

**SAN BERNARDINO**

**Protections in place:**

	<b>Oak Tree Retention/ Replacement Provisions</b>	<b>Oak Protection During Construction</b>	<b>Heritage Tree Protection</b>	<b>Riparian Vegetation Protections</b>	<b>Oak Canopy Retention Requirements</b>	<b>Oak Woodland Conservation Program</b>
<b>General Plan Language</b>	The County shall encourage use of conservation practices in the management of grading, replacement of ground cover, protection of soils, natural drainage, and the protection and replacement of trees.	None	None	General Plan establishes 50-100' riparian setbacks that prohibit removal of mature natural vegetation	None	General Plan calls for long- term comprehensive plans for native species using HCPs, ownership transfer program and conservation easements, and as open space
<b>Specific Ordinance</b>	Plant Protection Ordinance requires a tree removal permit. Violators guilty of a misdemeanor (\$500-\$1,000 fine or 6 months in jail) and must replace trees, with the help of an expert, post a bond, and replant dead trees within 2 years	Plant Protection Ordinance prohibits enclosing tree trunks within roof or decking, attachment of utilities and signs to trees, changes in grade that undercut roots	None	Plant Protection Ordinance prohibits removal of vegetation within 200' of a stream without a tree permit and environmental review with mitigations imposed	Plant Protection Ordinance prohibits commercial harvesting (6" dbh native trees) on public and private land without a tree permit or THP.	None
<b>Voluntary Guidelines</b>	None	None	None	None	None	None

**Documents reviewed:**

**Date of Review:** August 2003

- Open Space Element
- Conservation Element

- Grading and Erosion Ordinance
- Roads/Sidewalk Tree Ordinance

Land Use Element  
 Zoning Ordinance  
 Subdivision Ordinance

Tree Removal Ordinance  
 Voluntary Guidelines  
 Other County Codes:

**Summary of Oak Protection Policies:**

<p>Natural Resources Element, 1989</p>	<p><b>WILDLIFE HABITAT:</b> The Natural Resources Element calls for protection of areas of special habitat value including oak woodlands (C6) and establishment of plans for long term conservation (C8). The county should prepare and maintain biotic resource overlays for land management and planning (C5) and a mitigation monitoring program (C10). All proposed discretionary land use proposals within Biotic Resource or Open Space Resources Overlays shall be accompanied by a biological report outlining mitigation measures to reduce impacts. Commonly occurring species shall also be conserved (BI-4) by conditions on discretionary land use proposals including, regulation of land clearing to reduce vegetation loss, restriction of encroachment of incompatible land uses on natural areas, encouraging infilling of vacant land and implementing an abatement program to mitigate tree mortality. Long term comprehensive plans for native species are to be established and implemented including Habitat Conservation Plans, land ownership transfer program and conservation easement programs BI-5. Mitigation monitoring programs shall be established for all discretionary approvals requiring mitigation measures for impacts to biological resources specifically for potential impacts identified in the Biological Resource Report to determine if the mitigation measures were implemented and if they were effective. Monitoring shall be funded by the project applicant (B-I4).</p>
<p>Open Space Element, 1991</p>	<p><b>VEGETATION PROTECTION:</b> The County shall support land use and landscape strategies and standards that protect wildlife habitats and important vegetation (OR-28). The County shall encourage the use of good conservation practices in the management of grading, replacement of ground cover, protection of soils, natural drainage, and the protection and replacement of indigenous trees (OR-29). The County shall seek to protect and conserve rare or endangered flora and fauna and common habitats by requiring all County agencies to demonstrate their projects meet the overall Biotic Resource and Open Space policies (OR-24).</p> <p><b>RIPARIAN CORRIDORS:</b> The County shall establish setbacks of 50-100' from riparian corridors (OR-22), assess their effectiveness, and revise recommended setbacks if necessary (OR-23). Removal of mature vegetation found within riparian corridors shall be prohibited (OR-32). Development within canyons with riparian or water-related corridors should be permitted only after a site-specific investigation concludes that natural vegetation will not be substantially damaged (OR-30). Single-family residential development should be discouraged and development clustered to protect riparian areas (OR-31).</p> <p><b>OPEN SPACE:</b> Open space land use districts include Agriculture (AG), Floodway (FW), Resource Conservation (RC), and Institutional (IN). Resources Overlay Maps should be used to identify areas for retention as open space for biological or scenic resources. The County should conserve as many of the County's natural resources as possible</p>

