

ORDINANCE NO. _____

An ordinance amending Sections 61.162, 62.163 and 62.169 of the Los Angeles Municipal Code to allow landscaping, including the planting of edible plant materials, within the parkway portion of the street in an area zoned for residential use.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (a) of Section 62.162 of the Los Angeles Municipal Code is amended to read as follows:

(a) Except as provided in Section 62.169, the Board, through its authorized officers and employees, shall have charge of and direct and supervise the planting, removal, trimming, pruning, cutting and maintenance of trees, plants and shrubs in the streets of the City, and shall have charge of all work incidental to the above activities, and shall issue all permits for the replacement, removal, planting, cutting, pruning or trimming of trees, shrubs and plants in the streets of the City.

Sec. 2. Subsection (b) of Section 62.162 of the Los Angeles Municipal Code is amended to read as follows:

(b) The Board, through its authorized officers and employees, shall determine the variety of trees, shrubs and plants that may be planted in, upon or along any street, or any portion thereof, and the distance apart at which such trees, shrubs or plants shall be planted.

Sec. 3. Subsection (a) of Section 62.163 of the Los Angeles Municipal Code is amended to read as follows:

(a) Except as provided in Section 62.169 below, to set out or plant any and all shade trees and shrubbery on public streets or parkways, and to take general care and supervision of all trees, plants and shrubbery planted and growing in the streets of the City, and to encourage the planting, care and preservation of shade or ornamental trees and shrubbery in said streets as hereinafter set forth;

Sec. 4. Section 62.169 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

SEC. 62.169. PERMIT REQUIRED TO PLANT IN STREETS.

(a) No person shall plant, remove, destroy, cut, prune or deface or in any manner injure any tree, shrub or plant in any street in the City, without first obtaining a permit to do so from the Board.

(b) No permit is required by the owner of property fronting the parkway portion of the street in an area zoned for residential use in order for the owner to remove existing shrubs and plants, but not trees, and replace the shrubs and plants with landscaping, including edible plant materials, in the owner's parkway provided the owner complies with the Residential Parkway Landscaping Guidelines adopted by the Board. Landscaping not consistent with the Residential Parkway Landscaping Guidelines shall only be allowed if the owner first obtains a permit from the Board.

(c) The owner of property fronting the parkway portion of the street in an area zoned for residential use who landscapes the owner's parkway shall be required to maintain the landscaping in accordance with Residential Parkway Landscaping Guidelines adopted by the Board, and the provisions of this Code.

(d) The Board shall adopt Residential Parkway Landscaping Guidelines that shall identify the types of landscaping, including edible plant materials, which may be planted without a permit, as well as planting, siting and maintenance requirements for such landscaping.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk


By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
EDWARD M. JORDAN
Assistant City Attorney

Date 10/22/2014

File No. CF 13-0478