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City of Sebastopol

Mayor
 Sarah Glade Gurney
City Council
 Una Glass, Vice
 Mayor
 John Eder
 Robert Jacob
 Patrick Slayter

 City Manager/City
 Attorney
 Larry McLaughlin
 City Clerk
 Mary Gourley

Meeting Date:
To:
From:
Subject:
Recommendation:
Funding:

Meeting of January 19, 2016
 Mayor and City Council
 Kenyon Webster, Planning Director
 Water Efficient Landscape Ordinance
 Adopt Ordinance
 Currently Budgeted: Yes No N/A
 Net General Fund Cost:
 If Cost to Other Fund(s),

Agenda Report Reviewed by:
 City Manager/City Attorney *[Signature]*

On January 5, 2016 the Council introduced the attached updated Water Efficient Landscape Ordinance to comply with State requirements. The Ordinance is now presented for adoption.

Attachment: Ordinance for Adoption

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SEBASTOPOL AMENDING
CHAPTER 15.36 – WATER EFFICIENT LANDSCAPE ORDINANCE
TO REFERENCE UPDATED WATER EFFICIENT REQUIREMENTS ESTABLISHED
BY THE STATE OF CALIFORNIA

Findings:

(a) The State Legislature has found:

- (1) That the waters of the state are of limited supply and are subject to ever increasing demands;
- (2) That the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
- (3) That it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
- (4) That landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;
- (5) That landscape design, installation, maintenance and management can and should be water efficient;
- (6) That Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

(b) Consistent with the State's legislative findings, the purpose of this ordinance is to:

- (1) Promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;
- (2) Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;
- (3) Establish provisions for water management practices and water waste prevention for existing landscapes;
- (4) Use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;
- (5) Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies.

(6) Maintain consistency with State-wide standards.

(c) Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's and Sebastopol's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

- (1) Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.
- (2) Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
- (3) Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
- (4) Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
- (5) Protecting existing habitat and creating new habitat by choosing local native plants.

Now, therefore:

THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ENACT AS FOLLOWS:

Chapter 15.36 is amended in its entirety to read as follows:

Section 1.

15.36.010 New and rehabilitated landscape projects shall conform to Sections 490-495, Chapter 2.7, Division 2, Title 23 in the California Code of Regulations.

15.36.020 Forms.

Applicants shall submit all required documentation for compliance pursuant on forms approved by the Building Official or his/her designee, including but not limited to Maximum Applied Water Allowance form, Hydrozone Table form, and Certificate of Completion form.

Section 2. Environmental Determination. The Council finds that the adoption

and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b) 3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment in that the State of California has already adopted applicable regulations, and has mandated that local agencies either accept, adopt, or adopt regulations consistent with the State's standards.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect 30 days following its adoption.

This ordinance was introduced by the Council of the City of Sebastopol on January 5, 2016.

IN COUNCIL DULY PASSED AND ADOPTED this 19th day of January, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
City Clerk

APPROVED: _____
Mayor