

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
—
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(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA



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MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271
ALAN BELL, AICP
DEPUTY DIRECTOR
(213) 978-1272
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

VACANT
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

January 2, 2012

Council of the City of Los Angeles
City Council
200 North Spring Street
Los Angeles, CA 90012

Re: Report on Landscape Fees
Council File 09-2143 (Smith, Reyes)

Honorable Members of the City Council:

On September 1, 2009, Councilmember Greig Smith introduced a motion (09-2143) requesting that the Planning Department, in consultation with other departments, prepare a report on (1) fees currently assessed for landscape projects in which a turf-covered lawn or parkway is replaced with drought-tolerant landscaping or synthetic turf, and (2) the feasibility of waiving any permitting fees for such projects.

In this report, a "lawn" is considered open space on private property. A "parkway" is the area of land located between the sidewalk and street. The Planning Department is charged with jurisdiction over lawns and the Department of Public Works has jurisdiction over parkways. Staff from both departments has coordinated to develop this report. This report analyzes projects solely concerning the replacement of lawns and parkways with drought-tolerant landscaping or synthetic turf. If additional property improvement is undertaken, other permits and fees may apply.

In summary, there are no permits or fees associated with the replacement of lawns, and there are no permits or fees associated with the replacement of parkways if it is planted with drought tolerant turf (grass) and/or a drought tolerant, turf-substitute groundcover. Any other material planted in the parkway does require permits that have associated fees.

Lawn Landscaping

The Department of City Planning does not require any permit or fee for lawn replacement. The department only reviews landscaping associated with new projects, not landscape replacements. Even with new projects, the department does not charge fees or require permits for the installation of drought tolerant planting materials. The Department of Building and Safety does issue a permit if the existing irrigation system is modified. However, in the case that turf-covered lawn is being replaced with drought-tolerant landscaping or synthetic turf, a permanent irrigation system is not required. Therefore, landscaping replacements will likely not require a permit from the Department of Building and Safety.

Parkway Landscaping

The Department of Public Works reviews all proposed landscape improvements within the parkway on a case-by-case basis to determine if permits are appropriate and/or required. Depending on the materials used, their application, and the scope of the proposed improvements, a permit may or may not be required for landscape replacements.

The Department of Public Works' "Residential Parkway Landscaping Guidelines" provides the following insights regarding the installation of landscape materials other than traditional lawn species with parkway areas:

No Permit Required – Standard Parkway Planting Materials

Other than street trees, the accepted standard parkway planting material is drought tolerant turf (grass) and/or drought tolerant, turf-substitute groundcover plants that provide the same desirable characteristics as turf. Because they are an accepted standard, no permit is required when drought tolerant turf or turf-substitutes are used to landscape a parkway. Drought tolerant turf or turf-substitutes are accepted as standard parkway planting materials because they provide obstruction-free pedestrian passage between the street and sidewalk, are a commonly accepted walking surface, they tolerate foot traffic, and they maintain an open line of sight between the street and abutting property as well as driveways, alleys, and street intersections.

"A", "B" and/or Revocable Permit Required – Non-Standard Parkway Landscape Improvements

For all other landscape improvements in the parkway, the resident, tenant, or property owner of the abutting property must obtain an appropriate permit issued by the Department of Public Works. Permits are required because of the City's significant exposure to liabilities within the parkway. The parkway serves many purposes including a conveyor of people, stormwater, trees, landscaping, utilities, and so forth and as a part of the larger street rights-of-way, it must be accessible to all users at all times. In order to coordinate and balance all of those needs in a safe and efficient manner, permits are required.

Permits for non-standard parkway landscape improvements may be obtained by

visiting the Department of Public Works-Bureau of Engineering permit counters at the following locations:

- Central District Office – 201 N. Figueroa St., 3rd Floor, LA 90012
Phone (213) 482-7030
- Harbor District Office – 638 S. Beacon St. Suite 402, San Pedro 90731
Phone (310) 732-4677
- Valley District Office – 6262 Van Nuys Blvd, Rm 251, Van Nuys 91401
Phone (818) 374-5090
- West LA District Office – 1828 Sawtelle Blvd., 3rd Fl., West LA 90025
Phone (310) 575-8384

The minimum cost of an A-Permit is approximately \$400.00, and an A-Permit would likely be issued for the simple installation of non-standard planting materials. Additional fees assigned to higher level permits such as a B-Permit may be required depending on the complexity of the proposed improvements and size of the proposed construction or installation.

Department permit counter staff can preview all non-standard parkway landscape improvement proposals and determine the appropriate permit(s) and fee(s) that might be required. Potential applicants can then make an informed decision whether or not to proceed with a non-standard installation.

Many non-standard or alternative parkway landscape improvements such as decorative paving, non-vegetative ground-cover, synthetic turf, continuously pressurized irrigation lines/systems, or storm-water capture systems will also require a Revocable Permit (R-Permit) in addition to either an A or B-Permit. Additional requirements of the R-Permit include a waiver of damages (recorded with the County of Los Angeles), proof of liability insurance (provided annually to the City Administrative Officer) and approval of all colors and materials proposed to be installed. The minimum cost of the R-Permit is approximately \$540.00; additional fees may be required depending on the complexity of the design and size of the proposed installation.

Incentives

The Department of Water and Power does not have any permits or fees associated with landscaping replacement on-site or in the parkway. In fact, the department currently runs a Residential Turf Removal Program to encourage the replacement of traditional lawns with drought-tolerant landscapes. This program gives a \$1/square-foot rebate to City homeowners who remove or replace their turf with drought tolerant plants or other approved landscape options on-site or in the adjoining parkway.

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Conclusion

In most cases, landscape projects in which turf-covered lawns and parkways are replaced with drought-tolerant landscaping does not require a fee or permit. Within the parkway, some materials with similar intent as drought-tolerant landscaping, such as synthetic turf, taller native plants, and decorative paving do require additional fee(s) and permit(s).

The fees cover the cost of Bureau of Engineering, Bureau of Street Services and/or Bureau of Contract Administration to review and inspect these projects. They enable the City to limit its exposure to potential liabilities, ensure improvements are performed in accordance with prevailing local, state, and federal streets and highway standards, and further coordinate and regulate the various uses of the public rights-of-way. It is not recommended that these fees be waived unless there is an alternative funding source that can reimburse the Department of Public Works.

Sincerely,



Alan Bell, AICP
Deputy Director of Planning



Gary Lee Moore, P.E.
City Engineer



Nazario Saucedo, Interim Director
Bureau of Street Services

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