
Chapter 20.48 – Landscaping Standards [New]

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20.48.010 – 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.

20.48.020 – Applicability

- A. New projects.** Each new nonresidential project and multi-unit residential project shall provide landscaping in compliance with this Chapter.
- B. Existing development.** The approval of a discretionary application for physical alterations to an existing development may include conditions of approval requiring compliance with the requirements of this Chapter.
- C. Timing of installation.** Required landscape and irrigation improvements shall be installed before issuance of a certificate of occupancy..

20.48.030 – 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 will be equally or more effective in achieving the purposes of this Chapter. The review authority may also modify the requirements of this Chapter to accommodate an affordable housing project in compliance with Chapter 20.32 (Density Bonus), or to protect or enhance a public view in compliance with Section 20.30.080 (Public View Protection).

20.48.040 – Exempt projects.

This Chapter shall not apply to:

- A. Homeowner-provided landscaping in single-unit and two-unit projects;
- B. Registered historical sites; and
- C. Ecological restoration projects;

20.48.050 – General Landscape Standards**A. Impervious surfaces in R-1 and R-2 zones.**

1. Impervious surfaces shall not exceed 50 percent of the front yard area with the remaining area landscaped with plant material. The use of hardscape 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;
2. Conflict with overhead utility lines, overhead lights, or walkway lights; or
3. Block pedestrian or bicycle ways.

C. Fire prevention. Fire prevention shall be addressed on sites in any wooded or vegetated area of the City identified by the Fire Department as being a fire hazard area,**D. Maintenance.**

1. Landscape materials and landscaped areas shall be maintained in compliance with the 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 and debris.
4. Irrigation systems shall be kept operable, 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.

E. 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.**F. Enforcement.** Failure to maintain landscape areas in compliance with this Section shall be deemed a nuisance and shall be subject to abatement in compliance with the Municipal Code.

20.48.060 – 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.
- B. Content and preparation.**
- 1. Required information.** Landscape plans shall contain the information required by the Department.
 - 2. Preparation by qualified professional.** Each landscape plan shall be prepared by a California licensed landscape architect, licensed landscape contractor, certified nurseryman, or other professional 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.
- 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.

20.48.070 – 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, and streets), enhance the aesthetic quality of the site, and minimize water and energy demand.
- 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, any easements for utilities, drainage courses, or other purposes, and any areas provided for utilities shall be landscaped, except where they are to be retained 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 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 20.52.050 (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 not be less than a 15-gallon container for trees, five-gallon container for specimen shrubs and 6-inch pots for mass planting, unless otherwise approved by the review authority.
4. **Nonvegetative plant material.** The use on nonvegetative (fake) plant materials, except to turf, shall be prohibited.

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. ESHA and ESHA buffer areas;
 - b. Fuel modification areas abutting sensitive habitats;
 - c. Sites where a biological survey has identified significant natural habitat; and
 - d. With the Coastal Zone.
3. **Deciduous trees.** Landscape designs shall maximize the use of deciduous trees to shade buildings in summer and allow for passive solar heating in winter.
5. **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 5 feet for trees.
- F. Protective curbing.** Landscaped areas shall be protected with a minimum 6-inch high concrete curb, except where otherwise deemed unnecessary by the review authority.
- G. Soil conditioning and mulching.**
1. A minimum one-foot depth of uncompacted soil shall be provided for water absorption and root growth in each planted area.
 2. Soil shall be prepared and/or amended to be suitable for the landscape to be installed.
 3. A minimum of two inches of mulch shall be added in each nonturf area to the soil surface after planting. Any plant type that is intolerant to mulch shall be excluded from this requirement.
- H. 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 system) 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. Dual or 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 20,000 square feet of landscaped area to minimize or eliminate over-watering.
 5. The review authority may require soil moisture-sensing devices and rain sensors for projects that abut a bluff or canyon.
 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 shall be avoided.

20.48.080 – Fuel Modification

This Section provides standards for development within and adjacent to wildland fire hazard areas as identified on General Plan Figure S4, Wildfire Hazards. The requirements of this Section shall be in addition to the Fire Department's Guidelines for Fuel Modification Plans and Maintenance Standard, Municipal Code Chapter 15.04, Section 701A.4 (Fuel Modification Plan), and Municipal Code Chapter 9.04, Section 9.04.030 (Amendments to Chapter 3, "General Precautions Against Fire" of the 2007 California Fire Code).

- A. New development.** New development within or adjacent to areas of high and moderate fire susceptibility as identified on General Plan Figure S4 (Wildfire Hazards) shall be located and designed to avoid the need to extend fuel modification zones into an Environmentally Sensitive Habitat Area (ESHA).
- B. Sensitive habitat areas.** Fuel modification zones in buffer zones abutting an ESHA shall consist of fire-resistive, native plant species from the City-approved plant list.
- C. Invasive plants prohibited.** Invasive ornamental plant species shall be prohibited in fuel modification zones abutting an ESHA and sites where a biological survey has identified significant natural habitat.