

**CITY OF PALMDALE**  
**COUNTY OF LOS ANGELES, CALIFORNIA**  
**ORDINANCE NO. 1176**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT 00-05 TO AMEND THE CITY OF PALMDALE ZONING ORDINANCE TO REQUIRE THE INSTALLATION AND APPROPRIATE MAINTENANCE OF FRONT AND STREET CORNER SIDE YARD LANDSCAPING WITHIN SINGLE FAMILY RESIDENTIAL ZONES OF THE CITY**

THE CITY COUNCIL OF THE CITY OF PALMDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. 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.

SECTION 2. Pursuant to Government Code Section 65853, Zoning Ordinance Amendment 00-05, as contemplated, proposes amending the text of the Palmdale Zoning Ordinance (Title 17 of the Palmdale Municipal Code) to require the installation and appropriate maintenance of front and street corner side yard landscaping within single family residential zones of the City. The requested Zoning Ordinance Amendment is applicable to properties city-wide.

SECTION 3. On January 16, 2001, the Planning Commission adopted Resolution No. PC-2001-08, recommending approval of the proposed Zoning Ordinance Amendment 00-05.

SECTION 4. On February 21, 2001, March 21, 2001 and April 11, 2001, the City Council conducted duly noticed public hearings to consider Zoning Ordinance Amendment 00-05 at the City Council Chambers, 38300 Sierra Highway, Suite B, Palmdale, California. Notice of the time, place, and purpose of the aforesaid meeting was duly noticed in accordance with California Government Code Section 65090, and Public Resources Code Section 21092.

**SECTION 5.** The City Council hereby finds that an Initial Study was completed for the text additions contained herein. The Initial Study concluded that the proposed amendment 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.

**SECTION 6.** Unless otherwise required by Conditions of Approval or by standards set forth in an applicable Specific Plan or Development Agreement, the modifications proposed to Section 41.09.H.1, 2 and 4 shall apply to only those single family residences for which a certificate of occupancy has not been issued as of the effective date of this Ordinance.

**SECTION 7.** Zoning Ordinance Section 16.08 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.

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

<b>Non-Conformity</b>	<b>Requirement</b>
Residential Landscaping as required by Section 41.09.H.2 through 41.09.H.3.	Shall be provided within 18 months from the date of non-conformance.

Zoning Ordinance 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. Within the public right-of-way, the species of trees and the standards for installation shall conform with the City's Engineering Design Standards. Trees planted beyond the public right-of-way are recommended but not required to 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 8.36.062 of the Municipal Code.

Zoning Ordinance 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.

Zoning Ordinance 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.

Zoning Ordinance 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, extend over property lines, extend over roof peaks or eaves, 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, extend over property lines, interfere with overhead lines or impact public property.

Zoning Ordinance Section 86.01 is amended to add the following paragraphs:

- I. Except in the A-1 and R-1 zones, 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 recent 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). In the A-1 and R-1 zones it is recommended, but is not required, that required landscaping utilize the above mentioned plant lists.

- J. Except in Zones A-1 and R-1, the following species are not permitted in required landscape areas. In Zones A-1 and R-1, on properties developed after (the effective date of this Ordinance) the following species are not permitted on lots less than one acre. In Zones A-1 and R-1 on properties developed before (the effective date of this Ordinance) the following species are not recommended:

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 (*Cortaderia 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 recirculate water, shall use reclaimed water where available, and shall be designed and operated to minimize water loss.

**SECTION 8.** Based upon substantial evidence presented to the City Council during the above-referenced public hearings, including public testimony, and written and oral staff reports, this Council 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 Government Code Section 65860, 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 of 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 provisions 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 provided 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 the 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.

**SECTION 9. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

**SECTION 10.** The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

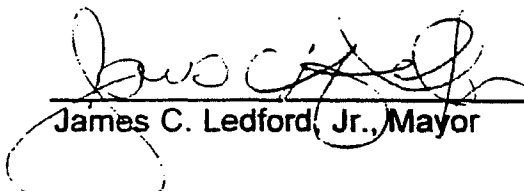
PASSED, APPROVED and ADOPTED this 9th day of May, 2001, by the following vote:

AYES: Mayor Ledford and Councilmembers Penner, Root, and Dispenza

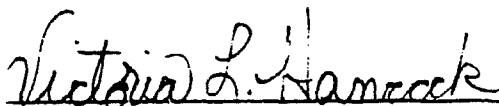
NOES: Councilmember Norris

ABSENT: None

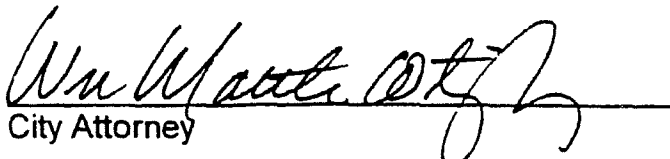
ABSTAIN: None

  
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James C. Ledford, Jr., Mayor

ATTEST:

  
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Victoria L. Hancock, City Clerk

APPROVED AS TO FORM:

  
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City Attorney



**CITY OF PALMDALE**  
**COUNTY OF LOS ANGELES, CALIFORNIA**  
**ORDINANCE NO. 1177**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING ORDINANCE No. 1177 TO AMEND THE CITY OF PALMDALE MUNICIPAL CODE TO REQUIRE THE APPROPRIATE MAINTENANCE OF FRONT YARD LANDSCAPING WITHIN SINGLE FAMILY RESIDENTIAL ZONES OF THE CITY**

THE CITY COUNCIL OF THE CITY OF PALMDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. On February 21, 2001, March 21, 2001 and April 11, 2001, the City Council conducted duly noticed public hearings to consider this amendment of the Municipal Code at the City Council Chambers, 38300 Sierra Highway, Suite B, Palmdale, California. Notice of the time, place, and purpose of the aforesaid meeting was duly noticed in accordance with California Government Code Section 65090, and Public Resources Code Section 21092.

SECTION 2. Municipal Code Section 8.36.062 is amended to add the following paragraph:

Section 8.36.062 Landscape Maintenance. Landscaping shall be maintained (watering, fertilizing, weeding, mowing, pruning, etc.) by the landowner (unless otherwise noted in a rental agreement and/or contract between the landlord and tenant) in accordance with the following: Sites shall be kept clean and maintained at all times. Weeds and trash (wind blown or otherwise) shall not be allowed to accumulate on the site. Vegetation shall receive sufficient water and other required customary care to maintain health and vigor to the maximum extent possible. Pruning and mowing shall be used to maintain plant health and vigor while enhancing its form and structure. Lawn/grass turf blades shall be maintained to not exceed eight (8) inches from grade in height. All dead or obviously unhealthy plant material shall be replaced with new material which is comparable to original installation.

SECTION 3. Based upon substantial evidence presented to the City Council during the above-referenced public hearings, including public testimony, and written and oral staff reports, this Council specifically finds as follows:

- a) The proposed Municipal Code 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. The proposed amendment will ensure that proper and adequate property maintenance is provided 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. The proposed amendment will increase the visual attractiveness of neighborhoods by requiring all residential front yard landscaping be maintained to a citywide standard. Specific properties which currently detract from a neighborhood, lowering the value of surrounding properties, will be brought up to a reasonable standard. As well as increasing the economic value of surrounding properties, the code amendment will reduce the amount of wind-borne dust, aid in the removal of weeds and overgrow vegetation, and minimizing urban microclimate changes caused by the replacement of native vegetation with paved areas, rooftops and other impervious surfaces that reflect heat.
- b) The proposed modification to the Municipal Code does not impose a standard or improvement which will preclude housing for all economic segments, because installation of landscaping in new subdivisions is commonly completed by the subdivision builder at the present time, and has been commonly installed by the 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.

**SECTION 4. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

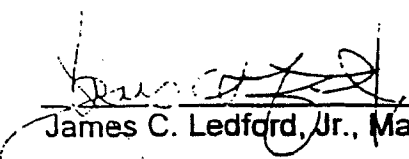
SECTION 5. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

PASSED, APPROVED and ADOPTED this 9th day of May, 2001, by the following vote:

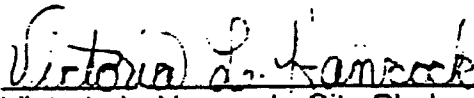
AYES: Mayor Ledford and Councilmembers Penner and Root

NOES: Councilmembers Norris and Dispenza


ABSENT: None ABSTAIN: None

  
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James C. Ledford, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Victoria L. Hancock, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

