



# Tree Ordinance Update: An Overview

North Fair Oak Community Council Briefing

Prepared by Dudek Inc.

Presented by Bharat Singh, Planning Services Manager

July 25, 2024

**COUNTY** OF **SAN MATEO**



# Why Update the Tree Ordinance?

- 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



# Community Involvement



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## Feedback received and addressed:

- Variety in County landscapes call for different tree regulations
- Clarify definitions
- Applicants express challenges with inconsistencies in ordinance interpretation between individual planners
- Resources needed for measuring trees, determining species, basic tree care
- Arborist report template needed
- Evaluate replacement requirements and in-lieu fees



# 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)
<i>Arbutus menziesii</i>	Pacific madrone	10 inches
<i>Aesculus californica</i>	California Buckeye	10 inches
<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
<i>Quercus kelloggii</i>	Black oak	10 inches
<i>Quercus lobata</i>	Valley oak	10 inches
<i>Quercus wislizenii</i>	Interior live oak	10 inches
<i>Salix lasiolepis</i> , <i>Salix laevigata</i> , <i>Salix lasiandra</i> , <i>Salix sitchensis</i>	Willow	Any size in riparian corridors; six inch or larger "trunks" outside riparian corridors
<i>Sequoia sempervirens</i>	Redwood	18 inches



# 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

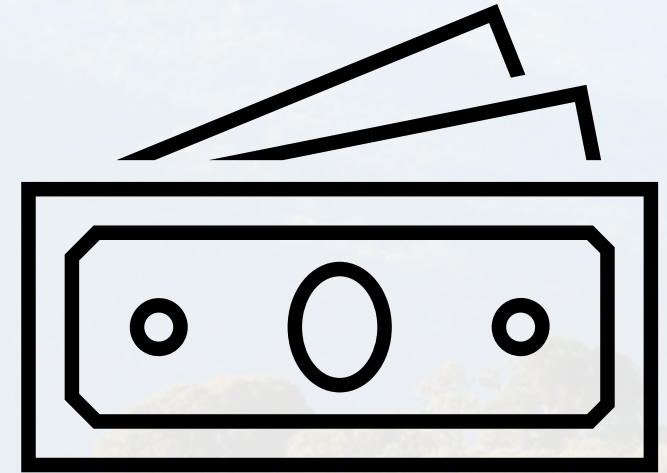
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<i>Sequoia sempervirens</i>	Redwood	18 inches



# 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 - In-lieu fee

Description	Cost
24" box tree (average cost across NorCal nurseries)	\$ 225
Three-year establishment care and maintenance, including planting, watering, and pruning. <ul style="list-style-type: none"> <li>- Assumptions               <ul style="list-style-type: none"> <li>○ Labor rate: \$200/hr</li> <li>○ Time per tree to prune: 0.75 hr</li> <li>○ Ensure planting site is viable</li> <li>○ Equipment for staking, moving trees, etc.</li> </ul> </li> </ul>	\$ 1,120
Pruning maintenance, twice during the first 10 years <ul style="list-style-type: none"> <li>- Assumptions               <ul style="list-style-type: none"> <li>○ Labor rate: \$200/hr</li> <li>○ Number of laborers: 2</li> <li>○ Time per tree to prune: 2 hr</li> <li>○ Focus on structural pruning</li> </ul> </li> </ul>	\$1,600
40-year ecosystem services lost <ul style="list-style-type: none"> <li>- Assumptions               <ul style="list-style-type: none"> <li>○ Including the loss of ecosystem services that come from tree removals helps offset the extra burden on infrastructure like stormwater, heat reduction, etc.</li> <li>○ Generated using i-Tree</li> </ul> </li> </ul>	\$ 400
<b>Total</b>	<b>\$ 3,345</b>



