



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

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Steven L. DeCamp
Community Development Agency Director

Jory Stewart, AICP
Planning Director

February 11, 2010

Mr. Simon Eching
California Department of Water Resource
Water Use and Efficiency Branch
P O Box 942836
Sacramento, CA 94236-0001

RE: Adoption of Updated Model Water Efficient Landscape Ordinance (MWLEO)

Dear Mr. Eching:

The County of Nevada has been notified from the Department of Water Resources (DWR) of required action to conserve water supplies and comply with State law. The County has reviewed the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird), which requires cities and counties to adopt landscape water conservation ordinances by January 1, 2010. Further, counties have until January 1, 2010 to either adopt DWR's MWLEO or adopt their own local water efficient landscape ordinance.

In 1993, Nevada County adopted Ordinance 1823, which is still currently in effect (*attached*).

Ordinance 1823 adopted Water Efficient Landscaping Requirements for all land use projects that require ministerial or discretionary multi-family residential, commercial or industrial site development permits or conditional use permits. The County's landscaping standards include but are not limited to the following:

1. Requires review by the Planning Department for consistency with the landscape ordinance and ultimate approval by the County Zoning Administrator or Planning Commission.
2. Requires that a licensed landscape contractor, landscape architect, landscape designer or horticulturalist prepare preliminary landscape plans.
3. Requires that final plans be approved by the Planning Department prior to any construction or soil disturbance and prior to issuance of a building permit.
4. Final plans must include a legend listing the type, number and size of plant materials, indicating both required number and provided number of each plant type.
5. Final plans must include a listing of water usage type, or hydrozone, for each plant type.
6. Requires that a licensed landscape contractor is responsible for plant and irrigation installation.
7. Requires that native vegetation be included in all required plantings unless confirmed by a licensed Landscape Architect that a native species will not satisfy a specific requirement.
8. Requires all required landscaping to be designed for efficient use of available water including provisions for efficient irrigation systems.

9. Requires that a minimum of 3: of much be applied in all planting areas except those with lawns, native forested areas, slope areas and established groundcover or other low lying shrubs.
10. Requires the minimization of turf, grasses and other ground cover that are not drought tolerant. With no more than 25% of the entire landscape area may be covered with irrigated turf or grasses.
11. Prohibits turfgrass in median areas, in parkway areas less than 8' in width, on slopes of 15% or greater, and within the dripline of native oaks.
12. Requires the utilization of soil moisture sensors and rain shut-off valves as part of irrigation systems on any turf areas in excess of 1,000 square feet.
13. Requires that plants be grouped according to water needs in hydrozones of high, medium and low water use. Irrigation systems must be designed to reflect the needs of the various hydrozones with each area served by a dedicated irrigation controller station.
14. Requires that irrigation systems be equipped with a controller capable of dual or multiple programs with a flexible calendar system.
15. Requires that drip, trickle or other low volume irrigation be provided on no less than 90% of all landscape area of commercial landscaping.
16. Requires that sprinkler systems be designed to prevent overspray and runoff, with areas of sprinkler coverage shown on the irrigation plan.

In 2002, Nevada County undertook the process of cleaning up and adding minor revisions to its Zoning Regulations. Passed as **Ordinance 2090**, this "clean-up" added a standard to the County's Landscaping Ordinance that strongly encouraged the use and retention of native vegetation. In full this standard reads as follows:

D. Native Vegetation Retention. The County strongly encourages the retention of on-site native vegetation where it does not pose a fire hazard. Where native oaks are retained, planter materials within the dripline of the oaks shall be drought-tolerant to minimize the application of water at the base of oaks. Existing, on-site native vegetation may serve as alternative landscaping to that landscaping required below where the Planning Agency finds that the existing vegetation has the same practical effect and further the intent of this Section.

Nevada County continues to be compliant with the standards contained in Ordinance 1823 and all subsequent revisions which have increased the water efficiency requirements of the County's Landscape Ordinance. The County provides this evidence to the Department of Water Resources and reaffirms that the County's Landscaping Ordinance and standards contained within continue to provide water efficient landscape requirements that are as effective in conserving water for Nevada County as the DWR's updated MWEL0.

Thank you for the opportunity to review the updated MWEL0 and please contact us should you have any questions. Thank you.

