Community & Economic Development Department
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October 6, 2011

Mr. Simon Eching
California Department of Water Resource
Water Use and Efficiency Branch
Post Office Box 942836
Sacramento CA 94236-0001

Re: City of Moreno Valley Landscape Ordinance

Dear Mr. Eching,

Attached please find a current copy of the City of Moreno Valley's updated Landscape And Water Saving Requirements.

The Landscape requirements have been revised to ensure all development projects establish water efficiency standards meeting the goals and objectives of the City as well as meeting the standards set forth by the State of California Model Water Efficient Landscape Ordinance.

Should you have any questions or concerns, please contact Julia Descoteaux at (951) 413-3209.

Sincerely,

Julia Descoteaux
Associate Planner

John C. Terell, AICP
Planning Official

Chapter 9.17 LANDSCAPE AND WATER EFFICIENCY REQUIREMENTS

9.17.010 Purpose and intent.

A. The purpose of the landscape requirements is to identify landscape design issues and provide standards to create aesthetic and water conserving landscape areas and reduce light and glare. These requirements apply to landscape development in public rights-of-way, areas adjacent to the public right-of-way, easements, setbacks, slopes, parking areas, public, quasi-public, commercial, industrial and specified residential on-site landscape areas.

B. The intent of this section is to provide landscape development requirements consistent with the goals and policies of the general plan, and implement landscape-related general plan objectives and compliance with the state of California Model Water Efficiency Ordinance. Landscape designs shall:

1. Enhance the aesthetic quality of the project area and eliminate or minimize negative environmental conditions.

2. Complement the surrounding area whether fully developed or designed as natural open space.

3. Encourage the preservation of existing mature trees and shrubs, native plants significant rock outcroppings, and natural drainage courses and riparian vegetation.

4. Incorporate water conservation principles including the reduction of water usage without affecting the landscape quality, including, but not limited to, the use of advanced irrigation systems, plant palette selection, the use of mulch and the use of recycled and other permissible alternative sources of water, where available.

5. Utilize tree planting to create shaded microclimates that reduce heat, while reducing humidity gain, in and around open spaces and parking lots, and reduce heat gain in adjacent structures.

6. Reduce the emission of air pollutants by reducing the demand for electricity to cool buildings and reducing the evaporation of gas from parked vehicles.

7. Encourage the use of alternate paving materials for improved aesthetics and reduced water use and runoff.

8. Create visual continuity using landscaping streetscape themes.

9. Incorporate project identification and enhanced landscapes at entry drives.

10. Encourage the redesign of existing landscapes to promote drought tolerant designs.

11. Apply the current evapotranspiration adjustment factor (ET adjustment factor) set forth in the State's Model Water Efficient Landscape Ordinance.

12. Meet the annual maximum allowable water budget (AMAWB) as determined by Eastern Municipal Water District for new landscapes.

13. Encourage the use of turfless plantings with alternative landscaping materials such as rock and other materials which do not require potable water sources.

14. Water features including fountains and ponds shall be equipped with a recycling system. (Ord. 786 § 2, 2009)

9.17.020 Applicability.

A. The landscape requirements apply to all land uses, for all projects, in all districts requiring city approval,

unless specifically stated otherwise in this title.

B. Specific plans with approved landscape guidelines are exempted from the requirements of this chapter, if another requirement is specifically identified in the plan. All other requirements of this section apply.

C. Landscaped areas designated for management and operation by the city's public works department will be designed and constructed in accordance with the department's "Landscape Design Guidelines." (Ord. 786 § 2, 2009)

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside's Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) square feet of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All nonresidential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org.) No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.

6. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

7. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

8. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

9. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

10. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Irrigation.

1. All planted landscape areas shall be provided with an approved "smart" automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and/or soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip, bubbler-type and rotor sprays or stream roter sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type.)

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.17.040 Street trees.

A. The city of Moreno Valley "Street, Park and Parkway List" identifies species of trees for major streets. Street trees comply with that list. For streets not identified in the list, the street tree species established by adjacent development are used. If a street tree has not been previously established, the developer shall refer to the list for an approved species and shall receive city approval for selected trees with a single species per street.

B. Street trees are installed a minimum of one foot, and a maximum of two feet, on the private side of the property line (single-family residential lots) or in the public right-of-way for all other projects. Care should be taken to avoid utility laterals (water, gas, and sewer). Consideration will be made for trees planted beneath or near overhead power lines.

