

**Mayor**  
William Siegel  
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**Public Works/  
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## Staff Report

Item No. 4-1

To: Lemoore City Council

From: Steve Brandt, City Planner 

Date: August 28, 2014

Meeting Date: September 2, 2014

Subject: Ordinance No. 2014-04 - Planning Commission Recommendation to Amend 9-5-D1 of the Lemoore Municipal Code Relating to the Rules and Regulations Applicable to Landscape Standards for New Commercial, Residential, and Industrial Development Projects to Promote Greater Water Conservation.

### Recommended Action

Staff recommends that the Lemoore City Council, by motion, waive the first reading of Ordinance 2014-04 which amends Municipal Code 9-5-D1 and pass to a second reading. The Planning Commission recommended approval of the Ordinance at their meeting held on July 28, 2014.

### Proposal

At the April 1, 2014 meeting, the City Council adopted a tiered water conservation plan in response to the on-going drought facing Lemoore and the entire Central Valley. The intent was to enact more stringent water conservation requirements on water users. There has also been discussion at Council and at City staff levels about additional ways to conserve water used for landscaping. Quad Knopf's landscape architect reviewed the City's landscape standards in the Zoning Ordinance and has recommended a number of changes to the Zoning Ordinance that could be adopted as further ways conserve water. The Planning Commission reviewed the recommended changes at their July 28, 2014 meeting. The Commission recommended a slightly modified version of the changes. The changes recommended by the Commission are being brought forward to the Council for adoption in the Zoning Ordinance.

In general, the proposed changes would reduce or eliminate certain landscaping requirements, mostly on new construction projects. While the desired effect of the changes would be to reduce the amount of water used for landscaping, another effect is that the landscaping

required to be provided would be of lesser quantity than currently required of the new projects. However, City staff believes that the revised requirements will still provide an acceptable aesthetic standard for the City of Lemoore.

One of the recommended changes is that new home builders would not be allowed to install fescue or other high-water use grasses with the construction of new single-family or multi-family homes. Low-water grasses like hybrid bermuda grass could still be installed. This Ordinance change would only affect grass planting in conjunction with the construction of new residences. It would not affect existing residences.

## **Proposed Text Changes**

The following are sections from the Zoning Ordinance being proposed for modification, followed by the staff's reasoning for recommending the modification. All of the sections are from Chapter 9.5D1 of the Zoning Ordinance and were recommended by the Planning Commission. Text to be removed is shown in ~~strikeout~~, while text to be added is shown as underlined.

**Section 9.5D1-2.A.2 shall be amended to read:** Unused Areas: All areas of a project site not intended for a specific use or purpose in conjunction with a current application, including pad sites being held for future development, shall be landscaped ~~in compliance with this article~~ with low growing ground cover, such as Cotoneaster, and watered with a drip irrigation system.

*Recommendation: Changing this requirement will provide similar aesthetic results while using a low water use groundwater and a more inexpensive drip irrigation system and that also uses less water. Since this landscaping and irrigation will be temporary, the desire to require a low cost solution that also uses less water and avoids soil erosion from irrigation.*

**Section 9.5D1-2.B.2 shall be eliminated:** ~~As appropriate, building and site design shall include the use of pots, vases, wall planters, and/or raised planters, as well as flowering vines, both on walls and on arbors.~~

*Recommendation: Eliminate this requirement. Pots and raised planters almost always contain plants that are heavy water users. The irrigation also often drains out of the bottom of the planter onto sidewalks where it cannot be absorbed back into the ground. Making this change does not prohibit use of pots and raised planters; it only eliminates the requirement to use them.*

**Section 9.5D1-2.C.1 shall be eliminated:** ~~Planting Layout and Plant Diversity: Plant selection shall vary in type and planting pattern. Informal planting patterns are preferred over uniform and entirely symmetrical planting patterns. Use of deciduous flowering trees and shrubs and colorful plantings is encouraged in conjunction with evergreen species. Groupings of shrubs shall contain multiple plant types, interspersed with varying heights and blooming seasons for year round interest.~~

*Recommendation: Eliminate. Colorful plantings are heavy water users. Making this change does not prohibit use of pots and raised planters; it only eliminates the requirement to use them.*

**Section 9.5D1-2.C.4 shall be amended to read:** Turf Limitations for Residential Uses: High water use turf grasses and ~~other similar plantings shall only be utilized in high use areas with high visibility or functional needs and shall be limited to twenty five percent (25%) of all irrigated, landscape areas.~~ shall not be planted or utilized in conjunction with construction of new residential housing. ~~The designated approving authority may grant an exception to this limitation when only drought tolerant turf grasses are used~~ Use or planting of drought tolerant turf grasses, such as hybrid Bermuda, is allowed.

*Recommendation: Change. The Planning Commission specifically recommended the installation of new fescue lawns (or similar high water use grasses.) However, it was felt that it would be difficult for the city to successfully enforce this rule for replanting an existing lawn, so the prohibition only applies to new housing. The prohibition can be enforced through the building permit for the new residence. This would apply to new single-family homes and to new multi-family homes, like apartment complexes.*

**Section 9.5D1-2.D.4 shall be amended to read:** Vines: Vines are normally planted to provide landscaping screening of a wall or as part of a trellis to screen other site improvements that require screening. Where provided, vines shall be planted every ~~five feet (5')~~ fifteen feet (15') on center in a planter with a minimum width of two feet (2').

*Recommendation: Increase minimum spacing from 5 feet to 15 feet. This requires less water, and will still provide adequate coverage of the wall. The difference will not be noticeable after a few years.*

**Section 9.5D1-2.E.1.a.1 shall be amended to read:** Street Trees: Street trees shall be provided a minimum of every thirty feet (30') on center on street adjacent to a side yard, and a minimum one per lot when adjacent to a front yard. Tree species shall be approved by the city as part of the improvement plan review process and shall be selected from a city approved tree list. Trees shall be planted ten feet (10') away from alleys, driveways, fire hydrants, water lines, and sewer lines and five feet (5') from gas, electrical, telephone, cable television, and adjoining property lines. They shall also be planted a minimum of twenty feet (20') from city streetlights. Ultimate planting locations shall be subject to city review and approval based upon field conditions.

*Recommendation: Change first sentence to require 30' on center when not in front of houses, and one per house when fronting a house. This will still provide adequate coverage of street trees along the street. It is also more consistent will what is actually occurring in most new subdivisions.*

**Section 9.5D1-2.E.5 shall be eliminated:** ~~Project Entry Landscaping: Entries to multi-tenant projects (both residential and nonresidential) shall be designed as a special statement reflective of the character and scale of the project to establish identity for tenants, visitors, and patrons. Flowering accent plantings and specimen trees shall be used to reinforce the entry statement.~~

*Recommendation: Eliminate. This would still be allowed, but would not be required. Flowering accent plants are high water users.*

**Section 9.5D1-2.E.6.e.2 shall be amended to read:** Trees shall be planted throughout the parking area at a minimum ratio of one tree for each ~~six (6)~~ eight (8) double loaded parking spaces or one tree for each ~~three (3)~~ four (4) single loaded or side loaded parking spaces.

*Recommendation: Change tree spacing to one tree per 8 double loaded spaces and one tree for 4 single loaded spaces. This would provide an acceptable level of tree coverage in parking lots and would require less water.*

**Section 9.5D1-3.A.1.f shall be amended to read:** Check valves are required ~~where elevation differences may cause low head drainage~~ on all new sprinkler heads.

*Recommendation: Modify code to require Check Valves on all sprinkler heads. This is a new State mandated requirement.*

**Section 9.5D1-3.A.1.b shall be eliminated:** ~~Sprinkler heads with a precipitation rate of 0.85 inch per hour or less shall be used on slopes exceeding fifteen percent (15%) or on slopes exceeding ten percent (10%) within ten feet (10') of hardscapes to minimize runoff.~~

*Recommendation: Eliminate. Not needed if all sprinkler heads will have check valves, as recommended in the previous section.*

ORDINANCE NO. 2014-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE  
AMENDING SPECIFIED SECTIONS OF ARTICLE D1 OF CHAPTER 5  
OF TITLE 9 (ZONING ORDINANCE) OF THE LEMOORE MUNICIPAL CODE,  
TO PROMOTE GREATER WATER CONSERVATION OF NEW DEVELOPMENTS

**WHEREAS**, there continues to be a drought in the San Joaquin Valley that negatively affects the City of Lemoore; and

**WHEREAS**, changes to the currently adopted standards in the Zoning Ordinance for landscaping of new developments have been recommended that would reduce or eliminate development standards that require high water use landscaping; and

**WHEREAS**, the project is Categorically Exempt from CEQA under CEQA Guidelines Section 15305 (Minor Alterations to Land Use Limitations) consistent with the California Environmental Quality Act (CEQA.); and

**WHEREAS**, the Planning Commission of the City of Lemoore, after duly published notice, held a public hearing before said Commission on August 11, 2014, and then recommended approval of the Ordinance Change; and

**WHEREAS**, the City Council, after duly published notice, held a public hearing on September 2, 2014;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Lemoore Municipal Code (Title 9, Chapter 5, Article D1 is hereby amended as per Attachment A.

