

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 17.44 OF THE ZONING CODE (TITLE 17) TO INCORPORATE THE CALIFORNIA DEPARTMENT OF WATER RESOURCES MODEL WATER EFFICIENT LANDSCAPE ORDINANCE**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

**"Summary**

This proposed ordinance amends Chapter 17.44 (Landscaping) of the Zoning Code (Title 17) to amend regulations pertaining to landscaping and irrigation standards, and to incorporate the California Department of Water Resources Model Water Efficient Landscape Ordinance.

Ordinance No. \_\_\_\_\_ shall take effect 30 days from its publication."

**SECTION 2.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.44 (Landscaping) is amended as follows:

**"17.44.010 - Purpose of Chapter**

In addition to the general purposes identified in Chapter 17.10 (Enactment and Applicability of Zoning Code), the specific purposes of this Chapter are to:

A. Provide general landscape requirements common to various zoning districts;

- B. Encourage quality landscape designs;
- C. Enhance the appearance of all development by requiring the design, installation, and proper maintenance of landscaping and by providing standards relating to the quality, quantity, and functional aspects of landscaping and landscape screening;
- D. Ensure that new landscaping would be consistent with any applicable design guidelines and that important resources (e.g., large specimen plants) are retained;
- E. Protect public health, safety, and welfare by minimizing the impact of various forms of physical and visual pollution, controlling soil erosion, screening incompatible land uses, preserving the integrity of existing residential neighborhoods, and enhancing pedestrian and vehicular traffic and safety;
- F. Encourage the efficient use of irrigation, appropriate plant materials, and regular maintenance of landscaped areas; and
- G. Ensure the protection of landmark, native, and specimen trees to the extent specified in Chapter 8.52 (City Trees and Tree Protection Ordinance) of the Municipal Code.
- H. Promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water.
- I. Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector

collaboration of industry, government and property owners to achieve the many benefits possible;

J. Establish provisions for water management practices and water waste prevention for existing landscapes;

K. Use water efficiently without waste by setting a Maximum Applied Water Allowance an upper limit for water use and reduce water use to the lowest practical amount;

L. Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;

M. Encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; an

N. Encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

#### **17.44.020 - Applicability**

A. **Landscaping required.** All projects shall provide and maintain landscaping in compliance with the provisions of this Chapter.

B. **Landscaping plans subject to review.**

1. **Submittal of plans required.** Final landscape and irrigation plan, plans for projects subject to the Water Efficient Landscape requirements of this chapter~~and~~, and plans for the ornamental use of water, including fountains and



ponds, shall be submitted to the Zoning Administrator for review for compliance with the requirements of this Chapter.

2. **Approval by Zoning Administrator required.** The landscaping shall not be installed until the applicant receives approval of the final landscape and irrigation plan by the Zoning Administrator and any applicable permits have been issued. For projects subject to the Water Efficient Landscape requirements, approval of the Landscape Documentation Package by the Zoning Administrator, or his/her designee, is also required prior to installation.

3. **Changes to final plans.** Changes to the approved final landscape and irrigation plans or Landscape Documentation Package that affect the character or quantity of the plant material or irrigation system design are required to be resubmitted for approval before installation.

- C. **No construction resulting in injury or removal of trees.** No construction shall be allowed that results in the injury or removal of a landmark, native, or specimen tree, as those terms are defined in Chapter 8.52, unless the appropriate findings are made in compliance with Chapter 8.52 (City Trees and Tree Protection Ordinance) of the Municipal Code.

#### **17.44.030 - Preliminary Landscape Plan**

##### **A. Plan required.**

1. A preliminary landscape plan shall be submitted as part of an application for a land use entitlement.

2. Where no entitlement is required, the final landscape and irrigation plan shall be submitted to the Zoning Administrator in order to fulfill any landscape requirement identified by this Zoning Code before issuance of a Building Permit.
3. Where a project is subject to the Water Efficient Landscape requirements in Section 17.44.050, the Preliminary Landscape Plan may also include the required elements of the Landscape Documentation Package.

**B. Intent of preliminary landscape plan.**

1. The preliminary landscape plan shall meet the purpose of this Chapter by exhibiting a design layout that demonstrates the desired landscaping program in terms of function, location, size/scale, theme, and similar attributes
2. The preliminary landscape plan shall provide the Zoning Administrator with a clear understanding of the landscaping program before preparation of the detailed final landscape and irrigation plan.
3. The preliminary landscape plan shall meet the intent of Chapter 8.52 (City Trees and Tree Protection Ordinance) of the Municipal Code.

