

ORDINANCE NO. 1895

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA AMENDING CHAPTER 30, ARTICLE X, GENERAL LANDSCAPE STANDARDS OF THE FONTANA MUNICIPAL CODE TO ESTABLISH WATER EFFICIENCY AND OTHER ENVIRONMENTAL STANDARDS FOR THE REGULATION OF ENVIRONMENTAL QUALITY FOR CITYWIDE DEVELOPMENT.

THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the City of Fontana (the “City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in 2019, the City of Fontana completed an Urban Greening Landscape Plan including recommendations to address water efficiency, air quality, and regulatory consistency; and,

WHEREAS, the City of Fontana Urban Greening Landscape Plan included recommendations to update Chapter 30, Article X, General Landscape Standards; and,

WHEREAS, the City currently regulates General Landscape Standards pursuant to Chapter 30, Article X, of the Zoning and Development Code; and

WHEREAS, on April 26, 2022, the staff presented a workshop to the City Council updating the City Council on the status of the Urban Greening Landscape Plan and upcoming Zoning and Development Code amendment; and

WHEREAS, the City initiated Zoning Code Amendment (ZCA) No. 22-003 to amend Chapter 30, Article X, (Zoning and Development Code General Landscape Standards) of the Municipal Code to improve water efficiency, air and environmental quality, and regulatory consistency; and

WHEREAS, on May 17, 2022, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto on Zoning Code Amendment (ZCA) No. 22-003; and

WHEREAS, on May 17, 2022, the Planning Commission approved Resolution No. PC 2022-013 and recommended approval to City Council of Zoning Code Amendment (ZCA) No. 22-003 and after carefully considering all information pertaining to the proposed project, including the staff report, and all the information, evidence, and testimony presented at its public hearing on May 17, 2022; and

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WHEREAS, on June 28, 2022, the City Council held a duly noticed public hearing on Zoning Code Amendment (ZCA) No. 22-003, and the supporting documents in evidence, the City Council found that the Zoning Code Amendment is in conformance with General Plan and does not change any of the Land Use Designations of any properties and it is consistent with the General Plan and furthers Strategies A, E, F, H, and L of Goal 3 in Chapter 7 to promote a healthy, drought resistant urban forest; and

WHEREAS, a notice of the public hearing was published in the local *Fontana Herald* newspaper on Friday, June 17, 2022 and posted at City; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The recitals above are true and correct and are fully incorporated herein.

Section 2. Current Article X is hereby reorganized and renumbered.

Section 3. Current Article X is hereby amended to include additional terms and definitions.

Section 4. Current Article X is hereby amended to include a City of Fontana Tree Palette by reference.

Section 5. Current Article X is hereby amended to include new water efficiency standards.

Section 6. Current Article X is hereby amended to include Low Impact Development (LID) standards.

Section 7. Current Article X is hereby amended to include standards to increase the City's tree canopy coverage.

ZONING AND DEVELOPMENT CODE
CHAPTER NO. 30
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ARTICLE X. - GENERAL LANDSCAPE REQUIREMENTS

Section No. 30-664 - Purpose.

(A) This article establishes requirements and design guidelines for landscape development within the City. The requirements are intended to:

- Encourage harmonious landscape design;
- Ensure that all landscape development is responsive to the physical characteristics and nature of the site and its surrounding environment; and
- Ensure that the landscape incorporates water-efficiency standard design.

(1) *Plans and specifications required.* The following are required:

- a. Landscape grading and drainage plan
- b. Planting plan
- c. Irrigation plan
- d. Water Efficiency Landscape Worksheet
- e. Specifications and details

New landscaping of 500 square feet or more or rehabilitated (remove and replace) landscaping of 2,500 square feet or more require an application for plan check from the City of Fontana.

Landscape improvements per approved plans and specifications shall be completed and a final landscape inspection shall be completed prior to the issuance of the Certificate of Occupancy.

The Certificate of Occupancy may be permitted by the Planning Director or his/her designee on a case-by-case basis prior to final landscape inspection approval.

Section No. 30.665- Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning

:

Decorative hardscape shall mean materials used to enhance the landscape area which includes but are not limited to material such as cobble, rock, decomposed granite in combination with binding material, brickwork, gravel, pavers, water features, stamped concrete.

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Drip Irrigation means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of the plants. Drip irrigation is considered a form of subsurface irrigation.

Established Landscape means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

Hardscape means any durable material (pervious and non-pervious). See “Decorative Hardscape” above.

Hydrozone means a portion of the landscaped area having plants with similar watering needs and rooting depth.

Impervious means any surface or material that does not allow the passage of water through the material and into the underlying soil.

Invasive Plant Species means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and the United States Department of Agriculture (USDA) invasive and noxious weeds database.

Landscape Area means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance Calculation (as defined in FCC 28-93). The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, or other pervious or non-pervious hardscapes or other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

Landscape Documentation Package means the documents required under FCC section 28-95 and FCC section 30-664 (a-e).

Landscape setbacks means the required distance between a property line and a structure or parking lot.

Line-of-Site means a straight line along which an observer has unobstructed vision.

Low Impact Development means a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small scale hydrologic controls to more closely mimic pre-development hydrologic functions.

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New Construction means for a new building with a landscape or other new landscape such as a park, parkway, parkway median, playground, or greenbelt without an associated building.

Open Space means any parcel, or part thereof, area of land designated or reserved for public or private use or enjoyment. An active open space contains recreational facilities such as swimming areas, courts, play equipment, game areas, playing fields and equipment required for recreational activities.

Overhead Irrigation means systems that deliver water through the air (e.g. sprinklers, pop-up heads, and rotors).

Overspray means the irrigation which is delivered beyond the target area.

Pervious means any surface or material that allows the passage of water through the material and into the underlying soil.

Rehabilitated Landscape means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of FCC Section 28-92, and the modified landscape area is equal to or greater than 2,500 square feet.

Sight Distance means the length of the roadway ahead that is visible to the roadway user per the American Association of State Highway and Transportation Officials (AASHTO) "A policy of geometric design of highways and streets" or as provided by this chapter.

Sight Triangle means the specified areas along intersection approach legs and across their included corners per AASHTO "A policy of geometric design of highways and streets," or as provided by this chapter. These areas shall be clear of obstructions that may block a driver's view of potentially conflicting vehicles.

Sensitive Receptor means any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, prisons, and dormitories.

Special Landscape Area (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

Turf means a groundcover surface of mowed grass. Turf includes, but is not limited to, Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue and Tall fescue are cool season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm season grasses.

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Water Efficient Landscape Ordinance means the local ordinance adopted by the City of Fontana as Ordinance No. 1743, FCC Article IV, Chapter 28, regarding landscaping and water conservation.

Section No. 30-666 – Reserved

Section No. 30-667 - General landscaping requirements.

(a) The following requirements and standards apply to all landscape areas:

- (1) *Summer and winter landscape design.* Landscaping and building architecture shall be designed to provide shade in the summer and allow sunlight in the winter.
- (2) *Scenic open space.* Scenic open space adjacent to a project or to a street shall be integrated into the landscape concept.
- (3) *Design.* Landscaped areas shall be used to frame, soften and enhance the quality of the environment to buffer buildings from noise or undesirable views and to break-up large expanses of parking. Trees, shrubs, and groundcovers shall be utilized in all planting areas. Crime Prevention Through Environmental Design (CPTED) standards shall be considered.
 - (a) Landscaping shall be used alone or in conjunction with other features (e.g., open space buffer, topography) to reduce potential visual, light and glare conflicts.
 - (b) Landscaping shall be provided pursuant to the City's most current adopted standard specifications, which are available from the Engineering Department.
 - (c) All proposed trees shall be selected from the adopted City of Fontana Urban Greening Tree Palette available from the Planning Division and shall meet these minimum container and trunk caliper sizes:
 - (i) Fifteen (15) Gallon: One-inch (1") Caliper trunk
 - (ii) Twenty-four-inch (24") Box: One and one-half-inch (1-1/2") Caliper trunk
 - (iii) Thirty-six-inch (36") Box: Two and one-half-inch (2-1/2") Caliper trunk
 - (iv) If the caliper size cannot be met at the container size, then the container size shall be increased to meet the required caliper.
 - (d) Open spaces shall provide visual, harmonious and functional landscape design and access connection to the primary building entry.

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(e) *Slope areas.* All slopes greater than four to one (25 percent) shall be landscaped.

(i) Groundcovers at 12 inches on center maximum, and one tree minimum of fifteen-gallon size trees with a minimum one-inch caliper trunk per each 300 square feet minimum of slope surface, and one shrub per 50 square feet of slope surface shall be provided. Hydro-seeding is permitted. Residential slopes in rear and side yards that are not over four-feet tall with a 4:1 slope are not required to be landscaped.

(ii) Slopes greater than 25% shall not be irrigated with an irrigations system with an application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of the runoff and erosion must be confirmed during the irrigation audit.

(v) *Control management plan slopes.* All slopes equal to or greater than two to one (2:1) shall require an erosion control management plan. The plan shall address soil stabilization, erosion control, drainage, irrigation system design and plant materials and the maintenance thereof. Slopes greater than two to one (2:1) are not allowed unless otherwise approved by the city.

(f) *Turf.* Other than in Special Landscape Areas turf shall not exceed more than 35-percent (35%) of the total landscaped area, unless specified elsewhere in this article, and shall be valved separately in its own hydrozone. Turf shall be separated from walls, fences, and/or structures by a minimum five-foot (5') wide, fully landscaped planter(s) where allowed, and by a minimum three-foot wide (3'), fully landscaped planter(s) unless otherwise approved by the Planning Director.

(g) *Artificial Turf.* Artificial turf may be used provided it meets the following minimum specifications:

- i. Pile Height: 1.5 inches
- ii. Gauge: 5/8 inch
- iii. Stitch Rate: 20/10 cm
- iv. Face Weight: 52 oz.

The above standards may be modified with approval of the Planning Director.

(h) Irrigation

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- (i) *Automatic Irrigation system.* All landscaped areas shall be provided with a subsurface and/or drip automatic irrigation system capable of complete coverage of the landscaped areas (head-to-head coverage). Water conservation techniques shall be incorporated into the design of the irrigation system and shall be designed to minimize run-off and other wasting of water. Projects are encouraged to incorporate reclaimed water (where available) and/or on-site capture and reuse systems.
- (ii) In areas where allowed, overhead irrigation (sprinklers, pop-up heads, rotors) shall have matched precipitation. Nozzles will be spaced at 50 percent of their diameter assuring 100 percent coverage. Sprinklers, rotors, and other overhead irrigation shall be installed a minimum of 24-inches from any impermeable surface unless the impermeable surface drains directly and completely to another landscaped area. Overhead irrigation is not allowed in planter areas less than 10-feet wide.
- (iii) Water velocity through pipe shall not exceed 6.2 feet per second.
- (iv) *Backflow preventer.* Backflow protection per local code shall be required on all irrigation systems, which are supplied by a potable water system.
- (v) Turf and shrub areas shall be valved separately.
- (vi) For residential developments where applicable, the main line shall be stubbed out and capped three feet (3') beyond side yard fence with three control wires minimum and one common wire from irrigation controller. They shall be installed in a round, six-inch (6") valve box
- (i) Asphalt paving and/or turf shall not abut buildings, structures, walls or fences unless otherwise approved by the Director of Planning.
- (j) Concrete curbing of six inches (6") minimum height shall be constructed to contain all landscape areas that abut to asphalt paving, except where decorative walls are provided. Curb cuts/openings shall be incorporated in the concrete curbing at locations that allow stormwater to drain to landscape areas.
- (k) *Invasive or destructive species.* Invasive plant species as defined by county agricultural agencies as noxious species are prohibited. In addition, Plant material known to have invasive or destructive root systems shall be

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avoided. Similarly, plants known to have messy and/or staining fruit and/or brittle limbs shall also be avoided., Lists of invasive plants are maintained at the California Invasive Plant Inventory and the United States Department of Agriculture (USDA) invasive and noxious weeds database.

- (l) *Native species encouraged.* Native drought-tolerant plant material shall be given preference.
- (m) *Root barriers.* Root barriers shall be installed when trees are located within six feet (6') of sidewalks, curbs, foundations, utility boxes or structures, and/or walls.
- (n) *Street trees.* All new developments shall provide street trees spaced on-center at a distance equal to the species mature canopy size. Each tree shall have a minimum size of 24-inch box size with a minimum one and one-half-inch caliper trunk. Tree species shall conform to the City of Fontana Urban Greening Tree Palette established by the Development Services Organization.
- (o) *Maintenance.* In accordance with Fontana Municipal Code Section 24-108, all landscaped and paved areas shall be maintained in a neat and orderly condition with healthy landscaping free of weeds and litter. Additionally, Irrigation systems shall be maintained in a fully operational condition. All paved areas, walls and fences in landscaped areas shall be in good repair without broken parts, holes, potholes, or litter, etc.
- (p) *Sight Distance.*
 - (i) Sight Distance shall be provided and maintained. Objects, such as plants, elevation changes, monument walls, garden and retaining walls and the terrain itself, shall not exceed 30 inches above the roadway and shall not interfere or obstruct the Line-of-Sight.
 - (ii) Sufficient right-of-way shall be dedicated to providing for all primary and secondary landscaped entry statements (including trees) with consideration to Sight Distance and maintain Line-of-Sight.
 - (III) Trees shall not be planted within the Sight Triangle. The plans shall show topographical information, shrub and tree species size and location, and also show the location of the irrigation controller and meter/backflow device.
 - (iv) It is the responsibility of the adjacent property owner to maintain the intersection site distance and line-of-site landscaping in good physical condition and appearance.

