

EXHIBIT LRP200-0000:A

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 22 OF THE
SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE
SECTION 22.112.020 RELATING TO THE NIPOMO MESA WATER
CONSERVATION AREA**

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1. Section 22.112.020 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by revising subsections F2 and F3 to read as follows and renumbering all figures as necessary:

2. Landscape standards. The standards in Chapter 22.16 apply to the following projects within the Nipomo Mesa Water Conservation Area (NMWCA). Only those exceptions set forth in Subsection 22.16.020.B.2, 4, 6, and 7, are allowed within this area:
 - a. Public projects. Development projects completed by a public agency that require a land use permit.
 - b. Other projects. All development projects not included in subsection 2a in and outside of urban and village reserve lines.
 - ~~b. New non-residential projects. All new projects within the Recreation, Office and Professional, Commercial Retail, Commercial Service, Industrial and Public Facilities land use categories.~~
 - ~~c. Developer-installed.
 - (1) All developer-installed landscaping in all Residential land use categories within urban or village areas.
 - (2) All developer-installed landscaping in all land use categories outside of urban or village areas where the parcel is 5.0 acres or less.~~
 - ~~d. Homeowner-installed. All homeowner-installed landscaping for any project for which a land use permit is required.~~

- c. Irrigation Systems. Irrigation systems shall include the following components:
- (1) Drip Irrigation. Drip irrigation systems are required for all landscaped areas (except turf areas). The drip irrigation system shall include the following components:
 - (a) Automatic rain shut-off device;
 - (b) Soil moisture sensors if recommended by a water audit;
 - (c) A separate meter for outdoor water; and
 - (d) An operating manual to instruct the building occupant how to use and maintain the water conservation hardware.
 - (2) Smart controllers. Irrigation controllers that climatologically control irrigation systems and that automatically sense water needs for all irrigation zones, also known as smart controllers, shall be installed and maintained on all irrigated and landscaped areas.
- fd. Turf area limits:
- (1) Multi Family dwellings: The maximum amount of turf (lawn) area for new multifamily dwellings shall not exceed twenty percent of the site's total irrigated landscape area. In all cases, the site's total irrigated landscape area shall be limited to 300 sq ft per unit.
 - (2) All other projects: The maximum amount of turf (lawn) area shall not exceed twenty percent of the site's total irrigated landscape area. In all cases, the site's total irrigated landscape area shall be limited to 1,500 square feet. The review authority may approve exceptions to this requirement in order to allow the minimum amount of irrigated landscaped or turf area needed for schools, parks, and other uses that typically require larger irrigated landscape areas when the applicant can demonstrate the need for the additional irrigated landscaped area based on the characteristics of the use and the site .
3. **Building Permits.** Building permits issued for construction in the Nipomo Mesa Water Conservation Area shall comply with Section 19.07.042.
19.20.240.d.

SECTION 2. The project qualifies for a Categorical Exemption (Class 7) pursuant to CEQA Guidelines Section 15307 because the actions proposed will assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

SECTION 3. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4. This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the _____ day of _____, 2008, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 2008, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

WARREN JENSEN
County Counsel

By: _____
Deputy County Counsel

Dated: _____