



BOARD OF SUPERVISORS

Board of Supervisors Chambers, 500 County Center, Redwood City

Item 14: Tree Ordinance Update

Owner:	NA
Applicant:	Planning & Building Department
File Number:	PLN 2018-00436
Location:	County Wide
APN:	NA

COUNTY OF SAN MATEO



Project Description

Planning and Building staff have prepared an update of the county ordinance text amendments and new ordinance language to the regulations governing the issuance of tree removal permits and the management of protected trees (Protected Tree Ordinance) that make the County's ordinance consistent with the intent of the County's General Plan.

If adopted, the proposed ordinance will:

- Amend the County Ordinance Code, Article 7 – Tree & Natural Resources Protection of the San Mateo County Ordinance Code Chapter 8.400: Protected Tree Ordinance (previously introduced at the Planning Commission meeting on September 11, 2024 as Part Three of Division VIII (Protected Tree Ordinance)).
- Replacing entirely Chapter 8.400: Significant Tree Regulations and Chapter 8.404: Heritage Tree Regulations.



Why Update the Tree Ordinances?

- Community concerns: increased construction impacting trees
- Consolidate Significant and Heritage Tree Ordinances
- Clear process for tree removal and trimming
 - Development vs. non-development
- Equitable enforcement costs for unincorporated communities
- Align with other environmental and development requirements



Summary of Changes - Protected Trees

- All trees >12.1” DSH*
 - Undesirable species are excluded (invasive, fire risk)
- Heritage Trees
- Mitigation trees, trees retained by permit conditions, etc.
- A community of trees
- Protected indigenous trees

* Tree size is stated as DSH (diameter at standard height), which is a trunk diameter measurement taken at 4.5 feet above ground

Summary of Changes – Protected Indigenous Trees

- Species-specific protections
- Replant with same species when appropriate

Table 3.1 Protected Indigenous Trees

Botanical name	Common Name	Minimum Trunk Diameter (measured at 4.5 feet above natural ground height)
<u><i>Acer macrophyllum</i></u>	<u>Bigleaf Maple</u>	<u>10 inches</u>
<u><i>Acer negundo</i></u>	<u>California Box Elder</u>	<u>10 inches</u>
<u><i>Alnus rhombifolia</i></u>	<u>White Alder</u>	<u>Six inches or larger within riparian corridors</u>
<u><i>Alnus rubra</i></u>	<u>Red Alder</u>	<u>Six inches or larger within riparian corridors</u>
<i>Arbutus menziesii</i>	Pacific madrone	10 inches
<u><i>Aesculus californica</i></u>	<u>California Buckeye</u>	<u>10 inches</u>
<u><i>Chrysolepis chrysophylla</i></u>	<u>Golden Chinquapin</u>	<u>10 inches</u>
<u><i>Fraxinus latifolia</i></u>	<u>Oregon Ash</u>	<u>10 inches</u>
<u><i>Hesperocyparis abramsiana</i></u>	<u>Santa Cruz Cypress</u>	<u>10 inches</u>
<u><i>Platanus racemosa</i></u>	<u>California Sycamore</u>	<u>10 inches</u>
<u><i>Populus fremontii</i></u>	<u>Fremont Cottonwood</u>	<u>Six inches or larger within riparian corridors</u>
<i>Pseudotsuga menziesii</i>	Douglas fir	18 inches
<i>Quercus agrifolia</i>	Coast live oak	10 inches
<i>Quercus chrysolepis</i>	Canyon live oak	10 inches
<i>Quercus douglasii</i>	Blue oak	10 inches
<i>Quercus parvula</i> var. <i>shrevei</i>	Shreve Oak	10 inches
<i>Quercus garryana</i>	Oregon white oak	Any Size



Summary of Changes – Pruning Permits

- Branches greater than 6” diameter on Protected indigenous tree
- Any size branch on oak trees with trunks >30” diameter
- Pruning Heritage trees

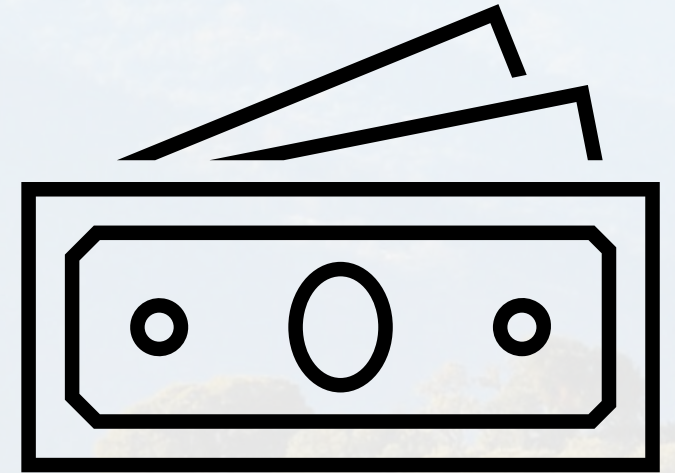
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Summary of Changes - In-lieu fee