# 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\*

# Summary of Changes - In-lieu fee

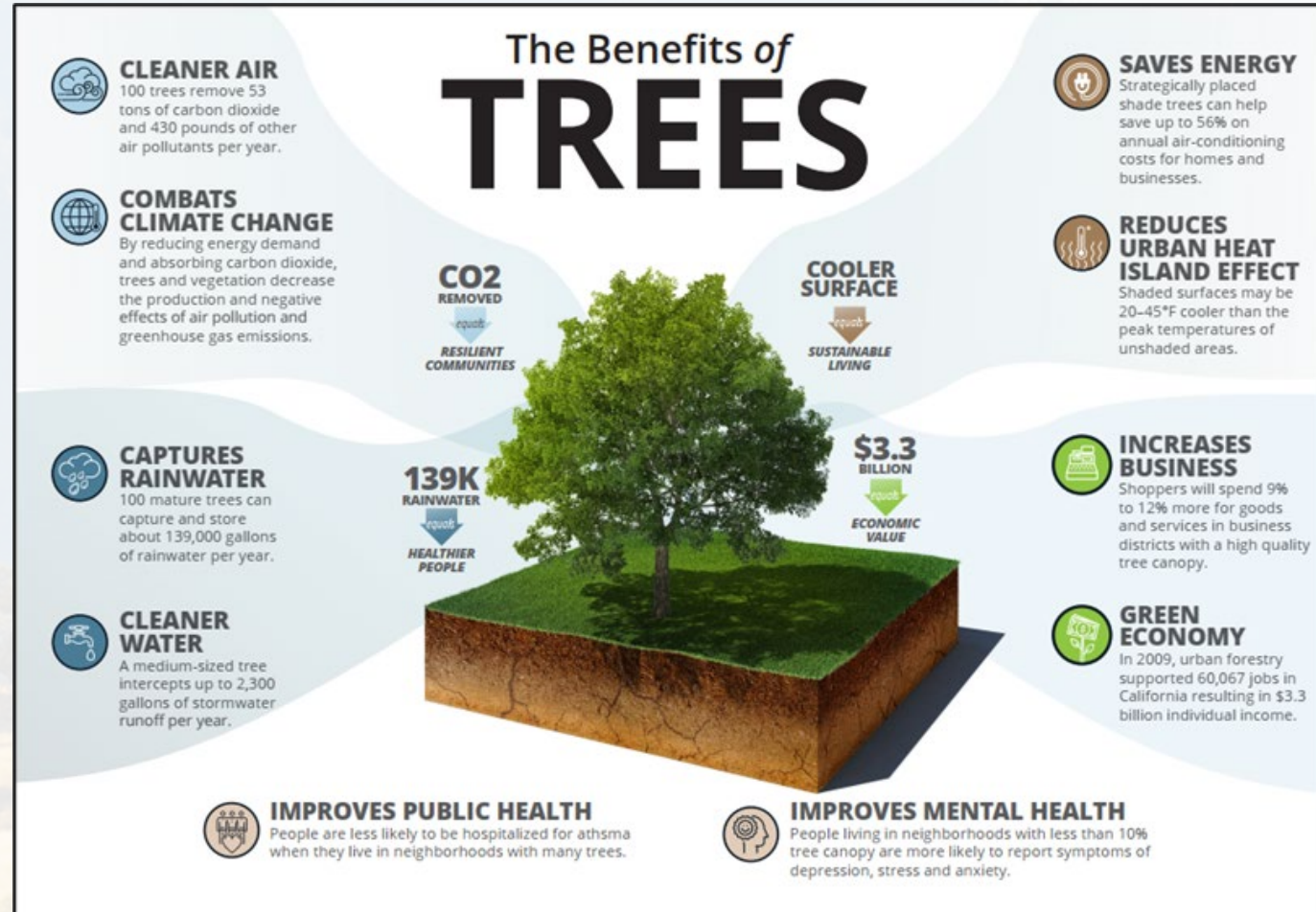
- Expedited Tree Permit
  - Undesirable species
  - 17-taxa list includes Acacia, Ailanthus (Tree of Heaven), Eucalyptus
- Tree replacement table
  - Replacement dependent on canopy size of removed tree