Respectfully submitted,



Jory Stewart, AICP
Planning Director

Enclosures: Ordinance 1823, 1993 County Landscaping Ordinance
A portion of Ordinance 2090, revisions to the County Zoning Regulations, Landscaping
(Current) Nevada County Land Use and Development Code Section L-II 4.2.7 Landscaping

cc: Tyler Barrington, Senior Planner
Mike Jamison, County Counsel



ORDINANCE No. 1823

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE REPEALING AND REENACTING
SECTION L-II 28.7 OF CHAPTER II,
ARTICLE 28 OF THE LAND USE AND DEVELOPMENT
CODE OF THE COUNTY OF NEVADA PERTAINING
TO LANDSCAPING REQUIREMENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA,
STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

SECTION I:

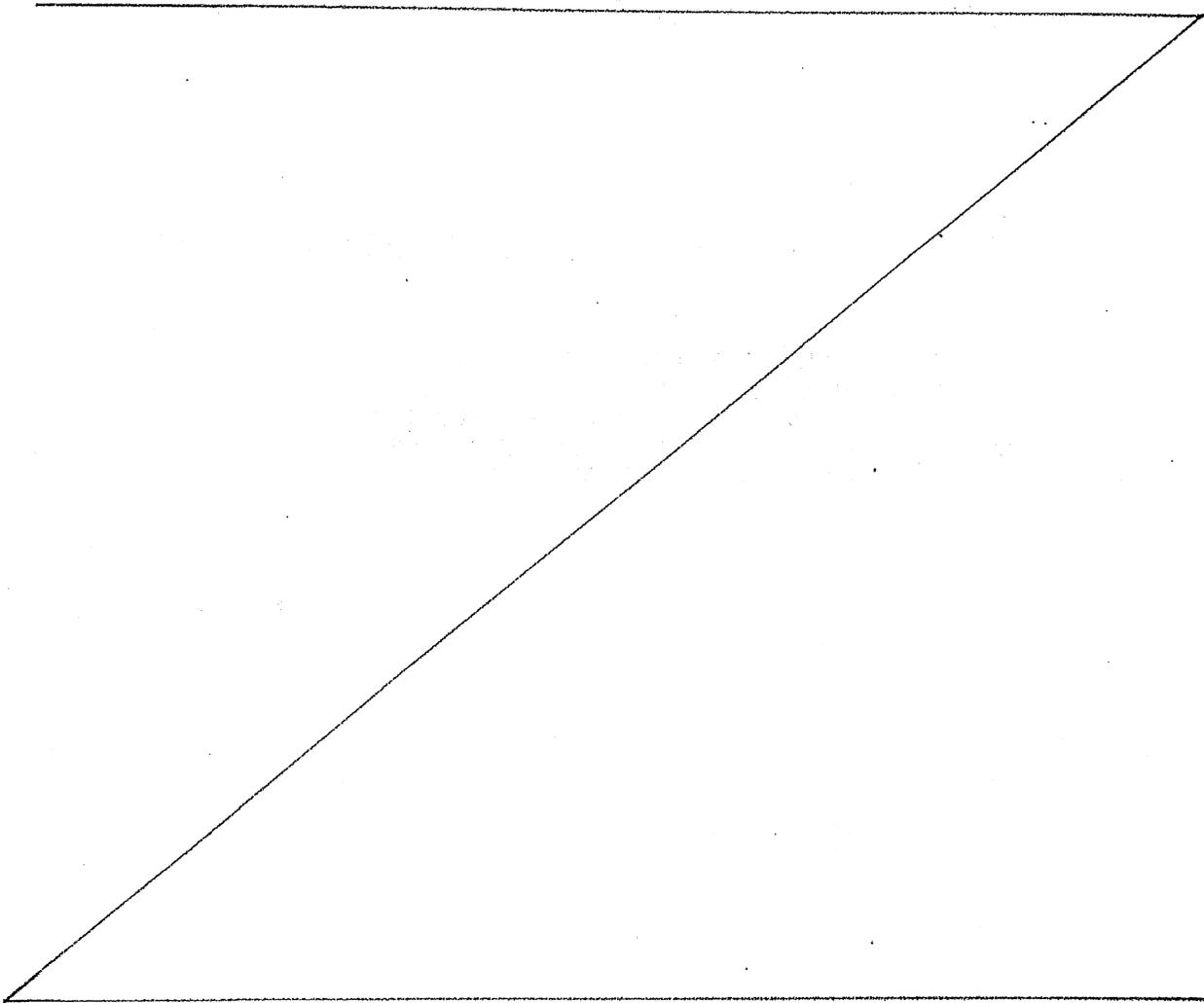
Section L-II 28.7 of Chapter II, Article 28 of the Land Use and Development Code of the County of Nevada is hereby repealed.

SECTION II:

Section L-II 28.7 of Chapter II, Article 28 of the Land Use and Development Code of the County of Nevada is hereby reenacted, to read as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION III:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the 25th day of March, 1993, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 23rd day of February, 19 93, by the following vote of said Board:

Ayes: Supervisors Dave Tobiassen, Karen Knecht,
Jim Weir, Bill Schultz, Melody Lane.
Noes: None.
Absent: None.
Abstain: None.

