

D. Any other similar use which the planning commission finds to be consistent with the purpose of the zoning district. (Ord. 86-267, 1986; Ord. 189 Art. 3 SS6.2, 1980)

2. That Section 18.36.030 be amended to read as follows:

18.36.030 Conditional uses. Uses permitted subject to obtaining a conditional use permit in the G-C district include:

- A. Dwellings which are not on a floor above a permitted use;
- B. Hospitals, convalescent homes, boardinghouses, and family care homes or other group dwellings;
- C. Outdoor sales, including drive-in food and drive-through banking facilities;
- D. Recreation vehicle park;
- E. Auto repair and parking garages. (Ord. 189 Art. 3 SS6.3, 1980)

3. That Section 18.40.020 be amended to read as follows:

18.40.020 Permitted uses. Uses permitted in the industrial-commercial district include:

- A. Ambulance service;
- B. Automobile, truck or farm machinery sales facilities;
- C. Bakeries;
- D. Carpenter, cabinet and woodworking shops or box manufacturing;
- E. Dwellings, limited to the use of a watchman or caretaker employed on the site, mobile or permanent;
- F. Electric, plumbing, heating and sheet-metal shops;
- G. Express offices, bus stations, shipping terminals;
- H. General offices, professional offices and laboratories;
- I. Hardware, building material, machinery, feed and seed stores;
- J. Laundry and dry-cleaning facilities;
- K. Public utility and municipal and communication facilities;
- L. Restaurants;
- M. Secondhand sales, wholly within a building;
- N. Union halls, employment agencies;
- O. Welding and machine shops;
- P. Wholesale, storage and warehouse establishments. (Ord. 189 Art. 3 SS7.2, 1980)

ORDINANCE NO. 99-343

4. That Section 18.40.030 be amended to read as follows:

18.40.030 Conditional uses. Uses permitted subject to obtaining a conditional use permit in the industrial-commercial (M-C) district include:

- A. Animal hospitals, kennels and veterinary establishments;
- B. Bulk petroleum distribution plants;
- C. Automobile, truck or farm machinery service, repair and storage facilities;
- D. Salvage or storage yards, including auto wrecking when conducted within a solid fence of a sufficient height to screen operations and materials inside. (Ord. 189 Art. 3 SS7.4 (part), 1980)

5. That this Ordinance shall become effective on the thirty-first (31st) day after adoption.

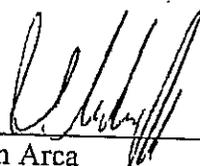
ENACTED by the City Council of the City of Guadalupe this 14th day of June, 1999, by the following vote:

AYES: Council Members Herb Sanchez, Frank Almaguer, Javier Saucedo and Mayor Sam Arca

NOES: NONE

ABSTAIN: NONE

ABSENT: Council Member Ken Westall



Sam Arca
Mayor

ATTEST:



City Clerk

By: Frank M. Usher
Deputy City Clerk

Approved as to content:



City Administrator

Approved as to form:

City Attorney

ATTEST:

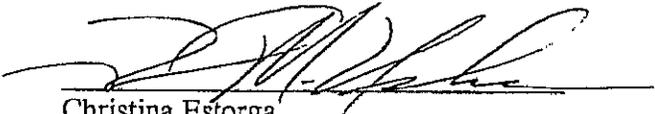
I, **Christina Estorga**, City Clerk of the City of Guadalupe, California, **DO HEREBY CERTIFY** that the foregoing Ordinance was introduced at a meeting of the City Council held May 24, 1999, and adopted as **Ordinance No. 99-343** of the City of Guadalupe at a regular meeting of the City Council held on June 14, 1999, and said Ordinance has been duly signed by the Mayor and attested by the City Clerk and that the same was approved and adopted by the following vote to wit:

AYES: Council Members Herb Sanchez, Frank Almaguer, Javier Saucedo, and Mayor Sam Arca

NOES: None

ABSTAIN: None

ABSENT: Council Member Ken Westall



Christina Estorga
City Clerk

By: Frank M. Usher
Deputy City Clerk

ORDINANCE NO. 2008-391

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE,
CALIFORNIA ESTABLISHING A PLANNED DEVELOPMENT OVERLAY
DISTRICT**

**THE CITY COUNCIL OF THE CITY OF GUADALUPE DOES ORDAIN AS
FOLLOWS:**

Section 1. A new chapter 18.33 is hereby added to the Guadalupe Municipal Code, to read as follows:

Chapter 18.33

PD PLANNED DEVELOPMENT OVERLAY DISTRICT

Sections:

- 18.33.010 Purpose and intent of the overlay district.
- 18.33.020 Applicability.
- 18.33.030 Effect of PD overlay district.
- 18.33.040 Permitted uses.
- 18.33.050 Conditional uses.
- 18.33.060 Development standards.
- 18.33.070 Procedure.
- 18.33.080 Required findings.
- 18.33.090 Expiration and extensions.
- 18.33.100 Revocation.

18.33.010 Purpose and intent of the overlay district. The PD (Planned Development) Overlay District is designed and intended to provide for the orderly development of land in conformance with the General Plan by permitting a flexible design approach to residential development on small or otherwise constrained lots or on lots that would benefit from such flexibility to provide for a residential environment that is better than that resulting from strict adherence to the underlying zoning district's development standards. The district is designed and intended to accommodate various types of residential development such as single-family residential developments, duplexes, triplexes and other multiple housing developments in various combinations as part of a planned development. In certain cases, a Planned Development may have limited a commercial component as described below.

The requirements and procedures set in this chapter are designed and intended to be applied in such a manner as to provide maximum design flexibility to the property owner or developer, yet allow the city to retain control over design features and arrangements of uses within the project.

18.33.020 Applicability. The provisions of this overlay district shall apply to any areas zoned with the PD overlay. The PD Overlay designation may only be applied to

properties with an underlying zoning of residential (R-1, R-1-M, R-2, and R-3) zone districts in the following areas of the City:

- 1) The area nearest the Central Business District generally bounded by Twelfth Street on the north, Seventh Street on the south, the western city limits on the west, and Peralta Street on the East;
- 2) The area known as the Gularte Tract in the northeastern portion of the City;
- 3) The area west of Guadalupe Street and north of Main Street on either side of Campodonico and Tognazzini Avenues, on the east side of Pioneer Street, on the west side of Pioneer Street between Fifth Street and Garrett Lane, and on the south side of Second Street north of the Guadalupe Cemetery; and
- 4) Residential zones within Specific Plan Areas, excluding the Point Sal Dunes Specific Plan Area, if the associated Specific Plan allows or calls for a planned development.

The Overlay may not be applied to the following areas:

- 1) The parcels zoned R-1 in the Treasure Park Subdivision on the east side of Obispo Street; and
- 2) The parcels zoned R-1-SP in the Point Sal Dunes Specific Plan Area.
- 3) The parcels zoned R-1-SP-CZ in the River View Specific Plan Area.

This overlay district may be applied to the residential zones within other Specific Plans, if the associated Specific Plan allows or calls for a planned development.

In addition, the application of this overlay on parcels zoned single-family residential (R-1) shall be restricted to two or more adjacent parcels under common ownership.

18.33.030 Effect of PD Overlay District. Within the PD Overlay District, residential developments are subject to flexible development standards to provide for flexible design, subject to site-specific City review. Building setbacks or lot sizes that are smaller than required under the underlying zone district may be applied, and/or density of portions of development may be increased, architectural or landscaping requirements may be modified, and off-street parking requirements may be reduced, at the discretion of the Planning Commission and/or City Council. For projects that are larger than 0.75 contiguous acres, a limited commercial component may be included, as discussed in Section 18.33.050.

The site retains its underlying zoning designation, but adds the PD overlay as a qualifier. As an example, a site with R-1 zoning that is granted the PD overlay would be labeled as R-1-PD on the city's zoning map.

Where a PD overlay is applied, any standards identified or set in the approved planned development shall take precedence over the underlying zone district standards. However, for standards that are not specifically set or identified in the planned development, those standards in the underlying zone shall remain in effect.

18.33.040 Permitted Uses. The following uses are permitted in the PD Overlay District, provided the use is permitted in the underlying zoning district, and subject to approval of the associated development plan by the City Council:

1. Single-family residences, with or without one attached or detached second unit;
2. Duplexes and Triplexes;
3. Apartments, condominiums, and townhomes;
4. Cluster housing;
5. Other attached or detached multiple family developments;
6. Additions to existing buildings, in compliance with the City's regulations for legal non-conforming structures and uses, if an addition involves a non-conforming structure or use;
7. Accessory structures and uses, as allowed in the underlying zone district.

18.33.050 Conditional Uses. Conditional uses that are listed in the underlying zone district are allowed subject to obtaining a conditional use permit from the City Council.

Additionally, a limited commercial component for a given development in the PD Overlay District may be allowed, subject to obtaining a conditional use permit from the Planning Commission and/or City Council. Developments eligible for such consideration shall be limited to projects that are larger than 0.75 contiguous acres in size, and shall conform to the development standards set forth below in this section. Commercial uses eligible for consideration shall include all permitted and conditionally permitted uses in the Mixed-Use District (Chapter 18.35 of this title).

