

San Fernando Municipal Code - Chapter 106 Zoning

Sec. 106-973 - Landscape Standards for Private Property

This section establishes requirements for landscaping on private property to improve the livability and attractiveness of the city, enhance the appearance of development, provide shade, reduce heat and glare, control soil erosion, conserve water, screen and buffer incompatible land uses, reduce paving, increase permeable surfaces, enhance the quality of neighborhoods, and improve air quality.

- (a) *Applicability*. The provisions of this section shall apply to the all development and land uses as follows:
- (1) Development Projects. All projects that require an administrative or discretionary permit, including conditional use permits, site plan review for major remodels as described in subsections (c) and (d) below, and subdivisions shall provide landscaping in compliance with this section.
 - (2) Model Water Efficient Landscape Ordinance (MWELo). All projects that require landscape and irrigation plans compliant with MWELo shall provide landscaping in compliance with this section.
 - (3) Existing Development. Any application for the expansion of an existing multifamily residential, commercial, or industrial development that results in a 20 percent or more of the existing square footage or 500 square feet, whichever is less.
 - (4) Single Family Dwellings. Projects involving the new construction of one or more single-family dwellings, or an addition of 500 square feet or more to an existing single-family dwelling, shall be required to submit landscape and irrigation plans.
 - (5) Parking Lots. Redesigned or resurfaced multi-family, commercial, or industrial parking lots when the work is in association with a development project, or if grading is required.
- (b) *Landscape Design and Irrigation Plans*. The project applicant shall submit a landscape design plan and irrigation plan that meets the criteria set forth in this section for all projects that meet the applicability standards above. All landscape design and irrigation plans shall be prepared by a California licensed landscape architect or other qualified professional and shall include the following:
- (1) Plans showing landscape areas, hardscape areas, and allowable impervious surfaces.
 - (2) The project applicant shall ensure that the defensible space required by the city code is maintained and shall avoid fire-prone plant materials and mulches.
 - (3) A description of the type and size of all proposed plant materials.
 - (4) Any proposed stormwater facilities.

- (5) A description of all hardscape materials and features.
- (6) Irrigation plans shall accompany the landscape design plan and incorporate low water use systems as required by the California Model Water Efficient Landscape Ordinance.

(d) Definitions

- (1) *Canopy tree* means a tree that has a protected canopy size of at least 20 ft diameter and is drought tolerant. Palm trees do not fulfill this requirement.
- (2) *Drought-tolerant landscaping* means landscaping with plants that can grow or thrive with minimal water or rainfall.
- (3) *Hardscape* means areas of a private yard or open space that include textured pervious concrete pavers, paved walkways, paved patios and decks, masonry planters, wood planter boxes, walls, fences, and all impervious paved areas such as driveways, parking areas, and access roadways.
- (4) *Heritage tree* (see Sec. 98-28) means a specifically designated by city council upon recommendation by the city's tree commission as a heritage tree which meets one or more of the following set of criteria:
 - a. The tree's age and association with a historic building or district gives the tree historical significance;
 - b. The tree represents a specimen that is particularly rare in the Los Angeles basin and is of considerable size and age;
 - c. The tree possesses unique characteristics or special horticultural significance;
 - d. The tree is of a significant size and/or makes a significant and outstanding aesthetic impact to its setting and is an exceptional specimen in good condition and health; or
- (5) *Landscaped Area* means all the planting areas including turf, trees, shrubs, groundcover, and decorative features in a landscape design plan such as boulders, river and lava rock, fountains, ponds, rock riverbeds, pedestrian bridges or other features, as determined by the Director, that are consistent with this section. The landscape area does not include footprints of buildings or structures, paved areas for vehicular access such as driveways, or parking lots, or paved pedestrian walkways, decks, or patios.
- (6) *Living wall* means a vertical garden, green wall, or plant wall that grows in containers or attached to the wall of a commercial building with a smaller setback area than required for landscaping.

