



County of Santa Cruz
Health Services Agency – Environmental Health
Fish and Wildlife Advisory Commission

701 Ocean Street, Room 312, Santa Cruz, CA 95060
(831) 454-2022 TDD/TTY – Call 711 <http://www.scceh.org>



May 1, 2025

RE: Request that the Board of Supervisors consider modifying the Significant Tree Ordinance

Dear Honorable Supervisors,

The Significant Tree Ordinance (STO) is aimed at protecting big trees within the Coastal Zone of Santa Cruz County. These big trees are responsible for providing habitat, stabilizing soils, storing carbon, retarding storm runoff and maintaining the aesthetic character for which Santa Cruz is so widely loved. Unfortunately, this ordinance does not extend outside the Coastal Zone and furthermore only applies to trees visible from scenic roads, any beach, or within a designated scenic resource area and therefore many significant trees have virtually no regulatory protection.

The Fish and Wildlife Advisory Commission (FWAC) has contacted the Board of Supervisors (BOS) on several occasions in the past regarding this matter (Attachment 1 - Past FWAC/BOS STO Correspondences) and would again like to recommend that the County consider revision of this ordinance. Recently, several members of the FWAC met with Supervisor McPherson's office and County staff in order to discuss what changes might strengthen the ordinance and enable effective implementation. The FWAC was then encouraged to review neighboring similar ordinances and suggest either revisions of the existing STO or language for a new ordinance.

The FWAC did review ordinances from various central coast municipalities and counties and found several ordinances that are significantly more detailed and protective of significant trees than the existing STO. However, recognizing that significant public process went into development of those ordinances and that implementation of such detailed ordinances may exceed County bandwidth, the FWAC ultimately decided that the existing STO, as modified below, would strike the best balance between protection of significant trees and implementation efficacy. Proposed modifications include (Attachment 2 - Proposed STO Revisions)

1. Expand geographic scope of the STO outside the Coastal Zone to include all of unincorporated Santa Cruz County.



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2. Strike the requirement that a significant tree must be visible from scenic roads, beaches or designated scenic resource area.
3. Provide exemptions for specific invasive, non-native species
4. Provide exemptions for maintenance of CalFire - designated defensible space.

We are hopeful that the BOS will soon recommend that the Community Development and Infrastructure Department begin steps to modify the STO as described above. The FWAC stands ready to support this effort with further review of neighboring jurisdictions and/or community outreach on the matter, as needed. Thank you again for your consideration. If you have any questions or concerns about these comments, please do not hesitate to reach out to the FWAC.

Sincerely,

A handwritten signature in black ink, appearing to read "J Gomez", is written over a horizontal line.

Jennifer Gomez
Fish and Wildlife Advisory Commission Chair

Att 1: Past BOS/FWAC STO correspondence
Att 2: Proposed STO Revisions



County of Santa Cruz

Health Services Agency – Environmental Health

Fish and Wildlife Advisory Commission

(831) 454-2022 TDD/TTY – Call 711 <http://www.scceh.org>



September 5th, 2024

RE: Request that the Board of Supervisors consider extending the Significant Tree Ordinance outside the Coastal Zone

Dear Honorable Supervisors,

The Significant Tree Ordinance (STO) is aimed at protecting big trees within the Coastal Zone of Santa Cruz County. These big trees are responsible for providing habitat, stabilizing soils, storing carbon, retarding storm runoff and maintaining the aesthetic character for which Santa Cruz is so widely loved. Unfortunately, this ordinance does not extend outside the Coastal Zone and therefore big trees outside that zone have virtually no regulatory protection.

