RESOLUTION NO. 2025-XX **DRAFT**

IN THE MATTER OF

Designation of two (2) Canary Island date palm trees, measuring approximately 124 inches and 125 inches in circumference, as Heritage Trees pursuant to the Heritage Tree Preservation Ordinance (Chapter 816-4)

BODY

WHEREAS, on November 30, 2023, Daryl Chrzan (Applicant) filed an application with the Department of Conservation and Development, County File #CDHT23-00001, to nominate two Canary Island date palm trees within the unincorporated area of Lafayette for Heritage Tree status pursuant to the Heritage Tree Preservation District (Chapter 816-4);

WHEREAS, for purposes of compliance with the California Environmental Quality Act (CEQA), staff determined that the proposed action is Categorically Exempt under Government Code Section 15307 insofar as CEQA exempts projects taken by regulatory agencies, as authorized by local ordinance, to assure the maintenance of natural resources;

WHEREAS, after notice was issued as required by law, on Wednesday, February 12, 2025, a hearing was scheduled before the County Planning Commission, at which time all interested were afforded the opportunity to testify before the Commission; the Commission, having fully considered all written and oral testimony on this matter, recommended to the Board of Supervisors the nomination of the subject trees as heritage trees;

WHEREAS, after notice was issued as required by law, on Tuesday, [month] [day], 2025, a hearing on the recommendation of the County Planning Commission was scheduled before the Board of Supervisors, at which time all interested were afforded the opportunity to testify; and at which time the Board voted to direct staff to prepare a resolution for Board consideration;

NOW, THEREFORE, the Contra Costa County Board of Supervisors resolves as follows:

1. The Board of Supervisors makes the following Heritage Tree finding:

    a. The two Canary Island date palm trees nominated for designation meet the size criteria for designation as heritage trees, as is required under Section 816-4.402 (Heritage Tree Definition) of the County Ordinance. The subject Canary Island date palm trees measure approximately 124 inches and 125 inches in circumference (approximately 39.5 inches and 40 inches in diameter) as measured 4 1/2 feet from grade, where the minimum is 72 inches in circumference. In addition to their significant size and aesthetic benefits, the nominated trees are a major component of the project site's history dating back to at least the 1920s as is the case for Tree #1 and 1970s as is the case for Tree #2, and they should be preserved due to their age, iconic status, and their valuable habitat for wildlife. Therefore, the nominated trees meet the requirements of a heritage tree.

2. Further, pursuant to Ordinance Code Section 816-4.404(e), the property owner is requested to appropriately mark the designated trees so as to provide continuing notice to the public of the Heritage tree status.