

Department of Planning and Land Use
VEGETATION CLEARING FAQ SHEET (1)



QUESTION		ANSWER	APPLICABLE CODE SECTION
A	What is "clearing?"	"CLEARING" as defined in our Grading Ordinance is the removal or destruction of natural vegetation by any means, including brushing and grubbing.	<ul style="list-style-type: none"> Section 87.803(5), County Grading Ordinance http://www.sdcounty.ca.gov/dpw/land/
B	How much can I clear on my property?	<p>If the land is outside of the existing County Multiple Species Conservation Program (MSCP) which covers the southwestern portion of the County, up to 5 acres can be cleared without a permit when associated with an existing dwelling. If the land is within the existing MSCP, residential land (developed or vacant) up to 5 acres in size that is outside the Pre-Approved Mitigation Area (PAMA) can be cleared without a permit. Residential land (developed or vacant) up to 2 acres in size that is inside PAMA can be cleared without a permit. Clearing in excess of these limits is allowed with an approved Administrative Brushing and Clearing Permit from Department of Planning and Land Use (DPLU).</p> <p>Please contact the DPLU Zoning Information Counter, at (858) 565-5981, to determine whether your property is within MSCP and/or the PAMA designation or to obtain information on the Administrative Brushing and Clearing Permit. ^{2,3}</p>	<ul style="list-style-type: none"> Section 87.503, County Grading Ordinance http://www.sdcounty.ca.gov/dpw/land/ Section 86.503, County BMO http://www.sdcounty.ca.gov/mscp/bmo.html
C	Regardless to "B" above, can I clear brush around structures on my property for fire protection without a permit?	Yes. You may clear up to 100' from any improvement on your property as defined under Section 68.402 of the County Weed Abatement Ordinance without a permit. Depending upon fuel loads and topography, the Local Fire District may require additional clearing. This additional clearing does not require a permit so long as you have a letter from the Local Fire District specifying the amount of additional clearing required.	<ul style="list-style-type: none"> MOU Fire & Wildlife Agencies http://www.sdcounty.ca.gov/dplu/Resource/docs/3-pdf/MemoofUnder.pdf Section 86.503(12), County BMO http://www.sdcounty.ca.gov/mscp/bmo.html Section 86.402, County Weed Abatement Ordinance http://www.sdcounty.ca.gov/dplu/ce5/REMOVAL%20OF%20FIRE%20HAZARDS.htm
D	Can I clear for fire protection within an existing open space easement without a permit?	Yes, in conformance with "C" above. Clearing for anything other than fire is typically prohibited; consult your open space easement language for clearing specifications.	<ul style="list-style-type: none"> See response above and consult your open space easement language for clearing specifications.

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E	Can I remove habitat or natural vegetation that was burned in the wildfires and/or reseed/plant within open space areas burned in the wildfires?	Yes, in conformance with A through C above. Wildfires are a natural part of the ecosystem and removal of any ash or debris may also remove important seeds or roots that are needed in order for the natural area to restore itself. Natural vegetation is best for erosion control. As such, burnt vegetation not specified in A through C should remain untouched. However, if there is an immediate health-safety risk, removal of the threatening ash or debris or reseeded dangerous slope areas for soil stabilization is permitted. ^{2,3}	<ul style="list-style-type: none"> • Section 4.3.4.3, County MSCP • Section 86.503, County BMO http://www.sdcounty.ca.gov/mscp/bmo.html • Please contact the County Fire Recovery for more information on slope stabilization http://www.sdcountyrecovery.com/
F	Can I clear natural habitat for new agricultural land without a permit?	<p>Yes, as long as it is in conformance with A above. Furthermore, clearing in excess of these limits is allowed with an approved Administrative Brushing and Clearing Permit from Department of Planning and Land Use (DPLU).</p> <p>Please contact the DPLU Zoning Information Counter, at (858) 565-5981 and ask to speak to the Department Agricultural Liaison.</p>	<ul style="list-style-type: none"> • Section 4.3.4, County MSCP • Section 86.503, County BMO http://www.sdcounty.ca.gov/mscp/bmo.html • Section 87.502 - 87.506, County Grading Ordinance http://www.sdcounty.ca.gov/dpw/land/
F	Can I grade my site as part of my clearing efforts without a permit?	Only minor grading is allowed without a grading permit; Please review the Section 87.206 of the County Grading Ordinance for grading limitations. Grading in excess of these limits is allowed with an approved Grading Permit. ^{2,3}	<ul style="list-style-type: none"> • Section 87.206, Grading Ordinance http://www.sdcounty.ca.gov/dpw/land/

NOTES:

- (1) This document is an informational guidance resource only and does not replace County regulations. Any conflicts or questions relating to the document or County Code should be directed to the DPLU Zoning Information Counter, at (858) 565-5981.
- (2) Commercial/Industrial properties clearing >1 acre requires an NPDES permit from the State Water Resources Control Board
<http://www.waterboards.ca.gov/sandiego/programs/programs.html>
- (3) Vegetation clearing in excess of Fire District requirements may require permits from the California Department of Fish and Game (858-467-4201) and the US Fish and Wildlife Services (760) 431-9440.