

Monte Vista

City of Montclair Residents

Montclair Municipal Code Language on Landscape Appearance

The following excerpts are from the Montclair Municipal Code governing the appearance of outdoor landscaping for residential properties. Please note that eligibility for the Water-Wise Residential Landscape Program *requires* that the participant “comply with any governmental code, law or policy relating to landscape design standards”. If you have any questions about this requirement, or about any of the following language of the Montclair Municipal Code, please contact City of Montclair Code Enforcement at (909) 626-1217.

This information was accessed online through the link provided on the City of Montclair website (http://www.ci.montclair.ca.us/depts/cd/planning/municipal_code.asp). Monte Vista Water District gives no warranty to its accuracy.

Montclair Municipal Code

Title 10: Buildings and Construction

Chapter 10.02: Definitions

As used in this title:

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Landscaped area means unpaved areas which are improved by means of lawn or other ground cover, plants, shrubs and trees, and which may include a maximum of 20 percent of the landscaped area being covered with materials such as decorative rock and/or bark. Such decorative areas are intended to be a complementary aspect of the landscape design.

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Chapter 10.44: Property Appearance

10.44.020 Declaration of nuisance.

Without limiting the general applicability of this chapter, it is declared a public nuisance to violate or continue to violate any federal, state, or local laws or for any person owning, leasing, occupying or having charge or possession of any premises in the City permit, cause, or allow to exist on such premises, any material, activity or condition which poses a threat to the public's health, safety, or general welfare. Conditions and/or activities determined to pose such a threat include but are not limited to the following:

A. Landscape Areas.

1. Lack of landscaped area in the front yard and corner lot side yard setback of each lot zoned A, R-1, R-2, R-3 or SL which is not covered in allowed hardscape as provided in subsection (A)(2) of this section. All such front-yard area and setback on any improved property other than that covered in allowed hardscape shall be a landscaped area as defined herein. Exceptions to landscaped area requirements are:
 - a. Dormant plants and/or seasonal grasses;
 - b. Major landscape rehabilitation of the property (not to exceed 180 consecutive days);
 - c. Lack of watering due to legislatively-enacted drought measures.
2. Hardscape Coverage. Hardscape coverage in excess of 60 percent of the front yard area and corner lot side yard setback on any improved property. The Director of Community Development may, upon sufficient, showing of need by the applicant, increase the front yard coverage of an impervious material to a maximum of 80 percent. In consideration of such an increase, the Director of Community Development shall be guided by a review of the size and configuration of the proposed coverages as compared with similar yards in the same vicinity. Such exception shall only be granted if necessary to provide required access improvements such as circular driveways, or to accommodate or reduced or irregularly shaped lots, such as those on cul-de-sacs. Such exceptions may be granted by Administrative Adjustment under Chapter 11.76 of this title.

In consideration of existing residentially developed properties that may currently exceed front yard and corner lot side yard landscape coverage of 60 percent, the Community Development Department shall conduct a study to identify and document the legal nonconforming status of all such lots no later than October 31, 2001. Said study and documentation shall occur at no expense to the property owner prior to November 1, 2001 at which time exceptions may be granted through the Administrative Adjustment process under Chapter 11.76 of this Title.

If less than 60 percent of the front yard area and corner lot side yard setback on any improved property is covered in hardscape, the remainder of such front-yard area and setback shall be a landscaped area as defined herein subject to the same exceptions provided in subsections (A)(1)(a), (b), and (c) of this section.

3. Dead/Overgrown Vegetation. Vegetation, including but not limited to trees, shrubbery, weeds and grass greater than six inches in height, cultivated or uncultivated, which is overgrown, dying, dead, decayed or diseased so that it is likely to harbor rats, vermin, insects, other animals, or other nuisances which are dangerous to the public health, safety or general welfare.
4. Adverse Topography. Land, the topography, geology or configuration of which causes erosion, subsidence or surface water runoff problems of such magnitude as to be injurious or potentially injurious to the public health, safety or general welfare.
5. Uncompacted Fill. Any accumulation of uncompacted fill over three feet in height over predominant grade and contrary to adjacent contour for any period when such accumulation would seriously endanger public health or safety.
6. Excavations and Piles of Dirt. Excavations and piles of dirt which constitute a hazard which is detrimental to the public health, safety or general welfare.