

EXHIBIT A

Summary of Public Input from Local Development & Landscape Professionals

- 1) Summary of Comments from Developer Input Meeting (June 20, 2017)
- 2) Written Comments from Kevin Dahl, Dahl Robbins & Associates
- 3) Written Comments from Sean Kerley, Kerley Homes of Yuma

Summary of Comments from Developer Input Meeting

Date: June 20, 2017, 10:00am

RE: Zoning Code Text Amendment
Title 15, Chapter 154, Article 20 - Landscape Regulations
ZONE-17535-2017

Attendees: Kevin Dahl, Harvey Campbell, Doug Sullins, Craig Colvin, Jose Lopez, Bruce Jacobson

City Staff: Joel Olea, Naomi Leeman, Alyssa Linville

TOPIC	COMMENT	STAFF RESPONSE
Parkway maintenance (Page 2 & 20)	Language about who maintains the parkway, particularly when a property has double frontage, is vague. (Kevin Dahl)	<i>Clarification about maintenance responsibility was added to the definition of "parkway": "... except any portion(s) of the parkway maintained by another entity." Similar wording was added to section §154-20.05.A.</i>
Tree in single-family lots (Page 11)	Alternatives to a tree if a homebuyer doesn't want trees? (Craig Colvin)	<i>The following substitution option was added to the text in section §154-20.04.A.3: "One (1) saguaro cactus a minimum of eight (8) feet in height or three 5-gallon ocotillo plants may be used as a substitute the tree requirement."</i>
	Will bonding be required for these trees at the time of final inspection of the subdivision improvements? (Bruce Jacobson)	<i>No, these trees will need to be in place at final inspection of the house, not at the inspection of the subdivision improvements, so no bonds would be required. Clarification was added to §154-20.04.A.3: "Tree requirement must be fulfilled before the Certificate of Occupancy for the residence is issued."</i>
Medians (Page 13)	Is stamped concrete still allowed in medians? (Kevin Dahl)	<i>Yes, in areas less than 8' in width, stamped concrete and other impervious surfaces area allowed. Clarification about permitted groundcover was added to Section 154-20.04.B.1.b.3: "In any portion of any median fewer than eight (8) feet in width may be treated with stamped concrete or other approved inert material."</i>
Parking lot standards (Page 14) Parking lot	The requirement for 1 tree/8 spaces is too high (Bruce Jacobson/Craig Colvin/Kevin Dahl)	<i>This requirement is consistent with many other AZ cities. Shade is exceedingly important in parking lots in particular, to combat the urban heat island effect and provide shade for customers.</i>

standards (Page 14)	Can shade structures substitute trees? (Kevin Dahl)	<i>Yes, shade structures would negate need for parking spaces that are shaded by the structure. Language was added to section §154-20.04-B-2 clarifying this requirement: "Required trees may be eliminated for spaces located directly under a covered parking canopy."</i>
Basins (Page 17)	Can an option be added for basins that are completely surrounded by a block wall so they require no landscape? (Craig Colvin)	<i>In some instances, this is applicable. An additional category "Inaccessible basins" has been added to §154-20.03.B.4.b.4: "In certain limited instances as determined by the Zoning Administrator, basins completely surrounded by a six (6) foot or higher solid masonry wall shall be exempt from providing vegetation. Inert groundcover is required."</i>
Grading permit (Page 21)	Requirement to have landscape plans approved before grading permit is problematic for subdivisions (Kevin Dahl/Harvey Campbell)	<i>The words "grading or other construction" have been removed from §154-20.06.A.2.b and the phrase "or recordation of the final plat" has been added.</i>
Visibility issues caused by trees (Page 22)	Concern about the visibility issues caused by trees, particularly in relation to signage (Craig Colvin/Kevin Dahl)	<i>The code states that landscaping is not required in visibility triangles. Staff recommends the landscape designer clearly indicate these visibility triangles, including those for signs, on plans. A note was added to section §154-20.06.A.2.c.5 to remind the designer to include "signage and associated site triangles" to the landscape plans.</i>
Maintenance & irrigation schedules (Page 22)	Rather than providing unique guidelines for each project, could the City provide a guide for all to use? (Kevin Dahl)	<i>Staff would like to include this type of information with the expanded City Landscaping Guidelines. Work on these Guidelines will continue over the coming months and the group will be informed.</i>
Municipal Improvement Districts (MIDs) for maintenance	Code doesn't specifically state that MIDs are required, but they seem to make the most sense, right? (Kevin Dahl)	<i>Yes, the City will be encouraging MIDs for new residential subdivisions for the maintenance of landscape areas, including parkways and basins.</i>
Maintenance of trees	Concern about the long-term maintenance of trees (Craig Colvin/Kevin Dahl)	<i>Maintenance of trees happens more infrequently than maintenance associated with pruning shrubs and mowing grass. Public Works has agreed with the focus on trees over shrubs, groundcover, and grass. Trees provide many more benefits than other types of vegetation.</i>

ADDITIONAL CONCERNS:

East Mesa standards	Can we have separate standards for the East Mesa where blowing sand is an issue? (Kevin Dahl)	<i>This topic requires more research. Staff recognizes that blowing dust is a problem for properties on the East Mesa, but alternatives must be proposed to ensure that appropriate landscape is installed. This could be achieved through a list of appropriate plants, recommended maintenance procedures, or other recommendations that could be included as part of the City Landscaping Guidelines.</i>
Landscaping of future roadway areas	Concern about instances when landscaping is required in areas that are designated as future roadways. (Kevin Dahl)	<i>Staff recommends the City adopt a policy to address this issue. Departments involved include: Public Works, Engineering, CIP, & Planning.</i>

From: Kevin Dahl, Dahl Robbins & Associations

Date: June 20, 2017

RE: Zoning Code Text Amendment
Title 15, Chapter 154, Article 20 - Landscape Regulations
ZONE-17535-2017

Items currently in the New Landscape Ordinance which should be addressed or discussed:

Page 2 & 3 of 28 Increasing the number of trees from 1 per 15 to 1 per 8 spaces.
Also doesn't take into account shade structures, whether they are solar structures or typical shaded parking structures, if the intent is to provide shade, then these should be taken into account when calculating the total trees required.

Staff Response The requirement for 1 tree/8 spaces is consistent with many other AZ cities. Shade is particularly important in parking lots as it serves to combat the urban heat island effect and provide shade for customers. Shade structures would negate need for parking spaces that are shaded by the structure. Language was added to section §154-20.04-B-2 clarifying this requirement: "Required trees may be eliminated for spaces located directly under a covered parking canopy."

Page 3 of 28 The code states that it is making a shift to encourage alternative funding sources in subdivisions, but doesn't specifically make it mandatory. Improvement Districts seem to make the most sense.

Staff Response Staff agrees that Municipal Improvement Districts (MIDs) are the best option to deal with long-term maintenance for landscaped areas (parkways and basins) in subdivisions.

Page 5 & 25 of 28 All landscape plans will now be required to have a maintenance schedule and an irrigation schedule. This is an item better discussed with Larry Sullins, but it will substantially increase the amount of work put into designing the plans. A better solution would be to provide a guide for all to use rather than one for each project. This is getting way too specific and complicated for implementation.

Staff Response Staff would like to include this type of information with the expanded City Landscaping Guidelines. Work on these Guidelines will continue over the coming months. Staff will consult with local landscape experts to develop these guidelines.

Page 6 of 28 The language of who maintains the parkway is vague. It states that "the adjacent property owner is responsible for maintenance of the parkway for the full width of the property". As this section in the new ordinance is bolded, it would seem to be of some importance to the City. The reason it is vague is that some lots have double frontage on

both a local street and in the back are adjacent to an arterial street. Is the owner expected to walk around the wall to maintain the landscape on a major street? I don't think that is the intent, but need clarification.

Staff Response

Clarification about maintenance responsibility was added to the definition of "parkway": "...except any portion(s) of the parkway maintained by another entity." Similar wording was added to section §154-20.05.A. Typically, in the double-frontage situation described, the frontage beyond the rear property line/wall would be the maintenance responsibility of the City or other entity such as a Municipal Improvement District.

Page 15 of 28

All new single family lots over 5,000 sqft shall be required to have one Shade/Street tree located in the front yard setback. This has multiple problems. First of all, this requirement is based on lot size and not zoning district. Here's what could happen in a R-1-5 zoning district. We have a row of lots that are exactly 5,000 sqft and at the corners near an intersection or knuckle we have lots at random larger sizes to accommodate the house and setback, now according the requirement, only the larger lots would be required to have a tree placed in the front setback because the other lots are not **GREATER THAN 5,000 sqft**. I think the intent was to have all lots have that tree, but not enough thought was given to the language as written. The second problem we see is the fact that on narrow lots, the garage is usually placed forward of the main house. This creates a situation of having a large area behind the setback but in front of the house that may be a better area to place a tree rather than be forced to have a tree planted in the front yard setback. The third problem is a narrow 50 ft wide lot with double car garage will have the driveway and required side yard encompass over half the width of the lot. You will not be able to clearly view the street or have your house be seen from the street with a large shade/street as required by this change which may be seen as a security risk. For this reason alone, the requirement should be changed to minimum 8,000 sqft lot. Lastly, and the reason this requirement should be dropped entirely, is that Yuma is touted as a destination for retirees and has housing specifically marketed for them such as smaller lots and small barrier free housing. These retirees are not as inclined to spend their time with yard maintenance and could benefit from having a front yard attractively landscaped with desert rock, boulders, dry wash features, and cactus. There is not a single tree that could be planted in a front yard setback that doesn't have seeds, pods, leaf drop, sap, etc. which creates litter to be picked up.

Staff Response

In the proposed code, single family lots equal to or greater than 5,000 square feet are required to have one shade/street tree in the front yard setback, so staff does not anticipate the first problem described. The following substitution option was added to the text in section §154-20.04.A.3: "One (1) saguaro cactus a minimum of eight (8) feet in height or three 5-gallon ocotillo plants may be used as a substitute the tree requirement." Trees are typically less maintenance than grass and shrubs which need frequent mowing and pruning.

Page 17 of 28

All medians with this ordinance will now only have trees and colored landscape rock. This creates a problem in the narrow part of the turning lanes where we previously used

stamped colored concrete. Concrete was much easier to keep clean, especially where blowing dust accumulated further from town. The paragraph on groundcover should be worded to allow stamped colored concrete in narrow areas of the median.

Staff Response *In areas less than 8' in width, stamped concrete and other impervious surfaces area allowed. Clarification about permitted groundcover was added to Section §154-20.04.B.1.b.3: "In any portion of any median fewer than eight (8) feet in width may be treated with stamped concrete or other approved inert material."*

Page 24 of 28 A final approved landscape plan will now need to be approved PRIOR to the issuance of a building permit, grading permit or other construction. Previously, we have been allowed to grade and even begin construction while the landscape plan is being approved.

Staff Response *The word "grading" has been removed from §154-20.06-A-2-b and the phrase "or recordation of the final plat" has been added. Requiring approved landscape plans before issuance of building permits or recordation of final plat is the current standard.*

Items NOT currently in the New Landscape Ordinance which should be addressed or discussed:

Landscape design for the East Mesa particularly from Avenue 5E to City Limits. Vast open areas allow drifting sand to harm newly landscaped areas. Should not landscape these areas until development encompasses the development. Should have a different code for these areas.

Staff Response *This topic requires more research and discussion. Staff recognizes that blowing dust in a problem for properties on the East Mesa, but alternatives must be proposed to ensure that appropriate landscape is installed. This could be achieved through a list of appropriate plants, recommended maintenance procedures, or other recommendations that could be included as part of the City Landscaping Guidelines.*

Landscaping of parkway where you have a rural two lane road and a large distance to the subdivision wall. Should have a different code for these areas.

Staff Response *Staff recommends the City adopt a policy, separate from this text amendment, to address this concern. This concern is related to the concern about landscaping areas that are designated to be future roadways. A City policy will involve coordination between Public Works, Engineering, CIP, and Community Planning.*

From: Sean Kerley, Kerley Homes of Yuma

Date: June 26, 2017

RE: Zoning Code Text Amendment
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ZONE-17535-2017

Naomi,

My name is Sean Kerley, and I own Kerley Homes of Yuma and I build in the Belleza and Kerley Ranch Subdivision. I am very concerned with the new landscaping regulations. I am a builder and not landscaper and don't want to get into the landscaping business. As builders we have enough headache dealing with home warranties and picky customers. I don't want to have to warranty any landscaping or trees. If you make us plant a tree and the home owner doesn't want to water it or it just dies, who is going to pay if they want the tree replaced?

Do we have to run irrigation to the tree for the final, or just plant a tree and tell them to water it with a hose. What if they don't have the money at the time of building final to put in all their front yard landscaping and irrigation. We give the buyers an allowance of \$2,500 and 3 months after the final to landscape their front yards, and most buyers spend double that amount. We pay them the \$2,500 once the front yard is 90% complete. This way I am not responsible for any of the front yard landscaping. Building in the city is hard enough with the high water meter and development costs so I don't think it's fair to any of us builders to take on the new residential landscaping regulation.

I have also attached a common site plan for a house in Belleza I am building right now. It's a standard house on a standard lot. The front setback area is 20' x 80' = 1600 s.f. and the imperious driveway is (30'x20'=600s.f.) and the entry sidewalk is (19'x4'= 76 s.f.). This makes the imperious area at 42.25%. The new regulation says no more than 40%, so this typical site plan is now not allowed. So about 80% of the houses, I have built in Belleza don't meet the new code. I think the percentage needs to be at least 55%-60%. If this buyer wants to add concrete for RV access on the side of their driveway (9'-8" x 20' =193.3 s.f.) then the percent goes up to 54.3%. Most owners I build for want RV access and most people in Yuma have toys like RV's or boats. This regulation seems too strict and needs to be more thought out. If the regulation passes at 40%, and I tell the owners NO to extra concrete and they do it after they close. What happens then? I just lost money because I couldn't give them the upgrade, and they get some no-licensed guy to do it a few weeks later. We both lose and that doesn't seem right.

All in all, I am also trying to build a better Yuma one house at a time but I think the whole residential landscaping regulation has too many holes and there should only be a landscaping regulation for commercial properties.

Regards,

Sean Kerley

Staff Response

To allow additional flexibility to the tree requirement on single-family residential lots, an option was added to section §154-20.04 to allow the developer and/or homeowner to submit a signed and dated Agreement for Installation of Landscape prior to the issuance of the Certificate of Occupancy stating the tree will be installed within three (3) months following the issuance of the Certificate of Occupancy. This addresses the type of situation described by Mr. Kerley and during a phone conversation on June 27, 2017, he was agreeable to the proposed solution.

In response to the limitations on impervious surface outlined in the same section (§154-20.04), staff decided to eliminate this requirement. Upon further consideration of the issue, it was determined that this type of limit on impervious surface would be difficult to regulate.