On July 11, 2019, the Fish and Wildlife Advisory Commission (FWAC) contacted you to suggest that you consider extending this ordinance to the rest of the County outside the Coastal Zone. At that time, Supervisor McPherson expressed concern that doing so may be in conflict with the Forest Practice Rules or other related Cal Fire standards. Fortunately, since that time we've learned that Cal Fire is supportive of extending the Significant Tree Ordinance provided that a revised ordinance includes exceptions for hazard trees similar to those found in the County of San Mateo Significant Tree Ordinance:

<https://www.smcgov.org/planning/regulation-removal-significant-trees>)

Additionally, the County of Santa Cruz [Sustainability Update](#) also recommends that the Significant Tree Ordinance be reviewed in the context of climate change adaptation. We understand that the focus of this was more responsive to environmental justice concerns than it was on habitat, however big trees in urban environments can also provide valuable habitat and other environmental services.

Admittedly, the County is experiencing a budget crisis and bandwidth for new projects is understandably limited. However, extending the STO beyond the Coastal Zone may be one of the least costly yet most effective things the County can do to ensure protection of the values referenced above and to address climate change locally. Therefore, we strongly encourage you to reconsider

extending the Significant Tree Ordinance beyond the Coastal Zone to the rest of the County.

Thank you for your consideration. If you have any questions or concerns about these comments, please do not hesitate to reach out to the FWAC.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Jankovitz", with a stylized, cursive script.

Jon Jankovitz
Fish and Wildlife Advisory Commission Chair

Att: July 11, 2019 FWAC letter to the BOS, January 29, 2020 Supervisor McPherson letter to the FWAC, maps



COUNTY OF SANTA CRUZ

FISH AND WILDLIFE ADVISORY COMMISSION

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060
(831) 454-3154 FAX: (831) 454-3128

July 11, 2019

County of Santa Cruz
Board of Supervisors
701 Ocean Street, 5th Floor
Santa Cruz, CA 95060

Re: Extending the Significant Tree Ordinance to all of County of Santa Cruz

Dear Honorable Supervisors,

The Significant Tree Ordinance was enacted to protect large trees in our county, but it currently only applies within the Coastal Zone. The stated purpose of the ordinance is primarily to protect scenic resources. After hearing from members of the public that this application is too limited, we evaluated the ordinance and agree that it should be expanded. We have also found that all of our surrounding counties (San Mateo, Santa Clara, San Benito and Monterey) have county-wide tree ordinances, and Santa Cruz appears to be unique with its more limited scope. Applying this ordinance just to the Coastal Zone seems arbitrary, and leaves much of the County without the benefit of its protections. Therefore, we recommend that the Board of Supervisors instruct the Planning Dept. to modify both the Purpose and Scope of the ordinance.

Our forests provide much more than just scenic beauty. They provide valuable services such as preventing erosion of topsoil, protecting against flood hazards and the risk of landslides, counteracting pollutants in the water and air and relieving the public costs of installing and maintaining storm water drainage systems. Large trees are more fire resistant compared to other vegetation types and they provide a high degree of carbon sequestration.

The preservation of significant trees and forest communities on private and public property is necessary to protect habitat for fish, birds, insects and mammals, a number of which are rare, threatened and endangered species. We recommend that the Scope of the ordinance includes these important ecosystem services.

We recommend extending the Significant Tree Ordinance county-wide. While there is broad agreement that our county has a very high level of biodiversity, the number of forested acres without protections for large trees is substantial. Although there are some protections for trees under Chapters 16.30 (Riparian Corridor and Wetlands Protection), and Chapter 16.32 (Sensitive Habitat Protection), these areas are very limited, and there are no specific protections for large trees. **Based on county data, we estimate that 32% (over 92,000 acres) of Santa Cruz County has little or no protections for significant trees.** Exhibit 1 shows that the Coastal

Zone, where the current ordinance applies, covers only about 25% of the county. About 42% is under the jurisdiction of other agencies including incorporated areas, state parks and CalFire. Of the remaining county jurisdictional area, the vegetation analysis (Exhibit 2) suggests that roughly 70% includes forested vegetation types. However, significant trees may occur in all vegetation types.

