



TREE REMOVAL PERMIT FACT SHEET

A Tree Removal Permit is required for the removal of trees in the following instances:

- More than two (2) “Protected Trees” are being removed from a developed lot in a 12-month period;
- The tree qualifies as a “Heritage Tree”;
- The tree is a “Protected Tree” or “Heritage Tree” and is located in a Stream Conservation Area or a Wetland Conservation Area;
- Any removal of “Protected Trees” on a vacant lot; and,
- The trees proposed for removal do not qualify for an exemption under Section 22.62.040 of the Marin County Code (see below).

The Native Tree Protection and Preservation ordinance does not apply to properties located in the coastal zone, and a Coastal Permit may instead be required for the removal of trees and vegetation.

Exemptions

The removal of any protected or heritage tree on a lot is exempt from Tree Removal Permit requirements if it meets at least one of the following criteria for removal:

- A. The general health of the tree is so poor due to disease, damage, or age that efforts to ensure its long-term health and survival are unlikely to be successful;
- B. The tree is infected by a pathogen or attacked by insects that threaten surrounding trees as determined by an arborist report or other qualified professional;
- C. The tree is a potential public health and safety hazard due to the risk of its falling and its structural instability cannot be remedied;
- D. The tree is a public nuisance by causing damage to improvements, such as building foundations, retaining walls, roadways/driveways, patios, sidewalks and decks, or interfering with the operation, repair, or maintenance of public utilities;
- E. The tree has been identified by a Fire Inspector as a fire hazard;
- F. The tree was planted for a commercial tree enterprise, such as Christmas tree farms or orchards;
- G. Prohibiting the removal of the tree will conflict with CC&R’s which existed at the time this Chapter was adopted;
- H. The tree is located on land which is zoned for agriculture (A, ARP, APZ, C-ARP or C-APZ) and that is being used for commercial agricultural purposes. (This criterion is provided to

recognize the agricultural property owner's need to manage these large properties and continue their efforts to be good stewards of the land.);

- I. The tree removal is by a public agency to provide for the routine management and maintenance of public land or to construct a fuel break;
- J. The tree removal is on a developed lot and: 1) does not exceed two protected trees within a one-year timeframe; 2) does not entail the removal of any heritage trees; and 3) does not entail the removal of any protected or heritage trees within a Stream Conservation Area or a Wetland Conservation Area.

It is recommended that a property owner obtain a report from a licensed arborist or verify the status of the tree with photographs to document the applicability of the criteria listed above to a tree which is considered for removal.

Permit Process

Provided a Tree Removal Permit application is categorically exempt from the California Environmental Quality Act, State law requires that a decision be issued within three months of the time a **complete** application is submitted. The Planning Division generally processes complete Tree Removal Permit applications in less than three months. Please refer to the "Planning Application Submittal Checklist" for more detailed information regarding the submittal requirements for a Tree Removal Permit.

An application for a Tree Removal Permit must include a landscaping/vegetation management plan that identifies the trees proposed for removal, and proposed replacement trees. As a standard practice to maintain consistency with the Marin Countywide Plan, the Landscaping Objectives identified in Section 22.26.040 of the Marin County Development Code, the Single Family Residential Design Guidelines, and the vegetation management requirements of the Marin County Fire Department or local Fire Protection District, the County may impose requirements including but not limited to the following:

- Replacement of trees at a ratio of three new, appropriately sized and installed trees for each tree designated to be removed;
- For large properties, a management plan which designates areas of the property for preservation of stands of trees or saplings and replacement plantings as required;
- Removal of invasive exotic species.

In the event that tree planting on the site is not feasible or appropriate, the Director may require in lieu of planting on the specific property, the payment of money in the amount of \$500.00 per replacement tree to be deposited into the Tree Preservation Fund managed by the Marin County Parks and Open Space Department for planting, maintenance, and management of trees and other vegetation.

Protected Trees and Heritage Trees

The table below defines tree types and sizes that qualify as Protected and Heritage Trees.

Common Name	Botanical Name	Protected Size <i>Diameter at Breast Height</i>	Heritage Size <i>Diameter at Breast Height</i>
Arroyo willow	<i>S. lasiolepis</i>	6 inches	18 inches
Big-leaf maple	<i>Acer macrophyllum</i>	10 inches	30 inches
Bishop pine	<i>Pinus muricata</i>	10 inches	30 inches
Blue oak	<i>Q. douglasii</i>	6 inches	18 inches
Box elder	<i>A. negundo var. californicum</i>	10 inches	30 inches
California bay	<i>Umbellularia californica</i>	10 inches	30 inches
California black oak	<i>Q. kelloggii</i>	6 inches	18 inches
California buckeye	<i>Aesculus californica</i>	10 inches	30 inches
California nutmeg	<i>Torreya californica</i>	10 inches	30 inches
Canyon live oak	<i>Q. chrysolepis</i>	6 inches	18 inches
Chaparral oak	<i>Q. wislizeni</i>	6 inches	18 inches
Coast live oak	<i>Quercus agrifolia</i>	6 inches	18 inches
Coast redwood	<i>Sequoia sempervirens</i>	10 inches	30 inches
Douglas-fir	<i>Pseudotsuga menziesii</i>	10 inches	30 inches
Giant Chinquapin	<i>Castanopsis chrysophylla</i>	10 inches	30 inches
Hawthorn	<i>Crataegus douglasii</i>	10 inches	30 inches
Mountain-mahogany	<i>Cercocarpus betuloides</i>	10 inches	30 inches
Narrow leaved willow	<i>Salix exigua</i>	6 inches	18 inches
Shreve's Oak	<i>Q. parvula var. shrevei</i>	6 inches	18 inches
Oregon ash	<i>Fraxinus latifolia</i>	10 inches	30 inches
Oregon oak	<i>Q. garryana</i>	6 inches	18 inches
Pacific madrone	<i>Arbutus menziesii</i>	6 inches	18 inches
Pacific yew	<i>Taxus brevifolia</i>	10 inches	30 inches
Red alder	<i>A. rubra</i>	10 inches	30 inches
Red elderberry	<i>Sambucus callicarpa</i>	10 inches	30 inches
Red willow	<i>S. laevigata</i>	6 inches	18 inches
Sargent cypress	<i>Cupressus sargentii</i>	6 inches	18 inches
Scoulier's willow	<i>S. scouleriana</i>	6 inches	18 inches
Service-berry	<i>Amelanchier tahensis</i>	10 inches	30 inches
Shining willow	<i>S. lucida ssp. lasiandra</i>	6 inches	18 inches
Silk tassel	<i>Garrya elliptica</i>	10 inches	30 inches
Sitka willow	<i>S sitchensis</i>	6 inches	18 inches
Tanbark oak	<i>Lithocarpus densiflorus</i>	10 inches	30 inches
Valley oak	<i>Q. lobata</i>	6 inches	18 inches
Wax myrtle	<i>Myrica californica</i>	10 inches	30 inches
White alder	<i>Alnus rhombifolia</i>	10 inches	30 inches