

CITY OF CALISTOGA

STAFF REPORT

**TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION**

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: FEBRUARY 24, 2010

SUBJECT: WATER EFFICIENT LANDSCAPE ORDINANCE

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2 **REQUEST:**
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4 Presentation by staff on the State Model Water Efficient Landscape Ordinance.
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6 **INTRODUCTION AND BACKGROUND:**
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8 In 1990, the State Legislature passed Assembly Bill 325, Water Conservation in
9 Landscaping Act, requiring the Department of Water Resources (DWR) to adopt
10 standards for efficient water use in landscaping. In compliance with this
11 requirement, DWR adopted the State Model Water Efficient Landscape
12 Ordinance (MWELo) in 1993 establishing specific methods for local agencies to
13 implement in landscape and irrigation design to protect limited water resources.
14 Local agencies were given the authority under this bill to either accept the State
15 Model Ordinance or to adopt their own local standards. Failure to take one of
16 these actions meant the State Model Ordinance became the standard for local
17 agencies.
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19 Since the City of Calistoga did not adopt its own local ordinance in 1993, the
20 State Model Ordinance was adopted by default. However, the State Model
21 Ordinance has had relatively little impact on Calistoga since 1993, in large part
22 because of the high threshold for landscaped area (2,500 sq. ft. or more of new
23 or replanted landscape) and because of the many exemptions in the State Model
24 Ordinance (homeowner-installed residential landscapes).
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26 Recently adopted legislation (AB 2717 and AB 1881) amended the State Model
27 Ordinance and became effective on January 1, 2010. Similar to the 1993
28 process, local agencies can either adopt their own standards or adopt the revised
29 State Model Ordinance; doing nothing will result in defaulting to the State Model
30 Ordinance.

31 **STATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE**

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33 The purpose of the MWELO is to:

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35 · Establish a structure for designing, installing, maintaining and managing
36 water efficient landscapes in new and rehabilitated projects;
37 · Reduce water use to the lowest practical point;
38 · Establish provisions for water management practices and water waste
39 prevention for established landscapes; and
40 · Promote the values and benefits of landscape while recognizing the need
41 to use water and other resources efficiently.
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43 Landscapes that require a building or landscape permit, plan check or design
44 review are:

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46 · New construction and rehabilitated landscapes for public agency projects
47 and private development projects with a landscape area equal to or
48 greater than 2,500 square feet;
49 · New construction and rehabilitated landscapes which are developer-
50 installed in single-family and multi-family projects with a landscape area
51 equal to or greater than 2,500 square feet; or
52 · New construction landscapes which are homeowner-provided and/or
53 homeowner-hired in single-family and multi-family residential projects with
54 a total project landscape area equal to or greater than 5,000 square feet.
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56 Landscapes that are exempt include the following:

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58 · Registered local, state or federal historical sites;
59 · Ecological restoration projects that do not require a permanent irrigation
60 system;
61 · Mined-land reclamation projects that do not require a permanent irrigation
62 system; or
63 · Plant collections, as part of botanical gardens and arboretums open to the
64 public.
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66 **DEVELOPMENT OF A LOCAL ORDINANCE:**

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68 In response to Assembly Bill 1881 requirements, the City of Calistoga is
69 developing a local ordinance that is at least as effective in conserving water as
70 the updated MWELO prepared by DWR. The City ordinance proposes to use the
71 same applicability thresholds as the MWELO, but will provide several landscape
72 and irrigation guidelines derived from a collaborative effort of stakeholders in the
73 North Bay (Sonoma, Marin, and Napa counties).
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75 The City of Calistoga anticipates adoption of its local Water Efficient Landscape
76 Ordinance in the spring, in advance of a related green building ordinance. City

77 staff has notified the DWR that the City's landscape laws are being proposed for
78 amendment and the State's Model Landscape Ordinance will be in effect from
79 January 1, 2010, until such time as the City Council adopts a revised landscape
80 ordinance modifying those laws.

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82 **ATTACHMENTS:**

- 83 1. California Department of Water Resources Brochure
84 2. The State of California's Model Water Efficient Landscape Ordinance
85 (MWELo)