**C. Landscape architect required.** Preliminary landscape and irrigation plans shall be prepared by a California-registered landscape architect, or the architect that designed the on-site structures and improvements.

**D. Waiver of requirements.** The Zoning Administrator may waive the requirement for a preliminary landscape plan for building additions and remodelings where no, or only minor, alterations to the existing landscape or topography are proposed.

#### **17.44.040 - Final Landscape and Irrigation Plan**

This Section provides standards for preparation and submittal of the final landscape and irrigation plan.

##### **A. Submittal of plan.**

1. A final landscape and irrigation plan (e.g., construction documents) for on-site landscaping shall be submitted following approval of the land use entitlement application by the Zoning Administrator.
2. Where no entitlement is required, the final landscape and irrigation plan shall be submitted to the Zoning Administrator in order to fulfill any landscape requirement identified by this Zoning Code, before issuance of a Building Permit.
3. Where a project is subject to the Water Efficient Landscape requirements in Section 17.44.050, the Final Landscape and Irrigation Plan shall also include the required elements of the Landscape Documentation Package.

**B. Waiver of plan requirements.** With the exception of projects subject to the Water Efficient Landscape Requirements in Section 17.44.050, ~~t~~The Zoning Administrator may waive the requirement for the preparation and submittal of a final landscape and irrigation plan for building additions and remodelings where no, or only minor, alterations to the existing landscape or topography are proposed.

**C. Landscape architect required.** Final landscape and irrigation plans shall be prepared by a California-registered landscape architect, or the architect that designed the on-site structures and improvements.



D. **Landscape plan contents.** The landscape plan shall be drawn on project base sheets, be fully dimensioned, and include all of the information below: identified in Subsection 17.44.050 B. (Landscape design plan) below.

1. **Plant selection and grouping.** Any plants may be used in the landscape, providing the plants meet the requirements below.

a. Plants having similar water use shall be grouped together in distinct hydrozones.

b. Plants shall be selected based upon their adaptability to the climatic, geologic, and topographical conditions of the site.

c. Existing trees shall be preserved in compliance with Section 17.44.090 (Tree Retention).

2. **Content of plans.** Landscape plans shall include all of the necessary information as determined by the Zoning Administrator. At a minimum, the plans shall include the following:

a. Plant name;

b. Plant quantity;

c. Plant size;

d. Irrigation system; and

e. Plans for tree retention and removal.

3. **Water features.** Only recirculating water shall be used for decorative water features.

E. **Irrigation plan contents.** A fully dimensioned irrigation plan shall be drawn on project base sheets separate from the landscape design plan. The scale and format

shall be the same as the landscape design plan. The irrigation design plan shall include all of the following information: identified in Subsection 17.44.050 C.  
(Irrigation design plan) below.

**1. Irrigation design criteria.**

- a. **Runoff and overspray.** Soil types and infiltration rates shall be considered when designing irrigation systems. All irrigation systems shall be designed to avoid runoff, low-head drainage, overspray or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways, or structures. Proper irrigation equipment and schedules shall be used to closely match application rates to infiltration rates in order to minimize runoff.
- b. **Special attention required.** Special attention shall be given to avoid runoff on slopes and to avoid overspray in landscaped areas with a width of less than 10 feet.
- c. **Irrigation efficiency.** Irrigation systems shall be designed, maintained, and managed to meet or exceed the irrigation efficiency (IE) rate of 0.75 for overhead spray devices and 0.81 for drip systems.
- d. Projects subject to the Water Efficient Landscape requirements in Section 17.44.050 shall also comply with the irrigation design criteria of that section.

**2. Equipment.**

- a. **Water meters.** Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 square feet but not more than



5,000 square feet and residential irrigated landscapes of 5,000 square feet or greater.

- b. **Automatic controllers.** Automatic control systems utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for all irrigation systems and shall be able to accommodate all aspects of the design.
- c. **Drip irrigation.** The use of drip irrigation is preferred and shall be considered whenever appropriate.
- d. **Plant groupings.** Plants that require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water use shall be used in that area. Anti-drain (check) valves shall be installed at strategic points to prevent low-head drainage.
- e. **Sprinkler heads.** Heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.
- f. **Rain-sensing devices.** Rain sensing override devices shall be required for any project which is subject to the Water Efficient Landscape requirements in Section 17.44.050.
- g. **Moisture-sensing devices.** Rain sensing override devices shall be required for any project which is subject to the Water Efficient Landscape requirements in Section 17.44.050.