- (7) *Low Impact Development* means a stormwater runoff management strategy that mimics natural hydrologic conditions.
- (8) *Model Water Efficient Landscape Ordinance (MWELO)* means the statewide water efficiency law regulated by the State of California which aims to prevent water waste on irrigated landscapes by setting limits on high water use plants and irrigation equipment, and promoting drought tolerant landscaping practices that incorporate healthy soils, adapted plants, and alternative water supplies.
- (9) *Native Tree* means any tree with a trunk more than 8 inches in diameter at a height of 4 ½ feet above natural grade that is one of the following species:
- a. *Quercus agrifolia* (Coast live oak),
 - b. *Quercus engelmannii* (Engelmann oak),
 - c. *Quercus chrysolepis* (Canyon oak),
 - d. *Platanus racemosa* (California sycamore),
 - e. *Juglans californica* (California walnut),
 - f. *Quercus berberidifolia* (Scrub oak),
 - g. *Quercus lobata* (Valley oak),
 - h. *Umbellularia californica* (California bay),
 - i. *Populus fremontii* (Cottonwood),
 - j. *Alnus rhombifolia* (California alder),
 - k. *Populus trichocarpa* (Black cottonwood),
 - l. *Salix lasiolepis* (Arroyo willow), and
 - m. *Aesculus californica* (California buckeye).
- (10) *Private property* means residential, commercial, or industrial property with a legal designation for the ownership by non-governmental legal entities.
- (11) *Private tree* means any tree on privately owned property.
- (12) *Protected Tree* means a protected tree meeting the criteria established by resolution of the city council by species and size of tree which is thereby presumed to possess distinctive form, size or age, and to be an outstanding specimen of a desirable species and to warrant the protections of this chapter
- (13) *Tree Removal* means the uprooting, cutting or severing of the main trunk, or major branches, of a tree or any act which causes, or may be reasonably expected to cause a tree to die, including but not limited to the following:
- a. Inflicting damage upon the root system of a tree by root pruning, machinery, storage of materials, or soil compaction;

- b. Substantially changing the grade above the root system or trunk of a tree; and
- c. Excessively or improperly pruning a tree.
- d. Damage to trunk, where the tree would not likely survive.

(14) *Trees* means any woody perennial plant, usually having a single main axis or trunk, but including specimens of such plants having multiple trunks.

(15) *Tree Trimming* means the removal of dead, dying, diseased, life interfering, objectionable and weak branches in accordance with the most current and best practices of the National Arborist Association (NAA) and International Society of Arboriculture (ISA).

(e) Landscaping standards

(1) *Tree Requirement*. All new development projects require a minimum one 15-gallon, native canopy tree within a street facing setback.

(2) *Residential zones*. The following landscaping standards shall apply to all residential properties within the R-1, R-2, R-3, RPD zones:

- a. A minimum of 20 percent of the lot area not comprised of buildings or required vehicular access and parking areas shall be comprised of pervious surfaces such as landscaping, gravel, rocks, or other similar pervious materials.
- b. A minimum of 50 percent of all street-facing yard areas between the principal dwelling unit and the public or private street curb, shall be maintained as a landscaped area. Hardscape areas containing impervious surfaces shall only be used for the purpose of pedestrian and vehicular access, and paved patios and decks.
- c. No more than 50 percent of the required landscaped areas may consist of decorative features such as boulders, river and lava rock, fountains, ponds, rock riverbeds, pedestrian bridges, arbors and pergolas with a maximum height of 9 feet.
- d. Mulch may be used as an integral part of required landscaped areas.
- e. The following standards shall apply to multi-family residential properties with surface parking lots:
 - i. A minimum 5-foot landscape buffer strip shall be provided between a parking lot and public right-of-way and shall be maintained with a permanent automatic irrigation system.
 - ii. Parking lot canopy trees shall be provided at the ratio of one (1) tree for every four (4) parking spaces.
- f. No vehicle shall be parked in a required landscape area.

(2) *Commercial zones.* The following landscaping standards shall apply to all commercial properties within the C-1 and C-2 zones:

- a. A minimum 50 percent of all street facing setback areas shall be maintained as a landscaped area except for driveways, pedestrian walkways, or parking aisles.
- b. For commercial buildings where no setback is provided on a street facing part of the building, a minimum 25 percent of the wall area shall be planted with a living wall or minimum 2-foot wide planter boxes or planting beds.
- c. The following standards shall apply to commercial properties with surface parking lots:
 - i. A minimum of 2 percent of parking lot area shall be landscaped and shall be so arranged as to emphasize visual attractiveness as viewed by the public from surrounding streets and walkways.
 - ii. A minimum 5-foot landscape buffer strip shall be provided between a parking lot and public right-of-way.
 - iii. Parking lot canopy trees shall be provided at the ratio of one (1) tree for every four (4) parking spaces.
 - iv. The total area of any project not devoted to lot coverage and paving shall be landscaped, irrigated, and maintained in compliance with the requirements of this section.
 - v. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped, unless it is determined by the community development director that landscaping is not necessary to fulfill the purpose of this section.

(3) *Industrial zones.* The following landscaping standards shall apply to all industrial properties within the M-1 and M-2 zones:

- a. A minimum 50 percent of all street facing setback areas shall be maintained as a landscaped area except for driveways, pedestrian walkways, or parking aisles.
- b. For industrial properties with parking lots the following standards shall apply:
 - i. A minimum of 2 percent of parking lot areas shall be landscaped and shall be so arranged as to emphasize visual attractiveness as viewed by the public from surrounding streets and walkways.
 - ii. A minimum 5-foot landscape buffer strip shall be provided between a parking lot and public right-of-way and shall be maintained with a permanent automatic irrigation system.
 - iii. Parking lot canopy trees shall be provided at the ratio of one (1) tree for every four (4) parking spaces.

- iv. The total area of any project not devoted to lot coverage and paving shall be landscaped, irrigated, and maintained in compliance with the requirements of this section.
 - v. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped, unless it is determined by the community development director that landscaping is not necessary to fulfill the purpose of this section.
- (f) *Modification to landscape standards.* The community development director may modify the landscape requirement by a maximum 1 percent in the required setback areas, open space areas, and areas not devoted to lot coverage and paving. The modification may only be approved if the director finds that the project provides: a higher overall quality of landscape design than would normally be expected for a similar development project; a superior landscape maintenance plan; and for outdoor dining activities, special paving or other examples of exceptional architectural quality in the project's design.
- (g) *Plant Materials and Planting Standards.* Plant materials shall be of a type and placement compatible with the project site and surrounding land uses as follows:
- (1) Artificial turf is prohibited.
 - (2) Invasive plant species are prohibited.
 - (3) Landscape planting shall emphasize drought-tolerant and native species and be suitable for the soil and climatic conditions of the site.
 - (4) Native plant material or compatible, nonnative plant material shall be selected.
 - (5) Plant materials shall be provided in the following sizes and shown on the landscape plan:
 - a. The minimum acceptable size for trees shall be a 15-gallon.
 - b. Newly planted trees shall be supported with stakes or guy wires.
 - c. Shrubs shall be a minimum size of five gallons. When planted to serve as a hedge or screen, shrubs shall be planted with two or four feet of spacing, depending on the plant species.
 - d. Shrubs and hedges shall not exceed three feet in height within the front and street side setback areas.
 - e. Ground cover shall be generally spaced at a maximum of six to eight inches on center. When used as ground cover, minimum one-gallon sized shrubs may be planted 10 to 24 inches on center.
 - (6) Trees planted within ten feet of a street, sidewalk, paved trail or walkway shall be a deep-rooted species or shall be separated from paved surfaces by a root barrier to prevent physical damage to public improvements

- (7) A minimum distance of 15 feet is required between the center of trees to street light standards, water meters, back-flow prevention systems, sewer cleanouts and fire hydrants.
- (8) New and replacement tree species shall be in conformance with the City of San Fernando Urban Forest Management Plan or as approved by the community development director.
- (h) *Landscape maintenance standards.* The following landscape maintenance standards are required for all landscaped areas in the City:
 - (1) All landscaping shall be permanently maintained in a healthy and thriving condition at all times, in compliance with the approved landscape design plan.
 - (2) Lawn and ground cover shall be trimmed or mowed regularly. All planting areas shall be kept free of weeds and debris.
 - (3) All plantings shall be kept in a healthy and growing condition. Fertilization, cultivation, and tree pruning shall be a part of regular maintenance. Good horticultural practices shall be followed in all instances.
 - (4) Irrigation systems shall be kept in working condition. Adjustments, replacements, repairs and cleaning shall be a part of regular maintenance.
 - (5) Stakes and ties on trees shall be checked regularly for correct functions. Ties shall be adjusted to avoid creating abrasions or girdling on trunks or branches.
- (i) *Enforcement.* Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of these landscape standards or failing to comply with any order or regulation made hereunder, shall be subject to the penalties set forth in Chapter 1 Article III of the San Fernando Municipal Code.

Sec. 106-974 - Tree preservation and protection on private property

The following regulations apply to the protection, preservation, maintenance, removal, and replacement of any heritage tree, protected tree, or native tree on private property:

- (a) A heritage or protected tree that is a threat to the public welfare as determined by the Los Angeles Fire Department, San Fernando Police Department, or San Fernando Public Works Director or removal as directed by a county, state, or federal agency, or an insurance provider shall be exempt from obtaining a zoning clearance, administrative permit, or discretionary permit approval for its removal.
- (b) The city council upon a recommendation from the City's tree commission is authorized to approve the removal of a heritage tree, native tree, or protected tree through approval of a zoning clearance, or in conjunction with an administrative permit or

discretionary planning permit based on the findings of a report prepared an International Society of Arboriculture (ISA) certified arborist confirming one or more of the following factors:

- (1) The tree is dead.
 - (2) The tree has reached an over-protected condition for its pre-existing location and will result in the deterioration of surrounding hardscaped areas potentially resulting in a health and safety hazard.
 - (3) The tree which is infected with a disease which cannot be treated successfully, or there is a strong potential that the pathogen could spread to other trees in the immediate vicinity.
 - (4) The tree has a severe void of heartwood due to wood consuming organisms which could potentially cause catastrophic failure (i.e., collapse).
 - (5) A tree has been determined to be a hazard because of its high potential for failure due to considerable dead or dying foliage, branches, roots or trunk.
 - (6) The tree requires extensive root pruning because of excessive hardscape damage resulting in the severe reduction of its capacity to support itself thereby creating a potential safety hazard.
 - (7) A healthy living tree that has caused damage to any underground utility as a result of root blockage.
 - (8) A tree that is causing an immediate threat to the health and safety or general welfare of the property owner or the public.
 - (9) The removal is necessary to prevent a substantial inconvenience or financial hardship to the property owner as determined by the community development director.
- (c) Where it has been determined that preservation of a heritage tree, native tree, or protected tree is infeasible, replacement tree(s) shall be provided at a 1:2 ratio as follows:
- (2) Replacement trees shall be planted on the site where the tree has been removed, except in instances where on-site planting and future tree survival is shown to be infeasible in which case the community development director shall authorize other off-site locations where maintenance will be guaranteed.
 - (3) If the relocation or replacement tree is to be planted on private property, the owner of the proposed suitable relocation site consents in writing to the placement of a relocated or replacement tree.
 - (4) Replacement trees shall be canopy trees as defined in this section.
 - (5) The property owner shall sign a covenant to maintain the tree and replace it in 3 years if it dies. Follow up with survival of required trees after 3 years. Trees that have not survived establishment must be replaced.

(d) Tree protection before construction. Construction projects that will impact more than 1,200 sq ft of land must submit a Tree Protection Plan as a part of building plan check outlining what measures will be taken to protect existing trees during construction including:

- (1) The location, species, DBH, and condition of trees
- (2) The Tree Protection Zone for all trees to be preserved
- (3) Tree fencing (to be installed under dripline)
- (4) Erosion control
- (5) Tree pruning
- (6) Soil compaction mitigation
- (7) Irrigation
- (8) Tree maintenance schedule
- (9) A Tree Root Plan will be required in the case of grading or excavation. Tree plans should be approved and overseen by a certified arborist.

(e) Tree protection during construction. Care shall be exercised by all individuals, developers and contractors working near heritage trees or protected trees so that no damage occurs to such trees. During construction, these trees shall be protected in the following manner:

- (1) All trees to be saved shall be enclosed/delineated by an appropriate temporary construction barrier, such as fencing or other mechanism, prior to commencement of work. Barriers are to remain in place during all phases of construction and may not be removed without the written consent of the community development director.
- (2) Such barrier(s) must be located a distance from the trunk base of two times the trunk diameter, up to a maximum of 15 feet, unless otherwise approved in writing by the community development director.
- (3) No fill material shall be placed within three feet from the outer trunk circumference of any tree.
- (4) No fill materials shall be placed within the drip line of any tree in excess of 18 inches in depth. This guideline is subject to modification to meet the needs of an individual tree species, as determined by a certified arborist or licensed landscape architect.
- (5) No substantial compaction of the soil within the drip line of any tree shall be undertaken.
- (6) No construction, including structures and walls, that disrupts the root system shall be permitted. As a guideline, no cutting of roots should occur within a distance equal to 3½ times the trunk diameter, as measured at ground level. Actual setback may

vary to meet the needs of individual tree species as determined by a certified arborist or licensed landscape architect. When some root removal is necessary, the tree crown may require thinning to prevent wind damage.

(7) Any tree that dies as a result of construction must be replaced with two 15 gallon size trees with a mature tree canopy of at least 20 ft and low water requirement.

(f) The community development director, through city police officers, building inspectors, community preservation officers and members of the community development department, in the course of their duties, when monitoring construction activities, shall check for compliance with the provisions of this article. Any irregularities or suspected violations of this article shall be reported immediately to the community development director.

(g) Immature trees may be relocated or removed without a permit.

Sec. 106-975 - Model Water Efficient Landscape Ordinance (MWELo) Requirements

Landscape design plans are required to comply with California MWELo standards as follows:

(a) Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the city, who are constructing a new (single-family, multi-family, public, institutional, commercial, or industrial) project with a landscape area greater than 2,500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 500 square feet, shall comply with Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo, including sections related to use of compost and mulch as delineated in this section. Other requirements of the MWELo are in effect and can be found in 23 CCR, Division 2, Chapter 2.7.

(b) Property owners or their building or landscape designers that meet the threshold for MWELo compliance above shall:

(1) Comply with Sections 492.6 (a)(3)(B)(C),(D) and (G) of the MWELo, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:

- a. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than six percent organic matter in the top six inches of soil are exempt from adding compost and tilling.
- b. For landscape installations, a minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is

contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

- c. Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.
- (2) The irrigation plan shall include sustainable landscaping principles and must prevent irrigation runoff, low head drainage and overspray.
 - (3) The installation of synthetic grass or artificial turf in landscaping plans for private development is prohibited.
 - (4) The MWELO compliance items listed in this section are not an inclusive list of MWELO requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined in Section 70-147(a) shall consult the full MWELO for all requirements.
 - (5) Comply with LID stormwater management standards by encouraging the construction of roofs on new private development that directly runoff into vegetated areas onsite, or include a rain gutter that is directed toward vegetated areas.
- (c) If, after the adoption of this article, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELO September 15, 2015 requirements in a manner that requires city to incorporate the requirements of an updated MWELO in a local ordinance, and the amended requirements include provisions more stringent than those required in this section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.