

Sonoma County Board of Supervisors

Modernizing Tree and Woodland Protections

11/28/2023

Staff:

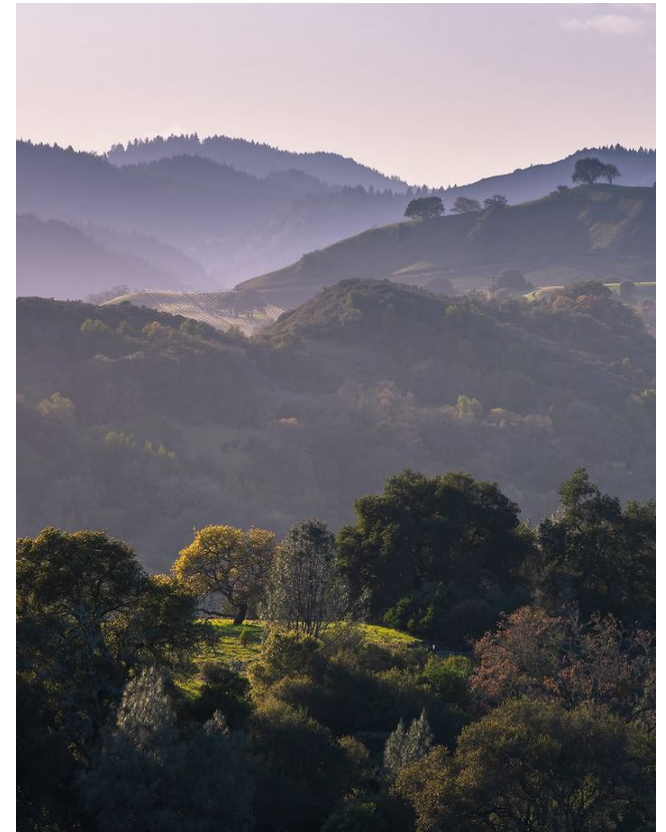
Doug Bush

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Introduction

- County policies call for protection of trees and increased carbon sequestration
- Current regulations do not protect most trees
- Proposed changes would align regulations with existing policy to protect more trees



County Policies



- General Plan 2020
- Five Year Strategic Plan
- Carbon Sequestration Inventory and Potential Sequestration Study
- Climate Emergency Resolution

Current Tree Regulations

- Tree Protection Ordinance
- Valley Oak Habitat Combining Zone
- Heritage and Landmark Tree Ordinance
- Riparian Corridor Combining Zone
- Also:
 - Timberland Production Zones
 - Timberland Conversion Permits
 - Vineyard and Orchard Development and Agricultural Grading and Drainage



Outreach Summary

- 50+ stakeholder meetings from 2021–2023:
 - Regulatory Agencies and Municipalities
 - Agricultural stakeholders
 - Development and real estate stakeholders
 - Environmental advocates
- Public survey
 - 500+ responses, majority support increased tree protections
- 8 Public Hearings and Workshops with Board and Planning Commission

Tree Protection Ordinance

Proposed Changes

1. Expand applicability
2. Protect more species
3. Protect smaller trees
4. Public health and safety exemptions
5. Proportional mitigation requirements
6. Use permit required for exceptional trees
7. Clarifying updates to Riparian Corridor Combining District, Timberland Conversion and Chapter 25

Tree Protection Ordinance

Summary

Tree Protection Ordinance Components	Existing Ordinance	New Ordinance
Minimum Diameter (Single Stem)	9"	6"
Number of Species	11	31
Applicability	Discretionary Permits	All projects removing protected trees
Agriculture	Exempt	Agricultural maintenance exempt
Big Trees	No extra protections	UPE requirement for large trees
Replanting Ratios	1:6 – 1:30, ratio caps over 33" DBH	Maintains existing ratios, no cap
Monitoring Required	None required	Seven-year monitoring period
Fee Option	Minimum \$200 fee	Appraised value of replacement cost

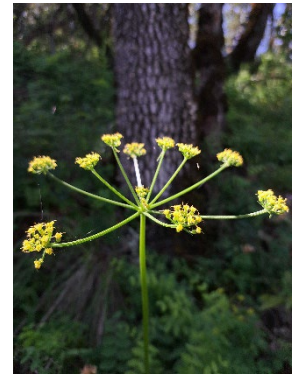
Mitigation Fee Comparison

Method	Cost – 28” Tree	Cost - 6” Tree (same species)
Existing Ordinance Fees	\$800	\$200
Trunk Formula Technique	\$22,810	\$916
Cost Compounding Technique	\$21,463	\$1,093



Oak Woodlands

- ❑ Oak Woodlands are the County's most biodiverse ecosystems
- ❑ No significant regulatory protections for oak woodlands
- ❑ Approximately 27,000 acres of oaks were significantly impacted since 2013
- ❑ Woodland protections are necessary to achieve natural resource and climate goals
- ❑ The proposed District would limit development impacts



Oak Woodland Combining District

- Apply protections to woodlands in combining zone
- Exemptions for public safety, vegetation management, and ecological restoration
- Allows one-time conversions of up to 0.5 acre on undeveloped parcels
- Large scale conversion subject to use permit
- Prioritize impact avoidance, allow for environmental review, support public transparency, and reserve county discretion on private projects of public consequence



