



City of Sebastopol Planning Department

Date: May 26, 2026
Agenda Item: 6A
To: Design Review/Tree Board
From: Tori Henkel, Permit Technician
Subject: Tree Protection Ordinance Proposed Updates

Background/Discussion:

The Design Review/Tree Board (DRB) created a joint subcommittee with the Climate Action Committee (CAC) and appointed two DRB members at their regular meeting on October 28, 2025. The subcommittee is comprised of two members from the DRB, Melissa Hanley and Christian Macke, and two members from the CAC, Kenna Lee and Emily Ocon.

The joint subcommittee has met multiple times to discuss proposed changes in the [Tree Protection Ordinance Chapter 8.12](#) of the Sebastopol Municipal Code.

The joint subcommittee released a survey to the public, opening on April 6, 2026, and closing on April 20, 2026, for input regarding community priorities and tree removal permit fees. The key takeaways, not in any particular order, of the survey are as follows:

1. Ecological principles and environmental benefits are the highest priority for trees in the Sebastopol community
2. There is strong community support for significantly increasing the tree removal fees
3. Sebastopol homeowners were among the highest participants of this survey (85%)

Next Steps:

1. The Subcommittee will present their suggested updates to the full DRB
2. The Board will discuss and make any recommendations
3. If the Board agrees on all recommended changes, the redlined updates will go to staff for review
4. Staff will bring the item back to the DRB for review and recommendation to the City Council for adoption and approval
5. City Council will hear a first reading of the item and either provide edits, changes, and/or recommendations and direct staff to bring back for a second reading, or City Council can waive the second reading

Attachment:

SMC Chapter 8.12 Tree Protection Ordinance (redlined)

Chapter 8.12
TREE PROTECTION

Sections:

8.12.010	Title.
8.12.020	Purpose.
8.12.030	Findings.
8.12.040	Definitions.
8.12.050	Tree protection plan – Construction.
8.12.060	Tree removal permit.
8.12.070	Tree planting near power lines.
8.12.080	Violations and enforcement.
8.12.100	Fees.

8.12.010 Title.

This chapter shall be known as the “Tree Protection Ordinance.”

8.12.020 Purpose.

The trees of Sebastopol are valued community assets. The purpose of this chapter is to establish regulations for the installation, maintenance, preservation, and selected removal of trees within the City. In establishing these procedures and standards, it is the City’s intent to encourage the preservation of trees. The provisions of this chapter shall apply to all property within the City of Sebastopol, public or private, and to any person, firm, or corporation, except that public and private utilities are exempt from the requirements of this chapter.

The trees of Sebastopol are of profound ecological, cultural, and intrinsic value. Trees provide essential habitat, shade, carbon sequestration, environmental resilience, and critical ecological functions that make the region habitable for humans and other species.

Trees are natural, immovable features inherent on a property at the time of purchase / transfer; no different than a stream, steep grade or other natural feature.

8.12.030 Findings.

A. It is recognized that the preservation of trees is important for the following reasons:

1. To encourage and assure the continuance of quality development;
2. To protect and conserve the attractiveness and aesthetic and scenic beauty of the City;
3. To protect the environment of the City;
4. To aid in the reduction of air pollution by protecting the known capacity of trees to produce oxygen and ingest carbon dioxide;
5. To help reduce potential damage from wind;
6. To provide shade;
7. To act as a noise buffer; and
8. To assist in the absorption of rainwater into the ground, thereby protecting against potential damages from soil erosion and flooding, as well as reducing the cost of handling stormwater by artificial means.

B. In order to promote the health, safety, and general welfare of the citizens of the City, while recognizing individual rights to develop, maintain, and enjoy private property to the fullest possible extent, it is necessary to enact regulations preserving trees on both private and City-owned property within the City of Sebastopol.

C. Some level of risk is inherent when living among trees, and such risk is reasonable and necessary for a functioning ecological environment.

D. Fallen dead trees provide irreplaceable wildlife habitat and may be preserved whenever safely feasible.

E. Developers and commercial entities (as opposed to residential owners) have a heightened obligation to protect trees and mitigate ecological loss when removal is unavoidable.

F. Use of clean-energy equipment and noise-reduction practices during tree work supports community health and environmental goals.

8.12.040 Definitions.

Appeals. Persons dissatisfied with any action of the Tree Board may appeal such action pursuant to Chapter [17.455](#) SMC. Persons dissatisfied with any action of the City Arborist may appeal such action to the Tree Board and such decision may be further appealed to the City Council.

