# New Landscape Ordinance - Effective January 15, 2010

## Why:

The provisions regarding landscaping and irrigation contained in Title 15 of the Fullerton Municipal Code have been amended to improve water conservation in landscaping applications and to support state-wide efforts to more efficiently use water resources.

### Who:

The following table summarizes the applicability of the Landscape Ordinance by Zoning Classification.

ordinance by Zoning Classification.				
Zoning	New Installation	Rehabilitation		
	Total landscaped area	Affected landscaped		
	equal to or greater	area equal to or greater		
R-1 - R-2	than <b>5,000</b> sq. ft.	than <b>5,000</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
R-3 - R-5	area	than <b>2,500</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
PRD	area	than <b>2,500</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
SPD	area	than <b>2,500</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
P-L	area	than <b>2,500</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
Commercial	area	than <b>2,500</b> sq. ft.		
		Affected landscaped		
	Any new landscape	area equal to or greater		
Industrial	area	than <b>2,500</b> sq. ft.		

### What:

The amendments adopted in Ordinance 3134:

- Add Chapter 15.50 to create a comprehensive Landscape Ordinance with all requirements in one location.
- Revise Title 15 chapters pertaining to individual zoning classifications to include thresholds for when Chapter 15.50 applies.
- Add definitions to Chapter 15.04 to clarify terminology utilized in the Landscape Ordinance.
- Replace the existing Section 15.56.140 with requirements for synthetic turf.

Overall, the Landscape Ordinance provides standards for the efficient use of water for landscape purposes, while maintaining an aesthetically pleasing and environmentally beneficial landscape utilizing a diverse mix of plant material. The Ordinance does not dictate specific plants, but rather allows for individual choice within a calculated water budget. The Ordinance also complements existing City regulations relating to Community Forestry, Water Use and Conservation, Water Quality, Fire Prevention, and Erosion Control.

The following are key definitions which help clarify applicable projects.

**LANDSCAPED AREA** means all the planting areas, non-active use turf areas, and water features on a property, including that which is provided in setbacks, parking lots, usable open space areas (private and common), and as visual open space. The **LANDSCAPED AREA** does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, synthetic turf (without an irrigation system), or other non-irrigated areas designated for non-development (e.g. native vegetation). The **LANDSCAPED AREA** also does not include that which qualifies as a special landscape area.

**NON-ACTIVE USE TURF** means natural or synthetic turf that is installed for aesthetic purposes and does not serve a permanent recreational purpose.

**WATER FEATURE** means a design element in a landscaped area where open water performs a decorative or recreational function and includes ponds, lake, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).

**SPECIAL LANDSCAPED AREA** means the portion of a property dedicated solely to edible plants, areas and water features using recycled water, and turf area (including synthetic turf for which an irrigation system is installed) dedicated to active use.

**REHABILITATION OF EXISTING LANDSCAPED AREAS** means the replacement of more than 50% of the material in existing planting or turf areas with species other than like for like.

#### How:

Applicable projects will be required to prepare a Landscape Documentation Package for submittal to City of Fullerton for review and approval. The Landscape Documentation Package includes:

Water Efficient Landscape Calculations Agricultural Suitability Report Certified Landscape Design Plan Certified Irrigation Plan Final Project Certification One-year Maintenance Deposit

Certain projects will also require an Irrigation Audit Report and/or Private Yard and Open Space Documentation.

Most of the above items are required to be prepared by and bear the signature of a professional appropriately licensed in the State of California (e.g. Landscape Architect) to prepare the respective documentation.

Along with the submittal of the Landscape Documentation Package, applicable projects will also be required to obtain Landscape and Plumbing permits.

	<u>Fee</u>	Timing of Payment
Landscape Documentation Package Plan		Package
Check & Permit	\$98.80 <sup>(1)</sup>	Submittal
	Plus Document Imaging Fee of \$1.32 per sheet of building plans (24" x 36")	
		Permit
Plumbing Permit	\$105.57 <sup>(2)</sup>	Issuance
(1)	_	

<sup>(1)</sup> Additional hourly review charges of \$23.26 may be required for complex submittals or those requiring significant multiple reviews due to applicant changes, missing or incorrect information.

Certain projects could also require Water Engineering permits.

The complete text of Ordinance 3134, which clarifies and expands on all requirements, is available at the Community Development Department or on the web at <a href="http://cityoffullerton.com/weblink7/DocView.aspx?id=359369&dbid=1">http://cityoffullerton.com/weblink7/DocView.aspx?id=359369&dbid=1</a>.

Please note that new ordinances are not immediately reflected in the City's online Municipal Code and will not be reflected in the Code when viewed on American Legal. Questions can be directed to Heather Allen, AICP, Senior Planner at heathera@ci.fullerton.ca.us

<sup>(2)</sup> Plan Check fees may be required on large non-residential projects.