



## MEMORANDUM

**TO:** City Council

**FROM:** Brian Pedrotti, Community Development Director

**BY:** Andrew Perez, Planning Manager

**SUBJECT:** Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Restrictions on Irrigated Turf and Finding This Action Exempt from the California Environmental Quality Act

**DATE:** November 28, 2023

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### **SUMMARY OF ACTION:**

Adopting the Ordinance will amend the regulation applicable to the installation and maintenance of irrigated turf.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

No financial impact is projected.

### **RECOMMENDATION:**

1) Adopt the Ordinance amending Section 16.84 of the Arroyo Grande Municipal Code; and 2) Find that the Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(2), (3), 15378, and in the alternative, State CEQA Guidelines Section 15061(b)(3) .

### **BACKGROUND:**

The City currently relies on the State's Model Water Efficient Landscape Ordinance (MWELO) to regulate water used for outdoor irrigation. In 2016, Section 16.84 of the Arroyo Grande Municipal Code (AGMC) was updated to adopt the State's MWELO, by reference. The MWELO furthers water conservation efforts by promoting the use of drought tolerant landscaping over water intensive species and provisions for efficient use of water for the purposes of landscaping.

The ordinance amendments propose to restrict the installation and maintenance of irrigated turf to bolster local water conservation efforts. Specifically, irrigated turf would be prohibited on all new non-residential and mixed-use projects. The ordinance also requires removal of all existing irrigated turf when 50% or more of the floor area of a

**Item 9.g.**

## **City Council**

### **Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Restrictions on Irrigated Turf and Finding This Action Exempt from the California Environmental Quality Act**

**November 28, 2023**

**Page 2**

property consisting of all non-residential uses is remodeled. For new residential development, the ordinance prohibits front yard irrigated turf installations and limits backyard turf installations to the lesser of 25% of the backyard area or 500 square feet. These limitations would not affect sports fields or irrigated turf at parks regularly uses for human recreational purposes or for civic or community events.

The Planning Commission reviewed the draft Ordinance at its meeting on [October 17, 2023](#). The Commission was supportive of the Ordinance as proposed and recommended that Council adopt the Ordinance as drafted. At the introduction and public hearing on [November 14, 2023](#), in response to prior Council direction and reiterated during the public hearing, there have been minor modifications to the Ordinance that require new turf requirements as part of substantial residential remodels, as specified in the ordinance, when 50% or more of the floor area is remodeled. These substantial residential remodels will require the removal of existing front yard turf and the reduction of backyard turf to the lesser of 500 square feet or 25% of the backyard area, with some allowances for front yard turf when backyard turf is evaluated by Community Development to be infeasible.

#### **ANALYSIS OF ISSUES:**

The Ordinance amendments are now ready for adoption. The Ordinance amendments will become effective thirty (30) days after adoption.

#### **ALTERNATIVES:**

The following alternatives are provided for the Council's consideration:

1. Adopt the Ordinance, with amendments, as proposed; or
2. Modify the Ordinance amendments and direct staff to return at a future public hearing to introduce the modified amendments; or
3. Provide other direction to staff.

#### **ADVANTAGES:**

Ordinance amendments that further restrict or prohibit the use of irrigated turf will bolster the City's effort to conserve water.

#### **DISADVANTAGES:**

Residents will need to convert to alternate forms of landscaping, which some residents may prefer less than turf.

#### **ENVIRONMENTAL REVIEW:**

The Ordinance is exempt from the California Environmental Quality Act ("CEQA") because the Ordinance does not qualify as a "project" under CEQA and will not result in a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines section 15060, subd. (c)(2), (3).) Section 15378 of the State CEQA Guidelines defines a project as the whole of an action, which could potentially result in

**Item 9.g.**

**City Council**

**Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Restrictions on Irrigated Turf and Finding This Action Exempt from the California Environmental Quality Act**

**November 28, 2023**

**Page 3**

either a direct physical change, or reasonably foreseeable indirect physical change, in the environment. Here, the Ordinance will not result in any construction or development, and it will not have any other effect that would physically change the environment. In the alternative, the Ordinance is exempt under State CEQA Guidelines section 15061(b)(3), which exempts projects from CEQA “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.”

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2.

Attachments:

1. Proposed Ordinance