“Diameter at breast height (d.b.h.)” means the diameter of a tree measured four and one-half feet above the surrounding grade.

“Escaped exotic” means a tree that is a member of any of the following species:

Common Name	Scientific Name
Acacias and wattles, all species	Acacia sp.
Tree of heaven	Ailanthus altissima
Plume albizia	Albizia lophantha, A. distachya
Eucalyptus, all species	Eucalyptus sp.
Tamarisk and salt cedar, all species	Tamarix sp.
Poplars, all species	Populus sp.
Monterey pine	Pinus radiata

“Protected native tree” means a tree with a minimum d.b.h. of 10 inches if it has a single trunk, or which has at least one trunk with a minimum d.b.h. of 10 inches if the tree has two or more trunks, on all properties ~~other than single-family or duplex residential properties, and with a minimum d.b.h. of 20 inches on single-family or duplex properties, and which is also a member of any of the following species:~~

Common Name	Scientific Name
Bigleaf maple	Acer macrophyllum

Common Name	Scientific Name
Box elder	Acer negundo ssp. californica
Buckeye	Aesculus californica
White alder	Alnus rhombifolia
Madrone	Arbutus menziesii
Hawthorne	Crataegus douglasii
Oregon ash	Fraxinus latifolia
Douglas fir	Pseudotsuga menziesii
Coast live oak	Quercus agrifolia
Oregon oak	Quercus garryana
Black oak	Quercus kelloggii
Valley oak	Quercus lobata
Any naturally occurring hybrid of Quercus species listed above	
California bay	Umbellularia californica
Sandbar willow	Salix hindsiana

Common Name	Scientific Name
Yellow willow	Salix lasiolepis
Red willow	Salix laevigata
Coast redwood ^{1, 2}	Sequoia sempervirens
Tanbark oak	Lithocarpus densiflora
California black walnut	Juglans hindsii

1 Generally not appropriate as a replacement tree. Therefore, if proposed as a replacement tree, the request should be reviewed and approved by the City Arborist.

2 Not indigenous to Sebastopol. However, this species is perceived by the public to be native to the area.

Sebastopol Tree Board. The Design Review Board is hereby established as the Sebastopol Tree Board, to consider applications for tree removal permits pursuant to SMC [8.12.060](#). Said Tree Board shall also have as its staff advisor a certified arborist appointed by the City Manager, to present and report on applications, public and private.

“Tree protection zone” means the area measured at the dripline of the most exterior portion of a tree’s crown, or as otherwise determined by the City Arborist.

“Tree removal” means the destruction or displacement of a tree by cutting, bulldozing, or other mechanical or chemical means, which results in the removal of more than one-third of the crown or roots of a tree, physical transportation of a tree from its site, and/or death of a tree.

8.12.050 Tree protection plan – Construction.

In order to protect trees during construction of a project and thereafter, and to maximize chances for their subsequent survival, a tree protection plan (TPP) shall be required. Said plans shall be prepared by an International Society of Arboriculture (ISA) certified arborist. The arborist must certify that the project, as proposed, is in compliance with this chapter regarding the preservation and protection of existing trees from indiscriminate or unnecessary removal and damage. The certification shall be subject to City review and approval.

A. *When a Tree Protection Plan Is Required.* A TPP shall be required as a part of the materials submitted with applications for a tentative map, use permit, variance, design review, encroachment permit, grading permit, or building permit where the proposed work will be located within the dripline of any tree for which a tree removal permit would be required by the provisions of this chapter, whether on the subject property or on an adjoining property.

B. *Exemptions.* A TPP shall not be required for development applications relating to existing single-family or duplex residential uses, except when the project is located within the dripline of, or may cause the removal of, any tree with a d.b.h. of ~~29~~10 inches or more if the tree has a single trunk, or which has at least one trunk with a minimum d.b.h. of ~~20~~ 10 inches if the tree has two or more trunks.

