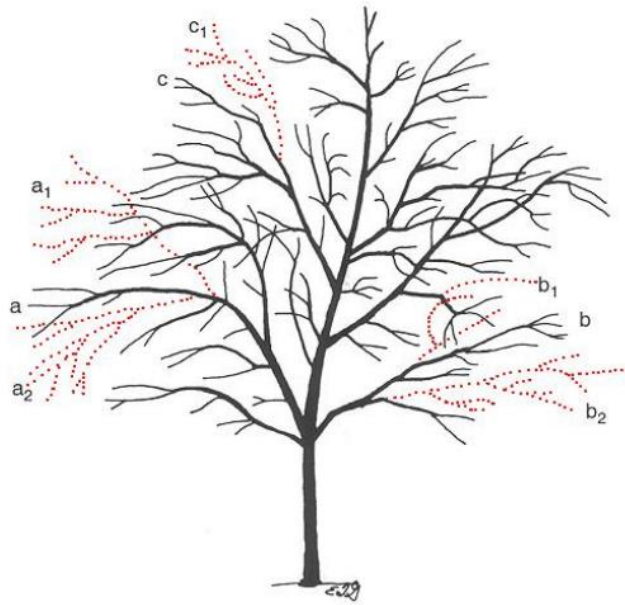


**Policy Options for Tree Trimming**  
**DRAFT**  
**Prepared for the Tree Ordinances Steering Committee**



**COUNTY OF SAN MATEO**  
PLANNING AND BUILDING

## Introduction

This memo is intended to facilitate the Steering Committee's consideration of policy options for regulating tree trimming in order to protect trees. The report summarizes the County's current policies that address tree trimming on unincorporated lands in San Mateo County. It also reports on the policies used by other jurisdictions, from neighboring cities, to regulate tree trimming, whether such trimming is associated with development or not. Finally it poses a series of questions for the Committee to consider and discuss.

## Current Policies in San Mateo County

Within the County's tree regulation framework, all trees over 12" in diameter are considered "Significant" trees and are subject to the regulations contained in the Significant Tree Protection Ordinance (Section 12,000 et seq. of the County Code). Additionally, certain species of trees (primarily Oaks), above a certain size (typically over 40" dia.) are considered "Heritage" Trees and are afforded a greater level of review and discretion under the Heritage Tree Protection Ordinance (Section 11,000 et seq. of the County Code).

With regards to tree trimming, the Significant Tree Protection Ordinance only regulates tree trimming within the RH/DR zoning district (Emerald Lake Hills):

**SECTION 12,020.2. TRIMMING IN THE RH/DR DISTRICT.** *A permit shall be required in the RH/DR district for the trimming of significant indigenous trees where the cut results in the removal of a branch or cutting of the trunk which is 19 inches or greater in circumference at the point of the cut. Exempt from the provisions of this paragraph are instances where, as determined by the Planning Director, "limb break" or other natural occurrences cause the loss of the crown or limb of a tree and such loss requires additional corrective cutting. Under such circumstances, appropriate tree surgery may be required, but no permit is needed.*

Outside of Emerald Lake Hills, no permit is required for the trimming of a significant tree that is not associated with development. The recently adopted interim changes to the Significant Tree Ordinance included the following new language:

**SECTION 12,019.1.** *"EFFECTIVELY REMOVE" includes, but is not limited to, any extreme pruning that is not consistent with standard arboriculture practices for a healthy tree and that result in the tree's permanent disfigurement, destruction, or removal pursuant to this chapter.*

**SECTION 12,020. PERMIT REQUIRED.** *Except as provided in Section 12,020.1, below, a permit shall be required under this Part for the cutting down, pruning that **effectively removes a tree**, poisoning or otherwise killing or destroying or causing to be removed any significant tree or community of trees, whether indigenous or exotic, on any private property.*

Staff included the above new definition of “effectively remove” to address the recurring problem (particularly on the coast) of people (not always the tree owner) topping trees in order to improve their views. More often than not, the trees are either redwoods or eucalyptus, and while topping does not usually kill either of these species, it does eventually lead to further structural issues for the trees down the road. Additionally this extreme pruning or topping is visually offensive to many people and conflicts with visual resource policies within the County’s General Plan and Local Coastal Plan.

