

ORDINANCE NO. 4232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CODE AMENDMENT (CODE 6026-2016) TO AMEND SECTION .503-J ("LANDSCAPING /IRRIGATION"), SECTION .280 ("R-2 LOW DENSITY MULTIPLE-FAMILY ZONE"), SECTION .290 ("R-3 MEDIUM DENSITY MULTIFAMILY ZONE"), SECTION .300 ("R-4 HIGH DENSITY MULTIFAMILY RESIDENTIAL ZONE") OF THE CITY OF POMONA ZONING ORDINANCE (PZO), IN COMPLIANCE WITH STATEWIDE WATER EFFICIENT LANDSCAPE REQUIREMENTS PROMULGATED BY GOVERNOR'S EXECUTIVE ORDER B-29-15

WHEREAS, the City of Pomona has duly initiated Code Amendment (CODE 6026-2016) to update Citywide requirements pertaining to water efficient landscaping in the Pomona Zoning Ordinance;

WHEREAS, in 2014, the Governor signed Executive Order B-29-15 requiring that the California Department of Water Resources update the Statewide Model Water Efficient Landscape Ordinance;

WHEREAS, Executive Order B-29-15 also requires that local agencies update their local landscape ordinance by December 1, 2015;

WHEREAS, the City desires to be in compliance with Statewide Water Efficient Landscaping regulations;

WHEREAS, the amendments to the Pomona Zoning Code presented in Code Amendment (CODE 6026-2016) will bring the City into compliance with Statewide Water Efficient Landscaping regulations promulgated by Governor's Executive Order B-29-15;

WHEREAS, the Planning Commission of the City of Pomona, after giving notices thereof as required by law, held a public hearings on February 8th and February 22th, 2017 concerning Code Amendment (CODE 6026-2016) and carefully considered all pertinent testimony and the staff report offered in the case as present;

WHEREAS, on February 22nd, 2017, the Planning Commission of the City of Pomona approved and adopted the Guidelines for the Implementation of the City of Pomona Water Efficient Landscape Ordinance with a 5-0-1-1 vote;

WHEREAS, on February 22nd, 2017, the Planning Commission of the City of Pomona recommend to the City Council the approval of Code Amendment (Code 6026-2016) with a 5-0-1-1 vote;

WHEREAS, the City Council of the City of Pomona, at its regularly scheduled public meeting on April 17, 2017 authorized the Planning Commission the authority to amend the Guidelines for Implementation of the City of Pomona Water Efficient Landscape Ordinance as needed when prompted by updates in the State water efficient landscape requirements;

WHEREAS, the City Council of the City of Pomona, at its regularly scheduled public meeting on April 17, 2017 approved the introduction and first reading of an Ordinance for Code Amendment (CODE 6026-2016);

WHEREAS, the City Council of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on April 17, 2017, concerning the requested Code Amendment (CODE 6026-2016); and

WHEREAS, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The City Council find that the project is exempt per Section 15061 (b)(3) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Section 15061(b) (3) exempts projects where it can be seen with certainty that the activity does not have the potential to cause a significant direct effect on the environment. The adoption of Code Amendment (CODE 6026-2016) to bring the City's water efficient landscaping requirements to be in conformity with the Statewide Model Water Efficient Landscaping Ordinance and in compliance with Governor's Executive Order B-29-15 does not, in itself, have the potential to cause a significant direct effect on the environment.

SECTION 2. Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the City Council hereby finds that the proposed Code Amendment is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

SECTION 3. The City Council of the City of Pomona hereby authorizes the Planning Commission the authority to amend the Guidelines for Implementation of the City of Pomona Water Efficient Landscape Ordinance when prompted by updates in the State water efficient landscape requirements.

SECTION 4. The City Council of the City of Pomona hereby approves Code Amendment (CODE 6026-2016) to replace Section .503-J (Landscaping/Irrigation) of the Pomona Zoning Code in entirety with the underlined language as follows:

Sec. 503-J – LANDSCAPING/IRRIGATION

Sections:

503-J. A. – Purpose

503-J. B – Intent

503-J. C – Applicability

503-J. D – Definitions

503-J. E – Implementation Guidelines

503-J. F – General landscape standards

503-J. G – Landscape of unused and undeveloped portions of a site.

503-J. H – Vacant lots

503-J. I – Residential landscape standards.

503-J. J – Nonresidential landscape standards.

503-J. K – Parking Lot Landscaping

503-J. L – Landscape plan approval required.

503-J. M – Landscape and irrigation maintenance.

503-J. N – Cooperation with Water Purveyor(s).

503-J. O – Minor modifications to approved landscape and irrigation plans.

503-J. A. - Purpose

- A. The City promotes the value and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible. In compliance with applicable State standards and guidelines, this Section establishes minimum landscape standards for all uses for the purpose of enhancing the appearance of developments, reducing heat and glare, controlling soil erosion, conserving water, establishing a buffer and/or screen between residential and nonresidential land uses, and ensuring the ongoing maintenance of landscape areas. Water conservation measures shall be addressed through landscape and irrigation design.

503-J. B. - Intent

The intent of the water-efficient landscape/irrigation ordinance is:

1. That this Section be at least as effective in conserving water as the State Model Water Efficient Landscape Ordinance and consistent with Governor Brown's April 1, 2015 Drought Executive Order B-29-15;

2. Establish a structure for planning, designing, installing, and maintaining and managing water efficient landscapes in new construction and rehabilitated projects;
3. Establish provisions for water management practices and water waste prevention for existing landscapes;
4. To assure beneficial, efficient, and responsible use of water resources;
5. To retain the land's natural hydrological role and promote the infiltration of surface water into the groundwater;
6. To recognize that landscapes enhance the aesthetic appearance of developments and communities;
7. To encourage the appropriate design, installation, maintenance, and management of landscapes so that water demand can be decreased, runoff can be retained, and flooding can be reduced without a decline in the quality or quantity of landscapes; and
8. To reduce or eliminate water waste.

503-J. C - Applicability

Beginning April 1, 2017, all landscaping projects subject to this Section shall obtain a permit from the Development Services Department prior to installation of any landscaping. All planting, irrigation, and landscape related improvements required by this Section shall apply to the following landscape projects:

1. New landscape projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;

3. New or rehabilitated landscape projects between 500 and 2,500 square feet may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix A of the Guidelines;
 4. New or rehabilitated projects using treated or untreated graywater or rainwater capture on site, any lot or parcels within the project that has less than 2,500 square feet of landscape area and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with the treated or untreated graywater or though stored rainwater capture on site is subject only to Appendix A of the Implementation Guidelines;
 5. Special Landscaped Areas with an area greater than 500 square feet, such as areas dedicated to edible plants, irrigated with recycled water, or dedicated to active play and/or a Recreational Area, shall prepare a water efficient landscape worksheet and landscape documentation package according to specifications for Special Landscaped Areas;
 6. Cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 2.2 and 2.9 of the Guidelines; and existing cemeteries are limited to Section 3 of the Guidelines.
 7. Vacant lots in all zoning districts and Specific Plan areas.
 8. Undeveloped pad areas of a new or existing commercial or industrial development project that is located along a public street, or undeveloped pad areas of a new or existing commercial or industrial project reserved for a future phase of the development or a future use that is located along a public street.
- A. Other considerations. The requirements of the Guidelines may be partially or wholly waived, at the discretion of the Director of Development Services or his/her designee, for landscape rehabilitation projects that are limited to replacement plantings with equal or lower water needs and where the irrigation system is found to be designed, operable and programmed consistent with minimizing water waste in accordance with local water purveyor regulations.
- B. Exempt activities. The provisions of this Section do not apply to:
1. Registered local, State, or federal historical sites.

Ecological restoration projects that do not require a permanent irrigation system.

3. Mined-land reclamation projects that do not require a permanent irrigation system.

4. Existing plant collections as part of botanical gardens and arboretums open to the public.

C. Project continuation. Any landscape project(s) conducted on the same parcel of land within a 12-month period from the first landscape project submittal shall be aggregated for the purposes of determining a project's applicability to the requirements of this Section.

D. Relationship to private covenants. The architectural guidelines of a common interest development, which includes community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

503-J. D - Definitions

Aggregate. A concept that pertains to production home neighborhoods, common interest developments, or other situations where multiple parcels are undergoing landscape development as one project, but may eventually be individually owned or maintained.

Applied water. The portion of water supplied by the irrigation system to the landscape.

Artificial turf. A man-made material which simulates the appearance of live turf, organic turf, grass, sod, or lawn.

Automatic irrigation controller. A timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation event using either evapotranspiration (weather-based) or soil moisture data.

Backflow prevention device. A backflow prevention device is used to protect potable water supplies from contamination or pollution due to the reverse flow of water through plumbing. This public health safety device is used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system. The required type of irrigation backflow device is a reduced pressure principle assembly (RP).

Certification of Completion or Landscape Installation Certificate of Completion. The certification included as Exhibit E of the Implementation Guidelines that shall be provided to the City prior to Planning and Building Divisions final inspection pursuant to Section 2.7 of the Guidelines.

Certification of Design or Certificate of Landscape Design. The certification included as Exhibit B of the Implementation Guidelines that shall be included in the Landscape Documentation Package pursuant to Section 2.1 of the Guidelines.

Certified landscape irrigation auditor. A person(s) certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

Check valve or anti-drain valve. A valve or valves located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

City. Refers to the City of Pomona .

Common interest developments. Refers to community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.

Conversion factor. The number that converts acre-inches per acre per year to gallons per square foot per year.

Drip irrigation. Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are especially designed to apply small volumes of water slowly at or near the root zone of plants.

Drought-tolerant landscaping. Landscaping that utilizes little or no irrigation through the use of water-conserving materials and techniques, including but not limited to, native drought-tolerant plants, mulch and efficient irrigation.

Drought-tolerant plants. Plants that require less water because they are adopted to regions with frequent drought or soils with low water-holding capacity.

Ecological restoration project. A project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

Emitter. A drip irrigation emission device that delivers water slowly from the system to the soil.

Estimated Applied Water Use (EAWU). The annual total amount of water estimated to keep plants in a healthy state. It is based on factors such as reference evapotranspiration rate, the size of the landscaped area, plant water use factors, and the irrigation efficiency within each hydrozone.

Evapotranspiration. The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

Evapotranspiration adjustment factor (ETAF). A factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the

landscape The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

Evapotranspiration rate. The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

Flow rate. The rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

Front yard area. The required front yard setback area and any other areas between the front property line and the outline of the main building that is visible from the public right of way. For unique lot configurations, the Director of Development Services or designee shall determine front yard area.

Front yard landscaped area. The front yard area that is not occupied by driveways leading to directly to a required off-street parking facility or necessary walkways leading to a building structure, is required to be landscaped with live vegetation, artificial turf, drought tolerant landscaping, hardscape, or a combination of the four subject to the requirements of City of Pomona Model Water Efficient Landscape Ordinance (Section 5013-J of Zoning Code) and the Guidelines.

Graywater. A system containing untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthy processing, manufacturing, or operating wastes. Graywater includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers as per the Health and Safety Code (Section 17922.12). Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards.

Hardscape. Any durable material (previous and non-pervious).

Hydrozone. A portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

Implementation Guidelines or Guidelines. Refers to the Water Efficient Landscape Ordinance Guidelines which shall be adopted by resolution of the Planning Commission. The purpose of the Guidelines is to provide procedural and design guidance for applicants proposing new landscape or landscape rehabilitation projects that are subject to Section 503.J. of the City of Pomona Zoning Code.

Infiltration rate. The rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour)

Invasive and/or Noxious plants species. Species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive plant species may be regulated by county agricultural agencies as noxious species.

Irrigation audit. An in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

Irrigation efficiency (IE). The measurement of the amount of water beneficially used divided by the amount of water applied to a landscaped area. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this Section and the Guidelines is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems. The following irrigation efficiency may be obtained for the listed irrigation heads with an IME of 90%:

Irrigation Method	DU_{LQ}	DU_{LH} *	EU	IE**
Spray nozzles	65%	79%		71%
High efficiency spray nozzles	75%	82%		73%
Multi stream/Multi trajectory rotary (MSMT) nozzles	75%	85%		76%
Stream rotor nozzle	70%	82%		73%
Microspray	75%	85%		76%
Bubblers			85%	77%
Drip emitter			90%	81%
Subsurface drip			90%	81%

$$*DU_{LH} = .386 + (.614)(DU_{LQ})$$

$$** IE (spray) = (DU_{LH})(IME)$$

$$** IE (drip) = \text{Emission uniformity (EU)}(IME)$$

Irrigation Management Efficiency (IME). The measurement used to calculate the irrigation efficiency of the irrigation system for a landscaped project. A 90% IME can be achieved by using evapotranspiration controllers, soil moisture sensors, and other methods that will adjust irrigation run times to meet plant water needs.

Landscape coefficient (K_L). The product of a plant factor multiplied by a density factor and a microclimate factor. The landscape coefficient is derived to estimate water loss from irrigated landscaped areas and special landscaped areas.

Landscape documentation package. The package of documents that a project applicant is required to submit to the City pursuant to Section 2.1 of the Guidelines.

Landscape professional. A licensed landscape architect, licensed landscape contractor, or any other

person authorized to design a landscape pursuant to Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the California Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the California Food and Agriculture Code.

Landscaped area. Refers to all planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance and Estimated Applied Water Use calculations. The landscaped area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

Landscaping. Any combination of native or exotic plants, lawn, artificial turf, groundcover, trees, shrubs, and other plant materials, plus decorative outdoor and complementary elements such pools, fountains, water features, paved or decorated walkways or surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. With the exception of the Corridor Specific Plan area, plants on rooftops or porches or in boxes attached to structures typically are not considered landscaping.

Lateral line. A water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

Low volume irrigation. The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

Low volume overhead irrigation. Aboveground irrigation heads with an upper flow limit of 0.5 GPM.

Main line. A pressurized pipeline that delivers water from the water source to the valve or outlet.

Manual isolation valve. A valve such as a gate valve, ball valve, or butterfly valve installed downstream of the point of connection of the water supply to shutdown water flow through mainline piping for routine maintenance and emergency repair.

Master shut-off valve. An electronic valve such as a solenoid valve installed as close as possible to the point of connection and is used in conjunction with a flow sensor and flow monitoring controller technology to automatically shutdown system wide water flow in the event of high flow conditions such as mainline pipe break.

Maximum Applied Water Allowance (MAWA). Refers to the upper limit of annual applied water for the established landscaped area, as specified in Section 2.2 of the Guidelines. It is based upon the area's reference evapotranspiration, the ETAF, and the size of the landscaped area. The Estimated Applied Water Use shall not exceed the Maximum Applied Water Allowance.

Microclimate. The climate of a small, specific area that may contrast with the climate of the overall landscaped area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

Mined-land reclamation projects. Any surface mining operation with a reclamation plan approved in accordance with the Surface mining and Reclamation Act of 1975.

Mulch. Any organic material such as leaves, bark, straw or compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Non-pervious or Impervious. Any surface or material that does not allow for the passage of water through the material and into the underlying soil.

Operating pressure. The pressure at which the parts of an irrigation system of sprinklers are designed to operate at by the manufacturer.

Overspray. The irrigation water which is delivered beyond the target area.

Parkway. That portion of the public right-of-way between the curb and sidewalk or, where no sidewalk is provided, between the curb and adjacent private property line. A parkway generally includes landscape improvements.

Person. Any natural person, firm, joint venture, joint stock company, partnership, public or private association, club, company, corporation, business trust, organization, public or private agency, government agency or institution, school district, college, university, any other user of water provided by the City or the local water purveyor, or the manager, lessee, agent, servant, officer, or employee of any of them or any other entity which is recognized by law as the subject of rights or duties.

Pervious. Means any surface or material that allows the passage of water through the material and into the underlying soil.

Plant factor or Plant water use factor. A factor, when multiplied by ETo, that estimates the amount of water needed by plants. For purposes of this Water Efficient Landscape Ordinance, the plant factor range for very low water use plants is 0 to 0.1; the plant factor range for low water use plants is 0 to 0.3; the plant factor range for moderate water use plants is 0.4 to 0.6; and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in the Guidelines are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species."

Precipitation rate. The rate of application of water measured in inches per hour.

Project applicant. The individual or entity submitting a Landscape Documentation Package required under Section 2.1 to request a permit, plan check, or design review from the City. A project applicant

may be the property owner or his or her designee.

Property owner. The record owner of real property as shown on the most recently issued equalized assessment roll.

Rain sensor or Rain sensing shutoff device. A component which automatically suspends irrigation when it rains.

Recreational area. An area(s), excluding private single family residential areas, designated for active play; recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters; golf course tees, fairways, roughs, surrounds and greens; private recreational or assembly space as part of a comprehensive project that otherwise meets the intent of this Section, and other active or recreational play areas as determined by the Development Services Director.

Recycled water or Reclaimed water. Treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

Reference evapotranspiration (ET_o). A standard measurement of environmental parameters which affect the water use of plants. ET_o is given expressed in inches per day, month, or year as represented in Appendix C of the Guidelines, and is an estimate of the evapotranspiration of a large field of four to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances.

Rehabilitated landscape. Any re-landscaping project that requires a permit, plan check, or design review, meets the requirement of Section 1.2 of the Guidelines, and the modified landscape area is equal to or greater than 2,500 square feet.

Runoff. Water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

SMART irrigation controller or Soil moisture sensor. A weather-based or soil moisture-based irrigation controller that monitors and uses information about the environmental conditions at a specific location and landscape to automatically adjust watering schedules.

Soil texture. The classification of soil based on its percentage of sand, silt, and clay.

Special Landscaped Areas (SLA). Area(s) of the landscape dedicated solely to edible plants such as orchards and vegetable gardens, areas irrigated with recycled water, water features using recycled water, and areas designated as a Recreational Area.

Sprinkler head. A device which delivers water through a nozzle.

Static water pressure. The pipeline or municipal water supply pressure when water is not flowing.

Station. An irrigated area served by one valve or by a set of valves that operate simultaneously.

Swing joint. An irrigation component that provides a leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

Turf. A ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool- season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm season grasses.

Valve. A device used to control the flow of water in an irrigation system.

Visible street side yard. For purposes of this Section and the Guidelines, means any street side yard that is visible from the public right of way, that shall be improved as further described in this Section and the Implementation Guidelines.

Water-efficient irrigation system. A system which is scheduled and managed to supply moisture to a landscape without excess or waste.

Water-efficient landscape. Landscaping materials that are designed and maintained to function in a healthful and visually pleasing manner with limited water use, including plants which have minimal water requirements for subsistence, plants native to hot/dry environments, and xeriscape plants.

Water efficient landscape ordinance. Refers to Section 503.J. of the City of Pomona Zoning Code.

Water efficient landscape worksheet. The worksheet required to be completed pursuant to Section 2.2 of the Guidelines and which are included in Appendix C of the Guidelines.

Water feature. A design element or elements where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscaped area. Constructed wetlands used for on-site wastewater treatment, habitat protection, or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

Watering window. The time of day irrigation is allowed on landscaped surfaces.

WUCOLS. Refers to the Water Use Classification of Landscape published by the University of California Cooperative Extension, the Department of Water Resources, and the Bureau of Reclamation, 2000.
www.owue.water.ca.gov/docs/wucols00

503-J. E - Implementation guidelines

Water Efficient Landscape Ordinance Guidelines shall be adopted by resolution of the Planning Commission.

503-J. F - General landscape standards.

These standards shall apply to all parcels within the City.

- A. Water Efficient Landscape Ordinance Guidelines (Implementation Guidelines), adopted by resolution of the City of Pomona Planning Commission, shall establish criteria for the design and review of landscape and irrigation plans, and such criteria shall be adhered to in the design of landscape and irrigation plans as required by this Section.
- B. Trees may be planted in any required yard area. All required trees shall be of a minimum size of 15 gallons, unless a larger size is specified in project conditions of approval. In limited cases, smaller tree sizes may be approved if the Director determines that long-term tree growth potential is improved by smaller specimens.
- C. With the exception of properties within the Downtown Pomona Specific Plan and the Corridor Specific Plan areas, landscaping shall be maintained in all yard areas viewable from adjacent public right of way along any property line, and all yard areas that are viewable from an adjacent public right of way that are between structures. In all zones, a permanent irrigation system shall also be maintained in the yard areas.
- D. For properties facing an alleyway along the rear and/or the side property line(s), landscaping shall be maintained in all yard areas and areas between structures that are viewable from the alleyway.
- E. Landscape planting shall emphasize drought-tolerant and native species, complement the architectural design of structures on the site, and be suitable for the soil and climatic conditions of the site, consistent with the requirement of this Section.
- F. Transformers shall be screened with dense landscaping or walls similar to those required for trash enclosures, and shall not be located within open space recreation areas. They shall be located away from public view wherever possible and shall not impede pedestrian or vehicular circulation. Where feasible, transformers should be placed underground.
- G. Use of artificial turf is regulated by both standards within this Section and in the Implementation Guidelines. The use of artificial turf requires Development Services Department approval before installation.

H. All required landscape setback areas, including front, rear, side, street side and landscaped areas within parking lots shall meet the following requirements:

- a. Area. All landscaped areas that may be counted toward required landscaping must have a minimum width of three feet, not inclusive of curb or wall.
- b. A minimum of six percent of the total off-street parking area shall be landscaped with at least one fifteen-gallon minimum size tree per each five parking stalls (which may be clustered or grouped) and appropriate shrubs and groundcover. Setback areas required to be landscaped by other sections of this code shall not be considered part of the required parking lot landscaping.
- c. A minimum of a ten-foot wide planter area shall be provided between the parking area and all property lines adjacent to a public street.
- d. All landscaping shall be continuously maintained free of weeds, debris, litter or temporary signage.
- e. All landscaped area except designated hydrozones shall be provided with an automatic irrigation system.
- f. Landscape materials, trees, shrubs, groundcover, turf and other vegetation, and planting symbols shall be clearly drawn and plans labelled by botanical name, common name, container size, spacing and quantities of each group of plants indicated.
- g. For multifamily projects of five units or more and for new commercial, industrial and institutional projects, a landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping plan. Amount shall be determined by the Development Services Director or designee.
- h. The percentage of turf for commercial and industrial development shall not exceed forty-five percent of the required landscaping area and multifamily residential development shall not exceed seventy-five percent of the required landscaping area.

