INFORMATION FOR COMPLIANCE WITH TREE ORDINANCES CONTRA COSTA COUNTY

Required Submittal

Site Plan – The site (grading and development) plan shall *accurately* indicate the location, species, tree dripline, and trunk circumference of all trees, with a trunk circumference of 20 inches (50cm) or more, measured 4 ½ feet (1.37m) above the ground (or any significant grouping of trees including groves of four or more trees regardless of trunk size) whose tree trunks lie within 50 feet (15.2m) of proposed grading or other proposed improvements, or other proposed development activity (e.g., stockpiling of construction materials, fill, etc.). The site plan shall include any qualifying trees whose trucks lie on adjoining property but whose canopy (dripline) extends onto the subject property. If the proposed development is in proximity to two or more qualifying trees, then each tree shall be assigned a number for identification purposes (e.g., #3, #5, etc.). (Trees whose trunks are not within 50 feet of proposed ground disturbance need be only denoted by the outline of the aggregate tree canopy on the site plan.) ***The site plan shall also specifically and clearly indicate whether individual trees are proposed to be (1) removed, (2) altered[1] or otherwise affected.[2]***

If mature trees are not shown on the site plan as proposed to be removed or altered, the County may assume that those trees are intended to be preserved without alteration, and a County development permit may be so conditioned. ***Applicants should be aware that a subsequent ministerial permit (grading or building permits, or approval of improvement plans) by the County cannot be cleared unless it is consistent with the Tree Ordinance and any applicable Development or Tree Permit.***

The plan shall contain a tally of the total number of trees proposed to be removed and their respective tree circumferences.

Drainage Plan and Underground Utilities – The site plan shall also provide for a preliminary drainage plan that identifies the location of any proposed drainage ditches, underground drainage culverts, and similar facilities; and disclose the location of any proposed underground utilities (telephone, cable TV, sewer, electric, gas and water lines; and septic tank and leachfield).

Previously Designated Heritage Tree(s) – If the Board of Supervisors has previously designated one or more trees on the site or an adjoining site as a Heritage Tree(s), then those trees shall be so labeled on the site plan. The site plan shall clearly indicate whether proposed development will encroach within the drip line or a 12 foot (3.66m) radius of the tree trunk whichever is greater.

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[1] An alteration to a protected tree involves any proposed trenching, grading, filling, paving, compaction, stockpiling, or change in ground elevation within the dripline of a tree. It also includes any proposed "trim by topping" of a protected tree, that is, the removal of the upper 25% or more of a tree's trunk)s) or primary leader,

[2] Though not required, an applicant may also choose to identify on the site plan a third classification of trees- (3) trees to be preserved (without alteration). However, any tree designated on an approved site plan for preservation, or so designated by condition of approval, automatically becomes a "protected" tree under the ordinance. No removal or (unauthorized) alteration of a protected tree is allowed without first obtaining a Tree Permit from the County.

No Qualifying Trees on Site – If the site contains no trees with a trunk circumference of 20 inches (50 cm) or more 4 ½ feet (1.37m) above the ground, then the site plan should stipulate that:

"No trees with a trunk circumference of 20 inches or more are located on the site."

Other Required Project Description Information

- Written statement indicating:
  - description of any tree that is proposed to be altered by "trim by topping", that is, the removal of the upper 25% or more of a tree's trunk or primary leader, and the extent of the proposed trimming:
  - the reasons(s) for alteration or removal of existing trees;
  - the proposed method of tree alteration or removal: and
  - information indicating the effect of tree alteration or removal on soil stability and erosion if located on a steep slope or near any creek.
- Photographs of the tree(s) to be proposed to be affected.

Arborist Report – Submittal of an arborist report on the proposed development may be required by County staff if (1) the reasons for alteration or removal relate to the health of the tree; or (2) if grading, trenching or filling is proposed under the dripline of an existing tree,; or (3) the review is of a collective tree permit and (County staff) determines that more technical expertise is necessary to make the decision. The arborist report must follow the guidelines listed below:

The report shall be prepared by a person who is either (1) certified by the Western Chapter of the International Society of Arboriculture, as an expert on the care of woody trees, shrubs and vines in the landscape, (2) a consulting arborist who satisfies the requirements of the American Society of Consulting Arborists, or (3) such other arborist who, after review by the Director of Community Development, is determined to meet the standards established for certified or consulting arborists hereinabove described. The report (or cover letter from the arborist) shall indicate how the individual meets these qualifications.

Minimally, the report shall provide:

- an appraisal of the existing health of the trees near proposed development;
- an evaluation of whether trees proposed to be preserved ("altered") in proximity to proposed development can be preserved;
- the restorative or other remedial measures necessary to assure their preservation. *The report shall indicate if the proposed measures will be sufficient to avoid significant impact on the preservation and long-term survival of the tree(s);*

The report should also indicate that:

- the arborist has reviewed the Tree Protection and Preservation Ordinance; and

- the report has incorporated into its review the factors which the County is required to consider prior to approval or denial of the removal or alteration of protected trees (ref.§816-6.8010).

Submit two copies of the arborist report to the County.

(Ref. Chapter 816-6 of the Zoning Code, Tree Protection and Preservation; Particular reference to §816-6.1004; Chapter 816-4, Heritage Tree Preservation; and Policy 8-6 of the Conservation Element of the General Plan, pg. 8-26; Ordinance became effective on November 3,1994)

OTHER SUBMITTAL REQUIREMENTS FOR "OVER-THE-COUNTER" PERMITS ONLY[3]

Application Form

Obtain and fill out an Application Form from the Application and Permit Center, 651 Pine Street, Martinez. The form must be signed by the property owner.

Important Notice to Applicants

The applicant must review and sign the 2-page form entitled "Important Notice to Applicants." The signed document must be included in the application submittal.

Filing Fee

Fees for a Alteration or Removal of a Protected Tree(s) (Chapter 816-6)

1.	Initial fee	$500, plus $50 per tree for each impacted tree over the first six impacted trees up to a maximum of $550.
2.	If public hearing is required	Time and materials, initial fee deposit of $550. Plus $1000.

Fees for Alteration or Removal of a Heritage Tree(s) (Chapter 816-4)[4]

3.	Removal of a Heritage Tree	**Application Review:** Time & materials; initial fee deposit of $1000.
4.	Alteration of a Heritage Tree	**Inspection Review:** Time & materials; initial fee deposit of $500.

Should you have any questions, please call the Application and Permit Center at (925) 335-1381.

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[3] The tentative decisions on "over-the-counter" tree permit applications are subject to legal notice requirements and appeal opportunity.

[4] Heritage trees are trees expressly designated by the Board of Supervisors pursuant to Chapter 816-4 of the Ordinance Code and are not to be confused with "protected" trees as defined in Chapter 816-6 of the Ordinance Code which provides legal protection to trees on properties meeting certain criteria.