The following requirements shall apply to requests for a limited commercial component:

1. The commercial use is incidental to the residential use(s) and occupies a maximum of 25% of the total developed floor area for parcels or properties between 0.75 and 2 acres, a maximum of 10% of the total developed floor area for parcels or properties between 2 and 4 acres, and a maximum of 6.25% of the gross acreage for properties greater than 4 acres in size.
2. The commercial use provides goods or services that are of the kind that would be regularly used by residents of the development.
3. The commercial component is aesthetically conforming to or complementary of the residential component.
4. The commercial use would not unduly interfere with the adjacent residential uses, and would add value to the residential component, rather than detracting from the residential component. Potential impacts on the residents from noise, parking demand, odors, and other nuisances shall be considered in this requirement.

18.33.060 Development Standards.

The following development standards shall apply for the PD Overlay District. Review and approval of conceptual project plans, including a site plan, floorplans,

elevations, and landscape plans, shall occur at the same hearing that a request for application of this zoning overlay is heard or introduced.

1. Lot Sizes: No minimum or maximum. Subject to review and approval of project plans by the Planning Commission and/or City Council.

2. Setbacks: There are no standard setback requirements for this district. Setbacks shall be proposed on the plans for the development and approved by the Planning Commission and/or City Council. The review of setbacks should incorporate the need to protect and preserve sensitive site characteristics, and ensure compatibility between different uses. The siting of structures shall also be based on privacy, provision of usable private open space, access to light and air, solar exposure, building configuration, provision of adequate driveway space, and aesthetics.

3. Heights: Maximum heights shall be established by the underlying zoning district.

4. Density: The density of development shall be at the density specified in the city's Land Use Element, except that for sites with an underlying zone district of R-1, R-1-M, and R-2, a density bonus of up to 15% may be granted by the City Council, if the project would substantially advance affordable housing or other city goals or otherwise is deemed by the city to be eligible for such a density bonus.

5. Parking: Parking shall be provided in compliance with Sections 18.24.110, 18.26.110, or 18.60 of this title, as applicable to the underlying zoning district and the following requirements:

- a. Uncovered parking areas shall be screened from the street and adjacent residences to a height of at least four feet with hedges, dense plantings, or walls.
- b. Offstreet parking located in front of buildings on a given property is generally discouraged, and if so proposed, shall be screened as above and located no closer than 20 feet from the front property line. Notwithstanding the foregoing, provision of off-street parking in a driveway of a single-family residence or duplex is allowed, provided that such parking not be covered by a canopy or other unwallled structure.
- c. A reduction of parking of up to 50% of the required number of parking spaces associated with the underlying zone may be requested. Because of parking adequacy problems in much of the City, the request for any reduction in required parking should be carefully considered and should only be granted where appropriate. Approval by the City of any such request should consider the project's overall merits, the appropriateness of such a request at the project's location, the availability of parking on adjacent lots and potential for establishing shared-parking arrangements, availability of parking on a city-owned or operated lot, and any other applicant-proposed parking provisions. The City Council may require payment of in-lieu parking fees for any modification to the number of parking spaces provided, with the in-lieu fees to be used by the City in developing City-operated lots and/or other parking demand management plans.

6. Streets: Any streets proposed for the development may be public or private; however, all private streets shall be constructed to city standards and adequate provisions shall be made in the Covenants, Conditions, and Restrictions (CC&Rs) to ensure

adequate maintenance. The standards for any on-site improvements (streets, walks, drainage, and utilities) for a project subject to the PD Overlay District may be modified by the city upon recommendation from the engineering or planning departments. Street design shall relate to the function of the street and, for good cause, street widths may be reduced. Innovation in street and walkway design, with an emphasis on connectivity through the development, and reduction of grading for streets is encouraged. Vehicular access to individual lots or units shall generally be only from project streets.

7. Landscaping: All proposed landscaping shall be installed in accordance with the approved project plans and maintained in a neat and attractive appearance. Special attention shall be given to the design and maintenance of landscaping in all front and street yards. Street trees shall be included and placed consistent with the city's street tree plan as may be adopted and modified from time to time. Landscaping and landscape standards will be reviewed and approved by the Planning Commission and/or City Council, along with project plans.

Where a property in the PD Overlay District abuts a property not zoned with the PD overlay, an adequate buffer consisting of fencing, walls, plant materials, or any combination thereof shall be installed along each side or rear yard of the PD overlay property that abuts non PD overlay designated property. Such buffer shall be installed and maintained to protect adjacent properties from impacts of noise or lighting and to provide separation between different uses. The buffer shall be shown on the development plan.

8. Open Space: Proposed development projects in the PD Overlay District shall be designed to provide permanent open space areas as follows:

- a. Amount. The city shall specify the required amount of private and common open space and any public open space in a planned residential development at the time of review and approval of conceptual project plans. For multifamily developments, common open space shall be provided, and in no case shall the total amount of common and/or public open space be less than fifteen (15) percent of the gross acreage. Provision of private open space for multifamily dwelling units shall generally be as specified in Sections 18.52.090, 18.52.100, and 18.52.110 of this title, although for good cause, the City Council may modify these requirements for a property subject to this overlay district.

Determination of the appropriate amount of common and/or public open space shall be based on consideration of the following factors:

- i. The need to protect for public use areas historically used by the public such as trails;
- ii. The need to provide usable recreational amenities for the residents of the development.
- iii. The avoidance of siting of structures in hazardous areas;
- iv. The protection of sensitive habitats and archaeological sites; and
- v. Protection of scenic areas of the site, or adjacent to the site.

The City may require that any lands to be preserved as public open space be dedicated in fee to the city or other public agency or may remain in private ownership with dedication of only appropriate scenic and/or open space easements. For lands intended for public open space that remain in private

ownership, the city shall require granting of an easement guaranteeing the public's right of access and use of such open space.

- b. **Maintenance of Public Open Space.** The city may require the applicant to maintain all public open spaces and related facilities for a certain period of time. The required period should be specified by a permit condition of approval and set to commence after occupancy of the development (and may require that bonding or other security in a form approved by the City Attorney be posted with the city to guarantee maintenance), or may require payment of an in-lieu fee if the city maintains the public open space and related facilities. If the applicant is to maintain public open spaces, prior to the issuance of any permits for construction, a bond or other approved security shall be posted guaranteeing such maintenance.
- c. **Maintenance of Common Open Space.** Provision for ongoing and adequate preservation and maintenance of common open space shall be provided by the owner(s) or developer. For developments containing 4 or more separate owners, the common open space should normally be deeded to a Homeowners' Association or equivalent entity and held in undivided ownership by the owners of the planned development. Other mechanisms to preserve and maintain common open space are subject to approval by the City Council upon recommendation of the City Attorney as part of the consideration of applying the PD Overlay District. Preservation and maintenance of all common open space and communal recreational facilities shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvements and running with the land as described in the approved development plan. For developments involving 3 or fewer owners, establishment of a Homeowners' Association or equivalent entity to maintain common open space may not be required, if some other instrument or legal arrangement acceptable to the City is made for the maintenance of common open space areas.

9. **Homeowners' Association:** The city may require a Homeowners' Association or equivalent entity to be formed to maintain the development, any internal roads, landscaping, and other improvements. A Homeowners' Association or equivalent entity shall generally be required for all developments involving 4 or more lots, unless all lots are and shall remain in perpetuity under the same ownership. The City Council, in reviewing the request for application of the PD Overlay District, shall determine if the establishment of a Homeowners' Association is necessary.

Prior to obtaining a zoning clearance, the applicant shall file a description of the proposed organization of the Homeowners' Association or equivalent entity including conditions, covenants, and restrictions that will govern the association. Such description shall be reviewed by the City Attorney, who shall make a recommendation to the City Administrator. Required provisions shall include but are not limited to the following:

- a. The Homeowners' Association or equivalent entity shall be established before the homes are sold.
- b. Membership shall be mandatory for each home buyer and any successive buyer.

- c. The association shall be responsible for liability insurance, property taxes, utilities and maintenance of common open space and recreational and other common facilities.
- d. Homeowners shall pay their pro rata share of all costs of the association and the assessment levied by the association can become a lien on the property.
- e. The association shall be able to adjust the assessment to meet changed needs.

18.33.070 Procedure. The application of a PD Overlay District requires an amendment of the City's Zoning Map. A request for application of a PD Overlay District shall be in the form of a zoning ordinance amendment application and shall be subject to review and approval by the City Council at a noticed public hearing. The granting of a rezone to apply this overlay district is entirely discretionary, subject to approval by the City Council, upon the ability to make the required findings.

Each request for application of this overlay district shall be considered on a case by case basis. The procedure for requesting application of this overlay district is as follows:

1. Owner or applicant acting on behalf of the owner submits a request for application of the PD Overlay District. Such a request shall be in writing and may be in the form of a letter addressed to the City Council or City Administrator or other appropriate city official. The request shall be accompanied by conceptual or preliminary plans that show the proposed development. Three plan sets shall be submitted to the city, which shall be in a form and level of detail acceptable to the city, and shall include at a minimum a site plan, floor plans, elevations, and landscape plans. At the discretion of the city, grading plans, renderings, and other submittals may be required. The applicant shall also file an application with the city and shall pay the requisite application fee.
2. Upon receipt of the application materials, city staff shall review the materials, determine if any additional or revised materials are needed, and advise the applicant accordingly.
3. Once the application has been deemed complete by city staff, the item shall be scheduled for conceptual review by the Planning Commission.
4. After the applicant has had the opportunity to consider any changes recommended by the Planning Commission in their conceptual review and has submitted any revised plans, if applicable, to the Planning Department, the rezone request shall be scheduled as a noticed, public hearing for the next available Planning Commission meeting. The Planning Commission shall consider the request for the rezone, along with the project plans, and make a recommendation to the City Council on the request. The Planning Commission's recommendation should include any suggested revisions to the project plans.
5. Following action by the Planning Commission, the item would be scheduled for a noticed, public hearing by the City Council in the form of introduction and first reading of an ordinance amending the zoning code. At this hearing, the City Council would review the project plans along with the rezone

request and direct any changes. Second reading and adoption of the ordinance amendment would be scheduled for a subsequent City Council meeting.

6. If the City Council approves the rezone request, the project applicant would be responsible for making any changes to the project plans required by the City and would then submit three sets of final project plans to the city for review and approval. The effective date of the ordinance amendment would be stipulated in the ordinance approving the rezone and may be linked to the City's review and approval of final project plans.
7. City staff shall review the final plans and determine whether the final plans are in conformity or substantial conformity to the City Council-approved conceptual or preliminary plans. If the plans are deemed in conformity, city staff shall issue a zoning clearance. If the plans are not deemed in conformity or substantial conformity, the applicant shall resubmit plans for review and approval by city staff, or would need to apply for a new zoning amendment for the substantially modified plans.

18.33.080 Required Findings. Prior to approval of a PD Overlay Zoning Designation, the Planning Commission must recommend and the City Council shall make all of the following findings:

1. The proposed development fulfills the purpose and intent of the PD Overlay District.
2. The site is of the type and character that is appropriate for a planned residential development, and the design provides for an improved development layout over that which could be achieved by adhering to the standards of the underlying zone district.
3. The overall estimated population density which will result upon development of the property under the PD Overlay District is appropriate for the site and will not have a detrimental effect upon surrounding areas nor exceed the capacity of city service and utility facilities.
4. The proposed development as shown on the project plans is in conformance with all applicable policies of the general plan, and the requirements of this title.
5. Adequate provisions have been made within the proposed covenants, conditions, and restrictions or some other mechanism to establish permanent care and maintenance of public and common open spaces, private streets, recreational areas, and facilities.

In addition, the Planning Commission and City Council shall also find that the project meets one of the following criteria:

1. It provides facilities of amenities suited to a particular occupancy group (such as elderly or families with children).
2. It transfers allowable development within a site from areas of greater environmental sensitivity or hazard to areas of less sensitivity or hazard.
3. It produces a greater range of housing types and costs than would be possible with development of uniform dwellings throughout the project site or neighborhood.

4. Features of the particular design achieve the intent of conventional standards (privacy, useable open spaces, adequate parking, compatibility with neighborhood character, and so on) as well as or better than the standards of the underlying zoning district do.
5. It incorporates features which result in consumption of significantly less materials, energy or water than conventional development.

In addition, for requests that include a limited commercial component, the Planning Commission and City Council shall also make the following finding:

1. The proposed commercial component would not conflict with or detract from the commercial vitality of the Central Business District as described in the General Plan.

18.33.090 Expiration and extension. The application of the PD overlay zoning is tied to the associated project plans. The granting of this zoning district overlay to a parcel or group of parcels shall normally expire 3 years after final City Council approval, if a zoning clearance for the development has not been obtained by the applicant or the successor in interest. The City Council may apply a shorter or longer expiration period on a case-by-case basis, and if applied, shall include the desired expiration period in the text of the ordinance amendment associated with a specific request.

The City Council may grant up to two 1-year extensions for good cause. A request for an extension shall be made in writing and filed sufficiently in advance of the expiration date to allow the request to be considered at a regular meeting of the City Council.

18.33.100 Revocation. The process for revocation other than by expiration shall be the process the city uses for City Council-initiated rezones.

Section 2. Savings and Interpretation Clause. This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state law, including, without limitation, the Government Code of the State of California. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid as applied to a particular appeal, the validity of this ordinance and its sections, subsections and clauses in regards to other matters, shall not be affected.

Section 3. Publication and Effective Date. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City.

INTRODUCED at a regular meeting of the City Council held this 8th day of January, 2008 on motion of Councilmember Julian, seconded by Councilmember Sabedra, and on

the following roll call vote, to wit:

AYES: 5 Julian, Sabedra, Ponce, Lizalde, Alvarez
NOES: 0
ABSENT: 0
ABSTAIN: 0

PASSED AND ADOPTED at a regular meeting of the City Council held this 22nd day of January, 2008 on motion of Councilmember Julian, seconded by Councilmember Lizalde, and on the following roll call vote, to wit:

AYES: 5 Julian, Lizalde, Ponce, Sabedra, Alvarez
NOES: 0
ABSENT: 0
ABSTAIN: 0

CITY OF GUADALUPE

BY: Lupe Alvarez
Lupe Alvarez, Mayor

ATTEST:

Brenda Hoff
Brenda Hoff, City Clerk

ORDINANCE NO. 2008-392

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
PROHIBITING THE PARKING OF VEHICLES WITHIN CERTAIN PORTIONS
OF THE FRONT YARD SETBACK

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

Section 1. A new section 18.60.035 is hereby added to Chapter 18.60 of the Guadalupe Municipal Code to read as follows.

18.60.035—Residential zones—parking prohibited in front yard setback (and street side yard setback for corner lots).

(a) Parking a vehicle or vehicles on any unpaved portion of a front yard setback is prohibited. Suitable paved surfaces include solid asphalt or concrete, concrete or brick pavers, or a concrete lattice supported surface such as grasscrete. Such parking is also prohibited on any unpaved portion of a street side yard setback for corner lots. Vehicles as used in this section includes recreational vehicles, boats whether on or off trailers, trailers, and any other similar vehicles whether operable or inoperable. Notwithstanding the foregoing prohibition, a vehicle may be parked on an unpaved portion of a front or street side yard setback for a period not exceeding one hour while actively being washed.

(b) After the effective date of the ordinance adopting this section, any additional paving of the front yard setback (or street side yard setback for corner lots) shall require a minor Conditional Use Permit. In considering an application for a minor Conditional Use Permit, the Planning Commission shall consider the aesthetic impact of any such paving as well as the potential for interference with access to structures for emergency vehicles and personnel from vehicles or other obstructions to be placed on such paving. In no case shall additional paving reduce the total area of landscaping within the front yard (or street side yard setback for corner lots) to less than 33% of the pertinent yard setback area.

(c) Notwithstanding the foregoing, parking on unpaved portions of the street side yard setback may be allowed, if it otherwise meets zoning code standards and if it is screened behind a legally permitted fence or landscaping.

Section 2. Savings and Interpretation Clause. This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state law, including, without limitation, the Government Code of the State of California. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the

validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid as applied to a particular appeal, the validity of this ordinance and its sections, subsections and clauses in regards to other contracts, shall not be affected.

Section 3. Publication and Effective Date. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City. The ordinance shall take effect thirty (30) days after adoption.

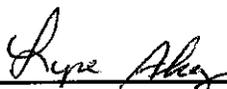
INTRODUCED at a regular meeting of the City Council held this 11th day of March, 2008 on motion of Councilmember **Julian**, seconded by Councilmember **Lizalde**, and on the following roll call vote, to wit:

AYES: 4
NOES:
ABSENT: 1
ABSTAIN:

PASSED AND ADOPTED at a regular meeting of the City Council held this 25th day of March, 2008 on motion of Councilmember **Lizalde**, seconded by Councilmember **Julian**, and on the following roll call vote, to wit:

AYES:	4	Lizalde, Julian, Sabedra, Ponce
NOES:	1	Alvarez
ABSENT:	0	
ABSTAIN:	0	

CITY OF GUADALUPE

BY: 
Lupe Alvarez, Mayor

ATTEST:


City Clerk

ATTACHMENT 3

CITY OF GUADALUPE SUBDIVISION REGULATIONS

Title 17

SUBDIVISIONS

Chapters:

- 17.04 General Provisions
- 17.08 Definitions
- 17.12 Administration and Enforcement
- 17.16 Preliminary Maps
- 17.20 Tentative Maps
- 17.24 Vesting Tentative Maps
- 17.28 Final Maps
- 17.32 Design and Improvement Standards
- 17.36 Condominiums
- 17.40 Variances

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Adoption of regulations.
- 17.04.020 Statutory authority and purpose.
- 17.04.030 Applicability of provisions.

17.04.010 Adoption of regulations. A substantially revised ordinance establishing regulations for the division of land, and entitled "Subdivision Ordinance," is adopted by the city council of the city of Guadalupe, state of California, in conformity with regulations now embodied in the Government Code of the state. (Ord. 142 Art. 1 §1, 1974)

17.04.020 Statutory authority and purpose. The ordinance codified in this title is for the purpose of regulating the division of land in the city, under the authority of the Subdivision Map Act of the state. In their interpretation and application, the provisions of this title shall be considered as minimum requirements adopted for the protection of the public peace, health, safety and general welfare. (Ord. 142 Art. 1 §2, 1974)

17.04.030 Applicability of provisions. This title shall

apply to any division of land, or separation of land into two or more parts or parcels, or any modification of lot lines, where the land was under common ownership shown as a unit or contiguous units on the latest available assessment rolls of Santa Barbara County. This title shall not apply to the sale of whole lots as they are shown on a recorded subdivision map or parcel map. (Ord. 142 Art. 1 §3, 1974)

Chapter 17.08

DEFINITIONS

Sections:

- 17.08.010 Definitions generally.
- 17.08.020 City.
- 17.08.030 City Council.
- 17.08.040 Condominium.
- 17.08.050 Original parcel.
- 17.08.060 Person or subdivider.