I. All planting of trees shall meet the following requirements:

- a. No trees shall be planted under any eave, overhang or balcony.
- b. All trees in landscape planters ten feet in width or less and located closer than five feet from any permanent structure shall be provided with tree root barriers.

- c. All trees shall be staked as determined by the standards maintained by the Development Services Department.
- d. Minimum width of all planters shall not be less than five feet clear, interior dimensions, not inclusive of retaining curb or wall. All areas which require twenty-four-inch box trees shall have planters of not less than five feet not inclusive of retaining curb or wall.

e. Number of trees:

Parking area: One per five spaces.

Street setbacks: One per twenty feet

Balance of site: One per six hundred square feet (less parking area buildings, and structures).

J. The planting of groundcover and shrubs, and the use of groundcover materials shall meet the following requirements:

- a. All areas required to be landscaped shall be covered with turf, non-deciduous groundcover, shrubs or other types of plants which are predominantly drought tolerant.
- b. Shrubs. Minimum of two five-gallon size shrubs shall be provided every six feet of distance along perimeter planter areas.
- c. Groundcover. Groundcover shall be used throughout and be planted at least six inches on center. No artificial groundcover shall be accepted.
- d. Materials such as crushed rock, wood chips, pebbles and stone may be allowed up to fifteen percent of the total required landscaping area. Artificial plants and synthetic groundcovers are prohibited.

K. Landscaping shall be required to screen storage areas, trash enclosures, parking areas, public utilities, freeways, highways and other similar land uses or elements that do not contribute to the aesthetic enhancement of the natural environment surrounding area. Where plants are required for screening, such screening shall consist of the use of evergreen shrubs and/or trees closely spaced. Berming shall be encouraged as an effective screening measure for parking lots and where adjacent site areas are contiguous to street frontages. Such berming shall not exceed thirty-six inches above the highest adjacent curb.

L. Where parking areas are adjacent to other properties along the side and rear lot lines, perimeter landscaping with a minimum depth of four feet, not inclusive of retaining curbs and walls, is required.

M. Landscape at vehicular intersections shall meet the following requirements:

- a. Landscaping at major entry points are considered the focal points for landscaping emphasis and shall contain accent landscaping through a variety of trees, flowers and shrubs with special concern for visibility and safety.
- b. Within twenty feet of street/driveway intersections, no landscaping material other than trees shall exceed a maximum height of thirty-six inches above the adjacent concrete curb.
- c. No berming at street entrances and parking lot accessway intersections shall exceed a height of thirty-six inches above the highest adjacent curb.
- d. All trees, whether singularly placed or placed in clusters shall not inhibit visibility for vehicular and pedestrian movement.
- e. Parking may be designed to overhang landscaped areas. Maximum permitted overhang is three feet where planter areas have a minimum dimension of five feet or more. Otherwise, concrete wheel stops shall be installed. Any broken or damaged wheel stops shall be replaced.

503 – J. G - Landscape of unused and undeveloped portions of a site.

All areas of a site not intended for a specific use or purpose in conjunction with a current application, including vacant or undeveloped pad sites in shopping centers held for future development, shall be fully landscaped and irrigated with an automatic irrigation system. Landscaping shall include a combination of trees, shrubs, ground cover, turf, and/or approved decorative landscape materials, as approved by the Development Services Director or designee, and in compliance with this Section.

503-J. H – Edge treatment landscaping for privately-owned vacant lots

Privately-owned vacant lots in all zoning districts and Specific Plan areas shall be fully landscaped, irrigated, and maintained along the edge area abutting any public right of way. The landscaped areas shall extend at least ten feet (10') into the lot. Landscaping, irrigation, and maintenance shall meet the requirements of this Section and the Implementation Guidelines. Said landscaping shall be installed within a year from the effective date of this Section. For privately-owned vacant lots with an active entitlement application, edge treatment landscaping shall be installed within one year after the building permit's final inspection, or as otherwise stated in conditions of the entitlement approval. The remainder of the site shall be secured with approved fencing material, shall be maintained free of weed and debris at all times, and shall meet all fence and maintenance requirements of the Zoning Ordinance and City Code.

503-J. I - Residential landscape standards.

The following standards shall apply to all parcels in all residential zones.

- A. A minimum of 20 percent of the entire parcel shall be fully landscaped with plant materials.
- B. The front yard landscaped area and visible street side yard shall be landscaped with live vegetation, artificial turf, drought-tolerant landscaping or a combination of the three, as further described below:
 - 1. Live vegetation may include turf, trees, shrubs, groundcover, flowers, or other similar vegetation.
 - 2. Artificial turf is allowed in the front yard landscape area and visible street side yards subject to the following limitations:
 - a. Artificial turf is allowed for up to 40% of the front yard landscape area.
 - b. For visible street side yards, up to 40% of artificial turf is allowed. Visible street side yard shall include a minimum of 50% live vegetation.
 - c. Artificial turf is prohibited under the dripline of any oak tree.
 - 3. Drought tolerant landscaping shall include native water conserving plants. (See Section 4.3 of the Guidelines)
- C. For properties facing an alleyway along the rear and/or the side property line(s), landscaping shall be maintained in all yard areas and areas between structures that are viewable from the alleyway.
- D. Artificial turf is not permitted within the parkway.
- E. Bare dirt is not permitted within the front yard, visible street side yard or within the parkway. All bare dirt areas shall be finished with a minimum three inch thick layer of mulch, organic bark or earth-toned colored rubber bark.
- F. Parking lots for multi-family developments providing 10 or more parking spaces shall be landscaped per the requirements of Section 503-J. I.

503-J. L - Nonresidential landscape standards.

With the exception of properties within Specific Plan areas where the nonresidential landscape standards are defined in the Specific Plans, all new and rehabilitated landscaping plans undertaken in conjunction with any private development project on commercial, industrial, mixed-use, and other

nonresidential properties, or those projects requiring a grading, building, use permit, or site plan and design review, as required by this Section, shall comply with the following standards.

- A. All unpaved areas, including those portions of required yard areas not utilized for vehicular and pedestrian access, shall be landscaped with plant material, including some combination of trees, shrubs, groundcover, and turf. Mulch, bark, and similar landscaping materials may be incorporated into the landscape design.
- B. A minimum of 15 percent of the parcel area shall be landscaped, exclusive of the parking lot area and any landscaping required within the parking lot.
- C. A minimum of 75% of the landscape area must be landscaped with live plants. The remaining area may utilize boulder, rocks, decomposed granite, water features or other hardscapes, subject to approval from the Development Services Department.
- D. All landscaped areas shall be provided with an automatic irrigation system, unless the Director finds that such an irrigation system, due to the size, location, or configuration of the landscaped area, cannot reasonably be installed and maintained.
- E. To achieve an immediate effect of a landscape installation and to allow sustained growth of planting materials, plant material sizes and plant spacing shall comply with the following standards, unless the Director finds that alternative sizes and planting will achieve the same or similar desired effects:
 - 1. The minimum plant size for trees shall be 15 gallons, unless otherwise specified by the provisions of this Section. Trees planted within 10 feet of a street, sidewalk, paved trail, or walkway shall be a deep-rooted species or shall be separated from paved surfaces by a root barrier to prevent physical damage to public improvements. A minimum distance of 15 feet is required between the center of trees to street light standards, water meters, back-flow prevention systems, sewer cleanouts, and fire hydrants.