C. *Tree Protection Plan – Standards for Approval.* The developer is responsible, from the initial site preparation through final building inspection, for the preservation of all trees for which a tree removal permit would be required by the provisions of this chapter and which are designated to remain on the project site. The developer is also responsible for installing any replacement trees that are required pursuant to SMC [8.12.060\(E\)](#). In order to ensure the continued success of all trees to be preserved on a project site, and of any replacement trees, a TPP may be considered for approval by the Tree Board or Planning Director, as appropriate, so long as it contains the following information:

1. Size, species, state of health, estimated crown diameter, and accurate trunk location of all trees whose dripline is within the development area, including any areas where trenching is proposed, whether on the subject property or on an adjoining property.
2. Description of all proposed measures to ensure the survival of remaining trees throughout the entire development process.
3. Description of any proposed landscaping to be located within the dripline of existing protected native tree(s). Although this is not generally encouraged, if landscaping is proposed within the dripline of a protected native tree, drought-resistant plants and water conserving irrigation systems shall be used. Construction of walls, foundations, buildings, and grading shall be minimal within the dripline of affected trees.
4. Proposed size, species, and location of replacement trees.
5. Description of maintenance program for the replacement trees, including type of irrigation system, staking, weed control and length of maintenance period.
6. Description of existing and proposed grading and drainage characteristics on the project site and adjoining properties as these characteristics relate to trees for which a tree removal permit would be required by the provisions of this chapter and which are designated to remain on the project site.

7. The following conditions shall be noted on any TPP, and it shall be the responsibility of the developer to ensure that they are met by any individual involved in the construction of a project:

- a. Parking of vehicles and/or storage of equipment, debris, or materials, including solvents, paints, and other toxic substances, under the dripline of trees which are designated to remain on the project site is prohibited during all phases of construction, including site preparation.
- b. Each tree or group of trees which is/are designated to be preserved on a project site or an adjacent property shall be enclosed within fencing of a type previously approved by the City Arborist or Planning staff prior to initiation of any grading, movement of heavy equipment, or other construction activity, including demolition. Location of the fence shall be at the discretion of the project arborist, subject to City approval, but will generally be at the limits of the tree protection zone of any trees which are designated to be preserved on site.
- c. Fencing shall remain in place until such time as the Planning staff or City Arborist is assured the trees are no longer in danger of construction damage. If the fencing is removed for any amount of time during the construction process, the project arborist and/or City Arborist must be on site to ensure that no damage to the tree(s) occurs.

8. The following condition shall be noted on any TPP, on any map sheet submitted with improvement plans, and on any building permit site plan which may be used in the performance of any site work including demolition, grading, trenching, compaction, or clearance within a tree protection zone of any subject tree to be retained on the project site, as well as for any tree on an adjacent site. It shall be the responsibility of the developer to ensure that it is met by any individuals involved in the construction of a project:

A Contractor is responsible for compliance with Tree Protection Plan (Sheet x). Failure to fully comply with the restrictions, conditions, and mitigation measures of the Tree Protection Plan, as reflected on (Sheet x), will result in the issuance of a stop-work order, and may also result in the imposition of fines, penalties, or both.

D. *Performance Bond.* A performance bond, consistent with the specifications of SMC [16.44.100\(B\)](#), shall be required prior to issuance of an entitlement, to assure protection of trees on the site. The amount of any bond shall be \$1,500 per tree that is required to be protected by the provisions of this chapter, or the value of affected tree(s), as defined in the most recent edition of the Council of Tree and Landscape Appraisers' "Guide for Plant Appraisal," whichever is greater. This publication is available for review in the Planning Department office. To avoid unnecessary hardship, the Tree Board may reduce the amount of such bond or substitute other security. If, in the opinion of the City Arborist or Planning staff, no violation or damage has occurred during the construction, the bond shall be returned upon final building inspection. However, if

damage has occurred, the bond for such affected tree(s) shall be held for three years and may be forfeited at the end of this period, if it is the opinion of the City Arborist or Planning staff that permanent damage has occurred. Such forfeited bond monies shall be used for replacement of such damaged tree(s), or for tree-related uses within the City, as the City may elect.

E. *Nonconformance*. In case of nonconformance with tree protection requirements, the City Building Official shall issue a stop work order until all requirements have been met.

F. *Unauthorized Work*. In case of unauthorized work, the City Building Official shall issue a stop work order until the project is brought into compliance with an approved tree protection plan. If unauthorized work has already caused damage, a stop work order shall be issued by the City Building Official, his/her designee, or City staff. The City Arborist or Planning staff shall determine if the tree can be saved or removed. If the tree must be removed, then the performance bond shall be forfeited or, if no bond was secured, then a penalty shall be levied pursuant to SMC [8.12.080](#). **Unauthorized work performed by licensed tree companies or arborists shall subject the company doing the work to sanctions by the City. For the first offence, a written warning shall be issued. For the second offence, the company's license to work within the City of Sebastopol shall be suspended for 180 days. For the third offence, the company's licenses shall be permanently revoked.**

G. **Notifications - add text to indicate a 600' radius for all those potentially affected to be notified with a certain time frame that a tree protection plan will be in place.**

8.12.060 Tree removal permit.

A tree removal permit (TRP) shall be required for tree removals within the City, as specified herein.

A. *When a Tree Removal Permit Is Required.*

1. *Single-Family and Duplex Residential*. On properties which house a single-family or duplex residential use, no person shall allow or cause the removal of a tree that has a minimum diameter at breast height (d.b.h.) of **20 12 inches** or more if the tree has a single trunk, or which has at least one trunk with a minimum d.b.h. of **20 12 inches** if the tree has two or more trunks without first obtaining a TRP, unless otherwise exempted herein.

2. *Multifamily Residential, Commercial, or Industrial*. On properties which are currently utilized for multifamily residential, commercial, or industrial uses, no person shall allow or cause the removal of a protected native tree (minimum 10 inches d.b.h.), or any other tree which has a minimum d.b.h. of **20 12 inches** or more if the tree has a single trunk, or which has at least one trunk with a minimum d.b.h. of **20 12 inches** if the tree has two or more trunks without first obtaining a TRP, unless otherwise exempted herein.

B. *Exemptions.* A tree removal permit is not required for the following:

1. To remove a tree that, based on an analysis by the City Arborist, Planning staff, or Building Official, is dead or extremely diseased, or is in a hazardous condition which presents an immediate danger to public safety or property.
2. To prune less than one-third of the tree crown. (For pruning guidelines refer to “Pruning Standards ISA” available at City Hall.)
3. To remove tree as part of management practices in orchards, Christmas tree farms, or nurseries.
4. To remove an escaped exotic, as defined in SMC [8.12.040](#).
5. Public or private utility companies are not required to obtain a TRP to remove a tree which currently affects, or can be reasonably expected to affect, utilities within the foreseeable future.
6. To remove any tree from City property, where the City Arborist determines that the removal is consistent with one or more of the findings listed in subsection [D](#) of this section.

C. *Tree Removal Permit – Application Content.* Tree removal permit applications shall include the following information, and shall be submitted on a form prescribed by the City:

1. The size, species, and condition (e.g., diseased, healthy, etc.) of each tree proposed for removal. Size information shall include tree height and trunk d.b.h.
2. The reason for the proposed removal.
3. The size, species, location, and maintenance program of all trees proposed as replacement trees (see subsection [E](#) of this section).
4. The name and address of the owner(s) of the property upon which the tree(s) intended for removal is located. (Note: such person(s) permission shall be required before the Planning Department may process a TRP application.)

D. *Tree Removal Criteria.* An application for a tree removal permit may be approved only when at least one of the following conditions is satisfied, and that condition has been verified by the City Arborist. In the case of single-family and duplex properties, upon noticing the tree removal request, the City Arborist shall consider the application and its merits under the requirements of this chapter. For all other applications, the Tree Board shall conduct a public hearing, consider the concerns of the applicant, as well as the value of the tree to the greater community during its review of a tree removal permit, and issue a determination.

1. The tree is diseased or structurally unsound and, as a result, is likely to become a significant hazard to life or property within the next two years.

2. The tree poses a likely foreseeable threat to life or property which cannot be reasonably mitigated through pruning, root barriers, or other management methods.
3. The property owner can demonstrate that there are unreasonably onerous recurring maintenance issues, which are deemed necessary for safety or protection of property. The property owner is responsible for providing documentation to support such a claim.
4. A situation exists or is proposed in which structures or improvements, including, but not limited to, ~~building additions, second units, swimming pools~~, hydrotherapy pools not larger than 200 SF, accessible paths of travel and solar energy systems, such as solar panels, cannot be reasonably designed or altered to avoid the need for tree removal.
5. The tree has matured to such an extent that it is determined to be out of scale with adjacent structures and utilities, or with other landscape features.

E. *Replacement Trees.* Any tree removal permit authorized pursuant to the previous sections of this chapter shall include a condition requiring the provision of replacement trees, in-lieu fee payment, or an approved alternative, as follows:

1. A fee of ~~\$75.00~~ \$1,750.00 per required replacement tree shall be paid per required tree removed at the time of submittal of the tree removal application or a minimum of two (2) 15-gallon trees chosen from the list included in subsection (E)(2) of this section shall be planted and the fee refunded. The final number of replacement trees, and the tree species, shall be determined by the Tree Board or the City Arborist, as applicable. In any case, the mitigation (number and size of replacement trees) must be related to the significance (size, age, etc.) of the trees that are proposed for removal.
2. Replacement trees shall be selected from the following list of approved replacement trees based on the recommendation of the Planning staff or City Arborist, and with the approval of the Tree Board, or City Arborist, as applicable. If the applicant would like to install replacement trees which are not included in this list, such a request may be considered by the Tree Board, or City Arborist, as applicable.

