

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