

1. 01.04.18 Regular Planning Commission Agenda

Documents:

[01.04.18 REGULAR PC AGENDA.PDF](#)

2. 01.04.18 Regular Planning Commission Packet

Documents:

[01.04.18 REGULAR PC PACKET.PDF](#)



Regular Planning Commission Meeting Agenda

January 4, 2018 6:30 P.M.

City Council Chambers, City Hall
7351 Rosanna Street, Gilroy, CA 95020

PLANNING COMMISSION MEMBERS

Chair: Tom Fischer: tom.fischer@cityofgilroy.org

Kai Lai: kai.lai@cityofgilroy.org

Vice Chair: Rebeca Armendariz:

Sue Rodriguez: sue.rodriguez@cityofgilroy.org

rebeca.armendariz@cityofgilroy.org

Steve Ashford: steve.ashford@cityofgilroy.org

Rebecca Scheel: Rebecca.scheel@cityofgilroy.org

Casey Estorga: casey.estorga@cityofgilroy.org

Comments by the public will be taken on any agenda item before action is taken by the Planning Commission. Persons speaking on any matter are asked to state their name and address for the record. Public testimony is subject to reasonable regulations, including but not limited to time restrictions on particular issues and for each individual speaker. A minimum of 12 copies of materials should be provided to the Clerk for distribution to the Commission and Staff. Public comments are limited to no more than 3-minutes, at the Chair's discretion.

In compliance with the American Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (408) 846-0491. A sound enhancement system is available in the City Council Chambers.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Persons who wish to speak on matters set for Public Hearing will be heard when the presiding officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the hearing is closed and brought to the Planning Commission level for discussion and action. There is no further comment permitted from the audience unless requested by the Planning Commission.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9(b)(1) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at www.cityofgilroy.org.

I. PLEDGE OF ALLEGIANCE

II. REPORT ON POSTING THE AGENDA AND ROLL CALL

III. APPROVAL OF MINUTES

- A. September 7, 2017
- B. November 2, 2017

IV. PRESENTATION BY MEMBERS OF THE PUBLIC: (Three-minute time limit). This portion of the meeting is reserved for persons desiring to address the Planning Commission on matters not on the agenda. The law does not permit the Planning Commission action or extended discussion of any item not on the agenda except under special circumstances. If Planning Commission action is requested, the Planning Commission may place the matter on a future agenda. All statements that require a response will be referred to staff for reply in writing.

PUBLIC HEARINGS FOR RELATED PROJECT APPLICATIONS WILL BE HEARD CONCURRENTLY AND ACTION WILL BE TAKEN INDIVIDUALLY. COMPANION PROJECTS UNDER NEW BUSINESS WILL BE TAKEN UP FOR ACTION PRIOR TO, OR IMMEDIATELY FOLLOWING THE RELATED PUBLIC HEARING. THIS REQUIRES DEVIATION IN THE ORDER OF BUSINESS AS NOTED WITHIN THE AGENDA.

V. PUBLIC HEARINGS

- A. Recommendation: Staff has analyzed the proposed project, and recommends that the Planning Commission:
Adopt a resolution recommending that the City Council approve the Protected Tree Removal ordinance Z16-05 [Project No. 16040038]) as requested.**
 - 1. Staff Report: Stan Ketchum, Senior Planner
 - 2. Public Comment
 - 3. Planning Commission Disclosure of Ex-Parte Communications
 - 4. Possible Action:
 - a) Motion to adopt a resolution recommending the City Council approve Zoning Code Amendment Z16-05 (Roll Call Vote)
- B. Zoning Ordinance Amendment to delete Article 30.38 Landscaping, and replace it with a new Article 30.38 Landscaping, Water Efficiency, and Stormwater Retention and Treatment. The City promotes the value and benefits of landscaping while recognizing the need to encourage water efficiency. The purpose of the ordinance amendments is to bring the Landscape Ordinance into compliance with State standards and guidelines and to promote the City's goals and standards regarding sustainable development. This Chapter establishes minimum landscape standards to enhance the appearance of developments, controlling soil erosion, enhancing onsite storm water management, conserving water, and ensuring the ongoing maintenance of landscaped areas.**
 - 1. Staff Report: Stan Ketchum, Senior Planner
 - 2. Public Comment
 - 3. Planning Commission Disclosure of Ex-Parte Communications
 - 4. Possible Action:
 - a) Motion to adopt a resolution recommending the City Council approve Zoning Code Amendment Z 17-08 (Roll Call Vote)

- VI. OLD BUSINESS** None
 - VII. NEW BUSINESS**
 - A. Proclamation for Commissioner Lai**
 - 1. Staff Report:** Susan O'Strander, Planning Manager
 - 2. Public Comment**
 - 3. Possible Action:** Presentation
- VIII. CORRESPONDENCE**
- IX. INFORMATIONAL ITEMS**
 - A. Current Planning Projects (report attached)**
 - B. Planning Staff Approvals (report attached)**
- X. PRESENTATION BY MEMBERS OF THE PLANNING COMMISSION**
- XI. ORAL REPORTS BY COMMISSION MEMBERS (no action)**
 - A. City Council Meetings:** November 6 and November 20: Commissioner Scheel
December 4 and December 18: Vice Chair Armendariz
 - B. Housing Advisory Committee:** Vice Chair Armendariz
 - C. Historic Heritage Committee:** Commissioner Ashford
 - D. Arts & Culture Commission:** Commissioner Estorga
 - E. South County Joint Planning Advisory Committee:** Commissioner Rodriguez
 - F. Street Naming Committee:** Commissioner Lai
 - G. Development Standards Task Force:** Commissioner Fischer/Commissioner Rodriguez
 - H. General Plan Advisory Committee:** Commissioner Fischer/Commissioner Scheel
 - I. High Speed Rail Advisory Committee:** Commissioner Fischer

- XII. **PLANNING DIVISION MANAGER REPORT** (no action)
- XIII. **ASSISTANT CITY ATTORNEY REPORT** (no action)
- XIV. **PLANNING COMMISSION CHAIR REPORT** (no action)
- XV. **ADJOURNMENT** to the Next Regular Meeting of February 1, 2018 at 6:30 P.M.

PUBLIC MEETING SCHEDULE- PLANNING

Public Meeting Schedule

The Planning Commission meets regularly on the first Thursday of each month, at 6:30 p.m. If a holiday should fall on the regular meeting date (or the next day), the meeting will be rescheduled to the following Thursday.

February 2018

- 02* Planning Commission Meeting 6:30 p.m.
- 05* City Council Meeting, 6:00 p.m., City Council Chambers..
- 07 South County Regional Wastewater Authority, (Regular Meeting) 8:00 a.m.
- 12 Personnel Commission (Regular Meeting) 6:00 p.m.
- 12 Youth Commission 6:00 p.m. Senior Center Meeting Room
- 14 Housing Advisory Committee 6:00 p.m. City Council Chambers
- 14 Library Commission Meeting 7:00 p.m. Gilroy Library Meeting Room
- 20 Parks & Recreation Commission 6:00 p.m.
- 21 Community & Neighborhood Revitalization Committee
- 21 Historic Heritage Committee (Regular Meeting) 6:00 p.m.
- 26* City Council Meeting, 6:00 p.m., City Council Chambers
- 27 Bicycle Pedestrian Commission 6:00 p.m.
- 28 Public Art Committee 5:30 p.m.

* Meetings will be web-streamed and televised



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V. PUBLIC HEARINGS

A. Recommendation: Staff has analyzed the proposed project, and recommends that the Planning Commission:

Adopt a resolution recommending that the City Council approve the Protected Tree Removal ordinance Z16-05 [Project No. 16040038]) as requested.

- 1. Staff Report: Stan Ketchum, Senior Planner
- 2. Public Comment
- 3. Planning Commission Disclosure of Ex-Parte Communications
- 4. Possible Action:

- a) Motion to adopt a resolution recommending the City Council approve Zoning Code Amendment Z16-05 **(Roll Call Vote)**

B. Zoning Ordinance Amendment to delete Article 30.38 Landscaping, and replace it with a new Article 30.38 Landscaping, Water Efficiency, and Stormwater Retention and Treatment. The City promotes the value and benefits of landscaping while recognizing the need to encourage water efficiency. The purpose of the ordinance amendments is to bring the Landscape Ordinance into compliance with State standards and guidelines and to promote the City's goals and standards regarding sustainable development. This Chapter establishes minimum landscape standards to enhance the appearance of developments, controlling soil erosion, enhancing onsite storm water management, conserving water, and ensuring the ongoing maintenance of landscaped areas.

- 1. Staff Report: Stan Ketchum, Senior Planner
- 2. Public Comment
- 3. Planning Commission Disclosure of Ex-Parte Communications
- 4. Possible Action:

- a) Motion to adopt a resolution recommending the City Council approve Zoning Code Amendment Z 17-08 **(Roll Call Vote)**

- VI. **OLD BUSINESS** None
- VII. **NEW BUSINESS**
 - A. **Proclamation for Commissioner Lai**
 - 1. **Staff Report:** Susan O'Strander, Planning Manager
 - 2. **Public Comment**
 - 3. **Possible Action:** Presentation
- VIII. **CORRESPONDENCE**
- IX. **INFORMATIONAL ITEMS**
 - A. **Current Planning Projects (report attached)**
 - B. **Planning Staff Approvals (report attached)**
- X. **PRESENTATION BY MEMBERS OF THE PLANNING COMMISSION**
- XI. **ORAL REPORTS BY COMMISSION MEMBERS (no action)**
 - A. **City Council Meetings:** November 6 and November 20: Commissioner Scheel
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 - B. **Housing Advisory Committee:** Vice Chair Armendariz
 - C. **Historic Heritage Committee:** Commissioner Ashford
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 - E. **South County Joint Planning Advisory Committee:** Commissioner Rodriguez
 - F. **Street Naming Committee:** Commissioner Lai
 - G. **Development Standards Task Force:** Commissioner Fischer/Commissioner Rodriguez
 - H. **General Plan Advisory Committee:** Commissioner Fischer/Commissioner Scheel
 - I. **High Speed Rail Advisory Committee:** Commissioner Fischer

- XII. **PLANNING DIVISION MANAGER REPORT** (no action)
- XIII. **ASSISTANT CITY ATTORNEY REPORT** (no action)
- XIV. **PLANNING COMMISSION CHAIR REPORT** (no action)
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**Meeting Minutes
of
SEPTEMBER 07, 2017**

DRAFT

I. PLEDGE OF ALLEGIANCE

Chair Fischer called the meeting to order at 6:30 p.m. and led the pledge of allegiance.

II. REPORT ON POSTING THE AGENDA AND ROLL CALL

Zinnia Navarro reported the agenda was posted on Friday, September 01, 2017 at 4:27 p.m.

Present: Chair Tom Fischer; Vice Chair Rebeca Armendariz; Commissioner Steve Ashford; Commissioner Casey Estorga; Commissioner Kai Lai; Commissioner Sue Rodriguez; Commissioner Rebecca Scheel; Interim Planning Mgr. Rebecca Tolentino; Assistant City Attorney Jolie Houston

III. PRESENTATION BY MEMBERS OF THE PUBLIC: None

IV. PUBLIC HEARINGS:

A. Z 17-06 (zone code amendment) proposes modifications to Chapter 30 of the Gilroy City Code pertaining to accessory dwelling units, which would be effective citywide. Proposed text amendments to Chapter 30 include the addition of a new Article LIV, Accessory Dwelling Units, and amendments to various sections within Chapter 30 for consistency. The proposed text amendments would bring the Zoning Ordinance into conformance with state legislation governing how local jurisdictions regulate accessory dwelling units.

Motion: Approve Motion to adopt a resolution recommending the City Council a, to approve with a modification increase max of 800 sf. of up to 2 bedrooms modify the height of the roof, keeping 24 height and to exceed up to 30 feet

Moved by Vice Chair Rebeca Armendariz, seconded by Commissioner Steve Ashford.

B. Z 17-05 (zone code amendment) proposes modifications to the Gilroy City Code pertaining to Section 30 (Zoning Ordinance), which would be effective citywide. Proposed text amendments to Section 30.35 Wireless Telecommunications Facilities, Antennas and Windmills would bring the Zoning Ordinance into conformance with federal legislation governing how local jurisdictions regulate installation of wireless telecommunication facilities in public right-of-way and on private property. passes on a 5 to 2 vote to deny

Motion: Approve Motion to adopt a resolution recommending the City Council to Deny Z 17-05

Moved by Chair Tom Fischer, seconded by Vice Chair Rebeca Armendariz.

Vote: Motion carried 5-2.

Yes: Chair Tom Fischer; Vice Chair Rebeca Armendariz; Commissioner Steve Ashford; Commissioner Kai Lai; Commissioner Rebecca Scheel

No: Commissioner Casey Estorga; Commissioner Sue Rodriguez

V. OLD BUSINESS: None

VI. NEW BUSINESS: None

VII. CORRESPONDENCE

VIII. INFORMATIONAL ITEMS:

A. Current Planning Projects

B. Planning Staff Approvals

IX. PRESENTATION BY MEMBERS OF THE PLANNING COMMISSION

X. ORAL REPORTS BY COMMISSION MEMBERS

A. City Council Meetings of May 15, 2017: Rodriguez provided an update
June 05, 2017 and June 19, 2017: Lai attended meeting but was unable to provide an update: Tolentino provided an update on the 6/5/17 CC as it pertains to the HSR.
July 3, 2017: Ashford provided an update
August 7, 2017 and August 21, 2017: Fischer provided an update:

B. Housing Advisory Committee: Vice Chair Armendariz provided an update

C. Historic Heritage Committee: Commissioner Ashford was unable to attend; Commissioner Scheel provided an update as she had attended the Historic Heritage Meeting

D. Arts & Culture Commission: Commissioner Estorga provided an update

E. South County Joint Planning Advisory Committee: Commissioner Rodriguez provided an update and asked if someone can fill in her place for the upcoming meeting scheduled for October 12, 2017 at 7 pm in Morgan Hill. Commissioner Armendariz stated she will cover Commissioner Rodriguez

F. Street Naming Committee: Commissioner Lai stated no meeting

G. Development Standards Task Force: Commissioner Fischer/Commissioner stated no meeting

H. General Plan Advisory Committee: Commissioner Fischer and Commissioner Scheel provided an update

I. High Speed Rail Advisory Committee: Commissioner Fischer stated no meeting

XI. PLANNING DIVISION MANAGER REPORT

Rebecca Tolentino reminded commissioners to use their city issued email address when corresponding with staff relating to city business.

We'll start including upcoming agenda items in upcoming packets, providing a preview for future items.

XII. ASSISTANT CITY ATTORNEY REPORT

Jolie Houston stated the City of Gilroy prevailed in the McCormack CEQA case: Case dismissed

XIII. PLANNING COMMISSION CHAIR REPORT

No report

XIV. ADJOURNMENT to the Next Regular Meeting of October 05, 2017 at 6:30 P.M.

Zinnia Navarro Office Assistant

DRAFT

**Meeting Minutes
of
NOVEMBER 02, 2017**

I. PLEDGE OF ALLEGIANCE

Chair Fischer called the meeting to order at 6:30 p.m. and led the pledge of allegiance

II. REPORT ON POSTING THE AGENDA AND ROLL CALL

Present: Chair Tom Fischer; Vice Chair Rebeca Armendariz; Commissioner Steve Ashford; Commissioner Casey Estorga; Commissioner Kai Lai; Commissioner Rebecca Scheel; Commissioner Sue Rodriguez; Planning Manager Sue O'Strander; Assistant City Attorney Jolie Houston

III. PRESENTATION BY MEMBERS OF THE PUBLIC: None

IV. PUBLIC HEARINGS

A. CUP 17-01 requests a Conditional Use Permit for a pet food manufacturing operation in an existing 8,387 square foot building, located at 7238 Alexander Street. (APN 841-11-019).

IV.A

Commissioners shared concerns about odors, packaging, disposal, and transportation of product.

Jessie Bristow Planner stated the product would be stored in refrigerator eliminating odor.

Peter Voss, owner of GreenTripe reiterated the meat would be stored in a refrigerator eliminating odor until product was picked up by client. The only garbage being tossed would be the plastic bags minimizing garbage being thrown out.

Mr. Voss stated the surrounding neighbors are okay with trucks, but if the alley becomes a problem, they would have the product deliver in front of the business.

Commissioner Lai asked how long the product would last should there be a power failure and if Mr. Voss planned on renting or owning the building.

Peter Voss, stated the product would last 2-3 days and they plan on purchasing the building.

DRAFT

Motion to adopt a resolution to approve CUP 17-01

Moved by Vice Chair Rebeca Armendariz, seconded by Commissioner Rebecca Scheel.

Vote: Motion carried 7-0.

Yes: Chair Tom Fischer; Vice Chair Rebeca Armendariz; Commissioner Steve Ashford; Commissioner Casey Estorga; Commissioner Kai Lai; Commissioner Rebecca Scheel; Commissioner Sue Rodriguez

B. Zone Text Amendment (Z 17-07) proposes an amendment to Chapter 30 of the Gilroy City Code to address changes in State regulations pertaining to personal cultivation of marijuana for recreational purposes.

A number of Commissioners stated there are surrounding cities that have allowed the sales in their city thus helping their economy.

Numerous Commissioners asked for clarification on whether this pertains to medical or recreational. This ordinance only limited to comply with proposition 64.

This will only be for indoors cultivation with a 6 plant maximum per household.

IV.B

Motion to recommended the City Council not approve the proposed ordinance amending Chapter 30, Sections 30.2.20, 30.45.30, 30.45.40 and adding Section 30.45.45, included with this report.

Moved by Chair Fischer,

Vote: Motion failed 1-6.

Yes: Chair Tom Fischer;

No: Vice Chair Rebeca Armendariz; Commissioner Casey Estorga; Commissioner Kai Lai; Commissioner Rebecca Scheel; Commissioner Sue Rodriguez

IV.B.1

Motion to recommend the City Council to revisit the policy on cultivation and recreational use of Marijuana and explore revenue opportunities.

Moved by Chair Fischer, seconded by Commissioner Rebeca Armendariz

Vote: Motion carried 7-0.

Yes: Chair Tom Fischer; Vice Chair Rebeca Armendariz; Commissioner Steve Ashford; Commissioner Casey Estorga; Commissioner Kai Lai; Commissioner Rebecca Scheel; Commissioner Sue Rodriguez

Public Member Ron Kirkish was called to speak.

DRAFT

V. OLD BUSINESS:

VI. NEW BUSINESS

A. Established Planning Commission Meeting Schedule for 2018

VII. CORRESPONDENCE: None

VIII. INFORMATIONAL ITEMS:

A. Current Planning Projects (report attached)

B. Planning Staff Approvals (report attached)

IX. PRESENTATION BY MEMBERS OF THE PLANNING COMMISSION:

None.

X. ORAL REPORTS BY COMMISSION MEMBERS:

Commissioners provide an update on their respected committee/task force

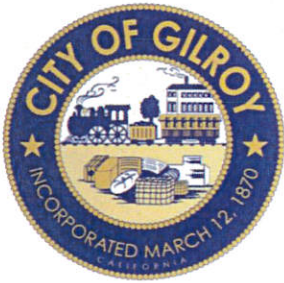
XI. PLANNING DIVISION MANAGER REPORT:

Sue O'Strander provided an update

XII. ASSISTANT CITY ATTORNEY REPORT:

XIII. PLANNING COMMISSION CHAIR REPORT:

Zinnia Navarro Office Assistant



Community Development Department

Kristi A. Abrams
DIRECTOR

7351 Rosanna Street, Gilroy, California 95020-61197
Telephone: (408) 846-0451 Fax (408) 846-0429
<http://www.cityofgilroy.org>

DATE: January 4, 2018
TO: Planning Commission
FROM: Stan Ketchum, Senior Planner
SUBJECT: Zoning Ordinance Amendment to add Ch. 30.38.270 Protected Tree Removal.

-
- 1) **Request: Recommendation:** Staff has analyzed the proposed project, and recommends that the Planning Commission:

Adopt a resolution recommending that the City Council approve the Protected Tree Removal ordinance Z16-05 [Project No. 16040038]) as requested.

- 1) **Request:** Zoning Ordinance Amendment to add Ch. 30.38.270 Significant Tree Removal. The city recognizes that existing and future trees and tree communities located in the city are a valuable and distinctive resource. The purpose of the addition of the Significant Tree Removal Chapter is to protect existing and future significant trees and tree communities throughout the city through the establishment of an ordinance to regulate the removal or destruction of significant trees, tree communities and heritage trees on private property.
- 2) **Environmental Assessment:** Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, exempts actions by a regulatory agency intended to assure the maintenance, restoration, enhancement, or protection of the environment. The Protected Tree Removal Ordinance strengthens the protection of significant trees by establishing a permit process incorporating thorough analysis to confirm the necessity to remove protected trees and heritage trees. The ordinance protects those indigenous tree species found in the Gilroy area. The ordinance will support the maintenance and restoration of the environment by establishing regulations that impose penalties for removal of protected or heritage trees without issuance of a Protected Tree Removal Permit. The ordinance requires replacement of multiple trees of the same species which will help restore and enhance the environment.
- 3) **Background Information:** The City recognizes that existing and future trees and

tree communities located in the city are a valuable and distinctive resource. These trees and tree communities augment the economic base of the city through encouragement of tourism and enhancement of the living environment. The removal of significant trees and diminishing of tree communities reduces property values and the scenic beauty and attractiveness of the city to residents and visitors.

The Consolidated Landscape Policy includes a section regarding Significant Trees, which is applied by staff during review of new development projects. The policy states that all significant trees shall be maintained by the property owner until deemed insignificant by a public hearing or deemed a threat to the public health, safety and welfare, by the Planning Division Manager. However there are no provisions in either the policy or the current Zoning Ordinance that regulate the removal of significant trees on private property. . In order to protect this resource, it is the intent of this ordinance revision to regulate the removal or destruction of significant trees and tree communities on private property within the city.

On November 13, 2017, Planning Staff held a Developer’s Roundtable meeting at which the proposed Significant (now Protected) Tree Removal Ordinance was reviewed. There was minimal input from those in attendance. One suggestion made was that tree removal mitigation measures included in certified environmental documents requiring a higher replacement ratio and/or size of replacement trees than specified in the ordinance should take precedence. That change has been incorporated into the ordinance.

- 4) **General Plan Consistency:** The proposed ordinance is consistent with General Plan Goal 23 Natural Resource Conservation: Conservation of natural resources and high levels of environmental quality for current and future generations.
- 5) **Analysis:** The draft Protected Tree Removal Ordinance is incorporated in the draft Planning Commission Resolution, Attachment 1 to this staff report. It establishes required definitions, including the minimum size of a significant tree and a heritage tree and the specific types of trees are considered indigenous to the Gilroy area and protected by the ordinance. It further establishes the following five findings, one or more of which must be made to approve a tree removal permit:
 - A. The tree is dead, diseased or in danger of falling.
 - B. The tree could adversely affect the general public health and safety.
 - C. The tree is determined to be causing damage or reasonably expected to cause damage to existing buildings or interfere with utility services.
 - D. The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Community Development Director that there are no reasonable alternatives to preserve the tree.
 - E. Retention of the tree would result in reduction of the permissible building envelope by more than twenty-five (25) percent.

The following finding must be made in addition to one or more of those listed above:

- F. None of the tree management techniques referenced in the ordinance are deemed feasible to save the tree.

Other provisions of the ordinance include:

- G. The application shall include a report from an arborist certified by the International Society of Arboriculture (ISA) or other equivalent organization documenting the health of the tree and explaining the reason(s) for removal.
- H. Notice of the proposed removal shall be posted on the affected tree and in at least two conspicuous locations on the site clearly visible to and readable from public property.
- I. Replacement tree(s) shall be of the same species as the tree that was removed and shall be planted on the same site as the removed tree, whenever possible. Planting of replacement tree(s) on public property or payment of an in lieu fee may be allowed at the discretion of the Director of Public Works.
- J. The number and size of replacement trees shall be based on the number and size of trees approved for removal, as indicated in Table 1, below. If the tree being replaced is a tree that was required as a part of an approved Landscaping Plan, the replacement species must be consistent with the Landscaping Plan. Otherwise, the replacement tree may be of any species included on the City's Master Tree Planting Plan.

Table 1 Replacement Tree Requirements		
Trunk Size of Removed Tree (measured at 4 ^{1/2} feet above grade)	Replacement Ratio Required (per tree removed)	
<i>Circumference (inches)</i>	<i>Number of replacement trees</i>	<i>Minimum Size</i>
19 to 37	3	15 gallon
38 to 75	2	24 inch box
Greater than 75	2	36 inch box
Heritage Trees	2	48 inch box

If a mitigation measure for removal of a protected tree, community of protected trees or a heritage tree contained in a certified environmental document requires greater numbers or size of replacement trees than specified in Table 1, above, that requirement shall supercede the requirements of this chapter.

- K. Emergency Situations: In emergency situations caused by the hazardous or dangerous condition of a tree that requires immediate action for the safety of life or property, such necessary action may be taken to remove the tree or otherwise reduce or eliminate the hazard without complying with the other provisions of this Chapter, except that the person responsible for actions taken to reduce the hazard or to remove the tree shall report such action to the Community Development Department within five working days of that action. In addition, photographs thoroughly documenting the hazardous or dangerous condition of the tree shall be taken prior to any action to remove it. Such photographs shall be provided to the Community Development Department upon request.
- L. The decision of the Community Development Director may be appealed to the Planning Commission within twenty (20) days after the decision by the Community Development Director.
- M. The violation of any provision contained in this Section is hereby declared to be unlawful and shall constitute a public nuisance and a misdemeanor. As either a public nuisance or a misdemeanor, the violation shall be subject to the penalties or remedies as described in Chapter X of this Code and the provisions of Section (h) Replacement, of this Section.

6) Noticing: The public notice for this item, published in the Gilroy Dispatch on December 22, 2017, meets the Government Code requirement for projects of citywide importance. In addition, Planning Commission packets are available through the City's webpage prior to the scheduled meeting.

Attachments:

- 1. PC Resolution

RESOLUTION NO. 2018-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GILROY RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS TO THE GILROY CITY CODE (Z 16-05), SPECIFICALLY TO ADD SECTION 30.38.270 OF THE ZONING ORDINANCE, FILED BY THE CITY OF GILROY, 7351 ROSANNA STREET, GILROY, CA 95020.

WHEREAS, Gilroy City Code, Article 30, Chapter 30.38 pertains to requirements for installation and maintenance of landscaping in existing and new development; and

WHEREAS, the City recognizes that existing and future trees and tree communities located in the city are a valuable and distinctive resource and that they augment the economic base of the city through encouragement of tourism and enhancement of the living environment; and

WHEREAS, the removal of significant trees and diminishing of tree communities reduces property values and the scenic beauty and attractiveness of the city to residents and visitors; and

WHEREAS, the Planning Commission of the City of Gilroy held a public hearing on January 4, 2018 to consider the request and reviewed written materials and oral comments related to the proposed code amendments; and

WHEREAS, the subject ordinance amendment is covered under Section 15308 of the California Environmental Quality Act (CEQA) Guidelines as an action by a regulatory agency for protection of the environment; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Gilroy hereby recommends to the City Council approval of Z 16-05 proposing amendments to the following sections of the City Code.

PASSED AND ADOPTED this 4th day of January 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

Sue O'Strander, Secretary

Tom Fischer, Chairperson

Attachment: PC Resolution (1503 : Protected Tree Removal Ordinance)

30.38.270 Protected Tree Removal

(a) Purpose: The City recognizes that existing and future trees and tree communities located in the city are a valuable and distinctive resource. These trees and tree communities augment the economic base of the city through encouragement of tourism and enhancement of the living environment. The removal of protected trees and diminishing of tree communities would reduce property values and the scenic beauty and attractiveness of the city to residents and visitors.

In order to protect this resource, it is the intent of this section to regulate the removal or destruction of protected trees and tree communities on private property within the city.

(b) Definitions:

- i. Community of Protected Trees. Any indigenous grouping of woody plants of any size which are ecologically or aesthetically related to each other such that the loss of several of them would cause a protected ecological, aesthetic or environmental impact in the immediate area, as determined by a certified arborist.
- ii. Heritage Tree. A tree of any species with a single trunk of 90 inches in circumference or more at a point four and one half feet (4 1/2') above the ground or with multiple trunks, two of which collectively measure 72 inches in circumference or more at a point four and one half feet (4 1/2') above the ground.
- iii. Indigenous Tree. A tree which is native to the Gilroy region, including oaks (all types), California Bay (Umbellularia californica), Big Leaf Maple (Acer macrophyllum),8 Madrone (Arbutus menziesii), California Sycamore (Platanus racemosa), California Buckeye (Aesculus californica) and Alder (Alnus glutinosa).
- iv. Protected Tree. Any indigenous woody plant characterized by having a single trunk of nineteen inches (19") in circumference or more at a point four and one half feet (4 1/2') above the ground. Nonindigenous tree species and orchards (including individual fruit and nut trees) are exempt from this definition for the purpose of this section.
- v. Tree. A woody perennial plant characterized by having a main stem or trunk, or a multi-stemmed trunk system with a more or less definitely formed crown, and is usually over ten feet high at maturity. This definition shall not include trees planted, grown and held for sale by licensed nurseries or the first removal or transplanting of such trees pursuant to and as a part of operation of a licensed nursery business.

(c) Permit Required: It is unlawful for any person to cut down, remove, poison or otherwise damage, kill or destroy or cause to be removed any of the following on any private property without first securing a permit as provided in this section:

- i. A protected tree
- ii. Greater than 25% of the trees within the outermost dripline of a community of protected trees
- iii. A heritage tree

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A separate tree removal permit shall not be required for projects which have been approved through a discretionary process by the Planning Division, Planning Commission or City Council and the removal of protected trees or community of trees were reviewed to ensure compliance with all requirements of this section and authorized by that approval. Trimming, removal and other activities related to trees in the public right of way are regulated by Chapter 26 of the Gilroy City Code.

(d) Application: Any person desiring to cut down, remove, destroy or cause to be removed any protected tree, community of protected trees, or heritage tree shall apply to the Planning Division for a tree removal permit on forms provided by the Division. The application shall include information to describe and justify the removal request and a report from an arborist certified by the International Society of Arboriculture (ISA) or other equivalent organization acceptable to the Planning Manager. The arborist's report shall include all of the following, unless otherwise approved by the Planning Manager:

- Site plan showing location of the tree (include buildings, driveways, etc.)
- Clear pictures of the tree indicating location, details signs of failure or disease
- Description of species of the tree
- Estimated height of the tree
- Circumference or diameter at breast height of the tree
- Discussion of the general health of the tree
- Value of the tree according to the ISA tree valuation formula
- Discussion of the tree's risk
- Discussion of why the tree cannot be saved, including consideration of the following techniques:
 - Discussion of risk management pruning
 - Discussion of installation of structural support system
 - Discussion of improving site conditions/cultural conditions
 - Discussion of implementing integrated pest management programs
- Description of the method to be used for removal of the tree
- Reason for removal of the tree
- Proposed replacement tree, including species, size, location.

(e) Public Notice: The applicant shall cause a notice of the proposed removal to be posted on the affected tree and in at least two conspicuous locations on the site clearly visible to and readable from public property on a form provided by the Planning Division. The notices shall be a minimum of 8.5 x 11 inches in size. In addition, the notice shall be mailed to the owners of record of all properties which are immediately adjacent to and directly across the street from the property on which the tree is located. The notice shall include the application number, a description of the proposal, including the location of the tree to be removed, contact information for the Planning Division from which additional information may be obtained and the final date for receipt of comments. A minimum of 10 days from the date of posting shall be given for comments to be received. No action shall be taken on any application until the applicant has filed an affidavit that such posting has been accomplished and the review period has expired. Emergency situations, as described below, are not subject to this provision.

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(f) Application Review and Approval: The Planning Division shall review the application for removal of protected tree, community of protected trees or heritage tree and shall determine on the basis of the information provided and the findings listed in Section (g), below whether to approve, approve with conditions or deny the request.

(g) In order to approve an application for tree removal, the following findings must be made:

- i. At least one of the following findings must be made:
 - A. The tree is dead, diseased or in danger of falling
 - B. The tree could adversely affect the general public health and safety
 - C. The tree is determined to be causing damage or reasonably expected to cause damage to existing buildings or interfere with utility services
 - D. The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Community Development Director that there are no reasonable alternatives to preserve the tree.
 - E. Retention of the tree would result in reduction of the permissible building envelope by more than twenty-five (25) percent, and
- ii. None of the tree management techniques referenced in Section (d), above are deemed feasible to save the tree.

In granting any permit pursuant to this section, the Community Development Director may attach reasonable conditions to ensure compliance with the intent and purpose of the section including, but not limited to planting of replacement trees, mitigation of visual impacts and control of erosion.

(h) Replacement: Any tree approved for removal under this section shall be replaced. Replacement trees shall be of the same species as the tree that was removed unless otherwise approved by the Community Development Director. Replacement tree shall be planted on the same site as the removed tree; however, if the site is inadequate in size to accommodate the replacement tree, the replacement tree may be planted on public property with the approval of the Director of Public Works. Alternatively, the Director of Public Works, at his/her discretion, may accept an in lieu payment for the value of the removed tree to be used for tree planting in City parks. The tree value shall be established by an arborist certified by the ISA or other equivalent organization acceptable to the Director of Public Works using the ISA Tree Valuation Formula. The in lieu payment shall include funds sufficient for the care of the replacement tree during their establishment period as determined by the Director of Public Works. The number and size of replacement trees shall be based on the number and size of trees approved for removal, as indicated in Table 1, below. If the tree being replaced is a tree that was required as a part of an approved Landscaping Plan, the replacement species must be consistent with the Landscaping Plan. Otherwise, the replacement tree may be of any species included on the City's Master Tree Planting Plan.

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Table 1 REPLACEMENT TREE REQUIREMENTS		
Trunk Size of Removed Tree (measured at 4 1/2 feet above grade)	Replacement Ratio Required (per tree removed)	
Circumference (inches)	Number of replacement trees	Minimum Size
19 to 37	2	24 inch
38 to 75	2	24 inch box
Greater than 75	2	36 inch box
Heritage Trees	2	48 inch box

If a mitigation measure for removal of a protected tree, community of protected trees or a heritage tree contained in a certified environmental document requires greater numbers or size of replacement trees than specified in Table 1, above, that requirement shall supercede the requirements of this chapter.

(i) Emergency Situations: In emergency situations caused by the hazardous or dangerous condition of a tree that requires immediate action for the safety of life or property, such necessary action may be taken to remove the tree or otherwise reduce or eliminate the hazard without complying with the other provisions of this Chapter, except that the person responsible for actions taken to reduce the hazard or to remove the tree shall report such action to the Community Development Department within five working days of that action. In addition, photographs thoroughly documenting the hazardous or dangerous condition of the tree shall be taken prior to any action to remove it. Such photographs shall be provided to the Community Development Department upon request.

(j) Appeal. Anyone so desiring may appeal the decision of the Community Development Director by written request to the Planning Commission and payment of the appeal fee within twenty (20) days after the date of the decision of the Community Development Director.

(k) Penalties.

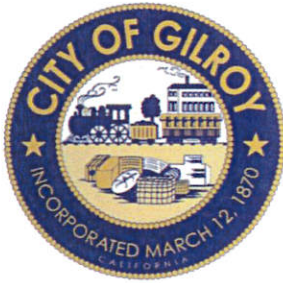
(i) The violation of any provision contained in this Section is hereby declared to be unlawful and shall constitute a public nuisance and a misdemeanor. As either a public nuisance or a misdemeanor, the violation shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not to exceed six (6) months, or both such fine and imprisonment. Each tree removed in violation of this division shall constitute a separate offense.

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- (ii) Violators may also be required to replace the tree pursuant to the provisions of Section (h) Replacement.

- (iii) In addition to the penalties imposed by subsections, (i) and (ii) above, any person who destroys, removes or damages a protected tree, community of protected trees or a heritage tree without a permit in circumstances in which a permit application has been denied, or would have been denied, shall be liable to the city for a civil penalty in an amount equal to the tree's value to be established by an arborist certified by the ISA or other equivalent organization acceptable to the Director of Public Works using the ISA Tree Valuation Formula.

Attachment: PC Resolution (1503 : Protected Tree Removal Ordinance)



Community Development Department

Kristi A. Abrams
DIRECTOR

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Telephone: (408) 846-0451 Fax (408) 846-0429
<http://www.cityofgilroy.org>

DATE: January 4, 2018
TO: Planning Commission
FROM: Stan Ketchum, Senior Planner
SUBJECT: Landscaping, Water Efficiency, and Stormwater Retention and Treatment Ordinance

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- 1) **Request: Zoning Ordinance Amendment to delete Article 30.38 Landscaping, and replace it with a new Article 30.38 Landscaping, Water Efficiency, and Stormwater Retention and Treatment. The City promotes the value and benefits of landscaping while recognizing the need to encourage water efficiency. The purpose of the ordinance amendments is to bring the Landscape Ordinance into compliance with State standards and guidelines and to promote the City's goals and standards regarding sustainable development. This Chapter establishes minimum landscape standards to enhance the appearance of developments, controlling soil erosion, enhancing onsite storm water management, conserving water, and ensuring the ongoing maintenance of landscaped areas.**

Recommendation: Staff has analyzed the proposed project, and recommends that the Planning Commission adopt a resolution recommending that the City Council approve Zoning Code Amendment Z 17-08, Landscaping, Water Efficiency, and Stormwater Retention and Treatment, as requested.

Environmental Assessment: Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, exempts actions by a regulatory agency intended to assure the maintenance, restoration, enhancement, or protection of the environment. The Landscaping, Water Efficiency, and Stormwater Retention and Treatment Ordinance (Landscape Ordinance) establishes minimum landscape standards which will result in a variety of environmental benefits, including controlling soil erosion, enhancing onsite stormwater management, conserving water, establishing a buffer and/or screen between residential and non-residential land uses, reducing heat and glare, and ensuring the ongoing maintenance of landscaped areas.

Background Information: The City promotes the value and benefits of landscaping while recognizing the need to use limited water resources as efficiently as possible. In

compliance with applicable State standards and guidelines, and to promote the City's goals and standards regarding sustainable development this Chapter establishes minimum landscape standards for all uses for enhancing the appearance of existing and new developments, reducing heat and glare, controlling soil erosion, enhancing onsite stormwater management, conserving water, establishing a buffer and/or screen between residential and non-residential land uses, and ensuring the ongoing maintenance of landscaped areas. Water conservation measures shall be addressed through landscape and irrigation design.

The State Model Water Efficient Landscape Ordinance (MWELo) became effective on December 1, 2015. In early 2016, the Zoning Ordinance was amended to incorporate key MWELo provisions. The proposed ordinance incorporates additional detailed requirements of the MWELo.

In February, 2017, the City received a Notice of Violation from the Central Coast Regional Water Quality Control Board stating that the City had failed to complete changes to the City's landscape code to effectively administer the City of Gilroy Stormwater Management Program. In response to this notice, staff and Mintier Harnish, the consultants working on the 2040 General Plan and the Comprehensive Zoning Ordinance Update prepared the subject ordinance which will delete the existing Article 30.38 Landscaping, and replace it with the new Article 30.38, Landscaping, Water Efficiency, and Stormwater Retention and Treatment.

On November 13, 2017, Planning Staff held a Developer's Roundtable meeting at which the proposed Landscaping, Water Efficiency, and Stormwater Retention and Treatment Ordinance was reviewed. There were now specific comments provided from those in attendance.

Analysis: The primary objectives of the new landscape ordinance are to:

- 1) Bring the ordinance into compliance with the state Model Water Efficient Landscape Ordinance (MWELo);
- 2) Incorporate relevant provisions of the Consolidated Landscaping Policy (CLP) into the Zoning Ordinance; and
- 3) Update and reorganize the ordinance based on the Comprehensive Zoning Ordinance update, in progress

Overview of Ordinance Modifications. The section numbers listed below refer to the new ordinance, attached.

- 1) Section 30.38.040 A. General Landscape Standards has been expanded to include several standards previously included in one or more of the Residential, Commercial or Industrial Landscape Standards sections, but which are deemed applicable to all land uses. As a result, the sections on individual land use types have been modified accordingly. In addition new standards have been added that promote the use of landscaping to manage and treat stormwater to the maximum extent feasible.
- 2) Section 30.38.050 A Residential Zone Landscape Standards. No changes have been made to the existing section.

- 3) Section 30.38.050 B RH Residential Hillside Zone. Two standards from the CLP have been incorporated into the draft ordinance. They address designing development to preserve existing trees, and selecting plants with low-growing characteristics to locate within 15 feet of structures to help minimize fire risk. Similarly, this section requires conformance with all requirements of City Code Article 10. Fire Code, as amended.
- 4) Section 30.38.060 Commercial Zone Landscape Standards. Most of the provisions in this section are contained in the existing code. Two new provisions are added, one from the CLP, both of which address required screening of commercial parking from adjacent residential uses.
- 5) Section 30.38.070 Industrial Zone Landscape Standards. All but two provisions in this section match the existing Zoning Ordinance. The existing required 18 ^{1/2} foot landscape area along public streets has been increased to 21 feet to be consistent with the requirement in Commercial zones.

Sections Incorporated from the Consolidated Landscaping Policy (CLP)

The CLP is adopted City Council Policy which states that all development proposals subject to review through the Architectural and Site Review process shall submit landscape plans to be reviewed for conformance with the CLP. As such, they do not represent new standards, however, their codification into the zoning ordinance does make them mandatory.

The following new sections have been added, incorporating standards from the Consolidated Landscaping Policy:

- 1) Section 30.38.040 B. New Plant Materials addresses the need to consider the characteristics of landscaping materials at maturity, the resistance of plant materials to insect pests and disease, the intended use of selected plant types, and the encouragement to use indigenous plant materials.
- 2) 30.38.040 C. City Street Trees incorporates the requirements for installation and maintenance of street trees in new development. The only change to the standards in the CLP is the increase in the length of time street trees must be guaranteed to remain healthy and grow, from the current 90 days, to one (1) year.
- 3) Section 30.38.040 D. Protected Trees reflects the inclusion of the proposed Protected Tree Removal ordinance which incorporates regulations for the removal of varieties of indigenous trees 19 inches or more in circumference, 4 ½ feet above the ground, and Heritage Trees, defined as any type of tree 90 inches or more in circumference, 4 ½ feet above the ground. Section 30.38.040 D incorporates requirements from a CLP section entitled Significant Trees that requires identification of what is now being called Protected Trees on the sites of new development and states that an arborist may be required to make

recommendations for inclusion in the landscape plans regarding the protection of Protected Trees identified for preservation.

This new section in the ordinance requires preparation of an arborist report to specify all necessary measures to ensure that Protected Trees identified to remain are protected throughout construction. The ordinance also requires three inspections throughout the construction process to verify adherence to the arborist recommendations.

Sections Implementing the State Model Water Efficient Landscape Ordinance (MWELO).

Beginning with Section 30.38.080 Landscape Documentation Review Process, the remainder of the proposed ordinance consists of the updated requirements reflecting the State Model Water Efficient Landscape Ordinance. They include the following:

- 1) Expanded definitions section
- 2) Expanded application and documentation requirements
- 3) The Soil Management report, required at the discretion of the Planning Manager in the current ordinance is now mandatory.
- 4) Expanded list of items required to be included in Landscape and Irrigation Design Plans
- 5) New requirements including a Grading Design Plan, Certificate of Completion, Irrigation Scheduling, Landscape and Irrigation Maintenance Schedule, Recycled Water and Gray Water requirements, Stormwater Management and Rainwater Retention and Public Education.

General Plan Consistency: The proposed ordinance amendment supports the following General Plan policies:

- Policy 1.12 Street Trees. Line the City's streets with trees so that they become enjoyable and beautiful spaces rather than merely corridors of traffic, creating a rich "urban forest" for the enjoyment of future generations. Tree species should be selected that will (a) promote a canopy of shade; and (b) have root systems that will not cause sidewalk buckling and other damage.
- Policy 3.09 Landscaping in Industrial Areas Require screening of loading areas and open storage areas so that they are not visible from major roads. Also, require landscaping buffering where industrial uses abut designated scenic highway corridors.
- Policy 3.10 Landscaping in Commercial Areas. Require that landscaping on commercial properties be well maintained. Encourage those properties currently without landscaping to provide landscaping.

Noticing: The public notice for this item, published in the Gilroy Dispatch on December 22, 2017, meets the Government Code requirement for projects of citywide importance. In addition, Planning Commission packets are available through the City's webpage prior to the scheduled meeting.

Attachments:

1. PC Resolution for staff report attachment

RESOLUTION NO. 2018-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GILROY RECOMMENDING CITY COUNCIL APPROVE AMENDMENTS TO THE GILROY CITY CODE (Z 17-08), SPECIFICALLY TO ARTICLE 30.38 OF THE ZONING ORDINANCE, FILED BY THE CITY OF GILROY, 7351 ROSANNA STREET, GILROY, CA 95020.

WHEREAS, Gilroy City Code, Chapter 30, Section 30.38 pertains to requirements for installation and maintenance of landscaping in existing and new development; and

WHEREAS, the City promotes the value and benefits of landscaping while recognizing the need to use limited water resources as efficiently as possible; and.

WHEREAS, the Landscaping, Water Efficiency, and Stormwater Retention and Treatment Ordinance establishes minimum landscape standards which will result in a variety of environmental benefits, including controlling soil erosion, enhancing onsite stormwater management, conserving water, establishing a buffer and/or screen between residential and non-residential land uses, reducing heat and glare, and ensuring the ongoing maintenance of landscaped areas; and

WHEREAS, the Planning Commission of the City of Gilroy held a public hearing on January 4, 2018 to consider the request and reviewed written materials and oral comments related to the proposed code amendments; and

WHEREAS, the Planning Commission of the City of Gilroy has considered the zoning code amendment request (Z 17-08), in accordance with the Gilroy Zoning Ordinance, and other applicable standards and regulations; and

WHEREAS, the subject ordinance amendment is covered under Section 15308 of the California Environmental Quality Act (CEQA) Guidelines as an action by a regulatory agency for protection of the environment;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Gilroy hereby recommends to the City Council approval of Z 17-08 proposing amendments to the following sections of the City Code as contained in Attachment 1 to this resolution.

PASSED AND ADOPTED this 4th day of January 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

Sue O'Strander, Secretary

Tom Fischer, Chairperson

Attachment: PC Resolution for staff report attachment (1519 : Landscaping, Water Efficiency, and Stormwater Retention and Treatment

Article 30.38 Landscaping, Water Efficiency, and Stormwater Retention and Treatment

Sections

- 30.38.010 – Purpose
- 30.38.020 – Applicability
- 30.38.030 – Definitions
- 30.38.040 – General Landscape Standards
- 30.38.050 – Residential Zone Landscape Standards
- 30.38.060 – Commercial and Mixed-Use Zone Landscape Standards
- 30.38.070 – Industrial Zone Landscape Standards
- 30.38.080 – Landscape Documentation Review Process
- 30.38.090 – Elements of Landscape Documentation Package
- 30.38.100 – Water Efficient Landscape Worksheet
- 30.38.110 – Soil Management Report
- 30.38.120 – Landscape Design Plan
- 30.38.130 – Irrigation Design Plan
- 30.38.140 – Grading Design Plan
- 30.38.150 – Certificate of Completion
- 30.38.160 – Irrigation Scheduling
- 30.38.170 – Landscape and Irrigation Maintenance Schedule
- 30.38.180 – Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis
- 30.38.190 – Irrigation Efficiency
- 30.38.200 – Recycled Water
- 30.38.210 – Graywater Systems
- 30.38.220 – Stormwater Management and Rainwater Retention
- 30.38.230 – Public Education
- 30.38.240 – Provisions for Existing Landscapes
- 30.38.250 – Water Waste Prevention
- 30.38.260 – Penalties

30.38.010 Purpose

The City promotes the value and benefits of landscapes while recognizing the need to use limited water resources as efficiently as possible. In compliance with applicable State standards and guidelines, and to promote the City’s goals and standards regarding sustainable development this Chapter establishes minimum landscape standards for all uses for enhancing the appearance of developments, reducing heat and glare, controlling soil erosion, enhancing onsite stormwater management, conserving water, establishing a buffer and/or screen between residential and non-residential land uses, and ensuring the ongoing maintenance of landscaped areas. Water conservation measures shall be addressed through landscape and irrigation design.

30.38.020 Applicability

- A. The provisions of this Chapter shall apply to all of the following landscape projects installed after December 1, 2015:
 - 1. New construction projects with an aggregate landscape area of 500 square feet or more requiring a Building Permit or site and architectural review.
 - 2. Rehabilitated landscape projects with an aggregate landscape area 2,500 square feet or more requiring a Building Permit or site and architectural review ;

Attachment: PC Resolution for staff report attachment (1519 : Landscaping, Water Efficiency, and Stormwater Retention and Treatment

- 3. Existing landscaped areas shall comply with the provisions specified in Section 30.38.250 (Existing Landscaping Provisions);
- 4. Cemeteries.
 - a. New and rehabilitated cemeteries shall comply with the provisions specified in Section 30.38.170 (Landscape and Irrigation Maintenance Schedule) and Section 30.38.180 (Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis).
 - b. Existing cemeteries shall comply with the provisions specified in Section 30.38.240 (Provisions for Existing Landscapes).
- B. Projects using treated or untreated graywater (See Section 30.38.210) or rainwater captured on site, any parcel within the project that has less than 2,500 sq. ft. of landscape area and meets the parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D (Prescriptive Compliance Option) section (5) of State law.
- C. This Chapter does not apply to:
 - 1. Registered local, State or Federal historical sites;
 - 2. Ecological restoration projects that do not require a permanent irrigation system;
 - 3. Mined-land reclamation projects that do not require a permanent irrigation system; or
 - 4. Existing plant collections, as part of botanical gardens and arboretums open to the public.

30.38.030 Definitions

Applied Water. Portion of water supplied by the irrigation system to the landscape.

Arborist Report. A report prepared by an arborist certified by the International Society of Arboriculture (ISA) or equivalent organization acceptable to the Community Development Director containing specific information on the location, condition, structure, potential impacts of development, and recommended actions and mitigation measures regarding one or more trees on an individual lot or project site.

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

Backflow Prevention Device. Safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

Certificate of Completion. The document required under Section 30.38.150 (Certificate of Completion).

Certified Irrigation Designer. Person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

Certified Landscape Irrigation Auditor. Person 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. Valve 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.

Attachment: PC Resolution for staff report attachment (1519 : Landscaping, Water Efficiency, and Stormwater Retention and Treatment

Common Interest Developments. Community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.

Community Development Director. City of Gilroy Community Development Director or designee.

Compost. Safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

Conversion Factor (0.62). The number that converts acre-inches per acre per year to gallons per square foot per year.

Distribution Uniformity. Measure of the uniformity of irrigation water over a defined area.

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 specifically designed to apply small volumes of water slowly at or near the root zone of plants.

Dripline. The outermost edge of the tree’s canopy. When depicted on a map or plan, the dripline is the irregular shaped circle that follows the contour of the tree’s branches as seen from overhead.

Ecological Restoration Project. Project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

Effective Precipitation or Useful Rainfall (Eppt). Portion of total precipitation which becomes available for plant growth.

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

Established Landscape. Point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

Established Period of the Plants. The first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.

Estimated Total Water Use (ETWU). Total water used for the landscape as described in Section 30.38.110 (Water Efficient Landscape Worksheet).

ET 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. Quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

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

Flow Sensor. Inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation

controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.

Friable. Soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

Fuel Modification Plan Guideline. Guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.

Graywater. 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 unhealthful 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. Health and Safety Code Section 17922.12.

Hardscaped. Any durable material (pervious and non-pervious).

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

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

Invasive Plant Species. Species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive

Plant Inventory and USDA invasive and noxious weeds database.

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. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "Watersense" labeled auditing program.

Irrigation Efficiency (IE). Measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.

Irrigation Survey. Evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to

Irrigation Water Use Analysis. Analysis of water use data based on meter readings and billing data.

Landscape Architect. Person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

Landscape Area. All planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape 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).

Landscape Contractor. Person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

Landscape Documentation Package. Documents required under Section 30.38.090 (Elements of the Landscape Documentation Package).

Landscape Project. Total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section 30.38.020 (Applicability).

Landscape Water Meter. Incline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

Lateral Line. Water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

Local Agency. A city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.

Local Lan Purveyor. Any entity, including a public agency, city, county, or private water company that provides retail water service.

Low Volume Irrigation. 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 Water Plant Use. Plant species whose demonstrated water needs are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established. Species classified as "very low water use" and "low water use" by WUCOLS, having a regionally adjusted plant factor of 0.0 through 0.3, shall be considered low water use plants.

Main Line. Pressurized pipeline that delivers water from the water source to the valve or outlet.

Master Shut Off Valve. Automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed, water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

Maximum Applied Water Allowance (MAWA). Upper limit of annual applied water for the established landscaped area as specified in Section 30.38.110 (Water Efficient Landscape Worksheet). It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The

Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$

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Median. Area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.

Microclimate. Climate of a small, specific area that may contrast with the climate of the overall landscape 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, 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.

New Construction. A new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

Non-Residential Landscape. Landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

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

Overhead Sprinkler Irrigation Systems or Overhead Spray Irrigation Systems. Systems that deliver water through the air (e.g., spray heads and rotors).

Overspray. Irrigation water which is delivered beyond the target area.

Parkway. Area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.

Permit. Authorizing document issued by local agencies for new construction or rehabilitated landscapes.

Planting Hole. A hole in the ground that is dug for landscaping materials such as trees or shrubs.

Pervious. 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, estimates the amount of water needed by plants. For purposes of this 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 0.1 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 this ordinance are derived from the publication "Water Use Classification of Landscape Species". Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

Project Applicant. Individual or entity submitting a Landscape Documentation Package required under Section 492.3, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.

Public Works Director. City of Gilroy Public Works Director or designee.

Rain Sensor or Rain Sensing Shutoff Device. A component which automatically suspends an irrigation event when it rains.

Record Drawing or As-Built. Set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

Recreational Area. Areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.

Recycled Water, Reclaimed Water, or Treated Sewage Effluent 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 (ETo). Standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A, 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 so that regional differences in climate can be accommodated.

Regional Water Efficient Landscape Ordinance. A Local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

Rehabilitated Landscapes. Any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 30.38.020 (Applicability), and the modified landscape area is equal to or greater than 2,500 square feet.

Residential Landscape. Landscapes surrounding single or multifamily homes.

Root Zone. A specifically defined area commencing at the trunk and moving outward to form an irregularly shaped circle that follows the contour of the tree canopy and extending beyond the dripline of the tree by five feet or such greater distance determined by the Arborist Report.

Run-Off. Water which is not absorbed by the surface to which it is applied and flows from the area to a drain, sewer, or stream. For example, run off may result from water that is applied to landscaping at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

Soil Moisture Sensing Device or Soil Moisture Sensor. Device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

Soil Texture. Classification of soil based on its percentage of sand, silt, and clay.

Special Landscape Area (SLA). Area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

Sprinkler Head or Spray Head. Device which delivers water through a nozzle.

Static Water Pressure. Pipeline or municipal water supply pressure when water is not flowing.

Station. Area served by one valve or by a set of valves that operate simultaneously.

Swing Joint. Irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

Submeter. Metering device to measure water applied to the landscape that is installed after the primary utility water meter.

Turf. Groundcover 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. Device used to control the flow of water in the irrigation system.

Water Conserving Plant Species. Plant species identified as having a very low or low plant factor.

Water Feature. Design element 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 landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

Watering Window. Time of day irrigation is allowed.

WUCOLS. Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014.

30.38.040 General Landscape Standards

A. **General Landscape Design Standards.** Landscaping shall be a positive element of the project design. The landscaping shall be designed to protect stormwater quality and enhance the aesthetic quality of the development by using the following design standards:

1. Landscaping shall be used to manage and treat stormwater to the maximum extent feasible.
2. All plant materials shall be installed in compliance with an approved Landscape Design Plan (see Section 30.38.120);
3. Only healthy, well-formed, and vigorous plant materials may be used;
4. Landscaping shall be located in all yard areas that are not specifically used for parking, driveways, patios, or similar purposes, unless otherwise specified in this chapter. Sidewalks, pedestrian walks and pathways are permitted in landscaped areas.
5. Landscape areas shall incorporate varieties of plant textures, colors, geometries, and leaf densities. Year around visual interest shall be introduced through an appropriate balance of evergreen/deciduous and flowering perennials. Architectural depth and character shall be incorporated through a variety of plant sizes, shapes, and heights;
- 6.
7. Dense landscaping shall be incorporated to provide a visual screen from less pleasing features of a development (i.e., around trash enclosures, carports, pool equipment, electric transformers, cable boxes, etc.); however, landscaping shall not be placed to interfere with the accessibility to and maintenance of the structures and/or equipment;

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- 8. Landscaping shall screen parking areas from adjacent streets;
- 9. Landscaping shall be incorporated to reduce monotony of long expanses of building, fence or other structures.
- 10. The density and placement of plants are to be determined by the plant size at maturity. When initially installed, groundcover shall give enough coverage for a pleasing appearance on all landscaped areas;
- 11. Use of gravel, redwood bark chips, and similar non-vegetative ground coverings shall be limited to children's play areas;
- 12. Sturdy raised curbs shall protect all landscape areas from driveways and parking areas. Cutouts in curbs may be incorporated when surrounding vegetative drainage swales, stormwater retention features and/or other treatment features.
- 13. Wheel stops need not be provided in parking areas where the front two feet of the landscape area is planted with low groundcover to accommodate car overhang;
- 14. Trees of varieties with broad canopies shall be provided to shade walkways and parking areas to temper heat from paved areas, and to screen long structure frontages;
- 15. Existing onsite vegetation shall be preserved, unless determined otherwise by the Community Development Director, to maintain onsite water quality and sediment control;
- 16. New plant materials requiring permanent irrigation shall not be placed under existing oak trees;
- 17. All trees shall be a minimum size of 15 gallons when initially installed;
- 18. Protected trees shall be preserved and enhance by structure site design, in compliance with Subsection D, below;
- 19. Deep root irrigation shall be provided to prevent pavement damage where trees are planted within three feet of City pavement or sidewalks. Deep root irrigation are strongly encouraged in similar situations in all private development. When required, deep root irrigation shall be installed in compliance with City standards;
- 20. Roof-top runoff shall be directed to vegetated areas.
- 21. Landscaping is allowed within cul-de-sacs in conformance with all other City Codes.
- 22. All plant materials within the City right-of-way (e.g., medians, sound walls, etc.) shall be approved by the Director of Public Works for minimum size and species type;
- 23. Green roofs are allowed in conformance to all requirements of City Code.
- 24. All plant materials shall be maintained in a live and healthy condition, and free of weeds. Except for owners of properties in the R1 zoning district, property owners shall be required to remove weeds and maintain the landscaping in accordance with the approved landscape plan for the life of the property.

B. New Plant Material. New plant material shall be carefully selected to comply with the following standards:

- 1. The overall compatibility of the ultimate form, size, density, and color of trees, shrubs, and groundcover at maturity;
- 2. The tolerance of the plant materials to existing physical conditions, and resistance to insect pests, and disease; and
- 3. The intended use (i.e., shade screening, windbreak, erosion control, stormwater treatment and management, etc.) as well as the ease of maintenance.
- 4. Use of indigenous trees and other plant materials is encouraged.

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C. City Street Trees.

1. In all zones, the developer or applicant shall install street trees in the public right-of-way, in compliance with City Street Tree Standards. A properly licensed landscape contractor shall install the street tree. A Street Tree Permit shall be obtained by the applicant and/or developer prior to issuance of the Building Permit.
2. An inspection of the placement and tree type is required when a new tree is either planted or replaced.
3. Street trees are not required in the RH (Residential Hillside) zone.
4. Street trees shall be selected and installed in compliance with the following standards:
 - a. Street trees shall be planted in the public right-of-way in compliance with a City Standard Detail Plan;
 - b. Street trees shall be a minimum of 15 gallons when initially installed. Where an existing street tree must be removed to accommodate development, a replacement tree of similar size as that removed shall be planted;
 - c. All street trees shall be irrigated with an automatic irrigation system
 - d. The developer and/or applicant shall use the tree species as designated by the City's Master Street Tree Planting Plan (as authorized under City Code Section 26.51). The developer and/or applicant may request in writing a substitution of the designated tree species, subject to approval by the Director of Public Works;
 - e. Spacing of trees shall be 30 feet on center, unless otherwise approved by the Director of Public Works.
 - f. Street trees shall be spaced at least 10 feet from sewer laterals and street lights, and at least five feet from water laterals, gas laterals, fire hydrants, driveway aprons, and telephone/cable/electrical junction boxes;
 - g. When required, the developer and/or applicant shall install street trees adjacent to sound walls and in medians.
 - h. Deep root irrigation shall be provided for street trees in sidewalk cutouts. When required, deep root irrigation and tree well coverings shall be installed in compliance with City Standard Detail plans;
 - i. No person shall construct or place any concrete, brick, asphalt, wood product, plastic sheeting, or other material impervious to air and water around the base of any street tree or within three feet. In addition, no excess soil, mulch, or other organic/inorganic material shall be placed above a tree's root crown within three feet; and
 - j. Street trees planted by the developer and/or applicant shall be guaranteed to remain healthy and grow for a minimum of one (1) year. All workmanship on irrigation systems shall be guaranteed for one year after final acceptance by the City;
 - k. Street trees shall be maintained by the property owner or property owner's association.
 - l. No person shall cut, trim, prune, spray, brace, move, remove, or replace any street tree in the public right-of-way without a written permit from the City.

D. Protected Trees.

1. The Community Development Director shall determine if existing trees qualify as Protected Trees, a Community of Protected Trees or Heritage Trees. Refer to Chapter 30.38.0270 Protected Tree Removal for the definitions of Protected Trees, a Community of Protected Trees or Heritage Trees.

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2. An arborist report shall be required for any application for discretionary development approval for which the project site includes existing Protected Trees, as defined in Chapter 30.38.270 (b). The arborist report shall include all information specified in Chapter 30.38.270 (d). The arborist report shall specify all necessary measures to ensure that Protected Trees identified to remain are protected throughout the construction process. The cost for preparation of the arborist report and city review of it shall be at the sole expense of the applicant. All arborist recommendations shall be listed on the final landscape plans.
3. The arborist shall sign the final landscape plans certifying that the plan is consistent with the recommendations made in the arborist report.
4. At least three scheduled inspections shall be made by the City and/or the arborist, at the direction of the City to ensure compliance with the recommendations of the arborist report. The inspections shall, at a minimum include the following: (1) Initial inspection prior to any construction or grading, (2) After completion of rough grading and/or trenching, and (3) Completion of all work including planting and irrigation system installation. Other inspections may be conducted as required by the Community Development Director.
5. Unless otherwise permitted by the City, no structure, excavation, or impervious surface areas of any kind shall be constructed or installed within the root zone of any protected tree without mitigating special design, such as post and beam footings that bridge roots. No parking, storing vehicles equipment or other materials shall be permitted within the dripline of any protected tree without special design considerations approved by the Community Development Director.
6. All protected trees, community of protected trees or heritage tree(s), shall be maintained in good health by the property owner, applicant and/or developer until approved for removal by an approved Protected Tree Removal Permit or other discretionary Planning Department application. 30.38.050 Residential Zone Landscape Standards

30.38.050 Residential Zone Landscape Standards

- A. **General Residential Zone Landscape Standards.** Residential development located in the R1, R2, R3, R4 zones, Planned Development zones and downtown specific plan zones, (and excluding the RH zone), shall incorporate landscaping in all yard areas that are not specifically used for driveways, walkways, patios, or similar purposes. In the R-2, R-3, R-4 and Planned Development zones and Specific Plan areas, at least 35 percent of the required landscaped area shall be designed to be usable as open recreational area. Landscaping shall be used to manage and treat stormwater to the maximum extent feasible.
- B. **RH Residential Hillside Zone.** Areas within the Residential Hillside Zoning District are designated as the "City of Gilroy Wildland-Urban Fire Interface Area" under the City Code. Residential development in the RH zone shall provide landscaping consistent with the following standards:
 1. Development in forested areas shall be carefully designed to minimize removal or damage to existing trees and to allow their continued healthy existence;
 2. New landscaping placed within 15 feet from any structure shall consist of selected vegetation with low-growing characteristics; and
 3. A landscape design plan for projects in the RH Residential Hillside Zone shall incorporate all requirements of City Code Article 10. Fire Code, as amended.

30.38.060 Commercial Zone Landscape Standards

Landscaping in Commercial zones shall be designed using the following standards and shall enhance the aesthetic quality of the development by using the following requirements:

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- A. All development in commercial and mixed-use zones shall provide a minimum of 21 feet of landscaping, measured from face of curb, adjacent to public streets (public sidewalks may be permitted in the landscape area);
- B. At least eight percent of the gross total land area of the site, outside of the public right-of-way, shall be landscaped, except in the Downtown Specific Plan zones where there are typically no front and side yard setbacks;
- C. All portions of a site over 40 square feet in area not specifically used for buildings, parking, driveways, walkways, or similar uses shall be landscaped;
- D. In all landscaped areas, trees shall be planted on average every 20 feet on center or with a greater spacing as appropriate to maintain proper tree health as determined by a licensed landscape architect; Clustering of trees may be permitted with the approval of the Director of Public Works;
- E. Parking lot landscape islands with a minimum of 50 square feet in area, and including a tree, shall be located in parking lots every twelve stalls, and shall be evenly distributed throughout the parking area;
- F. All landscape areas shall be at least five feet wide, except as approved by the Community Development Director due to specific site situations where the minimum width is impractical;
- G. Parking lot landscape areas containing trees shall be a minimum of eight feet wide, except as approved by the Community Development Director due to specific site situations where the minimum width is impractical;
- H. Parking areas shall be screened from view from adjacent residential areas and streets, except at driveways and street corners where visibility is needed;
- I. Landscaping shall be used to manage and treat stormwater to the maximum extent feasible.
- J. Three(3) foot high screening shall be located where necessary in commercial parking lots and drive-through uses to block headlights from shining into adjacent residential areas.

30.38.070 Industrial Zone Landscape Standards

Landscaping in Industrial zones shall be designed to using the following standards and shall enhance the aesthetic quality of the development by using the following requirements:

- A. Landscape the front and side yard areas adjacent to streets, as required by this chapter, which are not specifically used for parking, driveways, walkways, loading areas, or similar paved access areas;
- B. Landscaping areas located adjacent to the street right-of-way shall be a minimum of 21 feet wide (measured from the face of curb);
- C. Paved areas shall not exceed 50 percent of the total area of setbacks;
- D. All industrial zones shall provide landscape areas that are a minimum of five feet in width along the entire perimeter of the site;
- E. A minimum eight-foot-wide landscaped buffer is required adjacent to commercial or residential uses;
- F. Fences and walls shall complement the structure architecture and landscaping. Long structure expanse shall be architecturally designed or landscaped to prevent monotony.
- G. Outdoor use areas, and loading areas shall be screened by landscaping and/or materials integral with the structure design;
- H. Industrial development visible from SR 101 shall be screened from view with dense landscaping.
- I. Three(3) foot high screening shall be located where necessary in industrial parking lots and drive-through uses to block headlights from shining into adjacent residential areas.

30.38.080 Landscape Documentation Review Process

- A. **Landscape Documentation Package Required.** The project developer and/or applicant shall submit a Landscape Documentation Package, in compliance with Section 30.38.90 (Elements of the Landscape Documentation Package), below to the Community Development Director for approval.
- B. **Landscape Documentation Package Submittal.** The Landscape Documentation Package shall be submitted in conjunction with the building permit for the project and shall be approved prior to issuance of the building permit.
- C. **Following Completion of Installation.** Following final approval of the installation of landscaping by the city, , the project developer and/or applicant shall:
 - 1. Receive documentation of the approval in a form provided by the Community Development Director and shall record the date of the permit in the Certificate of Completion;
 - 2. Submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
 - 3. Submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

30.38.090 Elements of the Landscape Documentation Package

At a minimum, the Landscape Documentation Package shall be provided in a form required by the Community Development Director and shall include the following components, as described in this chapter: water efficient landscape worksheet, soil management report, landscape design plan, irrigation design plan, and grading design plan.

30.38.100 Water Efficient Landscape Worksheet Completion of Worksheet. Project applicants and/or developers shall complete the Water Efficient Landscape Worksheet which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. The Estimated Total Adjustment Factor (ETAF) for a landscape project is based on the plant factors and irrigation methods selected. In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project developer/applicant shall use the ETo values for Gilroy.

- B. **Evapotranspiration (ETo).** The Community Development Director shall provide and annually update the evapotranspiration rate for the City using the rates provided by the California Irrigation Management Information System (CIMIS).
- C. **Water Budget Calculations.** Water budget calculations shall adhere to all of the following requirements:
 - 1. The plant factor used shall be from the Water Use Calculation of Landscape Species (WUCOLS) or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
 - 2. All water features shall be included in the high-water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
 - 3. All Special Landscape Areas shall be identified and their water use calculated as shown below.
 - 4. ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.
- D. **Maximum Applied Water Allowance Calculation**

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The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required, exclusive of Special Landscape Areas.

$$MAWA \text{ (Annual Gallons Allowed)} = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$$

Residential Areas:

$$MAWA \text{ (Annual Gallons Allowed)} = (ET_o) (0.62) [(0.55 \times LA) + ((1-0.55) \times SLA)]$$

Non-Residential Areas

$$MAWA \text{ (Annual Gallons Allowed)} = (ET_o) (0.62) [(0.45 \times LA) + ((1-0.45) \times SLA)]$$

Where:

MAWA = Maximum Applied Water Allowance (Annual Gallons Allowed)

ET_o =Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.55 = ET Residential Adjustment Factor (ETAF)

0.45 = ET Non-Residential Adjustment Factor (ETAF)

SLA = Special Landscape Area (square feet)

E. Estimated Total Water Use Calculation

The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. The sum of the ETWU shall not exceed the MAWA.

$$ETWU = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)

ET_o =Reference Evapotranspiration (inches per year)

PF = Plant Factor from WUCOLS

HA = Hydrozone Area [high, medium, and low water use areas] (square feet)

SLA = Special Landscape Area (square feet)

0.62 = Conversion Factor (to gallons)

IE = Irrigation Efficiency 0.75 for spray head, and 0.81 for drip

F. Effective Precipitation (EPPT). The Director may consider Effective Precipitation (25 percent of annual precipitation) in tracking water use and may use the following equation to calculate MAWA:

Residential Areas:

$$MAWA \text{ (Annual Gallons Allowed)} = (ET_o - EPPT) (0.62) [(0.55 \times LA) + ((1-0.55) \times SLA)]$$

Non-Residential Areas:

$$MAWA \text{ (Annual Gallons Allowed)} = (ET_o - EPPT) (0.62) [(0.45 \times LA) + ((1-0.45) \times SLA)]$$

30.38.110 Soil Management Report

In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project developer/applicant, or his/her designee, as follows:

- A. Soil samples shall be submitted to a laboratory for analysis and recommendations.
 - 1. Soil sampling shall be conducted in compliance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - 2. The soil analysis shall include:
 - a. soil texture;
 - b. infiltration rate determined by laboratory test or soil texture infiltration rate table;
 - c. pH;
 - d. total soluble salts;
 - e. sodium;
 - f. percent organic matter; and
 - g. recommendations.
 - 3. In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of one in seven lots or approximately 15 percent will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to one in seven parcels.
- B. The project applicant and/or developer, or his/her designee, shall comply with one of the following:
 - 1. If significant mass grading is not planned, the soil analysis report shall be submitted as part of the Landscape Documentation Package; or
 - 2. If significant mass grading is planned, the soil analysis report shall be submitted as part of the Certificate of Completion.
- C. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the water plans and irrigation design plans to make any necessary adjustments to the design plans.
- D. The project developer/applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations with the Certificate of Completion.

30.38.120 Landscape Design Plan

A. Landscape Design Plan Details Required.

A Landscape Design Plan at a minimum shall be required and shall specify the items detailed below. Special design attributes may require detail drawing and/or the submittal of manufacture's literature.

- 1. Locate and identify all landscaping planting material, including trees, shrubs, groundcover, and turf. Planting symbols shall be clearly drawn. Tree staking, installation, soil preparation details, and any other applicable planting and installation details shall be provided;
- 2. Reference planting symbols, specifying botanical name, common name, container size, spacing, and quantities;
- 3. Locate all existing mature trees, noting biological name, common name, and approximate trunk size, measured at four feet above existing grade. Note trees to be removed, relocated on-site, and/or maintained in place;
- 4. Delineate and label each hydrozone by number, letter, or other method;

5. Identify each hydrozone as low, moderate, high water, or mixed-use water. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
6. Identify recreational areas;
7. Identify areas permanently and solely dedicated to edible plants;
8. Identify areas irrigated with recycled water;
9. Identify type of mulch and application depth;
10. Identify soil amendments, type, and quantity;
11. Identify type and surface area of water features;
12. Identify all paving and hardscapes (pervious and non-pervious);
13. Locate and identify the height of all walls, fences, and gates;
14. Locate and identify all outdoor amenity features, including but not limited to trellises, gazebos, play equipment, picnic tables, and benches;
15. Locate and identify property lines, streets, street names, driveways, walkways, and other paved areas;
16. Identify existing and proposed structures, including pad elevations, if applicable;
17. Identify natural features including but not limited to rock outcroppings, existing trees and shrubs that will remain;
18. Identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices (BMP) that encourage on-site retention and infiltration of stormwater. Applicants shall refer to the City or Regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater BMP's shall be incorporated into the landscape design plan to the maximum extent practicable. Examples shall include, but are not limited to:
 - a. Infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - b. Constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; or
 - c. Pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.
19. Identify any applicable rain harvesting or catchment technologies, and their 24-hour retention or infiltration capacity;
20. Contain the following statement: "I have complied with the standards of the Chapter and applied them for the efficient use of water in the landscape design plan"; and
21. Bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.

B. Landscape Design Requirements

For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan, at a minimum, shall meet the following design standards and shall be submitted as part of the Landscape Documentation Package.

1. **Plant Material.**
 - a. Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency may include one or more of the following:

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- (1) Protection and preservation of native species and natural vegetation;
 - (2) Selection of water-conserving plant, tree and turf species, especially local native plants;
 - (3) Selection of plants based on local climate suitability, disease, and pest resistance;
 - (4) Selection of trees as specified in Section 30.38.040 (General Landscape Standards);
 - (5) Selection of plants from the approved City plant list; and
- b. Each hydrozone shall have plant materials with similar water use, except for hydrozones with plants of mixed water use.
 - c. Plants may be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
 - (1) Plant selection shall be from the Sunset Western Climate Zone System which considers temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate; or
 - (2) Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., structures, sidewalks, power lines]; allow for adequate soil volume for healthy root growth; or
 - (3) Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
 - d. Turf is not allowed on slopes greater than 25 percent where the toe of the slope is adjacent to an impermeable hardscape and where 25 percent means one foot of vertical elevation change for every four feet of horizontal length (rise divided by run x 100 = slope percent).
 - e. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
 - f. The use of invasive plant species (i.e., those listed by the California Invasive Plant Council), is strongly discouraged.
 - g. The architectural guidelines of a common interest development, which include 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.

2. **Water Features.**

- a. Recirculating water systems shall be used for all water features.
- b. Where available, recycled water shall be used as a source for decorative water features.
- c. Surface area of a water feature shall be included in the high-water use hydrozone area of the water budget calculation.
- d. Pool and spa covers are highly recommended.

3. **Soil Preparation, Mulch and Amendments.**

- a. Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

- b. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected.
- c. For landscape installations, compost at a minimum rate of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a minimum depth of six inches into the soil. Soils with greater than six percent organic matter in the top six inches of soil are exempt from adding compost and tilling.
- d. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to five percent of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan.
- e. Stabilizing mulching products shall be used on all slopes that meet current engineering standards.
- f. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
- g. Organic mulch materials made from recycled or post-consumer processes shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.

30.38.130 Irrigation Design Plan

A. Irrigation Design Plan Details Required.

An Irrigation Design Plan is required and shall include all of the information detailed below. It shall be separate from but use the same format and scale as the landscape design plan.

- 1. Location and size of separate water meters for landscape;
- 2. Location, type, and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- 3. Static water pressure at the point of connection to the public water supply;
- 4. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- 5. Recycled water irrigation systems;
- 6. The following statement: "I have complied with the standards of this Chapter and applied them accordingly for the efficient use of water in the irrigation design plan"; and
- 7. The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system.

B. Irrigation Design Requirements

This Section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet the requirements listed in this Section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design standards shall be submitted as part of the Landscape Documentation Package.

- 1. **System.**

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- a. Landscape water meters shall be installed for all non-residential irrigated landscapes of at least 1,000 sq. ft. but not more than 5,000 sq. ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:
 - (1) A customer service meter dedicated to landscape use provided by the local water purveyor; or
 - (2) A privately-owned meter or submeter.
- b. Automatic irrigation controllers using either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.
- c. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
 - (1) If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices (i.e., inline pressure regulators, booster pumps), or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 - (2) Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
- d. Sensors (i.e., rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation shall be prohibited during windy or freezing weather or during rain.
- e. Manual shut-off valves (i.e., a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (i.e., a main line break) or routine repair.
- f. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. Project applicants and/or developers shall refer to the applicable City code (i.e., public health) for additional backflow prevention requirements.
- g. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
- h. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- i. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas (i.e., adjacent property, non-irrigated areas, hardscapes, roadways, or structures).
- j. Relevant information from the soil management plan (i.e., soil type and infiltration rate), shall be used when designing irrigation systems.
- k. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

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- l. The irrigation system shall be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 30.38.110 (Water Efficient Landscape Worksheet) regarding the Maximum Applied Water Allowance.
- m. All irrigation emission devices shall meet the requirements specified in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 Landscape Irrigation Sprinkler and Emitter Standard. All sprinkler heads installed in the landscape shall document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- n. The project applicants and/or developers shall inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- o. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- p. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
- q. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
- r. Swing joints or other riser-protection components are required on all riser's subject to damage that are adjacent to hardscapes or in high traffic areas of turf-grass.
- s. Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
- t. Landscape areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
- u. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified by the Director if:
 - (1) The landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - (2) The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - (3) The irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design. Prevention of overspray and runoff shall be confirmed during the irrigation audit.
- v. Slopes greater than 25 percent shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour. This restriction may be modified by the Director if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion shall be confirmed during the irrigation audit.

