



# City of Santa Barbara

## VEGETATION REMOVAL PERMIT QUESTIONS AND SUBMITTAL REQUIREMENTS

### **What is a Vegetation Removal Permit?**

A Vegetation Removal Permit is a permit, issued by the City's Building and Safety Division, after approval by the Architectural Board of Review, Historic Landmarks Commission, or Single Family Design Board, to remove plant material as outlined in this handout. It is required under City Municipal Code Chapter 22.10.

### **When is a Vegetation Removal Permit required?**

A Vegetation Removal permit is required for complete removal of trees, shrubs, and ground-covering plant material, to the ground. This may mean clear-cutting a stand of trees or disking or scraping the ground surface bare over an area exceeding the limits specified below. A permit is required when all of the following apply:

1. The site is located in the Hillside Design District; and,
2. The removal of plant material goes beyond weed trimming – the vegetation is destroyed by scraping, disking, poisoning, or some other method which renders the majority of the soil bare and exposed; and,
3. When the area of removal of vegetation exceeds the following limits:
  - a) NATIVE VEGETATION – 1,000 square feet of area in one year, or 3,000 square feet over a five year period.
  - b) NON-NATIVE VEGETATION – 2,000 square feet of area in one year, or 6,000 square feet over a five year period.
  - c) If the area of removal does not exceed the limits stated above, but the project is deemed by Staff to potentially cause siltation or contamination of creeks and drainage channels, then it still requires a permit.

### **When is the vegetation clearance exempt from a permit?**

A Vegetation Removal permit is not required if the applicant can demonstrate that the slope of the removal site and the access to it are less than 20%.

Other exemption situations include:

1. When the removal of vegetation involves harvesting of crops, fruit or nuts.
2. When the removal is performed by a public utility service, and on existing rights-of-way or access rights-of-way to property owned by the utility.
3. When the removal is performed by a public agency, on public property such as trails, roads, streets, flood control projects, or other similar public projects.
4. When the removal occurs under a valid grading permit and the work includes appropriate erosion control measures as approved by the Building and Safety Division.

### **How does Vegetation Removal differ from Fire Department weed abatement requirements?**

The Fire Department requires weeds and grasses to be cut to within two (2) inches of the ground, and shrubs or trees to be thinned or trimmed. The surface soils should be left intact to prevent erosion problems. When the ground surface is scraped bare, or root structures are removed, or trees are cut down rather than trimmed, a Vegetation Removal Permit may be required.

### **What if I am just removing a few trees and not performing any grading?**

Tree removal requires a Vegetation Removal permit if the total area of the trees' driplines, as plotted on a scaled site plan, adds up to the limits for native or non-native plants as stated above. It may also require a permit if the tree removal has the potential to cause siltation to creeks or drainage channels, even if the area is less than the specified limits. The permit approval may stipulate that a revegetation plan be provided to replace the trees. In

addition, any tree that is within the front yard setback of a property is subject to City Parks Commission review and approval for removal, as are trees in the “parkway” (along the sidewalk).

**How do I know if my vegetation is native or non-native?**

This is a good question. Most people know that oaks and sycamores are native to Southern California, but are not necessarily familiar with every native species of shrub or grass. If the area of removal is more than 1,000 square feet (the limit for native species) but less than 2,000 square feet, a report from a qualified biologist could be provided as proof that the species are non-native and therefore the removal is exempt from permitting.

**What conditions are imposed on Vegetation Removal Permits?**

There are a number of conditions outlined in the Vegetation Removal Ordinance (City Municipal Code §22.10.060) under which a permit will be issued, and other conditions may be applied as necessary for environmental protection, but the most universally applicable are the following:

1. Unless effective and specific erosion control measures are included in the project and are approved by the Building and Safety Division, no vegetation removal shall occur and no removal permit will be issued between November 1 and April 15 of any year.
2. Unless it is required for flood control purposes or to restore native habitat, native vegetation may not be removed from the 100-year flood zone of any creek or drainage. Proof of need for flood control purposes is required from County Flood Control.
3. Any oak trees with a four-inch or greater trunk diameter (at a height of four feet), that are approved for removal, must be replaced at a minimum five-to-one ratio.
4. Vegetation removal is prohibited in any area that is identified as a Southern Oak Woodland, a riparian habitat, or a native Bunchgrass habitat. A report from a qualified biologist may be required to determine if your property includes any of these habitats.

**What if I just want to clear the land to plant fruit trees or avocados?**

If the vegetation removal is proposed in order to prepare land for orchard crop production, then the following conditions will apply:

1. Certain soil tests may be required in order to determine the suitability of that land for agricultural purposes. Agricultural use is prohibited on land with non-viable soils as defined by the U.S. Department of Agriculture Soil Conservation Service.
2. When a property is proposed to be planted in avocados in an area that is shown to have a high root rot hazard, a 3’ to 6’ fence or wall is required to be installed, in order to prevent the spread of disease.
3. For erosion control, all orchards must have a specific grass seed mix of Blando Brome and Zorro Fescue seeded in all cleared areas between October 1 and November 15, and mowed in the spring to allow for continued perpetuation.

**How do I apply for a permit?**

Attached is a list of the permit submittal requirements. Consult with Planning Staff if you are unsure whether your project requires a permit. The application is first submitted to the Planning and Zoning/Design Review counter for review and approval by the Architectural Board of Review, Single Family Design Board or by the Historic Landmarks Commission if the property is in the El Pueblo Viejo district. Staff will review the project for compliance with the California Environmental Quality Act (CEQA), and may require more information in order to complete the environmental impact assessment on the project. After project approval by the appropriate Design Review body, the applicant may submit plans to the Building and Safety Department for a permit.

**Note: In the event that any discrepancy between City ordinance and this handout arises or occurs due to an ordinance change, the ordinance shall prevail. This handout is for information purposes only.**



# City of Santa Barbara

## VEGETATION REMOVAL PERMIT SUBMITTAL REQUIREMENTS

### 1. COMPLETED MASTER APPLICATION FORM

The application must contain all of the following (Staff can assist in providing some of this information):

- a) Signature of property owner
- b) Name, complete address, and telephone number of property owner and/or project agent
- c) Brief project description, including the square footage of area for vegetation removal, grading amounts in cubic yards of cut and fill, and a general description of the types of vegetation affected
- d) Lot size, average slope of lot
- e) Land use zone and Assessor's Parcel Number (APN)

### 2. SITE PLANS

Plans must be a minimum of 18" x 24" in size, drawn to a standard architect's or engineer's scale. Three (3) copies folded to 8½" x 11" that includes all of the following (HLC submittals require one full size set and three half size sets for Full Board.):

- a) Property address, owner's name and address, APN and Land Use zone
- b) North arrow, scale, and vicinity map
- c) All property lines, property dimensions, and area of parcel
- d) Location of existing and proposed structure(s), their use(s), dimensions, and setbacks from property lines
- e) Site topography, including contour lines at a maximum of five foot intervals, and any creeks or watercourses
- f) Location of proposed vegetation removal area, and the access to the removal area, clearly delineated on the plan
- g) Slope of the access and removal areas
- h) Amount of both cut and fill grading in cubic yards
- i) Amount of vegetation removal in square feet, including any graded area as well as additional cleared areas
- j) Show location of different types of vegetation on the property, particularly in the removal areas
- k) Show location and species of any trees proposed to be removed, with driplines plotted, diameter at four feet above grade, and marked with an X through the trunk. If trees only are proposed for removal, indicate the cumulative area of driplines, even if not contiguous.
- l) Provide a landscape plan for revegetation, including crop placement; indicate size and species to be planted.
- m) Irrigation plan, if any is proposed

**3. PHOTOGRAPHS**

Provide color photographs of the removal site, the access to the site, any trees to be removed, and panoramic shots of the area, sufficient to give neighborhood context, mounted on 8½” by 14” maximum size cardboard or stiff paper. Aerial photos can be helpful.

**4. FEES**

The fees are to be paid in the amounts as indicated in the latest City fee resolution adopted by City Council. Fees include Design Review fees for a Grading Permit, an Environmental Review fee, and possibly a Mailed Noticing fee if noticing is deemed necessary by Staff. Planning Commission review fees will be required if the project requires preparation of an EIR under the California Environmental Quality Act (CEQA). Fees for the Vegetation Removal Permit from the Building and Safety Division are separate from Design Review fees. A plan review fee is payable at the time of building permit application, and the balance of building permit fees are due at permit issuance.

**NOTE: If the project is “as-built”, or requesting permits after the work is performed, the required fees are five (5) times the required application fees for both design review and building permit, per MC §22.10.055.**