

Table 1. Key Provisions of Proposed Tree Protection Ordinance (3/25/25)

Parameter	Summary of Proposed Provision
What types of trees are proposed to be protected?	• All native and non-native trees (except Monterey pine and eucalyptus) that meet minimum size threshold (see Table 2) • Designated heritage tree • Tree shown to be preserved in County planning approvals for the site • Tree required to be planted as a replacement tree
What actions may require a permit?	Removal of a protected tree or trenching, grading or filling within the dripline of a protected tree
What type of permit?	No permit required for small trees. Ministerial permit required for mid-sized trees. Discretionary permit required for larger trees. (See Table 2)
Are there exceptions?	Yes. Permit is not required to remove or impact a protected tree when: • hazardous situations exist (as determined by named officials) • there is prior approval • permit requirement is precluded by law • routine maintenance is being performed • harvest trees are grown at holiday tree farms, orchards or nurseries • performing rangeland management on ag properties > 20 acres • property is located in a very high fire hazard severity zone • removing branches for defensible space (as specified) • minor work within dripline is proposed, including installing pavers or irrigation trenching < 1 foot deep
What are the permitting criteria?	• Ministerial permits would be issued if review confirms tree is eligible • Discretionary permits require a detailed finding that the burden of protecting the tree outweighs the benefit or the work is necessary to enable reasonable use of property and no reasonable alternative exists.
Other noteworthy aspects	Tree replacement and safeguards for remaining trees (discretionary only)

Table 2. How Proposed Ordinance Would Apply to Distinct Types of Trees

Type of Tree	Exempt (no permit required)	Ministerial Permit (no hearing/not appealable)	Discretionary Permit (hearing / appealable)
Non-coniferous	Circumference < 28" (diameter < 9" approx.)	Circumference from 28" to 56" (diameter 9" to 18" approx.), unless on "undeveloped" lot	Circumference > 56" (diameter >18" approx.). If on "undeveloped" lot, circumference ≥ 28" (9" diameter)
Coniferous	Circumference < 48" (diameter < 15" approx.)	Circumference from 48" to 94" (diameter 15" to 30" approx.), unless on "undeveloped" lot	Circumference > 94" (diameter > 30" approx.). If on "undeveloped" lot, circumference ≥ 48" (15" diam.)
Multi-stem non-coniferous	Aggregate circum. < 42" (aggregate diameter < 13" approx.) Or one stem meets single-stem criteria.	Aggregate circumference from 42" to 84" inches (aggregate diameter 13" to 27" approx.) or one stem meets single-stem criteria, unless on "undeveloped" lot	Aggregate circumference > 84" (aggregate diameter > 27" approx) or 1 stem meets single-stem criteria. If on "undeveloped" lot, aggregate circum. ≥ 42" (13" diameter) or one stem meets single-stem criteria.
Multi-stem coniferous	Aggregate circum. < 66" (aggregate diameter < 21" approx.) Or one stem meets single-stem criteria.	Aggregate circumference from 66" to 132" inches (aggregate diameter 21" to 42" approx.) or one stem meets single-stem criteria, unless on "undeveloped" lot	Aggregate circumference > 132" (aggregate diameter > 42" approx) or 1 stem meets single-stem criteria. If on "undeveloped" lot, aggregate circum. ≥ 66" (21" diameter) or one stem meets single-stem criteria.
Monterey pine and eucalyptus	All such trees exempt from permitting	N/A	N/A

Note: Circumference and diameter measured at 4.5 feet above the ground.

Table 3. Comparison of Current and Proposed Tree Protection Ordinances

Provision/Scenario	Current	Proposed
Minimum tree circumference (diameter) to qualify as protected	20" (approx. 6.5")	Non-coniferous: 28" (approx. 9") Coniferous: 48" (approx. 15")
Tree species covered	Native only, except on undeveloped/commercial properties	All except Monterey pine & eucalyptus
Rules depend heavily on site context?	Yes. Tree that is not part of a stand of 4+ trees may not be protected. Rules also depend upon zoning, developability, etc.	No. The only exception is that no protected tree on undeveloped properties may receive a ministerial permit.
Process	Staff determination appealable to Planning Commission, etc.	Ministerial for mid-size trees. Larger trees heard at Zoning Administrator. Appealable.
Example scenarios:		
44" diameter oak on built-out residential lot, not part of stand	No permit required	Discretionary permit required. ZA hearing. Appealable to CPC, etc.
29" diameter redwood on built-out residential lot, not part of stand	No permit required	Ministerial permit required. Not appealable.
8" diameter redwood on built-out residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	No permit required
10" diameter oak on <u>undeveloped</u> residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	Discretionary permit required. ZA hearing. Appealable to CPC, etc.
4" diameter oak on <u>undeveloped</u> residential lot, part of stand of 4	Permit required. Appealable to Planning Commission, etc.	No permit required