17.08.010 Definitions generally. Generally, all words and terms used in this title shall have the same meaning as defined and used in the Subdivision Map Act of the state, except as provided in this chapter. (Ord. 142 Art. 2 §1 (apart), 1974)

17.08.020 City. "City" means the city of Guadalupe. (Ord. 142 Art. 2 §1 (A), 1974)

17.08.030 City council. "City council" means the city council of the city of Guadalupe. (Ord. 142 Art. 2 §1 (B), 1974)

17.08.040 Condominium. "Condominium" means a system of individual ownership of units in a multifamily structure, combined with joint ownership of common areas of the structure and the land. (Ord. 142 Art. 2 §1 (C), 1974)

17.08.050 Original parcel. "Original Parcel" means an area of land, lot or parcel, under common ownership, shown as a unit or contiguous units on the latest available assessment rolls of the county not established as separate lots in a recorded subdivision or parcel map. (Ord. 142 Art. 2 §1 (D), 1974)

17.08.060 Person or subdivider. "Person" or "subdivider"

means any individual, firm, association, syndicate, copartnership, corporation, trust or any legal entity commencing proceedings under this chapter to effect a division or subdivision of land for himself or for another. (Ord. 142 Art. 2 §1 (D), 1974)

Chapter 17.12

ADMINISTRATION AND ENFORCEMENT

Sections:

- 17.12.010 Building and zoning permit requirements.
- 17.12.020 Compliance with provisions prerequisite to sale or lease or parcel.
- 17.12.030 Reversion to acreage, and actions relating to property lines.
- 17.12.040 Voidability of conveyances.
- 17.12.050 Unlawful acts designated--Penalty.

17.12.010 Building and zoning permit requirements. A. Compliance with this title is a condition precedent to the issuance of a building permit or zoning permit by any person authorized to issue such permit in the city.

B. Building permits and zoning permits issued without prior compliance with this chapter are void. Upon the discovery of the issuance of such permits without compliance herewith, it shall be the duty of the building inspector to notify the person to whom such permit was issued of the requirements of this title, and to demand all building and construction work to cease immediately until this title has been complied with. (Ord. 142 Art. 6 §1, 1974)

17.12.020 Compliance with provisions prerequisite to sale or lease or parcel. No owner, subdivider or agent shall offer to sell or lease, to contact to sell or lease, or to sell or lease any division of an original parcel, or any subdivision or part thereof, until a final parcel map or subdivision map thereof in full compliance with the provisions of this title has been duly recorded in the office of the recorder of the county. (Ord. 142 Art. 1 §4, 1974)

17.12.030 Reversion to acreage, and actions relating to property lines. If a person wishes to revert an existing subdivision to acreage, eliminate one or more property lines, or relocate one or more property lines, the procedures shall be the same as required for a parcel map or subdivision map, whichever may apply to the particular case. This section shall not apply to the recordation of a record of survey map or survey of previously existing property lines. (Ord. 142 Art. 1 §5, 1974)

17.12.040 Voidability of conveyances. Any conveyance or contract to convey made contrary to the provisions of this title is voidable to the extent and in the same manner provided in Section 11540 of the Business and Professions Code of the state. (Ord. 142 Art. 6 §2, 1974)

17.12.050 Unlawful acts designate--Penalty. A. Any division or attempted division of land for any purpose, including gift, without prior compliance with the requirements of this title shall be unlawful.

B. Any offer to sell, contract to sell, sale or deed of conveyance made contrary to the provisions of this title shall be unlawful.

C. Any person guilty of violating any of the provisions of this title, or performing any act declared by this title to be unlawful, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine and/or imprisonment in accordance with the general penalty provision then in effect on the city, pursuant to Chapter 1.08 of this code, as amended. (Ord. 86-271 §23, 1986: Ord. 142 Art. 6 §3, 1974)

Chapter 17.16

PRELIMINARY MAPS

Sections:

- 17.16.010 Submittal procedure generally--Design conference date setting.
- 17.16.020 Contents of preliminary map.
- 17.16.030 Design conference--Attendance by interested persons--List maintained.
- 17.16.040 Design conference--Submittal of information--Report to subdivider.

17.16.010 Submittal procedure generally--Design conference date setting.

A. Prior to the filing of a tentative map, a subdivider may submit to the planning commission a preliminary map for review and recommendations from the planing commission and other interested parties or agencies at a design conference.

B. If submitted, the subdivider shall provide the city clerk with a sufficient number of maps that may be necessary to provide one copy of the map to all public and private agencies who, in the opinion of the city clerk, will be affected by the proposed subdivision, or who have requested to be notified of design conference meetings. No more than fifteen prints and one reproducible shall be required.

C. The city clerk shall set a date for a design conference and transmit one copy of the map and notice of the design conference to the affected public and private agencies. (Ord. 142 Art. 4 §1, 1974)

17.16.020 Contents of preliminary map. The preliminary map shall be clearly and legibly drawn at a scale and on a sheet size that will be appropriate to allow proper review. The preliminary map shall contain the following information:

A. The location of the proposed subdivision, with a description sufficient to identify the property on a city map, including an assessor's parcel number or legal description;

B. Names and addresses of record owner, subdivider and person who prepared the map;

C. Date of preparation, North point, and scale;

D. Boundaries of the proposed subdivision, and boundaries of any proposed units of development;

E. Location of streets, alleys and easements within the proposed subdivision, and adjacent to the proposed subdivision;

F. Lot lines, with approximate dimensions and approximate areas;

G. The specific use intended for each lot in the subdivision;

H. Location of permanent physical features which may affect the design of the proposed subdivision, i.e., contours. (Ord. 142 Art. 4 §2, 1974)

17.16.030 Design conference--Attendance by interested person--Lists maintained. All persons or agencies who wish to attend design conferences shall notify the city clerk in writing. The city clerk shall maintain a list of these interested persons or agencies. (Ord. 142 Art. 4 §3, 1974)

17.16.040 Design conference--Submittal of information--Report to subdivider. A. Each person or agency wishing to make definite recommendations to the subdivider as a result of the design conference shall provide such recommendations to the city clerk within ten days. The city clerk shall provide a copy of these recommendations to the subdivider, and make a copy available to any interested party upon request.

B. The design conference is an informational meeting only, for the purpose of assisting the subdivider to obtain information, and no final action or binding obligations shall result from this meeting. (Ord. 142 Art. 4 §4, 1974)

Chapter 17.20

TENTATIVE MAP

Sections:

- 17.20.010 Filing procedures, fee and examination--Environmental impact report.
- 17.20.020 Form and contents.
- 17.20.030 Review procedures.
- 17.20.040 Planning commission investigations and recommendations.

- 17.20.050 Requests for continuation.
- 17.20.060 Approval criteria--City council authority.

17.20.010 Filing procedures, fee and examination--Environmental impact report. A. The subdivider shall file with the city clerk twelve prints of the tentative map, along with any documents or statements required to be furnished therewith.

B. At the time of filing a tentative parcel map or tentative subdivision map, a fee of twenty-five dollars plus three dollars for each lot or parcel proposed to be created, shall be paid to the city clerk.

C. The city clerk shall examine the tentative map upon its presentation, and shall not accept the map unless it is in full compliance with the provisions of this title as to form, and the information required to be furnished therewith. The city clerk shall not accept the tentative map filing until a environmental impact report has been approved, or a negative declaration has been filed.

D. The time that the city clerk accepts the tentative map and accompanying material shall be deemed the time of filing the tentative map. The city clerk shall mark each tentative map with a tract number and the date of filing. (Ord. 142 Art. 3 §1, 1974)

17.20.020 Form and contents. A. The tentative map shall be clear and legible. The size of the sheet shall be appropriate to allow proper review. The scale of the map shall be one inch equals one hundred feet or one inch equals fifty feet.

B. The tentative map shall contain the following information:

1. Name and address of the record owner of the property to be subdivided, name and address of the subdivider if the owner is not the subdivider, and name and address of the engineer or surveyor;
2. North point;
3. Date of preparation;
4. Scale.
5. Boundary lines;
6. Locations and widths of all street, alleys, bicycle paths or pedestrian ways within the proposed subdivision and adjacent to the proposed subdivision;
7. Approximate radii of street curves;
8. Lot lines and approximate dimensions;
9. Lots, numbered consecutively;
10. Widths and locations of all existing or proposed public and private easements;
11. Locations of all surface and subsurface structures and improvements; show distance from proposed lot line to any structures which will remain in the subdivision;
12. Contours or elevations sufficient to indicate any proposed grading and drainage;
13. Arrows indicating the flow of drainage from each proposed lot and each street, and any provision for drainage or storm water control;
14. Legal description sufficient to define the boundaries of the

property.

C. Information to Accompany the Tentative Map. The tentative map shall show thereon or be accompanied by the following information:

1. A preliminary title report, describing all rights-of-way and easements pertaining to the property to be subdivided, and containing a legal description of the property to be subdivided;
2. Types of street improvements and utilities proposed to be installed. (Ord. 142 Art. 3 §2, 1974)

17.20.030 Review procedures A. Within five working after the filling of the tentative map, the city clerk shall set a date for review of the tentative map at a regular meeting of the planning commission, and transmit one copy of the tentative map, along with a notice of the date of review, to each of the following:

1. City engineer;
2. Fire chief;
3. Water department;
4. Sanitation department;
5. Lighting district;
6. Telephone company;
7. Gas company;
8. Electric power company;
9. Such other agencies that may be affected by the proposed design of the subdivision.

B. The date of review shall not be less than ten working days and not more than forty-five days after the filing date of the tentative map. (Ord. 142 art. 3 §3, 1974)

17.20.040 Planning commission investigation and recommendations. A. The city planning commission shall be the advisory agency referred to in the Subdivision Map Act, and shall make such investigations, reports and recommendations as are necessary to accomplish the intent and purpose of this title.

B. Within fifty days after the tentative map filing date, the planning commission shall recommend in writing to the city council that the tentative map be approved subject to certain conditions, or disapproved.

C. The planning commission shall submit in writing to the subdivider one copy of its recommendations to the city council. (Ord. 142 Art. 3 §4, 1974)

17.20.050 Requests for continuation. At any time, a subdivider or his authorized representative may request in writing that action upon a tentative map be postponed to a specified date, and the planning commission or city council may reschedule review and action on the tentative map if such a request is made. (Ord. 142 Art. 3 §5, 1974)

17.20.060 Approval criteria--City council authority. A. The city council shall approve, conditionally approve or disapprove the tentative map at its next regular meeting after receiving the report from the planning commission,

unless a request for continuation has been filed.

B. The city council shall deny approval of a tentative map if it makes any of the following findings (required by State Subdivision Map Act):

1. That the proposed map is not consistent with applicable general and specific plans;
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
3. That the site is not physically suitable for the type of development;
4. That the site is not suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision;
8. That the design of the subdivision or the proposed improvements do not meet minimum standards established by the city council. (Ord. 142 Art. 3 §6, 1974)

Chapter 17.24

VESTING TENTATIVE MAPS

Sections:

- | | |
|-----------|---|
| 17.24.010 | Title for citation--Statutory authority. |
| 17.24.020 | Purpose of provisions. |
| 17.24.030 | Definitions. |
| 17.24.040 | Consistency with other plans and regulations. |
| 17.24.050 | Applicability--Residential developments only. |
| 17.24.060 | Filing and processing procedures. |
| 17.24.070 | Fee. |
| 17.24.080 | Expiration of approval. |
| 17.24.090 | Rights conferred upon approval--Conditions. |
| 17.24.100 | Developments inconsistent with zoning provisions--Conditional approval. |
| 17.24.110 | Applications inconsistent with other current policies. |

17.24.010 Title for citation--Statutory authority. The ordinance codified in this chapter is enacted pursuant to the authority granted by Chapter 4.5 (commencing with section 65498.1) of Division 2 of Title 7 of the Government Code of the state (hereinafter in this chapter referred to as the "Vesting Tentative Map Statute"), and may be cited as the "Vesting Tentative Map Ordinance." (Ord. 85-260 §1-1, 1985)

17.24.020 Purpose of provision. A. It is the purpose of this chapter to establish procedures necessary for the implementation of the Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act, and the subdivision Ordinance codified in the Title 17 of this code shall apply to the vesting Tentative Map Ordinance.

B. To accomplish this purpose, the regulations outlined in this chapter are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development. (Ord. 85-260 §1-2, 1985)

17.24.030 Definitions. As used in this chapter: A. "Vesting tentative map" means a "tentative map" for a residential subdivision, as defined in the city Subdivision Ordinance, that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Section 17.24.060, and is thereafter processed in accordance with the provisions of this chapter.

B. All other definitions set forth in Title 17 of this code are applicable. (Ord. 85-260 §1-4, 1985)

17.24.040 Consistency with other plans and regulations. No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the General Plan and any specific plan, or not permitted by the Zoning Ordinance or other applicable provisions of this code. (Ord. 85-260 §1-3, 1985)

17.24.050 Applicability--Residential developments only. A. This chapter shall apply only to residential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplement by the city Subdivision Ordinance, requires the filing of a tentative map, a vesting tentative map instead be filed, in accordance with the provision of this chapter.

B. If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction. (Ord. 85-260 §1-5, 1985)

17.24.060 Filing and processing procedures. A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports, and shall be processed in the same manner as set forth in the city Subdivision Ordinance for a tentative map, except as provided in this section:

A. At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map";

B. At the time a vesting tentative map is filed, a subdivider shall also supply the following information: The same information as is now required for preliminary and tentative tract maps, as per Chapter 17.20 of this title. (Ord. 85-260 §2-1, 1985)

17.24.070 Fee. Upon filing a vesting tentative map, the subdivider shall pay the fees required by ordinance or resolution for the filing and processing

of a tentative map. (Ord. 85-260 §2-2, 1985)

17.24.080 Expiration of approval. The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions established by the Subdivision Ordinance for the expiration of the approval or conditional approval of a tentative map. (Ord. 85-260 §2-3, 1985)

17.24.090 Rights conferred upon approval--Conditions.

A. 1. The approval or conditional approval of a vesting tentative map shall confer a vesting right to proceed with development in substantial compliance with the ordinances, policies and standards described in Government Code Section 66474.2.

2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vesting right to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the time the vesting tentative map is approved or conditionally approved.

B. Notwithstanding subsection A of this section, a permit approval, extension or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both;

2. The condition or denial is required, in order to comply with state or federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map, as provided in Section 17.24.080 of this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of eighteen months. (Note: This must be not less than twelve months nor more than twenty-four months beyond the recording of the final map.) Where various final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded.

2. The initial time period set forth in subsection C1 of this section shall be automatically extended by any time used for processing a complete application for a grading permit, or for design or architectural review, if such processing exceeds thirty days from the date a complete application is filed.

3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subsection C1 of this section expires. If the extension is denied, the subdivider may appeal that denial to the legislative body within fifteen days.

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subsections C1 through C3 of this section, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit. (Ord. 85-260 §3-1, 1985)

17.24.100 Developments inconsistent with zoning provisions--Conditional approval. A. Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The city may deny such a vesting tentative map, or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is obtained, the approved, or conditionally approved vesting tentative map shall, notwithstanding subsection A of Section 17.24.090, confer the vesting right to proceed with the development in substantial compliance with the change in the zoning ordinance and the map, as approved.

B. The rights conferred by this section shall be for the time periods set forth in subsection C of Section 17.24.090.
(Ord. 85-260 §3-2, 1985)

17.24.110 Applications inconsistent with other current policies. Notwithstanding any provision of this chapter, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies and standards described in subsection A of Section 17.24.090, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law. (Ord. 85-260 §3-3, 1985)

Chapter 17.28

FINAL MAPS

Sections:

- 17.28.010 Preparation and recordation.
- 17.28.020 Checking and recording fees.
- 17.28.030 Parcel map--Final preparation and recordation procedures.
- 17.28.040 Subdivision map--Final preparation and recordation procedures.

17.28.010 Preparation and recordation. A. A final parcel map or final subdivision map shall be recorded within a period of eighteen months after the approval of the tentative map by the city council.

B. A final map shall be:

1. Prepared as a parcel map if the division of property is not a "Subdivision," as defined in the Subdivision Map Act of the Business and Professions Code of the state; or
2. Prepared as a subdivision map if the division of property is a "Subdivision," as defined in the Subdivision Map Act. (Ord. 142 Art. 4 §1, 1974)

17.28.020 Checking and recording fees. At the time of submittal of prints of a final map for checking, the city engineer shall estimate all costs of

checking the map, calculations and improvement plans, the cost of any field inspection, and the cost of recording the map. This estimate shall be deemed the final fee for these services, and shall be paid to the city clerk. In the event that the subdivider does not agree to the amount of the fees, the fee shall be determined by the city council at its next regular meeting. (Ord. 142 Art. 4 §2, 1974)

17.28.030 Parcel map--Final preparation and recordation procedures.

A. To record a parcel map, a registered engineer or licensed surveyor shall submit to the city engineer two prints of the proposed parcel map, and pay to the city clerk the checking and recording fee.

B. The parcel map shall be prepared in conformance with Sections 11575 through 11580, inclusive, of the State Business and Professions Code; and, in the case of a parcel map showing a division of land into five or more parcels, as authorized under Section 11535 © (1), © (2) and © (3) of the Business and Professions Code, the parcel map shall be based upon a survey which has been monumented in the same manner as required for a final subdivision map. All parcel maps shall show the area of all parcels to the nearest square foot for parcels less than one acre, or to the nearest hundredth acre for all parcels one acre or larger in size.

C. When the city engineer is satisfied that the map is technically correct, conforms to the approved tentative map or any proposed alterations thereof, complies with all applicable laws and regulations, that all conditions of approval have been satisfied, and that any bonds or cash deposits have been received by the city clerk, the city engineer shall notify in writing the engineer or surveyor who prepared the map and request delivery of the original tracings of the parcel map. The city engineer shall execute his certification on the original tracings of the parcel map, as provided in Section 11575 of the Business and Professions Code, and shall transmit the same to the county recorder. (Ord. 142 Art. §3; 1974)

17.28.040 Subdivision map--Final preparation and recordation procedures.

A. To record a final subdivision map, a registered engineer or licensed surveyor shall submit to the city engineer two prints of the proposed final map, together with a fee for checking, inspection and recording, and traverse sheets giving latitudes and departures, showing the mathematical closure within allowable limits of error of the exterior boundaries of the tract, blocks to the center of adjoining streets, and all lots whose closure is not ascertainable from the map without trigonometric calculations.

B. The city engineer shall examine the map as to its technical accuracy, conformity with the approved tentative map, and compliance with all applicable laws and regulations. In the event the city engineer determines that there is a noncompliance, the subdivider shall cause the map to conform, and shall comply with the regulations.

C. The city engineer shall determine that all conditions of approval have been satisfied, and that all required bonds or cash deposits have been received.

D. When the city engineer is satisfied that the map is technically correct, conforms to the approved tentative map and any conditions of approval,

and complies with all applicable laws and regulations, the city engineer will notify in writing the registered engineer or licensed surveyor who prepared the map and request delivery of the original tracings of the final map. Upon receipt of the final map, the city engineer shall execute his certificate on the original tracing of the final map, as provided in Section 11593 of the Business and Professions Code, and will transmit the same to the city clerk. The city council shall approve the map at its next regular meeting, if it conforms with all the requirements of applicable laws and regulations made thereunder.

E. The city council shall, at that time, also accept or reject any or all offers of dedication and shall, as a condition precedent to the acceptance of any streets or easements or other dedications for public improvements proposed, require the subdivider to make or agree to make such improvements as are required by law and regulations adopted pursuant thereto.

F. When the final map and all cash deposits and bonds, and all conditions have been approved, the city clerk shall execute his certificate on the final map as provided in Section 11591 of the Business and Professions Code, and shall transmit such final map to the county recorder of Santa Barbara County for recording, as provided in Sections 11625 to 11628, inclusive, of the Business and Professions Code. (Ord. 142 Art. §4, 1974)

Chapter 17.32

DESIGN AND IMPROVEMENT STANDARDS

Sections:

- 17.32.010 Applicability of chapter provisions.
- 17.32.020 Block lengths.
- 17.32.030 Lot area, depth and access to street.
- 17.32.040 Streets and alleys.
- 17.32.050 Public utilities and drainage structures.
- 17.32.060 Parks, schools and other public uses.
- 17.32.070 Trees.

17.32.010 Applicability of chapter provisions. The following regulations set out in this chapter shall apply to all divisions of land or subdivisions, regardless of the number of lots or parcels being created. (Ord. 142 Art. 3 §1, 1974.)

17.32.020 Block lengths. Blocks shall not be longer than one thousand feet between intersecting streets, except where unusual design conditions require longer blocks. (Ord. 142 Art. 3 §2, 1974)

17.32.030 Lot area, depth and access to street. A. The minimum area of lots shall be six thousand square feet, with a minimum width of sixty feet, except in cases of R-1-M and planned unit developments.

B. Lots having an average depth of more than three times the average width shall not be approved.

C. All lots shall have vehicular access to a street. (Ord. 86-264, 1986; Ord. 142 Art. 3 §3, 1974)

17.32.040 Streets and alleys. A. The street arrangement shall conform with the General Plan in respect to the alignment and type of streets.

B. The alignment of streets shall provide for the direct continuation of centerline of the existing streets in adjoining subdivided areas.

C. Street names shall be subject to the approval of the city council.

D. A corner radius of twenty feet or more shall be provided at intersecting street right-of-way lines.

E. Where necessary to provide for the orderly subdivision of adjoining land, dead-end stub streets shall be provided. Where four or more lots front upon a dead-end street, a temporary cul-de-sac turnaround shall be provided.

F. Narrow reserve strips of land controlling access to streets from adjoining property may be provided; however, ownership and control of the use of the strips shall be placed under the jurisdiction of the city council.

G. An alley shall be provided in the rear of all lots zoned or intended to be used for industrial or commercial uses, and may be required by the city council in other areas.

H. All streets and alleys, including curbs, gutters, sidewalks, driveway entrances and signs, shall be designed and constructed to standards adopted by resolution of the city council. (Ord. 142 Art. 3 §4, 1974)

17.32.050 Public utilities and drainage structures. Public utilities, including but not limited to sewer lines, manholes, pumping stations, storm drains, water lines, valves, fire hydrants, storm drains, electrical facilities, telephone lines, gas lines and cable TV, shall be provided as required by the city council. Electrical distribution telephone and cable TV lines shall be placed underground. Public utilities and drainage structures shall be designed and constructed to standards adopted by resolution of the city council. (Ord. 142 Art. 3 §7, 1974)

17.32.060 Parks, schools and other public uses. The city council may require the provision of land for parks, schools or other public uses as a condition of approval of a tentative subdivision or parcel map. (Ord. 142 Art. 3 §5, 1974)

17.32.070 Trees. The city council may require, as a condition of approval, the planting of trees on lots or within street rights-of-way at the time of approval of a tentative subdivision or parcel map. (Ord. 142 Art. 3 §6, 1974)

Chapter 17.36

CONDOMINIUMS

Sections:

17.36.010 Map processing requirements.

17.36.010 Map processing requirements. The procedure and requirements for processing a tentative and final map of a condominium shall be the same as set forth in this chapter for a parcel map or subdivision, whichever may apply to the particular case. (Ord. 142 Art. 1 §5, 1974)

Chapter 17.40

VARIANCES

Sections:

17.40.010 Authorized when-- City council authority.

17.40.020 Temporary variances.

17.40.010 Authorized when-- City council authority. A. The city council may authorize a conditional variance from the regulations set out in this title when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the council shall prescribe only conditions that it deems necessary to or desirable for the public interest, and which have a direct relation to the granting of the variance. In making its findings, as required herein below, the city council shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity.

B. No variance shall be granted unless the city council finds:

1. That there are special and unique circumstances or conditions affecting the property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land. Special circumstances may include, but shall not be limited to, unusual shape or limited size of original parcel, extreme topography, unusual drainage problems, or design difficulties created by the pattern of existing recorded subdivisions of contiguous properties;

2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

3. That the granting of the variance will not be detrimental to the public welfare, or injurious to other property in the territory in which the

property is situated, and will not alter the essential character of the neighborhood. (Ord. 142 Art. 5 §1, 1974)

17.40.020 Temporary variances. The city council may authorize temporary variances from the requirements of this title, subject to conditions which shall assure, as a matter of law, full compliance with the requirements of this title within a reasonable period of time. Such conditions may include, but shall not be limited to:

- A. Irrevocable offers of dedication of road rights-of-way;
- B. The posting of bonds to assure compliance with any provision of this title; and
- C. The condition that the applicant and his successors in title shall limit or abstain from requesting certain further actions of the city that he might otherwise be entitled to with respect to the property. (Ord. 142 Art. 5 §2, 1974)

REPORT TO THE PLANNING COMMISSION
April 15, 2008

15/
Prepared By:
Rob Mullane, City Planner

15/
Approved By:
Carolyn Galloway-Cooper

SUBJECT: Update to Guadalupe's Approved Plant List

EXECUTIVE SUMMARY:

The City maintains a list of plants that are suitable for use in landscaping proposals in Guadalupe. This list was recently reviewed and updated by the City Planning Department.

RECOMMENDATION:

- 1) Receive a presentation from staff
- 2) Planning Commission discussion and comments

BACKGROUND AND DISCUSSION:

This list includes plants that are known to adaptable to Guadalupe's climate and soil types. The list is provided to developers upon request for guidance on which plants to use in any landscaping plans, and is also used by Planning Department and Building Department staff in review of landscape plans.

The list was recently reviewed by biologists at Rincon Consultants, and a few revisions to the list have been made. The focus of the review was to eliminate or qualify the use of non-native, potentially invasive plants in part by using the most current list of such plants maintained by the California Invasive Plant Council (CAL-IPC) and the United States Department of Agriculture (USDA). The memo summarizing the review that was done as well as the recommended changes to the Guadalupe plant list is included as Attachment 1 to this staff report. The revised list will be maintained by City staff. This is an information item; no Planning Commission action is needed at this time. Of course, if the Planning Commission has any input or additional suggestions, this input would be welcome.

ATTACHMENT:

- 1. Memo dated April 8, 2008 from Rob Mullane to Add Smith transmitting the updated List of Plants Suitable for Guadalupe

AGENDA ITEM:

ATTACHMENT 1

**MEMO DATED APRIL 8, 2008 FROM ROB MULLANE TO ADD
SMITH TRANSMITTING THE UPDATED LIST OF PLANTS
SUITABLE FOR GUADALUPE**



Rincon Consultants, Inc.

Environmental Scientists Planners Engineers

M E M O R A N D U M

Ventura

790 East Santa Clara Street
Ventura, California 93001
805 641 1000
FAX 641 1072
info@rinconconsultants.com
www.rinconconsultants.com

Date: April 8, 2008

To: Mr. Add Smith

Organization: City of Guadalupe Building Dept.