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- (q) All new developments providing landscaping shall conform to the Fontana Municipal Code, which pertains to water efficient landscape. (Landscape and Water Conservation Ordinance Fontana Municipal Code: Ch. 28, Article IV, Sections 28-91 through 28-115, FMC).
- (r) *Adjacent to open space and/or high fire hazard areas.* Adjacent to identified high fire hazard areas and natural open spaces, two zones shall be established to protect structures from fire hazard. Unless an alternate Fire Protection Plan is approved by the City of Fontana Fire Agency the zones shall be as follows:
 - i. Zone 1 shall extend 25 to 50 feet from the building pad **footprint**, driveways and similar surfaces and shall be planted with fire resistant vegetation. **(strikeout and added language by Planning Commission on May 17, 2022)**
 - ii. Zone 2 shall extend up to 100 feet from Zone 1. Fire resistant species are preferred, but native species may be maintained if the covering is thinned.
- (4) *Existing tree preservation.*
 - (a) Existing tree preservation shall be subject to the provisions of Fontana Municipal Code Chapter 28, Article III, Preservation of Heritage, Significant, and Specimen Trees.

Section No. 30-668 -. Low Impact Development.

- (a) A minimum of two (2) of the following Low Impact Development standards shall be incorporated into all new development projects or rehabilitated landscaping to the maximum extent practical and shall be shown on all landscape plans:
 - (1) Curb cutouts to allow stormwater to drain to landscape areas (landscape areas shall be planted at two inches (2") below grade, including the required mulch layer);
 - (2) Precast permeable concrete in parking stalls, pedestrian paths, and above surface drainage (v-ditches);
 - (3) Tree Preservation;
 - (4) Vegetated swales, buffers, and strips;
 - (5) Bioretention and rain gutters;
 - (6) Roof Leader Disconnection from storm drain systems to landscape areas (landscape areas shall be planted at two inches (2") below grade, including the required mulch layer);
 - (7) Rain Barrels and Cisterns for capture and reuse; and,

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(8) Other Low Impact Development standards may be approved subject to approval by the Planning Director.

(b) All Low Impact Development standards used shall be consistent with any project specific Water Quality Management Plan.

(c) All landscaping and grading plans shall be consistent with the associated Low Impact Development standards.

Section No. 30-669 Residential Districts.

(a) *General.* In addition to the General Landscaping Requirements in Section 30-667, The following requirements shall apply except for Walkable Mixed-Use Districts:

(1) Single Family, and Residential Planned Unit Development Districts.

- i. *Required landscape.* Landscaping shall be provided by the developer in all required front yards, side yards, and on corner lots including street parkway areas.
- ii. No more than 50 percent of the required front yard setback area may be covered by non-decorative hardscape features (e.g., concrete, asphalt, gravel, driveways, sidewalks, porches, etc.) Of the remaining 50 percent, no more than 25 percent may be covered by decorative hardscape features (e.g., brick, stone, fountains, ponds, etc.) and no more than 35 percent (35%) shall be covered by turf. If the original driveway exceeds 50 percent of the required front yard setback, no additional hardscape shall be permitted.
- iii. An automatic irrigation system shall be required for the front yard and side yard landscape area(s) including adjacent street parkways. Grouted cobble or other decorative hardscape may be permitted on corner lot side yards subject to approval of the Planning Director.
- iv. *Plant size and numbers.* All required landscaping materials shall not be less than the following quantities and sizes:
 1. *Required trees.* Not less than two 15-gallon trees with a minimum one-inch (1") caliper trunk or larger shall be provided for each residential lot. Additionally, not less than one 24-inch box tree shall be located within the adjacent

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street parkway. The two front yard trees shall be placed to maximize shade to the adjacent sidewalk and to provide shade to the house to increase energy efficiency in the summer. Corner lots will require additional street trees for each 30 linear feet of side yard.

2. *Required shrubs.* ~~Not less than one shrub shall be required for each nine square feet of planter area.~~ Shrub sizes shall vary, with not less than 50 percent being a minimum of five-gallon in size **and planted at a spacing equal to 80% of the maximum growth rate for each species as noted in the Sunset Western Garden Book.** ~~(strikeout and added language by Planning Commission on May 17, 2022)~~
3. *Lawns.* Any proposed lawn areas of turf shall be sodded and shall not exceed 35 percent (35%) of the total landscape area per Section 30-669 (1) (ii).
4. *Groundcover.* Groundcover shall be planted in such a way to result in substantial coverage of the area within one year of initial planting. To achieve this, groundcover shall be planted at a spacing equal to 80% of the maximum growth rate for each species as noted in the Sunset Western Garden Book
- v. *Walls.* Walls visible from the public right-of-way shall be constructed with decorative materials such as slump stone, split face or other decorative block as determined by the Planning Director. Any walls within a residential zone continuous for more than 50 feet along a collector or an arterial (as defined in the circulation element of the general plan) public street shall have a minimum ten-foot landscaped setback from the street right-of-way line. The ten-foot landscaped setback shall include 24-inch box evergreen trees with a minimum one and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size, groundcover, and the decorative hardscape as determined by the Planning Director or his/her designee. Any solid masonry wall within 15 feet of a front or side property line shall be screened with any suitable combination of shrubs, trees, vines, or ornamental groundcovers to the satisfaction of the Planning Director or his/her designee.
 1. Block walls located on side yards for corner lots shall be located a minimum five feet (5') from the street right-of-way

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and shall maintain a minimum five feet (5') between the wall and dwelling unit. The five-foot (5') area between the wall and street right-of-way shall be landscaped and irrigated in accordance with this Article.