# Summary of Changes – Updated Tree list

Common Name	Scientific Name	Tree Stature	Foliage Type <sup>1</sup>	Mature height (ft)	Canopy spread at maturity (ft)	Planting area (ft)	Protected Indigenous Tree	Overhead utility friendly	Water Use Rating <sup>2</sup>	Appropriate Planting Habitat			
										Wetland/Riparian	Oak woodland	Forest	Urban/Street Tree
<b>California Native Trees</b>													
<b>4 ft Planter Well or Similar Small Space</b>													
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			✓	
<b>4-7 ft Parkway</b>													
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>	Small	C	40	25	4-7		✓	Low				✓
Toyon	<i>Heteromeles arbutifolia</i>	Small	E	25	15	4-7		✓	Low		✓	✓	✓
Wax myrtle	<i>Morella californica</i>	Small	E	30	30	4-7			Moderate			✓	
<b>8+ ft Parkway, Yard, or Park</b>													
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](http://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 closes July 31, 2024
- Staff will review comments received during presentations to the MCC & NFOCC.
- The County has received several public comments so far.
- The County values this feedback and is currently working to address the concerns raised.
- A summary document with responses to these public comments will be created and posted to the County's project website 10 days prior to the presentation to the Planning Commission for recommendation to the Board.



# Scenario 1

- Tree removal application includes:
  - **Removals:**  
2 Douglas Fir Trees,  
one **10”** DSH, one **28”** DSH

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Botanical name	Common Name	Minimum Trunk Diameter (measured at 4.5 feet above natural ground height)
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# Scenario 1

- Tree removal application includes:
  - **Removals:**  
2 Douglas Fir Trees,  
one **10”** DSH, one **28”** DSH
- **10”**: Exempt
- **28”**: Permit needed

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# Scenario 2

- Tree removal application **not associated with development**
- An applicant would like to **remove several trees** on their property including:
  - **10 – Italian Cypress, averaging 12” DSH**
    - Row of trees growing along the fence line
  - **1 – California black oak, 10” DSH**
    - located in rear of lot (cavities at base and signs of decline in canopy. Fungal conks at base of tree)
  - **2 – Glossy privet**
    - **growing within 5’ of the primary dwelling** structure (deemed out of compliance with local fire district’s defensible space regulations).

# Scenario 2

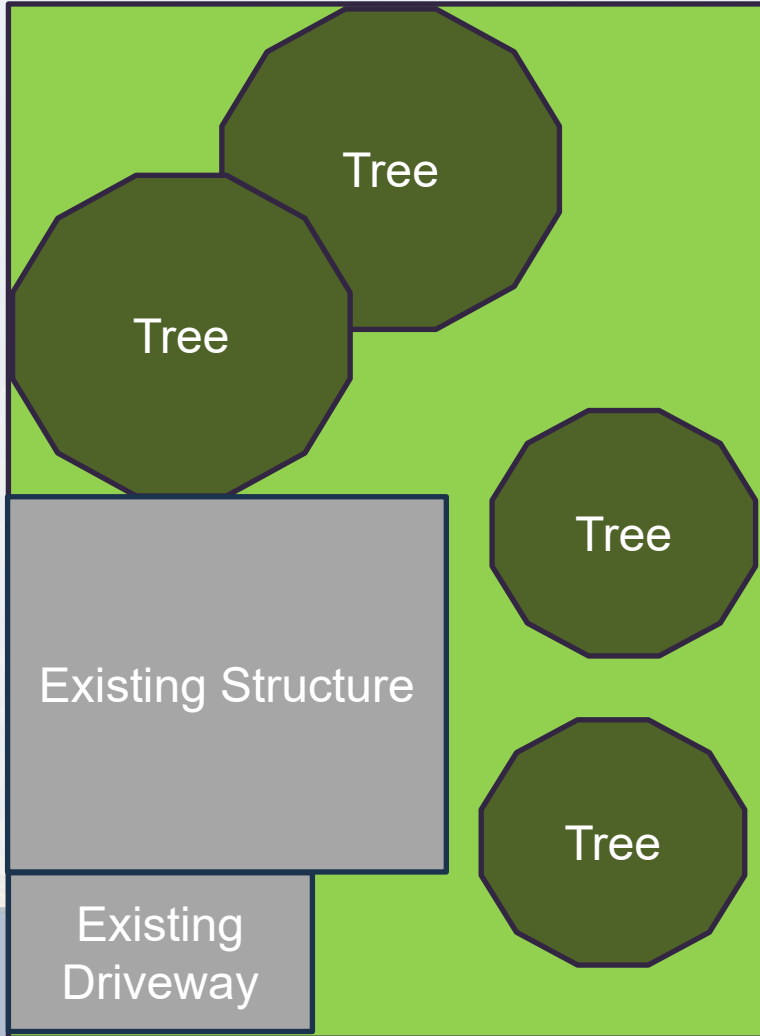
- Tree removal application **not associated with development**
- An applicant would like to **remove several trees** on their property including:
  - **10 – Italian Cypress, averaging 12” DSH** → Expedited Permit
    - Row of trees growing along the fence line
  - **1 – California black oak, 10” DSH** → Protected indigenous
    - located in rear of lot (cavities at base and signs of decline in canopy. Fungal conks at base of tree) . *Permit needed*
  - **2 – Glossy privet**
    - **growing within 5’ of the primary dwelling** → *Exempt: Defensible Space* structure (deemed out of compliance with local fire district’s defensible space regulations).

