

SANTA CLARA

Protections in place:

	Oak Tree Retention/ Replacement Provisions	Oak Construction Protection	Heritage Tree Protection	Riparian Vegetation Protections	Oak Canopy Retention Provisions	Oak Woodland Area Conservation
General Plan Language	None	None	The General Plan requires heritage trees (old growth or historical) to be inventoried and protected through avoidance, review by county heritage committee, and clustering. Heritage trees should not be cut except when hazardous	The General Plan requires preservation of riparian habitats in rural lands with stream buffers of 100-150' prohibiting structures and clearing. Setbacks may be shorter if this is not achievable. Standards should be developed.	None	The General Plan calls for innovative design, clustering and open space, acquisition, to, and preservation of migration corridors in oak woodland.
Specific Ordinance	The Tree Protection Ordinance prohibits cutting 12" dbh trees on hillside zone parcels <3 acres (or 6" trees in historical districts). Applications must include reasons for removal, a photo, tree survey, and replanting plan. Violations cost \$1,000-\$5,000 and/or 6	None	The Tree Protection Ordinance mandates a heritage tree inventory. Removal applications are reviewed by heritage committee and	A riparian corridor study was conducted in 2003 to investigate development of a riparian ordinance	The Tree Protection Ordinance restricts firewood cutting to 10-100 cords/year depending on parcel size and zone. < 10% of 12" dbh trees	None

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	months in jail and replacement required. Stanford University must create 1.5 acres of oak woodland habitat for every acre developed (as identified in the General Use Permit EIR).		public. Violations cost \$10,000- \$200,000		may be cut in any year. A use permit is required when cord volume and acre limits are exceeded.	
Voluntary Guidelines (for golf course design)	Golf course guidelines direct avoidance of removal of healthy trees. When necessary, trees should be replaced at a rate of 3:1 to 5:1 using acorns from the site. Limited off site mitigation or payment of an in lieu fee may be permitted.	Golf course guidelines direct avoidance of irrigation systems near oaks. Cart paths should be hand graded and use non-compacting, permeable surfacing. Barriers should discourage cart travel off paths.		Golf course design should minimize stream crossings, restore riparian habitat, and use vegetated buffer strips to mitigate impacts from surface drainage of developed areas.	Golf courses should not be site where canopy is > 60%. Design should preserve clusters oaks.	

Documents reviewed:

Date of Review: July 2003

- Open Space Element
- Conservation Element
- Land Use Element
- Zoning Ordinance
- Subdivision Ordinance
- Grading and Erosion Ordinance

- Roads/Sidewalk Tree Ordinance
- Tree Removal Ordinance
- Voluntary Guidelines
- Other County Codes: General Plan Book A & B 1994, Rural Lands Issues and Policies, Riparian Corridor Study – Background Document for the Development of a Riparian Corridor Ordinance 2003, Environmental Design Guidelines for Golf Courses

Summary of Oak Protection Policies:

<p>Resource Conservation Element, 1994</p>	<p>WILDLIFE HABITAT: Habitat types and biodiversity within County should be maintained and enhanced (19). Habitat and other resource areas not suitable for urbanization should be excluded from urbanization (30) by imposing urban growth boundaries (10i). Areas of habitat richest in biodiversity including riparian areas should be designated for preservation priority (31). Development projects in rural areas must be evaluated and conditioned to assure they do not degrade natural resources and that reasonable steps are taken to mitigate potentially adverse impacts (5). Land uses in RCAs should not be allowed to degrade natural habitat (32). Regional habitat conservation plans should be developed and significant areas acquired for open space. Mitigations effectiveness should be monitored.</p> <p>RIPARIAN VEGETATION: Riparian habitats in rural lands must be preserved through protection of native vegetation, development setback, regulation of tree and vegetation removal, and control and design of grading, road construction, and bridges (32). Buffer should be 150’ from natural and 100’ from modified streams. No buildings, structures or parking lots (38), clearing or tree cutting are allowed except for flood control or clearing dead vegetation. Development near streams must retain riparian vegetation (40). Setback standards and performance requirements should be developed. Sedimentation and erosion shall be minimized through controls over grading and vegetation removal (13).</p> <p>OAK WOODLAND: Large scale grading and clearing of rural lands should not be allowed if it will significantly degrade valuable habitat (43). Impacts from development on woodlands should be minimized by development clustering and open space retention. Siting and design of roads and utility corridors should avoid fragmentation. Acquisition and avoidance of critical habitat areas (47) should also be used. Limited firewood collection for personal use without heavy equipment is encouraged to remove dead and dying trees (48). Retention of native species should be encouraged (49). Preservation of migration corridors and habitat linkages should be done where possible. Rural development proposals subject to open space requirements should avoid fragmentation.</p> <p>HERITAGE TREES: Heritage trees, old growth oaks and redwoods or trees planted by original settlers are included as heritage resources. The county should update the list of heritage trees in the county database (i32). No heritage resources should be destroyed through discretionary action unless the county heritage committee has reviewed it and</p>
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	<p>found it to be of little value, there is overriding public benefit and mitigations are made. Projects in heritage areas must be conditioned to avoid and offset impacts. Land divisions shall use clustering. Heritage and old growth trees should not be cut except when hazardous (R-RC 90). Preservation of old growth trees is encouraged through public awareness. Healthy mature specimen trees should be protected from cutting (44).</p> <p>LAND USE: Resource Conservation Area zoning is applied to help conserve natural resources to mountains and foothills as Hillsides, Ranchlands, and Open Space. Development must preserve natural and heritage resources.</p>
<p>Tree Protection Ordinance</p>	<p>TREE PROTECTION: Cutting of protected trees requires a permit unless trees are diseased, damaged or dying . Protected trees are >/ 12” dbh or 24” dbh for multi-trunk trees in parcels zoned "Hillsides" (3 acres or less), within a Design Review district, or the Los Gatos Specific Plan Area, or any replacement for an unlawfully removed tree, or tree planted as a condition of a Use Permit, Building Site Approval, Grading Permit, Architectural & Site Approval (ASA), Design Review, Special Permit or Subdivision, or any tree, regardless of size, within road rights-of-way and easements of the County. Applications must include reasons for removal, a photograph of the tree, a tree survey (map) with location, number, species, size (diameter, height, and canopy diameter), health, and age, if known, and a replanting plan. Replacement trees shall be of a like kind and species with at least 5 gallon size stock. Approval depends on whether the tree is diseased; poses a risk; interferes with public utilities; or will be replaced by approved plantings; effect of removal upon erosion: the number, species, size, and location of existing trees in the area, effect on shade, privacy impact, scenic beauty, property values, and adjacent trees; and historical significance. Violations are a misdemeanor with fines from \$1,000-\$5,000 and/or 6 months in jail and replacement required. Fines are paid into a tree preservation fund.</p> <p>HERITAGE TREES: Inclusion on the heritage tree inventory is made from public nominations with a public hearing. Applications for removal must be reviewed by the county heritage committee and undergo a public hearing. Fines for unauthorized cutting of heritage trees are \$10,000-\$200,000 depending on the type of tree and violator’s intent.</p> <p>HISTORIC PRESERVATION: Tree removal permits are required for development in Historic Preservation zoning districts for trees 6” dbh. Replacement trees should be natives.</p> <p>HARVESTING: Hardwood cutting for firewood on Agricultural Ranchlands is restricted to 10 cords/year on parcels <100 acres, 25 cords on 100-300 acres, 50 cords on 300-600 acres, and 100 cords on >600 acres. No more than 10% of 12” dbh trees may be cut in any year, or 10% of all trees clear cut. A tree permit is required when 10-20 cords/year are cut on a 100 acre parcel, 25-50 cords on 100-300 acres, 50-100 on 300-600 acres, or 100-200 cords on >600 acres. A written statement outlining harvesting methods and erosion control techniques is required. A use permit is required when these limits are exceeded. Owners of hillside zoned parcel >3 acres may remove 10% of 12” dbh trees per year, or 10 cords/year on 100 acre parcels, or 25 cords on >100 acre parcels. Cutting above these levels requires a use permit but is not allowed over 100 cords a year. Good harvesting practices and noise, erosion and</p>

	traffic mitigations must be used.
Environmental/Design Guidelines for Golf Courses and Standard Development Requirements	<p>TREE REMOVAL: The site should not be heavily forested (> 60% canopy coverage) and design should maximize the preservation of clusters or significant stands of trees, particularly oaks. Pursuant to County policy, specimen (12") and heritage trees should be identified and, removal of the identified healthy trees should be avoided. Where tree removal is necessary, native tree species should be replanted at the ratio determined by CDFG (3:1 to 5:1) and seeds and acorns collected from the site should be used for replanting stock. Limited off site mitigation or payment of an in lieu fee may be permitted. Trees that might be damaged as a result of grading or irrigation will be counted as cut, and must be replaced at the minimum 3:1 ratio.</p> <p>TREE PROTECTION: Irrigation systems should be designed to avoid impacting existing oaks or other sensitive vegetation. Cart paths within the driplines of trees slated for preservation should be hand graded in such a way as not to damage or stress the tree. Course designers should consider using non-compacting, permeable surfacing within the driplines of these trees. Barriers (curbs, fencing, vegetation, etc.) should be established to discourage cart and pedestrian travel off paths located within or adjacent to sensitive habitat areas. In non-managed areas, some of the standing snags and downed logs should be retained for their habitat value.</p> <p>RIPARIAN HABITAT: Golf course design should minimize stream crossings and effects to significant habitat and migration corridors, restore riparian habitat, employ vegetated buffer strips to mitigate impacts from surface drainage of the golf course, cart paths, and other developed areas. Cart paths should be graded such that runoff from them generally does not flow directly into any stream and construction fencing/ siltation barriers should be utilized during the construction phase where needed to protect habitat and stream areas.</p>

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County Contacts:

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