2. **Hydrozone.**

- a. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

- b. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
- c. Trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
- d. Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - (1) Plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - (2) The plant factor of the higher water using plant is used for calculations.
- e. Individual hydrozones that mix high and low water use plants shall not be permitted.
- f. On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table located on the Water Efficient Landscape Worksheet. This table can also assist with the irrigation audit and programming the controller.

30.38.140 Grading Design Plan

For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A comprehensive grading plan, prepared by a civil engineer, shall be submitted as part of the Landscape Documentation Package.

A. Grading Design Plan Details Required.

The project applicants and/or developers shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:

- 1. Height of graded slopes;
- 2. Drainage patterns;
- 3. Pad elevations;
- 4. Finish grade; and
- 5. Stormwater retention improvements, if applicable.
- 6. The grading design plan shall contain the following statement: "I have complied with the requirements of this Chapter and applied them accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

B. Erosion and Runoff Best Management Practices. To prevent excessive erosion and runoff, project developers/applicants shall:

- 1. Grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
- 2. Avoid disruption of natural drainage patterns and undisturbed soil; and
- 3. Avoid soil compaction in landscape areas.

30.38.150 Certificate of Completion

Upon receipt of the permit for the Landscape Documentation Package and completion of the landscaping and irrigation system, the applicants and/or developers shall submit a Certificate of Completion to the

Director for review and shall ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee. The following details shall apply to the Certificate of Completion:

- A. The Certificate of Completion shall be on a standard form approved by the Director.
- B. The Certificate of Completion shall be certified by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed the approved Landscape Documentation Package;
 - 1. Where there are, significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification; and
 - 2. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent irrigation management purposes.
- C. The Certificate of Completion shall include irrigation scheduling parameters used to set the controller in compliance with Section 30.38.160 (Irrigation Scheduling), below;
- D. The Certificate of Completion shall include landscape and irrigation maintenance schedules in compliance with Section 30.38.170 (Landscape and Irrigation Maintenance Schedule), below;
- E. The Certificate of Completion shall include an irrigation audit report in compliance with Section 30.38.180 (Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis), below; and
- F. The Certificate of Completion shall include a soil analysis report, if not submitted with the Landscape Documentation Package, and documentation verifying implementation of soil report recommendations in compliance with Section 30.38.110 (Soil Management Report), below.

30.38.160 Irrigation Scheduling

For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to use the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following standards:

- A. Irrigation scheduling shall be regulated by automatic irrigation controllers.
- B. Overhead irrigation shall only be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance only.
- C. For implementation of the irrigation schedule, attention shall be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
- D. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - 1. The plant establishment period;
 - 2. The established landscape; and
 - 3. Temporarily irrigated areas.
- E. Each irrigation schedule shall consider for each station all of the following that apply:
 - 1. Irrigation interval (days between irrigation);
 - 2. Irrigation run times (hours or minutes per irrigation event to avoid runoff);
 - 3. Number of cycle starts required for each irrigation event to avoid runoff;

- 4. Amount of applied water scheduled to be applied on a monthly basis;
- 5. Application rate setting;
- 6. Root depth setting;
- 7. Plant type setting;
- 8. Soil type;
- 9. Slope factor setting;
- 10. Shade factor setting; and
- 11. Irrigation uniformity or efficiency setting.

30.38.170 Landscape and Irrigation Maintenance Schedule

- A. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- B. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance only.
- C. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
- D. Project applicants and/or developers are encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

30.38.180 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis

- A. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
- B. In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of one in seven parcels or approximately 15 percent will satisfy this requirement.
- C. For new construction and rehabilitated landscape projects installed after December 1, 2015, the following shall apply:
 - 1. The project applicants and/or developers shall submit an irrigation audit report with the Certificate of Completion, including inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming;
 - 2. The City may require an irrigation water use analysis, irrigation audits, and irrigation surveys to ensure compliance with the Maximum Applied Water Allowance.

30.38.190 Irrigation Efficiency

For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

30.38.200 Recycled Water

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- A. The installation of water irrigation systems shall allow for the current and future use of recycled water.
- B. All recycled water irrigation systems shall be designed and operated in compliance with all applicable local and State laws.
- C. Landscapes using recycled water are considered Special Landscape Areas. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

30.38.210 Graywater Systems

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 standards.

30.38.220 Stormwater Management and Rainwater Retention

- A. Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices in the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration is required.
- B. Project applicants and/or developers shall refer to the following references for information on Low Impact Development (LID) standards, including stormwater management, operations and maintenance:
 - 1. Chapter 27D (Post Construction Stormwater Pollution and Prevention of the Municipal Code, and
 - 2. South Santa Clara County Regional Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements Project applicants and/or developers shall refer to the City or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
- C. All planted landscape areas shall have friable soil to maximize water retention and infiltration in compliance with Section 30.38.120 (Landscape Design Plan), above.
- D. Landscape areas shall be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: (1) 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, State and/or Federal regulations.
- E. Stormwater projects shall incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
 - 1. Grade impervious surfaces (i.e., driveways), during construction to drain to vegetated areas.
 - 2. Minimize the area of impervious surfaces (i.e., paved areas, roof, and concrete driveways).
 - 3. Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 - 4. Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 - 5. Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 - 6. Incorporate infiltration beds, swales, basins, and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
 - 7. Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

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30.38.230 Public Education

- A. **Publications.** The City shall provide information to owners of permitted renovations and new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.
- B. **Model Homes.** All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this Chapter
 - 1. Signs shall identify the following:
 - a. The model as an example of a water efficient landscape featuring elements like hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme; and
 - b. Information about the site's water use as designed in compliance with the local ordinances; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping like using native plants, graywater systems, and rainwater catchment systems.
 - 2. Developers/applicants shall provide information about designing, installing, managing, and maintaining water efficient landscapes to home buyers.

30.38.240 Provisions for Existing Landscapes

- A. This Section shall apply to all existing landscape areas that were installed before December 1, 2015 and are over one acre in size.
 - 1. For all landscape areas that have a water meter, the City shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: $MAWA = (0.8) (ET_o) (LA) (0.62)$.
 - 2. For all landscape areas that do not have a water meter, the City shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
- B. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

30.38.250 Water Waste Prevention

- A. Project applicants and/or developers shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape areas due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violating these prohibitions shall be enforced in compliance with Chapter 30.154 (Enforcement Provisions).
- B. Restrictions regarding overspray and runoff may be modified if:
 - 1. The landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - 2. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

30.38.260 Penalties

Noncompliance with the applicable provision of this Chapter shall be subject to enforcement action, as provided in Chapter 30.154 (Enforcement Provisions).

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PLANNING CURRENT PROJECT LIST

