

Ordinance Section	Major Changes and Purpose
12.36.010 - Purpose.	Expanded the subsections to include § D. and E. to recognize that compliance with general plan goals, development standards and economic viability are also considered in the ordinance. This clearly allows the permit findings (12.36.065) for economic purposes to be supported.
12.36.010 – Specific Goals (NEW)	Establishes the specific goals of the ordinance (refines the purpose statements). Allows greater clarity in decision making for preparation of findings, staff reports, etc.
12.36.030 - Definitions.	Added new definitions and revised/refined existing definitions to reflect modifications to the ordinance. Including Landmark trees.
12.36.04S – Permit Required. (NEW)	Creates new tree permit process. Replaces the 3 and 5 tree permit triggers for admin v. pc UP by assigning permitting authority and permit type based on project scale.
12.36.050 - Exemptions.	Additions and revisions to text. Creates additional exemptions and clarifies other primarily to recognize current practices. Specifically recognizes removal or modifications required to meet state law relative to fire safety and defensible space. Allows removal of trees on fully developed <i>nonresidential</i> parcels less than 20,000 sq. Ft. in size where trees have not been required/protected as part of a previous permit.
12.36.060 - Tree conservation and replacement.	Modified to allow mitigation planting in open space (non-set aside areas) when/where determined appropriate by the approving authority. Establishes the right to mitigate for tree loss through payment of “in-lieu” fee” when necessary. Allows approving authority to approve minor exceptions or variances for any development standard if necessary, to preserve trees.
12.36.062 A - Pre-development review for major projects.	Change to reflect current practice which seldom involves full predevelopment review process as envisioned in the ordinance. Replaces “major project” blanket threshold with major project AND 20,000 SF project area threshold for application of mandatory predevelopment review. Adds ability for City to require conceptual tree removal plans to also incorporate design that meets State fire safety defensible space provisions.
12.36.062 B. Tree Removal and Replacement Plan for Major Projects.	Refines list of plan requirements to reflect information that should be available at the time of application submittal for ALL projects. Removes qualifiers for residential subdivisions. The requirement for detailed landscaping plans at discretionary approval stage has been removed (j.). Such plans are generally not prepared or approved as part of initial discretionary entitlement.
12.36.065 - Findings required	Streamlined and condensed findings language. Created ability to apply in-lieu fee payment to mitigation and recognized that the need to achieve compliance with the full range of General Plan goals has an equal standing in granting removal or replacement of trees.
12.36.070 - Tree-planting and replacement standards.	Modifications to grant credit for landscaping trees on a 1:1 basis for those removed; use of Alternative Mitigation; allowance for Director approval for timing of plantings.
12.36.075 Alternative Mitigation for Tree Replacement (NEW)	Establishes the process for creation of an in-lieu contribution program and off-site tree planting options.
12.36.110 - Enforcement and penalty.	Removes the appeal to the Commission for a violation. Treats the violation like other violations of the SLMC, only appealable to the designated Hearings Officer. Treats potential violations as subject to the facts of the case.

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12.36.115 – Implementation (NEW)	New Section – eliminates “Appendices” to Ordinance and replaces them with the creation of a Planning Commission Resolution setting forth the practical administrative steps and information necessary for ordinance implementation.