

Condition: Tree Protection and Replacement Mitigation

This condition establishes the tree preservation and replacement mitigation required as part of the City's approval of applicant's requested concession, under Government Code Section 65915.5), from Sebastopol Municipal Code Chapter 8.12 (Tree Protection Ordinance). Compliance with this condition is required prior to issuance of any grading or building permit. Work performed by City staff in fulfillment of this condition, including the City Arborist or other consultants, shall be at the Applicant's expense.

A. Pre-Permit Submittal: Tree Preservation and Mitigation Plan

1. No later than 30 days following City Council approval of the project, applicant shall submit a Tree Preservation and Mitigation Plan (TPMP), prepared by a California-registered, ISA-certified arborist, for review and written approval by the City Arborist. The TPMP shall be based on the project Improvement Plans and shall identify trees likely to be compromised by construction activities resulting from the approved project. City Arborist approval of this plan is a prerequisite to (i) submittal of the Final Landscape and Irrigation Plan to the Design Review Board under Section B.3, and (ii) issuance of any grading permit. The TPMP plan shall include:

- a. An inventory of all protected native trees and trees 20 inches dbh (diameter at breast height) or greater on site, with species, size, and location;
- b. For each tree proposed for removal: species, current dbh, and written arborist certification that removal is necessary to construct the project as designed, with supporting explanation;
- c. For each tree to be retained: designated Tree Protection Zones and protective measures (fencing, root barriers, construction exclusion areas) consistent with Sebastopol Municipal Code Section 8.12, to also be shown on the Grading and Improvement Plans; and
- d. Calculation of the 2:1 replacement mitigation requirement described in Section B.

2. Tree protection measures shall be installed before any grading or construction activity begins and shall remain in place until construction is complete and released in writing by the City Arborist.

B. Mitigation: Tree Replacement

1. Ratio. For each protected native tree or tree 20 inches dbh or greater that is removed, applicant shall plant two (2) replacement trees, minimum 15-gallon (3-year) nursery stock, at a 2:1 ratio. A reduced ratio may be approved only on applicant's written showing of genuine site infeasibility (not design preference), subject to City Arborist approval.

2. Species and Location. Replacement trees shall be native or drought-tolerant species suited to local soil and climate conditions, as approved by the City Arborist, and shall be planted on the project site to the maximum extent feasible. If on-site planting is infeasible due to documented space, soil, or utility constraints, replacement trees may be planted at another City-approved location within Sebastopol, subject to City Arborist approval.

3. Landscape Plan. Following City Arborist approval of the Tree Preservation and Mitigation Plan under Section A, applicant shall submit a Final Landscape and Irrigation Plan for Design Review Board review. This may occur as part of applicant's Design Review permit review. The Design Review Board's review shall be limited to determining the plan's consistency with the applicable objective standards of Section 4.030 (Landscaping and Lighting) of the City's adopted Objective Design Standards; the Board shall not have discretion to modify the tree replacement ratio, species list, or other mitigation requirements established under Section A and this Section B. The TPMP shall show the species, size, and location of all replacement trees; a minimum five-year irrigation and establishment care program; and a planting schedule completing all mitigation planting prior to final inspection of any home within the subdivision.

4. Establishment and Replacement of Failures. Replacement trees shall be maintained and monitored for five (5) years from planting, at applicant's expense, with maintenance reports submitted to the City each growing season (May through September). A replacement tree is considered failed if it dies at any point during the five-year period or falls below 80% canopy survival by year three. Any failed tree shall be replaced at a 2:1 ratio, at applicant's sole

cost, within one growing season of the failure determination. Tree stakes, ties, and protective guards shall not be removed until the City Arborist confirms in writing that the tree is established (typically 2-3 years).

C. Construction-Phase Protections and Inspections

1. No grading or tree removal shall occur until the TPMP is approved by the City Arborist and the DRB.
2. During construction, no equipment, materials, spoils, or fill may be stored, and no grading, excavation, or utility trenching may occur, within a Tree Protection Zone without prior written City Arborist approval. Grade changes greater than two (2) inches within a Tree Protection Zone are prohibited. Applicant's contractor shall attend a mandatory pre-construction meeting with the project arborist to review these requirements.
3. All work shall be performed by licensed, City-approved contractors experienced in arboriculture and shall comply with current ISA Standards for Tree Care Operations (ANSI A300) and Sebastopol Municipal Code Chapter 8.12. Tree removal and related grading shall occur only between November and March, unless otherwise approved in writing by the City Arborist.
4. The City Arborist may inspect the site at reasonable times, including before grading begins, after installation of tree protection measures, after completion of construction, during planting, and during the five-year establishment period.

D. Enforcement

Violation of this condition — including unauthorized tree removal, damage to protected trees or Tree Protection Zones, failure to timely submit required plans, or failure to plant or maintain mitigation trees as required — is subject to stop-work orders, suspension or revocation of grading or building permits, withholding of occupancy approvals, and the remedies and penalties set forth in Sebastopol Municipal Code Chapter 8.12.