

# Sonoma County Board of Supervisors

Modernizing Tree and Woodland Protections  
Workshop  
3/5/2024

Staff:  
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# Summary BOS Action on Tree Ordinances

- Staff presented PC recommendation for modernizing tree protections and new Oak Woodland Combining District, continued from 11/28/2023
- Urgency ordinance for 45-day moratorium on limited tree removal and oak woodland conversion
  - ▣ Extended on 1/23/2024 until May 31, 2024
- At 12/12/2023 and 1/23/2024 hearing, BOS directed staff to address and analyze:
  - ▣ Potential unintended consequences/burden on landowners
  - ▣ Protected tree species list and minimum diameter
  - ▣ Emergency exemptions

# Outreach Since 12/12/23

- Field Trip – 1/16/2024
- Stakeholder meetings:
  - ▣ 2023
    - December 14
  - ▣ 2024
    - January 11
    - January 24
    - January 25
    - January 26
    - January 30
    - February 6
    - February 7

# Stakeholder Feedback Themes

- Purpose
- Applicability
- Housing
- Forestry Activities
- Stewardship
- Bay Trees
- Manzanita
- Diameter Threshold
- Mitigation Plantings
- Mitigation Fees

# 1. Revised Purpose Statement

The intent of this ordinance is to:

- *Support essential community and ecosystem benefits of trees by requiring their protection during construction projects, and requiring mitigations for their removal*
- *Facilitate hazard reduction, forest health, and property maintenance by exempting qualifying activities from permits or mitigations*

## 2. Applicability

### Two Options:

1. Applies to proposed development requiring a permit
2. Applies to proposed development requiring a permit. Tree removal within the project area that occurred within the last 5 years would be evaluated under ordinance

# 3. Housing

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- Affordable housing exemption:
  - ▣ Compliance with state housing and planning law
  - ▣ Proposed language would be mirrored in OAK

# 4. Forestry Activities

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- Clarify that the exemption allows landowners to do their own work on their own land, aligning with State law



# 5. Stewardship

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- Support stewardship and ecological restoration projects
- Many NGOs and technical service providers offer low-cost or free advice/consultation to landowners
- Supplement work with County BMPs and guidance

# 6. Bay Trees

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- ❑ Remove from Protected Species list
- ❑ Vector for Sudden Oak Death
- ❑ Prolific sprouter
- ❑ Protected in riparian areas under RC ordinance

# 7. Manzanita

- Highly endemic species
- Often protected under other state rules
- Definition of “Tree” in Zoning Code:
  - ▣ A healthy living large woody plant which ordinarily has a central trunk and at maturity exceeds a height of fourteen feet (14')

# 8. Diameter Threshold

- 6" DBH easily interpretable for landowners
- Protects younger generation of trees
- Increasing above 9" requires return to PC
- Outreach discussions also included the option of changing this metric, and looking at canopy loss
  - ▣ Would need to establish a minimum threshold

# 9. Mitigation Planting

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- Remove irrigation requirement
- Would still require irrigation if new development is subject to WELO requirements.

# 10. Mitigation Fees

- Proposed fees may be too high
- Legal concerns surrounding adopting fees
- Would not apply to OAK

Tree Protection Ordinance	Current Fee (1989)	CPI adjusted for December 2023	Percent Increase
1 Point AV*	\$200.00	\$486.51	143%
2 Point AV*	\$400.00	\$973.02	143%

\*AV = Arboreal Value

# 10. Mitigation Fees

Method	28" Oak Tree	6" Oak Tree
Current Fees	\$800.00	\$200
Adjusted for CPI	\$1,946.04	\$486.51
Appraisal Method	\$22,463	\$916

# Technical Revisions

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- Revisions to the Fire Risk Reduction Exemptions
- Language clean up:
  - ▣ Protected Species List intro
  - ▣ Allow PRMD and Ag to enforce provisions



# Post Adoption Implementation

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- Guidance documents, education material, BMPs for landowners

# Recommendation

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- Provide direction to staff on scope of changes to the proposed updates to the Tree Protection Ordinance, zoning code updates, and proposed Oak Woodland Ordinance



End