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## Chapter 20.36 – Landscaping Standards

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### 20.36.010 – Purpose

This Chapter establishes requirements and standards for landscaping to enhance the appearance of development projects, reduce heat and glare, control soil erosion, conserve water, screen potentially incompatible land uses, preserve the integrity of neighborhoods, improve air and water quality, and protect pedestrian and vehicular traffic and safety.

### 20.36.020 – Applicability

- A. New projects.** New nonresidential projects and new multi-unit residential projects shall provide landscaping in compliance with this Chapter.
- B. Existing development.** When alterations or expansions to existing nonresidential developments are proposed, the applicant shall comply with the requirements of this Chapter to the greatest extent feasible, as determined by the Director. The approval of a discretionary application for alterations or expansions to an existing nonresidential development may include conditions of approval requiring compliance with the requirements of this Chapter. This Chapter does not apply to changes of use or interior tenant improvements that do not require discretionary approval.
- C. Municipal Code requirements.** In addition to the requirements of this Chapter the requirements of Municipal Code Chapter 14.17 (Water-Efficient Landscaping) shall also apply.
- D. Timing of installation.** Required landscape and irrigation improvements shall be installed before issuance of a certificate of occupancy.

### 20.36.030 – Exempt Projects.

This Chapter shall not apply to:

- A. Single-unit and two-unit projects, except as provided in Subsection 20.38.050 A (Impervious surfaces in R-1 and R-2 zoning districts;
- B. Registered historical sites; and
- C. Ecological restoration projects.

### **20.36.040 – Alternatives to Requirements.**

The review authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods when the review authority determines that the proposed alternative would be equally or more effective in achieving the purposes of this Chapter.

### **20.36.050 – General Landscape Standards**

#### **A. Impervious surfaces in R-1 and R-2 zones.**

1. Impervious surface areas, excluding driveways, shall not exceed 50 percent of the front yard area with the remaining area landscaped with plant material. The use of pervious materials for walkways, porches, and outdoor living areas is allowed.
2. Where the typical neighborhood pattern of front yards has been developed with hardscaped outdoor living areas that exceed the 50 percent maximum for impervious surfaces the Director may waive this requirement.

#### **B. Safety requirements.** Landscape materials shall be located so that at maturity they do not:

1. Interfere with safe sight distances for vehicular, bicycle, or pedestrian traffic in compliance with Section 20.30.130 (Traffic Safety Visibility Area);
2. Conflict with overhead utility lines, overhead lights, or walkway lights; or
3. Block roadways, pedestrian access, or bicycle ways.

#### **C. Maintenance.**

1. Landscape materials and landscaped areas shall be maintained in compliance with an approved landscape plan.
2. Landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming.
3. Landscaped areas shall be kept free of weeds, debris, and other undesirable materials..
4. Irrigation systems shall be kept in good operating condition, including adjustments, replacements, repairs, and cleaning as part of regular maintenance. Adjustments to eliminate overspray or runoff shall be made on a regular basis.
5. Landscape materials and landscaped areas shall be maintained to minimize impacts to public viewsheds to the greatest extent feasible.

#### **D. Water waste prohibited.** Water waste resulting from an inefficient irrigation system leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures is prohibited.

**20.36.060 – Landscape and Irrigation Plans**

- A. Plans required.** A landscape and irrigation plan shall be submitted as part of the application for a Zoning Clearance or discretionary application approval except for single-unit and two-unit developments.
- B. Content and preparation.**
- 1. Required information.** Landscape plans shall contain the information required by the Department.
  - 2. Preparation by qualified professional.** Landscape plans shall be prepared by California licensed landscape architects, licensed landscape contractors, certified nurserymen, project architects, or other professionals determined by the Department to be qualified.
- C. Review and approval.** The review authority shall review each landscape plan to verify its compliance with the provisions of this Chapter.
- D. Statement of surety.** When required by the review authority a performance guarantee security in the form of cash, performance bond, letter of credit, or instrument of credit in an amount equal to 100 percent of the total value of all plant materials, irrigation, installation and maintenance shall be posted with the City.
- E. Changes to approved landscape plans.** The Director may authorize minor changes to an approved landscape plan that do not affect the theme or character established for the project , or other provisions required by this Chapter..
- F. Certification of landscape completion.** The completion of required landscaping and irrigation improvements shall be certified by the preparer of the landscape and irrigation plan through a signed statement submitted to the Director.

