Plan presented to City Council at the Joint Meeting on April 5.

6. Items for Information

- a. City of Los Altos tree ordinance and enforcement for protected trees.
- b. Plans for new Construction waste management.
- c. Can IT support resident electronic sign-up on list serve for City Newsletter?
- d. Status update on single-stream waste receptacles for downtown.

**COMMISSION REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS**

**ADJOURNMENT**

**SPECIAL NOTICES TO PUBLIC**

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Human Resources Department 72 hours prior to the meeting at (650) 947-2607.

Agendas, Staff Reports and some associated documents for Environmental Commission items may be viewed on the Internet at <http://losaltosca.gov/committees-commissions/environmental/meetings.html>

On occasion the Environmental Commission may consider agenda items out of order.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Environmental Commission meeting may not be the final documents approved by the Commission. Contact the City Clerk at (650) 947-2720 for the final document.

If you wish to provide written materials, please provide the Environmental Commission Staff Liaison with **10 copies** of any document that you would like to submit to the Commissioners in order for it to become part of the public record.

For other questions regarding the meeting proceedings, please contact the City Clerk at (650) 947-2720.

**MINUTES OF A REGULAR MEETING OF THE ENVIRONMENTAL COMMISSION  
OF THE CITY OF LOS ALTOS, HELD ON MONDAY, JULY 11, 2011, AT  
7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD,  
LOS ALTOS, CALIFORNIA**

**ROLL CALL**

PRESENT: Rosewater, Bray, DeMichiel, Anderson, Keller, Reed, Eyre

ABSENT: None

**PUBLIC COMMENTS**

None

**CONSENT CALENDAR**

1. Commission Minutes  
MOTION BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER BRAY to approve the minutes of the meeting of June 13, 2011. THE MOTION CARRIED UNANIMOUSLY.

**DISCUSSION ITEMS**

2. Residential, Commercial and Downtown Recycling and Public Education Outreach  
Report from Teresa Montgomery and Louis Pellegrini from Mission Trail Waste System (MTWS). Discussion on progress made and statistical data on residential and commercial recycling, composting, and waste collections and education programs.  
  
Consensus to recommend to staff the following language on downtown receptacles: "Recyclables, Organics, Garbage OK, Contents sorted offsite". Prefer banding of label around receptacles, but on lid is also ok with recycling logo.
3. Environmental Commission Website Revisions  
Activity progress report and discussion by Environmental Commissioners. Commissioners Rosewater, Keller, DeMichiel will review website materials when revisions are completed.
4. Sustainability Element in the General Plan  
Activity progress report and discussion by Environmental Commission Task Force. Task Force will work with James Walgren and report back at August meeting. Plan is to have a Request for Proposal (RFP) for consultant services.
5. City of Los Altos 60<sup>th</sup> Anniversary Celebration  
Report by Commissioner Anderson. Celebration Gala is planned for December 2012.
6. Environmental Commission Work Plan Progress Review  
Review and discussion of 2011-2012 Work Plan presented to City Council at the Joint Meeting on April 5.

7. Items for Information

- a. Downtown Recycling City Newsletter Article – Summer Edition.
- b. Water Efficient Landscape Education – Letter from Cal Water. Staff will invite Cal Water to August meeting for a presentation of the education programs.
- c. Brown Act Article – Western Cities Magazine

**COMMISSION REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS**

**ADJOURNMENT**

Chair Rosewater adjourned the meeting at 8:30 p.m.

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J. Logan, Assistant City Manager and STAFF LIAISON

**Michael Horta**

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**From:** J Logan  
**Sent:** Thursday, August 04, 2011 2:50 PM  
**To:** Michael Horta  
**Subject:** FW: Water Efficient Landscape Education Class Partnership Opportunity  
**Attachments:** List of Talks.doc

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**From:** Williams, Jade [mailto:jawilliams@calwater.com]  
**Sent:** Friday, June 24, 2011 5:20 PM  
**To:** J Logan  
**Subject:** Water Efficient Landscape Education Class Partnership Opportunity

Ms. Logan,

I am with California Water Service Company and am in the process of putting together a free water efficient landscape education class for my Los Altos District customers. I was advised to get in touch with you to ask if the City of Los Altos would be interested in partnering up with Cal Water in offering this class? I believe through our partnership we can educate a large part of our community on a topic we both feel is important; conserving water. On our end, we staff the event, provide the instructor, provide refreshments, handle the RSVP's, and the customer outreach. If you choose to partner with us, you would provide the venue with audio/visual capabilities and contribute to the local outreach. If you are interested, I would need some dates and times that would work best for you in August, September, October or November. I have attached a list of some possible topics. Please look it over and let me know some topics that speak to your interest as well. We can pretty much tailor a class according to what we believe the audience will be interested in, so don't let the list limit the possibilities. I hope we can arrange a time to talk about this opportunity in more detail. Thank you for your consideration and I look forward to the possibility of working together on this. Feel free to contact me if you have any questions.

Thank you,

Jade Williams  
Conservation Coordinator  
California Water Service Company  
(408) 367-8369



This e-mail and any of its attachments may contain California Water Service Group proprietary information and is confidential. This e-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this e-mail, please notify the sender immediately by replying to this e-mail and then deleting it from your system.



**Designing Attractive Landscapes Using Natives** - Learn how to select native plants that will thrive in your garden, taking into account the sunlight, soil, slope, and water conditions that are special to your site. Get design tips to utilize the unique beauty of native plants.

**Bird and Butterfly-Friendly Landscaping** - Learn how to attract beautiful and uncommon native birds and butterflies by making small changes to your garden to create the habitat they need, and the attractive garden you want.

**Tranquil Japanese Gardening with Rocks and Drought-Tolerant Plants** –Discover a type of dry Japanese gardening, called Karensansui, which uses rocks to symbolize nature and water in the landscape. Create harmony in the garden by working with our typical Bay Area weather conditions and natural rain cycles. Learn about the plants suited for this style of landscape, and how you can apply this design to your garden to save water and reduce your water bill.

**California Plants for Every Garden** – Learn about beautiful California plants that you can grow successfully in different home garden situations. Soil preparation and garden maintenance will also be discussed. With this understanding, you will be able to select California plants that save water and convey a sense of place with their natural beauty.

**Designing Water-Efficient Landscaping** – Learn about California Natives, soil preparation, and the incorporation of landscape materials to create a beautiful water efficient garden.

**California Natives, Water Conserving Strategies & Innovative Materials** – Some landscapes are “greener” than others. Bring your landscape into the 21st century by learning about the garden’s natural cycles for sustainability. This talk includes photos or attractive gardens using California Native plants, water conservation strategies, and innovative materials.

**Achieving Efficient Irrigation Systems** – Whether you are a homeowner looking to upgrade your own system, or a landscape professional, you can achieve optimum efficiency with any existing sprinkler or drip system. From simple adjustments and repairs to full renovations, you’ll come away with the knowledge and ability to take any level of action!

**Efficient Irrigation Design & Installation** - Learn how to install a new system or upgrade an existing system to optimize efficiency and help your garden thrive while conserving water!

**Lawn Removal, Alternatives & Management** - Replacing lawns appropriately provide beautiful landscape and reduce maintenance costs.

**Water Efficient Garden Planning** - Learn about plant selections, soil preparation and irrigation techniques to achieve a water –efficient garden.

**Water-Saving Irrigation Techniques and Maintenance for Professional Landscapers** - This class will cover effective irrigation practices, troubleshooting and upgrading existing irrigation systems to help save water! Learn about system automation with valves, timers, and rain sensors. Discover innovative water-saving irrigation solutions that can help save more than half of the water you use in the landscape!

**Gardening with California Native Plants** – Learn about California’s wonderful plants for use in your own garden. Save water, encourage bird and butterfly habitat and garden organically using the plants that were here first! Potted examples of CA Natives will be shown and given away to participants.

**Create a Water-Saving Mediterranean Inspired Garden** – Transform your yard to a water-saving Mediterranean inspired garden! Learn how to choose the plants that thrive in your area’s climate and soil type, incorporate pottery, flagstone, gravel, boulders and other hardscape materials that are Mediterranean inspired.

