



CITY OF ORANGE

COMMUNITY SERVICES DEPARTMENT

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January 26, 2010

Simon Eching
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: Water Efficient Landscape Ordinance

Mr. Eching,

Enclosed you will find a copy of the City of Orange Landscape Standards and Specifications and a copy of the City's Resolution adopting a revision of this document to include a section titled Water Efficient Landscapes (Section IX). The City of Orange, working with a coalition of local agencies lead by the Metropolitan Water District of Orange County and the local chapter of the League of California Cities, used the DWR Model Ordinance to draft a model ordinance that local agencies could adopt.

The City's decision was to include, through Resolution, the language contained in the Model Ordinance in our existing Landscape Standards and Specifications document, as it is already adopted by City Ordinance. Contained in Section IX of the City of Orange Landscape Standards and Specifications are the requirements of the Model Water Efficient Landscape Ordinance. The City of Orange Landscape Standards and Specification document is incorporated by reference under Municipal Code 16.50.040.

If you have any questions regarding this submittal please contact me at (714) 744-7283.

Sincerely,

Dana Robertson
Parks and Facilities Manager
Enc.

cc: Marie Knight, Community Services Director
Alice Angus, Community Development Director
Bonnie Hagan, Assistant Community Services Director
Ed Knight, Assistant Community Development Director

RESOLUTION NO. 10413

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ORANGE AMENDING CITY OF ORANGE
LANDSCAPE STANDARDS AND SPECIFICATIONS.**

WHEREAS, the State legislature has found that the waters of the State are of limited supply and subject to ever increasing demands; and

WHEREAS, the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses; and

WHEREAS, it is the policy of the State to promote the conservation and efficient use of water to prevent the waste of this valuable resource; and

WHEREAS, landscape design, installation, maintenance, and management can and should be water efficient; and

WHEREAS, Article X, Section 2 of the California Constitution specifies that "waste or unreasonable use...of water be prevented" and that "the right to water...is...limited to such as shall be reasonably required for the beneficial use to be served" and "such right does not and shall not extend to the waste or unreasonable use of water"; and

WHEREAS, Orange County has established a large reclaimed water infrastructure system; and

WHEREAS, allocation-based and tiered water rate structures allow public agencies to document water use in landscapes; and

WHEREAS, incentive-based water use efficiency programs have been actively implemented within Orange County since before 1991; and

WHEREAS, current local design practices in new landscapes typically achieve the State Model Water Efficient Landscape Ordinance water use goals; and

WHEREAS, all water services within the City are metered; and

WHEREAS, Orange County is a leader in researching and promoting the use of smart automatic irrigation controllers with more than 4,500 installations as of June 2009; and

WHEREAS, all new irrigation controllers sold after 2012 within Orange County will be smart controllers; and

WHEREAS, landscape plan submittal and review has been a long standing practice in the City; and

WHEREAS, the average rainfall in Orange County is approximately 12 inches per year; and

WHEREAS, the City, as the local water purveyor, has already enacted water waste prohibitions for all existing metered landscaped areas within its jurisdiction; and

WHEREAS, consistent with these findings, the purpose of the City's Water Efficient Landscape Section of the City's Landscape Standards and Specifications is to establish an alternative to the State Model Water Efficient Landscape Ordinance that is acceptable under AB 1881 as being at least as effective as the State Model in the context of conditions in the City in order to:

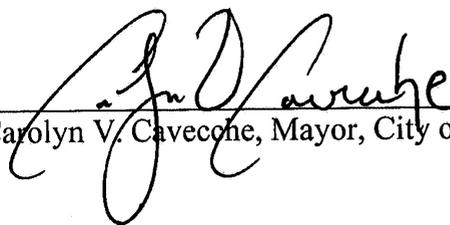
- Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies.
- Promote the values and benefits of landscapes while recognizing the need to invest water and other resources efficiently.
- Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitation projects.
- Establish provisions for water management practices and water waste prevention for existing landscapes.
- Use water efficiently by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount.
- Encourage the use of economic incentives to promote the efficient use of water, such as implementing a budget-based tiered rate structure.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange, on the basis of the facts set forth in the agenda report presented to it and any testimony received at the meeting at which this matter was considered, as follows:

1. That the City Council finds and determines that the foregoing recitals are true and correct.
2. That the existing City of Orange Landscape Standards and Specifications are hereby repealed in their entirety and replaced by City of Orange Landscape Standards and Specifications, attached hereto as **Exhibit A**, which modifies the existing regulations and adds a new Section IX, entitled "Water Efficient Landscapes," and Sub Section IX.1, "Guidelines for Implementation."
3. That this amendment to the Landscape Standards and Specifications is exempt from review under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*), because pursuant to State CEQA Regulation 15307 (14 Cal. Code Reg. § 15307), this amendment is covered by the CEQA Categorical Exemption for actions taken to assure the maintenance, restoration,

enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment. The adoption of this amendment will result in the enhancement and protection of water resources in the City, and will not result in cumulative adverse environment impacts. It is therefore exempt from the provisions of CEQA. The City Council hereby directs the City Manager or designee to prepare and file a Notice of Exemption as soon as possible following adoption of this Resolution revising the Landscape Standards and Specifications.

ADOPTED this 8th day of December, 2009.



Carolyn V. Cavecche, Mayor, City of Orange

ATTEST:



Mary E. Murphy, City Clerk, City of Orange

I, MARY E. MURPHY, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 8th day of December, 2009, by the following vote:

AYES: COUNCILMEMBERS: Smith, Murphy, Cavecche, Dumitru, Bilodeau
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None



Mary E. Murphy, City Clerk, City of Orange