



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
Planning and Building Department



**DATE:** October 4, 2016  
**BOARD MEETING DATE:** October 18, 2016  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** Steve Monowitz, Community Development Director

**SUBJECT:** Adoption of the proposed amendments to Section 12,000 (Significant Tree Regulations) and Section 11,000 (Heritage Tree Regulations) of the San Mateo County Ordinance Code

County File Number: PLN 2016-00372 (Planning and Building Department)

**RECOMMENDATION:**

Adoption of the proposed amendments to Section 12,000 (Significant Tree Regulations) and Section 11,000 (Heritage Tree Regulations) of the San Mateo County Ordinance Code, to add specific language to address impacts of development upon trees, previously introduced on September 20, 2016, and waive the reading of the ordinances in their entirety.

**BACKGROUND:**

Proposal: The Planning Department has proposed amendments to the County's Significant Tree and Heritage Tree regulations that implement several measures to bolster the County's protection of trees in the unincorporated areas of the County.

Because these amendments follow the ordinary first and second reading procedures for ordinances, and were not routed through the Planning Commission for consideration, they are not effective until there have been two readings. On September 20, 2016 the Board voted unanimously to introduce these proposed amendments at the first reading as required by Section 25131 of the California Government Code. This matter is on the agenda for second reading and adoption, with an effective date 30 days from adoption.

Report Prepared By: Steve Monowitz, Community Development Director

Applicant: San Mateo County Planning and Building Department

Location: County-wide

## **DISCUSSION:**

### **A. BACKGROUND**

The amendments are substantially in the form approved by the Board at the first reading, with minor edits suggested by Board members at the first reading incorporated into the document, and other minor wording modifications that do not substantially alter the scope of the ordinances. Please refer to the Staff Report in connection with the first reading of the amendments for substantive descriptions of the changes in the ordinance.

### **B. ENVIRONMENTAL REVIEW**

The proposed Ordinance Code amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code, Section 15061(b)(3). The amendments are covered by the General Rule, which states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. There is no evidence to suggest that the proposed amendments to the County Ordinance Code will have a significant negative impact on the natural or built environment. Their intention is to prevent or deter the accidental or intentional removal or destruction of trees.

### **C. REVIEWING AGENCIES**

County Counsel

County Counsel has reviewed and approved the proposed materials as to form and content.

The approval of the proposed amendments to the County's Tree regulations contributes to the 2025 Shared Vision outcome of a Livable Community by ensuring that tree resources are protected during the land development process.

## **FISCAL IMPACT:**

There is no anticipated fiscal impact to the County as a result of this amendment.

## **ATTACHMENTS:**

### **A. Recommended Findings**

### **B. Amended Ordinances: (1) Part III of Division VIII of the San Mateo County Ordinance Code ("the Significant Tree Ordinance") and (2) Ordinance No. 2427 ("the Heritage Tree Ordinance").**

COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit File Number: PLN 2016-00372

Board Meeting Date: September 20, 2016

Prepared By: Michael Schaller, Senior  
Planner

For Adoption By: Board of Supervisors

**RECOMMENDED FINDINGS:**

Regarding the Environmental Review, Find:

1. The proposed Ordinance Code amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code, Section 15061(b)(3). The amendments are covered by the General Rule, which states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. There is no evidence to suggest that the proposed amendments to the County Ordinance Code will have a significant negative impact on the natural or built environment. Their intention is to prevent or deter the accidental or intentional removal or destruction of trees.

Regarding Adoption of Amendments to (1) Part III of Division VIII of the San Mateo County Ordinance Code ("the Significant Tree Ordinance") and (2) Ordinance No. 2427 ("the Heritage Tree Ordinance"), Find:

2. That San Mateo County's Significant and Heritage tree populations have been and continue to be an invaluable asset in contributing to the economic, environmental and aesthetic stability of the County and the welfare of its people and of future generations.
3. That in order to protect the public health, safety, and welfare, it is in the public's interest for the County to amend its regulations regarding protection of Significant and Heritage trees, while respecting and recognizing individual rights to develop, maintain, and enjoy private property, consistent with the public interest, convenience, and necessity.
4. That the proposed amendments address these findings, and furthermore are consistent with the Commitments and Goals of the County's Shared Vision 2025 document, as stated in the Vision Alignment Section of the staff report.