From: Rob Mullane, Planning Dept. *RM*

Email: rmullane@rinconconsultants.com

cc: Alice Saucedo, City of Guadalupe Permit Technician
Kevin Merk, Rincon Consultants

Re: Review of List of Plants Suitable for the City of Guadalupe

San Luis Obispo

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San Luis Obispo, California 93401
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Carlsbad

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760 918 9444
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At your request, Rincon staff biologists reviewed the list of Plants Suitable for Guadalupe (undated). The plant list (included as Attachment 1) was reviewed to ensure non-native, invasive species were not on the list, and that all species were compatible with the natural conditions experienced in the Guadalupe area, including sandy soils, high winds and a maritime environment. The list was cross-referenced using the California Invasive Plant Council's (CAL-IPC) web site (<http://www.cal-ipc.org>) and the United States Department of Agriculture's (USDA) Plants Database (<http://plants.usda.gov>). Nine species were noted during the review of the list that are either non-native to the Guadalupe region or are identified as invasive species by either the USDA or CAL-IPC. In addition, one species has been nominated by CAL-IPC as an invasive weed but has not yet been reviewed for inclusion on their list. Based on this review, the following species should be removed from the list or included only with the appropriate cautionary guidance as noted in the table:

WINDBREAKS, LARGE TREES, AND SMALL TREES:

Scientific name	Common name	Notes
<i>Albizia distachya</i> (<i>A. lophantha</i>)	plume Albizia	Known to establish itself in native ecosystems and replace native plants.
<i>Casuarina equisetifolia</i>	beach sheoak or horsetail tree	This species was nominated by CAL-IPC for inclusion on their list of invasive plants but has not yet been reviewed for final determination. Suggests a potential for damage to native ecosystems by this species.
<i>Cupressus macrocarpa</i>	Monterey cypress	May be appropriate for urban sites within the City, but it is not appropriate for areas

		adjacent to open space land where it may spread.
<i>Leptospermum laevigatum</i>	Australian tea tree	Shrub or small tree can spread and take over dune communities. This species may be allelopathic, further reducing native species ability to compete.
<i>Melaleuca quinquenervia</i>	punk tree	Identified by the USDA as a noxious weed in moist habitats such as riparian zones and wetlands. While this species could be used in urban areas, it should not be planted adjacent to riparian and wetland areas.

SPREADING SHRUBS, GROUND COVERS AND VINES:

Scientific name	Common name	Notes
<i>Erigeron karvinskianus</i>	Santa Barbara daisy	Very aggressive, invasive species. Several native species of <i>Erigeron</i> could be at risk from genetic contamination as this plant becomes established in new areas, and interbreeds with the California species.
<i>Hedera helix</i>	English ivy	Highly invasive species that is known to replace all vegetation where it establishes, including trees and shrubs.

LAWNS (AND LOW GRASSES):

Scientific name	Common name	Notes
<i>Cynodon dactylon</i>	Bermuda grass	Extremely invasive species that poses a threat to California grasslands. It also degrades riparian habitat by causing stream bank erosion. It is wind pollinated and seed can easily travel from a yard to an open space area. This plant also out-competes low growing native species in a variety of habitat types.

WINTER/SPRING NATURALIZING ANNUALS:

Scientific name	Common name	Notes
<i>Lobularia maritima</i>	sweet alyssum	Widely grown horticultural specimen in California that reproduces quickly. Coastal dunes, scrub, grassland, and riparian zones may be invaded by this species, and it is known to displace small native plant species.

Within this group of nine plants is a wide range of potential invasiveness. Appropriate substitutions exist for each of these plants, and a more detailed, up to date list of plants suitable for the City of Guadalupe could be prepared. If an update to this list is not prepared, then our recommendation would be to have a qualified botanist review all future development proposals to ensure that non-native, invasive plants are not introduced into the City limits.

ATTACHMENT 1

**List of Plants Suitable for Guadalupe
with Recommended Revisions Noted**

PLANTS SUITABLE FOR GUADALUPE

Revised April 2008

Adaptable to sandy dune soils and moderate to extreme windy conditions

Plants marked with an asterisk ("*") are also adaptable to the heavy, clay soils scattered throughout Guadalupe
Plants lined out have been removed from the list because of their invasiveness.

Windbreaks --

(Trees and large shrubs to plant where the wind is at its absolute worst)

<i>Acacia longifolia</i> *	COAST WATTLE	
<i>Albizia distachya</i> (<i>A. lophantha</i>)	PLUME ALBIZIA	(invasive)
<i>Allocasuarina verticillata</i>	DROOPING SHE-OAK	
<i>Banksia praemorsa</i>	CUT-LEAF BANKSIA	
<i>Banksia verticillata</i>	GRANITE BANKSIA	
<i>Callistemon viminalis</i> *	WEeping BOTTLEBRUSH	
<i>Casuarina cunninghamiana</i>	SHE-OAK	
<i>Casuarina equisetifolia</i>	HORSETAIL TREE	- potentially invasive, not for use adjacent to open space or natural areas
<i>Casuarina glauca</i> *	BLUE SHE-OAK	
<i>Cistus x skanbergii</i>	HYBRID ROCK ROSE	
<i>Cupressus arizonica</i>	ARIZONA CYPRESS	
<i>Cupressus macrocarpa</i>	MONTEREY CYPRESS	- potentially invasive, not for use adjacent to open space or natural areas
<i>Eucalyptus conferruminata</i> (<i>E. lehmannii</i>)	BUSHY YATE	
<i>Eucalyptus robusta</i> *	SWAMP MAHOGANY	
<i>Hakea adnata</i>	RUSTY HAKEA	
<i>Lavatera assurgentiflora</i>	TREE MALLOW	
<i>Leptospermum laevigatum</i>	AUSTRALIAN TEA TREE	
<i>Leptospermum scoparium</i>	NEW ZEALAND TEA TREE	
<i>Melaleuca nesophila</i> *	WESTERN TEA MYRTLE	
<i>Melaleuca quinquenervia</i> *	PUNK TREE	- potentially invasive in wetland areas, not for use adjacent to wetlands or riparian areas
<i>Melaleuca styphelioides</i>	BLACK TEA TREE	
<i>Pittosporum crassifolium</i>	KARO	
<i>Rhus integrifolia</i>	LEMONADE BERRY	
<i>Westringia fruticosa</i> *	COASTAL ROSEMARY	

Large Trees --

(not for areas of strongest wind unless also listed under windbreaks)

<i>Araucaria bidwillii</i> *	BUNYA-BUNYA
<i>Casuarina cunninghamiana</i>	SHE-OAK
<i>Casuarina equisetifolia</i>	HORSETAIL TREE
<i>Cupaniopsis anacardioides</i>	CARROTWOOD
<i>Cupressus macrocarpa</i>	MONTEREY CYPRESS
<i>Eucalyptus robusta</i> *	SWAMP MAHOGANY
<i>Lophostemon</i> (<i>Tristania</i>) <i>confertus</i> *	BRISBANE BOX
<i>Pinus attenuata</i>	KNOBCONE PINE
<i>Pinus contorta</i>	SHORE PINE
<i>Pinus nigra maritima</i>	CORSICAN PINE

Small Trees --

(not for areas of strongest wind unless also listed under windbreaks)

<i>Agonis flexuosa</i> *	WILLOW GUM
<i>Albizia distachya</i> (<i>A. lophantha</i>)	PLUME ALBIZIA
<i>Arbutus</i> 'Marina'	HYBRID STRAWBERRY TREE
<i>Banksia integrifolia</i> *	COASTAL BANKSIA
<i>Banksia serrata</i>	SAW BANKSIA
<i>Callistemon viminalis</i> *	WEeping BOTTLEBRUSH
<i>Chamaerops humilis</i> *	MEDITERRANEAN FAN PALM
<i>Eucalyptus leucoxylon</i>	WHITE IRONBARK
<i>Eucalyptus polyanthemus</i>	SILVER DOLLAR GUM
<i>Eucalyptus pulverulenta</i>	SILVER-LEAVED MOUNTAIN GUM
<i>Geijera parviflora</i>	AUSTRALIAN WILLOW
<i>Lagunaria patersonii</i> *	QUEENSLAND PYRAMID TREE
<i>Leptospermum laevigatum</i>	AUSTRALIAN TEA-TREE
<i>Leptospermum petersonii</i> *	LEMON-SCENTED TEA-TREE
<i>Livistona australis</i>	AUSTRALIAN PALM
<i>Melaleuca armillaris</i> *	BRACELET MYRTLE
<i>Melaleuca quinquenervia</i> *	PAPERBARK, PUNK TREE
<i>Melaleuca styphelioides</i> *	BLACK TEA TREE
<i>Melia azedarach</i> *	CHINABERRY
<i>Metrosideros excelsa</i>	NEW ZEALAND CHRISTMAS TREE
<i>Phoenix theophrasti</i>	CRETAN DATE PALM
<i>Pistachia lentiscus</i>	MASTIC
<i>Pittosporum crassifolium</i>	KARO
<i>Rhus lancea</i> (standard)	AFRICAN SUMAC
<i>Salix lasiolepis</i> (standard)	ARROYO WILLOW
<i>Tristanopsis laurina</i> *	WATER GUM
<i>Yucca aloifolia</i>	SPANISH BAYONET
<i>Yucca gloriosa</i>	SPANISH DAGGER

