

MONTEREY

Protections in place:

	Oak Tree Retention/ Replacement Provisions	Oak Protection During Construction	Heritage Tree Protection	Riparian Vegetation Protections	Oak Canopy Retention Requirement	Oak Woodland Conservation Program
General Plan Language	2003 plan draft requires replacement of native oaks greater than 6” in diameter plan using local acorns or transplanting of trees at a ratio of 3:1, and maintenance and monitoring for 5 years	None	New 2003 plan draft defines landmark trees as 24” dbh, visually significant, or more than 100 years old.	Undeveloped setbacks from streams of 50 to 200 feet proposed in 2003 plan update draft	None	Open Space Element calls for conservation of large continuous expanses of native vegetation through careful development and open space easements
Specific Ordinance	Zoning ordinance requires permit for removal of oak 6” dbh in most sections of the county and 1:1 replacement. Removal of more than 3 protected trees per lot per year requires a Forest Management Plan prepared by an RPF, a Use Permit, and is subject to CEQA.	None	Zoning ordinance requires a permit for removal of landmark oak tree, [24” or more in diameter or visually or historically significant, or exemplary]	None	Removal of oak trees in farm and grazing areas is allowed without a permit using IHRMP BMPS. The number of oaks on any acre may not be reduced to less than 25% canopy existing Conversion to irrigated farmland shall not be allowed until the use permit is approved and conditions are met.	Zoning ordinance requires permit for commercial harvesting of oaks
Voluntary Guidelines	None	None	None	None	None	None

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:

Summary of Oak Protection Policies:

Open Space and Conservation, 1982	A goal is to preserve the diversity and extent of the county’s native vegetation (7) as well as forested and wooded areas (8) by encouraging conservation of native trees as a component for conservation and open space goals (8.2), and by conservation of large continuous expanses of native vegetation (9.1). The county is to ensure development is carefully planned near threatened or limited plant communities (7.1.1), encourage protections through easements (7.1.2) and encourage integrity of natural vegetation in visually sensitive areas such as ridgelines (7.2.1). The county should develop and implement a roadside tree program and encourage forested/vegetated areas to be maintained (20.1.3).
Land Use	The Land Use Element establishes land use zones including Rural Grazing Districts to preserve productive grazing lands, Permanent Grazing Districts to preserve productive exclusive grazing lands, Resource Conservation Districts to allow development in more remote and mountainous areas while protecting the significant and substantial resources such as wildlife habitat, Open Space to hold for future generations open space in which trees and plants can grow.
Zoning Ordinance, 1995 Preservation of Oak and Other Protected Trees, 21.64.260	TREE REMOVAL: This section of the county zoning provides regulations for the protection and preservation of oak and other specific types of trees throughout the unincorporated area of the County outside the Coastal Zone. No oak or other native tree 6” or more in diameter 2’ above ground may be removed in most sections of the county without a permit [North County or Toro Area Plan, Carmel Valley Master Plan or any other area designated as Resource Conservation, Residential, Commercial or Industrial (except Industrial, Mineral Extraction)]. No 6” diameter oak trees may be removed in any other area of the County designated as Agricultural or Industrial, Mineral Extraction, unless removal meets standards in listed below. No one may remove, kill, or trim more than 1/3 of the green foliage of any tree without a tree removal permit, including all tree removal and construction companies. Tree removal permits may be granted when the tree is diseased, injured, in danger of falling, too close to structures, or creates unsafe vision clearance. Removal must be the minimum required under the circumstances. Removal may not involve a risk of adverse environmental impacts on soil erosion, water quality, ecological impact, noise pollution, air movement, or wildlife habitat. No more than 3 protected trees may be removed per lot in a one-year period. Applicants for permits must supply a site plan identifying trees, the purpose for the tree removal; a description of the species, diameter, height, and health of the trees to be removed, a description of the method of removing the tree(s); a statement showing how residual

	<p>trees are to be protected during removal or construction; proposed visual impact mitigation measures; size, location and species of replacement trees. The opinion of a RPF, tree surgeon, or other qualified expert may be required. Removal of more than 3 protected trees on a lot in a one-year period will require a Forest Management Plan and approval of a Use Permit by the Monterey County Planning Commission. The Forest Management Plan shall be prepared by a qualified professional forester at the applicant's expense. All tree removal requests coming under this subsection shall be subject to the requirements of CEQA. Permits shall require relocation or replacement of each removed protected tree on a 1:1 ratio. This requirement may be varied.</p> <p>Removal of oak trees in the areas outside of the North county Area Plan, Toro Area Plan, Cachagua Area Plan and Carmel Valley Master Plan designated as Farmlands, Rural Grazing or Permanent Grazing is allowed without a permit for rangeland improvement, promotion of wildlife habitat, enhancement of watershed area, elimination of hazard trees or personal firewood use. The current Best Management Practices as promulgated by the University of California IHRMP shall be followed to maintain and promote regeneration of oak trees. A representative sample of sizes, ages and species of oaks shall be retained with special emphasis placed on retaining samplings. The number of oaks on any acre may not be reduced to less than 25% canopy existing at the time of adoption of this ordinance. Removal of oak trees encroaching on existing cultivated farmland is allowed. Removal of oak trees on land being converted to irrigated farmland where a use permit is required shall not be allowed until the use permit is approved and applicable conditions are met. Removal for purposes not under these guidelines may be approved by the County on an individual basis.</p> <p>HERITAGE TREES: No landmark oak tree, [24” or more in diameter or visually or historically significant, or exemplary] may be removed in any area without a permit.</p> <p>COMMERCIAL HARVESTING: No oak trees may be removed in any area of the County for commercial harvesting purposes without approval of a Use Permit by the Planning Commission.</p>
<p>Zoning Ordinance, 1995 Standards For Environmentally Sensitive Habitats, 21.66.020</p>	<p>This section provides development standards for environmentally sensitive habitats including biological survey of all proposed development within sensitive habitat or within 100 feet by a qualified biologist at the applicant's expense. It must identify all sensitive habitat, describe and assess potential impacts, recommend mitigation measures, and assess whether the mitigation measures will reduce the development’s impact. This requirement may be waived for a single family dwelling on a vacant lot created through subdivision or lot line adjustment, with an accepted biological survey. Development, including vegetation removal, excavation, grading, filling, and construction of roads and structures within sensitive habitat is prohibited. Development within 100 feet of sensitive habitats, is permitted only where they will not have a significant adverse impact on the habitat's long-term maintenance. Removal of indigenous vegetation and land disturbance, such as grading, excavation, paving, and fill, in or within 100 feet of sensitive habitats is limited to that necessary for improvements. Native species found in the project area must be used in landscaping.</p>

<p>Draft General Plan Update (2003)</p>	<p>TREE PROTECTION: the County will work with landowners during the permit review process to preserve native existing vegetation. New developments must conform to fire safety requirements and setbacks. Where impacts to natural plant communities are unavoidable, or replacements and transplants are required (ER-2.11). Replacement of native oaks greater than 6” in diameter will require a replacement plan using local acorns or transplanting of trees at a ratio of 3:1. The replacement plan must include maintenance and monitoring for five years and submittal of an annual mitigation monitoring report. Land mark trees are defined as 24”, visually significant or more than 100 years old.</p> <p>RIPARIAN VEGETATION: Undeveloped setbacks from streams of 50 to 200 feet depending on stream type will be required (ER-2.8).</p>
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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