ATTEST;

CATHY R. THOMPSON

Clerk of the Board of Supervisors

By

Cathy R. Thompson

Bill Schultz
Chairman

DATE	COPIES SENT TO
2-25-93	Union
	Planning (3) <i>RLS</i>
	NID
	Counsel <i>FN</i>

EXHIBIT "A"

Sec. L-II 28.7 Water Efficient Landscaping Required

Landscaping is of considerable importance to both existing and proposed development in Nevada County, contributing to the overall quality and character of our communities. Properly designed and maintained, landscaping provides visual interest and variety, complements buildings and structures, provides a transitional area between competing land uses, and aids in reducing air pollution, heat and glare. This Section promotes the efficient use of water used for landscaping by establishing standards for the design, installation and management of landscapes that avoid excessive water demand.

A. Landscaping Required

Landscape plans shall be submitted for all land use projects that require ministerial or discretionary multi-family residential, commercial or industrial site development permits or conditional use permits.

1. Preliminary plans, drawn to scale, shall be submitted at the time of project application and shall include the following:
 - a. The location of planting areas.
 - b. The size, number and type of plants existing and proposed.
 - c. The type(s) of irrigation to be used.
 - d. Planting symbols shall be clearly drawn and plants labeled by botanical name, common names, container size, spacing and quantities of each group of plants indicated.
 - e. Amount of area devoted to turf and to drought-tolerant plants and to indigenous plants.
2. Final plans shall be approved by the Planning Department prior to the start of any on-site construction or soil disturbance and prior to the issuance of a building permit. Projects requiring Planning Commission review due to their size or use shall require plans be prepared by a licensed landscape architect or licensed contractor. In addition to the requirements of preliminary plans, final plans shall include:

- a. Irrigation plan per subsection B. of this Section.
- b. For projects reviewed by the Planning Commission because of their size or use, evidence that a licensed landscape contractor will be responsible for plant and irrigation installation.
- c. If existing landscaping is to be retained, a note shall be provided on the plan stating that "any existing landscaping indicated on the approved plan for retention that is damaged or removed during construction shall be repaired or replaced in kind with equivalent size."
- d. A statement of surety in the form of cash, a performance bond, a letter of credit or a certificate of deposit, in the amount of 50% of the total value of all required plant materials and irrigation, to be posted with the County of Nevada for a two year period.

3. Required Landscaping

Landscaping shall be located along street frontages, within parking lot interiors, along property lines of commercial/industrial sites abutting residential properties and between multi-family parking areas containing six or more parking stalls and single-family residential properties. All required landscaping shall be contained completely on the subject property unless easements are designated on adjacent property. Landscaping shall not be installed within County right-of-ways unless specifically approved as part of the land use permit and an encroachment permit is issued by the Department of Transportation. Required trees should include a combination of understory, canopy and evergreen trees.

- a. All required trees shall be a minimum 15-gallon container size, shrubs shall be a minimum 5-gallon container size and live groundcover plants shall cover bare ground.
- b. Planting areas shall be separated from vehicular areas and street rights-of-way by a permanently installed concrete or wooden perimeter curb at least 6" high.
- c. Pedestrian access to sidewalks or buildings should be considered in the design of all landscaped areas.

- d. Where required, earthen berms shall be a minimum three feet in height.
- e. Where fencing is used as a bufferyard option, a minimum 5' wide landscaped area shall be located on the residential side. If the commercial side of the fence is visible from any street or adjacent property, a five foot wide landscaped area shall be provided adjacent to the fence. If adjacent to parking, that area may be counted towards required interior parking lot requirements.
- f. Street Buffer Landscaping: A minimum five foot wide landscaped strip shall be provided along all street frontages. Shrub heights in street bufferyards shall not impair sight distance. Each 100 lineal feet of street frontage shall include at least six trees and five shrubs.
- g. Interior Parking Lot Landscaping: Shall be evenly dispersed throughout the parking lot at the ratio of 45 square feet of landscaped area for each provided parking stall. Each 450 square foot unit of landscaping (every 10 parking stalls) shall include at least four trees and five shrubs.
- h. Residential Buffers: For each 100 linear feet of parking lot and professional office, commercial or industrial area that abuts residential properties, one of the following landscape options shall be provided:
- (1) A twenty foot wide landscaped area with an earthen berm and a minimum fourteen trees and twelve shrubs.
 - (2) A fifteen foot wide landscaped area with an earthen berm, a minimum twelve trees and ten shrubs and a six foot high solid fence.
- i. Maintenance: All landscaping and irrigation shall be maintained by the developer and any subsequent owners of such real property. Landscaped areas shall be kept free of weeds, litter and debris. All pruning and maintenance shall be pursuant to acceptable horticultural practices and in any case where a required planting has not survived, said planting shall be replaced with new material within 30 days, unless a licensed landscape architect or licensed contractor verifies that, due to weather or

season conditions, planting should be delayed for a specified time.

- j. **Brush Management/Fuel Modification:** Brush management and fuel modification are provided for in State law and in local fire safety regulations, codified in Chapter XVI of this Code, adopted pursuant to Public Resources Code Section 4290. Said provisions shall prevail in the event of conflict with any provisions of this Section.

B. Water Conservation

All required landscaping shall be designed for the efficient use of available water, including provisions for efficient landscape systems. The selection of plant materials should include indigenous or native plant materials, providing a variety in size, shape and height. To minimize the need for additional watering, building and parking lot layout should be designed to retain the maximum amount of existing plant material possible. The following minimum standards shall apply:

1. Soil Amendments

- a. A minimum three inches of mulch shall be applied in all planting areas except those with lawns, native forested areas, slope areas and established groundcover or other low lying shrubs.
- b. Irrigated areas shall be amended with a minimum six yards of organic material per 1,000 square feet.

2. Turf Limitations:

- a. Turf, grasses and other ground covers which are not drought tolerant shall be minimized. No more than twenty-five percent of the entire landscaped area may be covered with irrigated turf or grasses.
- b. Turfgrass shall be prohibited in median areas, in parkway areas less than eight feet in width, on slopes of 15% or greater and within the dripline of native oaks.
- c. Sloped turf areas adjacent to paved or impermeable surfaces (parking lots, walkways, etc.) shall be leveled off to a flat area at least three feet wide between the slope toe and the hard surface.

- d. Turf areas exceeding 1,000 square feet or used as an essential part of development, such as golf courses or playing fields, shall utilize soil-moisture sensors and rain shut-off valves as part of their irrigation systems.

3. Irrigation

- a. Plants shall be grouped according to their water needs, in hydrozones of high, medium and low water use with areas of each type calculated on the final plan. Irrigation systems shall be designed to reflect the needs of the various hydrozones of high, medium or low water use with each area served by a dedicated irrigation controller station.
- b. Irrigation systems shall be equipped with a controller capable of dual or multiple programs with a flexible calendar program.
- c. Drip, trickle or other low volume irrigation shall be provided on no less than 90% of the landscaped area of commercial landscaping except for those areas devoted to turfgrass and flat groundcover plants. If a licensed landscape architect or licensed contractor verifies that a drip/trickle system is not feasible due to location, the percentage of drip/trickle irrigation may be further reduced.
- d. Sprinkler systems shall be designed to prevent overspray and runoff. Areas of sprinkler coverage shall be shown on the irrigation plan.



ORDINANCE No. 2090

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2; ARTICLE 3; ARTICLE 4; AND ARTICLE 5 OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA (COMPREHENSIVE CHANGES)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Article 2, Section 1, Subsection C.3 of Chapter II, of the Land Use and Development Code of the County of Nevada is hereby amended to read as follows:

Sec. L-II 2.1 Establishment of Zoning Districts

...

C. PERMIT REQUIREMENTS. The Allowable Uses and Permit Requirements Tables provide direction on the type of review and/or permit required, as follows:

...

3. Use Permit (shown in the Tables as "UP"): Uses associated with a Use Permit are those that may be compatible in a particular zoning district depending on the specific use, its design, and the characteristics of the proposed site and surrounding area. Such uses may raise important policy issues or create land use conflicts if not carefully designed and located. Use permits for smaller projects require a public hearing before the Zoning Administrator. Use permits for larger projects require a public hearing before the Planning Commission. Sec. L-II 5.6 provides more detailed procedures and standards.

Sec. L-II 4.2.7 Landscaping

...

D. **NATIVE VEGETATION RETENTION.** The County strongly encourages the retention of on-site native vegetation where it does not pose a fire hazard. Where native oaks are retained, plant materials within the dripline of the oaks shall be drought-tolerant to minimize the application of water at the base of oaks. Existing, on-site native vegetation may serve as alternative landscaping to that landscaping required below where the Planning Agency finds that the existing vegetation has the same practical effect and furthers the intent of this Section.

E. **STANDARDS.**

1. **Plans.** A Landscape Plan shall be submitted for each applicable project and all discretionary projects shall require said plans be prepared by a licensed Landscape Contractor, Landscape Architect, Landscape Designer or Horticulturist.

a. **Preliminary Plans.** Preliminary plans, drawn to scale, shall be submitted at the time of project application and shall include the following:

1) The location of planting areas, consistent with the requirements of this Section.

2) The size, number and type of plants existing and proposed, including the location of shade trees, required to provide 40% parking lot coverage within 15 years, as required by subsection 4.2.7.b. of this section.

...

b. **Final Plans.** Final plans shall be approved by the Planning Department prior to the start of any on-site construction or soil disturbance and prior to the issuance of a building permit. Final plans shall include:

...

7) A Note on the Plan, certified by a Licensed Landscape Architect, Landscape Designer or Horticulturist, that trees are located on the Plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Sec. 4.2.7.2.g of this Article.

8) Assurance that the property owner will be responsible for the replacement of landscaping that does not survive or that deteriorates due to neglect.

...

2. Required Landscaping. Landscaping shall be installed along street frontages, within parking lot interiors, along property lines of commercial or industrial sites abutting residential properties, and between multi-family parking areas containing 6 or more parking stalls, and properties zoned for single-family residential use. Modifications to subsections e., f., and g. of this Section may be approved by the Planning Agency, where a finding can be made that alternatives to the project design, or site constraints, will result in the same overall effect. Site constraints may include sensitive resources, historic features, or parcel size. Project design features that may warrant a modification include: a plan that provides parking at the rear of the building, additional landscaping against the base of the building, increased landscaping in other areas of the site where it will provide a more effective buffer, or any other treatment that enhances the visual environment of the site. In no case shall landmark or heritage trees be removed in order to provide alternatives to the requirements of this Section.

- a. All required trees shall be a minimum 15-gallon container size, with the trunk diameter no less than 1.5 inches for canopy trees, and 1-1.5 inches for understory trees. Shrubs shall be a minimum 5-gallon container size, and live groundcover plants shall cover bare ground.
- b. Varied tree and plant materials shall be used throughout the parking lot. No one species shall comprise more than 75% of the plantings within each of the following categories: canopy tree, understory tree and shrubs. Native vegetation shall be included in all required plantings unless confirmed by a licensed Landscape Architect that a native species will not satisfy a specific requirement.

...
e. Street Buffer Landscaping: A landscaped strip shall be provided along all street frontages, as follows:

- 1) a minimum 15' bufferyard shall be established adjacent to State highways.
- 2) a minimum 10' bufferyard shall be established adjacent to all roads within Community boundaries as mapped on the General Plan land use maps.
- 3) a minimum 5' bufferyard shall be established adjacent to all roads within Rural Regions as mapped on the General Plan land use maps.

Shrub heights in street bufferyards shall not impair sight distance for each 5 feet of bufferyard width, each 100 lineal feet of street

frontage shall include at least 5 trees and 5 shrubs. Trees shall include a mix of conifers, understory and canopy trees.

- f. Residential Buffers: Non-residential development and associated parking that abuts residentially-zoned property shall provide for sufficient landscaping, fencing, walls, berms, or any combination of screening techniques to ensure visual screening of said development to the maximum extent possible. Where fencing is used, a minimum 5' wide landscaped area shall be located on the residential side. If the non-commercial side of the fence is visible from any street or adjacent property, a 5' wide landscaped area shall be provided adjacent to the fence. If adjacent to parking, that area may be counted towards required interior parking lot requirements. Trees shall include a mix of conifers, understory and canopy trees.
- g. Interior Parking Lot Landscaping: Shall be evenly dispersed throughout the parking lot at a ratio of 45 square feet of landscaped area for each provided parking stall. Each 450 square foot unit of landscaping for every 10 parking stalls shall include at least 4 trees and 5 shrubs. Landscaped islands shall be designed and installed to separate at least every 10 linear parking spaces. Planter islands shall be surrounded by 6" wide curbing that is rounded at island ends.

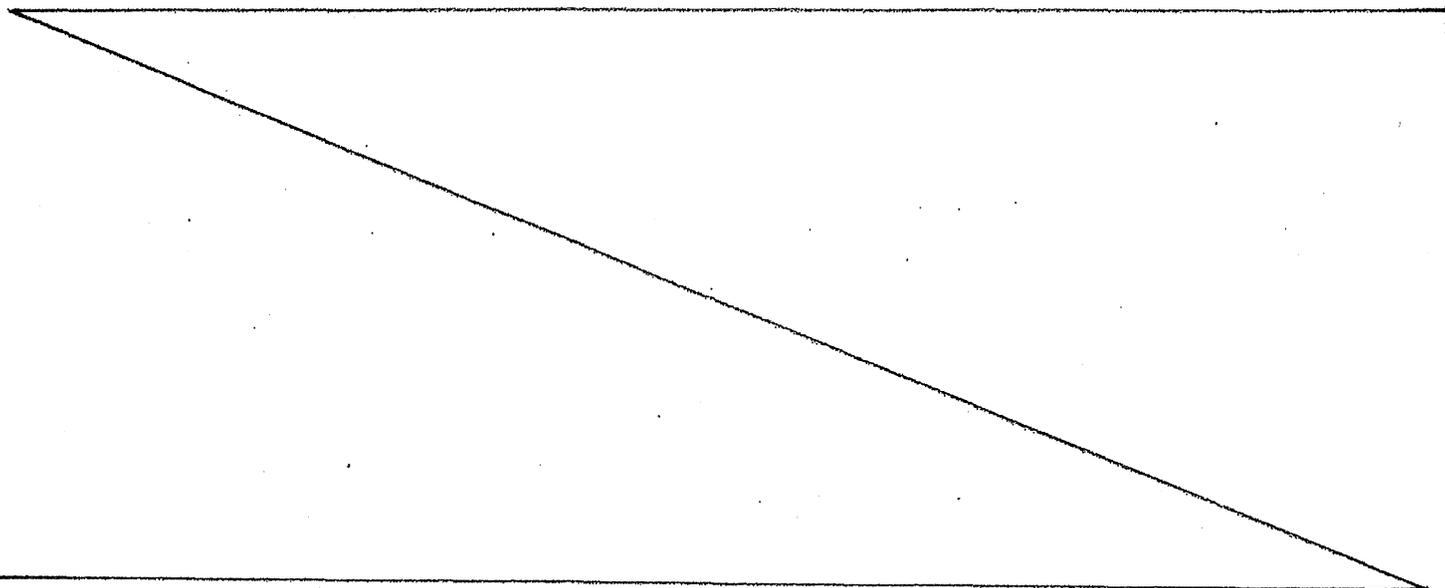
Parking lot landscaping shall include shade trees, from an approved list adopted by Resolution of the Board of Supervisors, placed so as to cover 40% of the total parking area with tree canopies within 15 years of securing a building permit. Issuance of a certificate of occupancy for the use requiring landscaping improvements.

Tree coverage shall be determined by the approximate crown diameter of each tree at 15 years, as estimated on the approved tree list. The percentage of area required to be shaded shall be based on the number of uncovered, aboveground parking spaces provided.

This subsection shall not apply to expansions of non-conforming structures that otherwise satisfy all requirements for expansion, provided the proposed expansion does not exceed 20% of the gross floor area at the time of the expansion and is consistent with. See LUDC II 5.19C of this Chapter.

SECTION XXXIV

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the 8th day of August, 2002, and before the expiration of fifteen (15) days after its passage a summary shall be published, with the names of the Supervisors voting for and against same in the Union & Sierra Sun, newspapers of general circulation printed and published in the County of Nevada.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of July, 2002, by the following vote of said Board:

Ayes: Supervisors Peter Van Zant, Sue Horne,
Elizabeth Martin, Barbara Green.
Noes: None.

ATTEST:

Absent: Bruce Conklin.

CATHY R. THOMPSON
Clerk of the Board of Supervisors

Abstain: None.

By: Cathy R. Thompson

Barbara Green
Chair

DATE	COPIES SENT TO
7-12-02	Union - summary
	Sierra Sun - summary
	Planning <i>ah</i>
	Counsel <i>JH</i>

Where solid and open fence materials are combined, the most restrictive standard shall apply.

D. Height Exceptions. Table standards may be exceeded as follows:

1. If submitted as part of the review of a discretionary land use permit, the Planning Agency may allow an increased height for project that requires a higher fence, hedge, or wall for Security, visual, or noise attenuation purposes.
2. Subject to the granting of a Use Permit, fencing may exceed the height maximums established by this Chapter if findings can be made that such an exception is needed for protection of the public health and safety or to shield unsightly areas or uses.

E. UBC Compliance. Solid fence and wall construction are subject to the requirements of the Uniform Building Code.

LANDSCAPING ORDINANCE BEGINS ON
FOLLOWING PAGE.

Section L-II 4.2.7 Landscaping

- A. Purpose.** Landscaping is of considerable importance to both existing and proposed development in Nevada County, contributing to the overall quality and character of our communities, especially when native vegetation is used or retained. Properly designed and maintained, landscaping provides visual interest and variety, complements structures, provides a transitional area between competing land uses, and aids in reducing air pollution, heat and glare. This Section encourages flexibility to achieve the Purpose of the Site Development Standards of this Article. It also ensures the efficient use of water used for landscaping by establishing standards for the design, installation and management of landscapes that avoid excessive water demand.
- B. Applicability.** Landscaping standards shall apply to Development Permits, Use Permits, and subdivisions, unless otherwise excepted in this Section.
- C. Definitions.**
1. **Landscaping** - The use of suitable vegetation in conformity with the requirements of this Chapter and the continued maintenance thereof.
- D. Native Vegetation Retention.** The County strongly encourages the retention of on-site native vegetation where it does not pose a fire hazard. Where native oaks are retained, plant materials within the dripline of the oaks shall be drought-tolerant to minimize the application of water at the base of oaks. Existing, on-site native vegetation may serve as alternative landscaping to that landscaping required below where the Planning Agency finds that the existing vegetation has the same practical effect and furthers the intent of this Section.
- E. Standards.**
1. **Plans.** A Landscape Plan shall be submitted for each applicable project and all discretionary projects shall require said plans be prepared by a licensed Landscape Contractor, Landscape Architect, Landscape Designer or Horticulturist.
 - a. **Preliminary Plans.** Preliminary plans, drawn to scale, shall be submitted at the time of project application and shall include the following:
 - 1) The location of planting areas, consistent with the requirements of this Section;

