



# PLANNING COMMISSION

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Board of Supervisors Chambers  
400 County Center, Redwood City

## ITEM 2

Author: ..... **San Mateo County Planning and Building**  
File Number: .... **PLN2018-00436**  
Location: ..... **Unincorporated San Mateo County – Urbanized Areas**

Project Description: **Proposed Protected Tree Ordinance to replace the Significant and Heritage Tree Ordinances.**



# Tree Ordinances Update Project

## PLANNING COMMISSION WORKSHOP TENATIVE AGENDA

<b>9:10</b>	<b>Presentation of Staff Report to Commissioners</b>
<b>9:25</b>	Commissioner Questions
<b>9:45</b>	Information Exchange – Commissioners and Public Attendees will Circulate Through Information Stations, Ask Questions and Provide Input
<b>10:45</b>	BREAK
<b>10:50</b>	Public Comment
	Commission Direction to Staff (following public comment)
<b>11:30</b>	Close & Thank you



## Steering Committee Goal

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Collaborate with County staff by providing input and guidance that helps shape amendments to the County's ordinances governing tree protection and removal in urbanized areas, in a manner consistent with the County's General Plan.



## Summary of Meetings

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- September 29, 2016 - Project Scope
- November 17, 2016 – Geographic Policies, Trees and Development, Indigenous Tree Protection, Pruning
- January 26, 2017 - Exotic Trees, Rural Lands
- March 23, 2017 – Defensible Space, Arborist Reports
- May 25, 2017 – Replacement Planting, Off-site Replacement and In Lieu Fees
- July 28, 2017 - Summary of Findings Sent to Steering Committee
- April 30, 2018, Review and Comments on Draft Ordinance
- September 26, 2018, Review of Working Draft; Final Steering Committee Meeting





# Current Tree Removal Regulations

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## **SIGNIFICANT TREE ORDINANCE (1977, replaced in 1990)**

- **Requires authorization to remove 12-inch diameter and larger trees; One of several findings for authorization, including replanting**

## **HERITAGE TREE ORDINANCE (Originally Adopted in 1977)**

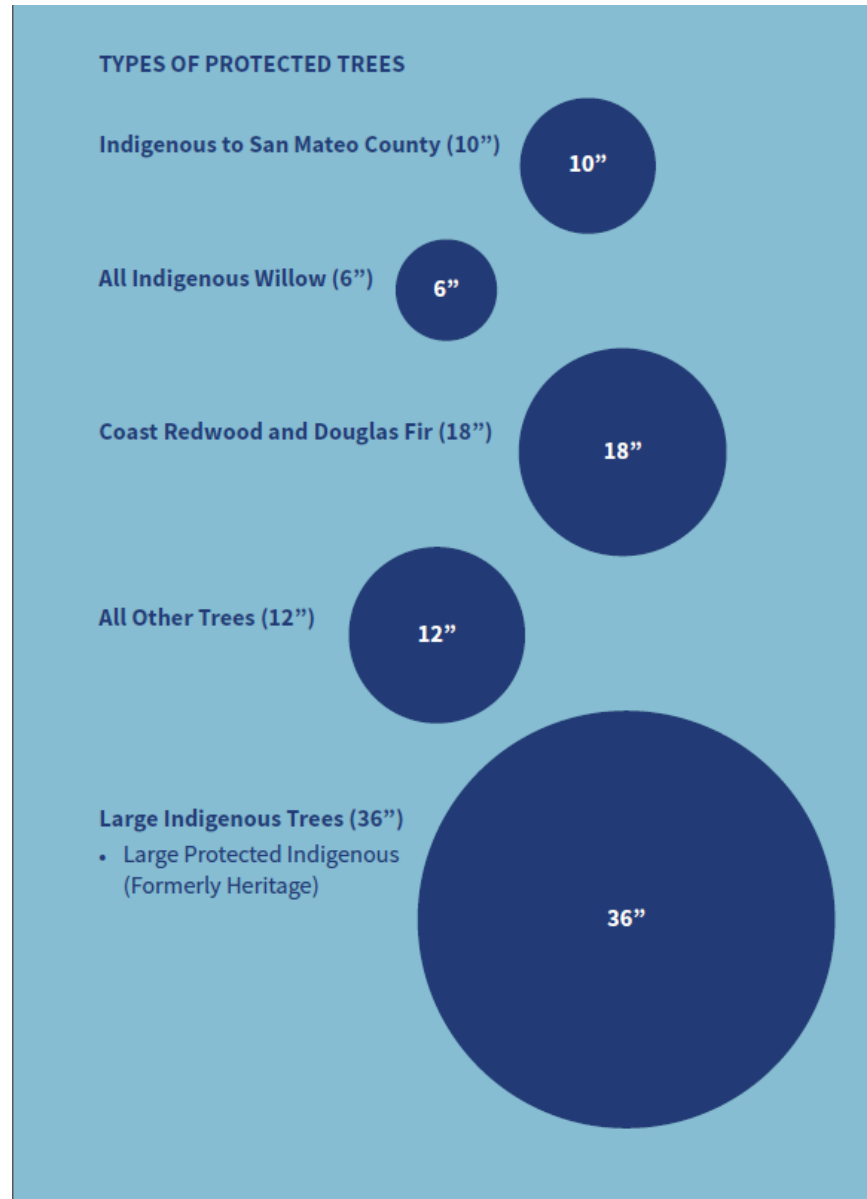
- **Requires authorization to remove certain indigenous trees by specified size (redundant with Significant Tree Ordinance); Similar Findings**

## **2016 AMENDMENTS**

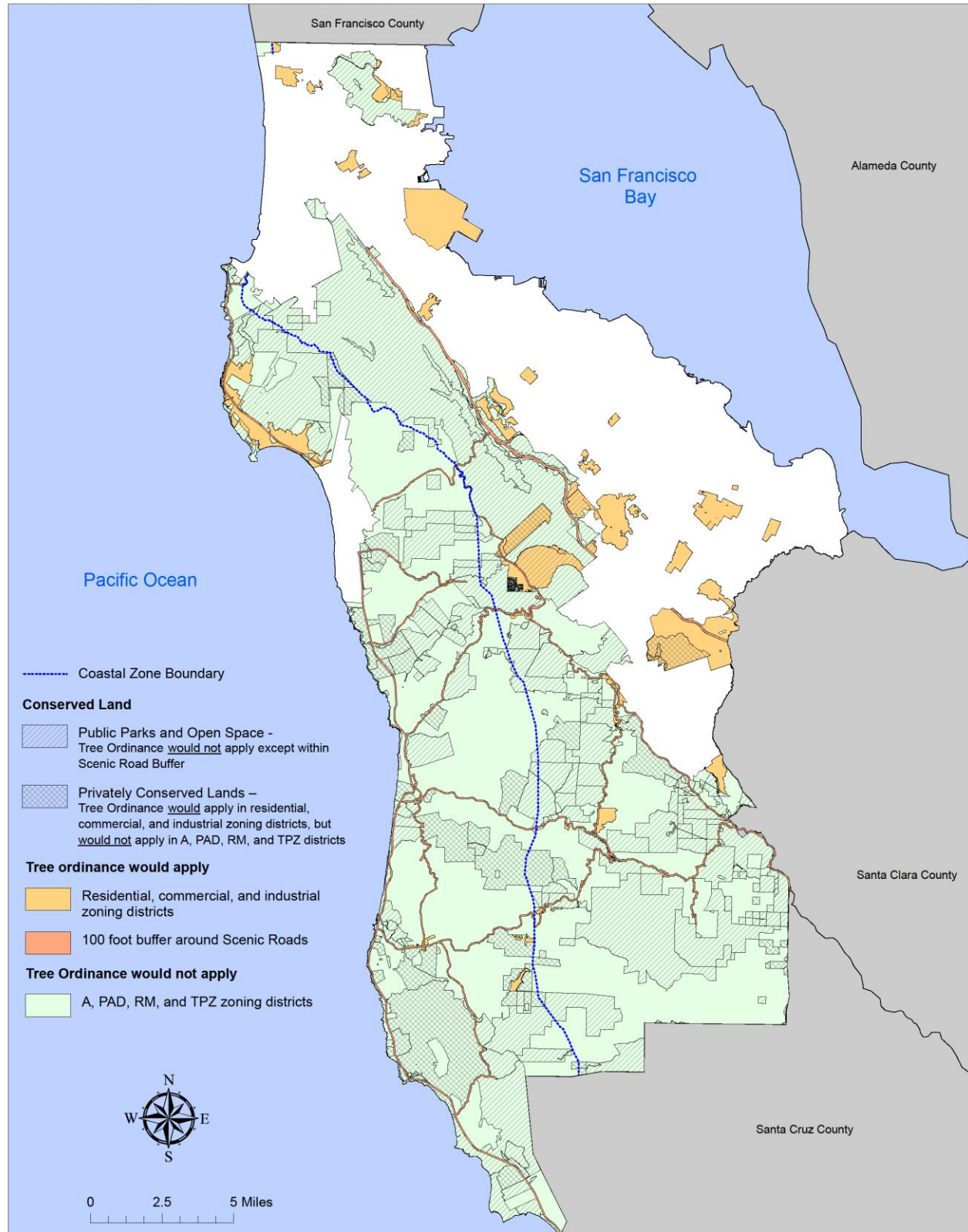
- **Requirements for Arborist Reports, Tree Protection Plans, Increased Fines for Unauthorized Removal Added to both Ordinances**



## What to Protect?



- Retain Significant Tree (12-inch) protection level, except for certain exotic trees
- Prioritize Indigenous Trees; Increase Their Protection
- Revise Heritage Tree Protections as Large Indigenous Trees: Maintain or Increase Protection Level
- Create new Heritage Tree Nomination Process



## What to Protect?

- Urbanized Areas
- Scenic Corridors
- Urban Coastal RM/PAD lands
- Within 100 feet of Authorized Structures (RM/PAD/TPZ)