C. Single-family Residential Design. Trees shall be planted as follows, noting that spacing adjustments may be granted by the planning division:

1. Interior Lot. Street trees shall be planted approximately forty (40) feet on-center within the property line, with a minimum of one tree per lot.

2. Corner Lot. Street trees shall be planted approximately forty (40) feet on center, with a minimum of one tree per short frontage, two trees per long frontage.

3. Reverse Frontage. Street trees shall be planted forty (40) feet on center.

4. A minimum of one additional tree shall be planted in the front yard, in addition to the required street tree, to provide shading of the residence to facilitate for energy savings.

D. All Other Projects (Commercial, Industrial, Multifamily Residential, Institutional, Park or Parkway). Street trees shall be planted forty (40) feet on center. (Ord. 786 § 2, 2009)

9.17.050 Parking and drive-through landscape areas.

Landscaping in parking and drive-through areas shall be designed to provide safety and comfort for both drivers and pedestrians, to provide shade, reduce heat-gain, reduce air pollutant emissions, promote areas for water retention and evapotranspiration, allow runoff from impervious surfaces, and to enhance the visual quality of the project and the city. The design shall reduce auto noise, light and glare, and ambient temperatures through the use of canopy trees. The following standards apply:

A. Design Considerations.

1. Parking lots and drive-throughs shall be screened from the public right-of-way by a thirty-six (36) inch high wall, shrub row and/or by berming. If walls are employed, they must be aesthetically compatible with the project design.

2. Landscape areas in the parking lot shall be designed to minimize the potential for pedestrians to cross any landscape areas to reach building entrances and to access parked cars. Walkways shall be provided to facilitate pedestrian access, especially at corner locations.

3. Curb cut openings must be provided to permit parking lot drainage to enter landscape areas for retention and water quality. Wheel stops shall not be permitted unless approved by the community development director.

4. Turf is not permitted in parking lot planters.

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

C. Planter Curbs and Step-Outs. Planters shall be separated from parking spaces by a six-inch wide concrete curb. Where a planter (finger or island) is located on the side of a parking space, a twelve (12) inch wide concrete step-out is required along the long dimension of the parking space. A step-out is required, in addition to a six-inch curb, resulting in a combined concrete surface measuring eighteen (18) inches in width.

D. Trees—Number, Location, and Type.

1. Trees may be planted in clusters along the street frontage and side and rear setbacks, if applicable.

2. Parking lot trees shall be planted to align with the ends of parking lot stripes (between cars) and away from light standards, in order to create adequate shade canopies, and avoid damage to tree trunks.

3. The selection of parking lot trees should emphasize the provision of summer shading of pavement and vehicles. Within a maximum of ten (10) years, parking lot trees shall shade a minimum of fifty (50) percent of parking space pavement during the summer months, between one and four in the afternoon. A maximum of fifty (50) percent of the parking lot trees may be deciduous unless otherwise approved by the community development department.

4. The selection of parking lot trees shall avoid trees with excessive litter, sap or fruit that could damage vehicles. (Ord. 826 § 3.7, 2011; Ord. 808 § 2.8, 2010; Ord. 786 § 2, 2009)

9.17.060 Wall treatment.

Vines and/or shrubs shall be planted adjacent to walls that are more than three feet in height and exposed to view from adjacent streets. (Ord. 786 § 2, 2009)

9.17.070 Single-family residential development.

A. Plans for landscape construction or reconstruction of existing single-family units, custom homes and model home complexes are subject to review by the planning division to ensure:

1. Conformance with prevailing building design guidelines, with pleasing visual aesthetics and water efficient design.

2. Use of xeriscape landscaping.

3. Use of approved landscape materials.

4. Use of approved "smart irrigation" controllers.

5. Irrigation systems minimize overspray onto structures or hard surfaces such as sidewalks, driveways and

walls/fences.

6. The front yard area have a maximum of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.

7. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.

8. Groundcover should be used to absorb run-off from rain or irrigation.

9. Reduction of hardscape/paving, incorporating permeable surfaces to reduce run-off.

10. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

B. Model homes are provided by a developer as examples of the housing product for sale within the subject tract. A xeriscape planting concept with a turfless front yard is incorporated for at least one of the models. The concept must be used in at least twenty-five (25) percent of the production units. Promotional information on xeriscape-planting concepts is made available for prospective homebuyers.