# Scenario 3

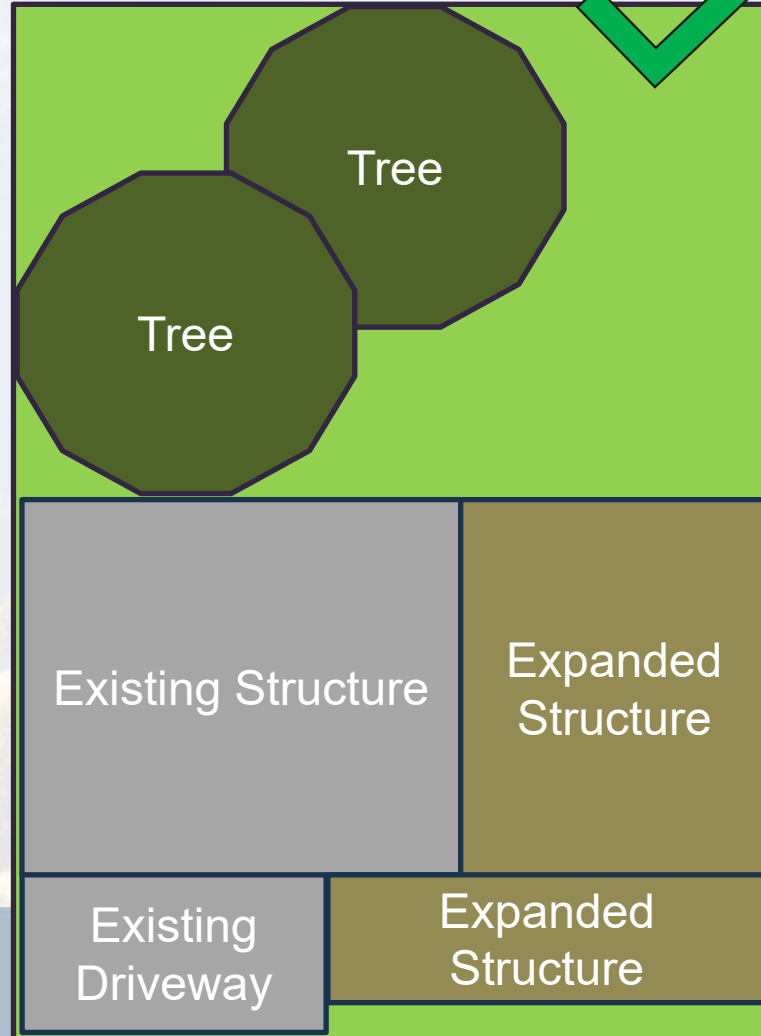
- **Removal associated with a home redevelopment**
- Wooded lot (oak-bay woodland)
- Canopy coverage is approximately **60%** of the buildable area of the parcel.
- Existing canopy gaps over driveway and roof of existing home (half the size of maximum allowable square footage).

