



Legislation Text

File #: 19-428, **Version:** 1

Ordinance amending South San Francisco Municipal Code Section 20.300.007 (Landscaping) relating to Water Efficient Landscaping Regulations.

WHEREAS, in July of 2010, the City Council for the City of South San Francisco adopted a comprehensive update to the City's zoning ordinance, which repealed the then-existing Title 20 of the South San Francisco Municipal Code ("Zoning Ordinance"), and replaced it with an entirely new Title 20 that, among other actions, established new zoning districts, revised and reformatted many then-existing zoning provisions, eliminated inconsistent and outdated provisions, and codified entirely new zoning provisions, including new land use regulations and development standards; and,

WHEREAS, as part of the City's comprehensive Zoning Ordinance Update, the City Council adopted water efficient landscaping standards, codified in Section 20.300.007 (Landscaping) of the South San Francisco Municipal Code as required by State law; and

WHEREAS, on January 17, 2014, Governor Brown declared a state of emergency as a result of the drought conditions in the State of California; and

WHEREAS, on April 1, 2015, Governor Brown issued Executive Order B-29-15, directing the Department of Water Resources to update the State's Model Water Efficient Landscape Ordinance ("WELO") to increase water efficiency standards for new and existing landscapes; and

WHEREAS, the California Water Commission approved the revised model WELO on July 15, 2015; and

WHEREAS, beginning on December 1, 2015 the State's WELO became effective and the City desires to update its water efficiency landscaping requirements to make them consistent with State law; and

WHEREAS, City staff prepared the attached Zoning Ordinance text amendment ("Zoning Amendment" or "Ordinance") to incorporate the most recent State WELO requirements; and

WHEREAS, the proposed amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) under section 15307 of the State CEQA Guidelines regarding actions by a regulatory agency for protection of natural resources; and

WHEREAS, the Planning Commission held a lawfully noticed public hearing March 7, 2019 to solicit public comment and consider the proposed entitlements and environmental effects of the project, take public testimony, and make a recommendation that the City Council adopt the Zoning Amendment; and

WHEREAS, on May 8, 2019, the City Council for the City of South San Francisco held a properly noticed public hearing to solicit public comment, take public testimony, consider the proposed Amendment, and take action on the proposed Amendment.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan EIR; the Zoning Ordinance Text Amendments; and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed March 7, 2019 meeting and the City Council’s duly noticed May 8, 2019 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of South San Francisco hereby finds as follows:

SECTION I. FINDINGS

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Ordinance.
2. The documents and other materials constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Planning Manager, Sailesh Mehra.

B. Zoning Amendment Findings

1. The proposed Zoning Amendment is consistent with the adopted General Plan because the Zoning Amendment will reinforce the General Plan policies, and is consistent with the City’s overall vision for preservation and management of natural resources. None of the new or revised water efficient landscaping regulations will conflict with or impede any of the goals, policies, or land use designations established in the General Plan.
2. The proposed Zoning Amendment to update the City’s water efficient landscaping regulations would not affect any particular subject property, but would minimize water use for landscaping purposes in all zoning districts. The proposed water efficient landscaping regulations would be applicable to new landscapes greater than 500 square feet that are associated with new construction, and are generally suitable in terms of access, size of parcel, relationship to similar or related uses and other considerations as deemed relevant by the Planning Commission and City Council because the proposed uses are consistent with General Plan policies, particularly those related to natural resource conservation.
3. The proposed revisions and additions to the landscaping regulations will not be detrimental to the use of

land in any adjacent zone because the Zoning Amendment will refine existing water efficient landscaping regulations to ensure consistency with State law, and will maintain existing landscaping standards related to design and aesthetics to ensure that any future new or rehabilitated landscapes are water efficient and compatible with the surrounding land uses.

SECTION II. AMENDMENTS.

The City Council hereby makes the findings contained in this Ordinance and amends the sections attached as Exhibit A. Sections and subsections that are not amended by this Ordinance in Exhibit A shall remain in full force and effect.

SECTION III. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of South San Francisco hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION IV. PUBLICATION AND EFFECTIVE DATE.

Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this Ordinance along with the names of those City Council members voting for and against this Ordinance or otherwise voting. This Ordinance shall become effective thirty (30) days from and after its adoption.

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Introduced at a regular meeting of the City Council of the City of South San Francisco held the 8th day of May 2019.