Comprehensive Site Development Standards

- 2) The size, number and type of plants existing and proposed, including the location of shade trees, required to provide 40% parking lot coverage within 15 years, as required by subsection 4.2.7.b of this Section;
- 3) The type(s) of irrigation to be used;
- 4) The amount of area devoted to turf, drought-tolerant plants, and native plants;
- 5) Planting symbols shall be clearly drawn and plants labeled by botanical name, common names, container size, spacing and quantities of plants indicated.

b. Final Plans. Final plans shall be approved by the Planning Department prior to the start of any on-site construction or soil disturbance and prior to the issuance of a building permit. Final plans shall include:

- 1) All details depicted on the Preliminary plans and any modifications or additions included by conditions of approval;
- 2) The location of all required plant materials, evenly dispersed within each required planting area (interior parking lot landscaping, street bufferyards, and residential bufferyards);
- 3) Provide a legend listing the type, number and size of plant materials, indicating both the required number and the provided number, of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydrozone, for each plant type. List plant materials in groups of trees, shrubs and ground cover plants. Show both common names and botanical names of plants;
- 4) Irrigation plan per subsection D.4 of this Section;
- 5) Evidence that a licensed landscape contractor will be responsible for plant and irrigation installation;
- 6) If existing landscaping, including native vegetation, is to be retained, a note shall be provided on the plan stating that "any existing landscaping or native vegetation shown on the approved plan for retention, that is damaged or removed

during construction, shall be repaired or replaced in kind with equivalent size;

- 7) A Note on the Plan, certified by a Licensed Landscape Architect, Landscape Designer or Horticulturist, that trees are located on the Plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Section 4.2.7.2.g of this Article;
- 8) Assurance that the property owner will be responsible for the replacement of landscaping that does not survive or that deteriorates due to neglect.

2. **Required Landscaping.** Landscaping shall be installed along street frontages, within parking lot interiors, along property lines of commercial or industrial sites abutting residential properties, and between multi-family parking areas containing 6 or more parking stalls, and properties zoned for single-family residential use. Modifications to subsections e, f, and g of this Section may be approved by the Planning Agency, where a finding can be made that alternatives to the project design, or site constraints, will result in the same overall effect. Site constraints may include sensitive resources, historic features, or parcel size. Project design features that may warrant a modification include: a plan that provides parking at the rear of the building, additional landscaping against the base of the building, increased landscaping in other areas of the site where it will provide a more effective buffer, or any other treatment that enhances the visual environment of the site. In no case shall landmark or heritage trees be removed in order to provide alternatives to the requirements of this Section.

- a. All required trees shall be a minimum 15-gallon container size, with the trunk diameter no less than 1.5 inches for canopy trees, and 1-1.5 inches for understory trees. Shrubs shall be a minimum 5-gallon container size, and live groundcover plants shall cover bare ground.
- b. Varied tree and plant materials shall be used throughout the parking lot. No one species shall comprise more than 75% of the plantings within each of the following categories: canopy tree, understory tree and shrubs. Native vegetation shall be included in all required plantings unless confirmed by a licensed Landscape Architect that a native species will not satisfy a specific requirement.

Comprehensive Site Development Standards

- c. Planting areas within paved parking lots shall be separated from vehicular areas and street right-of-way by a permanently installed concrete or wooden perimeter curb at least 6" high.
- d. Where required, earthen berms shall be a minimum 3' in height.
- e. **Street Buffer Landscaping:** A landscaped strip shall be provided along all street frontages, as follows:
 - 1) A minimum 15' bufferyard shall be established adjacent to State highways.
 - 2) A minimum 10' bufferyard shall be established adjacent to all roads within Community boundaries as mapped on the General Plan land use maps.
 - 3) A minimum 5' bufferyard shall be established adjacent to all roads within Rural Regions as mapped on the General Plan land use maps.

Shrub heights in street bufferyards shall not impair sight distance for each 5 feet of bufferyard width, each 100 lineal feet of street frontage shall include at least 5 trees and 5 shrubs. Trees shall include a mix of conifers, understory and canopy trees.