December 20, 2017

Project	Date Filed	Project #	File #	Applicant	Project Contact Phone Number	Description	Location	Sign Posted	Staff Approved-Closed	PC Meeting	CC Meeting	Planner	Status	CEQA	TAC Meeting Date	Comments Due Date	30 Days from Filing Date	Assigned Planner (Consultant)
Projects Involving Multiple Applications																		
1	11/26/12	12110049	A 12-01	Mark Hewell	408-483-2400	Annexation of 5.46 acres	Vickery & Kern Avenues					MAD	On Hold	MND				
	11/26/12	12110052	Z 12-09	Mark Hewell	408-483-2400	Prezone 5.46 acres to N-District	Vickery & Kern Avenues					MAD	On Hold					
	7/31/2014	14070058	USA 14-02	Mark Hewell	408-483-2400	Urban Service Area Amendment	Vickery & Kern Avenues					MAD	In Process	MND				
2	08/31/16	16080053	AS 16-38	Paul Strom	734-812-8741	AS for AT&T new wireless antenna facility	2256 Coral Bell Ct/Reservoir D					SK	Complete					
	08/31/16	16080006	CUP 16-04	Paul Strom	734-812-8741	CUP for AT&T new wireless antenna facility	2256 Coral Bell Ct/Reservoir D			3/16/17		SK	Complete					
3	05/12/16	16050028	AS 16-19	Elite Development	805-962-2746	AS for 78-unit apartment complex with new 4,600 commercial space	8955 Monterey Rd					JC	Complete	MND				
	03/20/17	17030060	Z 17-03	Elite Development	805-962-2746	Propose a new PUD overlay	8955 Monterey Rd					JC	In Process					
4	03/15/17	17030051	AS 17-12	Glen Loma Corporation	408-847-4224		North of Santa Teresa Blvd					MAD	Incomplete		3/30/2017	4/4/2017	4/14/2017	
	03/15/17	17030052	TM 17-01	Glen Loma Corporation	408-847-4224	TM for 125-unit townhomes at GLR Town Center Multi-Family Area	North of Santa Teresa Blvd					MAD	Incomplete		3/30/2017	4/4/2017	4/14/2017	
	03/15/17	17030053	Z 17-02	Glen Loma Corporation	408-847-4224	PUD ordinance amendment in GLR	North of Santa Teresa Blvd					MAD	Complete		3/30/2017	4/4/2017	4/14/2017	
5	03/27/17	17030074	AS 17-14	Meritage Homes	707-359-2038	AS for 9-lot SFR subdivision within HPSD	Third Street					SP (EMC)	Incomplete		4/13/2017	4/14/2017	4/26/2017	Teri Wissler Adam
	03/27/17	17030075	TM 17-02	Meritage Homes	707-359-2038	TM for 9-lot SFR subdivision within HPSD	Third Street					SP (EMC)	Incomplete		4/13/2017	4/14/2017	4/26/2017	Teri Wissler Adam
6	07/14/17	17070019	AS 17-24	Adam Hudson	408-271-0500	A 4-story, 120-unit apartment on an approximately 148,456 lot	First Street and Kern Avenue					BE	Incomplete		7/27/2017	8/3/2017	8/11/2017	Christy Sabdo
	07/14/17	17070020	HP 17-02	Adam Hudson	408-271-0500	HCP for a 4-story, 120-unit apartment	First Street and Kern Avenue					ML (DJP)	In Process					
	07/28/17	17070046	AS 17-25	Chris Vanni	408-847-9190	Approximately 12,000 SF commercial complex	Northwest of First Street and Kelton Avenue						Incomplete		8/10/2017	8/17/2017	8/25/2017	Christy Sabdo
7	05/04/17	17050003	M 17-07	Chris Vanni	408-847-9190	Traffic analysis for a commercial complex	Northwest of First Street and Kelton Avenue					Hexagon	In Process					
	07/28/17	17070047	HP 17-04	Chris Vanni	408-847-9190	HCP for an approximately 12,000 SF commercial complex	Northwest of First Street and Kelton Avenue					ML (DJP)	In Process					
Projects Involving Single Applications																		
8	10/21/15	15100035	HP 15-08	Sealake Corporation	408-329-3153	HCP for Plastic Sheeting Recycling Plant; 10500sqft factory	300 Obata Way					ML (DJP)	In Process	X				
9	7/17/12	12070023	USA 12-01	Wren Investors	408-779-3900	USA of approximately 49 acres	Vickery & Kern Avenues	Y				MAD	In Process	MND				
10	07/02/15	15070005	AS 15-26	City of Gilroy	408-846-0451	New animal kennels at the Corp Yard	613 Old Gilroy St			N/A	N/A	KA	On Hold	X				
11	10/12/15	15100018	AS 15-34	Carl Salinas/Hanna & Brunetti/Lon Davis	408-842-2173	AS for two industrial lots -- construction storage yards	360-380 Obata			N/A	N/A	JB	Incomplete	X				
12	02/05/16	16020011	Z 16-02	Meritage Homes	925-383-4286	Hecker Pass Specific Plan Amendment #6	Hecker Pass					TWA (EMC)	In Process	X				
13	03/24/16	16030021	HP 16-01	Glen Loma Corporation	408-847-4224	HCP application for Glen Loma Ranch Phase 1A West	Glen Loma Ranch			N/A	N/A	ML (DJP)	Incomplete	X				
14	05/18/16	16050031	TM 16-02	R.J. Dyer Real Property Investment, Inc.	408-847-1553	TM for subdividing 14 single-family residential lots	Thomas Ln					BE	Incomplete					
15	05/25/16	16050055	AS 16-20	Jim Rubnitz	408-813-6416	7,018 SF including carwash, retail and canopy for Chevron	6901 Cameron Blvd			N/A	N/A		Complete	X				
16	06/28/16	16060050	AS 16-25	Vince Rivero	408-813-2010	91,045 SF for contractor truck parking and equipment yard	6705 Silacci Way			N/A	N/A		Incomplete	X				
17	08/19/16	16080033	AS 16-31	Steve Gibson	408-710-7772	Single Family Hillside Home	2262 Columbine Ct			N/A	N/A	JH (Rincon)	Complete	X	9/1/2016	9/8/2016	9/16/2016	Jerry Hittleman
18	08/25/16	16080044	AS 16-33	City of Gilroy	408-846-0451	Glen Loma Ranch Fire Station	W. Luchessa Ave and Miller Ave.			N/A	N/A	MAD	Complete	X	9/8/2016	9/9/2016	9/23/2016	
19	09/12/16	16090017	AS 16-40	Trac N. Vu	408-506-0739	AS for a new 4,975 SF fueling canopy and underground tanks replacement	850 Pacheco Pass Highway			12/13/17		CS (Rincon)	Approved	X	9/29/2016	10/3/2016	10/12/2016	Christy Sabdo
20	10/25/16	16100026	AS 16-47	Walid Nazzal	408-772-6096	Single Family Hillside Home	8755 Wild Iris Dr.			N/A	N/A	JH (Rincon)	Incomplete	X	11/10/2016	11/14/2016	11/24/2016	Jerry Hittleman
21	11/28/16	16110032	AS 16-48	Peter Dworschak	530-613-6911	Single-Family Hillside Home	9175 Tea Tree Way			N/A	N/A	JH (Rincon)	Incomplete	X	12/15/2016	12/16/2016	12/28/2016	Jerrit Hittleman
22	01/26/17	17010029	AS 17-02	Hecker Pass Commercial, LLC	408-836-9290	Commercial and residential mixed use in HPSD	2475 Hecker Pass					TWA (EMC)/MAD	Complete					
23	03/24/17	17020027	AS 17-03	Mobilite	209-470-0861	Antennas installation on an existing utility pole on public right-of-way	7381 Eagleberry St.			12/22/17		JL/SK	Approved	X	4/6/2017	4/13/2017	4/21/2017	
24	02/28/17	17020041	AS 17-07	Stephen Machado	408-781-6451	AS for a new 2,008 SF duplex home	7224 Church St.			N/A	N/A	JH (Rincon)	Incomplete	X	3/16/2017	3/17/2017	3/29/2017	Jerry Hittleman
25	03/06/17	17030017	AS 17-08	Gilroy Storage LLC	530-886-8558	40,125 SF additions to an existing self-storage facility	6500 & 6700 Cameron Blvd.						Complete	X	3/23/2017	3/24/2017	4/5/2017	Christy Sabdo
26	03/21/17	17030062	AS 17-13	James Baldwin	408-448-2012	Single-Family Hillside Home	1820 Carob Ct			N/A	N/A	JH (Rincon)	Incomplete	X	4/6/2017	4/10/2017	4/20/2017	Jerry Hittleman
27	03/30/17	17030085	AS 17-15	D & Z Design	408-778-7005	16-lot single-family hillside residential development in Eagle Ridge	Eagle Ridge			12/13/17		JH (Rincon)	Approved	X	4/13/2017	4/19/2017	4/28/2017	Jerry Hittleman
28	04/03/17	17040001	AS 17-16	D & Z Design	408-778-7005	Single-Family Hillside Home	2140 Hollyhock Ln					JH (Rincon)	Incomplete	X	4/20/2017	4/21/2017	5/3/2017	Jerry Hittleman
29	04/19/17	17030040	AS 17-18	Oscar Medrano	831-801-0242	An additional 2,846 SF duplex to an existing single-family residence	250 Gurrises Rd					JH (Rincon)	Incomplete	X	5/4/2017	5/9/2017	5/19/2017	Jerry Hittleman
30	04/26/17	17040037	AS 17-19	Alexander Angkawijaya	408-431-2952	Single-Family Hillside Home	8735 Wild Iris Dr					JH (Rincon)	Incomplete	X	5/11/17	5/16/2017	5/26/2017	Jerry Hittleman
31	05/12/17	17050016	AS 17-21	Tony Ho	310-844-6521	Tenant improvement to convert a warehouse use to an auto repair use	8425 Monterey Rd						Incomplete	X	5/25/2017	6/1/2017	6/9/2017	Christy Sabdo
32	07/11/17	17070011	AS 17-23	Lon Davis	408-778-2525	A 10,500 SF industrial building with warehouse and steel fabrication	5727 Obata Way					JB	Incomplete					
33	08/04/17	17080010	AS 17-26	MBL & Sons, Inc	408-410-6990	5,388 SF PV solar carport on an existing parking lot	11 First St			N/A	N/A	JB	Complete	X				
34	08/23/17	17080043	HP 17-05	Glen Loma Corporation	408-847-4224	HCP for 6 lot single-family residential development in Eagle Ridge	Santa Teresa Blvd			N/A	N/A	DJP	In Process	X				
35	08/24/17	17080047	GPA 17-01	McCarthy Gilroy LLC	408-356-2300	GPA for converting a cut-through road to be a cul-de-sac	6503 Cameron Blvd					RJ (EMC)	Complete		9/7/2017	9/13/2017	9/22/2017	Richard James
36	09/01/17	17090001	AS 17-28	Jack Huang	408-423-9138	URM retrofit and two story addition for a 2-unit apartment	7151 Monterey Rd					JB	Complete					
37	9/12/17	13090024	AS 13-26	Meritage Homes	707-359-2038	Cohansey Bridge Addendum Initial Study/Negative Declaration	Cohansey and Monterey Rd					MAD	In Process					
38	09/25/17	17090032	HP 17-07	Hanna & Brunetti	408-842-2173	HCP permit for San Ysidro self-storage facility	9080 San Ysidro Ave.			N/A	N/A	ML (DJP)	In Process					
39	09/28/17	17090040	AS 17-32	Jeffrey Eaton	408-691-8998	9,971 SF addition to an existing laundry facility	904 Holloway Rd			N/A	N/A		Incomplete		10/12/2017	10/28/2017	10/27/2017	Christy Sabdo
40	10/11/17	17100019	AS 17-33	Robert DeGrasse	209-575-1415	15,800 SF addition to an existing Germaines Seed industrial building	8333 Swanston Ln					SP (EMC)	In Process					
41	10/25/17	17100048	AS 17-34	D & Z Design	408-778-7005	Single-Family Hillside Home	2282 Gunnera Ct					JH	In Process					
42	10/25/17	17100050	AS 17-35	Cameron Waston	408-690-3037	Single-Family Hillside Home	8565 Strawberry Ln					JH	In Process					
43	10/25/17	17100049	DUP 17-03	Jeso Greg		Brewery pub with eating establishment	7373 Monterey Rd					JB	In Process					
44	11/08/17	17110006	AS 17-36	Leah Hernikl	408-799-1182	Wireless tower upgrades	8091 Swanston Ln					JL/SK	In Process					
45	11/14/17	17110012	DUP 17-04	Eric Ingram	408-482-1462	Micro-brewing and tasting	7419 Monterey Rd					JL	In Process					
46	12/15/17	17120021	AS 17-37	Caleb Roope	530-906-6967	158-unit apartment project at Glen Loma Ranch	Santa Teresa Blvd.					MAD	In Process					
City Initiated Applications & Special Projects																		
47	12/2/15	15120003	Z 15-11	City		Development Standards Review						DB	In Process	X				
48	7/13/13	13100001	GPA 13-02	City		New General Plan						SK	In Process	EIR				
49	12/2/15	15120002, 15120004	GPA 15-02, Z 15-12	City		High Speed Train Station Area Plan						DB/KA						
50	12/2/13			City		Affordable Housing Policy						SK	In Process					
51				City		Sportspark Annexation						RT	On Hold					
52	12/2/15	15120005	Z 15-13	City		Color Palette Ordinance						RT	On Hold					
53	12/2/15	15120006	Z 15-14	City		Updates to Landscape requirements - MWEL0												
54	12/14/15	15120033	Z 15-16	City		Zone Text Amendment - Administrative Hearing Process							In Process					
55	5/6/16	16050019	M 16-06	City		Window Replacement for Historic Building						RT	On Hold					
56	9/2/16	16090007	M16-10	City		CEQA analysis of 10th Street bridge project						MAD	In Process					
57	3/22/17	17030071	M 17-06	City		First Street Bike/Pedestrian Study												

PLANNING CURRENT PROJECT LIST

December 20, 2017

Project	Date Filed	Project #	File #	Applicant	Project Contact Phone Number	Description	Location	Sign Posted	Staff Approved-Closed	PC Meeting	CC Meeting	Planner	Status	CEQA	TAC Meeting Date	Comments Due Date	30 Days from Filing Date	Assigned Planner (Consultant)
58	5/23/17	17050039	M 17-08	City		Wayfinding Signs						RT	On Hold					
59	8/9/17	17080014	Z 17-04	City		Economic Development Incentives Ordinance Amendment					9/18/17	SO	In Process					
60	8/16/17	17080026	Z 17-05	City		Wireless Telecommunication Facilities Ordinance Amendment				9/7/17	10/2/17	SK	In Process					
61	8/16/17	17080027	Z 17-06	City		Accessory Dwelling Unit Ordinance Amendment				9/7/17	11/20/17	JB	In Process					
62	8/25/17	17080051	M 17-14	City		Status of Development Process Updates					10/2/17	SO	In Process					
63	9/7/17	17090008	M 17-15	City		Tiny Homes			Report Accepted by CC		10/13/17	SO	Closed					
64	10/3/17	17100009	M 17-23	City		Extension of "RDO Interim Exception"			11/6/17 Denied by CC		11/6/17		Denied					
65	10/13/17	17100024	Z 17-07	City		Comply with State law pertaining to recreation marijuana use						SO	In Process					
66	11/9/17	17110009	Z 17-08	City		Landscape Ordinance Update						SK	In Process					

Planning Applications

A = Annexation
 AS = Architectural & Site
 AHE = Affordable Housing Exemption
 CUP = Conditional Use Permit
 DSPE = Downtown Specific Plan Exemption
 DTSUP = Downtown Special Use Permit
 GPA = General Plan Amendment
 HP = Habitat Plan Permit
 M = Miscellaneous
 MD = Minor Deviation
 RDO = Residential Development Ordinance
 SPE = Small Project Exemption

TM = Tentative Map
 TUP = Temporary Use Permit
 USA = Urban Service Area Amendment
 V = Variance
 Z = Zone Change
 EIR = Environmental Impact Report
 A-EIR = Environmental Impact Report Addendum
 MND = Mitigated Negative Declaration
 X = Exempt from CEQA (California Environmental Quality Act) or a project previously evaluated

In Process = Application submitted, being evaluated for completeness
 Incomplete = Application reviewed, deemed incomplete (missing information)
 Complete = Application reviewed, deemed complete (all information submitted)

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ACTION TAKEN
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City of Gilroy

COMMUNITY DEVELOPMENT DEPARTMENT

7351 Rosanna Street, Gilroy CA 95020

(408) 846-0451 (408) 846-0429 (fax)

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Home Occupations:

<u>Date</u>	<u>Applicant</u>	<u>Address</u>	<u>Project Description</u>
12/27/17	Robert Muraco	920 Hoesch Way	Office for online apparel sales
12/19/17	Roselia Silva	500 IOOF Ave. Apt. 93	Office for house cleaning services
12/18/17	Jaideep Shergill	9010 Brittany Ct.	Office for general transportation/dispatching
12/14/17	Steven Regalado	465 IOOF Ave.	Office for Retail Online Sales
12/14/17	Mario Ortiz	7231 Forest St.	Office for Mobile Auto Repair
11/22/17	Edgardo Agredano	1204 Sycamore Ct.	Office for contractor business for low voltage wiring voice and data cable.
11/20/17	Charles J. Reid	5530 Michelle Ct.	Office for writer, media developer.
11/20/17	Dyane Alcantar	5851 Masoni Place	Office of Clothing Sales
11/16/17	Rafael Murillo	415 Kennedy Ct.	Office of gardening Service.
11/15/17	Ana Mojiea	7351 Miller Ave.	Office for cleaning services.
11/9/17	Sean Solomon	1223 Pappani Dr.	Office for general contractor.
11/8/17	Ginger Hernandez	7915 Spanish Oak Circle	Office for women/children's clothing online sales.
11/2/17	Manuel Deak	1251 Jicarilla Way	Office for off-site business.
10/23/17	Lean Dansby	270 Robin Place.	Office for home design services.
10/27/17	Luis Gonzalez	183 Ronan Ave.	Office for janitorial service.
10/30/17	Francisco Castillo	275 W. 6 th St.	Office for real estate services
10/19/17	Dale Royer-Thielges	9210 Loganberry Dr.	Office for memory care coaching and consulting.
10/19/17	Richard R Racz	822 Geronimo St.	Office for event planning lighting and sound.



City of Gilroy

COMMUNITY DEVELOPMENT DEPARTMENT

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Architectural & Site Approvals:

			<u>Date Approved</u>	
12/13/17	AS 16-40	Trac N. Vu	850 Pacheco Pass Highway	New 4975 SF Fueling Canopy and underground tank replacement
12/22/17	AS 17-03	Mobilitie	7381 Egleberry St.	Antenna installation on existing utility pole on public right-of-way
12/13/17	AS 17-15	D&Z Design	Eagle Ridge	16-lot single family residential development
12/22/17	AS 17-17	Mobilitie	601 Leavesley	Antenna installation on existing utility pole on public right-of-way