



Legislation Text

File #: 10-0642, **Version:** 2

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 21.32.220.D, 21.32.225.A.2 and 21.32.225.A.4, Section 21.33.145, Table 33-4 of Section 21.33, Section 21.38.245, Subsection 21.41.266.B, and amending Chapter 21.42; and by repealing Sections 21.41.256 and 21.41.257, all related to landscaping standards, read and adopted as read. (Citywide)

Since 1993, the State of California has mandated that local jurisdictions comply with the Model Water Efficient Landscape Ordinance (DWR's Ordinance), a Department of Water Resources (DWR)-authored document promoting the conservation and efficient use of water in public and private landscape projects. The first major update of DWR's Ordinance was completed in 2009, at which time local jurisdictions were directed to either adopt the amended DWR Ordinance in its entirety or adopt local water-efficient landscape standards that meet or exceed the effectiveness of those passed by the State (Exhibit A - Model Landscape Ordinance).

Long Beach Development Services partnered with the Office of Sustainability to research the DWR Ordinance and work with other City agencies that would be affected by any ordinance changes (Parks, Recreation & Marine Department, Public Works Department, Water Department). Recommendations were discussed with the Sustainable City Commission on January 28, 2010, and with the Planning Commission in a study session on March 4, 2010. On April 15, 2010, the Planning Commission considered this matter and recommended that the City Council amend Zoning Regulations governing public and private landscaping to comply with DWR's Ordinance.

The recommended amendments to Title 21 of the Long Beach Municipal Code (Exhibit B-Amendments) include the following for new residential, commercial and industrial projects or significant remodel projects with landscaping over 2,500 square feet:

1. A mandate to use drought-tolerant plants and stay within a specified water budget with 90 percent of total plantings in the "Very Low" to "Low" water use categories (based on WUCOLS, a statewide categorization of landscape species based on their water use), or demonstrate landscaping project components have an estimated total water usage quotient that is below the project's specific water budget.
2. Installation of water-efficient irrigation systems and low-water maintenance for landscaped areas, including provisions to follow the City's Water Prohibitions (watering only Mondays, Thursdays and Saturdays before 9:00 a.m. and after 4:00 p.m.).
3. Allowances for use of reclaimed water or use of non-potable water, and exemptions for special landscape areas (sports fields, golf courses, and playgrounds) and plant-heavy land uses (orchards, community gardens, and nurseries) to exceed their water budget allowance, provided drought-tolerant plantings are incorporated in other landscaped areas.

These amendments closely follow DWR's Ordinance, with a mandate on the use of drought-tolerant plants, the installation of efficient irrigation systems, and the provision of maintenance requirements for landscape areas remaining intact. Specific standards in the DWR's Ordinance, however, have been adjusted (without compromising their effectiveness) to allow for increased flexibility and innovation in the planning and design of future landscape projects and compatibility with various conservation-related initiatives the City has undertaken.

The proposed amendments would cover all City zoning districts and rights-of-way, though landscaping components of certain project types would be exempt from the water budget standards. These include projects on registered local, state, or federal historical sites; those not connected to the public water system; ecological restoration projects that do not require permanent irrigation; and public-accessible botanical gardens or arboretums.

A landscape ordinance that is both State-compliant and comprehensive in scope would not only advance the City's sustainability goals, but also provide consistent, attractive groundcover on properties and parkways. Key objectives of the City's Sustainable City Action Plan, such as the goal of reducing per capita use of potable water by 20 percent over the next 10 years, as well as those of the future low impact development ordinance and related policies, are furthered through the proposed amendments.

This letter was reviewed by Assistant City Attorney Michael J. Mais on September 20, 2010 and by Budget Management Officer Victoria Bell on August 31, 2010.

City Council action is requested on October 5, 2010 in order to comply with AB1881, which requires local agencies to either adopt DWR's Ordinance or their own local water-efficient landscape ordinance. The City is responsible for informing DWR of the City's ordinance and submitting a copy of the City's ordinance upon completion.

There is no fiscal impact or local job impact associated with the recommended action.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTIONS 21.32.220.D, 21.32.225.A.2 AND 21.32.225.A.4, SECTION 21.33.145, TABLE 33-4 OF SECTION 21.33, SECTION 21.38.245, SUBSECTION 21.41 .266.B, AND AMENDING CHAPTER 21.42; AND BY REPEALING SECTIONS 21.41.256 AND 21.41.257, ALL RELATED TO LANDSCAPING STANDARDS

AMY J. BODEK
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER