



Staff Report

File #: REPORT 21-0365, Version: 1

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of June 22, 2021**

**ORDINANCE AMENDING CHAPTER 8.60 OF THE
HERMOSA BEACH MUNICIPAL CODE TO COMPLY
WITH THE DEPARTMENT OF WATER RESOURCES'
MODEL WATER EFFICIENT LANDSCAPE ORDINANCE**
(Environmental Programs Manager Doug Krauss)

Recommended Action:

Staff recommends City Council introduce an Ordinance Amending Chapter 8.60 of the Hermosa Beach Municipal Code to comply with the Department of Water Resources' Model Water Efficient Landscape Ordinance.

Executive Summary:

This Ordinance updates the City's current Model Water Efficient Landscape Ordinance (MWELO) to ensure equivalence with changes made by the Department of Water Resource (DWR) in 2015. This update would add and enhance water efficiency standards for landscaping on private and public projects.

Background:

In California, approximately half of California's urban water is used for landscape irrigation. The purpose of the Water Conservation in Landscaping Act (Cal. Gov. Code § 65591 et seq.) (the "Act") is to increase water conservation and efficiency in landscape design, installation, maintenance, and management and reduce water waste and overwatering. Cities and counties were required to adopt the MWELO, or a locally modified ordinance at least as effective in conserving water as the MWELO, by January 1, 2010 (Gov. Code, § 65595.). For those local agencies that did not adopt the MWELO or a local equivalent by January 1, 2010, the state MWELO applies by default. The City of Hermosa Beach adopted an Ordinance establishing a water efficient landscape program in 2010 (**Attachment 1**).

In 2015, pursuant to Executive Order B-29-15, the California Department of Water Resources (DWR) updated its MWELO to include more stringent water efficiency standards than the previous 2009 MWELO. DWR's 2015 MWELO increases water efficiency standards for new and retrofitted landscapes through encouraging the use of more efficient irrigation systems, incentivizing graywater usage, increasing onsite stormwater capture, and limiting the portion of landscape areas that can be

covered in high water use plants.

Past Council Actions

Meeting Date	Description
February 9, 2010	Adopted Ordinance 10-1305 adding Chapter 8.60 Water Efficient Landscaping to the Hermosa Beach Municipal Code

Discussion:

The City must either adopt DWR's 2015 MWELO or update its own locally modified Water Efficient Landscape Ordinance to make its ordinance at least as effective in conserving water as DWR's 2015 MWELO. The attached Ordinance amends Chapter 8.60 of the Hermosa Beach Municipal Code to comply with the applicable standards in DWR's 2015 MWELO (**Attachment 2**).

Some of the more significant updates to DWR's 2015 MWELO include, among others, the following:

1. New construction projects with an aggregate landscape area equal to or greater than 500 square feet or more and rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet (with exceptions) are subject to the requirements of the MWELO. This applies to projects that require a permit, plan check, or design review;
2. Dedicated landscape meters or submeters are now required for residential landscape projects over 5,000 square feet and for commercial landscape projects 1,000-5,000 square feet (Commercial projects exceeding 5,000 square feet may require separate water meters pursuant to Water Code section 535);
3. Qualifying landscape projects must have pressure regulators and master shut-off valves;
4. All irrigation emission devices used in qualifying projects must meet national standards to ensure high efficiency sprinklers are installed;
5. Friable soil (easily crumbled or loosely compacted soil) is required for qualifying projects in planted areas to maximize water retention and infiltration;
6. The maximum amount of water that can be applied to landscape is reduced from 70 percent of the reference evapotranspiration (ET_o) to 55 percent for residential landscape projects and 45 percent for non-residential projects. This would reduce the landscape area that may be planted with high water use plants;
7. Median strips may not be landscaped with high water use plants;
8. Projects with landscape areas under 2,500 square feet may comply with the MWELO requirements by conforming to less restrictive prescriptive measures outlined in the MWELO. This is meant to simplify the process for smaller projects; and
9. Landscapes under 2,500 square feet that are irrigated entirely with graywater or captured rainwater are subject to fewer restrictions and only some of the prescriptive measures.

General Plan Consistency:

This report and associated recommendations have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

Sustainability and Conservation

Goal 5. Water conservation practices, recycled water use, and innovative water technologies support a resource efficient community

Policies:

- **5.3 Water conservation programs.** Update and improve water conservation and efficiency programs, requirements, and incentives on a regular basis.

Fiscal Impact:

There is no fiscal impact associated with the recommended action at this time. New projects, and certain rehabilitated landscapes, are required to comply with applicable state standards. DWR's 2015 MWELO requires projects with less square footage than the projects in the 2019 MWELO to comply with the new water efficiency standards. This will likely increase the number of projects subject to a landscape plan review and additional staff time to review landscape plans may be required. Landscape plan reviews are subject to an application fee to recover the cost of staff time spent on the review process. The application fee is currently waived through December 31, 2022, when the application includes the installation of trees beyond current code or replacement requirements.

Attachments:

1. 2010 WELO Ordinance
2. Ordinance 21-1432

Respectfully Submitted by: Douglas Krauss, Environmental Program Manager

Concur: Ken Robertson, Community Development Director

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager