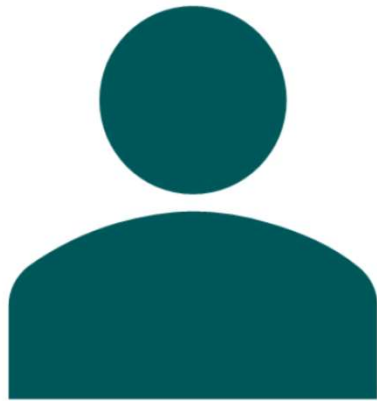


Mature Tree Preservation Policy

Public Workshop
March 28, 2023



INTRODUCTION



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BACKGROUND

➤ CITY COUNCIL DIRECTION

- December 8, 2021 – City Council directed staff to develop objective standards to preserve “significant mature trees”
- October 18, 2022 – Staff met with Councilmembers Lyndes and Kranz to discuss status of the ordinance
 - Clearly define “mature tree”
 - Identify constraints
 - Incentivize preservation of mature trees



APPLICABLE POLICIES

- **General Plan Resource Management Goal 3**

“The City will make every effort possible to preserve significant mature trees, vegetation, and wildlife habitat within the Planning Area.”

- **General Plan Resource Management Policy No. 3.2**

“Mature trees shall not be removed or disturbed to provide public right-of-way improvements if such improvements can be deferred, redesigned, or eliminated...”

- **General Plan Resource Management Policy No. 3.6**

“Future development shall maintain significant mature trees to the extent possible and incorporate them into the design of development projects.”



APPLICABLE POLICIES

- **Climate Action Plan Goal 7.1: Measure CS-1**

“The City will continue to encourage developers to avoid the removal of any mature trees when a property is developed or redeveloped. If the removal of mature trees is unavoidable, trees are required to be replaced at a 1:1 ratio.”

- **Urban Forest Management Program Administrative (UFMP)**
Manual of Procedures

- *The City’s primary regulatory tools for the orderly protection of trees*
- *Goal is to promote the health, safety, welfare, and quality of life for the residents of the City*
- *Only applies to Public and Heritage Trees*



MUNICIPAL CODE

- **EMC 15.02 “Municipal Tree Ordinance”**

- Municipal code sections on maintenance, preservation, and removal of City trees
- Definition on Heritage Trees and Heritage Grove:

“Heritage tree” means a tree of community significance located in the City on public or private property designated by the City in accordance with the following criteria:

- One of the oldest and largest of its species;
- Unique form or species;
- Historic significance due to an association with an historic building, site, street, person or event;
- Defining landmark or significant outstanding feature of a neighborhood

The designation of a heritage tree on private property requires the written consent of the private property owner in a form deemed sufficient by the City Attorney.

“Heritage Grove” means a group of trees that collectively meet one or more of the Heritage Tree criteria.

WORKSHOP GOALS



**Receive Feedback
for a “Mature
Tree” Definition**



**Receive Feedback
on Mitigation
Strategies**



**Receive Feedback
on Replacement
Size/Ratio/Type**



**Receive Feedback
on Incentives**

Comment cards can be found on the [project webpage](#), and submitted to ejedynak@encinitasca.gov



MATURE TREE DEFINITION

What Trees are Considered “Mature?”

Classification by Size (Ex. City of Austin)

Levels of Tree Ordinance Protection



8" and larger

- Survey required on commercial site plan submittals



19" and larger are Protected Trees

- All species are protected
- Tree permit required for removal or impacts (residential and public)



24" and larger may be Heritage Trees

- Only specific species qualify
- Variance required for removal or impacts that exceed code requirements
- Variances can be administrative
- Greater penalties for unpermitted impacts



30" and larger Heritage Trees

- Proposed variances must go through public process

Classification by Size and Species (Ex. City of San Mateo)

12. "Significant tree" means any tree that is eleven inches (11") in diameter (or more), outside of bark, measured at fifty-four inches above natural grade. The following trees shall not be classified as significant or heritage trees regardless of size:

- Bailey, Green or Black Acacia: *A. baileyana*, *A. decurrens* or *A. melanoxylon*;
- Tree of Heaven: *Allianthus altissima*;
- Fruit trees of any kind;
- Monterey Pine: *Pinus radiata*;
- Eucalyptus genera;
- Monocot trees including palms and palm relatives.

