

Council decides on updated tree ordinance

By Lou Fancher

Senior Planner Arly Cassidy brought a staff report updating the city's Tree Protection Ordinance to the meeting on April 22. In a joint meeting with the Planning Commission, staff requested the council and commissioners discuss and provide direction on several key elements relevant to the city's declared priority of addressing wildfire safety.

The key issues outlined in the update included adding language clarifying which trees are protected by the ordinance, streamlining the permit and improvement process for removing trees, measures for balancing environmental and aesthetic benefits of trees when assessing fire risks and fuel management, delineating distinctions between trees in the downtown and trees in residential neighborhoods, resolving existing and future conflicts between trees and utilities/infrastructure, particularly in the downtown, mitigating planting requirements and enforcement, creating recommended tree lists with approved species and planting seasons, and other technical matters.

Staff has been working with planning consultant Healthier Coleman to update the ordinance. She asked for feedback on specific issues and for overarching amendments necessary to proceed with the proposed work plan.

The ordinance was adopted in 2003 and amended in 2010 and 2014. During the subsequent decades since it was adopted, the council has gained experience and received feedback from the public about ways the ordinance can be improved, according to Coleman. In 2023, the city updated its Safety Element (SE) and established policies related to

defensible space. One specific part of the SE includes references to the fire risks created by dead, dying, and non-native trees. Among the priorities for the FY2024-25 is wildfire safety - giving reason for the project to proceed immediately to address the key issues. As part of the staff request to move forward promptly, the report emphasized having adequate time to receive public comments and to research and analyze the alternatives as the ordinance develops and a final draft is prepared for council approval.

Coleman said meetings with stakeholders are ongoing and will include the fire department, community groups, the public, and elected officials directly involved in the issues. She said city meetings open to the public are a major component of the outreach, and including the announcements in the city's "Weekly Roundup" will invite more feedback from the community.

Questions from the planning commission began with a request for staff to provide greater clarity on specific language in the ordinance and the ordering of priorities identified as key issues. Council members asked about additions, word definitions, narratives expanded to include new elements, and greater clarity related to CalFires' "protected space" terminology and the SE's "defensible space" references. Economic issues related to fire insurance and impact on zoning were also introduced as topics council said should be addressed.

Public comments highlighted the importance and value of receiving input from professional arborists and master gardeners when

developing the ordinance, consideration of the cost of tree removal for homeowners, and the positive and negative impacts of a tree protection ordinance on fire insurance policies.

Staff plans to consult with nearby cities to learn about their tree protection ordinances. Council member Susan Candell said the list should include cities in high fire risk zones similar to Lafayette's location. Mayor Gina Dawson urged staff to include Orinda and Moraga because their information and input would be highly relevant and directly applicable.

In response to timing questions posed by staff, the commissioners and council supported staff proceeding with the planned ordinance update without delay. Council member Wei-Tai Kwok said, "What we didn't know in 2003, when the ordinance was first done, was that—fast forward to today—that 21 of the last 22 years measured have been the hottest years since we established this. The last ten years have been the hottest on our planet and last year, 2023, was the hottest of all." He encouraged everyone to look at the ordinance as a plan for the next 20 years that is necessary for making the community safe. He emphasized using the two-word phrase, "public safety," as the master approach for organizing thoughts and discussions on the complex decisions and issues as the project moves forward.

The staff's request to proceed was approved by council, with emphasis on suggested amendments and keeping in mind the priority of getting the TPO update done right above completing it swiftly.

Transitional kindergarten is open to all Lafayette families

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TK is geared to provide accommodations for a wide range of student needs, and provides a curriculum under the universal pre-school plan for academic growth, which includes learning letters and numbers, as well as a focus on play-based learning first and foremost. In addition, TK supports toilet training, and the district has to make sure that teachers are prepared to navigate the physical, social, and emotional needs of very young children.

Although Lafayette began offering two TK classes in 2019, the program suffered from the effects of the Covid pandemic in 2020/21 school year, but came back in 2022/23 with four classrooms. This year, 2023/24, they still have four classrooms, but there is one at each elementary school in the district, and following renovations to meet the requirements for TK classrooms, Lafayette will have eight TK classrooms in the next school year.

Balmat would like parents to understand

that TK is a part of the public school system to which students in the district have a right. Unlike private pre-schools, there are no deadlines, no waitlists, no lotteries, or other impediments to being enrolled for TK. If a child meets the age and residence requirements, that child will be enrolled in a TK class, if their parents so desire. TK, like kindergarten, is not mandatory, however.

For the 2024/2025 school year, children who will turn five years old between Sept. 2 and June 2 are eligible, and by 2025/26, any child who turns four by Sept. 1 will be eligible. New student registration for TK-5 is open through May 24, and will later resume on July 8.

TK students are either on an "early" or "late" schedule, with those on the early schedule arriving at 8:15 a.m. and finishing at 11:45 a.m., and those on the late schedule arriving at 9:15 a.m. and finishing at 12:45 p.m. Before and after school daycare is offered on site by private providers. Depending on financial need or other needs of the family, Balmat explained that the

state provides financial support for extended nine hour care.

TK students also receive food from the universal breakfast and lunch program, but they don't eat with the other students or in their classrooms; they may consume food at recess or in after school care. TK and Kindergarten students have their own playgrounds, separate from those for older children in the school, but they also participate in school buddy programs, which pair up younger and older students. Additionally, TK students are fully included in school activities. For example, they receive instruction from school art teachers and music teachers.

Balmat emphasized that Lafayette is now fully staffed for TK and for the increased need for the next year. She praised their "amazing educators," who "trained for TK and continue to grow and learn about development needs of these students." She added, "It's a different approach to teaching. Teachers are making this shift possible for our kids to really shine."

To enroll, see www.lafsd.org/apps/pages/index.jsp?uREC_ID=3822615&type=d&pREC_ID=2524664

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