

Report required by Government Code § 65858(d) for Ordinance No. 6460, Prohibiting Certain Tree Removal and Type Conversion of Oak Woodlands

On December 12, 2023, the Board of Supervisors adopted an interim urgency ordinance (Ordinance No. 6460) temporarily limiting tree removal and Oak Woodland conversion for the term of the urgency ordinance, expiring January 26, 2024, unless extended by the Board. The Board directed staff to conduct additional outreach for updates to the Tree Protection Ordinance and a proposed Oak Woodland Ordinance and return at a future date with policy options for the Board's consideration.

Under Government Code section 65858, the initial term of an interim urgency ordinance is 45 days. After notice pursuant to Government Code section 65090 and a public hearing, the Board of Supervisors may extend the interim urgency ordinance for up to 22 months and 15 days. The action to extend the prohibition on tree removal and type conversion of Oak Woodlands will be considered by the Board on January 23, 2024.

Government Code section 65858(d) requires that 10 days prior to the expiration of an interim urgency ordinance, the Board issue a written report describing the measures being taken to alleviate the condition which led to the adoption of the interim urgency ordinance.

Adoption of Urgency Ordinance No. 6460 was intended to allow County staff the time needed to conduct additional outreach, prepare and evaluate various options for addressing protections of trees and woodlands, and prevent additional unregulated tree removal and oak woodland conversion to occur before new policies are adopted. Since the ordinance was enacted, staff has conducted additional outreach and is preparing and evaluating additional policy options as it prepares a permanent ordinance to address tree and woodland protections for the Board's consideration at a date uncertain. As with the initial adoption of Urgency Ordinance 6460, the County remains concerned that it will experience a rush of permit applications for tree removal activity, and a rush to cut trees prior to imposition of regulations limiting such cutting, should the moratorium expire without a comprehensive update to the

County's tree protection ordinance and development of the Oak Woodland Combining Zone within the Zoning Code. Staff continues to conduct outreach and evaluate policy options consistent with Board direction to facilitate the adoption a permanent ordinance as soon as possible.

This memo serves as the report required by Government Code section 65858. This memo will be published with the agenda materials for the Board's January 23, 2024, meeting, more than 10 days in advance of the expiration of Ordinance 6460.