	<p>(C-34), and preserve large open-space areas for both active and passive resource values (C-35) including areas having natural values of regional significance (C-36). Areas shown on the Resources Overlay shall be targeted for ministerial and discretionary actions, including purchase of lands (OR-15). The County shall seek to establish a publicly owned open space system, purchasing land or development rights, or transferring development rights or density, where necessary to prevent development of important open space areas. (OR-17).</p> <p>WILDLIFE HABITAT: The County shall require lands identified on the Resource Overlay Map to maintain unique habitats. Compensation by allowing the transfer of development rights will be the preferred mechanism for accomplishing this goal. The County should encourage donation or exchange of lands with sensitive biota resources to non-profit environmental organizations or responsible agencies, and promote common-interest Planned Developments requiring open space and allowing transfer of development rights (OR-18). The County supports the concept of "habitat banking" to preserve large habitat areas (OR-19) and wildlife habitat corridors (OR-21). The County shall establish habitat "land banks" as mitigation for loss of isolated resources, initiate the preparation of Multi-Species Habitat Conservation Plans, prepare a "Protected Species Mitigation Ordinance" specifying specific buffer distances and other considerations which shall apply to all public and private development activities with the potential to affect threatened or endangered species or habitat areas (OR-38).</p>
<p>Zoning Ordinance, 1997</p>	<p>Biotic Resources (BR) Overlay Districts conserve beneficial rare and endangered plants and animals and habitats (85.0302). A biological report is required when a land use is proposed or increased by &gt; 25% within a Biotic Resources Overlay District. The report should identify biotic resources located on the site and adjacent parcels and mitigating measures to reduce impacts. Mitigations shall be included as conditions of approval. Scenic Resources Overlay Districts (85.0306) provide development standards to protect aesthetic resources through design within 200' of designated Scenic Highways. Residential and commercial projects shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. Individual buildings shall be sited and designed in a similar manner. Removal of native vegetation, especially timber, shall be minimized and replacement drought resistant vegetation and landscaping installed.</p> <p>Planned developments (85.08.05) must be designed to minimize tree cutting, disturbance of ground cover, cut-and-fill work, drainage alteration and hillside development. All tree removals require a County permit.</p>
<p>Plant Protection And Management, 1989</p>	<p>TREE REMOVAL/PROTECTION: A tree removal permit is required for removal of any native tree. Land use applications, building permits and other development permits must also consider and include a review of proposed native tree removal in compliance with these provisions. Certification from an appropriate tree expert that tree removals are appropriate, supportive of a healthy environment and in compliance with these provisions may be required. Removal is justified if the location of the dripline interferes with an allowed structure, sewage disposal</p>

	<p>area, paved area or other approved improvement or ground disturbing activity, planned improvement of a street, utility services or facilities, roadways, sidewalks, curbs, gutters, pavement, sewer line(s), drainage or flood control improvements, foundations, or is in such close proximity to an existing or proposed structure that it will sustain significant damage, or is hazardous to pedestrian or vehicular travel. In mountain areas, removal is justified if an RPF has certified that the tree is contributing to an overstocked tree stand conditions, or where improvements are proposed, design has incorporated at least 50% of the subject lot (20% of commercial, industrial and administrative/professional uses, and 35% of multi-unit residential uses) is in a natural undeveloped vegetated condition that maintains or establishes the forest environment. Permit applications must include an approved plot plan for trees authorized for removal. A pre-construction inspection is conducted. Native tree trunks shall not be enclosed within rooflines or decking. Utilities, construction signs, or other hardware shall not be attached to any live native tree. There shall be no grade alterations that bury any portion of a native tree or significantly undercuts the root system within the dripline. Violators are guilty of a misdemeanor upon. Removal of each such separate tree is a separate offense with a penalty of \$500 to \$1,000 or 6 months in jail or both. Violators are required to retain a tree expert to develop and implement a replacement program to plant trees in sufficient quantities to revegetate the site or another appropriate location. The violator must post a bond to replant trees that die within 2 years (8.09.01).</p> <p>COMMERCIAL HARVESTING: Commercial harvesting of trees is prohibited on public and private land except as allowed through an approved THP. Removal of living, native trees (6" dbh) require County approval (89.03).</p> <p>RIPARIAN CORRIDORS: Removal of vegetation within 200' of a stream or in an area indicated on an overlay map or Specific Plan is subject to a tree removal permit and environmental review on all private and public land owned by the County. Pre-construction inspections must verify presence of riparian vegetation. Any necessary conditions of approval for removal of riparian vegetation may be imposed. (89.05).</p>
<p>Erosion and Sediment Control, 8.10.02</p>	<p>Land clearing shall be kept to a minimum. Vegetation removal shall be limited to that necessary for building, access, fire protection and construction as shown on the approved Soil Erosion and Sediment Control Plan or as allowed by the Building Official through a Soil Erosion and Sediment Control Permit. All disturbed surfaces shall be prepared and maintained to control erosion and to establish vegetative growth compatible with the area.</p>

**Contact Information:**

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Phone: (909) 387-8311

**Web site:**

<http://www.co.san-bernardino.ca.us/landuseservices/>

- No contacts
- Policies provided by county staff
- Policies discussed with county staff

\_\_\_\_\_ Policy inventory reviewed by county staff