**F. Precise grading plan.** When required by the Director, a precise grading plan satisfying the following conditions shall be submitted with the final landscape and irrigation plan.

1. A precise grading plan shall be drawn on project base sheets. It shall be separate from, but use the same format as, the landscape design plan; and
2. The precise grading plan shall indicate finished configurations and elevations of the landscaped area, including the height of graded slopes, drainage patterns, pad elevations, and finished grade.

**17.44.050 - Landscape Documentation Package Water Efficient Landscape: Incorporation of Model Water Efficient Landscape Ordinance**

The administrative, organizational and enforcement for the technical codes which regulate water efficiency in landscaping shall be in accordance with the provisions and in the manner prescribed in the California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinances, § 490 et. seq. ("MWELO"), as may be amended from time to time. For the purposes of this section and applicability of water efficiency requirements, the definitions provided in the MWELO shall supersede other conflicting definitions in this title."

- A. Applicability.** ~~A landscape documentation package conforming to the requirements of this Section shall be submitted for review and approval by the Zoning Administrator for all projects subject to the requirements of this Chapter.~~
- B. Landscape design plan.** ~~A landscape design plan meeting the following requirements shall be submitted as part of the landscape documentation package.~~

1. ~~**Plant selection and grouping.**~~ Any plants may be used in the landscape, providing the plants meet the requirements below.

a. ~~Plants having similar water use shall be grouped together in distinct hydrozones.~~

b. ~~Plants shall be selected based upon their adaptability to the climatic, geologic, and topographical conditions of the site.~~

c. ~~Existing trees shall be preserved in compliance with Section 17.44.090 (Tree Retention).~~

2. ~~**Content of plans.**~~ Landscape plans shall include all of the necessary information as determined by the Zoning Administrator. At a minimum, the plans shall include the following:

a. ~~Plant name;~~

b. ~~Plant quantity;~~

c. ~~Plant size;~~

d. ~~Irrigation system; and~~

e. ~~Plans for tree retention and removal.~~

3. ~~**Water features.**~~ Only recirculating water shall be used for decorative water features.

C. ~~**Irrigation design plan.**~~ An irrigation design plan meeting the following requirements shall be submitted as part of the landscape documentation package.

1. ~~**Irrigation design criteria.**~~

a. ~~**Runoff and overspray.**~~ Soil types and infiltration rates shall be considered when designing irrigation systems. All irrigation systems shall be designed



~~to avoid runoff, low head drainage, overspray or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways, or structures. Proper irrigation equipment and schedules shall be used to closely match application rates to infiltration rates in order to minimize runoff.~~

~~b. **Special attention required.** Special attention shall be given to avoid runoff on slopes and to avoid overspray in landscaped areas with a width of less than 10 feet.~~

~~c. **Irrigation efficiency.** For the purpose of determining the maximum water allowance, irrigation efficiency is presumed to be 0.625. Irrigation systems shall be designed, maintained, and managed to meet or exceed 0.625 efficiency.~~

## ~~2. **Equipment.**~~

~~a. **Water meters.** Separate landscape water meters shall be installed for any project with a landscaped area greater than 5,000 square feet.~~

~~b. **Automatic controllers.** Automatic control systems shall be required for all irrigation systems and shall be able to accommodate all aspects of the design.~~

~~c. **Drip irrigation.** The use of drip irrigation shall be considered whenever appropriate.~~

~~d. **Plant groupings.** Plants that require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only~~

~~plants with similar water use shall be used in that area. Anti-drain (check) valves shall be installed at strategic points to prevent low-head drainage.~~

~~e. **Sprinkler heads.** Heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.~~

~~f. **Rain-sensing devices.** Rain-sensing override devices shall be required for any project with a landscaped area greater than 10,000 square feet.~~

~~g. **Moisture-sensing devices.** Soil moisture sensing devices shall be required for any project with a landscaped area greater than 10,000 square feet.~~

~~D. **Precise grading plan.** When required by the Director, a precise grading plan satisfying the following conditions shall be submitted as part of the landscape documentation package.~~

~~1. A precise grading plan shall be drawn on project base sheets. It shall be separate from, but use the same format as, the landscape design plan; and~~

~~2. The precise grading plan shall indicate finished configurations and elevations of the landscaped area, including the height of graded slopes, drainage patterns, pad elevations, and finished grade.~~

**SECTION 3.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

**SECTION 4.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Terry Tornek  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of  
the City of Pasadena at its meeting held this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by  
the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

\_\_\_\_\_  
Mark Jomsky  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Theresa E. Fuentes  
Assistant City Attorney