Spreading shrubs, Ground Covers, Vines --

<i>Arctostaphylos pumila</i>	DUNE MANZANITA
<i>Arctostaphylos uva-ursi</i> (especially 'Emerald Carpet', 'Point Reyes')	BEAR-BERRY
<i>Artemisia stelleriana</i> 'Silver Brocade'	BEACH WORMWOOD
<i>Baccharis pilularis</i> * 'Santa Ana', 'Twin Peaks'	DWARF COYOTE BRUSH
<i>Banksia blechnifolia</i>	TRAILING BANKSIA
<i>Capparis spinosa inermis</i>	CAPER BUSH
<i>Ceanothus griseus horizontalis</i> 'Yankee Point'	CALIFORNIA LILAC
<i>Cerastium tomentosum</i>	SNOW-IN-SUMMER
<i>Coprosma x kirkii</i> *	TRAILING COPROSMA
<i>Drosanthemum floribundum</i>	ROSEA ICEPLANT
<i>Epilobium (Zauschneria) canum</i>	CALIFORNIA FUCHSIA
<i>Erigeron karvinskianus</i>	SANTA BARBARA DAISY (invasive)
<i>Ficus pumila</i> *	CREEPING FIG
<i>Gazania rigens leucolaena</i>	TRAILING GAZANIA
<i>Grevillea crithmifolia</i>	SPREADING GREVILLEA
<i>Grevillea lanigera</i> 'Coastal Gem'	SILVER SPIDER FLOWER
<i>Hedera helix</i>*	ENGLISH IVY (invasive)
<i>Hibbertia scandens</i>	GUINEA GOLD VINE
<i>Juniperus conferta</i>	SHORE JUNIPER
<i>Kennedia rubicunda</i> *	DUSKY CORAL PEA
<i>Lampranthus productus</i>	PINK ICEPLANT
<i>Lampranthus spectabilis</i>	SHOWY ICEPLANT
<i>Lantana montevidensis</i>	CREEPING LANTANA
<i>Lathyrus japonicus</i>	JAPANESE SHORE PEA
<i>Lathyrus latifolius</i> *	EVERLASTING PEA
<i>Leucophyta (Calocephalus) brownii</i>	CUSHION BUSH
<i>Myoporum parvifolium</i> *	SPREADING SANDALWOOD
<i>Pelargonium peltatum</i>	IVY GERANIUM
<i>Pinus contorta</i> 'Wilson's Weeper'	TRAILING SHORE PINE
<i>Phyla nodiflora</i> *	LIPPIA GRASS
<i>Rosa banksiae</i> *	LADY BANKS ROSE
<i>Rosmarinus officinalis</i> prostrate forms	TRAILING ROSEMARY
<i>Scaevola aemula</i>	BLUE BEACH BERRY
<i>Sedum spp.</i>	SEDUM
<i>Tanacetum douglasii</i>	CALIFORNIA BEACH TANSY
<i>Vitex rotundifolia</i>	BEACH CHASTEBERRY

Lawns (and low grasses) --

<i>Cynodon dactylon</i>*	BERMUDA GRASS (invasive)
<i>Distichlis spicata</i> (to mow a few times a year)	SALTGRASS
<i>Paspalum vaginatum</i> 'Excalibre' (lawn; to mow)	ADALAYD GRASS

Winter/spring naturalizing annuals --
For fall-winter sowing

<i>Calendula officinalis</i>	POT MARIGOLD
<i>Clarkia bottae*</i>	BOTTA'S GODETIA
<i>Echium platagineum</i>	BUGLOSS
<i>Eschscholzia californica maritima</i>	SHORE CALIFORNIA POPPY
<i>Gilia capitata</i>	THIMBLE GILIA
<i>Lasthenia chrysotoma</i>	COMMON GOLDFIELDS
<i>Layia platyglossa</i>	TIDY TIPS
<i>Limonium sinuatum</i>	ANNUAL STATICE
<i>Lobularia maritima*</i>	SWEET ALYSSUM
<i>Lupinus bicolor</i>	ANNUAL LUPINE
<i>Lupinus hirsutissimus</i>	RED LUPINE
<i>Lupinus nanus</i>	DWARF LUPINE
<i>Malcomia maritima</i>	VIRGINIA STOCK
<i>Matthiola incana*</i>	STOCK
<i>Matthiola longipetala bicornis</i>	NIGHT-SCENTED STOCK
<i>Nemophila menziesii*</i>	BABY-BLUE-EYES
<i>Scabiosa atropurpurea*</i>	PINCUSHION FLOWER

AREA COMMERCIAL WHOLESALE SOURCES OF
SPECIALIZED PLANT MATERIAL

Australian Natives Nursery

Jo O'Connell, President
9040 North Ventura Road
Casitas Springs, CA 93001
805-649-3362, F: 805-649-4080, e: ausnat@west.net

Las Pilitas Nursery

Bert Wilson, President
3232 Las Pilitas Rd.
Santa Margarita, CA 93453
805-481-5992, e: frontpage@laspilitas.com

Native Sons Nursery

Dave Fross, President
379 W. El Campo Road
Arroyo Grande, CA 93420
805-481-5996, F: 805-489-1991, e: dfross@nativeson.com

San Marcos Growers

Randy Baldwin, General Manager
125 South San Marcos Road
Santa Barbara, CA 93111
805-683-1561, F: 805-964-1329, e: sales@smgrowers.com

Sommers Wholesale Nursery

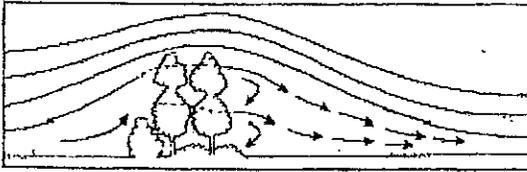
Stephen Sommer, President
1110 Paseo Almendra
Templeton, CA 93465
238-4245, F: 239-4006, e: nursery@thegrid.net

Design factors

To be effective, a windbreak needs to be carefully designed to incorporate the following features.

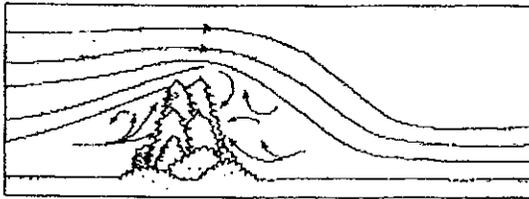
Permeability

Permeable windbreaks that let wind filter through them provide a greater zone of protection than solid ones. They are ideal for general protection of animal enclosures.



A permeable windbreak

Dense windbreaks that block all wind cause the greatest reduction in wind speed, but their effect is restricted to a narrow zone behind the break and they may cause considerable turbulence further down-wind. They may be useful however, for small areas needing special shelter -- for example, around buildings.



A dense windbreak

Height

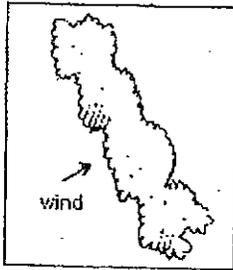
The higher the windbreak, the greater the zone of protection. On level ground a windbreak will reduce the speed of the wind for a distance of up to 25 times the height of trees in the windbreak. Maximum wind reduction is in the zone 5 to 15 times tree height away from the windbreak.

Length

As wind will swirl around each end of a windbreak, it will be most effective when it stretches for some distance without a break. If a windbreak is too short, wind is deflected around it leading to increased wind speed at the ends. Doubling the length of a windbreak can increase the protected area by up to four times. Minimum windbreak lengths should ideally be around 500 to 700 feet (200 meters).

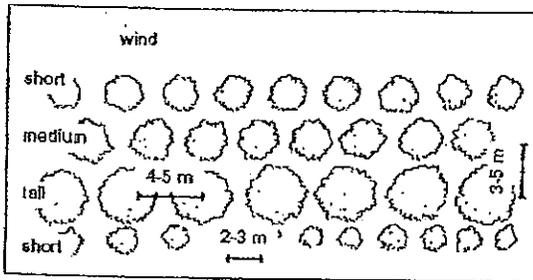
Orientation

Windbreaks should ideally be aligned at right angles to the direction of the main problem-causing winds.



Formation

Multiple row windbreaks are generally more effective than single row windbreaks. Although single row windbreaks can be effective if the tree species used have fairly dense foliage and retain it to the ground (e.g. pines, she-oaks, melaleucas), they have the disadvantage that if one tree dies a gap is created which reduces the effect of the whole windbreak. They may, however, be useful if space is very limited.



Windbreaks of between three and five rows are effective for most farming situations and are less affected by gaps caused by missing trees. A variety of tree species can be used, with a range of sizes, shapes and foliage. The combination of different rows can be used to create a permeable barrier from ground level up to the height of the tallest trees. Tall-growing trees are generally best in the center rows with smaller bushy trees and shrubs on the outside rows. In drier areas, two or three rows are sufficient. With any more than this, the inner rows will suffer severely from competition for moisture.

Another approach sometimes used for wider multiple row windbreaks is to plant the trees in a more scattered pattern rather than in strict rows. Trees and shrubs of different types are mixed across the area of the windbreak to create an overall effect of a permeable barrier. This approach can be beneficial where the windbreak is meant to also provide a wildlife corridor or habitat.