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

Presentation Summary

20 Min.  Presentation of Staff to Council Members
20 Min.  Questions
10 Min.  Final Comments and Recommendations

Close & Thank you
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

- 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

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 (Significant and Heritage Tree Ordinances)
- 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

Myoporum laetum
Ailanthus altissima
Acacia baileyana
Eucalyptus globulus
Myoporum laetum
Arborist Reports and Credentials

- 2016 Amendments added requirement for Arborist Report and Tree Protection Plan – Development Only
- 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 Hazardous 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>
<thead>
<tr>
<th>Table 3.1 - Tree Replacement Standard</th>
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</thead>
<tbody>
<tr>
<td>Canopy Size of Removed Tree ¹</td>
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<tr>
<td>----------------------------------</td>
</tr>
<tr>
<td>Up to 25 feet</td>
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<tr>
<td>More than 25 feet to 40 feet</td>
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<tr>
<td>More than 40 feet</td>
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</tbody>
</table>
Review Criteria and Findings

• 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
Review Criteria and Findings

5,000 SQUARE FOOT LOT
- Building Site Area = 5,000 sqft
- Maximum Floor area: 25 (Building Site area - 5,000) = 3,600 sqft
- Building Site Coverage: 50% (50%)
- Includes:
  - Building
  - Accessory Building
  - Patio, Decks, Porch (over 18” off ground)

15,000 SQUARE FOOT LOT
- Building Site Area = 15,000 sqft
- Maximum Floor Area: 30 (Building Site Area) = 4,500 sqft
- Building Site Coverage: 30% (30%)
- Includes:
  - Building
  - Accessory Building
  - Patio, Decks, Porch (over 18” off ground)
Fines, Appraisals and Fees

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

• Community Outreach (December 2018 – February 2019)
• Revise Ordinance to Incorporate Feedback (February-March 2019)
• Possible Planning Commission Workshop (March 2019)
• Present Revised Ordinance to Community Councils (April 2019)
• CEQA Document Publication and Comment Period (May 2019)
• Planning Commission Hearing (June 2019)
• Board of Supervisors (July 2019)
Public Workshop

Thank You!

Questions?

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