C. For parking lot, walls, screening and other landscape requirements, see applicable sections of the title. (Ord. 826 § 3.7, 2011; Ord. 817 § 3.7, 2010; Ord. 786 § 2, 2009)

9.17.080 Multifamily residential development.

A. A minimum of thirty-five (35) percent of the site area, exclusive of private patio and yard areas, shall be landscaped. Required setback areas and outdoor recreation areas may be counted towards this minimum, but not public rights-of-way. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. The use of permeable surfaces is recommended for walks and patios to reduce water run-off.

B. Trees shall be positioned such that trees are planted to shade paved areas and west- and south-facing windows for energy-efficient savings; coniferous or nonwinter deciduous trees are kept away from south-facing windows in order to allow for heat gain during winter months. The larger sized trees should be placed at entries and accent areas.

C. Turf shall be limited and installed in useable gathering areas only with a maximum of twenty-five (25) percent. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.17.090 Commercial, industrial, public and quasi-public development.

A. All required setback areas, exclusive of required walkways and driveways shall be landscaped. Landscape areas consist predominately of plant materials, except for necessary walks and fences/walls. Gated and screened storage areas may be exempted from this landscape requirement per approval of the community development director.

B. A landscape buffer shall be provided on a nonresidential site when adjacent to residential uses to provide visual relief to the nonresidential side. Plant materials shall be selected so that at maturity (within ten (10) years), intermittent visual obstruction with no unobstructed openings greater than five feet in horizontal distance remain.

C. In addition to the required street trees, trees shall be planted at the equivalent of one tree per thirty (30)

linear feet of building dimension that is visible from the parking lot or public right-of-way. Trees may be massed for pleasing aesthetic effects. The creation of plaza or paseo areas is encouraged, including the use of pervious surface areas that reduce water run off. Such areas should incorporate focal points such as water features or specimen trees and establish a social gathering place with such elements as tables, benches, and seating walls.

D. Additional parking lot trees shall be provided at one tree per thirty (30) linear feet of parking lot adjacent to the interior property.

E. Project entry drives shall incorporate enhanced landscaping (size and variety of vegetation) and pavement.

F. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with city standard engineering plans unless otherwise approved by the community development director.

G. Turf is limited to gathering areas only. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.17.100 Reverse frontage parkways and medians.

Reverse frontage parkways shall include a landscape area between perimeter walls and the public sidewalk. They may include a landscape area or parkways adjacent to the street curb, as well. Medians are planted areas located along the centerline of a public street.

A. Design Requirements.

1. A landscape easement may be required in addition to the standard public right-of-way;

2. Projects with frontage abutting arterial streets shall be required to construct parkways in conformance with city standard engineering plans unless otherwise approved by the community development director;

3. Landscaping areas shall meet public works standards. Reverse frontage areas designated for management and operation by the city's public works department shall be designed and constructed in accordance with the department's landscape design guidelines.

B. Intersection parkway areas shall adhere to the following criteria:

1. Create sense of entry into the neighborhood or project;

2. Maintain a clear line-of-sight (see Public Works Standard No. 125 and 126). (Ord. 786 § 2, 2009)

9.17.110 Erosion control/slope planting.

Erosion control landscape plans are required for all cut or fill slopes over three feet high. Landscaping provides erosion control while maintaining the aesthetic values of the hillside.

A. General/Design Requirements.

1. Landscape must establish or reinforce a design concept for the specific hillside area, while complimenting buildings and streetscapes.

2. Placement of plant materials shall reinforce the natural terrain and topography of the area.

3. Tree species and placement shall respect potential view sheds of neighboring properties.

4. Erosion control and fire prevention devices may be required depending on the degree and length of slope, soil type, etc.

5. Slope areas shall be planted in a manner to ensure adequate vegetation coverage and slope stability, draining to landscape or permeable surface areas that allow for water retention and absorption.

6. Turf shall not be used for slope planting. Hydro seed and water efficient grasses not requiring regular mowing may be permitted per approval by the community development director.

7. Slopes that abut public streets/rights-of-way must also adhere to applicable portions of Section 9.17.090. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.17.120 Public parks/recreation areas.