(2) Medium Density Residential Districts

- i. *Required landscape.* Landscaping shall be provided by the developer in front yards, side yards, and on corner side yards including street parkway areas.
- ii. An automatic irrigation system shall be required for the front and side yard and corner side yard landscape area(s) including adjacent street parkways unless corner side yards are entirely of decorative hardscape.
- iii. *Trees.* One tree minimum for each 300 square feet of required yard area, including front yards, side yards, rear yards and common open space. Each tree shall have a minimum size of 24-inch box with a minimum one and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size. Of the required trees, 20 percent shall be a minimum 36-inch box with a minimum two and one half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size or larger. City may require larger box trees at the discretion of the City Planning Director/City Engineer or his/her designee.
 - 1. *Street trees.* All new developments shall provide at least one tree of not less than 36-inch box size with a minimum two and two and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size or for each 30 linear feet of street frontage, whichever is lessor. In parkways of inadequate width, existing street furniture, or driveways, the required street tree(s) shall be planted in the abutting yard area.
- iv. *Shrubs.* Three shrubs for each tree. Shrub sizes shall vary 50 percent five-gallon and 50 percent one-gallon.
- v. *Groundcover.* Groundcover shall be planted 12 inches on center so that coverage is achieved within one year of initial planting.
- vi. *Screening of exterior equipment.* All mechanical equipment, ground mounted equipment, utilities, and storage, shall be screened from adjoining properties and public rights-of-way by a visual barrier such as a decorative wall, fence, or landscape

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material to the satisfaction of the Planning Director or his/her designee. Where only landscaping is used for screening, it shall be planted with shrubs of sufficient size and density and spaced to provide a continuous dense screen.

vii. *Parking areas.* Where a parking lot is provided in medium density residential developments, all common parking areas shall be designed and landscaped to break up a large single paved area and shall include predominantly fast-growing trees to create summer shade. All trees shall be no less than 24-inch box in size with a minimum one and one-half-inch caliper trunk. In addition, the following parking lot landscape standards shall be implemented:

1. *Screening.* Parking areas shall be screened from streets through combinations of mounding if such mounding is in compliance with the approved Water Quality Management Plan (WQMP), landscaping, low profile walls and grade separations.

2. *Perimeter planter.* A landscaped planter at least five feet wide, excluding overhang, curb and walkways, shall be provided wherever a parking facility adjoins a side or rear property line.

3. *Landscape protection.* All landscaping shall be protected by concrete curbs of at least six inches in height. Finger and end of aisle planters on the parking space side shall have a decorative 18-inch-wide concrete surface measured from the face of curb. **curb face to curb face with a minimum four-foot-wide planting area.** Finger aisle planters and end of aisle planters shall be a minimum of seven feet wide. ***(strikeout and added language by Planning Commission on May 17, 2022)***

4. *End of aisles.* All parking areas shall provide a landscaped planter of a minimum width of five feet at the ends of all parking aisles with an additional decorative 18-inch-wide concrete surface to allow access to the parked vehicle. All planting areas shall have round corners instead of 90-degree corners and be shaped to permit vehicle turn movements.

5. *Trees required.* One tree shall be provided for each four parking stalls. Trees may be of a species that provides visibility to signage and storefronts.

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6. *Parking area setbacks.* Consistent with general plan goals to provide attractive streetscapes, parking areas shall be setback from the public right-of-way as specified in Tables No. 30-464 A-C. The setback area shall be landscaped as required by the landscaping provisions of this article.

7. *Alternate design.* An alternate parking lot planter design may be approved if it exceeds the minimum criteria as specified herein, or otherwise meets the satisfaction of the City Planning Director and City Engineer or his/her designee.

viii. **An alternate landscape plan design may be approved by Planning Director or his/her designee if the resulting mature tree canopy coverage will be equal to or greater than the above standard.** (Added language by Planning Commission on May 17, 2022)

ix. *Walls.* Walls visible from the public right-of-way shall be constructed with decorative materials such as slump stone, split face or other decorative block as determined by the Planning Director or his/her designee. Any walls within a residential zone continuous for more than 50 feet along a collector or an arterial (as defined in the circulation element of the general plan) public street shall have a minimum ten-foot landscaped setback from the street right-of-way line. The ten-foot landscaped setback shall include 24-inch box trees with a minimum one and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size, groundcover, and the decorative hardscape as determined by the Planning Director or his/her designee. Any solid masonry wall within 15 feet of a front or side property line shall be screened with any suitable combination of shrubs, trees, vines, or ornamental groundcovers to the satisfaction of the Planning Director/City Engineer or his/her designee.

a. Block walls located on side yards for corner lots shall be located a minimum five feet from the street right-of-way and shall maintain a minimum five feet between the wall and dwelling unit. The five-foot area between the wall and street right-of-way shall be landscaped and irrigated in accordance with this Article.

(3) Multi-Family Residential Districts

i. *Required landscape.* A minimum of 15 percent of the total site area, not including building footprint area, shall be landscaped to

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the satisfaction of the Planning Director/City Engineer or his/her designee. The percentage of landscape area shall be stated on the landscape plans. Landscaping shall be provided by the developer in all required front, side, and on corner setback areas including street parkways, and private and common open space areas, as required by the community development department.

1. Setback areas.

1. Front yard.

- a. Setback areas designed with entrance stoops, or porches, shall contain a private landscape area with a 36 square-foot or larger open space area and one 24-inch box tree.

- ii. An automatic irrigation system shall be required for all landscape area(s).

- iii. *Trees.* One tree minimum for each 300 square feet of required landscape area, including front, side, and rear setback areas and common open space shall be provided. Each tree shall have a minimum size of 24-inch box with a minimum one and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size. Of the total required trees, 20 percent shall be 36-inch box with a minimum two and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size or larger. City may require larger box trees at the discretion of the City Planning Director/City Engineer or his/her designee.

1. *Street trees.* All new developments shall provide not less than one tree of not less than 36-inch box size with a minimum two-and one-half inch caliper trunk spaced apart by a distance equal to trees' mature canopy size along the street frontage. In parkways of inadequate width, the required street tree(s) shall be planted in the abutting yard area.

- iv. *Shrubs.* Three shrubs for each tree Not less than 50 percent of shrubs shall be five-gallon in size.

- v. *Groundcover.* Groundcover shall be planted 12 inches on center so that coverage is achieved within one year of initial planting.

- vi. *Common area open space.* Lawn areas of sodded turf shall not exceed 35 percent of the landscaped area except if it is part of an open play area as a required amenity. All other common area open space shall be landscaped in accordance with the General

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Landscape requirements of this chapter (FCC Section No. 30-667).