Common Name	Scientific Name
Amur maple	Acer ginnala
Big leaf maple	Acer macrophyllum
Black oak	Quercus kelloggii

Common Name	Scientific Name
California bay	Umbellularia californica
Chinese elm	Ulmus parvifolia
Chinese pistache	Pistacia chinensis
Coast live oak	Quercus agrifolia
Crape myrtle	Lagerstroemia indica
Gravenstein apple	Malus Gravenstein
Interior live oak	Quercus wislizenii
Japanese maple	Acer palmatum
Madrone	Arbutus menziesii
Oregon ash	Fraxinus latifolia
Port Orford cedar	Chamaecyparis lawsoniana
Red alder	Alnus oregona
Red oak	Quercus rubra
Trident maple	Acer buergeranum
Western redbud	Cercis occidentalis

Common Name	Scientific Name
Western red cedar	Thuja plicata
Valley oak	Quercus lobata
Fruit Tree	Any Fruit or Nut Tree

3. Replacement trees which are to be located within 20 feet of utility lines shall be of a species which has a maximum height at maturity of less than 20 feet.
4. The applicant may satisfy the condition for tree replacement by completing one of the following measures:
- Locate the replacement trees on site, in a location determined to be appropriate by the City Arborist.
 - Locate the replacement trees off site, in a public landscaped area or park. In this case, the applicant must contact the Public Works Director to arrange for the purchase and location of the replacement trees.
 - Pay an in-lieu fee of ~~\$75.00~~ \$1,750.00 per required replacement tree to the City of Sebastopol tree fund. This fee must be paid in full prior to approval of improvement plans, or prior to issuance of a building permit, whichever happens first.

F. *Public Notification of Tree Removal.* Trees proposed for removal shall be marked by City staff with a form prescribed by the City. Notice of a tree removal permit application shall be posted on the subject parcel, and in at least two public places within 300 feet of the affected trees, at least 10 calendar days prior to the date of the Sebastopol Tree Board meeting at which the application will be considered.

G. *Tree Removal Hours.* Except in the case of an emergency, as defined in SMC [8.25.040](#), no tree shall be removed or altered on any parcel except during the following hours:

Monday through Friday 7:00 a.m. to 8:00
p.m.

Saturday and Sunday 8:00 a.m. to 5:00

p.m.

Additionally, except in the case of an emergency, no tree shall be removed or altered on any parcel on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Christmas Day, and Thanksgiving Day. (Ord. 1153 § 2, 2025)

8.12.070 Tree planting near power lines.

Any trees that will reach a height greater than 20 feet at maturity shall not be planted within 20 feet (measured horizontally) of overhead utility lines.

8.12.080 Violations and enforcement.

A. Violation of SMC [8.12.050](#) and [8.12.060](#) and any impacts or disturbances resulting in significant loss of health, vigor or longevity of any tree for which a tree removal permit would be required by the provisions of this chapter shall be held to be a misdemeanor punishable by fine and/or imprisonment in County jail as outlined below:

1. A fine not exceeding ~~\$500.00~~ the arboreal value of the tree removed as determined by the City Arborist (\$2,500 if unable to ascertain value) , plus the in-lieu fee (\$1,750), plus \$500.00 administration fee for a first violation;
2. A fine not exceeding ~~\$1,000~~ double the original fine, or imprisonment in the County jail not exceeding six months, or by both for each additional violation of this chapter within one year.

B. *Other Violations.* Violations of any other provisions of this chapter shall be deemed an infraction and shall be punishable as prescribed by law.

C. *Restitution.* Trees within the City of Sebastopol are valuable assets to its citizens, and as a result of loss or damage to these trees, the public should be recompensed. In addition to any penalties provided by subsection [A](#) of this section, any person who damages a tree in violation of the terms of this chapter is responsible for proper restitution and/or conditions as described in SMC [8.12.060\(E\)](#). The City may bring a civil action for restitution to enforce this section.

8.12.100 Fees.

Fees will be charged for services provided by City staff in conjunction with the processing of a tree protection plan or tree removal permit as set forth and amended by resolution of the City Council. The schedule of fees is available from the City Planning Department.

The Sebastopol Municipal Code is current through Ordinance 1164, passed March 3, 2026.

Disclaimer: The City Clerk's Office has the official version of the Sebastopol Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

[Hosted by General Code.](#)