

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION TO APPROVE A HERITAGE TREE PERMIT TO ALLOW THE REMOVAL OF ONE (1) VALLEY OAK TREE AT 7517 PARK WOODS DRIVE (APN 077-182-07) (HT26-0002)

On January 15, 2026, the applicant, Enrique Molina, submitted an application to the Community Development Department requesting the removal of one (1) Heritage Oak Tree on his property addressed 7517 Park Woods Drive; and

On January 21, 2026, a 10-day public notice of pending Director's action was mailed to the property owners within 300 feet of the property on which the tree is located in accordance with Stockton Municipal Code (SMC) Section 16.13.030(C)(2)(a)(i); and

On February 2, 2026, a member of the community who received the notice submitted a request for a public hearing regarding the application; and

On March 13, 2026, public notice for the subject application was published in the local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030 and mailed to property owners within 300 feet of the project site; and

On March 26, 2026, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.13.030(C)(2)(a)(ii), at which point all persons wishing to be heard were provided such opportunity; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

A. The foregoing recitals are true and correct and incorporated herein reference.

B. Based on its review of the entire record herein, the Planning Commission makes the following findings:

California Environmental Quality Act

The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15304(b) (Minor Alterations to Land), since the project involves new gardening or landscaping and complies with Public Resources Code Section 21083.4 (Oak Woodlands Mitigation) which allows jurisdictions to mitigate the significant effects to oaks and oak woodlands by incorporating measures that include the replanting of trees. The planting of three (3) replacement Oak trees on-site is a condition of approval of this project.

HERITAGE TREE PERMIT

Per SMC Section 16.130.030, the removal of the tree is based on the following facts:

1. The condition of the tree with respect to disease, danger of falling, proximity to existing or proposed structures, and interference with utility services.

As outlined in a report by an ISA Certified Arborist, there is existing damage caused to the property and potential danger and damage posed by the state of the tree. Furthermore, if the applicant's insurance policy is canceled due to the tree not being removed, the ability for the homeowner to repair the home will be compromised.

2. The necessity to remove the tree in order to construct any proposed improvements, and the possibility of revising proposed tentative maps and improvement plans in order to save the trees.

The applicant submitted a letter from his homeowner's insurance company specifically identifying the subject tree as a high-risk threat to the continuance of the policy. The dismissal of the homeowner's insurance policy threatens the possibility of any future improvements to the property.

3. The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters.

The subject property has no significant grade/slope, and the removal of the tree has been determined to have no effect on erosion, soil retention, diversion and flow of surface waters.

4. The number of similar trees existing in the vicinity.

The significant majority of the properties along the entire length of Park Woods Drive have matured Heritage Oak Trees. The removal of the singular subject tree will not diminish the aesthetic quality of the neighborhood.

CONDITIONS OF APPROVAL

Conditions of Approval: Standard

1. The Owners, Developers, and/or Successors in Interest (ODS) shall comply with all applicable Federal, State, County, and City codes, regulations, laws, and other adopted standards and pay all applicable fees.

2. Compliance with these Conditions of Approval is mandatory. Failure to comply with these Conditions of Approval is unlawful and may constitute a public nuisance subject to the remedies and penalties identified in the SMC including, but not limited to, monetary fines and revocation of this Permit.
3. This Permit shall be maintained on site and shall be immediately made available to City personnel upon inspection of the facility.
4. Unless otherwise specified in project specific conditions below, if the project is not initiated within 12-months of the effective date, in compliance with SMC Section 16.96.020(A)(1)(a)(Initiation), and a time extension has not been filed in compliance with SMC Section 16.96.030 (Extensions of time), the project shall be void without further action by the Review Authority.
5. Building permit(s) are required from the City of Stockton Building & Life Safety Division for new construction or any alterations to the existing building(s) or site, including but not limited to, new structures, changes to the layout or use of the building(s), changes to the layout or use of the site, and any changes to the building systems (mechanical, electrical, and plumbing). A Planning entitlement approval does not authorize construction or the use of the building/site until the appropriate building permits have been obtained, if applicable.
6. Construction plans and supporting documents for the building permit submission shall be prepared by, and stamped and signed by, a California licensed architect or engineer. Stamping requirements apply to all disciplines including, but not limited to, civil, architectural, structural, mechanical, electrical, plumbing, and landscaping.

Conditions of Approval: Project Specific

7. The Permit shall become effective following the completion of a ten (10) day appeal period from the date of approval.
8. The Project approved by this action shall conform to the project plans per Exhibit 1.
9. Pursuant to SMC Section 16.130.060, any heritage tree that is removed or effectively removed shall be replaced on a three (3) for one (1) basis. The applicant shall plant the replacement trees on the subject parcel.
10. The applicant shall notify the Planning Division or Planner assigned to this application upon completion of the tree removal within 60 calendar days.
11. All work shall be done by those persons experienced and qualified for such work. Tree removals shall be performed only by tree service companies that are licensed to do business in the City of Stockton and have the proper Certificate of Insurance

on file with City Risk Management. The City shall not be liable for any personal or property damage/s caused by the permitted work.

12. Tree removal shall include removal of the entire stump to its full depth. The remaining hole shall be backfilled with clean loamy soil, wetted, and compacted to match the surrounding grade.
13. Prior to any stump removal work, contact Underground Service Alert at 1-800-642-2444.
14. If the applicant does not plant or remove the Heritage Trees in accordance with this permit and these conditions, the applicant may be in violation of the Stockton Municipal Code and subject to a citation and/or property lien as determined by the Community Development Director or designated representative.

PLANNING COMMISSION ACTION

Based on its review of the entire record herein, including the March 26, 2026, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the Heritage Tree Permit as shown in Exhibit 1.

The Permit shall become void unless the subject tree is removed within 12 months of this Permit being issued (SMC Section 16.96.020).

PASSED, APPROVED, and ADOPTED March 26, 2026.

TERRY HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission