



# CITY OF LEMON GROVE

"Best Climate On Earth"

## Community Development Department

January 27, 2010

Mr. Simon Eching  
California Department of Water Resources  
Water Use and Efficiency Branch  
Post Office Box 942836  
Sacramento, CA 94236-0001

Subject: City of Lemon Grove's Water Efficient Landscape Ordinance

Dear Mr. Eching:

On December 15, 2009 the Lemon Grove City Council held a public hearing and introduced Ordinance No. 387 adding Chapter 18.44 Water Efficient Landscape Ordinance and Amending Chapter 18.08 Excavation and Grading of the Lemon Grove Municipal Code. On January 5, 2010 the Lemon Grove City Council conducted a second reading by title only and adopted Ordinance No 387. The Ordinance will become effective February 4, 2010.

The City of Lemon Grove Water Efficient Landscape Ordinance is at least as effective at conserving water as the State Model Water Efficient Landscape Ordinance because it: (1) is applicable to all landscapes identified in the State Model Ordinance, (2) requires the most efficient and appropriate irrigation equipment, (3) requires submittal of Landscape Documentation and Certificate of Completion Packages consistent with the State Model Ordinance, (4) requires irrigation scheduling based on evapotranspiration data or soil moisture sensors, (5) establishes a Maximum Applied Water Allowance (MAWA) consistent with the State Ordinance MAWA formula, (6) prohibits overspray and runoff, (7) encourages the use of graywater and/or recycled water where it is available, (8) requires soil assessment for appropriate irrigation and plan installation, and (9) incorporates monitoring and enforcement mechanisms.

The Ordinance No. 387 also included amendments to the City's Excavation and Grading Ordinance to ensure that water-saving techniques are considered at the earliest point of the proposed development process.

The City of Lemon Grove intends to utilize the San Diego County Conservation Landscape Design Manual as a guideline document to assist developers and property owners in achieving successful landscape installations.

Helix Water District is the City's sole water purveyor and is implementing educational programs, landscape audits and surveys, tiered-rate billing, water budgeting, and enforcement of water waste prohibitions for all existing and new metered landscape areas throughout the service area to further the water saving efforts.



The City was required to implement this Ordinance by January 1, 2010 and was unable to accommodate this deadline. The City of Lemon Grove is utilizing the State Model Ordinance during the interim period. The City of Lemon Grove will implement Ordinance 387- Water Efficient Landscape Ordinance commencing February 4, 2010.

If you have any questions regarding the matter addressed in this letter, please contact me at 619-825-3806.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol Dick", with a long horizontal flourish extending to the right.

Carol Dick  
Community Development Director

Enc.

Cc: Engineering Department  
James Lough, City Attorney  
Graham Mitchell, City Manager



**ORDINANCE NO. 387**

**AN ORDINANCE OF THE LEMON GROVE CITY COUNCIL ADDING CHAPTER 18.44, AND AMENDING CHAPTER 18.08 IN THE LEMON GROVE MUNICIPAL CODE**

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**WHEREAS**, the Water Conservation and Landscaping Act of 2008 (AB1881, Laird) requires cities and counties to adopt landscape water conservation ordinances by January 1, 2010; and

**WHEREAS**, the Department of Water Resources prepared and adopted a Model Water Efficient Landscape Ordinance for cities to follow; and

**WHEREAS**, the legislation requires each city to either adopt the state ordinance or an equivalent ordinance that achieves the same water savings; and

**WHEREAS**, a Regional Ordinance was generated in the County of San Diego that was based on the State Model Water Efficient Landscape Ordinance and was the basis of the proposed Lemon Grove Water Efficient Landscape Regulation; and

**WHEREAS**, this project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the State's CEQA guidelines; and

**WHEREAS**, the Lemon Grove Municipal Code Chapter 18.44, entitled Water Efficient Landscape Regulations, will require landscaping and irrigation to implement water saving measures to encourage greater water conservation through the use of graywater and recycled water (when available), the use of lower water use plants, prevention of water waste, the on-going monitoring and maintenance of the irrigation systems, and the use of more efficient irrigation technologies, and

**WHEREAS**, the local water purveyor is implementing educational programs, landscape audits and surveys, tiered-rate billing, water budgeting, and enforcement of water waste prohibitions for all existing and new metered landscape areas throughout the service area to further the water saving efforts, and

**WHEREAS**, the City Council finds that the City of Lemon Grove Water Efficient Landscape Ordinance is at least as effective at conserving water as the State Model Water Efficient Landscape Ordinance because it: (1) is applicable to all landscapes identified in the State Model Ordinance, (2) requires the most efficient and appropriate irrigation equipment, (3) requires submittal of Landscape Documentation and Certificate of Completion Packages consistent with the State Model Ordinance, (4) requires irrigation scheduling based on evapotranspiration data or soil moisture sensors, (5) establishes a Maximum Applied Water Allowance (MAWA) consistent with the State Ordinance MAWA formula, (6) prohibits overspray and runoff, (7) encourages the use of graywater and/or recycled water where it is available, (8) requires soil assessment for appropriate irrigation and plant installation, (9) incorporates monitoring and enforcement mechanisms; and

**WHEREAS**, on December 3, 2009 the City Council duly noticed and held a public hearing on December 15, 2009 to consider the Ordinance addition and amendment; and

**NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AS FOLLOWS:**

**SECTION 1:** This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk shall cause this ordinance to be published pursuant to the provisions of Government Code section 36933.

**SECTION 2:** The City Council of the City of Lemon Grove hereby declares that should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

**SECTION 3:** The City Council adopts the addition of LGMC Chapter 18.44 Water Efficient Landscape Regulations and amendment of 18.08 Excavation and Grading, as follows:

## **18.44 WATER EFFICIENT LANDSCAPE REGULATIONS**

### **18.44.010 Purpose.**

A. The purpose of this Chapter is to establish landscaping water use standards consistent with the 2006 development landscape design requirements established by the Water Conservation in Landscaping Act (the "California Landscaping Act"), Government Code sections 65591 et seq. In that legislation, the State Legislature determined that the State's water resources are in limited supply and recognized that while landscaping is essential to the quality of life in California, landscape design, installation, maintenance and management must be water efficient. Consistent with the Legislature's findings, this ordinance:

1. Promotes the values and benefits of landscapes while recognizing the need to utilize water and other resources as efficiently as possible.
2. Establishes a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction.
3. Promotes the use, when available, of *tertiary treated recycled water* to irrigate landscaping.
4. Sets a Maximum Applied Water Allowance (*MAWA*) as an upper limit for water use and reduces water use for landscaping to the lowest practical amount.
5. Encourages water users of existing landscapes to use water efficiently and eliminate waste.

### **18.44.020 Findings.**

This Chapter implements the Efficiency Regulations in Landscaping Act. The requirements of this Chapter reduce water use associated with irrigation of outdoor landscaping by setting a maximum amount of water to be applied to landscaping and by designing, installing and maintaining water efficient

landscapes consistent with the water allowance. The provisions of this ordinance are equivalent to and at least as effective as the provisions of the state Model Landscape Ordinance because the calculation of *Maximum Applied Water Allowance* and the resulting restrictions on irrigation and process are similar, though tailored to City's existing regulatory procedures.

The requirements herein are intended to reduce water usage in Lemon Grove to the same extent as the Model Landscape Ordinance prepared by the State of California. In implementing this law, the City shall endeavor to apply the law in a manner, which will result in long-term water savings to the Citizens of the State as required, by law. The water savings shall be achieved through permanent landscape rules using irrigation management, greater use of drought-tolerant plantings and improved design criteria.

In adopting this Chapter, the City Council finds and determines that this Chapter will be as effective as the state Model Landscape Ordinance and are based on the San Diego Regional Model Ordinance with changes for local and climatic conditions. The threshold regulations are based on those in the State Model Landscape Ordinance as modified by the San Diego Regional Model Ordinance. The uniformity with the Regional Model will assist developers and property owners in meeting the requirements of this Chapter.

#### **18.44.030 Definitions.**

The following definitions shall apply to this Chapter:

*"Automatic Irrigation Controller"* means an automatic timing device used to remotely control valves that operate an irrigation system. *Automatic irrigation controllers* shall schedule irrigation events using either *Evapotranspiration (ETo)* (weather-based) or moisture sensor data.

*"Application Package"* means a set of materials, i.e., the application form accompanied by maps, studies, etc. as required by the checklist established by the Community Development Director, filed by an applicant to officially request a permit subject to this Title, or other Titles as may be appropriate.

*"Building Permit"* means a permit to engage in a certain type of construction on a specific location.

*"Certified Landscape Irrigation Auditor"* means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other accredited certification program.

*"Developer"* means a person who seeks or receives permits for or who undertakes land development activities who is not a single-family homeowner. *Developer* includes a *Developer's* partner, associate, employee, consultant, trustee, or agent.

*"Director"* means the Community Development Director or anyone to whom the Director has designated or hired to administer or enforce this Chapter.

*"Discretionary Permit"* means any permit requiring a decision making body to exercise judgment prior to its approval, conditional approval or denial.

*"Estimated Total Water Use" (ETWU)* means the *Estimated Total Water Use* in gallons per year for a *Landscaped Area*.

“*ET Adjustment Factor*” (*ETAF*) means a factor that when applied to reference *ETo*, adjusts for plant water requirements and *irrigation efficiency*, two major influences on the amount of water that is required for a healthy landscape.

“*Evapotranspiration*” (*ETo*) means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time period. “Reference *ETo*” means a standard measurement of environmental parameters which affect the water use of plants. *ETo* is given in inches per day, month, or year and is an estimate of the *ETo* of a large field of four-inches to seven-inches tall, cool season *turf* that is well watered. Reference *ETo* is used as the basis of determining the *MAWA* so that regional differences in climate can be accommodated.

“*Graywater*” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination, by unhealthful processing, manufacturing, or operating wastes. *Graywater* includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. *Graywater* is not “*Recycled Water*.”

“*Grading*” means any excavating or filling or combination thereof.

“*Hardscape*” means any durable surface material, *pervious* or *non-pervious*.

“*Homeowner-Provided Landscaping*” means landscaping for a single-family residence installed either by a private individual or a licensed contractor.

“*Hydrozone*” means a portion of the landscape area having plants with similar water needs. A *hydrozone* may be irrigated or non-irrigated.

“*Invasive Species*” means species of plants not historically found in California that spread outside cultivated areas and may damage environmental or economic resources.

“*Irrigation Audit*” means an inspection which includes an in depth evaluation of the performance of an irrigation system conducted by a *Certified Landscape Irrigation Auditor*. An irrigation audit may include, but is not limited to, inspection, system tune up, system test with distribution uniformity or emission uniformity, reporting *overspray* or *runoff* that causes overland flow, and preparation of an irrigation schedule.

“*Irrigation Efficiency*” means the measurement of the amount of water beneficially used divided by the water applied. *Irrigation efficiency* is derived from measurements and estimates of irrigation system characteristics and management practices.

“*Landscaped Area*” means an area with outdoor plants, *turf*, and other vegetation. A *landscaped area* includes a *water feature* either in an area with vegetation or that stands alone. A *landscaped area* may also include design features adjacent to an area with vegetation when allowed under section 18.44.150. A *landscaped area* does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot or other *hardscape* that does not meet the criteria in section 18.44.150. A *landscaped area* also does not include an area without irrigation designated for non-development such as designated open space or area with existing native vegetation.

“*Landscape Design Manual*” means the City-approved manual that establishes specific design criteria and guidance to implement the requirements of this Chapter.

“*Landscape Documentation Package*” means those supplemental landscape-specific attachments required by subsection 18.44.040 to be submitted as part of an *application package*, as required elsewhere in the Municipal Code.

“*Low Head Drainage*” means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.

“*Low Volume Irrigation*” means the application of irrigation water at low pressure through a system of tubing or lateral lines and *low volume* emitters such as drip lines or bubblers.

“*Maximum Applied Water Allowance*” (*MAWA*) means the maximum allowed annual water use for a specific *landscaped area* based on the square footage of the area, the *ETAF* and the reference *ETo*.

“*Mulch*” means an organic material such as leaves, bark, straw or inorganic mineral materials such as rocks, gravel or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature, or prevent soil erosion.

“*Overspray*” means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.

“*Pervious*” means any surface or material that allows the passage of water through the material and into underlying soil.

“*Plant Factor*” means a factor when multiplied by the *ETo*, estimates the amount of water a plant needs.

“*Public Water Purveyor*” means a public utility, municipal water district, municipal irrigation district, or municipality that delivers water to customers.

“*Public Agency Project*” means a project located on public agency property or lands.

“*Recycled Water*” means waste water that has been treated at the highest level required by the California Department of Health Services for water not intended for human consumption.

“*Runoff*” means water that is not absorbed by the soil or landscape to which it is applied and flows from the *landscaped area*.

“*Special Landscaped Area*” (*SLA*) means an area of the landscape for commercial, industrial, public agency and common areas for single-family and multi-family developments, area dedicated to edible plants, an area irrigated with *recycled water* or *graywater*, or an area dedicated as *turf* area within a park, sports field or golf course where *turf* provides a passive or active recreational surface.

“*Subsurface Irrigation*” means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

“*Tertiary Treated Recycled Water*” means water that has been through three levels of treatment including filtration and disinfection.

“*Transitional Area*” means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designated to ensure that the natural area remains unaffected by plantings and irrigation installed on the property.

“*Turf*” means a groundcover surface of mowed grass.

“*Water Feature*” means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa and swimming pool. Constructed water containment elements used for on-site wastewater treatment or stormwater best management practices are not water features.

“*WUCOLS III*” means Water Use Classification of Landscape Species and refers to the Department of Water Resources 1999 publication, as amended.

#### **18.44.040 Applicability.**

A. This Chapter shall apply to the following projects that require a *building permit* or a *discretionary permit*:

1. A project for an industrial, commercial, institutional, or multi-family residential use where the landscaped area is greater than or equal to 2,500 square feet.
2. Developer installed residential and common area landscapes where the total landscaped area for the development is greater than or equal to 2,500 square feet.
3. A new single-family residence with homeowner-provided landscaping where the landscaped area is greater than or equal to 5,000 square feet.
4. A model home that includes a landscaped area.
5. A public agency project that contains a landscaped area greater than or equal to 2,500 square feet.
6. A rehabilitated landscape for an existing industrial, commercial, institutional, public agency, or multifamily use where a building permit or discretionary permit is being issued and the applicant is installing or modifying a landscaped area greater than or equal to 2,500 square feet.
7. A new single-family residence with homeowner-provided landscaping, where the landscape area is less than 5,000 square feet, under the following limited requirements:
  - a. An applicant shall only be required to submit a residential water efficient landscape worksheet to establish a MAWA for the property on a form provided by the Director. A Landscape Documentation Package is not required.
  - b. The landscape and irrigation shall be completed prior to final inspection.

B. This Chapter shall not apply to the following:

1. A registered local, State, or Federal historical site.
2. An ecological restoration project that does not require a permanent irrigation system.
3. A mined land reclamation project that does not require a permanent irrigation system.

4. A botanical garden or arboretum, open to the public.
5. Any single-family residence that is being rebuilt after it was destroyed due to a natural disaster, such as a fire, earthquake, hurricane, or tornado.

**18.44.050 Landscape Approval.**

A. No person shall install landscaping for a project subject to this Chapter without the review and approval required by this Chapter.

B. A person constructing a project subject to the requirements of this Chapter shall obtain approval for the *landscaped area* as follows:

1. A person applying for a *building permit* for a new single-family residence shall obtain an approval of the landscaping as part of the permitting process.
2. A person applying for a *discretionary permit* described in Section 18.44.040:
  - a. Shall submit a landscape concept plan required by the discretionary permit application package and checklist and which demonstrates conformance to Title 17 and this Chapter. The concept plan shall include representation of the site features, proposed planting areas and the proposed method and type of irrigation.
  - b. Shall obtain approval for landscaping as part of the permitting process for each building permit for each project segment that requires installation of a water meter or connection to an existing water meter.
  - c. May use "typical" plans for developer-installed landscaping for new single-family homes.

**18.44.060 Administration and Landscape Manual.**

A. The Director shall administer and enforce this Chapter.

B. The Director shall prepare a *Landscape Design Manual* or may designate the County of San Diego *Landscape Design Manual* to provide guidance to applicants on how to comply with the requirements of this Chapter.

**18.44.070 Landscape Documentation Package.**

A. Applications for projects subject to Section 18.44.040 shall include a *landscape documentation package* that complies with the provisions of this Chapter and with the *Landscape Design Manual*. The *landscape documentation package* shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional appropriately licensed by the state and shall contain the following elements:

1. A soil management report and plan that complies with the *landscape documentation package* checklist, provides the analysis of the soil within each landscaped area of the project and makes recommendations regarding soil additives.
2. Planting and irrigation plans that comply with the *landscape documentation package* checklist and that describe the landscaping and irrigation for the project.

3. A water efficient landscape worksheet that complies with the *landscape documentation package* checklist and provides the calculations for project *MAWA* and the *ETWU* consistent with formulas outlined in Sections 18.44.080 and 18.44.090.
4. A *grading* plan that complies with Section 18.08.130 and the *landscape documentation package* checklists, unless exempted by Section 18.08.070.
5. When a project involves phased *grading* of a site, the applicant shall submit the soil management report that complies with the Certificate of Completion required by Section 18.44.170.

B. The *landscape documentation package* shall demonstrate conformance to Lemon Grove Municipal Code Chapter 17 and the following minimum design standards:

1. Slopes greater than 25 percent shall be irrigated with an irrigation system with a precipitation rate of .75 inches per hour or less to prevent runoff and erosion. An applicant may employ an alternative design if the plan demonstrates that no runoff or erosion will occur.
2. All wiring and piping under a paved area that a vehicle may use, such as a parking area, driveway or roadway, shall be installed inside a PVC conduit.
3. Irrigation piping and irrigation devices within 24 inches of a vehicle or pedestrian use area and that deliver water, such as sprinkler heads, shall be installed below grade. The Director may allow on-grade piping where landform constraints make below grade piping infeasible.
4. Low volume or subsurface irrigation shall be used to irrigate any vegetation within 24 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.
5. A manual shutoff valve shall be installed as close as possible to the water supply. Additional manual shutoff valves shall be installed between each zone of the irrigation system and the water supply.
6. The irrigation for any landscaped area shall be regulated by an automatic irrigation controller.
7. The irrigation system shall be designed with irrigation efficiency necessary to meet the *MAWA*.
8. The *MAWA* calculations shall meet the following requirements:
  - a. The plant factor used shall be from WUCOLS III. The plant factor shall be 0.1 for very low water use plants 0.3 for low water use plants, 0.5 for moderate water use plants and 0.8 for high water use plants. A plan that mixes plants in a hydrozone that require a different amount of water shall use the plant factor for the highest water using plant in the hydrozone.
  - b. Temporarily irrigated areas shall be included in the low water use hydrozone. Temporarily irrigated as used in this Chapter means the period of time when plantings only receive water until they become established.
  - c. The surface area of a water feature, including swimming pools, shall be included in a high water use hydrozone.
  - d. The formulas outlined in Sections 18.44.080 and 18.44.090 shall be used to establish the project *MAWA* and *ETWU*.
  - e. Each special landscaped area shall be identified on the worksheet and the water use shall be calculated using an *ETAF* of 1.0.

#### 18.44.080 Maximum Applied Water Use.

A. A landscape project subject to this Chapter shall not exceed the *MAWA*. The *MAWA* for a landscape project establishes the project's annual water budget and shall be determined by the following formula:

$$MAWA = (ETo)(0.62)[0.7 \times LA + 0.3 \times SLA]$$

B. The abbreviations used in the equation have the following meanings:

1. *MAWA* = Maximum Applied Water Allowance in gallons per year.
2. *ETo* = Evapotranspiration in inches per year. The City of Lemon Grove's *ETo* is consistent with the San Diego City, Otay region Annual *ETo* published in the Reference Evapotranspiration Table provided by the Helix Water District.
3. 0.62 = Conversion factor to gallons per square foot.
4. 0.7 = ET adjustment factor for plant factors and irrigation efficiency.
5. *LA* = Landscaped area includes special landscaped area in square feet.
6. 0.3 = the additional ET adjustment factor for a special landscaped area (1.0 - 0.7 = 0.3)
7. *SLA* = Portion of the landscaped area identified as a special landscaped area in square feet. This factor is not applicable to single-family residential projects.

#### 18.44.090 Estimated Total Water Use.

A. A landscape project subject to this Chapter shall include an *ETWU* for each *landscaped area* and for the entire project. The *ETWU* shall be determined by the following formula:

$$ETWU = (ETo)(0.62)(PF \times HA / IE + SLA)$$

B. The abbreviations used in the equation have the following meanings:

1. *ETWU* = Estimated total water use in gallons per year.
2. *ETo* = Evapotranspiration in inches per year. The City of Lemon Grove's *ETo* is consistent with the San Diego City, Otay region Annual *ETo* published in the Reference Evapotranspiration Table provided by the Helix Water District.
3. 0.62 = Conversion factor to gallons per square foot.
4. *PF* = Plant factor from WUCOLS
5. *HA* = Hydrozone Area in square feet. Each *HA* shall be classified based upon the data included in the landscape and irrigation plan as high, medium or low water use.
6. *IE* = Irrigation efficiency of the irrigation method used in the hydrozone.
7. *SLA* = Special landscaped area in square feet.

C. The *ETWU* for a proposed project shall not exceed the *MAWA*.

#### **18.44.100 Adjustment to *Landscaped Area* for Non-Vegetated Area.**

Rock and stone or *pervious* design features, such as decomposed granite ground cover that are adjacent to a vegetated area may be included in the calculation of the *MAWA* and *ETWU* provided the features are integrated into the design of the landscape area and the primary purpose of the feature is decorative.

#### **18.44.110 Regulations Applicable to Use of Turf on Landscaped Areas.**

The following regulations shall apply to the use of *turf* on a project subject to this Chapter:

1. Only low volume or subsurface irrigation shall be used for turf in a landscaped area:
  - a. On a slope greater than 25 percent grade where the toe of the slope is adjacent to an impermeable *hardscape*.
  - b. Where any dimension of the *landscaped area* is less than six feet wide.
2. On a commercial, industrial, institutional, or multi-family project, no turf shall be allowed on a center island median strip or on a parking lot island.
3. A ball field, park, golf course, and other similar use shall be designed to limit turf in any portion of a landscaped area not essential for the operation of the facility.
4. Turf areas shall be designed to ensure that runoff or overspray will not occur.

#### **18.44.120 Projects with Model Homes.**

A person who obtains a permit to construct a single-family residential development that contains a model home or homes shall provide a summary of this Chapter to each adult visitor that visits a model home. If an adult visitor is accompanied by one or more adults during the visit only one set of written materials is required to be provided. Each model home shall provide an educational sign in the front yard of the model home visible and readable from the roadway that the home faces that states in capital black lettering at least two inches high on a white sign, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

#### **18.44.130. Recycled Water**

- A. A person who obtains a permit for a project that is subject to this Chapter shall use *recycled water* for irrigation when *tertiary treated recycled water* is available from the *water purveyor* who supplies water to the property for which the City issues a permit.
- B. A person using *recycled water* shall install a dual distribution system for water received from a *public water purveyor*. Pipes carrying *recycled water* shall be purple.
- C. A person who uses *recycled water* under this section shall be entitled to an *ETAF* of 1.0.
- D. This section does not excuse a person using *recycled water* from complying with all State and local laws and regulations related to *recycled water* use.

#### **18.44.140 Graywater.**

- A. A person who obtains a permit for a residential project that is subject to this Chapter may use *graywater* for *subsurface irrigation* provided the installation and operation of the *graywater* system conforms to all applicable State and local laws and regulations.
- B. A person using a *graywater* irrigation system shall design and construct the system consistent with Department of Water Resources Appendix G and/or the California Plumbing Code, Title 24, Part 5, Chapter 16A, Part I.
- C. A person who uses a *graywater* irrigation system under this section shall be entitled to an *ETAF* of 1.0.

#### **18.44.150 Landscaping and Irrigation Installation.**

A person issued a landscape approval for a project shall install the approved irrigation system and landscaping before final inspection of the project.

#### **18.44.160 Maintenance.**

After approval of a landscape and irrigation plan, the owner is required to:

1. Maintain and operate the landscaping and irrigation system on the property consistent with the *MAWA*.
2. Maintain the irrigation system to meet or exceed an irrigation efficiency necessary to meet *MAWA*.
3. Replace broken or malfunctioning irrigation system components with components of the same materials and specifications, their equivalent or better.
4. Ensure that when vegetation is replaced, replacement plantings are representative of the hydrozone in which the plants were removed and are typical of the water use requirements of the plants removed, provided that the replaced vegetation does not result in mixing high water use plants with low water use plants in the same hydrozone.

#### **18.44.170 Certificate of Completion.**

Each person issued a landscape approval, other than a single-family residence with a total *landscaped area* less than 5,000 square feet, shall submit a signed Certificate of Completion, under penalty of perjury, on a form provided by the City. The Certificate of Completion shall contain the following attachments:

1. An Irrigation Schedule that complies with the *landscape documentation package* checklist established by the Director and that describes the irrigation times and water usage for the project.
2. A Landscaping and Irrigation System Maintenance Schedule that complies with the *application package* checklist established by the Director.
3. A Soil Management Report that complies with the *landscape documentation package* checklist established by the Director, if this report was not submitted with the initial *landscape documentation package*.

#### **18.44.180 Waste Water Prevention.**

A. No person shall allow water to flow onto adjacent property, non-irrigated areas, structures, walkways, roadways, or other paved areas, whether due to *runoff*, *low head drainage*, *overspray*, or other similar condition.

B. No person whose landscape is subject to a landscape approval pursuant to this Chapter shall apply water to the landscape in excess of the *MAWA*.

#### **18.44.190 Enforcement.**

A. The Director shall administer and enforce the provisions of this Chapter. Any City authorized personnel or enforcement officer may exercise any enforcement powers as set forth in the Lemon Grove Municipal Code.

B. The Director may delegate to or enter into a contract with a local agency or other person to implement and administer any of the provisions of this Chapter on behalf of the City.

#### **18.44.200 Fees.**

The City Council shall establish and modify, by resolution, a schedule of fees and deposits for matters subject to this Title. All applicable fees and deposits shall be paid in full prior to processing any application, appeal, or other matter for which a fee is required.

#### **18.44.210 Appeals.**

Any applicant or other interested person who is dissatisfied with the denial, approval, conditional approval, or other landscape approval decision made in the administration of this Title may appeal the decision. Appeals will be processed according to the procedures found in LGMC subsection 17.28.020(I).

### Lemon Grove Municipal Code Chapter 18.08 Excavation and Grading Amendments

#### **18.08.050 Definitions.**

“Application Package” means a set of materials, i.e., the application form accompanied by maps, studies, etc. as required by the checklist established by the Community Development Director, filed by an applicant to officially request a permit subject to this Title, or other Titles as may be appropriate.

“Landscape Design Manual” means the City-approved manual that establishes specific design criteria and guidance to implement the requirements of this Chapter.

“Landscape Documentation Package” means those supplemental landscape-specific attachments required by subsection 18.44.040 to be submitted as part of an *application package*, as required elsewhere in the Municipal Code.

## 18.08.080 Permit applications

- C. 4. Landscape and irrigation plans consistent with requirements of Section 18.44.

### 18.08.130 Landscape and Irrigation Plans.

A. Except for agricultural grading plans, all slopes to be constructed, but only final slopes of any borrow pit, shall be provided with an irrigation system which shall be used by the permittee to promote the growth of plants to protect the slopes against erosion. A Landscape Documentation Package, if required by Chapter 18.44, shall accompany grading plan submitted for grading permits. ~~The permittee shall be responsible for installation and maintenance of the irrigation system until the city engineer determines that the system has been properly installed and meets the minimum requirements of this section. When the city engineer finds that a slope less than fifteen feet in height is located in an area as to make hand watering possible, conveniently located hose bibs may be accepted in lieu of the required irrigation system when a hose no longer than fifty feet would be required.~~

B. ~~Plan for the irrigation system shall be in accordance with city of San Diego standard specifications for sprinkler systems and shall be approved by the city engineer prior to installation. The irrigation system shall be located relative to existing and proposed property lines to insure that the irrigation system and the slopes sprinkled thereby will both be within the same property boundaries. The irrigation system shall be supplied or be readily converted so as to be supplied through the metered water service line serving each individual property. The irrigation system shall provide uniform coverage for the slope area at a rate of not less than three hundredths of an inch per hour, nor greater than three tenths of an inch per hour. A functional test of the irrigation systems shall be performed to the satisfaction of the city engineer prior to final approval of the grading. A check valve and balance cock shall be installed in the system where drainage from sprinkler heads will create an erosion problem. Adequate back flow protection devices shall be installed in each irrigation system. Such devices shall be protected against physical damage during construction operations. The grading on the project shall be designed for the efficient use of water by minimizing soil erosion, runoff and water waste, resulting from precipitation and irrigation.~~

C. The plans shall include specifications for the preparation of the existing soils or for the application of topsoil amendments to the slopes to encourage vigorous growth. The permittee shall be responsible for full compliance with the standards and procedures established by the city in this chapter or other applicable ordinances, standards or manuals. Landscape and irrigation plans and specifications shall maximize the use of drought resistant plants and shall provide for water conservation measures throughout the planting irrigation and maintenance plans and specifications. The plan shall show the finished configuration and elevations of each landscaped area including the height of graded slopes, the drainage pattern, pad elevations, finish grade and any stormwater retention improvements.

D. ~~The city engineer may modify or waive the requirements for planting and /or irrigation systems if he or she finds that said requirements would be unreasonable or unnecessary for any of the following reasons: (a) the area is subject to periodic inundation, or (b) water is unavailable to the area such that irrigation would be impractical or impossible, or (c) the area is naturally devoid of vegetation. (Ord. 371 § 1, 2008).~~ The landscape documentation package shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional appropriately licensed by the state and shall contain all of the elements required by Section 18.44.070.

E. The permittee shall be responsible for installation and maintenance of the irrigation system until the city engineer determines that the system has been properly installed and meets the minimum requirements of this section and the requirements of Section 18.44.

**18.08.830 Completion of Work.**

B. Notification of Completion and Certificate of Completion. The permit holder or his/her agent shall notify the city engineer when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, required irrigation system installed protective devices, required planting, ~~established~~ and all erosion control measures have been completed in accordance with the final approved grading plan and the as-graded drawings, required reports and statements of compliance consistent with this Section and Section 18.44 have been submitted. (Ord. 371 § 1, 2008).