

## CHAPTER 42

### LANDSCAPE REGULATION

42.01 Scope, Purpose, and Intent. The following regulation is established to maintain the uniform and reasonably high standard of artistic result and attractiveness in exterior and physical appearance of property and improvements in Rancho Santa Fe. The landscape of Rancho Santa Fe is a critically important component of the community's character and amenity. As such, the preservation, maintenance and enhancement of traditional Rancho Santa Fe landscaping are carefully considered as part of the review and approval of development permits. The approval of landscape plans and the imposition of any subsequent landscaping requirements is an integral part of the building approval process. Applicants should review the recommendations contained in the landscaping section of the *Rancho Santa Fe Residential Design Guidelines* including the "Suggested Plant List" in Appendix F.

42.02 Application. This regulation applies to, and an approved landscape plan is required for, the new construction or alteration of residential or commercial buildings, swimming pools, tennis courts, fencing (whether or not it is major construction), and to all projects where landscape will be added, altered or required (for screening or otherwise) in connection with a proposed construction project.

#### 42.03 Landscape Plan Requirements.

42.0301 Approval. All landscaping plans relating to residential construction require review and approval by the Art Jury with right of appeal to the Board of Directors pursuant to the Governing Documents. All landscaping plans relating to commercial construction require Art Jury review and recommendation and Board of Directors' approval pursuant to the Governing Documents.

42.0302 Continuing Jurisdiction. The Art Jury retains continuing jurisdiction over an all approved landscape plans, both residential and commercial. Thus, upon inspection after installation, the Art Jury may require additional landscaping if, in the opinion of the Art Jury, it is necessary to fulfill in practice the intent of the approved landscape plan, specifically as it relates to landscaping for the purpose of screening structures. The Art Jury has the continuing authority to insure the installation and maintenance of:

- a. the landscaping shown on an approved landscaping plan; and
- b. any additional landscaping, including Critical View landscaping as defined herein, required as a condition of a final approval or otherwise conditioned as a requirement of any issued permit. "Critical View" landscaping shall mean existing and approved landscaping for an area or areas, as illustrated on approved plans, which installation and maintenance is considered, by the Art Jury or the Board, vital to the effective buffering and screening of improvements.

42.0303 Obligation to Maintain. Landscaping that is required in association with an issued permit shall remain under the continuing jurisdiction of the Art Jury after final inspection and approval. Such landscaping is an important and inseparable component of the related construction approval and includes ornamental and non-ornamental landscaping. All required landscape material shall be permanently maintained in a healthy condition. Required landscaping which dies or fails to flourish, and is found by the Art Jury to be a significant landscape component, may be required to be replaced with appropriate plant materials to the satisfaction of the Art Jury.

42.04 Plan Details. All landscape plans shall include the size, location, and botanical and common name of all proposed plants and existing mature trees. Landscape plans may be required to show existing plants and trees where such landscaping is deemed to provide important screening or buffering for a proposed improvement.

42.05 Time Requirements. The approved landscaping shall be completed within six (6) months of substantial completion of the construction of a new residence or commercial building.

42.06 Effective Date. The effective date of this regulation is July 21, 1994.

42.07 Amended Date. Sections 42.02, 42.0301, 42.0302, 42.0303, 42.04 and 42.05 were amended on January 15, 1998.