- vii. *Screening of exterior equipment.* All mechanical equipment, ground mounted equipment, utilities, and storage, shall be screened from adjoining properties and public rights-of-way by a visual barrier such as a decorative wall, fence, or landscape material to the satisfaction of the Planning Director/City Engineer or his/her designee. Where only landscaping is used for screening, it shall be planted with shrubs of sufficient size and density and spaced to provide a continuous dense screen.
- viii. *Parking areas.* All common parking areas in multi-family projects shall be designed and landscaped to break up a large single paved area and shall include predominantly fast-growing trees to create summer shade. All trees shall be a minimum of two 24-inch box size trees with a minimum one and one-half-inch caliper trunk. In addition, the following parking lot landscape standards shall be implemented:
 - 1. *Screening.* Parking areas shall be screened from streets through combinations of mounding if such mounding is in compliance with the approved Water Quality Management Plan (WQMP), landscaping, low profile walls and grade separations.
 - 2. *Perimeter planter.* A landscaped planter at least five feet wide, excluding overhang, curb and walkways, shall be provided wherever a parking facility adjoins a side or rear property line.
 - 3. *Landscape protection.* All landscaping shall be protected by concrete curbs of at least six inches in height. Finger and end of aisle planters on the parking space side shall have a decorative 18-inch-wide concrete surface measured from ~~the face of curb~~ **curb face to curb face and have a minimum four-foot-wide planting area.** Finger aisle planters, and end of aisle planters shall be a minimum of seven feet wide ***(strikeout and added language by Planning Commission on May 17, 2022)***
 - 4. *End of aisles.* All parking areas shall provide a landscaped planter of a minimum width of five feet at the ends of all parking aisles with an additional decorative 18-inch-wide concrete surface to allow access to the parked vehicle. All planting areas shall have round corners instead of 90-degree corners and be shaped to permit vehicle turn movements.

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5. *Trees required.* One tree shall be provided for each four parking stalls. Trees may be of a species that provides visibility to signage and storefronts.
6. *Parking area setbacks.* Consistent with general plan goals to provide attractive streetscapes, parking areas shall be setback from the public right-of-way as specified in Tables No. 30-464 A-C. The setback area shall be landscaped as required by the landscaping provisions of this article.
7. *Alternate design.* An alternate parking lot planter design may be approved if it exceeds the minimum criteria as specified herein, or otherwise meets the satisfaction of the City Director of Community Development/City Engineer or his/her designee.
- ix. **An alternate landscape plan design may be approved by Planning Director or his/her designee if the resulting mature tree canopy coverage will be equal to or greater than the above standard. (Added language by Planning Commission on May 17, 2022)**
- x. *Walls.* Walls visible from the public right-of-way shall be constructed with decorative materials such as slump stone, split face or other decorative block as determined by the Planning Director. Any walls within a residential zone continuous for more than 50 feet along a collector or an arterial (as defined in the circulation element of the general plan) public street shall have a minimum ten-foot landscaped setback from the street right-of-way line. The ten-foot landscaped setback shall include 24-inch box evergreen trees with a minimum one and one-half inch caliper trunk spaced apart by a distance equal to trees' mature canopy size, groundcover, and the decorative hardscape as determined by the Planning Director/City Engineer. Any solid masonry wall within 15 feet of a front or side property line shall be screened with any suitable combination of shrubs, trees, vines, or ornamental groundcovers to the satisfaction of the Planning Director or his/her designee.

Section No. 30-670 - Commercial Districts

(a) *General.* In addition to the General Landscaping Requirements in Section 30-667, The following requirements shall apply in all commercial districts except Walkable Mixed-Use Districts:

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- (1) *Landscaped area.* All required yards and setback areas, and all other portions of a lot not paved or occupied by a structure, shall be landscaped and irrigated with plant material. Decorative landscape features such as brick, stone, art, fountains, and ponds may be used within the landscaped area, provided such materials present an attractive setting consistent with the intent of these landscaping requirements. These decorative landscape features shall not exceed 15 percent of the entire landscape areas.
 - i. *Landscape setback.* A landscape setback shall be required between the front property line and the building or parking lot as described in Tables No. 30-492. B. . This area shall be landscaped with a combination of 24-inch box size trees with a minimum one and one-half inch caliper trunk, decorative hardscape, shrubs, and groundcover. Any decorative walls or fences shall be located behind the landscape setback.
- (2) A minimum of 15 percent of the total site area, not including building footprint area, shall be landscaped to the satisfaction of the Planning Director/City Engineer or his/her designee. The percentage of landscape area shall be stated on the landscape plans. Generally, landscaped areas shall be required to be planted so that shrubs and other plants present a dense appearance
- (3) *Required trees.* One tree shall be provided for every 300 square feet of landscape area. Tree size shall vary with a minimum 50 percent 24-inch box with a minimum one and one-half-inch caliper trunk or greater, 25 percent 15-gallon with one-inch caliper trunk or greater, and 25 percent minimum 36-inch box with a two- and one-half-inch caliper trunk or greater.
 - i. *Street trees.* All new developments shall provide evergreen tree of not less than 36-inch box size with a minimum two and one-half-inch caliper trunk spaced apart by a distance equal to the trees' mature canopy size along the street frontage. In parkways of inadequate width, the required street tree(s) shall be planted in the abutting yard area.
- (4) *Required shrubs.* Shrub sizes shall vary 50 percent five-gallon and 50 percent one-gallon.
- (5) *Groundcover.* Groundcover shall be planted in such a way to result in substantial coverage of the area within one year of initial planting. To achieve this, groundcover shall be planted at a spacing equal to 80% of the maximum growth rate for each species as noted in the Sunset Western Garden Book

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- (6) Turf is prohibited in all commercial districts.
- (7) An automatic irrigation system shall be required for all landscape area(s).
- (8) *Parking areas.* All common parking areas in commercial projects shall be designed and landscaped to break up a large single paved area to screen vehicles from view and to minimize the expansive appearance of parking areas and shall include predominantly fast-growing trees to create summer shade. All trees shall be a minimum of 24-inch box size with a minimum one and one-half-inch caliper trunk. In addition, the following parking lot landscape standards shall be implemented:
 - I. *Screening.* Parking areas shall be screened from streets through combinations of mounding if such mounding is in compliance with the approved Water Quality Management Plan (WQMP), landscaping, low profile walls and grade separations.
 - II. *Perimeter planter.* A landscaped planter at least five feet wide, excluding overhang, curb and walkways, shall be provided wherever a parking facility adjoins a side or rear property line.
 - III. *Landscape protection.* All landscaping shall be protected by concrete curbs of at least six inches in height. Finger and end of aisle planters on the parking space side shall have a decorative 24 ~~18~~-inch-wide concrete surface measured from the ~~face of~~ curb. **curb face to curb face and have a minimum four-foot-wide planting area.** Finger aisle planters shall be a minimum of nine feet wide, and end of aisle planters shall be a minimum of seven feet wide. Finger and end of aisle planters shall be a minimum of seven feet wide as measured from the inside of the curb. ***(strikeout and added language by Planning Commission on May 17, 2022)***
 - IV. *End of aisles.* All parking areas shall provide a landscaped planter of a minimum width of five feet at the ends of all parking aisles. All planting areas shall have round corners instead of 90-degree corners and be shaped to permit vehicle turn movements.
 - V. *Trees required.* One tree shall be provided for each four parking stalls. Trees may be of a species that provides visibility to signage and storefronts.

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- VI. *Parking area setbacks.* Consistent with general plan goals to provide attractive streetscapes, parking areas shall be setback from the public right-of-way as specified in Tables No. 30-464 A-C. The setback area shall be landscaped as required by the landscaping provisions of this article.
 - VII. *Alternate design.* An alternate parking lot planter design may be approved if it exceeds the minimum criteria as specified herein, or otherwise meets the satisfaction of the City Director of Community Development/City Engineer or his/her designee.
- (9) **An alternate landscape plan design may be approved by Planning Director or his/her designee if the resulting mature tree canopy coverage will be equal to or greater than the above standard.** (Added language by Planning Commission on May 17, 2022)
- (10) All motels and hotels shall maintain an additional ten percent (10%) landscaped open space area more than the required 15 percent landscaping requirement, to the satisfaction of the Planning Director or his/her designee.
- (11) *Yard abutting residential district.* Unless an alternate Fire Protection Plan is approved by the City of Fontana Fire Agency, a landscaped strip shall be provided as a buffer along all yard areas abutting a residential district pursuant to Tables No. 30.492.B. This area shall contain a minimum of one tree for each 20 linear feet minimum of lot line and three shrubs for each tree.
- (12) *ADA (Americans with Disabilities Act).* ADA approved tree grates, compatible with the project's architecture, shall be provided in sidewalk tree wells. These street trees are to be irrigated by a separate valve.

Section No. 30-671 -. Industrial Districts

(a) *General.* In addition to the General Landscaping Requirements in Section 30-667, The following requirements shall apply in all industrial districts:

- i. *Landscaped area requirement.* The total of all landscaped areas shall be no less than 15 percent of the total area of the property not covered by buildings, structures, or areas used for outside storage or loading. All yards and setback areas, and all other portions of a lot not paved or occupied by a structure, or areas used for outside storage or loading, shall be landscaped with plant material and irrigated. Decorative landscape features such as brick, stone, art, fountains, and ponds may be used within the landscaped areas, provided such materials present an

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attractive setting consistent with the intent of these landscaping requirements. These decorative landscape features shall not exceed 15 percent of the entire landscape area.

1. *Landscape setback.* A landscape setback shall be required between the front property line and the building and parking lots as described in Table No. 30-536.B, and Table No. 30-536.C. This area shall be landscaped with a combination of 24-inch box size trees with a minimum one and one-half inch caliper trunk, decorative hardscape, shrubs, and groundcover.
 2. Landscape setbacks along public rights-of-way shall incorporate undulating and variable height earth mounding if such mounding is in compliance with the approved Water Quality Management Plan (WQMP), and/or low garden walls, and/or five-gallon shrubs (minimum of four feet on-center) incorporated into the design to provide visual relief, to the satisfaction of the Planning Director or his or her designee. Any decorative walls or fences shall be located behind the landscape setback.
 3. For any Warehouse building larger than 400,000 square feet in size, a twenty-foot-wide landscaping buffer shall be required, measured from the property line of all adjacent sensitive receptors. Trees shall be installed in automobile parking areas to provide at least 35% shade cover of parking areas within fifteen years. Trees shall be planted that are capable of meeting this requirement.
- ii. *Required trees.* One tree shall be provided for every 600 square feet of landscape area. Tree size shall vary with 90 percent 24-inch box with a minimum one and one-half-inch caliper or greater, and ten percent 36-inch box with a two- and one-half-inch caliper or greater.
1. *Street trees.* All new developments shall provide at least one trees of not less than 36-inch box size evergreen trees with a minimum two and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size along the street frontage. In parkways of inadequate width, the required street tree(s) shall be planted in the abutting yard area.
- iii. *Required shrubs.* Shrub sizes shall vary with not less than 50 percent of shrubs five-gallon in size.
- iv. Groundcover shall be planted in such a way to result in substantial coverage of the area within one year of initial planting. To achieve this,

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groundcover shall be planted at a spacing equal to 80% of the maximum growth rate for each species as noted in the Sunset Western Garden Book.

- v. **An alternate landscape plan design may be approved by Planning Director or his/her designee if the resulting mature tree canopy coverage will be equal to or greater than the above standard.**
(Added language by Planning Commission on May 17, 2022)
- vi. Turf is prohibited in all industrial districts.
- vii. An automatic irrigation system shall be required for all the landscape area(s).
- viii. *Parking areas.* All common parking areas in industrial projects shall be designed and landscaped to break up a large single paved area and shall include predominantly fast-growing trees to create summer shade. All trees shall be a minimum of 24-inch box size with a minimum one and one-half-inch caliper trunk. In addition, the following parking lot landscape standards shall be implemented:
 - I. *Screening.* Parking areas shall be screened from streets through combinations of mounding if such mounding is in compliance with the approved Water Quality Management Plan (WQMP), landscaping, low profile walls and grade separations.
 - II. *Perimeter planter.* A landscaped planter at least five feet wide, excluding overhang, curb and walkways, shall be provided wherever a parking facility adjoins a side or rear property line.
 - III. *Landscape protection.* All landscaping shall be protected by concrete curbs of at least six inches in height. Finger and end of aisle planters on the parking space side shall have a 24-inch-wide concrete surface measured from the face of curb. Finger aisle planters shall be a minimum of nine feet wide, and end of aisle planters shall be a minimum of seven feet wide. Finger and end of aisle planters shall be a minimum of seven feet wide as measured from the inside of the curb.

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- IV. *End of aisles.* All parking areas shall provide a landscaped planter of a minimum width of five feet at the ends of all parking aisles. All planting areas shall have round corners instead of 90-degree corners and be shaped to permit vehicle turn movements.
 - V. *Trees required.* One tree shall be provided for each four parking stalls. Trees are not required for semi-truck parking. Trees may be of a species that provides visibility to signage and storefronts.
 - VI. *Parking area setbacks.* Consistent with general plan goals to provide attractive streetscapes, parking areas shall be setback from the public right-of-way as specified in Tables No. 30-464 A-C. The setback area shall be landscaped as required by the landscaping provisions of this article.
 - VII. *Alternate design.* An alternate parking lot planter design may be approved if it exceeds the minimum criteria as specified herein, or otherwise meets the satisfaction of the City Planning Director or his/her designee.
- ix. *Buffering and Screening of Adjacent Uses.* A minimum ten-foot-wide landscape perimeter buffer shall be required when directly adjacent to any sensitive receptors. The perimeter buffer area shall include, at a minimum, a solid decorative wall(s) of at least eight feet in height and trees as described in (i) below:
- 1. Trees shall be used as part of the solid screen buffering treatment. Trees used for this purpose shall be evergreen, drought tolerant, minimum 36-inch box, and shall be spaced no greater than 40-feet on center. The property owner shall maintain these trees for the duration of ownership, ensuring any unhealthy or dead trees are replaced timely as needed.
- x. *ADA (Americans with Disabilities Act).* ADA approved tree grates, compatible with the project's architecture, shall be provided in sidewalk tree wells. These street trees are to be irrigated by a separate valve.
- xi. Open spaces shall be integrated into the vehicular and pedestrian circulation systems as a primary focus and destination.

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Section No. 30-672 Landscaping in Public Parks, Community Facility Districts, Rights-of-Way Parkways, and Medians.

(a) *General.* In addition to the General Landscaping Requirements in Section 30-667, The following requirements shall apply in all developer installed public parks, community facility districts, and rights-of-way parkways and medians :

(1) All development of landscaping within parks, community facility districts, and parkways and medians with public rights-of-ways shall follow the adopted Engineering Department Standard Landscape Specification Manual and the Park Design Standards where applicable.

(2) *Automatic Irrigation system.* All landscaped areas shall be provided with a subsurface and/or drip automatic irrigation system capable of complete coverage of the landscaped areas (head-to-head coverage) per City of Fontana Department of Engineering specifications. Water conservation techniques shall be incorporated into the design of the irrigation system and shall be designed to minimize run-off and other wasting of water. Projects are encouraged to incorporate reclaimed water (where available) and or *on-site capture* and reuse systems. Overhead irrigation (sprinklers, pop-up heads, rotors) are prohibited in planter areas less than 10-feet wide.

(3) Community facility district tract boundaries and parkways shall be fully landscaped with a combination of trees, shrubs, groundcover, and decorative hardscape.

i. *Street trees.* Unless an alternate Fire Protection Plan is approved by the City of Fontana Fire Agency all new developments shall provide trees of not less than 36-inch box size evergreen trees with a minimum two- and one-half-inch caliper trunk spaced apart by a distance equal to trees' mature canopy size along the street frontage. In parkways of inadequate width the required street tree(s) shall be planted in the abutting yard area.

ii. Decorative hardscape shall not exceed 50 percent of the total landscape area. The following types of hardscape are allowed:

1. Grouted Cobble;
2. Rocks larger than 18 inches in diameter;
3. Compacted and unyielding decomposed granite or any loose rock material less than one-inch in diameter;
4. Brick or other decorative pavers;

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5. Decorative stamped colored concrete (scored colored concrete may be allowed with Planning Department approval); and,
 6. Artificial turf subject to Section 30-667 (a) (3) (f).
- iii The following materials are not considered hardscape:
1. Mulch (unless it is used as a weed barrier in combination with ground cover);
 2. Loose rock one-inch diameter or larger;
 3. Succulents (other than ice plant);
 4. Structures and other ornamentation (statues, fountains, arbors, lighting, etc.) in parkways and medians (may be allowed in parks with approval of the Planning Division and Department of Public Works).
- (4) All block wall and wrought iron fencing shall be located behind landscape setback area(s) and outside the public rights-of-way.
- (5) Location of sidewalk(s) shall be determined by the Community Development Department, Engineering Division.
- (6) ADA (Americans with Disabilities Act). ADA approved tree grates, compatible with the project's architecture, shall be provided in sidewalk tree wells. These street trees are to be irrigated by a separate valve.
- (7) All turf areas shall be separated from shrub areas by a four by six-inch concrete mow strip or two by four-inch redwood header board. The concrete mow strip or redwood header board shall include openings to allow stormwater to drain throughout the landscaped area.
- i. Turf is prohibited in all landscape medians.
- (8) Intersection Sight Distance.
- i. Sight Distance shall be provided and maintained. Objects, such as plants, elevation changes, monument walls, garden and retaining walls and the terrain itself, shall not exceed 30 inches above the roadway and shall not interfere or obstruct the Line-of-Sight.
- ii. Sufficient right-of-way shall be dedicated to provide for all primary and secondary landscaped entry statements (including trees) with consideration to Sight Distance and maintain Line-of-Sight.
- iii. Trees shall not be planted within the Sight Triangle. The plans shall show topographical information, shrub and tree species size and location, and show the location of the irrigation controller and meter/backflow device.

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- iv. It is the responsibility of the adjacent property owner to maintain the intersection site distance and line-of-site landscaping in good physical condition and appearance.

Section No. 30-673 - Rehabilitated Landscapes

- (a) Rehabilitated landscape greater than or equal to 2,500 square feet shall have a landscape documentation plan approved by the City and subject to all applicable provisions of this ordinance.

Section No. 30-674 -Reserved

Section 8. Based on the foregoing, the City Council determines that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(B)(3) (the common-sense exemption) and, alternatively, pursuant to CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for Protection of the Environment), and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA, as implementation of this Ordinance is to improve the environment. The Council hereby directs staff to prepare, execute and file with the San Bernardino County Clerk a notice of exemption within five working days after the adoption of this Ordinance.

Section 9. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The people of the City of Fontana hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 10. This Ordinance shall take effect thirty (30) days after the date of its adoption.

Section 11. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Fontana. The City Clerk is the custodian of records for this Ordinance and the records are available at 8353 Sierra Avenue, Fontana CA 92335.

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APPROVED AND ADOPTED this 28th day of June 2022.

READ AND APPROVED AS TO LEGAL FORM:

Ruben Duran

City Attorney

I, Germaine McClellan Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council do hereby certify that the foregoing ordinance is the actual ordinance duly and regularly adopted by the City Council at a regular meeting on the 28th day of June, 2022 by the following vote to wit:

AYES: Mayor Warren, Mayor Pro Tem Garcia, Council Members, Cothran, Roberts and Sandoval

NOES: None

ABSENT: None

ABSTAIN: None

Germaine McClellan Key

City Clerk of the City of Fontana

Reguanetta Warren

Mayor of the City of Fontana

ATTEST:

Germaine McClellan Key

City Clerk



City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

City Council Meeting

File #: 21-1451

Agenda #: C.

Agenda Date: 6/28/2022

Category: Public Hearing

FROM:

Engineering

SUBJECT:

Zoning Code Amendment (ZCA) No. 22-003 for an amendment to Chapter 30, Article X, General Landscape Standards, of the Municipal Code to establish general landscape standards to improve water efficiency and other environmental quality citywide developments

RECOMMENDATION:

Read by title only and waive further reading of and introduce **Ordinance No. 1895**, an ordinance of the City of Fontana, California amending chapter 30, Article X, General Landscape Standards for the Fontana Municipal Code to establish water efficiency and other environmental standards for the regulation of environmental quality for citywide development, and that the reading of the title constitutes the first reading thereof.