A. A balance of evergreen and deciduous trees should be provided to create sun and shade areas throughout the facility.

B. Perimeter planting should be predominately evergreen to screen adjacent development.

C. Tree planting around children's play areas should provide summer shade and encourages year-round use.

D. Visual access shall be provided from the park or recreation area to surrounding natural open spaces and public right-of-way, if applicable.

E. Maximize the use of woody plants.

F. Create a diversity of habitats, using different age trees and species.

G. Provide turf in gathering areas and sports fields only. (Ord. 786 § 2, 2009)

9.17.130 Water quality landscape designs.

Water quality landscapes are designed to encourage the use of landscape areas as a water treatment area incorporating small scale features across a site to assist in watershed hydrology functions.

A. Water treatment areas shall be no deeper than twenty-four (24) inches visible within the landscape setback areas unless otherwise approved by the community development director. Rock or other decorative material may provide for greater depth of the treatment areas. No fencing will be required around water treatment areas that do not exceed building code fencing requirements (currently twenty-four (24) inches in visible depth).

B. Basins and treatment areas shall be landscaped to appear like a natural water feature.

C. Design and site considerations shall be aesthetically consistent with surrounding landscaping using a variation of plants and materials. (Ord. 826 § 3.7, 2011; Ord. 786 § 2, 2009)

9.17.140 Freeway frontage.

Development projects adjacent to the Moreno Valley Freeway (California State Highway 60) shall be landscaped within the freeway right-of-way, as prescribed in guidelines established by the city of Moreno Valley. (Ord. 786 § 2, 2009)

9.17.150 Water efficiency requirements.

A. Refrain from hosing down driveways and other hard surfaces, except from health or sanitary reasons and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device or a low-volume, high-pressure cleaning machine equipped to recycle any water used.

B. Repair faucets, toilets, pipes and other potential sources of water leaks.

C. Irrigate landscape only between nine p.m. and six a.m. This provision does not apply when:

1. Manually watering during the establishment period of a new landscape;
2. Temperatures are predicted to fall below freezing;
3. For very short periods of time for the express purpose of adjusting or repairing an irrigation system.

D. Refrain from watering or irrigating of any lawn, landscape or other vegetated area with potable water using a landscape irrigation system or watering device that is not continuously attended unless it is limited to no more than fifteen (15) minutes watering per day per station. This fifteen (15) minute limitation can be extended for:

1. Landscape irrigation systems that exclusively use very low flow drip irrigation systems when no emitter produces more than two gallons of water per hour.

2. Weather based controllers or stream rotor sprinklers that meet a seventy (70) percent efficiency.

Run-off or over watering is not permitted in any case.

E. Adjust and operate all landscape irrigation systems in a manner which will maximize irrigation efficiency and avoid over watering or watering of hardscape and the resulting run-off.

F. Refrain from watering or irrigating any lawn, landscape or other vegetated area that causes or allows excessive water flow or run-off onto an adjoining sidewalk, driveway, street, alley, gutter or ditch.

G. Do not use decorative fountains unless they are equipped with a recycling system.

H. Do not allow water to run while washing vehicles. Use a bucket or similar container and/or a hand-held hose equipped with a positive self-closing water shut-off device to avoid run-off into gutters, street or alleys.

I. When installing new landscaping, plant low-water demand trees and plants. Do not incorporate non-functional turf areas.

J. Refrain from watering during rain.

K. Direct all run-off from roofs and hardscape areas to landscaping areas or water capture systems.

L. Water capture systems are encouraged subject to the requirements of the Eastern Municipal Water District.

It is important to adhere to these measures to help maximize the impacts and prevent more stringent actions. (Ord. 826 § 3.7, 2011; Ord. 817 § 3.8, 2010; Ord. 806 § 2.1, 2010)

9.17.160 Landscape water use efficiency enforcement.

The city will rely on water purveyors to enforce landscape water use efficiency requirements. The city will coordinate with the local water purveyors and encourage landscape water use efficiency such as:

A. Tiered water rate structure;

B. Allocation-based conservation water pricing structure;

C. A rate structure at least as effective as the above options;

D. Irrigation audits and/or irrigation surveys;

E. Penalties for water waste. (Ord. 817 § 3.8, 2010; Ord. 806 § 2.1, 2010)

9.17.170 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase in this chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council hereby declares that it would have passed each such section, subsection, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective. (Ord. 817 § 3.8, 2010; Ord. 806 § 2.1, 2010; Ord. 786 § 2, 2009)