The minimum plant size for shrubs shall be five gallons.
 - 3. Groundcover, including turf, shall be planted in a manner to provide 100 percent coverage within one year of initial planting.
- F. Lots with freeway frontage shall provide and maintain freeway frontage landscaping.
- G. Parking lot landscaping shall be provided per the requirements of Section 503-J. I., except when the property is located in a Specific Plan area and parking lot development standards are specified in the Specific Plan.
- H. Artificial turf is not permitted within in the parkway.

- I. Artificial turf is discouraged on non-residential properties. Use of artificial turf is only allowed in special circumstances as approved by the Development Services Director.
- J. Bare dirt is not permitted within the front yard, visible street side yard or within the parkway. All bare dirt areas shall be finished with a minimum three inch thick layer of mulch, organic bark or earth-toned colored rubber bark.

503-J. K - Parking lot landscaping.

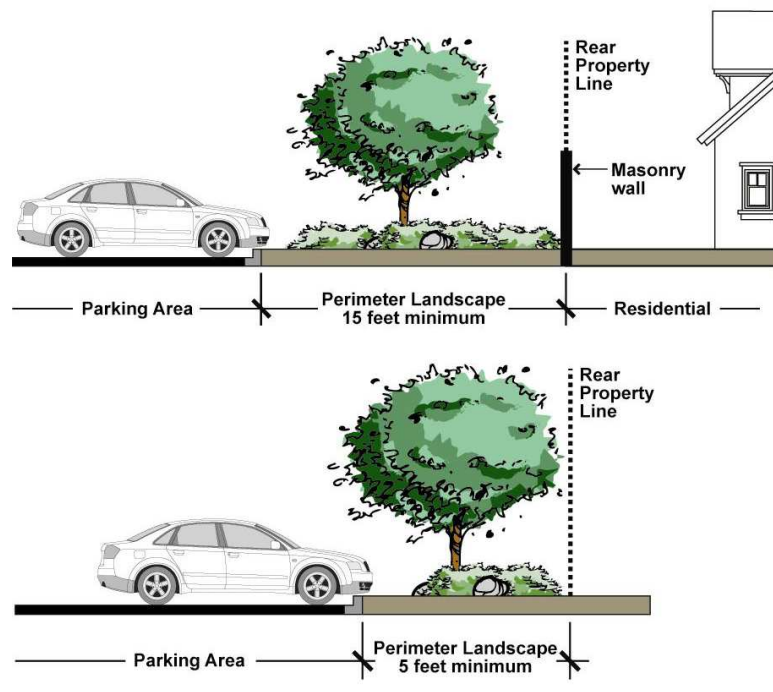
C. General landscaping requirements.

- 1. Landscaping plan required. Within parking lots, landscaping shall be used for shade and climate control, to enhance project design, and to screen the visual impact of vehicles, light pollution, and large expanses of pavement as set forth in the following paragraphs. A comprehensive landscape and irrigation plan shall be submitted for review and approval pursuant to Section 503-J (Landscaping/Irrigation).
Percent coverage. A minimum of 6 percent of the parking lot area shall be landscaped.
- 3. Landscape materials. Landscaping materials shall be provided throughout the parking lot area using a combination of trees, shrubs and ground cover.
- 4. Curbing, irrigation. Areas containing plant materials shall be bordered by a concrete curb at least six inches high and six inches wide, and provided with an automatic irrigation system. Alternative barrier designs may be approved by the Director. End stalls adjacent to parking spaces or other obstructions shall incorporate an additional curbing width of six inches.
- 5. Location of landscaping. Parking lot landscaping shall be located so that pedestrians are not required to cross landscaped areas to reach building entrances from parked cars. This should be achieved through proper orientation of the landscaped fingers and islands.
- 6. Planting areas. Planting areas shall be as evenly distributed as possible throughout the entire area. Concentration in one place will not be acceptable.
- 7. Perimeter parking lot landscaping.
 - a. Adjacent to streets. Landscaping shall be provided within a perimeter planter between parking lot and street right-of-way. The planter shall be a minimum of five feet and shall be designed and maintained for partial screening of vehicles to a minimum height of 42 inches, measured from the finished grade of the parking lot. Screening materials may include any combination of plant materials, earthen berms, solid masonry walls, raised planters, or other screening device deemed by the Approving Authority to comply with the intent of this requirement. Trees shall be provided at a rate of one for every 20 lineal feet of landscaped area.
 - b. Adjacent to side or rear property lines. Parking areas shall provide a perimeter landscaped strip at least five feet wide (inside dimension) where the facility adjoins a side or rear

property line. The perimeter landscaped strip may be located within a required setback area. Trees shall be provided at the rate of one for each 20 lineal feet of landscaped area.

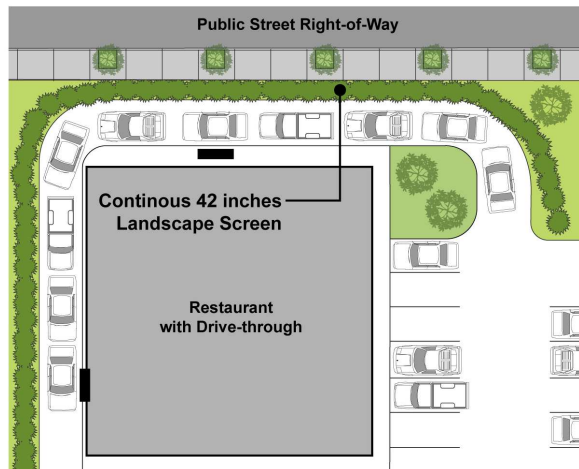
- c. Adjacent to residential use. Parking areas for nonresidential uses adjoining residential uses shall provide a landscaped buffer yard with a minimum 15-foot width between the parking area and the common property line bordering the residential use. This requirement may be modified through the Site Plan and Design Review process to allow for flexibility in site design. A solid masonry wall and landscaping shall be provided along the property line. For each 100 lineal feet of landscaped area, a minimum of 10 trees and 20 shrubs shall be provided.

Figure 503-J. I. 1. Perimeter Parking Lot Landscaping



9. Screening of drive-through aisles. To screen vehicles using a drive-through facility and minimize associated headlight impacts, a minimum, continuous, and immediate 42-inch-high landscape screen shall be established along the outer edge of drive-through aisles. Screening materials may include a combination of plant materials and raised planters as approved by the Director.

Figure 503-J. I. 2. Screening of Drive-through Aisles



9. Parking lot shade.

- a. Trees in parking lots. Trees shall be planted and maintained in all parking lots at a minimum ratio of one tree for every five parking spaces.
- b. Tree shading requirement. Trees shall be planted and maintained throughout the parking facility to ensure that, within 15 years after establishment of the parking facility, at least 40 percent of the parking facility will be shaded.
- c. Shading calculation. Shading shall be calculated by using the expected diameter of the tree crown at 15 years. Each planting area shall be of adequate size for the landscaping approved and shall have adequate irrigation for that landscaping. The Development Services Director shall have discretion to modify tree shading requirements under power lines and other obstructions that prohibit strict compliance with shading requirements and to give shading credit for off-site trees, sidewalk canopies, and other structures, where appropriate.
- d. Installation. Upon completion of the installation of shade trees, the landscape designer shall certify that the shading complies with all requirements of this section.

D. Parking lot storm water management.

1. For new developments with 25 or more parking spaces, at least 50 percent of the required parking lot landscaping shall be provided as a vegetated swale, vegetated filter strip, rain gardens, or detention basins with bio-filtration within the parking lot.

Parking lot drainage shall be designed such that all surface runoff (both piped and overland flow) is conveyed through a vegetated swale, vegetated filter strip, rain gardens, or detention basins with biofiltration. The parking lot shall provide appropriate curb cuts to allow water to freely enter and exit parking lot swales.

3. All landscaped islands shall be situated below the grade of the parking spaces and driving aisles such that stormwater runoff flow is directed to and trapped by such islands.

503- J. L - Landscape plan approval required.

- A. Required landscape plan. Except as otherwise specified in this Section, any application for any development that requires a grading permit, building permit, use permit, or site plan and design review shall include landscape and irrigation plans which provide for the utilization of low-water-usage irrigation systems and a landscape design consistent with the requirements of this Section. The plans shall be prepared by a licensed landscape architect or other licensed professionals as allowed by the State law.
- B. Review required. The plan shall contain the information described in the Implementation Guidelines and shall be subject to review and approval by the Director for compliance with the landscape design criteria contained in this Section. The review process represents the basis for approval or denial of a landscape design proposal. No grading, building, use permit, or site plan and design approval can be issued until a project has received approval from the Director.
- C. Full construction drawings required. Following the granting of all required planning and subdivision approvals, full construction drawings shall be submitted to the Building Division for plan check approval. Drawings submitted for plan check shall include the entire Landscape Documentation Package described in the Implementation Guidelines, including the approved Preliminary Landscape Design Plan. The Landscape Design Plan shall be in substantial conformity with the approved Preliminary Landscape Design Plan prior to issuance of building permits.

503-J. M - Landscape and irrigation maintenance.

- A. Landscape maintenance. Landscaping and vegetation shall be maintained as follows:
 1. All landscaped areas shall be kept and maintained in a manner that does not detract from the appearance of the immediate neighborhood, and that protects the health, safety, and welfare of the user, occupants, and general public.
Landscaped areas shall be kept and maintained in a neat and clean condition, free of weeds, debris and dead, diseased, or dying vegetation, and broken or defective decorative elements.
 3. Vegetation in landscaped areas shall be mowed, groomed, trimmed, pruned, and watered to maintain a healthy, growing condition.
 4. Vegetative overgrowth shall not be permitted in a manner that is likely to harbor rodents, vermin, insects, or other nuisances; or impedes, obstructs, or denies pedestrian or other lawful travel on sidewalks, walkways, or other public rights-of-way.

5. All property owners shall water, weed, and otherwise maintain landscaping in the parkway portions of adjoining streets, including street trees.

B. Irrigation systems. Irrigation systems shall be maintained as follows:

1. Irrigation systems shall be kept in good working condition and repair to prevent leaks or public health hazards.

Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low-head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, or structures, shall be minimized.

3. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this Section.
4. Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule should include but not be limited to checking, adjusting and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.

C. Artificial turf. Artificial turf shall be maintained as follows:

1. All artificial turf areas shall be kept and maintained in a manner that does not detract from the appearance of the immediate neighborhood, and that protects the health, safety, and welfare of the user, occupants, and general public.

Artificial turf areas shall be kept free of animal waste, rubbish, leaves, sand, rocks, algae, mold, fungi, natural grass and/or weeds.

3. Artificial turf seams, joints and edges shall be inconspicuous and not allowed to cause tripping or other hazards.
4. Artificial turf that is discolored, deteriorated, matted, torn, stained, shows excess wear or is otherwise unsightly or neglected shall be repaired or replaced to the satisfaction of the City.
5. Artificial turf infill material shall be maintained at adequate levels to allow proper use of the turf. Infill materials shall not be allowed to accumulate within the artificial turf area or otherwise be visible from the public right-of-way. Sweeping, raking or otherwise redistributing infill material on a regular basis is required.

503-J. N - Cooperation with water purveyor(s).

Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance. The City of Pomona is the water purveyor for this service area to implement all of the requirements contained in this ordinance

503.J. O - Minor modifications to approved landscape and irrigation plans.

The Director may approve minor changes to approved landscape, irrigation, and related plans, subject to the following criteria:

- A. Minor modifications to approved landscaping and irrigation, or grading plans which comply with the spirit and intent of this Section, including but not limited to, revising or substituting plant varieties, container sizes, plant locations, irrigation specifications, hardscape components, berm heights, berm locations, slope features, and the like.
- B. Modifications of planting, installation, and/or soil preparation details.

SECTION 5. The City Council of the City of Pomona hereby approves Code Amendment (6026-2016) to amend Section .280. Q. and Section .280. R. of the Pomona Zoning Code pertaining to open space and landscaping requirements for R-2 Low Density Multiple-Family Zone to include the underline and ~~strikeout~~ language as listed below:

Sec. .280. - "R-2" Low density multiple-family zone.

Q. Open Space.

Usable open space shall be provided in two forms, private and common open space. Private open space shall be directly related to individual units. Common open space shall be dispersed throughout the development and shall be available to all residents of the development.

1. Private Open Space. "Private open space" means and is defined as usable space assigned for the exclusive use of the occupant of a specific dwelling unit.
 - a. Ground Floor Units.
 - (1) Area. One hundred fifty square feet per unit.
 - (2) Dimensions. The minimum dimension shall be eight feet.
 - (3) Enclosure. This space shall be enclosed in a manner to define the privacy of the space:
 - b. Above Ground Floor Units.

- (1) Area. Ninety square feet per unit in the form of terraces, balconies or rooftop patios.
- (2) Dimensions. The minimum dimension shall be six feet.
- 2. Common Open Space. Common open space shall be defined as usable open space on the site which is available to all the occupants of the development to be used by all residents. This open space shall be generally distributed throughout the development and must be reasonably accessible to all the dwelling units.
 - a. Area. The area required will be based upon the number of bedrooms per unit as follows:

(1)	One Bedroom Unit	300 sq. ft./unit
(2)	Two Bedroom Unit	400 sq. ft./unit
(3)	Larger Units—100 sq. ft./bedroom/unit for units over two bedrooms.	

- b. Dimensions. A minimum dimension of fifteen feet shall be required of any area that is to be counted as common open space.
 - c. Location. Common open space shall not be located in required front yards, side yards, off-street parking areas or driveways.
 - d. Grade. A grade may not exceed ten percent; except for landscape features such as earthen mounds or berms that are used to improve the quality and/or function of the space.
 - e. Landscaping. A minimum of fifty percent of the common open space shall be appropriately landscaped following requirements set forth in the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and Implementation Guidelines. ~~with plant materials. Three-fourths of this amount shall be in lawn or turf. The remainder of this space shall be planted in ground cover, trees, shrubs and provided with a permanent irrigation system. In addition, such~~ landscaping shall include a minimum of one tree (twenty-four inch box minimum standard of the trade for such variety used) for every dwelling unit.
 - f. Recreation Facilities. A minimum of forty percent of the common open space may be in paved surface including a swimming pool, walks, patios, terraces, courts and fountains. Recreation buildings or other communal buildings may cover not more than ten percent of this area. Specialized recreation equipment and facilities may be required by the planning commission based on the anticipated age and interest of the occupant: i.e., play equipment for children, shuffleboard for senior citizens.
- R. Landscaping.