- f. **Residential Buffers:** non-residential development and associated parking that abuts residentially-zoned property shall provide for sufficient landscaping, fencing, walls, berms, or any combination of screening techniques to ensure visual screening of said development to the maximum extent possible. Where fencing is used, a minimum 5' wide landscaped area shall be located on the residential side. If the non-commercial side of the fence is visible from any street or adjacent property, a 5' wide landscaped area shall be provided adjacent to the fence. If adjacent to parking, that area may be counted towards required interior parking lot requirements. Trees shall include a mix of conifers, understory and canopy trees.
- g. **Interior Parking Lot Landscaping:** Shall be evenly dispersed throughout the parking lot at a ratio of 45 square feet of landscaped area for each provided parking stall. Each 450 square foot unit of landscaping for every 10 parking stalls shall include at least 4 trees and 5 shrubs. Landscaped islands shall be designed and installed to separate at least every 10 linear parking spaces. Planter islands

shall be surrounded by 6" wide curbing that is rounded at island ends.

Parking lot landscaping shall include shade trees placed so as to cover 40% of the total parking area with tree canopies within 15 years of securing a building permit. Issuance of a certificate of occupancy for the use requiring landscaping improvements.

Tree coverage shall be determined by the approximate crown diameter of each tree at 15 years, as estimated on the approved tree list. The percentage of area required to be shaded shall be based on the number of uncovered, aboveground parking spaces provided.

This subsection shall not apply to expansions of non-conforming structures that otherwise satisfy all requirements for expansion, provided the proposed expansion does not exceed 20% of the gross floor area at the time of the expansion and is consistent with Section 5.19.C of this Chapter.

- h. Maintenance:** All landscaping and irrigation shall be maintained by the developer and any subsequent owners of such real property. Landscaped areas shall be kept free of weeds, litter and debris. All pruning and maintenance shall be pursuant to acceptable horticultural practices and in any case where a required planting has not survived, said planting shall be replaced with new material within 30 days unless a licensed landscape architect verifies that, due to weather or season conditions, planting should be delayed for a specified time. Project owners shall be required to maintain all landscaping included in the plans. If the appearance of the property deteriorates due to neglect, a citation shall be issued. Trimming and maintenance of on-site vegetation shall ensure visibility of parking areas, building entrances and other areas accessible to the public, adequate to provide for public safety.
- i.** No trees that will grow to more than 20 feet in height may be planted, or allowed to grow within, 20 feet of any high voltage power line.
- j. Brush Management/Fuel Modification:** Brush management and fuel modification are provided for in State law and in local fire safety regulations, codified in Chapter XVI of this Code, adopted pursuant to Public Resources Code Section 4290. Said provisions shall prevail in the event of conflict with any provisions of this Section.

3. **Water Conservation.** All required landscaping shall be designed for the efficient use of available water, including provisions for efficient irrigation systems. The following minimum standards shall apply:

a. **Soil Amendments:**

- 1) A minimum 3” of mulch shall be applied in all planting areas except those with lawns, native forested areas, slope areas and established groundcover or other low lying shrubs.
- 2) Irrigated areas shall be amended with a minimum 6 yards of organic material per 1,000 square feet.

b. **Turf Limitations:**

- 1) Turf, grasses and other ground covers that are not drought tolerant shall be minimized. No more than 25% of the entire landscaped area may be covered with irrigated turf or grasses.
- 2) Turfgrass shall be prohibited in median areas, in parkway area less than 8’ in width, on slopes of 15% or greater, and within the dripline of native oaks.
- 3) Sloped turf areas adjacent to paved or impermeable surfaces (parking lots, walkways, etc.) shall be leveled off to a flat area at least 3’ wide between the slope toe and the hard surface.
- 4) Turf areas exceeding 1,000 square feet or used as an essential part of development, such as golf courses or playing fields, shall utilize soil-moisture sensors and rain shut-off valves as part of their irrigation systems.

c. **Irrigation:**

- 1) Plants shall be grouped according to water needs in hydrozones of high, medium and low water use with areas of each type calculated on the final plan. Irrigation systems shall be designed to reflect the needs of the various hydrozones with each area served by a dedicated irrigation controller station.

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- 2) Irrigation systems shall be equipped with a controller capable of dual or multiple programs with a flexible calendar program.
- 3) Drip, trickle or other low volume irrigation shall be provided on no less than 90% of the landscaped area of commercial landscaping except for those areas devoted to turfgrass and flat groundcover plants. If a licensed landscape architect verifies that a drip/trickle irrigation system is not feasible due to location, the percentage of drip/trickle irrigation may be further reduced.
- 4) Sprinkler systems shall be designed to prevent overspray and runoff. Areas of sprinkler coverage shall be shown on the irrigation plan. (Ord. #2090, 7/9/02).