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William Siegel
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**Public Works/
Planning Department**

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Staff Report

ITEM NO. 3-1

To: Lemoore City Council

From: Steve Brandt, City Planner *SB*

Date: September 10, 2014

Meeting Date: September 16, 2014

Subject: Public Hearing - Second Reading – Ordinance 2014-04 – Planning Commission Recommendation to Amend 9-5-D1 of the Lemoore Municipal Code Relating to the Rules and Regulations Applicable to Landscape Standards for New Commercial, Residential, and Industrial Development Projects to Promote Greater Water Conservation

Discussion:

The proposed changes would reduce or eliminate certain landscaping requirements, mostly on new construction projects. The desired effect of the changes would be reduction of the amount of water used for landscaping. Another effect is that the current amount of required landscaping would be of a lesser quantity however, City staff believes that the revised requirements will still provide an acceptable aesthetic standard for the City of Lemoore.

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

The Planning Commission recommended approval of the Ordinance at their meeting held August 11, 2014.

City Council approved the first reading of the ordinance change with a 4-1 vote on September 2, 2014. Mayor Siegel voted against the recommendation because of the new limitations on fescue grass for new homes (see proposed revisions to Section 9.5D1-2.C.4 in Ordinance 2014-04's Attachment A.)

Budget Impact:

None

Recommendation:

Staff recommends that the City Council conduct a public hearing to take testimony regarding Zoning Text Amendment 2014-01. Following the public hearing, it is recommended that Council discuss the proposed changes then approve the second reading of the Ordinance.

ORDINANCE NO. 2014-04

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

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

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

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

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

WHEREAS, the City Council approved the first reading of this Ordinance at a regular meeting held on September 2, 2014; and

WHEREAS, the City Council, after duly published notice, held a public hearing on September 15, 2014;

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

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

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

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

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

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED:

Mary J. Venegas, City Clerk

William Siegel, Mayor

Attachment A
ORDINANCE NO. 2014-04

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

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

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

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

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

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

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

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

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

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

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