# What to Protect?

## Over the Counter Permits

- Restricted to 3 trees per year, 10 trees over a five year period, exceeding these limits requires a standard Protected Tree Removal Permit
- Most are on CNPS Weed Tree List
- Subject to Replanting Requirements
- All Dead Trees Qualify for OTC Permit
- Not Appealable by the Public



*Acacia baileyana*



*Ailanthus altissima*



*Eucalyptus globulus*



*Myoporum laetum*





# Application Requirements

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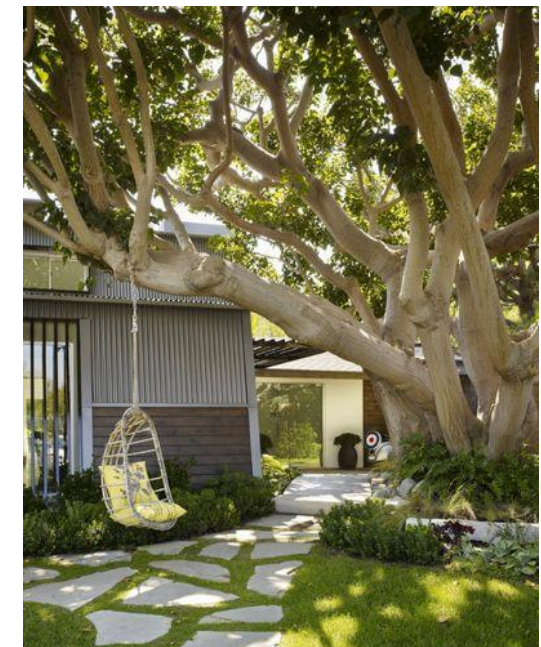
## Arborist Reports and Credentials

- 2016 Amendments added requirement for Arborist Report and Tree Protection Plan
- Clarified content requirements – based on ISA Standards
- More Extensive Requirements for Development-related Removals
- ISA Tree Risk Assessment Process for Hazardous Trees
- Arborist Supervision During Construction
- ISA or ASCA Certification; TRAQ for Hazard Trees



# Trees and Development

- **Increases and Clarifies Protection of Trees to Remain on Development Sites**
- **Retains All Requirements from 2016 Amendments**
- **Post Construction and 5-year Post Construction Assessments**





# Replacement Planting Requirements

- Current Policies Require Different Replanting in Different Areas of the County
- Replacement Standard Based on Available Scientific and Professional Journal Articles
- Specific Rootball to Caliper Ratio; Smaller Trees Transplant Better
- Greater Replacement with Construction
- Replace Indigenous with Same Species

**Table 3.1 - Tree Replacement Standard**

Canopy Size of Removed Tree <sup>1</sup>	Category 1 <sup>2,3</sup> Replacement Requirement	Category 2 Replacement Requirement with Construction <sup>3</sup>
Up to 25 feet	One 15-gallon tree (1.5-inch caliper maximum)	One 24-inch box tree (2-inch caliper maximum)
More than 25 feet to 40 feet	Two 15-gallon trees (1.5-inch caliper maximum)	Two 24-inch box trees (2-inch caliper maximum)
More than 40 feet	Three 24-inch box trees (2-inch caliper maximum); or Two 36 inch box trees (2.5-inch caliper maximum)	Three 24-inch box trees (2-inch caliper maximum); or Two 36 inch box trees (2.5-inch caliper maximum)



# Review Criteria and Findings

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- **New Review Criteria Section: Removal With and Without Development**
- **Without Development: Arborist Report, Tree Health, Longevity, Remedial Measures, Hazard, Replanting, Habitat Value, Overall Site Conditions**
- **With Development: Same as Without, Plus Design Alternatives, Maximum 25% Reduction in Development Potential, Greater than 25% Encroachment of Allowable Development, Competing Public Policy Objectives**





# Fines, Appraisals and Fees

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- **Fines for unauthorized tree removal remain unchanged; effectively raised for Large Indigenous Trees**
- **Added Appraisal Requirement and Optional Bonding for Trees Impacted by Construction**
- **Added In Lieu Fee Option for Sites Where Planting Replacement Trees are Infeasible**





## Other Criteria

- **Migratory Bird Treaty Protections, Nesting Season February 1 through August 15:**
- **Landscaping beneath Indigenous Trees**
- **County Departments and PG&E Exemptions**
- **Tree Removal Practices**
- **Updated Criteria for Emergencies**





## Next Steps

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- Revise Ordinance Based on 11/28/18 Workshop Feedback (December)
- Possible Planning Commission Workshop (January 2019)
- Presentation to Community Councils (January-February 2019)
- CEQA Document Publication and Comment Period (February-March 2019)
- Planning Commission Hearing (March 2019)
- Board of Supervisors (April-May 2019)



# Public Workshop

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**Thank You!**

**Questions?**

**Project Website: <https://planning.smcgov.org/tree-ordinances-update-project>**

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