**No Fuss Landscape Beautification** – Create or enhance your garden with beautiful plants that are low maintenance and support sustainability. Learn how sustainable garden practices save money and resources!

**Our Native Plants** – California is home to a diverse range of habitats and a vast array of beautiful native plant species that generally need less care, support native birds and other important pollinators, as well as provide the gardener with a sense of place. Create a garden or enhance your garden by incorporating Ca. natives with your favorite plants.

**Water-Wise Organic Vegetable Gardening** - An introduction to efficiently and sustainably growing healthy food for you and your family.

**Sustainable Gardening with California Natives** - Introduction to selecting water-wise plants and creating beauty that sustains you and the environment.



ITEM 6A

SUPPLEMENT HISTORY TABLE  
Title 11 - MISCELLANEOUS PROPERTY REGULATIONS  
Chapter 11.08 - TREE PROTECTION REGULATIONS

**Chapter 11.08 - TREE PROTECTION REGULATIONS**

**Sections:**

- 11.08.010 - Definitions.
- 11.08.020 - Application of chapter.
- 11.08.030 - Actions prohibited.
- 11.08.040 - Protected trees.
- 11.08.050 - Heritage tree designations.
- 11.08.060 - Tree removal permits required.
- 11.08.070 - Approval authority.
- 11.08.080 - Notification.
- 11.08.090 - Determination on permit.
- 11.08.100 - Emergency waivers and exemptions.
- 11.08.110 - Appeals.
- 11.08.120 - Tree protection during construction.
- 11.08.130 - Delegation of functions.
- 11.08.140 - Violations—Penalties.

**11.08.010 - Definitions.**

The following words and phrases when used in this article shall have the meaning set forth herein, except where the context clearly indicates a different meaning:

"Damage" means any intentional action or negligence which causes injury, death or disfigurement of a tree. Actions include, but are not limited to, cutting, girdling, poisoning, overwatering, unauthorized relocation or transportation of a tree or trenching, excavating, altering the grade or paving within the dripline of a tree.

"Development review application" means application for land alteration or development, including but not limited to tentative subdivision map, design review, variance, use permit, rezoning, planned unit development and tree removal.

"Dripline" means the outermost line of the tree's canopy projected straight down to the ground surface. As depicted in a plan view, the dripline generally appears as an irregularly shaped circle.

"Heritage tree" means any tree so designated by the historical commission, based on the finding that the tree has character, interest, or value as part of the development of, and/or exemplification of, the cultural, educational, economic, agricultural, social, indigenous, or historical heritage of the city.

Protected Tree (See Section 11.08.040).

"Pruning" means the cutting or taking away of more than thirty-three percent of the living foliage material (including branches) of a tree in any twelve (12) month period or as otherwise determined by the planning director. (See the definition for tree removal in this section.)

"RI" means any single-family residential zoning district, for example, Ri-b, RI-20. Ri-H, R1-40.

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"Remove" (See the definition for tree removal in this section).

"Tree" means a woody perennial plant characterized by having a main stem or trunk or a multi-stemmed trunk system with a more or less definitely formed crown, and is usually over ten (10) feet high at maturity.

"Tree removal" means the removal of a tree, including pruning. (See the definition for pruning in this section).

(Prior code § 10-2.26501)

**11.08.020 - Application of chapter.**

This chapter shall apply to every owner of real property within the city and to every person responsible for removing a tree regardless of whether such person is engaged in a tree removal business.

(Prior code § 10-2.26502)

**11.08.030 - Actions prohibited.**

- A. It is unlawful to damage or kill any protected tree; and
- B. It is unlawful to remove any protected tree from private or public property in any zoning district without first obtaining a tree removal permit.

(Prior code § 10-2.26503)

**11.08.040 - Protected trees.**

A protected tree is any of the following:

- A. Any tree that is forty-eight (48) inches in circumference measured at forty-eight (48) inches above grade;
- B. Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation;
- C. Any tree which was required by the city to be either saved or planted in conjunction with a development review application.

(Ord. 07-314 § 2 (part); prior code § 10-2.26504)

**11.08.050 - Heritage tree designations.**

A. Applications. Applications for designation of a heritage tree may be filed by the owner of the property on which the tree is located. The city council or planning commission may also, by resolution or motion, refer a proposed designation to the historical commission, or the historical commission may also consider a proposed designation upon its own initiative. Applications by property owners shall be prepared in accordance with instructions provided by the planning director.

B. Study. The historical commission shall conduct a study of the proposed heritage tree, based upon such information or documentation as it may require from the applicant, the commission staff, or from other available sources.

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C. Property owner notification. The historical commission shall notify the owner of the property on which the tree is located of the meeting at which the commission will consider the tree for designation. The notice shall be mailed to the recorded owner(s) as shown on the last equalized assessment roll and shall be mailed at least thirty (30) days prior to the meeting unless the property owner(s) agree in writing to a lesser notification period. Failure to receive notice shall not invalidate any proceedings under this chapter.

D. Action on designation. The historical commission may either deny or approve or designation based on the criteria outlined in Section 12.44.030 of this code.

(Prior code § 10-2.26505)

**11.08.060 - Tree removal permits required.**

In order to remove any protected tree, a tree removal permit must be obtained. All applications for a tree removal permit shall be prepared in accordance with instructions provided by the planning director, and when the application is filed independent of any other development review application, it shall be accompanied by a fee which shall be established by city council resolution.

(Prior code § 10-2.26506)

**11.08.070 - Approval authority.**

Notwithstanding the provisions of Section 11.08.100 of this chapter, the approval authority for tree removal requests shall be as follows:

- A. For heritage trees: the approval authority shall be the historical commission.
- B. For all other protected trees:
  - 1. The approval authority for tree removal requests filed independent of any other development review application shall be the planning director.
  - 2. The approval authority for tree removal requests filed in conjunction with another development review application shall be the same approval authority as established by this code for the accompanying development review application.

(Prior code § 10-2.26507)

**11.08.080 - Notification.**

When a tree removal application involves a tree(s) which was designated for preservation at the request of a neighboring property owner(s) in conjunction with a development review application, the current owner(s) of said neighboring property(s) shall be notified of the meeting at which the approval authority will consider the tree removal. The notice shall be mailed to the recorded owner(s) as shown on the last equalized assessment roll and shall be mailed at least ten (10) days prior to the meeting. Failure to receive notice shall not invalidate any proceedings under this chapter.

(Prior code § 10-2.26508)

**11.08.090 - Determination on permit.**

- A. Criteria. Each application for a tree removal permit shall be reviewed and determined on the basis

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of the following criteria:

1. The condition of the tree with respect to disease, imminent danger of falling, proximity to existing or proposed structures and interference with utility services;
2. The necessity to remove the tree for economic or other enjoyment of the property;
3. The topography of the land and the effect of the tree removal upon erosion, soil retention and the diversion or increased flow of surface waters;
4. The number, species, size and location of existing trees in the area and the effect the removal would have upon shade, privacy impact, scenic beauty, property values and any established standards of the area;
5. The number of healthy trees the property is able to support according to good forestry practices;
6. The approximate age of the tree compared with average life span for that species;
7. Whether there are any reasonable and feasible alternatives that would allow for the preservation of the tree.

B. Additional recommendations. The approval authority may refer the application to another department, commission or person for a report and recommendation. The approval authority may also require the applicant to furnish a written report from an independent tree expert acceptable to the approval authority, such report to be obtained at the expense of the applicant.

C. Action. Based on the criteria outlined in subsection A of this section, the approval authority shall either approve, conditionally approve, or deny the application. Conditions of approval may require that one or more replacement trees be planted of a species and size and at locations as designated by the approval authority. When deciding upon replacement tree(s), the approval authority will take into consideration: (1) the cost of replacement trees; and (2) the wishes of the property owner relative to the species of tree to be planted. Any such replacement trees shall be obtained and planted at the expense of the applicant.