But if the tree in question meets the size and species requirements of the Heritage Tree Ordinance, then the following regulations apply:

***SECTION 11,051. PERMIT REQUIRED TO REMOVE, DESTROY, OR TRIM TREES.*** *It shall be unlawful for any person to cut down, destroy, move or **trim** any heritage tree growing on any public or private property within the unincorporated area of San Mateo County without first obtaining a permit from the San Mateo County Planning Department except as herein provided. **The Planning Director may require that a permit for trimming of a heritage tree in an area defined by the General Plan as urbanized be carried out only by a licensed tree surgeon.** A minimal charge shall be made for permits required by this ordinance.*

Both the Heritage Tree and Significant Tree Ordinances regulate tree removal and protection on private property. Tree removal and trimming within the public right-of-way is addressed by the Department of Public Works. From their website:

Road Maintenance crews trim or remove trees in the County right-of-way to maintain the safety of vehicular traffic and pedestrians. This includes site clearance near intersections; height clearance for vehicles and pedestrians; and elimination of hazards such as broken limbs or diseased growth.

Any tree on private property which encroaches onto the right-of-way must also meet these standards. We will notify you if a tree on your property needs to be trimmed. You may do the work yourself if you’d like; if not, we will trim the tree to provide the required clearance at no charge to you.

The work we do is related to the use of the travel way by the public and is financed with gas tax revenues. The work is not financed with property taxes, and we are unable to trim trees for aesthetic purposes.

## Policies in Other Cities and Counties

Other local governments have adopted similar policies to protect valuable trees, with slight variations from San Mateo County’s policies. The City of San Carlos requires a permit to remove or prune a “protected tree”. However, a clear definition of “prune” is not provided, ie. – the level of pruning/trimming that is exempt from permitting requirements is not clearly stated.

The City of Burlingame has the following policy with encompasses removal and pruning:

Commercial contractors or property owners who wish to remove or prune a “protected tree with a circumference of 48 inches or more when measured 54 inches above natural grade” (Chapter 11.06 of the City of Burlingame Municipal Code) shall be required to submit a Protected Tree Permit that clearly identifies the tree species, location, work to be performed, reason why work is necessary and a photograph. An authorized representative of the Parks & Recreation Department shall make an inspection of the tree and shall file a written report and recommendation to the Director. A separate plan is needed for each tree.

The City’s Urban Forest Management Plan then goes into extensive detail on pruning practices that should be adhered to by all persons seeking a Protect Tree Permit.

The City of San Mateo requires a permit to “prune” any heritage tree. Prune is defined as: “Removal of more than one quarter of the crown or existing foliage of the heritage tree, or more than one third of the root system.”

Based upon Staff’s continued review of surrounding jurisdiction’s regulations, the general theme is that trimming/pruning requires a permit. However, not all jurisdictions clearly define “pruning” (see above discussion of City of San Carlos regulations).

(Note: PG&E’s tree trimming/removal policies will be presented by representatives from PG&E at the November 17, 2016 workshop)

## Questions for the Workgroup

- 1) Should the County extend its current tree trimming regulations to regulate the pruning/trimming of ALL significant size trees at ALL locations (not just in the Emerald Lake Hills Area)? (Trimming of Heritage trees already requires a permit).
- 2) Or should these additional regulations only apply to certain species of significant size trees (for example native oaks).
- 3) Should we amend our definition of “Pruning” to something akin to the City of San Mateo’s definition, or utilize the existing 19” circumference standard from the Emerald Lake Hills area, but extended throughout the County?
- 4) Should trimming policies require that permits for tree trimming be based on specified goals or outcomes for the pruning, such as
  - Reduce risk from falling branches or major structural defects
  - Reduce/remove disease or pests
  - Reduce density of live branches
  - Provide necessary clearance
  - Increase light levels below and reduce wind resistance
  - Restore damaged trees
  - Other?
- 5) Should policies refer to industry standards such as ANSI A300?