

- g. **Sensitive habitat and groundwater protection.** Runoff from roads and development shall not adversely affect sensitive habitat, groundwater resources and downstream areas, and shall be treated to remove floatable trash, heavy metals and chemical pollutants as necessary prior to discharge into surface or groundwater.
- h. **Impervious surfaces.** New development shall be designed to minimize the amount of impervious surfaces in order to maximize the amount of on-site runoff infiltration..

[Added 2004, Ord. 3048]

23.05.060 - Tree Removal.

The purpose of these standards is to protect existing trees and other coastal vegetation from indiscriminate or unnecessary removal consistent with Local Coastal Plan policies and pursuant to Section 30251 of the Coastal Act which requires protection of scenic and visual qualities of coastal areas. Tree removal means the destruction or displacement of a tree by cutting, bulldozing, or other mechanical or chemical methods, which results in physical transportation of the tree from its site and/or death of the tree.

23.05.062 - Tree Removal Permit Required.

No person shall allow or cause the removal of any tree without first obtaining a tree removal permit, as required by this section:

- a. **When required.** Plot Plan approval (Section 23.02.030), is required before the removal or replacement of any existing trees except for tree removal under circumstances that are exempt from tree removal permit requirements pursuant to subsection b. of this section, and except for the following types of tree removal, which are instead subject to Minor Use Permit approval:
 - (1) Riparian vegetation near any coastal stream or wetland. (See Section 23.07.174 for additional standards);
 - (2) Proposed for removal when not accompanied by a land use permit for development;
 - (3) Located in any appealable area as defined by Section 23.01.043c;
 - (4) Located in any Sensitive Resource Area (where the identified resources are trees) as shown on official combining designation maps (Part III of Land Use Element);
 - (5) Where tree cutting will cumulatively remove more than 6,000 square feet of vegetation as measured from the canopy of trees removed.
- b. **Exceptions to tree removal permit requirements.** A tree removal permit is not required for the removal of trees that are:

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- (1) Identified and approved for removal in an approved land use permit or approved subdivision improvement drawings, provided that such removal is subject to the standards of Section 23.05.064 (Tree Removal Standards); or
 - (2) In a hazardous condition which presents an immediate danger to health or property as determined by a county inspection, provided that such removal is allowed by letter of the Planning Director and subject to the standards of Section 23.05.064 (Tree Removal Standards); or
 - (3) With trunks measuring less than eight inches in diameter at four feet above grade; or
 - (4) To be removed in preparation for agricultural cultivation and crop production in an Agriculture land use category.
 - (5) To be removed as part of management practice in orchards of commercial agricultural production.
- c. **Application content.** Land use permit applications that propose tree removal are to include all information specified by Section 23.02.030b (Plot Plan Content) OR 23.02.033 (Minor Use Permit) where applicable, and the following:
- (1) The size, species and condition (e.g., diseased, healthy, etc.) of each tree proposed for removal.
 - (2) The purpose of removal.
 - (3) The size and species of any trees proposed to replace those intended for removal.

[Amended 2006, Ord. 3082]

23.05.064 - Tree Removal Standards.

Applications for tree removal in accordance with Section 23.05.062 are to be approved only when the following conditions are satisfied:

- a. **Tagging required.** Trees proposed for removal shall be identified for field inspection by means of flagging, staking, paint spotting or other means readily visible but not detrimental to a healthy tree.
- b. **Removal criteria.** A tree may be removed only when the tree is any of the following:
 - (1) Dead, diseased beyond reclamation, or hazardous;
 - (2) Crowded, with good horticultural practices dictating thinning;
 - (3) Interfering with existing utilities, structures or right-of-way improvements;

- (4) Obstructing existing or proposed improvements that cannot be reasonably designed to avoid the need for tree removal;
 - (5) Inhibiting sunlight needed for either active or passive solar heating or cooling, and the building or solar collectors cannot be oriented to collect sufficient sunlight without total removal of the tree;
 - (6) In conflict with an approved fire safety plan where required by Section 23.05.080;
 - (7) To be replaced by a tree that will provide equal or better shade, screening, solar efficiency or visual amenity within a 10-year period, as verified in writing by a registered landscape architect, licensed landscaping contractor or certified nurseryman.
- c. **Replacement.** Any tree removed to accommodate new development or because it is a safety hazard shall be replaced, in a location on the site and with a species common to the community, as approved by the Planning Director.
 - d. **Tree removal within public view corridors.** Tree removal within public view corridors (areas visible from collector or arterial roads) shall be minimized in accordance with Visual and Scenic Resources Policy 5.
 - e. **Preservation of trees and natural vegetation.** New development shall incorporate design techniques and methods that minimize the need for tree removal.

23.05.080 - Fire Safety.

Any proposed use that requires land use permit approval is subject to the provisions of Sections 23.05.082 and 23.05.086. The purpose of these standards is to provide for precautions to minimize hazards to life and property in the event of fire.

23.05.082 - Fire Safety Plan.

The purpose of a fire safety plan is to enable a fire protection agency that has jurisdiction over a proposed site to evaluate the adequacy of proposed fire protection measures, and to keep itself informed of new developments to evaluate their effect upon the ability of the agency to provide continuing service. The approval of a fire safety plan does not imply a commitment by any agency to an increased level of service. [Amended 1992, Ord. 2570]

- a. **Where required:** A fire safety plan is to be submitted with a land use permit application as follows:
 - (1) **Within urban and village reserve areas:** All land use permit applications shall be submitted to the applicable fire protection agency, except for single family dwellings proposed on existing lots where a letter from the applicable fire protection agency is submitted that verifies that adequate fire flow and fire hydrants exist.