(Prior code § 10-2.26509)

**11.08.100 - Emergency waivers and exemptions.**

A. In case of emergency caused by hazardous or dangerous condition of a tree requiring immediate action for the safety of life or property, a tree may be removed upon the order of the planning director, the director of public works or any member of the police or fire department without the necessity of applying for a tree removal permit;

B. Employees of the city may take such action with regard to trees on city-owned property as may be necessary to maintain the safety of city operations and/or the safe conditions on city property, without the necessity of applying for a tree removal permit; and

C. Public utilities subject to the jurisdiction of the public utilities commission of the state of California may also take such action as may be necessary to comply with the safety regulations of said commission and as may be necessary to maintain a safe operation of their facilities without the necessity of applying for a tree removal permit.

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(Prior code § 10-2.26510)

**11.08.110 - Appeals.**

Any action of the approval authority may be appealed by the applicant or any interested party to the city council. Said appeal shall be in writing, shall state the reasons for the appeal, shall be accompanied by a fee which shall be set by city council resolution and shall be filed with the city clerk within ten (10) calendar days of the decision.

(Prior code § 10-2.26511)

**11.08.120 - Tree protection during construction.**

Protected trees designated for preservation shall be protected during development of a property by compliance with the following, which may be modified by the planning director:

- A. Protective fencing shall be installed no closer to the trunk than the dripline, and far enough from the trunk to protect the integrity of the tree. The fence shall be a minimum of four feet in height and shall be set securely in place. The fence shall be of a sturdy but open material (i.e., chainlink), to allow visibility to the trunk for inspections and safety. There shall be no storage of any kind within the protective fencing.
- B. The existing grade level around a tree shall normally be maintained out to the dripline of the tree. Alternate grade levels may be approved by the planning director.
- C. Drain wells shall be installed whenever impervious surfaces will be placed over the root system of a tree (the root system generally extends to the outermost edges of the branches).
- D. Trees that have been damaged by construction shall be repaired in accordance with accepted arboriculture methods.
- E. No signs, wires, or any other object shall be attached to the tree.

(Ord. 07-314 § 2 (part); prior code § 10.2.26513)

**11.08.130 - Delegation of functions.**

The planning director and director of public works may delegate any or all of the administrative duties authorized by this chapter to one or more staff members.

(Ord. 07-314 § 2 (part); prior code § 10-2.26514)

**11.08.140 - Violations—Penalties.**

The violation of any provision contained in this chapter is hereby declared to be a misdemeanor and shall be punishable as prescribed in Chapter 1.20 of this code. In addition thereto, any person unlawfully removing or destroying any tree without a permit shall be penalized as follows:

- A. Replacing the unlawfully removed tree with one or more new trees which, in the opinion of the planning director, will provide equivalent aesthetic quality in terms of size, height, location, appearance and other characteristics of the unlawfully removed tree.
- B. Where replacement trees will not provide equivalent aesthetic quality because of the size,

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age or other characteristics of the unlawfully removed tree, the planning director shall calculate the value of the removed tree in accordance with the latest edition of the Guide for Establishing Values of Trees and Other Plants, as prepared by the council of tree and landscape appraisers. Upon the determination of such value, the planning director may require either a cash payment to the city to be added to the street tree fund, or the planting of replacement trees as designated by the planning director, or any combination thereof, in accordance with the following:

1. To the extent that a cash payment is required for any portion or all of the value of the removed tree, such payment shall be doubled to reflect the estimated installation costs that would be incurred if replacement trees are planted; and
  2. To the extent that the planting of replacement trees is required, the retail cost of such trees, as shown by documentary evidence satisfactory to the planning director, shall be given for transportation, installation, maintenance and other costs incidental to the planting and care of the replacement trees.
- C. Any person who is required to plant replacement trees pursuant to subsection A or B of this section shall maintain such trees in a good and healthy condition, as determined by the planning director. The planning director may require a maintenance bond or other security deposit approved by the city finance department which shall be provided to the city by the person required to plant replacement trees. The bond shall be in an amount of money and for a period of time determined by the planning director.

(Ord. 07-314 § 2 (part); prior code § 10-2.26515)