We respectfully offer these changes that can achieve the goals of increasing protection for important resources with a minimal amount of new regulation. We also request that the Fish and Wildlife Advisory Commission is given an opportunity to review changes to the ordinance prior to Board acceptance.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Chris Berry', with a stylized, flowing script.

Chris Berry, Chair
Fish and Wildlife Advisory Commission
County of Santa Cruz
701 Ocean Street, Room 312
Santa Cruz, CA 95060

16.34.010 Purpose.

(A) The Board of Supervisors of Santa Cruz County finds that the trees and forest communities ~~located within the County's Coastal Zone~~ are a valuable resource. ~~Significant trees provide wildlife habitat, stabilize top soils, reduce the risk of landslides, sequester atmospheric carbon, reduce storm runoff, and contribute to the~~ Removal of significant trees could reduce scenic beauty and the attractiveness of the area to residents and visitors.

(B) The Board of Supervisors further finds that the preservation of significant trees and forest communities on private and public property is necessary to protect and enhance the County's natural ~~habitats, scenic~~ beauty, property values, and tourist industry. The enactment of this chapter is necessary to promote the public health, safety, and general welfare of the County, while recognizing individual rights to develop, maintain, and enjoy the use of private property to the fullest possible extent. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.015 Scope.

This chapter regulates the removal of trees in the ~~Coastal Zone~~ unincorporated area of the County of Santa Cruz when not included in the provisions of a discretionary permit. This chapter establishes the type of trees to be protected, the circumstances under which they may be removed, and the procedures for obtaining a permit for their removal. The provisions of this chapter apply to all persons as defined herein; they also establish standards applicable to tree cutting activities of public agencies required to obtain a Coastal Zone permit pursuant to Chapter 13.20 SCCC. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.020 Amendment.

Any revision to this chapter which applies to the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When an ordinance revision constitutes an amendment to the Local Coastal Program, such revision shall be processed pursuant to the hearing and notification provisions of Chapter 18.60 SCCC and shall be subject to approval by the California Coastal Commission. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.030 Definitions.

All terms used in this chapter shall be as defined in the General Plan and Local Coastal Program Land Use Plan glossaries and as follows:

“Coastal Zone” means that unincorporated area of the County of Santa Cruz as defined by the California Coastal Act of 1976, Division 20 of the California Public Resources Code. This area is identified on the General Plan and Local Coastal Program Land Use Plan maps.

“Diameter at breast height (d.b.h.)” means the average diameter of a tree outside the bark at a point four and one-half feet above the highest level ground.

“Person” means any individual, group, firm, organization, association, limited liability company, or other business association, corporation, including any utility, partnership, business, trust company, special district or public agency thereof, or other party, or as specified in Section 53090 of the California Government Code; or the State or a State agency or city when not engaged in a sovereign activity. Where a coastal development permit is required pursuant to Chapter 13.20 SCCC, State and Federal agencies may be required to comply with various provisions of this chapter as a condition of the coastal development permit.

“Planning Director” means the Director of the Planning Department or his or her authorized designee charged with the administration and enforcement of this chapter.

“Significant tree,” for the purposes of this chapter, shall include any tree, sprout clump, or group of trees, as follows:

(A) Within the urban services line ~~or rural services line~~, any tree which is equal to or greater than 20 inches d.b.h. (approximately five feet in circumference); any sprout clump of five or more stems each of which is greater than 12 inches d.b.h. (approximately three feet in circumference); or any group consisting of five or more trees on one parcel, each of which is greater than 12 inches d.b.h. (approximately three feet in circumference).

(B) Outside the urban services line ~~or rural services line, where visible from a scenic road, any beach, or within a designated scenic resource area,~~ any tree which is equal to or greater than 40 inches d.b.h. (approximately 10 feet in circumference); any sprout clump of five or more stems, each of which is greater than 20 inches d.b.h. (approximately five feet in circumference); or, any group consisting of 10 or more trees on one parcel, each greater than 20 inches d.b.h. (approximately five feet in circumference).

