



**CITY OF EL MONTE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

**Minh Thai**  
*Interim Deputy City Manager for  
Community Development*

**Alexander Chan**  
*Planning Services Manager*

January 26, 2010

Simon Eching  
California Department of Water Resources  
Water Use and Efficiency Branch  
PO Box 942836  
Sacramento, California 94236-0001

RE: Model Water Efficiency Landscape Ordinance

Dear Mr. Eching,

At the meeting of January 19, 2010, the El Monte City Council adopted Code Amendment No. 730, thereby adopting the State of California's Model Water Efficiency Ordinance (MWELo) as Chapter 17.11 of the El Monte Municipal Code. Attached please find a copy of the signed ordinance effectuating the adoption of the MWELo.

If you have further questions about the City's compliance with respect to Assembly Bill 1881, please feel free to contact me at (626) 258-8626 or via email at [achan@elmonteca.gov](mailto:achan@elmonteca.gov).

Sincerely,

Alexander Chan  
Planning Services Manager

Cc: Rene Bobadilla, City Manager  
Minh Thai, Interim Deputy City Manager for Community Development

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CODE AMENDMENT NO. 730 TO AMEND TITLE 17 (ZONING) OF THE EL MONTE MUNICIPAL CODE BY ADDING CHAPTER 17.11 (WATER EFFICIENCY) AND REVISING CERTAIN SECTIONS OF CHAPTERS 17.06 (GENERAL REGULATIONS) AND 17.10 (LANDSCAPING REQUIREMENTS).**

WHEREAS, due to drought and other environmental conditions, the establishment of water conservation measures to assure reasonable and beneficial use of water, to prevent waste of water, and to maximize the efficient use of water is appropriate; and

WHEREAS, the Department of Water Resources (DWR), based on legislative directive contained in Assembly Bill 1881, is requiring cities to adopt a model water efficient landscape ordinance, or its equivalent, by January 1, 2010; and

WHEREAS, if a city opts not to take any action in terms of developing a water conservation ordinance, the DWR model ordinance shall be adopted by statute on January 1, 2010; and

WHEREAS, Staff has reviewed the El Monte Municipal Code (EMMC) and has recommended that the City (i) adopt by reference the Model Water Efficient Landscape Ordinance of the DWR that will become effective January 1, 2010, by adding a new Chapter 17.11 (Water Efficiency) to the EMMC, (ii) amend Sections 17.06.165(H)(4) and 17.10.020(B), and (iii) delete Sections 17.10.040 through 17.10.100 of the EMMC in order to meet the requirements of the DWR model ordinance; and

WHEREAS, the City Council finds and determines that is in the interests of the public health, safety, and welfare of the City of El Monte, its residents, businesses, and employees to implement the regulation as set forth in this Ordinance.

NOW, THEREFORE the City Council of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine, and ordain as follows:

SECTION 1. That after due notice and public commenting period as required by law, a public hearing was held to consider Code Amendment No. 730 before the City Planning Commission on December 22, 2009, at which time all interested persons were given full opportunity to be heard and present evidence.

SECTION 2. That the Planning Commission, based upon consideration and review of the Staff Report, the draft regulations and public input, found that there is no evidence that a significant adverse effect on the environment, as defined under the California Environmental Quality Act of 1970, as amended, will occur as a result of the of the approval of Code Amendment No. 730 and recommended that the City Council find that the project is categorically exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment).

SECTION 3. That the City Planning Commission voted 5-0 recommending for the City Council to find and determine that the proposed Code Amendment is a public necessity, is for the public's convenience, is for the general welfare of the public, and is a good zoning practice, and to approve Code

Amendment No. 730 to amend Title 17 of the El Monte Municipal Code (hereinafter, "Code Amendment 730").

SECTION 4. That after due notice as required by law, a public hearing was held to consider Code Amendment No. 730 and adoption of the Categorical Exemption before the City Council on January 5, 2010, at which time all interested persons were given full opportunity to be heard and present evidence.

SECTION 5. That the City Council of the City of El Monte does hereby find and determine that the proposed Code Amendment is a public necessity, is for the public's convenience, is for the general welfare of the public, and is a good zoning practice, and does hereby approve Code Amendment 730 as set forth below.

SECTION 6. In keeping with Code Amendment 730, the model ordinance prepared by the DWR is hereby adopted in its entirety as Chapter 17.11 (Water Efficiency). See Attachment "A" for the complete text of this new Chapter.

SECTION 7. In keeping with Code Amendment 730, *Section 17.06.165(H)(4)* is hereby amended in its entirety to state as follows: "A photographic survey of the existing onsite landscaping. The Planning Services Manager reserves the right to require a landscape and irrigation, prepared by a state licensed landscape architect, should the site conditions warrant such a plan,".

SECTION 8. In keeping with Code Amendment 730, Section 17.10.020(B) is hereby amended in its entirety to state as follows: "Landscape and irrigation plans shall be required for all projects involving new building construction or expansions to buildings over fifty (50) percent of existing floor area, with the exception of additions to existing single-family residences, for which landscape and irrigation plans shall be required for new building construction or expansions to buildings over one hundred (100) percent of existing floor area or 1,000 square feet, whichever is less. Such plans shall be submitted for approval to the Planning Division."

SECTION 9. In keeping with Code Amendment 730, Sections 17.10.040 through 17.10.100 are hereby deleted in their entirety.

SECTION 10. Repeal of laws in conflict. In the event of any conflict or inconsistency between the provisions of this Ordinance and the provisions of any other existing provisions of Title 17 (Zoning), the provisions of this Ordinance shall control.

SECTION 11. Severability. If any section, subsection, subdivision, sentence, clause, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 12. That the City Council finds and determines based upon a review of the Planning Division staff report, Initial Study, and the other information considered in connection with Code

Amendment 730, that there is no evidence that a significant adverse effect on the environment, as defined under the California Environmental Quality Act of 1970, as amended, will occur as a result of the of the approval of the Code Amendment. The City Council therefore, accepts the recommendation of the Planning Division staff and hereby adopts a Categorical Exemption (Class 8 – Actions by Regulatory Agencies for the Protection of the Environment) in connection with the said Code Amendment.

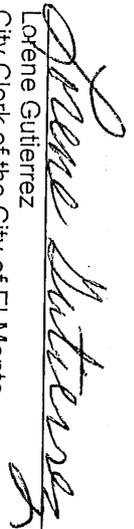
SECTION 13. That the City Council does hereby authorize the filing of a Notice of Exemption with the Clerk of the County of Los Angeles within five (5) working days from the date of this approval.

SECTION 14. That the Mayor shall sign and the City Clerk attests to the passage of this Ordinance. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a copy thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code 36933. This Ordinance shall become effective 30 days from its adoption.

SECTION 15. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption.

  
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Andre Quintero  
Mayor of the City of El Monte

ATTEST:

  
\_\_\_\_\_  
Lorene Gutierrez  
City Clerk of the City of El Monte

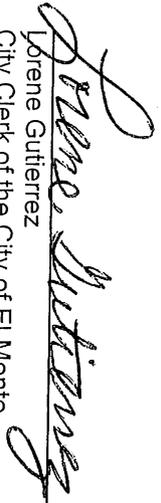
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES) SS:  
(CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the foregoing Ordinance No. 2751 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested to by the City Clerk at a regular meeting by said Council held on the 19th day of January 2010, and that said Ordinance was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro Tem Wallach, Councilman Gomez,  
Councilwoman Ishigaki and Councilwoman Macias

NOES: None

ABSENT: None

  
\_\_\_\_\_  
Lorene Gutierrez  
City Clerk of the City of El Monte

**Attachment "A"**