

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING CODE AMENDMENT NO. A-153-10, TO ALLOW THE USE OF ARTIFICIAL TURF WITHIN THE R-2 (LIMITED MULTIPLE RESIDENTIAL), R-3 (MULTIPLE-FAMILY RESIDENTIAL), O-P (OFFICE PROFESSIONAL), C-1 (NEIGHBORHOOD COMMERCIAL), C-2 (COMMUNITY COMMERCIAL), C-3 (HEAVY COMMERCIAL), M-1 (LIMITED INDUSTRIAL), M-P (INDUSTRIAL PARK), O-S (OPEN SPACE) ZONES

WHEREAS, the case, initiated by City of Garden Grove, proposes amending Title 9 of the Garden Grove Municipal Code, Sections 9.12.40.090H, Ground Cover; 9.12.40.090L, Substitute Landscaping; 9.16.40.070H, Ground Cover; and 9.16.40.070L, Substitute Landscaping; to allow artificial turf within the R-2 (Limited Multiple Residential), R-3 (Multiple-Family Residential), O-P (Office Professional), C-1 (Neighborhood Commercial), C-2 (Community Commercial), C-3 (Heavy Commercial), M-1 (Limited Industrial), M-P (Industrial Park), O-S (Open Space) zones, subject to special standards;

WHEREAS, the Planning Commission, at a Public Hearing held on January 21, 2010, determined that this project is exempt pursuant to Section 15304, Minor Alterations to Land, of the California Environmental Quality Act (CEQA);

WHEREAS, pursuant to Resolution No. 5704, the Planning Commission, at a Public Hearing held on January 21, 2010, recommended approval of Amendment No. A-153-10;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on March 9, 2010, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City of Garden Grove City Council, in regular session assembled on March 9, 2010, does hereby determine that this project is exempt pursuant to Section 15304, Minor Alterations to Land, CEQA.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The City of Garden Grove City Council has considered the proposed Code Amendment together with comments received during the public review process. The record of proceedings on which the City of Garden Grove City Council decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The City of Garden Grove City Council finds on the basis of the whole record before it, including comments received, that the project is exempt pursuant to Section 15304, Minor Alterations to Land, CEQA.

Section 2. Amendment No. A-153-10 is hereby approved, pursuant to the facts and reasons stated in Planning Commission Resolution No. 5704, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full; and Title 9 is amended as follows with the bold text denoting additions, and the strike-through text as deletions:

"Chapter 9.12: Multi-Family Residential Development Standards

Section 9.12.40.090.H Groundcover

1. All areas required to be landscaped shall be covered with turf, non-deciduous groundcover or other types of plantings. **Artificial turf may be used as an alternative ground cover, subject to the standards in Section 9.12.40.090.L, Substitute Landscaping.**

Section 9.12.40.090.L Substitute Landscaping

1. Materials such as crushed rock, redwood chips, pebbles and stone may not be used in lieu of live plant materials, although their limited use may be approved by the hearing body through the site plan review process. ~~Artificial plants and synthetic groundcovers are prohibited.~~ **Artificial plants, with the exception of artificial turf, are prohibited. Artificial turf shall be allowed within the R-2 and R-3 Multiple-Family Residential zones, subject to the following standards:**
 - (a.) **Artificial turf shall be permitted within the front and rear yards and shall comply with the following criteria:**
 - (1.) **Artificial turf shall have a minimum 8-year "No Fade" warranty.**
 - (2.) **Artificial turf shall be installed by a licensed professional and shall be installed pursuant to manufacturer's requirements.**
 - (3.) **Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn. The turf shall be maintained in a green fadeless condition and shall be maintained free of weeds, debris, tears, holes, and impressions.**
 - (4.) **The use of indoor or outdoor plastic or nylon carpeting**

as a replacement of artificial turf or natural turf shall be prohibited. Artificial shrubs, flowers, trees, and vines in-lieu of living plant material shall be prohibited.

- (5.) Areas of living plant material (i.e., flower beds, tree wells, etc.) within the front yard, side, rear, and common areas shall be included within the overall landscape design when installing artificial turf. Living plant material shall include shrubs, vines, trees, and flowering ground covers.
- (6.) Artificial turf shall be separated from flower beds by a concrete mow strip, bender board, or other barrier acceptable to the City in order to prevent intrusion of living plant material into the artificial turf.
- (7.) Three sets of detailed landscape and irrigation plans shall be submitted to the Planning Division for review and approval prior to installation of the artificial turf in order to confirm compliance with City Code and any valid land use entitlement for the property.

Chapter 9.16: Commercial, Office Professional, Industrial, and Open Space Development Standards

Section 9.16.40.070.H Groundcover

- 1. All areas required to be landscaped shall be covered with turf, non-deciduous groundcover or other types of plantings. **Artificial turf may be used as an alternative ground cover, subject to the standards in Section 9.16.40.070.L, Substitute Landscaping.**

Section 9.16.40.070.L Substitute Landscaping

- 1. Materials such as crushed rock, redwood chips, pebbles and stone may not be used in lieu of live plant materials, although their limited use may be approved by the hearing body through the site plan review process. ~~Artificial plants and synthetic groundcovers are prohibited.~~ **Artificial plants, with the exception of artificial turf, are prohibited. Artificial turf shall be allowed within the O-P (Office Professional), C-1 (Neighborhood Commercial), C-2 (Community Commercial), C-3 (Heavy Commercial), M-1 (Limited Industrial), M-P (Industrial Park), O-S (Open Space)**

zones, subject to the following standards:

(a.) Artificial turf shall be permitted within the front and rear yards and shall comply with the following criteria:

- (1.) Artificial turf shall have a minimum 8-year "No Fade" warranty.**
- (2.) Artificial turf shall be installed by a licensed professional and shall be installed pursuant to manufacturer's requirements.**
- (3.) Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn. The turf shall be maintained in a green fadeless condition and shall be maintained free of weeds, debris, tears, holes, and impressions.**
- (4.) The use of indoor or outdoor plastic or nylon carpeting as a replacement of artificial turf or natural turf shall be prohibited. Artificial shrubs, flowers, trees, and vines in-lieu of living plant material shall be prohibited.**
- (5.) Areas of living plant material (i.e., flower beds, tree wells, etc.) within the front yard, side, rear, and common areas shall be included within the overall landscape design when installing artificial turf. Living plant material shall include shrubs, vines, trees, and flowering ground covers.**
- (6.) Artificial turf shall be separated from flower beds by a concrete mow strip, bender board, or other barrier acceptable to the City in order to prevent intrusion of living plant material into the artificial turf.**
- (7.) Three sets of detailed landscape and irrigation plans shall be submitted to the Planning Division for review and approval prior to installation of the artificial turf in order to confirm compliance with City Code and any valid land use entitlement for the property."**

Section 3. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word or portion of this Ordinance is, for any reason, held to be invalid or

unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.