COUNCIL GOALS:

- To preserve the local environment for generations to come and to create a healthy economic and environmental future by reducing water use in city operations and in the community.
- To preserve the local environment for generations to come and to create a healthy economic and environmental future through outreach to businesses and residents to promote energy efficiency in the community.
- To preserve the local environment for generations to come and to create a healthy economic and environmental future by creating communities and neighborhoods that are attractive, safe, and convenient for walkers and bicyclists.
- To preserve the local environment for generations to come and to create a healthy economic and environmental future by implementing sustainable landscaping and the use of recycled water.
- To preserve the local environment for generations to come and to create a healthy economic and environmental future by promoting programs that encourage reducing Green House gas emissions.

DISCUSSION:

In 2015, the City of Fontana adopted Ordinance No. 1734 amending Article IV of Chapter 28 of the Fontana Municipal Code regarding landscaping and water conservation. This ordinance is referred to as the Model Water Efficiency Landscape Ordinance (MWELo) and was mandated by the State of California. Adoption of this ordinance as required created inconsistencies with other landscaping

File #: 21-1451
Agenda #: C.

Agenda Date: 6/28/2022
Category: Public Hearing

policies and ordinances in effect at the time that were created or adopted prior to state-mandated water efficiency efforts.

In 2018, the City of Fontana was granted \$240,000 from the Southern California Association of Governments to complete an Urban Greening Landscape Plan.

The Urban Greening Landscape Plan was completed in 2020 and included implementation measures to assist the City of Fontana to improve water efficiency, air quality, and to regulatory consistency among landscape policies and ordinances. One recommended implementation measure is to update the Zoning and Development Code's landscape standards for consistency with water efficient landscape requirements and include a tree palette to assist residents and developers in choosing appropriate trees for Fontana's climate and maximize water efficiency.

In 2019 the Zoning and Development Code was updated to reflect the newly adopted Fontana Forward General Plan; however, Article X, General Landscape Requirements was not updated at that time

In 2020, the Urban Greening Landscape Plan was completed and included the above-referenced implementation measure to update the Zoning and Development Code General Landscape Requirements.

On April 26, 2022, the staff presented a workshop to the City Council updating the City Council on the status of the Urban Greening Landscape Plan and upcoming Zoning and Development Code amendment. At that workshop, Council Member Sandoval requested removal of the Chinese Elm and Date Palm trees from the proposed Tree Palette. As such, staff updated City of Fontana Urban Greening Tree Palette.

On May 17, 2022, the Planning Commission approved Resolution No. PC 2022-013 and recommended approval to City Council of Zoning Code Amendment (ZCA) No. 22-003 and after carefully considering all information pertaining to the proposed project, including the staff report, and all the information, evidence, and testimony presented at its public hearing on May 17, 2022

ANALYSIS:

The City Initiated Zoning Code Amendment (ZCA) No. 22-002 to update Chapter 30, Article X, General Landscape Requirements. This amendment is a recommendation made in the recently completed City of Fontana Urban Greening Landscape Plan to address water efficiency and regulatory consistency for landscape design throughout the city. The following is a summary of the major amendments to Article X:

- A. Reorder of sections making the Article easier to navigate for residents, developers, and staff;
- B. Add definitions;
- C. Clarify limits when a landscape plan check is required;
- D. Provide consistency between Article X and other policies and ordinances including the adopted MWEL, Active Transportation Plan, Industrial Commerce Center Sustainability Ordinance, and others;
- E. Codify landscape related policies already in place such as MS4 Permit Low Impact Development (LID) measures, use of artificial turf, and Crime Prevention Through Environmental Design (CPTED) standards; and,
- F. Increase tree canopy coverage as goal of the General Plan.

File #: 21-1451**Agenda #:** C.**Agenda Date:** 6/28/2022**Category:** Public Hearing

ENVIRONMENTAL FINDING:

This project is exempt per the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15061(B)(3) (the common-sense exemption) and, alternatively, pursuant to CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for Protection of the Environment), and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA, as implementation of this Ordinance is to reduce potential impacts to air and environmental quality. An Exemption Memorandum has been prepared for this project and included an attachment in the staff report.

FISCAL IMPACT:

None

MOTION:

Approve staff recommendation

Certificate Of Completion

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Subject: URGENT Please DocuSign: Ordinance 1895

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Fontana, CA 92335

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Signer Events

Ruben Duran

ruben.duran@bbklaw.com

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gkey@fontana.org

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(None)

Signature Adoption: Pre-selected Style

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Carbon Copy Events

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(None)

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(None)

Electronic Record and Signature Disclosure:
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Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent
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7/19/2022 | 04:22 PM
7/20/2022 | 09:59 AM
7/20/2022 | 10:00 AM
7/20/2022 | 10:00 AM

Payment Events

Status

Timestamps

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- ii. send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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TO: HERALD NEWS
EMAIL: LEGALS@FONTANAHERALDNEWS.COM
FROM: FONTANA CITY CLERK'S DEPARTMENT
DATE: JUNE 29, 2022

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. 1895

PUBLISH ONE TIME ONLY ON OR BEFORE JULY 8, 2022, ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. 1895

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **June 28, 2022**, at City Hall, 8353 Sierra Avenue, Fontana, California, considered adoption of the following ordinance:

Read by title only and waive further reading of and introduce **Ordinance No.1895**, an ordinance of the City of Fontana, California amending chapter 30, Article X, General Landscape Standards for the Fontana Municipal Code to establish water efficiency and other environmental standards for the regulation of environmental quality for citywide development, and that the reading of the title constitutes the first reading thereof.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Ashton R. Arocho
Deputy City Clerk

P.O. #800496

TO: HERALD NEWS
EMAIL: LEGALS@FONTANAHERALDNEWS.COM
FROM: FONTANA CITY CLERK'S DEPARTMENT
DATE: JULY 13, 2022

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCE NO. 1895

PUBLISH ONE TIME ONLY ON OR BEFORE JULY 22, 2022, ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCE NO. 1895

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **July 12, 2022**, at City Hall, 8353 Sierra Avenue, Fontana, California, adopted the following ordinance:

Second Reading/ Adopt **Ordinance No.1895**, an ordinance of the City of Fontana, California amending chapter 30, Article X, General Landscape Standards for the Fontana Municipal Code to establish water efficiency and other environmental standards for the regulation of environmental quality for citywide development.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Ashton R. Arocho
Deputy City Clerk

P.O. #800496