Oak Woodland Combining District

Allowed Uses

- Without zoning permit, provided it does not result in type conversion:
 - ▣ Hazard reduction
 - ▣ Hazardous / dead / dying / diseased
 - ▣ Beneficial woodland conservation activities
 - ▣ Residential or Agricultural Maintenance
- With zoning permit
 - ▣ One time conversion up to 0.5 acre on undeveloped parcels

Oak Woodland Combining District Use Permits

- Determination of Oak Ecological Categories
- Alternatives Analysis
- Conservation Plan outlining mitigation options:
 - ▣ Conservation Easement
 - ▣ Replanting
 - ▣ In-lieu fees using appraisal value

Valley Oak Combining District Updates

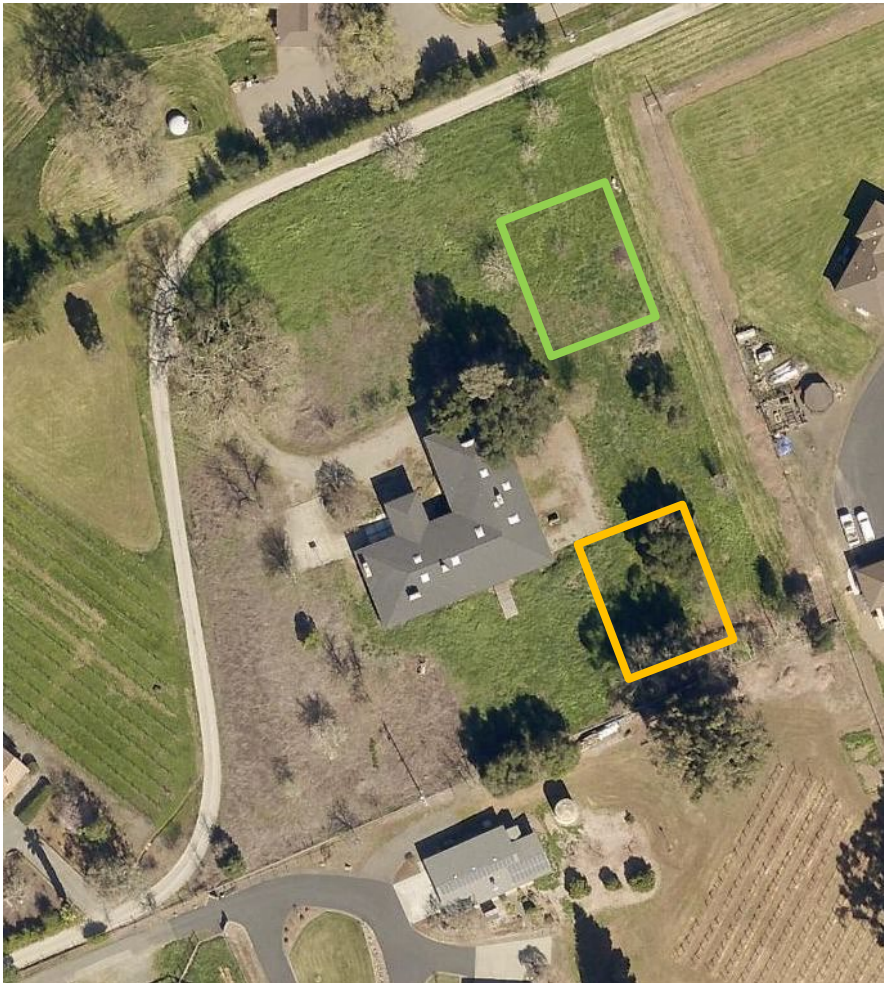
- Replace in-lieu fees with the same appraisal option recommended for the Tree Protection Ordinance
- Strike option to retain existing trees since doing so leads to resource loss
- Increase mitigation ratios to address limited survivability
- Integrate oak combining districts to simplify implementation

Example 1 – Residential Use on Undeveloped Parcel



- 13 acre parcel in OAK district
- Parcel is entirely in Oak Woodland
- Proposed residence, including driveway, septic, and well
- Eligible for .5 acre, one time conversion of woodlands
- If impacts exceed .5 acre subject to use permit

Example 2 – New Workshop in Valley Oak Area



- ❑ Developed site with individual valley oaks
- ❑ In VOH district
- ❑ Proposed 2000 square foot garage
- ❑ Yellow location requires use permit, removing 2 valley oaks over 36" dbh
- ❑ Green location avoids large valley oak, doesn't require planning permit for tree removal

Example 3 – New Vineyard in Oak Woodland Combining District



- 50 acre parcel with 20 acres of woodland
- Proposed 25 acre vineyard
- In woodland (green), vineyard requires use permit and VESCO
- Outside woodland, only requires VESCO

Additional Recommendations

- Update recommended vegetation management exemption to create consistency between ordinances
- Update allowed use exemption in Oak Woodland Combining District to facilitate repair of failing septic systems

Recommendation

The Planning Commission recommends that the Board of Supervisors adopt the attached ordinances and find the proposed actions exempt from the California Environmental Quality Act.





End