

TO: MEG WILLIAMSON, ACTING CITY MANAGER

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REZONE 15-004 - LANDSCAPE AND IRRIGATION ORDINANCE UPDATE – REVISION TO ADD TURF PROVISION (CITY INITIATED)

DATE: JANUARY 5, 2016

Needs: For the City Council to consider an amendment to the recently updated Landscape and Irrigation Ordinance (Section 21.22B), to add language that would allow for the installation of up to 25-percent of turf in new and rehabilitated single family residential front yards, subject to complying with the water use and irrigation documentation requirements.

Facts:

1. On November 17, 2015, the City Council approved for first reading the Draft Water Efficient Landscape Ordinance (WELO) for first reading, and scheduled second reading for December 1, 2015.
2. As part of the motion to adopt the Ordinance, the City Council directed Staff to bring back an amendment to the Ordinance that would allow for the installation of turf in new and rehabilitated single family residential front yards, subject to complying with the water use and irrigation documentation requirements and the 25 percent total turf area standard.
3. Allowing 25 percent turf for residential front yards would be consistent with the State's model ordinance, subject to the complete landscape installation meeting certain water use requirements.
4. On December 8, 2015, the Planning Commission reviewed the amendment request and made a recommendation that the City Council adopt RZ 15-004 Amendment.

**Analysis
And**

Conclusions: As requested by the Council, this amendment would add language to the recently updated Landscape and Irrigation Ordinance, to allow the ability for new and rehabilitated single family residential front yards to include turf, up to the 25 percent area limit.

It order to allow for turf, it will require that the full Landscape Documentation Package be provided, that would include water use calculations that would need to be below the necessary requirements.

Reference: California Department of Water Resources Model Water Efficient Landscape Ordinance, California Environmental Quality Act.

Fiscal Impact: There are no fiscal impacts associated with the turf provision.

Options: After opening the public hearing and taking public testimony, the City Council to take one of the actions listed below:

- a. Introduce for first reading by Title only, Draft Ordinance A. amending the Zoning Code (Amendment 15-004) to add an option for new and rehabilitated single family residential properties to have up to 25 percent turf in the front yard.
- b. Amend, modify, or reject the above-listed action.
- c. Request additional information and analysis.

Prepared by Darren Nash

Attachments:

- 1. Draft Ordinance
- 2. Newspaper Notice Affidavit

DRAFT ORDINANCE - A

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 21.22.B,
LANDSCAPE AND IRRIGATION ORDINANCE (Turf Amendment)

WHEREAS, on November 17, 2015, the City Council approved for first reading the Draft Water Efficient Landscape Ordinance (WELO) for first reading, and scheduled second reading for December 1, 2015; and

WHEREAS, as part of the motion to adopt the Ordinance, the City Council directed Staff to prepare an amendment to the Ordinance that would allow for the option to install up to 25-percent of turf in new and rehabilitated single family residential front and street side yards, subject to complying with the water use and irrigation documentation requirements; and

WHEREAS, at a meeting held on December 8, 2015, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance amendment;
- c. Recommended that the City Council approve Zoning Code Amendment 15-004 to add the turf provision for front and street side yards; and

WHEREAS, based on consideration of information received at its meeting of January 5, 2016, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the recommendation from the Planning Commission meeting on December 8, 2015;
- d. Introduced said ordinance for the first reading; and

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1: Chapter 21.22B.040.C, Turf Limitations for New Construction and Rehabilitated Landscapes is amended, as follows (**added language in bold/underlined**):

C. Single Family Residences

1. Turf grass installed with spray irrigation shall be ~~prohibited~~ **limited** in new and rehabilitated single family residential front yards, street side yards and back yards, to 25 percent of the landscapable area. **Providing turf in the front or street side yard, will trigger the requirement for the submittal of the Landscape Documentation Package listed in Section 21.22B.050.B.**
2. The common areas in residential subdivisions (including landscape and lighting districts) shall be planted with water conserving plant species irrigated with drip irrigation. (Excluding active play areas such as ball fields, playgrounds, and picnic areas).

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on January 5, 2016, and passed and adopted by the City Council of the City of El Paso de Robles on the 19th day of January, 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Steve W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING
ZONING CODE AMENDMENT RZ 15-004 – WATER EFFICIENT LANDSCAPE
ORDINANCE AMENDMENT – FRONT YARD TURF

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider an amendment to the recent Zoning Ordinance that updated the City's Water Efficient Landscape Ordinance (Section 21.22B), to add language that would allow the use of up to 25-percent of irrigated turf for new and rehabilitated residential front yards, subject to complying with the water use and irrigation documentation requirements.

The City Council hearing will take place on Tuesday, January 5, 2016. The hearing will take place at the hour of 6:30 PM in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at which time all interested parties may appear and be heard.

On December 8, 2015, the Planning Commission reviewed the amendment request and made a recommendation that the City Council adopt RZ 15-004 Amendment.

Comments on the proposed Ordinance may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearings. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed Ordinance and related staff report will be available for review on December 31, 2015, at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, or on the City's website located at:

<http://www.prcity.com/government/departments/commdev/planning/>

If you challenge the Draft Ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Darren Nash, Associate Planner

PLEASE PUBLISH 1 TIME ON SATURDAY, DECEMBER 26, 2015.