

**CITY OF PALMDALE
LOS ANGELES COUNTY, CALIFORNIA
RESOLUTION NO. PC-2001-008**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVE ZONING ORDINANCE AMENDMENT 00-05 AMENDING VARIOUS PROVISIONS OF THE PALMDALE ZONING ORDINANCE RELATING TO LANDSCAPING WITHIN SINGLE FAMILY RESIDENTIAL ZONES (ZOA 00-05)

A. RECITALS

- (i) Pursuant to Section 65800 and 65850 of the Government Code, the City of Palmdale has adopted a Zoning Ordinance which regulates the use of buildings, structures, and land uses as between industry, business, residences, open space and other purposes; regulates signs and billboards; regulates the location, height, bulk, number of stories and size of buildings and structures, the size and use of lots, yards, courts and other open spaces, the percentage of a lot which may be occupied by a building or structure, and the intensity of land use; establishes requirements for off-street parking and loading; establishes building setback lines, as authorized by state law; and other matters.
- (ii) Pursuant to Section 65853 of the government Code, Zoning Ordinance Amendment 00-05, as contemplated, proposes amending the text of the Palmdale Zoning Ordinance (Title 17 of the Palmdale Municipal Code) for the purpose of requiring the installation and appropriate maintenance of front yard landscaping with single family residential zones of the city. The proposed Zoning Ordinance amendment applies to residentially zoned properties city-wide.
- (iii) The following modifications are recommended:

Section 16.08 of the Zoning Ordinance is amended to add the following definition:

Hardscape shall mean any inorganic decorative landscape materials, including but not limited to, stones, boulders, cobbles, pavers, decorative concrete and/or mulch, incorporated into an overall landscape design.

Section 16.09 of the Zoning Ordinance is amended to add the following definition:

Irrigation System shall mean a connection of system components, including the water distribution network and the irrigation equipment downstream from the backflow prevention device that is necessary to ensure that all landscape areas and landscape materials are thoroughly and adequately watered.

Section 16.12 of the Zoning Ordinance is amended as follows:

Landscaping shall mean the planting and continuous maintenance of some combination of trees, shrubs, vines, ground covers, flowers, lawns or other decorative features to land. This may include the installation of natural landscape features such as rock and stone, earthen berms, walkways, plazas, courtyards, and structural features including but not limited to fountains, reflecting pools, art works and benches.

Landscape materials shall mean trees, shrubs, vines, ground covers, flowers, and/or lawns.

Section 16.12 of the Zoning Ordinance is amended to add the following definition:

Landscape area shall mean the entire yard areas less the footprint of legally erected structures, driveways, non-irrigated portion of parking lots, and structures such as decks and patios. Water features (including pools and ponds) are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included.

Section 16.13 of the Zoning Ordinance is amended to add the following definition:

Mulch shall mean any material, organic or inorganic, such as leaves, bark, straw, gravel, decomposed granite or other materials left loose and applied to the soil surface to reduce evaporation.

Section 16.15 of the Zoning Ordinance is amended to add the following definition:

Overspray shall mean water from an irrigation system that is delivered beyond the landscaped area, wetting pavements, walks, walls, structures, or other non-landscaped areas.

Section 16.24 of the Zoning Ordinance is amended to read as follows:

Xeriscape shall mean a water conservation concept that stresses the use of the appropriate plant material and irrigation techniques which are well suited for the local microclimate. This concept incorporates native plants, selected hardscapes, and proper planting and irrigation techniques that improve the overall water efficiency of a landscape system.

Section 29.06, Table 2.29.2 is amended to add the following row:

Non-Conformity	Requirement
Residential Landscaping as required by Section 41.09.H.	Shall be provided within three (3) years from the date of non-conformance.

Section 41.09.H is amended to read as follows:

H. Landscaping

1. Every single family residential lot shall be required to have one (1) street tree installed per street frontage; corner lots shall have one (1) tree planted in the front yard parkway and two (2) trees planted in the sideyard parkway for a total of three (3) trees. The species of trees and the standards for installation shall conform with the City's Engineering Design Standards.
2. Landscaping provided between the back of curb and any perimeter subdivision wall abutting an arterial street shall be installed in accordance with the City's Engineering Design Standards and approved by the City Landscape Architect.
3. Front Yards and Street Sideyards: The following standards apply to all developed lots with a required lot area of less than one acre.
 - a. The entire front yard shall be landscaped, except for that portion covered by a paved driveway, as

permitted by Section 82.05 and Section 87.05.C.2.a.

- b. Any portion of a street side yard located between the back of curb and any perimeter fence, wall or structure, and visible from the right-of-way shall be landscaped.
4. Landscape standards: All required landscape areas and landscape materials shall be installed and continuously maintained pursuant to the standards set forth in Section 86.01 of the Zoning Ordinance and Section 8.36.62 of the Municipal Code.

Section 86.01.B is amended to read as follows:

- B. All landscaping shall conform at all times to provisions of Section 14.05 (Landscape Water Conservation) of the City of Palmdale Municipal Code. In addition, landscape area design shall be based upon the principles of water conservation; grouping of plant materials based upon similar water requirements, ecological requirements, climatic conditions, and selection of drought tolerant plant materials.

Section 86.01.C is amended to read as follows:

- C. Landscape areas shall be provided with a permanent, fixed automatic irrigation system adequate to meet the water needs of all landscape material. Irrigation systems shall be designed to minimize maintenance and water consumption, and the irrigation systems shall be properly designed and installed to ensure that overspray onto fences, walls and structures is eliminated to the maximum extent feasible.

Section 86.01.D is amended to read as follows:

- D. Landscape areas and landscape materials shall be maintained in a neat, clean and healthful condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, and the regular watering of all plants. Any damaged, dead, diseased or decaying plant material shall be replaced in an expeditious manner. Plants shall be maintained free of disease and free of infestations of insects, animals or other pests. Bare spots in lawns or planters shall be promptly

revegetated. Customary maintenance shall include provision of adequate irrigation, based on the microclimate, and regular application of fertilizer, based on the needs of the plant. Pruning and mowing will conform to the commonly used standards for each species; however in no case will the landscape areas allow to become overgrown. Examples of overgrown landscape materials include:

1. Lawn grass species: plants which have established seed heads, lawns that have become thatched and matted, have become infested with herbaceous weeds, or exceed eight (8) inches in height.
2. Shrubs and decorative grasses: Plants that have grown so large as to block natural light from entering windows, that extend out of a planter area, extend over roof peaks or eaves, are co-mingling with other plants or are causing the strangulation of other plants.
3. Trees: Plants which display sucker growth, have grown to a height or canopy width which impairs the normal illumination of street lights, extends over property lines, interferes with overhead lines or impacts public property.

Section 86.01 is amended to add the following paragraphs:

- I. All plants utilized in required landscape areas shall be from the City of Palmdale Recommended Plant List or from plants listed as being suitable for this climate within the most editions of the following publications: *Sunset Western Garden Book* (Sunset Books, Lane Publishing Co., Menlo Park, CA), *Native Trees and Shrubs* (Lenz, Lee W. and Dourley, John, Rancho Santa Ana Botanical Garden, Claremont, CA), *Trees and Shrubs for Dry California Landscapes* (Perry, Bob, Land Design Publishing, Pomona, CA), and *Plants for Dry Climates* (Duffield, Mary and Jones, Warren, H.P. Books Inc., Tucson, AZ).
- J. The following species are not permitted for lots less than one acre:
 1. Trees: Cottonwood (including *Populus fremontii*, *P. trichocarpa*, and *P. tremuloides*), eucalyptus, willows (*Salix*), Siberian elms (*Ulmus pumila*), tamarack (*Larix occidentalis*), and Arizona (*Cupressus glabra*) or Leyland cypress (*Cupressocyparis leylandii*).

2. Shrubs and grasses: pampas grass (*Cortadera selloana*), and common Bermuda (*Cynodon dactylon*).
- K. Gravel, stones, decomposed granite, mulch or other hardscape materials used in a parkway or along a pedestrian access shall be compacted or secured in such a way as to avoid spreading over any portion of a pedestrian path.
 - L. Decorative water features such as pools, ponds and waterfalls used in landscaped areas shall recycle water, shall use reclaimed water where available, and shall be designed and operated to minimize water loss.
- (iv) On January 25, 1993, the City Council of the City of Palmdale adopted Resolution No. 93-10, certifying EIR 91-3 and adopting a Statement of Overriding Considerations and a Mitigation Monitoring Program pertaining to the City of Palmdale General Plan.
 - (v) On January 4, 2001, an environmental Initial Study was prepared for Zoning Ordinance Amendment 00-05. The Initial Study concluded that the proposed amendments to the Zoning Ordinance have been reviewed and found to be in substantial conformance with the project reviewed in EIR 91-3, as certified by the City Council of the City of Palmdale by adoption of Resolution No. 93-10.
 - (vi) On January 18, 2001, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on Zoning Ordinance amendment 00-05, and concluded said hearing on that date.
 - (vii) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.
2. Based upon substantial evidence presented to this Commission during the above-referenced January 18, 2001 public hearing, including public

testimony, and written and oral staff report, this Commission specifically finds as follows:

- (a) Based upon the environmental Initial Study, the proposed Zoning Ordinance Amendment is consistent with the project which was reviewed in the General Plan EIR, and with the finding of mitigation of environmental impact contained in Section 4 and the findings of overriding considerations in Section 6 of Resolution No. 93-10, approving the General Plan. That project, findings, mitigation measures and findings of overriding consideration are hereby found to apply to this project and are incorporated by reference, and shall constitute the findings requires by Public Resource Code Section 21081.
- (b) The additional information provided in the staff report and the proposed Zoning Ordinance Amendment does not represent significant new information so as to require recirculation of the EIR pursuant to Public Resource Code Section 21092.1.
- (c) Pursuant to Section 65860 of the State Planning and Zoning Law (Division 1 of Title 7 of the California Code), this Zoning Ordinance Amendment is consistent with the goals, objectives and policies of the City's General Plan, such as Objective CD4.2 (in residential subdivisions, promote diversity within the context of an overall design theme, to provide a visually attractive neighborhood) and Policy CD4.2.17 (promote the use of street trees and front yard landscaping to create a pleasant neighborhood environment) because requiring the installation and appropriate maintenance front yard landscaping in single family residential zones will beautify individual neighborhoods while enhancing the overall image of the City.
- (d) The proposed Zoning Ordinance Amendment conforms with the intent of the Zoning Ordinance and is consistent with all other related provision thereof because the proposed changes are consistent with the stated purpose and intent of the applicable chapters.
- (e) The proposed Zoning Ordinance Amendment is reasonable and beneficial at this time as it addresses a community desire, as expressed by the City Council, to improve the overall appearance

of local neighborhoods, to ensure that proper and adequate property maintenance is provide by land owners so as not to create or contribute to blighted conditions in current and future neighborhoods, and to ensure the general welfare of the community by protecting property values, minimizing deterioration of neighborhoods and requiring future residential development to contribute to the value of the community. Additional benefits from the installation of landscaping include increasing community beautification, and minimizing urban microclimate changes caused by the replacement of native vegetation with paved areas, rooftops and other impervious surfaces that reflect heat.

- (f) The proposed modification to the Zoning Ordinance does not impose a design standard or improvement which will preclude housing for all economic segments, because the installation of landscaping in new subdivisions is commonly completed by the subdivision builder at the present time, and has been commonly installed by builder for the past ten years, and the cost of single family residences has not been unduly affected. Additionally, provisions of Government Code Section 65915 allow the City to waive or modify the requirement if the proposed housing is slated for low or very low income families. Therefore, the proposed amendment will not result in a substantial increase in the cost of housing production for any economic segment.
- 3. The Planning Commission hereby finds that the following has been reviewed and considered and reflects the independent judgment of this Planning Commission: the environmental Initial Study prepared on January 4, 2001, for Zoning Ordinance Amendment 00-5, which found the proposed amendments to be consistent with the General Plan Final EIR 91-3 and incorporated by reference a finding of overriding consideration adopted in Resolution No. 93-10. Therefore, staff recommends adoption of a Finding of Consistency for Zoning Ordinance Amendment 00-05.
 - 4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby recommends that the City Council adopt an ordinance that amends the text of the Palmdale Zoning Ordinance (Title 17 of the Palmdale Municipal Code) to incorporate the changes to the text described in Attachment I attached hereto and incorporated by reference.

5. The Deputy City Clerk shall certify to the adoption of this resolution and shall transmit copies of this resolution to the City Clerk and City Council.

ADOPTED AND APPROVED this 18th day of January, 2001.

AYES: _____

NOES: _____

ABSENT: _____ ABSTAIN: _____

John Mayfield, Chairman
Planning Commission

ATTEST:

Lynn O'Brien, Deputy City Clerk