

**SAN DIEGO**

**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 Conservation Element calls for mitigations when modification of vegetation is unavoidable and adoption of a land clearance ordinance for discretionary projects	None	None	The Conservation Element calls for setbacks from minor streams	None	The Conservation Element calls for public acquisition, open space easements, application of special land use controls such as clustering, large lots, resource conservation overlay zones, or design standards that contain woodlands and quantitative and qualitative standards
<b>Specific Ordinance</b>	The Grading and Clearing Ordinance requires a permit for vegetation clearing (and a Habitat Loss Permit) for projects including 5 acres on a single-family residential lot. Violations require restoration to previous condition.	None	None	None	None	None
<b>Voluntary Guidelines</b>	None	None	None	None	None	None

**Documents reviewed:**

**Date of Review:** August 2003

- Open Space Element
- Conservation Element
- Land Use Element

- Grading and Erosion Ordinance
- Roads/Sidewalk Tree Ordinance
- Tree Removal Ordinance

X   Zoning Ordinance  
       Subdivision Ordinance

       Voluntary Guidelines  
       Other County Codes: Grading and Clearing Ordinance #9547, Biological Mitigation Ordinance #8845

**Summary of Oak Protection Policies:**

<p>Conservation Element, 1993</p>	<p><b>VEGETATION CLEARING:</b> The County will act to conserve and enhance vegetation resources (X-42) by use of the EIR process to identify and conserve unique vegetation and wildlife resources. If a project is determined to have significant adverse impacts on plants, acceptable mitigating measures may be voluntary donation of land or monies for acquisition of land of comparable value to wildlife (X-43). The county should establish procedures for acquiring significant wildlife habitats urban areas. When modification is unavoidable, the project will provide mitigations. The county will prepare a land clearance ordinance to establish a discretionary permit procedure (16.1).</p> <p><b>ZONING:</b> The Resource Conservation Area (RCA) overlay is applied to oak woodlands (X-13). Appropriate actions include public acquisition, establishment of open space easements, application of special land use controls such as cluster zoning, large lot zoning, scenic or natural resource preservation overlay zones, or incorporation of special design considerations for subdivision maps or special use permits. The county must carefully consider all projects and select appropriate conservation actions, encourage early environmental analysis for impacts on native vegetation and prepare design criteria for public and private development projects (1.5). The County will use the EIR process to identify and enhance unique vegetation, include a detailed analysis of potential impacts in the EIRs of all projects that contain woodlands (3.1) and prepare quantitative and qualitative standards for determining significant adverse impacts on vegetation (9.1).</p> <p><b>RIPARIAN CORRIDORS:</b> Setbacks from minor streams shall be required for all new structures (X-30). Flood control measures shall utilize natural floodways and floodplains, maintaining riparian habitats and stream flow (X-49).</p>
<p>Open Space 1995</p>	<p>Conservation of resources and natural processes is a goal of the Open Space Element. The county shall encourage the conservation of the habitats of rare or unique plants and wildlife, areas with sensitive plant life or irreplaceable, high quality plant and animal communities. The county should encourage conservation of vegetation and trees needed to prevent erosion, siltation, flood and drought.</p>
<p>Land Use 1995</p>	<p>Development in Environmentally Constrained Areas with rare and endangered plant and animal species, and all private land holdings as defined the Forest Conservation Initiative (FCI) within the Cleveland National Forest outside Country Towns should be preceded by thorough environmental review and mitigation measures. The Resource Conservation Areas (RCA) overlay identifies lands requiring resource conservation. Implementation actions will vary depending conservation objectives but include public acquisition, open space easements, land use controls such as cluster zoning, large lot zoning, scenic or natural resource preservation overlay zones, or special design considerations for subdivision maps or special use permits. Resource Conservation Areas shall include wildlife habitats. Within RCAs, the County must give careful consideration and special environmental analysis to all projects.</p>

Grading and Clearing Ordinance, #9547, 2003	No person may do any vegetation clearing or grading without a permit. No permit shall be issued, unless Habitat Loss Permit code has been complied with. Clearing up to 5 acres on a single-family residential lot, routine landscaping, maintenance, removal of dead trees, clearing for fire protection purposes within 100' of a dwelling, or incidental to repair or construction of a single-family dwelling outside the "MSCP Subarea" is exempt. Within the MSCP, the Biological Mitigation Ordinance must be complied with. When grading or clearing has been done without a permit, the County may order the site be restored to its previous condition, including revegetation of the site with identical species of plants.
Street Trees, 71.501	No person shall trim, prune, remove any tree growing on County-owned property unless authorized in writing. If pruning or removal is necessary, the county shall carry out the work at the cost of the permittee by deposit in a trust fund. Following completion the actual cost of the work will be transferred to the county and the remainder returned to the depositor. No one may plant a tree on public right of way without permission of the county, granted for approved species.
Plant Removal, 63.301	It shall be unlawful for any person to cut or remove of any native tree on public land or on any land not his own, including County and State roadways and railroad rights-of-way without a permit issued by the Agricultural Commissioner or written consent of the private land owner.
Hillside Development (I-73)	Tentative map applications for hillside development must significant mature trees, groves and native vegetation.
MSCP Biological Mitigation Ordinance, 1997, #8845	This ordinance protects biological resources in resource core areas of the Multiple Species Conservation Plan (MSCP) by adopting mitigation standards for all projects requiring a discretionary permit. The goal is to direct preservation toward land with contiguous areas of habitat or linkages. Projects requiring an environmental initial study must also submit a vegetation map. Projects which may impact county sensitive plants or narrow endemic plants must site and cluster development to minimize impact. Projects must avoid sensitive plants, or when encroachments of up to 20% occur, mitigations on a 3:1 ratio are required. Brushing and clearing on single-family parcels under 10 acres is exempt.

**Contact Information:**

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**County Contacts:**

- No contacts
- Policies provided by county staff
- Policies discussed with county staff
- Policy inventory reviewed by county staff