

ORDINANCE NO. 2022-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTIONS 9-5.202, 9-5.715, AND 9-5.21.12, OF CHAPTER 5, OF TITLE 9 OF THE FOWLER MUNICIPAL CODE, TO AMEND THE CITY'S LANDSCAPING STANDARDS, AND TO ADOPT A CATEGORICAL EXEMPTION UNDER CEQA GUIDELINES SECTION 15304, SUBDIVISION (B).

WHEREAS, on February 3, 2009, the City Council of the City of Fowler adopted Ordinance No. 2009-01, amending Chapter 5, of Title 9 of the Fowler Municipal Code, which was a comprehensive update to the City's Zoning Ordinance and is referred to as the "Zoning Ordinance";

WHEREAS, the City of Fowler requires each residential parcel have a minimum of one (1) medium-sized tree;

WHEREAS, the City's Zoning Ordinance lacks landscaping requirements for residential projects;

WHEREAS, General Plan Policy 1 of Goal 2-5 directs the City to "[e]nsure that all development is attractive and of high quality design to enhance the image of the city";

WHEREAS, the Planning Commission adopted Resolution No. 677, on August 4, 2022, recommending that the City Council adopt an ordinance to amend sections 9-5.202, 9-5.715, and 9-5.21.12 of Chapter 5, of Title 9 of the Fowler Municipal Code; and

WHEREAS, the City Council desires to amend sections 9-5.202, 9-5.715, and 9-5.21.12 of Chapter 5, of Title 9 of the Fowler Municipal Code to establish and define the implementations of single-family residential landscaping requirements.

THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9-5.202, of Chapter 5, of Title 9 of the Fowler Municipal Code is hereby amended to include the following definitions:

Landscaping. The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Mature height. The typical height of a tree as defined by the latest edition of the Water Use Classification of Landscape Species (WUCOLS).

Tree, Large. A tree whose mature height is greater than 45 feet and is at least 1 ½ inch in diameter, measured at six inches above ground level.

Tree, Medium. A tree whose mature height is between 25 and 45 feet and is at least 1 ¼ inch in diameter, measured at six inches above ground level.

Tree, Small. A tree whose mature height is less than 25 feet and is at least 1 inch in diameter, measured at six inches above ground level. Two small trees shall count as a medium tree.

SECTION 2. Section 9-5.715, of Chapter 5, of Title 9 of the Fowler Municipal Code is hereby amended to include the following:

I. All required yards shall be landscaped, except where the required yard is:

1. Occupied by a sidewalk or driveway; or
2. Screened from public view by a wall or fence of at least six (6) feet in height.

J. Where front and corner lot yards are required to be landscaped, medium-sized trees shall be planted at intervals of one per every 30 linear feet of parcel frontage. Yards less than 5 feet in depth are exempt.

K. Impervious surfaces in the front or corner lot yard shall be limited to walkways and driveways leading to covered carports, garages, or RV parking locations pursuant to FMC Section 9-5.2004. Exceptions may be allowed subject to Administrative Approval.

SECTION 3. Section 9-5.21.12, of Chapter 5, of Title 9 of the Fowler Municipal Code is hereby amended to read the following:

G. Except as otherwise provided by this ordinance, all required yards shall be landscaped.

~~Each residential parcel of land or lot shall have a minimum of one (1) medium-sized tree for each residential unit.~~ Each commercial and industrial parcel of land or lot shall have a minimum of one (1) medium-sized tree for every four (4) parking spaces. ~~Two (2) small trees (fifteen (15) to thirty (30) feet at maturity) shall be counted as one (1) medium-sized tree.~~

SECTION 4. The City Council has determined that this Project is subject to a categorical exemption from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15304, subdivision (b).

SECTION 5. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 6. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Fowler, within fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

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The foregoing ordinance was introduced at a regular meeting of the City Council held on September 20, 2022, and was adopted at a regular meeting of said Council held on October 4, 2022, by the following vote:

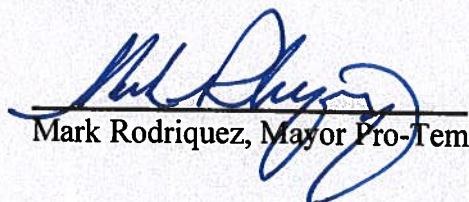
AYES: Rodriquez, Kazarian, Mejia, & Parra

NOES: None

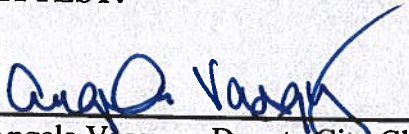
ABSTAIN: None

ABSENT: None

APPROVED:


Mark Rodriguez, Mayor Pro-Tem

ATTEST:



Angela Vasquez, Deputy City Clerk