1. General. All open areas and parking area planters shall be landscaped with a combination of trees, shrubs, vines and ground cover as is appropriate to the purpose of the landscaped area. Plantings shall be dispersed throughout parking areas.
 2. Curbs. All landscaped areas shall be separated from driveways and parking areas by continuous six-inch curb.
 3. Existing Trees. When healthy, mature trees exist on a site, every effort shall be made to preserve them and tie them into the overall landscape design concept.
 4. Plant Maintenance. All landscaped areas shall be serviced with permanent irrigation system. All planters shall be kept weed-free, fertilized, and pruned as is needed to maintain healthy, attractive plants.
 5. Landscape and Irrigation Plans. A landscaping and irrigation plans shall be prepared pursuant to the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and Implementation Guidelines. ~~drawn at a minimum scale of one inch equals twenty feet. This plan shall clearly show the location of all plant materials, the irrigation system (meter size, pipe sizes and valves and head types).~~ All landscape and irrigation plans shall be reviewed and approved by the Department of community Development Services. The following criteria will be used in the review of those plans:
 - a. Larger specimens of shrubs and trees shall be used along the site periphery, particularly along setback areas adjacent to public streets;
 - b. Greater intensity of landscaping shall be used along building elevations that lack window, door openings or other details that provide adequate visual interest;
 - c. Trees shall be located so as to screen parking areas and private first floor areas and windows from second-story units;
 - d. In order to provide a crime deterrent, shrubs planted below first floor windows shall be of a variety which has thorns and/or prickly leaves.
- S. Building and Site Design.

When designing a project, the exterior appearance and site design shall: relate with the existing character of the area, enhance the surrounding vicinity, be compatible with adjacent uses, and maintain a high quality and standard of development. Each project shall be able to meet all of the following criteria in order to be approved:

1. Exterior Appearance. The monotony of straight building lines shall be remedied by limiting the size of individual buildings or units, staggering of units and the use of different building materials.
2. Relief. Varying relief shall be incorporated in the design of a project as a method of illustrating the theme or character of a building. Details that create shade and cast shadows shall be used on all elevations of each building;
3. Height. The scale of the project shall not overwhelm any adjacent buildings or uses. Varying the height of the roof line helps to reduce the perceived height of a project.

4. Accessory Structures. Accessory structures shall be compatible in design and materials with the main building. All mechanical equipment including public utility boxes shall be attractively screened utilizing a combination of building materials and landscaping;
5. Compatibility. Buildings shall be designed and oriented to reduce overflow of private rear yards and patio areas.

(Ord. No. 3385, § 6.)

6. Architectural Styles. Same as Section .229.7.L

(Ord. No. 3988, § 6.)

SECTION 6. The City Council of the City of Pomona hereby approves Code Amendment (6026-2016) to amend Section .290. Q. and Section .290. R. of the Pomona Zoning Code pertaining to open space and landscaping requirements for R-3 Low Density Multiple-Family Zone to include the underline and ~~strikeout~~ language as listed below:

Sec. .290. - "R-3" Medium density multiple-family zone.

M. Open Space.

Usable open space shall be provided in two forms, private and common open space. Private open space shall be directly related to individual units. Common open space shall be dispersed throughout the development and shall be available to all residents of the development.

1. Private Open Space. "Private open space" means and is defined as usable space assigned for the exclusive use of the occupant of a specific dwelling unit.
 - a. Ground Floor Units.
 - (1) Area. One hundred square feet per unit,
 - (2) Dimensions. The minimum dimension shall be eight feet.
 - (3) Enclosure. This space shall be enclosed in a manner to define the privacy of the space;
 - b. Above Ground Floor Units.
 - (1) Area. Seventy square feet per unit in the form of terraces, balconies or rooftop patios.
 - (2) Dimensions. The minimum dimension shall be six feet.
2. Common Open Space. Common open space means and is defined as usable open space on the site which is available to all the occupants of the development to be used by all residents. This open space shall be generally distributed throughout the development and must be reasonably accessible to all the dwelling units.
 - a. Area. The area required will be based upon the number of bedrooms per unit as follows:

		APARTMENTS Sq. Ft./Unit
(1)	One Bedroom Unit	300
(2)	Two Bedroom Unit	400
(3)	Larger Units	400+ 100*

* each additional bedroom over 2

- b. Dimensions. A minimum dimension of fifteen feet shall be required of any area that is to be counted as common open space;
- c. Location. Common open space shall not be located in required front yards, side yards, off-street parking areas or driveways;
- d. Grade. A grade may not exceed ten percent, except for landscape features such as earthen mounds or berms that are used to improve the quality and/or function of the space;
- e. Landscaping. A minimum of fifty percent of the common open space shall be appropriately landscaped following requirements set forth in the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and Implementation Guidelines. ~~with plant materials. Three-fourths of this amount shall be in lawn or turf. The remainder of this space shall be planted in ground cover, trees, shrubs and provided with a permanent irrigation system. In addition, such~~ landscaping shall include a minimum of one tree (twenty-four-inch box minimum standard of the trade for such variety used) for every dwelling unit unless a satisfactory alternate is approved by the planning commission;
- f. Recreation Facilities. A maximum of forty percent of the common open space may be in paved surface including a swimming pool, walks, patios, terraces, courts and fountains. Recreation buildings or other communal buildings may cover not more than ten percent of this area. Specialized recreation equipment and facilities may be required by the planning commission based on the anticipated age and interest of the occupant: i.e. play equipment for children, shuffleboard for senior citizens.

N. Walls, Fences, and Landscape Screens.

- 1. Corner Cutoff—Intersection Visibility. See Sec. .503-I.2.(a) & (b).
- 2. Required Fences or Walls.
 - a. All residential development on lots that back onto arterial streets shall have a six-foot-high decorative masonry wall along the street right-of-way.
 - b. All lots next to freeways and railroads shall have a six-foot-high masonry wall along the common property/right-of-way line.

For definition of "decorative masonry wall" and additional regulations pertaining to walls and fences in the R-3 zone, see Section .503-I of the Zoning Ordinance.

(Ord. No. 4118, § 3.)

O. Property Access and Off-street Parking. (Refer to Section .503-H.)

P. Signs. (Refer to Section .503-J.)

Q. Landscaping.

1. General. All open areas and parking area planters shall be landscaped with a combination of trees, shrubs, vines and ground cover as is appropriate to the purpose of the landscaped area. Plantings shall be dispersed throughout parking areas.
2. Curbs. All landscaped areas shall be separated from driveways and parking areas by continuous six-inch curb.
3. Existing Trees. When healthy, mature trees exist on a site, every effort shall be made to preserve them and tie them into the overall landscape design concept.
4. Plant Maintenance. All landscaped areas shall be serviced with permanent irrigation system. All planters shall be kept weed-free, fertilized, and pruned as is needed to maintain healthy, attractive plants.
5. Landscape and Irrigation Plans. A Landscaping and Irrigation plans shall be prepared pursuant to the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and Implementation Guidelines. ~~drawn at a minimum scale of one inch equals twenty feet. This plan shall clearly show the location of all plant materials, the irrigation system (meter size, pipe size and valves and head types).~~ All landscape and irrigation plans shall be reviewed and approved by the Department of ~~community~~ Development Services. The following criteria will be used in the review of those plans:
 - a. Larger specimens of shrubs and trees shall be used along the site periphery, particularly along setback areas adjacent to public streets:
 - b. Greater intensity of landscaping shall be used along building elevations that lack window, door openings or other details that provide adequate visual interest:
 - c. Trees shall be located so as to screen parking areas and private first floor areas and windows from second-story units;
 - d. In order to provide a crime deterrent, shrubs planted below first floor windows should be of a variety which has thorns and/or prickly leaves.