- When replacing the tree(s) is not appropriate
- Flat fee: \$3,345.00 per tree
- County Tree Replacement Fund
 - Supports urban forest management program
 - Tree plantings, replacements
 - Public or Private property



Summary of Changes – Required Findings

Required Findings

- Diseased or declining
- Hazard trees
- Removal of tree creates improved growing conditions for tree of higher value
- Causing damage to infrastructure
- Interference with utility services
- Geologic hazards

Additional findings with development

- Existing tree plan and Tree Protection Plan
- No feasible alternative building site
- No more than 50% of existing canopy is lost on the property*
- Required Findings added for Tree Pruning Permits based on Public Comment

Summary of Changes – Other Changes

- Expedited Tree Permit
 - Undesirable species
 - 17-taxa list includes Acacia, Ailanthus (Tree of Heaven), Eucalyptus
- Addition from Public Comment:
 - Permit exemptions will not apply, and a standard tree removal permit will be required for species (desirable or undesirable) that are 38” DSH or larger regardless of fire risk, to ensure ecological habitats are assessed prior to permit issuance.



Summary of Changes – Other Changes

New requirements added to comply with the Migratory Bird Treaty Act and avoid any actions that could result in the ‘take’ of migratory birds during the migration/nesting season (~ February – August).

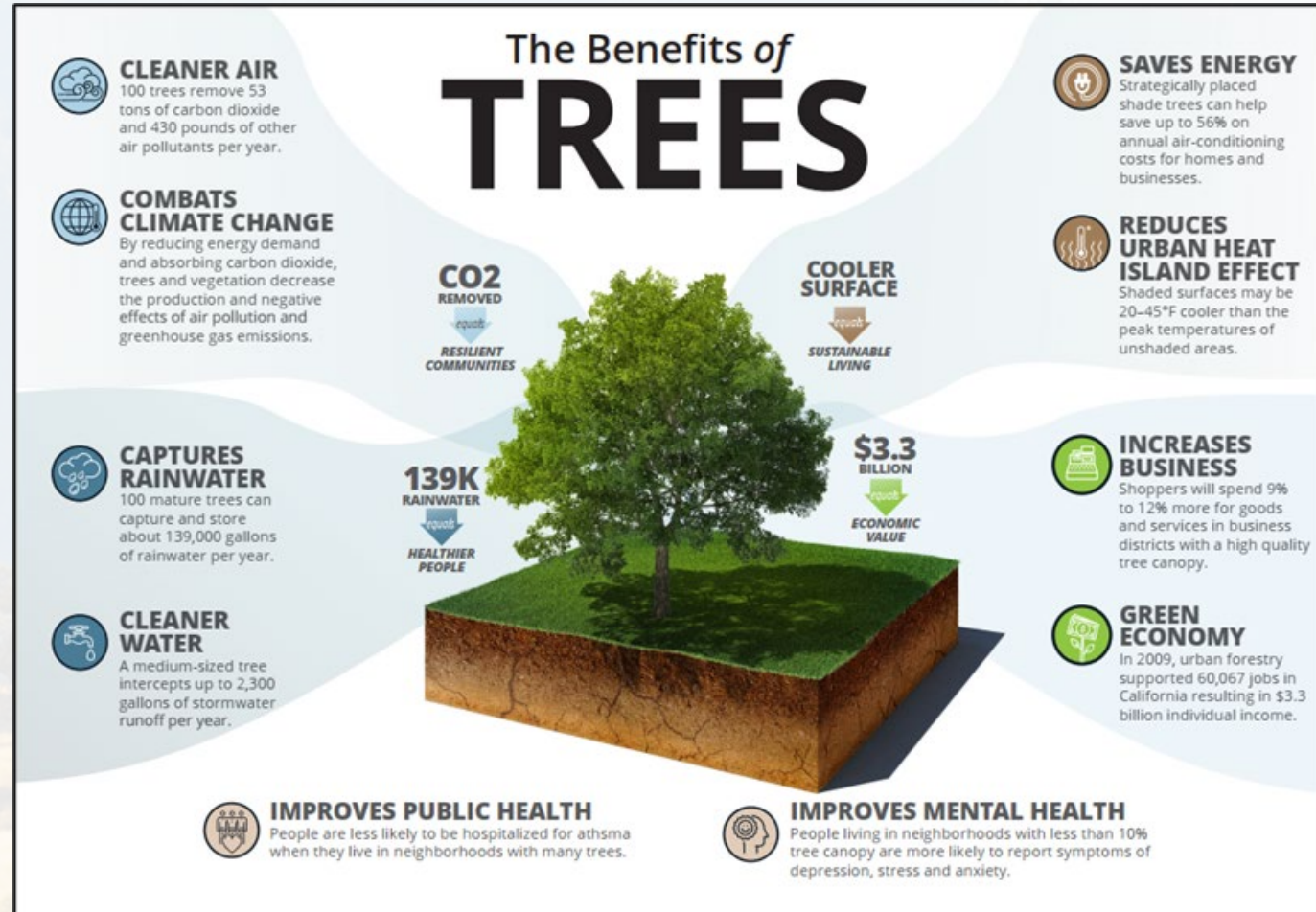
- Tree replacement table
 - Replacement dependent on canopy size of removed tree

Summary of Changes – Updated Tree list

Common Name	Scientific Name	Tree Stature	Foliage Type ¹	Mature height (ft)	Canopy spread at maturity (ft)	Planting area (ft)	Protected Indigenous Tree	Overhead utility friendly	Water Use Rating ²	Appropriate Planting Habitat				
										Wetland/Riparian	Oak woodland	Forest	Coastal	Urban/Street Tree
California Native Trees														
4 ft Planter Well or Similar Small Space														
California lilac	<i>Ceanothus thyrsiflorus</i>	Small	E	15	20	4			Low			✓	✓	
Manzanita	<i>Arctostaphylos manzanita</i>	Small	E	15	10	4		✓	Very low				✓	✓
Western redbud	<i>Cercis occidentalis</i>	Small	D	25	20	4			Very low			✓	✓	
4-7 ft Parkway														
Arroyo willow	<i>Salix lasiolepis</i>	Medium	D	40	25	4-7	✓		High	✓			✓	
California buckeye	<i>Aesculus californica</i>	Medium	D	25	20-30	4-7	✓	✓	Very low		✓	✓	✓	✓
Pinyon pine	<i>Pinus edulis</i>	Medium	C	40	25	4-7		✓	Low					✓
Toyon	<i>Heteromeles arbutifolia</i>	Small	E	25	15	4-7		✓	Low		✓	✓	✓	✓
Engelmann oak	<i>Quercus engelmannii</i>	Large	E	70	80	4-7			Low				✓	✓
Wax myrtle	<i>Morella californica</i>	Small-Medium	E	30	30	4-7			Moderate			✓		
8+ ft Parkway, Yard, or Park														
Black oak	<i>Quercus kelloggii</i>	Large	D	70	50	>8	✓		Low		✓			
Blue oak	<i>Quercus douglasii</i>	Large	E	70	50	>8	✓		Very low		✓	✓	✓	
Canyon live oak	<i>Quercus chrysolepis</i>	Large	E	70	30	>8	✓		Very low		✓		✓	
Coast live oak	<i>Quercus agrifolia</i>	Large	E	70	70	>8	✓		Very low		✓		✓	
Coast redwood	<i>Sequoia sempervirens</i>	Very Large	E	200	100	>8	✓		High	✓		✓	✓	
Interior live oak	<i>Quercus wislizeni</i>	Large	E	70	80	>8			Very low		✓			
Oregon white oak	<i>Quercus garryana</i>	Very Large	D	90	60	>8	✓		Low		✓		✓	
Pacific madrone	<i>Arbutus menziesii</i>	Large	E	70	50	>8	✓		Low			✓	✓	
Red willow	<i>Salix laevigata</i>	Medium	D	50	35	>8	✓		High				✓	
Valley oak	<i>Quercus lobata</i>	Large	D	70	50	>8	✓		Low		✓			

Companion Website - sanmateocountytrees.org

- Why are trees protected?
- Arborist report template
- Basic resources for tree care
- Interactive survey: Do I need a Permit?
 - Zoning district
 - Type of work
 - Tree species and size



Public Comments and Responses

- The comment period for the ordinance update opened June 23 and closed July 31, 2024
- Staff received and reviewed comments received during presentations to the MCC & NFOCC, as well as after the comment period ended.
- The County has posted a summary of responses, and the list of queries/comments received on the project website .
- The County has updated the ordinance, permit requirements, and guidance website based upon the comments received.
- The approved tree species list was updated, and a do-not-plant species list was created.



Planning Commission Recommendation

The County Planning Commission reviewed the proposed ordinance on September 11, 2024 and **recommended that the Board of Supervisors adopt the ordinance** amending the County Ordinance Code, Article 7 – Tree & Natural Resources Protection, Chapter 8.400: Protected Tree Ordinance, with an addition to **expand the notification requirement to adjacent property owners from the proposed distance of 100 feet of the permit parcel up to within 300 feet** under Section 8.400.140. The Planning Commission’s consideration and recommendation constituted a first reading of the proposed ordinance.

Recommendation

Adopt an ordinance amending the County Ordinance Code, Article 7 – Tree & Natural Resources Protection of the San Mateo County Ordinance Code Chapter 8.400: Protected Tree Ordinance and replacing entirely Chapter 8.400: Significant Tree Regulations and Chapter 8.404: Heritage Tree Regulations; previously introduced at the Planning Commission meeting on September 11, 2024, (as Part Three of Division VIII (Protected Tree Ordinance)) and waive reading of the ordinance in its entirety.



Thank You
sanmateocountytrees.org

COUNTY OF **SAN MATEO**

