

**Draft Oak Resources Conservation Zoning Ordinance Update
(Title 130, Chapter 130.39)**

Planning Commission Hearing on July 10, 2025

Amendment Summary Table		
Amendment Location (Chapter 130.39)	Subject	Revision(s)
Multiple sections	Clarifications/minor amendments for readability and ease of use	Language added to address conflicts with other County ordinances (Sec. 130.39.015) Exemptions/Mitigation Reductions (Sec. 130.39.050) relocated to Sec. 130.39.070 (Mitigation)
Multiple sections	Amendments for consistency with state/County fire safe regulations	Example: New definitions of key fire safe terms have been added to Section 130.39.030 (Definitions)
Sec. 020 (Applicability)	Clarify ordinance exemption for County projects	Projects directly undertaken by the County are exempt from oak tree/oak woodland permit requirements (Sec. 130.39.020.A)
Sec. 030 (Definitions)	Consistency with Chapter 8.09 of the County Ordinance Code (Hazardous Vegetation and Defensible Space)	Definitions of terms from Chapter 8.09 added for ease of use including “Defensible Space”, “Hazardous Vegetation”, “Structure”, “Responsible Person”
Sec. 030 (Definitions)	Update definition of “Oak Woodland Removal Permit”	Clarified existing definition of “Oak Woodland Removal Permit” to include oak woodlands two acres or greater in size that would be impacted by proposed development
Sec. 030 (Definitions)	Update definition of “Heritage Tree” to resolve measurement challenges with multi-trunked trees	For multi-trunked trees, aggregate diameter measurement (36 inches DBH) should be measured from the largest three trunks, consistent with industry practice
Sec. 050 (Exemptions)	Remove exemption for existing parcels that cannot be subdivided	This exemption (Sec. 050.A) was removed due to enforcement issues and conflicts with state law (e.g., SB9) allowing ministerial small lot subdivisions

Amendment Summary Table

Amendment Location (Chapter 130.39)	Subject	Revision(s)
Sec. 050 (Exemptions)	Exemptions for natural disasters and defensible space inspections	Added exemption for trees damaged by natural disasters to codify the October 2019 Director Interpretation; Added an exemption for dead, dying or diseased trees inspected by a County defensible space inspector.
Sec. 060 (Oak Tree/Woodland Removal Permits)	Administrative Permits	Require Administrative Permits for all development activities impacting oaks
Sec. 070 (Mitigation)	Mitigation Calculations and Methods	Clarifications to mitigation methodology as applicable, including in-lieu fee payment, on or off-site replanting and security deposit requirements
Sec. 070 (Mitigation)	Exemption for Insurance-Required Oak Removal	Added new exemption for insurance-required oak removal (Sec.070.D.5)
Sec. 100 (Mitigation Maintenance, Monitoring and Reporting)	Mitigation Monitoring and Reporting	Amended annual monitoring and reporting requirements for oak tree/woodland removal permits and fees collected for the Oak Woodland Conservation Fund to once every five years consistent with previous Board guidance and the requirements of state law