# Scenario 3 - Preserving 50% Tree Canopy for Development projects

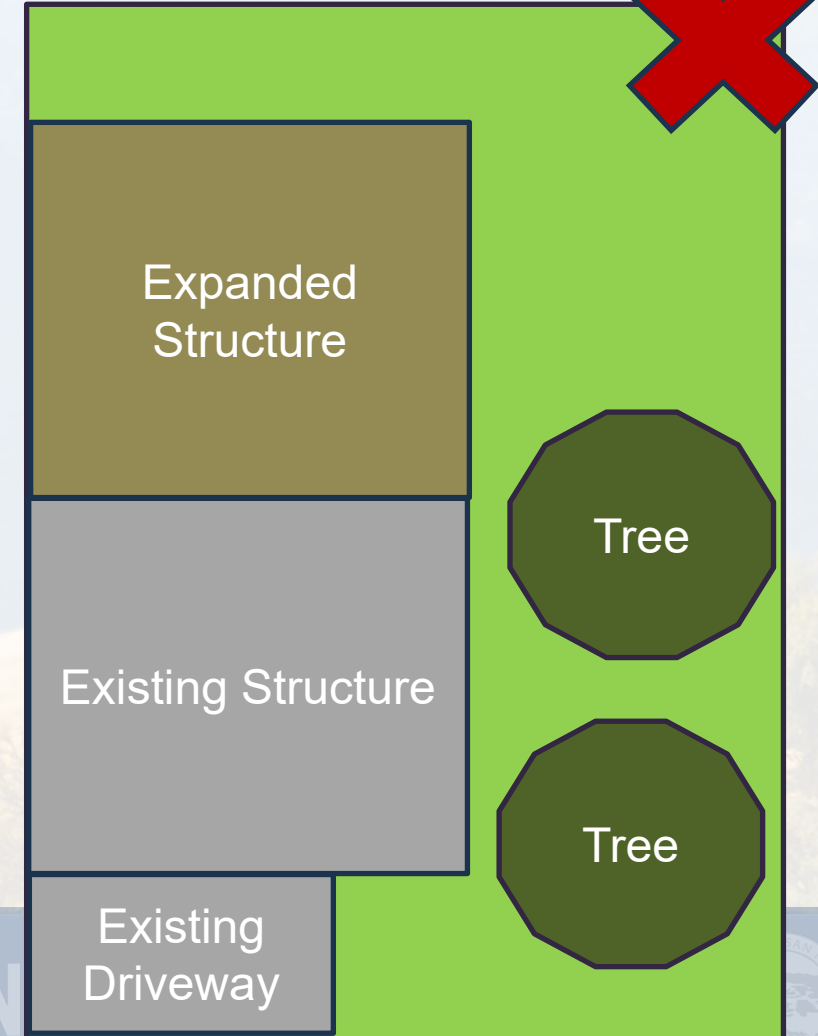
*Parcel with existing structure that is half the size of max allowable square footage & has 60% canopy cover.*



*Acceptable home redevelopment plan which maintains  $\geq 50\%$  of existing canopy cover.*



*Unacceptable home redevelopment plan which removes more than 50% of existing canopy cover.*



# Tentative Schedule

<b>May 28</b>	Presentation to County Planning Staff
<b>June 21</b>	Public Release of the updated ordinance and associated website. Solicit feedback via website/email and at Community Council presentations.
<b>Week of July 22</b>	NFOCC and MCC presentations/feedback
<b>August/Sept 2024</b>	PC Hearing
<b>October 8</b>	BOS Hearing
<b>TBD</b>	Coastal Commission Hearing regarding application of the updated ordinance in the coastal zone. (Updated ordinance to go into effect for all non-coastal unincorporated areas 30 days after BOS adoption.)





**Thank You**  
[sanmateocountytrees.org](http://sanmateocountytrees.org)

**COUNTY** OF **SAN MATEO**

