Appendix L. Stream Buffer Guidelines for New Development and Redevelopment

The Agua Hedionda Watershed Management Plan recommends that naturally vegetated stream buffers be required as a key Low Impact Development technique for all new development and redevelopment. It is recommended that the following stream buffer guidelines be incorporated as requirements in local development or stormwater water ordinances.

Minimum Buffer Width

For urban areas: 50 feet as measured landward from top of the bank on each side of the stream. For rural, low density areas: 100 feet as measured landward from top of the bank on each side of the stream. Where top of the bank is difficult to determine, the buffer width may be measured horizontally from the high water mark or the point where vegetation has been wrested by normal stream flow. The buffer should be required on all perennial and intermittent streams as shown on the most recent U.S. Geological Survey Map. It is recommended that the stream buffer be extended, as needed, to include the entire floodplain area.

Buffer Use

To maintain the filtering and infiltration functions of the buffer, it is recommended that the naturally vegetated buffer be left undisturbed, with exceptions noted below. It is preferred that native species be maintained. Buildings, structures, lawns, and driveways should not be allowed in the buffer area.

Buffer Disturbance

The buffer may be disturbed under certain conditions. Thinning and brush and invasive species removal should be allowed using equipment that does not compact the soil or damage tree roots. For example, bulldozers should not be used.

Stream restoration, riparian buffer plantings and restoration, and removal of diseased trees may require buffer disturbance; however, mitigation of the site should be required. Stream buffer crossings may also be needed for infrastructure, such as sewer lines or road crossings. The number and conditions for such crossings should be limited. Low Impact Development (LID) stormwater controls should be allowed within the buffer where there is no reasonable alternative on site (i.e., site space is extremely constrained).

Where buffer disturbance is not fully mitigated onsite, offsite mitigation, e.g., contributing to buffer restoration in the same watershed, should be required for the equivalent of land disturbed in the buffer.

Waivers and Variances

It is recommended that variances to the onsite buffer requirements be granted for certain conditions, including:

1. Those projects or activities where it can be demonstrated that strict compliance with the buffer requirement would result in a practically difficult or financial hardship. Offsite mitigation, e.g., contributing to buffer restoration in the same watershed, should be required for the equivalent of land disturbed in the buffer.
2. Those projects or activities serving a public need where no feasible alternative exists. Off-site mitigation, e.g., contributing to buffer restoration in the same watershed, should be required for the equivalent of land disturbed in the buffer.
3. The repair and maintenance of public improvements where avoidance and minimization of impacts to wetland, aquatic ecosystems, and other sensitive habitats have been addressed. Offsite mitigation, e.g., contributing to buffer restoration in the same watershed, should be required for the equivalent of land disturbed in the buffer if onsite mitigation is not achieved.

4. For developments which have had buffers applied in conformance with previously approved requirements.

It is recommended that waivers for development may be granted, if deemed appropriate, by the Planning Department. The Director may offer credit for additional density elsewhere on the site in compensation for loss of developable land due to the buffer requirements. The compensation may increase the total number of dwelling units on the site up to the amount permitted under the base zoning allowed.