

# Tree Removal Permit Process Procedures

## **General Reminder:**

- Review the 2010 Monterey County Zoning Ordinance for tree removal policies.
- No over-the counter review for tree removal, unless they are hazardous.
- During the bird nesting season (February 22 through August 1) tree consultants shall identify any nests within 300 feet of the proposed tree removal(s) in the tree assessment. If a nest is found, a County-qualified biologist must conduct a nest survey prior to the approval of the tree removal permit. The biologist's recommendations will be added as condition of approval (See condition list on the back of the Tree Removal Application form).
- If the tree removal report/evaluation indicates any sudden oak death, the proposed removal must be referred to the Ag. Commissioner's Office (Brad Oliver: 759-7332). Do not go any further until written direction is received from the Ag/ Commissioner's Office.
- Proposed tree removal located within the coastal and non-coastal sections of the Del Monte Forest require a report/letter by Pebble Beach Company (Eric Love: 625-8421).

## **Administrative Tree Removal Permit: Hazardous**

### Submittal Requirements:

- A completed Tree Removal Permit Application.
- An ISA Tree Hazard Evaluation Form.
- A site plan showing existing structures and location of tree(s) proposed for removal.
- Photos showing full context of tree(s) including details of hazard(s) and how it poses a hazard in relation to the target.
- No fee

## **Reminder:**

- ISA Tree Hazard Evaluation forms must be prepared by a County-certified tree consultant trained to prepare tree hazard evaluations (see consultant list).

### Review and Approval Process:

- 1) At the counter, review the application, ISA Tree Hazard Evaluation Form, photos and site plan. If staff requires more information or review, initialize the project and bring the project in for further review.
- 2) Check Accela for prior tree removal permits with conditions not cleared and for consistency with any approved projects.
- 3) Identify conditions for replacement. If the tree consultant recommends no replacement planting, then consider other mitigation alternatives, such as a fee program to the DMF Foundation or the Oak Woodland Foundation.
- 4) If staff agrees with the results made by the tree consultant, initialize the application and approve the Tree Removal Permit. If staff does not agree with the results, the project will be denied and/or must go through the appropriate process and will require a Tree Assessment Report by a County-certified tree consultant.

- If staff agrees that the tree(s) is/are a hazard, there is no limit to the number of trees that can be removed. While reviewing the submitted information, determine if the removal is absolutely required to abate the hazard. If the tree can be saved by trimming or removing certain branches/limbs that could abate the hazardous situation, then that should be staff's determination.

5) Tree Removal Permits for a hazardous tree(s) do not require noticing or appeal period timing.

ISA Tree Hazard Evaluation Form review:

- a. Review all completed areas of the form to get the general status of tree(s) in question and the site conditions. If staff has any questions, make sure to contact the tree consultant involved.
- b. The most important part of the form is the Hazard Rating total. On the second page of the ISA form, under "Hazard Rating," verify the three rating components: failure potential, size of part, and target. The components are rated from 0 to 4. Combine the ratings from each component to get the Hazard Rating total. Using the submitted photos and site plan, review to make sure that the assessment makes sense with the data provided and that staff agrees or disagrees with consultant's information. Staff may be required to conduct a site visit to make a better determination.

How to read the Hazard Rating total

0 through 6:	Most likely non-hazardous.
7 or 8:	Possibly hazardous
9 through 12:	Hazardous

Depending on the circumstances, anything less than a rating of 9 is not hazardous.

**Reminder:**

- For a tree to be a hazard, the tree must be endangering the safety of persons (property owner(s), neighbors, general public ...), structures (single family dwelling) or public-use areas (roads, side-walks,...). The condition status of a tree can range from healthy to already down, yet if there is no specific hazard target, then there is no hazard.
- Liability: Approval or denial of a permit does not place any liability on the County of Monterey, as stated on the Tree Removal Permit application.

**Administrative Tree Removal Permit / Coastal Waiver (3 or less)**

Submittal Requirements:

- A completed Tree Removal Permit Application.
- A Tree Assessment Report from a County-certified tree consultant (see consultant list).
- A site plan showing existing structures and location of tree(s) to be removed.
- Photos of tree(s) to be removed.
- Fee: \$270.64

Review Procedures:

- 1) Once a project planner is assigned, review all submitted information that is received with the completed application to make sure that everything required for submittal is

accounted for. If the application package is missing information, send an incomplete letter to the owner/applicant requesting the missing information.

- 2) After staff has reviewed the submitted materials and has conducted a site visit, the Planner shall complete all information on the back of the submitted application titled, "For Department Use only". On the back of the application, there are three tables that need to be completed during review:
  - a. Department Use / General Information: Fill in all fields with the appropriate information.
  - b. Prior Tree Removal information: Complete all fields indicating any history of tree removal on subject parcel(s). Staff should:
    - i. Make sure that tree removal(s) will not impact projects with prior conditions that have not been cleared. No new tree removals will be approved until prior conditions are cleared.
    - ii. Check for tree removals that were done within a one-year period (21.64.260.D.2). If a tree removal for one tree is proposed, but three trees were removed less than a year prior, the cumulative number would equal four tree removals, in which a Use Permit would be required for the proposed tree to be removed.
  - c. Findings: First indicate whether the project is Coastal (Title 20) or Inland (Title 21) by checking the box next to the indicated zoning area, then complete the findings information located under the indicated zoning area.
    - i. Inland: The tree removal findings are summarized into questions on the Tree Removal Permit form. See Chapter 21.64.260 of the Monterey County Zoning Ordinance, Title 21, for protected tree removal. Tree Removal(s) that do not meet the findings required for removal of three or less trees may be denied and/or require a Use Permit. (Ex: Even if only one tree is requested for removal, if the findings can not be made, it should be denied and/or processed as a Use Permit.
    - ii. Coastal: The tree removal findings are summarized into questions on the Tree Removal Permit form. See the Monterey County Coastal Implementation Plan (Part 2-5), that pertains to the project's land use planning area, under "Forest Resources Development Standards". (20.144.050-North County; 20.145.060-Big Sur; 20.146.060-Carmel; & 20.147.050-Del Monte Forest)

**Reminder:** In the Coastal Zone

- If a tree is deemed hazardous, no fees will be assessed and there is no limit to the amount of tree removal.
- If a tree is deemed diseased, three or less trees can be removed. More than three trees will require a Coastal Development Permit.
- Within a developed setting, if a tree is dead and do not cause or create any impacts, three or less trees may be removed. If a dead tree is not on a developed site, it provides habitat value and should not be removed without a Coastal Development Permit.
- Everything else, except what is listed, requires a Coastal Development Permit.

## **Administrative Tree Removal Permit: Sudden Oak Death**

### Submittal Requirements:

- A completed Tree Removal Permit Application
- A letter from the Ag. Commissioner's Office (Brad Oliver: 759-7332).
- A site plan approved by Ag. Commissioner's Office
- No fee

### Review & Approval Process:

- 1) At the counter, review the completed application, site plan and letter from Ag. Commissioner's Office. Follow instruction recommended by the Ag. Commissioner's Office.
- 2) Identify conditions for replacement.
- 3) If removal is recommended by the Ag. Commissioner's Officer, there is no limit to the amount of removal. There is also no appeal period to the approval.

## **Administrative Tree Removal Permit: Fire Hazard Management**

### Submittal Requirements:

- A completed Tree Removal Permit Application.
- A letter from Fire Marshall.
- A site plan approved by Fire Marshall.
- No fee

### Review and Approval Process:

- 1) At the counter, review the completed application, site plan and letter from Fire Marshall. Follow recommendations by Fire Marshall.
- 2) Identify conditions for replacement.
- 3) There is no limit to the amount of removal. There is also no appeal period to the approval.