**20.36.070 – Landscape and Irrigation Plan Standards.**

- A. Landscape design.** The required landscape plan shall be designed to integrate all elements of the project (i.e., structures, parking lots, streets, and other elements), enhance the aesthetic quality of the site, and minimize water and energy demands.
- B. Landscape location requirements.** Landscaping shall be provided in all areas of a site as follows.
- 1. Setbacks, open areas, and easements.** All setback and open space areas required by this Zoning Code shall be landscaped, except where they are to be retained and maintained in their natural state and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.
  - 2. Unused areas.** All areas of a project site not intended for a specific use, including a commercial pad site intended for future development, shall be landscaped unless retained and maintained in their natural state and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.

3. **Parking areas.** Parking areas shall be landscaped as outlined in Section 20.40.070 (Development Standards for Parking Areas).
- C. Plant material.**
1. **Variety.** Landscaping shall include trees, shrubs, and ground covers.
  2. **Quality.** Plant materials shall conform to or exceed the plant quality standards of the latest edition of American Standard for Nursery Stock published by the American Association of Nurserymen, or the equivalent.
  3. **Size at time of planting.** Plant materials shall be sized and spaced to achieve immediate effect and shall be a mixture of 15-gallon, 24 inch box, and 36 inch box containers for trees, minimum 5-gallon container for shrubs, and 6-inch pots for mass planting, unless otherwise required or approved by the review authority.
- D. Plant selection and grouping.** Plant materials shall be selected for low water demand and drought tolerance; adaptability and relationship to the Newport Beach environment, and the geological and topographical conditions of the site; color, form, and pattern; ability to provide shade; and soil retention capability.
1. **Drought tolerant species.** Landscape designs shall emphasize the use of drought tolerant plant species (Xeriscape).
  2. **Invasive plant species.** Invasive plants are generally those identified by the California Invasive Plant Council and California Native Plant Society in their publications. The planting of invasive species shall be prohibited in the following areas:
    - a. Sensitive habitat areas,
    - b. Sites where a biological survey has identified significant natural habitat, and
    - c. Within 50 feet of a designated environmentally sensitive habitat area.
  3. **Deciduous trees.** Landscape designs shall maximize the use of deciduous trees.
  4. **Grouping of plants.** Plants having similar water use requirements shall be grouped together in distinct hydrozones.
- E. Minimum dimensions.** Each area of landscaping shall have a minimum interior width of 3 feet for shrubs and groundcover and 4 feet for trees.
- F. Soil conditioning and mulching.** Soil shall be prepared and/or amended to be suitable for the landscape material to be installed.
- G. Irrigation system requirements.**
1. All landscaped areas, except those intentionally maintained with native plants, shall include an automatic irrigation system.

2. Water-efficient systems (e.g., drip, mini-spray, bubbler-type, or similar drip systems) shall be used whenever feasible. Low-flow sprinkler heads with matched precipitation rates shall be used when spray or rotor-type heads are specified for watering shrubs and ground cover areas.
3. Multi-program controllers with separated valves and circuits shall be used when the project contains more than one type of landscape treatment (e.g., lawn, ground cover, shrub, tree areas), or a variety of solar aspects.
4. Soil moisture-sensing devices and rain sensors shall be used on projects with more than 1,000 square feet of landscaped area. The use of satellite based controllers is encouraged.
5. The review authority may require soil moisture-sensing devices and rain sensors for any project.
6. Watering shall be scheduled at times of minimal wind conflict and evaporation loss.
7. Sprinkler heads shall have matched precipitation rates within each valve zone.
8. Check valves are required where elevation differential may cause low head drainage.
9. Overspray or run-off onto paved areas is prohibited.

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