**Section 2.** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Lemoore, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code Section 36933. Any summary of this Ordinance must be approved by the City Attorney before its publication. The City Clerk is further directed to cause this Ordinance to be codified after its adoption.

**Section 3.** This Ordinance shall take effect thirty (30) days after its adoption.

\*\*\*\*\*

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 2nd day of September, 2014, and was passed and adopted at a Regular Meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary J. Venegas, City Clerk

\_\_\_\_\_  
William M. Siegel, Jr., Mayor

**Attachment A**  
**ORDINANCE NO. 2014-04**

**The Lemoore Planning Commission recommends changes to the following specified sections of Title 9 of the Lemoore Municipal Code. Text in ~~strikeout~~ shall be removed. Underlined text shall be added.**

**Section 9.5D1-2.A.2 shall be amended to read:** Unused Areas: All areas of a project site not intended for a specific use or purpose in conjunction with a current application, including pad sites being held for future development, shall be landscaped ~~in compliance with this article~~ with low growing ground cover, such as Cotoneaster, and watered with a drip irrigation system.

**Section 9.5D1-2.B.2 shall be eliminated:** ~~As appropriate, building and site design shall include the use of pots, vases, wall planters, and/or raised planters, as well as flowering vines, both on walls and on arbors.~~

**Section 9.5D1-2.C.1 shall be eliminated:** ~~Planting Layout and Plant Diversity: Plant selection shall vary in type and planting pattern. Informal planting patterns are preferred over uniform and entirely symmetrical planting patterns. Use of deciduous flowering trees and shrubs and colorful plantings is encouraged in conjunction with evergreen species. Groupings of shrubs shall contain multiple plant types, interspersed with varying heights and blooming seasons for year round interest.~~

**Section 9.5D1-2.C.4 shall be amended to read:** Turf Limitations for Residential Uses: High water use turf grasses ~~and other similar plantings shall only be utilized in high use areas with high visibility or functional needs and shall be limited to twenty five percent (25%) of all irrigated, landscape areas. shall not be planted or utilized in conjunction with construction of new residential housing. The designated approving authority may grant an exception to this limitation when only drought tolerant turf grasses are used~~ Use or planting of drought tolerant turf grasses, such as hybrid Bermuda, is allowed.

**Section 9.5D1-2.D.4 shall be amended to read:** Vines: Vines are normally planted to provide landscaping screening of a wall or as part of a trellis to screen other site improvements that require screening. Where provided, vines shall be planted every ~~five feet (5')~~ fifteen feet (15') on center in a planter with a minimum width of two feet (2').

**Section 9.5D1-2.E.1.a.1 shall be amended to read:** Street Trees: Street trees shall be provided a minimum of every thirty feet (30') on center on street adjacent to a side yard, and a minimum one per lot when adjacent to a front yard. Tree species shall be approved by the city as part of the improvement plan review process and shall be selected from a city approved tree list. Trees shall be planted ten feet (10') away from alleys, driveways, fire hydrants, water lines, and sewer lines and five feet (5') from gas, electrical, telephone, cable television, and adjoining property lines. They shall also be planted a minimum of twenty feet (20') from city streetlights. Ultimate planting locations shall be subject to city review and approval based upon field conditions.

**Section 9.5D1-2.E.5 shall be eliminated:** ~~Project Entry Landscaping: Entries to multi-tenant projects (both residential and nonresidential) shall be designed as a special statement reflective of the character and scale of the project to establish identity for tenants, visitors, and patrons. Flowering accent plantings and specimen trees shall be used to reinforce the entry statement.~~

**Section 9.5D1-2.E.6.e.2 shall be amended to read:** Trees shall be planted throughout the parking area at a minimum ratio of one tree for each ~~six (6)~~ eight (8) double loaded parking spaces or one tree for each ~~three (3)~~ four (4) single loaded or side loaded parking spaces.

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