(C) Any tree located in a sensitive habitat as defined in Chapter 16.32 SCCC. Also see SCCC 16.34.090(C), exemption of projects with other permits.

“Significant tree removal permit” means a permit issued pursuant to the provisions of this chapter.

“Sprout clump” means individual stems arising from one root collar and sharing a common root system. [Ord. 5182 § 14, 2014; Ord. 4346 §§ 73, 74, 1994; Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.040 Permit required.

Except for those exempt activities as enumerated in SCCC [16.34.090](#), no person shall do, cause, permit, aid, abet, suffer, or furnish equipment or labor to remove, cut down, or trim more than one-third of the green foliage of, poison, or otherwise kill or destroy any significant tree as defined in this chapter ~~within the Coastal Zone~~ until a significant tree removal approval for the project has been obtained pursuant to Chapter [18.10](#) SCCC, Level II. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.050 Application and fee.

Applications for significant tree removal approvals granted pursuant to this chapter shall be made in accordance with the requirements of Chapter [18.10](#) SCCC, Level II, and shall include the following:

- (A) Applicant’s or authorized representative’s name, address, and telephone number.
- (B) Property Description. The description of the site(s) involved, including the street address, if any, and the assessor’s parcel number.
- (C) Required Information. The following information shall be provided in writing:
 - (1) A site plan sufficient to identify and locate the trees to be removed, other trees, buildings, proposed buildings, and other improvements.
 - (2) A description of the species, circumference or diameter at breast height, estimated height, and general health of the tree(s) to be removed.
 - (3) A description of the method to be used in removing the tree(s).
 - (4) Reason(s) for removal of the tree(s).
 - (5) Proposed visual impact mitigation measures as appropriate. Size, location, and species of replacement trees, if any, shall be indicated on the site plan.
- (D) Applicant’s Property Interest. Evidence that the applicant is the owner or purchaser under contract of the premises involved, is the owner of a leasehold interest, or has written permission of the owner to make the application.

(E) Further Information. Such further information as may be required by the Planning Director, including but not limited to the opinion of a registered professional forester, tree surgeon, or other qualified expert.

(F) Filing Fee. A filing fee, set by resolution of the Board of Supervisors, shall accompany the application. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.060 Required findings.

One or more of the following findings shall be made prior to granting approvals pursuant to this chapter in addition to the findings required for the issuance of a development permit in accordance with Chapter [18.10](#) SCCC:

(A) That the significant tree is dead or is likely to promote the spread of insects or disease.

(B) That removal is necessary to protect health, safety, and welfare.

(C) That removal of a nonnative tree, ~~which is not listed as exempt in SCCC 16.34.090,~~ is part of a plan approved by the County to restore native vegetation and landscaping to an area.

(D) That removal will not involve a risk of adverse environmental impacts ~~to sensitive habitats, protected wildlife, shade, noise buffers, wind protection, air pollution, visual aesthetics and historic features, such as degrading scenic resources.~~

(E) ~~That removal is necessary for operation of active or passive solar facilities, and that mitigation of visual impacts will be provided.~~

(F) That removal is necessary in conjunction with another permit to allow the property owner an economic use of the property consistent with the land use designation of the Local Coastal Program Land Use Plan.

(G) ~~That removal is part of a project involving selective harvesting for the purpose of enhancing the visual qualities of the landscape or for opening up the display of important views from public places.~~

(H) That removal is necessary for new or existing agricultural purposes consistent with other County policies and that mitigation of visual impacts will be provided. Also see SCCC [16.34.090](#)(D), exemption of tree crops. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.065 Approvals.

Significant tree removal applications shall be processed according to Chapter [18.10](#) SCCC, Level II. Approvals shall be granted by the Planning Director or his designee. Notices of

actions taken pursuant to this chapter shall be in accordance with Chapter [18.10](#) SCCC. [Ord. 3443 § 1, 1983].