11. "Heritage tree" means any:

- Indigenous tree whose size, as measured at fifty-four inches above natural grade (unless otherwise indicated), is defined below:

Heritage Tree Species	Minimum Protected Diameter
<i>Aesculus californica</i> (buckeye)	9" diameter or greater
<i>Arbutus menziesii</i> (madrone)	9" diameter or greater
<i>Quercus agrifolia</i> (coast live oak)	9" diameter or greater
<i>Quercus lobata</i> (valley oak)	9" diameter or greater
<i>Quercus douglassii</i> (blue oak)	9" diameter or greater
<i>Quercus wislizenii</i> (interior live oak)	9" diameter or greater
<i>Sequoia sempervirens</i> (redwood)	15" diameter or greater
<i>Umbellularia californica</i> (California bay laurel)	11" diameter or greater

MITIGATION STRATEGIES

The City's proposed directive for mitigation would be based on the following hierarchy:

1. Preserve the tree
2. Mitigate (replace) on site
3. Mitigate (replace) within the neighborhood (borders must be defined)
4. Mitigate into a land bank/right-of-way/open space

A licensed arborist would determine to what extent the mitigation would be possible.



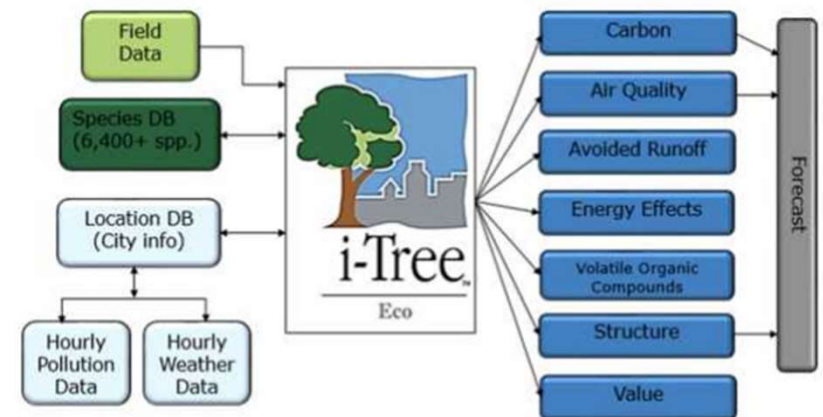
REPLACEMENT RATIO/SIZE/TYPE

Replacement Tools Example

Credit List (Ex. City of Tucson)

TABLE 7.7.5-1: <u>PROTECTED NATIVE PLANT</u> PRESERVATION CREDITS AND <u>MITIGATION</u> STANDARDS							
<u>Protected Native Plant</u> [1]	Saguaro	Other Cacti	Ironwood Trees	Other Trees	Ocotillo	Yuccas	Shrubs
Preservation Credits [3]	6-10' H = 2 >10' H = 3	>2' H or D = 2 [4]	6-12" C = 2 >12" C = 3	6-14" C = 2 >14" C = 4	>6' = 2	>4' H or D = 2	>6' H = 2
Replacement Ratio for RFS [5]	3:1	2:1	3:1	2:1	2:1	2:1	2:1
<u>Mitigation</u> Ratio for TOS [6]	1:1	1:1	1:1	1:1	1:1	1:1	1:1
Replacement Size [7]	From <u>Site</u> : >2' H From Nursery: >4' H	1' H or D [8]	15 G	15 G	From <u>Site</u> : >2' H From Nursery: >4' H	5 G	5 G

Online Tools (Ex. City of Santa Barbara)

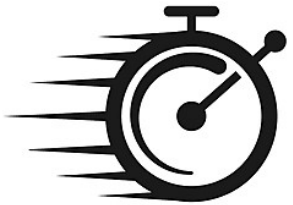


<https://mytree.itreetools.org/#/location>

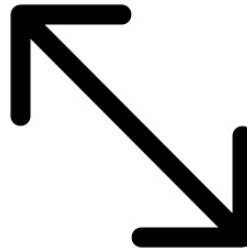
Ratio Replacement (1:1, etc.)

INCENTIVE OPTIONS

**Expedited Review
Times
(Ministerial and
Discretionary)**



Increased Lot Coverage



**Fee Reduction
(Percentage)**



Questions?

