



# City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JANUARY 15, 2019

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARDS: ALL

SUBJECT: PLANNING CASE P18-0606 (ZONING CODE AMENDMENT) - AN UPDATE TO CHAPTER 19.570 OF THE RIVERSIDE MUNICIPAL CODE – WATER EFFICIENT LANDSCAPE AND IRRIGATION ORDINANCE

## **ISSUE:**

Adopt an Ordinance amending Title 19 of the Riverside Municipal Code (Zoning), Chapter 19.570 – Water Efficient Landscape and Irrigation. The proposed Amendment conforms to State requirements for water efficient landscaping, and re-establishes the Water Efficient Landscape and Irrigation Ordinance provisions previously reviewed and approved by the City Council, but that were unintentionally altered by a subsequent approval.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine the proposed project is exempt from the provisions of the California Environmental Quality Act per Section 15061(b)(3), as it can be seen with certainty that there is no possibility the proposed amendment will have a significant effect on the environment (General Rule). An exemption from California Environmental Quality Act is also supported by Sections 15307 (Protection of Natural Resources) and 15308 (Protection of the Environment);
2. Approve Planning Case P18-0606 (Zoning Code Amendment) subject to the Planning Commission findings in the attached Planning Commission report; and
3. Introduce and subsequently adopt the attached Ordinance amending Riverside Municipal Code - Zoning Code Chapter 19.570, Water Efficient Landscape and Irrigation Provisions.

## **PLANNING COMMISSION RECOMMENDATION:**

On September 20, 2018, the City Planning Commission recommended approval of Planning Case P18-0606, by a vote of 6 ayes and 0 noes, subject to Staff's findings (Attachment 2 and Attachment 3).

## **LEGISLATIVE HISTORY:**

In response to severe drought conditions, on April 1, 2015, Governor Brown issued Executive Order B-29-15 (EO B-29-15), which mandated water conservation efforts. These efforts included a July 2015 update to the State’s Model Water Efficient Landscape Ordinance (MWELo). Local jurisdictions are required, by State law, to adopt the State’s MWELo, or adopt a jurisdiction specific Water Efficient Landscape Ordinance that is at least as effective in conserving water as the MWELo.

## **BACKGROUND:**

### **2015 State Requirements and City Update:**

The 2015 update to the Model Water Efficient Landscape Ordinance (MWELo) lowers the threshold for when the water efficient design requirements are applicable. The MWELo requires new development projects, with landscape areas of 500 square feet or more, to comply with water efficient standards. The previous threshold was for landscape areas of over 2,500 square feet. Other changes included with the update consist of the following:

- Requirements for more efficient irrigation systems;
- Incentives for graywater use;
- Improvements in on-site storm water capture;
- Limiting the portion of landscape that can be planted with high water use plants (e.g., turf);
- Reporting requirements; and
- A prescriptive checklist option for landscapes under 2,500 square feet.

On December 1, 2015, the City Council adopted Ordinance No. 7310, which updated Chapter 19.570 – Water Efficient Landscaping and Irrigation (WELo), to comply with the State’s stricter water efficiency standards.

### **2016 Streamline Amendment:**

In June 2016, the City Council approved the “Streamline Amendment” to the Zoning Code. This amendment streamlined the development review process and eliminated unnecessary steps. The Streamline Amendment proposed a minor amendment to Chapter 19.570 – Water Efficient Landscape and Irrigation (WELo). The “red-line” revision of the Streamline Amendment inadvertently used an outdated version of Chapter 19.570 as its template. As a result, the adopted Streamline Amendment superseded the WELo provisions of Ordinance No. 7310, and unintentionally reverted the City’s landscape criteria to the older standards.

## **DISCUSSION:**

This proposed Zoning Code Amendment will replace Chapter 19.570 – Water Efficient Landscaping and Irrigation (WELo) with regulations that conform with the State’s MWELo, as required by State law.

The proposed amendment includes the same provisions previously reviewed and approved by the City Council in December 2015 (Ordinance No. 7310); but were inadvertently altered in June of 2016 by the subsequent “Streamline Amendment.” This proposed Amendment corrects the

clerical error.

The proposed Water Efficient Landscape Ordinance (WELO) reflects requirements and standards of the State Model Water Efficient Landscape Ordinance (MWELO), and meets State requirements for locally adopted WELO's to be at least as effective in conserving water as the State MWELO. Adoption of the proposed WELO will ensure City compliance with State landscape and irrigation requirements for new development in the City. The proposed WELO will contribute to water savings throughout the City.

**FISCAL IMPACT:**

There is no fiscal impact associated with this report.

Prepared by: David Welch, Interim Community & Economic Development Deputy  
Director

Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Proposed Ordinance
2. City Planning Commission Report – September 20, 2018
3. City Planning Commission Minutes
4. Presentation