16.34.070 Conditions of approval.

In granting any permit as provided herein, the Planning Director may attach reasonable conditions to mitigate visual impacts and ensure compliance with the provisions of this chapter, including but not limited to replacement of trees removed with trees acceptable to the Planning Director. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.080 Emergencies.

In the case of emergency caused by the hazardous or dangerous condition of a tree and requiring immediate action for the safety of life or property, such necessary action may be taken to remove the tree or otherwise reduce or eliminate the hazard without complying with the other provisions of this article, except that the person responsible for cutting or removal of the tree shall report such action to the Planning Director within 10 working days thereafter. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.090 Exemptions.

The following work is exempted from all provisions of this chapter:

- (A) Trees that are located within a home's "Zone-1 Defensible Space", as defined by CalFire and California Code, PRC 4291.
- (B) Removal of the following invasive species: All species within the Genus Eucalyptus, All species within the Genus Acacia, Black Locust (Robinia pseudoacacia), and Tree of Heaven (Ailanthus altissima).
- (C) Timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practices Act of 1973 (commencing with Section 4511).
- ~~(B) Any activity done pursuant to a valid timber harvest permit, or a notice of timber harvesting, and approved pursuant to Chapter [16.52](#) SCCC.~~
- ~~(E)~~ Any tree removal authorized pursuant to a valid discretionary permit approved pursuant to Chapter [13.10](#) (Zoning Regulations), Chapter [13.20](#) (Coastal Zone Regulations), Chapter [14.01](#) (Subdivision Regulations), Chapter [16.20](#) (Grading Regulations), Chapter [16.22](#) (Erosion Control), Chapter [16.30](#) (Riparian Corridor and Wetlands Protection), Chapter [16.32](#) (Sensitive Habitat Protection), or Chapter [16.54](#) SCCC (Mining Regulations).

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Commented [SA1]: This edit is unrelated to the proposed expansion of the Significant Tree Ordinance. This suggestion is provided as a possible simplification of the code.

(DE) Removal of tree crops pursuant to agricultural operations. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.100 Inspection.

Repealed by Ord. 4392A. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.105 Violations.

(A) It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor to remove, cut down, trim more than one-third of the foliage of, poison, or otherwise kill or destroy any significant tree as defined in SCCC [16.34.030](#) ~~within the Coastal Zone~~ unless: (1) a development permit has been obtained and is in effect which authorizes such activity; or (2) the activity is exempt from the requirement for such a permit by reason of the provisions of SCCC [16.34.090](#); or (3) there was an emergency caused by the hazardous or dangerous condition of the tree which required the action to be taken immediately for the safety of life or property.

(B) It shall be unlawful for any person to exercise any development permit which authorizes actions affecting significant trees without complying with all of the conditions of such permit. [Ord. 3451-A § 24, 1983].

16.34.110 Enforcement penalties, remedies and procedures for violations.

Any violation of any provision of this chapter shall be subject to the enforcement penalties, remedies, and procedures set forth in SCCC Title [19](#), Enforcement of Land Use Regulations. [Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.120 Appeals.

All appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures set forth in Chapter [18.10](#) SCCC; provided, however, that code enforcement actions and decisions are not subject to administrative appeal except for appeals of revocation of permits pursuant to SCCC [18.10.136](#)(C). [Ord. 4392A § 13, 1996; Ord. 3443 § 1, 1983; Ord. 3341 § 1, 1982].

16.34.130 Expiration.

Unless otherwise specified, approvals issued pursuant to this chapter shall expire one year from the date of issuance if not exercised. Where approvals are issued in conjunction with a development permit granted pursuant to Chapter [18.10](#) SCCC, the approval shall expire in accordance with the provisions of Chapter [18.10](#) SCCC. [Ord. 3443 § 1, 1983].

16.34.140 Amendment.

Amendments to approvals granted pursuant to this chapter, whether for change of project, conditions, or expiration date or other time limits, shall be processed in accordance with the provisions of Chapter [18.10](#) SCCC. [Ord. 3443 § 1, 1983].