



Community & Economic Development Department

3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 |

Planning Division

RiversideCA.gov

PLANNING COMMISSION HEARING DATE: SEPTEMBER 20, 2018
AGENDA ITEM NO.: 4

PROPOSED PROJECT

Case Numbers	P18-0606 (AMD)
Request	To consider an amendment to Title 19 of the Riverside Municipal Code (Zoning), Chapter 19.570 - Water Efficient Landscape and Irrigation, for conformance with the State’s Model Water Efficient Landscape and Irrigation Ordinance previously reviewed and approved by the City Council, but unintentionally altered by a subsequent approval.
Applicant	City of Riverside Community & Economic Development Department 3900 Main Street, 6th Floor Riverside, CA 92522 (951) 826-2372
Project Location	Citywide
Ward	All Wards
Neighborhood	All Neighborhoods
Staff Planner	Doug Darnell, AICP, Senior Planner 951-826-5219 ddarnell@riversideca.gov

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Case P18-0606 (Zoning Code Amendment) is exempt from the provisions of the California Environmental Quality Act as it can be seen with certainty that the code amendment does not have the potential to cause a significant effect on the environment (General Rule). An exemption from CEQA is supported by CEQA Guidelines Sections 15307 (Protection of Natural Resources), 15308 (Protection of the Environment), and 15061(B)(3); and
2. **RECOMMEND City Council APPROVE** Planning Case Number P18-0606 (Zoning Code Amendment), based on the findings outlined in the Staff report and summarized in the attached findings.

BACKGROUND

In response to severe drought conditions, on April 1, 2015, Governor Brown issued Executive Order B-29-15 (EO B-29-15) to mandate water conservation efforts. These efforts included a July 2015 update to the State's Model Water Efficient Landscape Ordinance (MWELo). Local agencies (cities and counties) were required, by State law, to adopt the State's MWELo, or adopt a City specific Water Efficient Landscape Ordinance (WELo), provided it is at least as effective in conserving water as the MWELo.

A significant change with the 2015 WELo update is a lower 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 while the previous threshold was at or above 2,500 square feet. Other changes included:

- Requirements for more efficient irrigation systems;
- Incentives for graywater use;
- Improvements in on-site stormwater 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, to comply with the State's stricter water efficiency standards.

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. The "red-line" revision of the Streamline Amendment used an outdated version of Chapter 19.570. 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 old standards.

PROPOSAL

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

The proposed amendment includes the same provisions that were previously reviewed and approved by the City Council in December 2015 (Ordinance No. 7310); but were unintentionally altered in June of 2016 by the subsequent "Streamline Amendment." This proposed Amendment rectifies the clerical error.

Pursuant to Chapters 2.40 19.050, and 19.810 of the Riverside Municipal Code, the Planning Commission is required to review the proposed Water Efficient Landscape and Irrigation Ordinance to ensure consistency with the General Plan before City Council adoption of the ordinance.

PROJECT SUMMARY

The proposed WELO reflects requirements and standards of the State Model WELO, and meets State requirements for locally adopted WELO's to be at least as effective in conserving water as the State Model Ordinance. 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.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review, as it can be seen with certainty that the code amendment does not have the potential to cause a significant effect on the environment (General Rule). An exemption from CEQA is supported by CEQA Guidelines Sections 15307 (Protection of Natural Resources), 15308 (Protection of the Environment), and 15061(B) (3).

PUBLIC NOTICE AND COMMENTS

Pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions) of the Zoning Code, and California Government Code Section 65090 and 65091, a one-eighth page public notice advertisement was placed in the local newspaper of general circulation within the City (The Press Enterprise) twelve (12) days prior to this hearing. As of the writing of this report, Staff have received no responses regarding this proposed Water Efficient Landscape Ordinance.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental findings, may be appealed to the City Council within ten calendar days after the decision. The filing and processing information for an appeal may be obtained from the Planning Department counter, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Existing Zoning Code Chapter 19.570 – Water Efficient Landscaping and Irrigation
3. Proposed Zoning Code Chapter 19.570 – Water Efficient Landscaping and Irrigation

Prepared by: Doug Darnell, Senior Planner
Reviewed by: Jay Eastman, Principal Planner
Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P18-0606 (Zoning Code Amendment)

The findings below are the same findings of the Water Efficient Landscape Ordinance (WELO) Amendment adopted in December, 2015 with Ordinance No. 7310.

Zoning Code Amendment Findings pursuant to Chapter 19.810.040

1. That the proposed Zoning Code Text or Map Amendment is generally consistent with the goals, policies, and objectives of the General Plan. Specifically, the Open Space and Conservation Element of the General Plan 2025 includes objectives and policies that focus on maximizing water conservation such as:
 - Objective OS-10: Preserve the quantity and quality of all water resources throughout Riverside.
 - Policy OS-10.1: Support the development and promotion of water conservation programs.
 - Policy OS-10.5: Establish standards for the use of reclaimed water for landscaping.

The proposed WELO is consistent with the above General Plan 2025 Objectives and Policies in that it will increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf;

2. That the proposed Zoning Code Text Amendment will not adversely affect surrounding properties in that the proposed amendment aligns with State mandates and requirements to address severe drought conditions and to reduce the harmful impacts from water shortages and other impacts of the drought. The proposed amendment is a Citywide amendment that will establish greater water conservation restrictions on new and rehabilitated landscaping, in compliance with Governor Brown's Executive Order of April 1, 2015 (EO B-29-15), and is at least as effective in conserving water as the State's Model Water Efficient Landscape Ordinance approved by the California Water Commission on July 15, 2015. The proposed WELO will increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf;
3. That the proposed Zoning Code Text or Map Amendment promotes public health, safety and general welfare and serves the goals and purposes of the Zoning Code in that the proposed amendment aligns with State mandates and requirements to address severe drought conditions and to reduce the harmful impacts from water shortages and other impacts of the drought. The proposed amendment is a Citywide amendment that will establish greater water conservation restrictions on new and rehabilitated landscaping in compliance with Governor Brown's Executive Order of April 1, 2015 (EO B-29-15) and is at least as effective in conserving water as the State's Model Water Efficient Landscape Ordinance approved by the California Water Commission on July 15, 2015. The proposed WELO will increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf.