

County of Santa Cruz and Defensible Space

With the recent fires in Santa Cruz County and across California, the state mandated defensible space guidelines have become increasingly important to implement. The County supports the State Guidelines for Defensible Space, but also recognizes that in some cases care must be taken to avoid unnecessary impacts to sensitive habitat.

Frequently Asked Questions

1. Do I need a permit to cut down trees or remove vegetation as I create defensible space?

Generally, no. In most cases, as long as you follow the Defensible Space Guidelines provided in either “Living with Fire in Santa Cruz County” or the “General Guidelines for Creating Defensible Space” you will not need a permit (links to these documents can be found at the bottom of this document). The cases where a permit may be required are listed below:

- A. If you are in the Coastal Zone and you want to remove a mature tree(s), you may need a Significant Tree Removal permit from the County of Santa Cruz. The Coastal Zone is generally located on the ocean side of Highway 1 south of Santa Cruz and, on the ocean side of Empire Grade north of Santa Cruz.
- B. Clearing for defensible space in the Salamander Protection Zone requires a Biotic Approval from the County of Santa Cruz. The Salamander Protection Zone is located in Aptos, on the north-facing slope between Vista Del Mar and Bonita Drive.
- C. If you plan to sell the timber from the trees, either as lumber or firewood, you may need a permit from the California Department of Forestry and Fire Protection (CAL FIRE).

2. Will I violate any laws by creating defensible space?

According to the State Guidelines regarding defensible space, homeowners who do fuel reduction activities that remove or dispose of vegetation are required to comply with all federal, state and local environmental protection laws and obtain permits when necessary. To ensure compliance with federal and state environmental laws, individuals should contact the appropriate federal and state agencies. To avoid violating County rules, homeowners should not employ the following practices:

- A. Clearing to bare soil. This can cause erosion and hillside destabilization. Retain some vegetative cover and apply an appropriate mulch (such as rice straw) mulch as necessary (Erosion Control Ordinance 16.22).
- B. Clearing mature vegetation, or clearing to bare soil, around a wetland or riparian (stream) corridor. In addition to the potential for erosion, riparian vegetation retains moisture, which minimizes combustion. Removing this vegetation can dry out the areas around streams and wetlands, increasing the potential for fire (Riparian Ordinance 16.30, Sensitive Habitat Ordinance 16.32). If vegetation must be removed at stream crossings to maintain access, remove only those branches that impinge upon the access way and leave at least 2/3 of the foliage of any mature tree.
- C. Removing Santa Cruz cypress trees. This won't affect most homeowners because native cypress trees are rare and occur in only a few locations. However, because they are so rare, it is important to preserve them (Sensitive Habitat Ordinance 16.32).
- D. You may need to address other sensitive habitat issues on your property (see #3 below).

3. I know there are some sensitive habitats in Santa Cruz County. How do I know if I'm in a sensitive habitat, and how do I clear without violating the County's Sensitive Habitat Ordinance?

- A. Sandhills Habitat - If you are in Bonny Doon, Ben Lomond, or anywhere in the hills west of Soquel-San Jose Road and the soil looks like beach sand, you could be in sandhills habitat. With a wide variety of protected plants and insects, you should avoid clearing, burying, or trampling the herbs and flowers, avoid soil disturbance, and leave the roots of whatever vegetation you remove in place. You should also avoid clearing around dusk during the summer months (May 15 through August 15) to avoid impacts to the local sensitive insects, and if you are clearing manzanita, leave the first few branches if there is no burl at the ground level of the stem.
- B. Santa Cruz Long-toed Salamander Habitat - If you are within one mile to the ocean side or three miles to the mountain side of Highway 1, between Rio Del Mar and Buena Vista, you are probably in salamander habitat. In this area you should try and keep a low (12-18 inches tall) under story of native vegetation, and separate it from the canopy by limbing up trees 10 to 15 feet. Make sure everything within 30 feet of your home is green and moist, and leave damp logs with plenty of soil contact in place in the area between 30 and 100 feet of your home.
- C. Oak Woodland - If most of the trees in your neighborhood are oak trees, you are probably in oak woodland. As in salamander habitat, separate the canopy from the under story by limbing up branches, and retain as much native shrub as you can. To reduce the under story within 100 feet of a structure, leave islands of shrubs where it won't form a fuel ladder to the canopy.
- D. Riparian Corridors and Wetlands - If your property has a stream, pond or lake on it, leave all the mature vegetation within 100 feet of standing water, 50 feet of a year-round stream, and 20-30 feet of a stream that goes dry regularly.

4. The State Defensible Space Guidelines encourage the removal of all dead vegetation, but I have several dead oaks. The guidelines for dealing with sudden oak death encourage oaks to be left on site. What should I do?

Once the oak trees have been cut down, keep them on site, beyond 100 feet from your structure, if at all possible. Mulch the smaller pieces and cut up the larger ones for firewood. If you have a clearing, you can make a small pile of limbs that will attract a wide variety of wildlife. If a single tree is isolated, leave the trunk and a branch or two standing for wildlife, otherwise cut the trees into pieces and leave them there. Soil contact and moisture will speed the decomposition without spreading disease. If you must remove oaks from the property, make sure that they go to the landfill and not to a property that may not have the disease.

5. We have a lot of eucalyptus on our property. Can I remove some or all of them to protect my house from fire?

This is a complex question and there is no easy answer. Depending upon where you are located in the County, the size of the trees and the area to be cleared, you may need a Significant Tree Removal Permit, a Land Clearing Permit, or a Coastal Development Permit. In some cases a stand of eucalyptus trees may be removed without a permit at all. If you want to remove a stand of trees, it's best to check with the County Planning Department first. Be sure to provide the parcel number where the stand is located, and the area, in acres, that you want to clear.

6. My house is 50 feet from the property line. Do I have to clear on my neighbor's property?

Not without their explicit permission. The state law requires defensible space to up to 100-feet from a structure OR the property line, whichever is closer. Clearing vegetation on your neighbors' property without permission is illegal and may cause conflict. It is in your and your neighbors' best interest to work together to create and maintain defensible space.

The County encourages residents to carefully review the State Guidelines prior to any clearing. **Defensible space IS NOT clearing of all vegetation.**

Defensible space IS separating and reducing fuel within 100 feet of a structure.

If you have any further questions, please call the Planning Department at (831) 454-3201.

Links to Defensible Space Guidelines

- **Living with Fire in Santa Cruz County**
http://www.rcdsantacruz.org/media/tabular_download_gallery/Living_with_Fire_2009.pdf
- **General Guidelines for Creating Defensible Space**
http://www.fire.ca.gov/cdfbofdb/PDFS/4291finalguidelines2_23_06.pdf
- **Cal Fire Defensible Space Information**
http://www.fire.ca.gov/communications/communications_firesafety_100feet.php