R. Building and Site Design.

When designing a project, the exterior appearance and site design shall: relate with the existing character of the area, enhance the surrounding vicinity, be compatible with adjacent uses, and maintain a high quality and standard of development. Each project shall be able to meet all of the following criteria in order to be approved:

1. Exterior Appearance. The monotony of straight building lines shall be remedied by limiting the size of individual buildings or units, staggering of units and the use of different building materials;
2. Relief. Varying relief shall be incorporated in the design of a project as a method of illustrating the theme or character of a building. Details that create shade and cast shadows shall be used on all elevations of each building;
3. Height. The scale of the project shall not overwhelm any adjacent buildings or uses. Varying the height of the roofline helps to reduce the perceived height of a project;
4. Accessory Structures. Accessory structures shall be compatible in design and materials with the main building. All mechanical equipment (including public utility boxes) shall be attractively screened utilizing a combination of building materials and landscaping;
5. Compatibility. Buildings shall be designed and oriented to reduce overflow of private rear yards and patio areas.

(Ord. No. 3385, § 7.)

6. Architectural Styles. Same as Section .229.7.L

(Ord. No. 3988, § 7.)

SECTION 7. The City Council of the City of Pomona hereby approves Code Amendment (6026-2016) to amend Section .300. Q. and Section .300. R. of the Pomona Zoning Code pertaining to open space and landscaping requirements for R-4 High Density Multiple-Family Zone to include the underline and ~~strikeout~~ language as listed below:

Sec. .300. - "R-4" High density multiple-family residential zone.

L. Open Space.

Usable open space shall be provided in two forms, private and common open space. Private open space shall be directly related to individual units. Common open space shall be dispersed throughout the development and shall be available to all residents of the development.

1. Private Open Space. "Private open space" means and is defined as usable space assigned for the exclusive use of the occupant of a specific dwelling unit.
 - a. Ground Floor Units.
 - (1) Area. One hundred square feet per unit,
 - (2) Dimensions. The minimum dimension shall be eight feet,
 - (3) Enclosure. This space shall be enclosed in a manner to define the privacy of the space;
 - b. Above Ground Floor Units.
 - (1) Area. Seventy square feet per unit in the form of terraces, balconies or rooftop patios,

(2) Dimensions. The minimum dimension shall be six feet.

2. Common Open Space. "Common open space" means and is defined as usable open space on the site which is available to all the occupants of the development to be used by all residents. This open space shall be generally distributed throughout the development and must be reasonably accessible to all the dwelling units.
 - a. Area. The area required shall be a minimum of three hundred square feet per unit.
 - b. Dimensions. A minimum dimension of fifteen feet shall be required of any area that is to be counted as common open space.
 - c. Location. Common open space shall not be located in required front yards, side yards, off-street parking areas or driveways.
 - d. Grade. A grade in excess of ten percent, except for landscape features such as earthen mounds or berms that are used to improve the quality and/or function of the space.
 - e. Landscaping. A minimum of fifty percent of the common open space shall be appropriately landscaped following the requirements set forth in the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and Implementation Guidelines. ~~with plant materials. Three fourths of this amount shall be in lawn or turf. The remainder of this space shall be planted in ground cover, trees, shrubs and provided with a permanent irrigation system.~~ In addition, such landscaping shall include a minimum of one tree (twenty-four-inch box minimum standard of the trade for such variety used) for every dwelling unit.
 - f. Recreation Facilities. A maximum of forty percent of the common open space may be paved surface including a swimming pool, walks, patios, terraces, courts and fountains. Recreation buildings or other communal buildings may cover not more than ten percent of this area. Specialized recreation equipment and facilities may be required by the planning commission based on the anticipated age and interest of the occupant; i.e., play equipment for children, shuffleboard for senior citizens.

M. Landscaping.

1. General. All open areas and parking area planters shall be landscaped with combination of trees, shrubs, vines and ground cover as is appropriate to the purpose of the landscaped area. Plantings shall be dispersed throughout parking areas
2. Curbs. All landscaped areas shall be separated from driveways and parking areas by continuous six-inch curb.
3. Existing Trees. When healthy, mature trees exist on a site, every effort shall be made to preserve them and tie them into the overall landscape design concept.
1. Plant Maintenance. All landscaped areas shall be serviced with permanent irrigation system. All planters shall be kept weed-free, fertilized, and pruned as is needed to maintain healthy, attractive plants.

2. Landscape and Irrigation Plans. ~~A-Landscapeing and Irrigation plans shall be prepared pursuant to the City of Pomona Water Efficient Landscape Ordinance (Section 503-J of the Zoning Code) and implementation Guidelines. drawn at a minimum of one inch equals twenty feet. This plan shall clearly show the location of all plan materials, the irrigation system (meter size, pipe sizes and valves and head types).~~ All Landscape and Irrigation plans shall be reviewed and approved by the Department of ~~community~~ Development Services. The following criteria will be used in the review of those plans:

- a. Larger specimens of shrubs and trees shall be used along the site periphery, particularly along setback areas adjacent to public streets;
- b. Greater intensity of landscaping shall be used along building elevations that lack window, door openings or other details that provide adequate visual interest;
- c. Trees shall be located so as to screen parking areas and private first floor areas and windows from second-story units;
- d. In order to provide a crime deterrent, shrubs planted below first floor windows should be of a variety which has thorns and/or prickly leaves.

N. Building Height.

No building or structure erected in this district shall have a height greater than six stories or seventy-five feet.

O. Building and Site Design.

When designing a project, the exterior appearance and site design shall: relate with the existing character of the area, enhance the surrounding vicinity, be compatible with adjacent uses, and maintain a high quality and standard of development. Each project shall be able to meet all of the following criteria in order to be approved.

1. Exterior Appearance. The monotony of straight building lines shall be remedied by limiting the size of individual buildings or units, staggering of units and the use of different building materials;
2. Relief. Varying relief shall be incorporated in the design of a project as a method of illustrating the theme or character of a building. Details that create shade and cast shadows shall be used on all elevations of each building;
3. Height. The scale of the project shall not overwhelm any adjacent buildings or uses. Varying the height of the roofline helps to reduce the perceived height of a project;
4. Accessory Structures. Accessory structures shall be compatible in design and materials with the main building. All mechanical equipment (including public utility boxes) shall be attractively screened utilizing a combination of building materials and landscaping;
5. Compatibility. Buildings shall be designed and oriented to reduce overview of private rear yards and patio areas.
6. Architectural Styles. Same as Section .229.7.L

(Ord. No. 3988, § 8.)

P. Property Access and Off-street Parking. (Refer to Section .503-H.)

Q. Signs. (Refer to Section .503-J.)

(Ord. No. 338, § 8.)

SECTION 8. If any section, subsection, sentence clause or phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Pomona hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence clause or phrase or word not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 9. The City Clerk shall attest and certify to the passage and adoption of this Ordinance, and shall cause same to be posted as required by law, and this Ordinance shall take effect thirty (30) days after its final adoption.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF ____, 2017

ATTEST:

CITY OF POMONA:

Eva M. Buice, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

Ordinance No. 4232
May 15, 2017
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I, EVA M. BUICE, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pomona held on the 17th day of April, 2017, and adopted on the 15th day of May, 2017 by the following vote:

AYES: Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar and Torres
NOES: None
ABSENT: None
ABSTAIN: None

Eva M. Buice, City Clerk