



City Council

Redevelopment Agency

AGENDA

Tuesday

Special

Special Session 5:00 PM

November 24, 2009

**City Hall
100 West California Avenue
Ridgecrest CA 93555**

(760) 499-5000

**Steven P. Morgan, Mayor
Ronald H. Carter, Mayor Pro Tempore
Thomas R. Wiknich, Vice Mayor
Marshall G. Holloway, Council Member
Jerry D. Taylor, Council Member**



CITY OF RIDGECREST

**CITY COUNCIL
RIDGECREST REDEVELOPMENT AGENCY**

AGENDA

Special Council/Agency Meeting

Tuesday, November 24, 2009

CITY COUNCIL CHAMBERS CITY HALL
100 West California Avenue
Ridgecrest, CA 93555

Special Session – 5:00 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

In compliance with SB 343. City Council/Ridgecrest Redevelopment Agency Agenda and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. Kern County Library – Ridgecrest Branch, 131 E. Las Flores Ave., Ridgecrest, CA 93555
3. City of Ridgecrest official website at <http://ci.ridgecrest.ca.us>

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

CLOSED SESSION

GC54956.9 Conference with Legal Counsel – Potential Litigation – Disclosure of Potential Litigant Would Prejudice the City of Ridgecrest

PLEDGE OF ALLEGIANCE

INVOCATION

ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 09-05, An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter XII Article 9 And Repealing Chapter IV, Article 19 Of The City Of Ridgecrest Municipal Code Concerning Water Efficient Landscape Requirements** **Rose**

This ordinance was introduced for first reading, by title only, at the regular Council meeting of November 4, 2009. At the time of first reading public comment was heard from local citizens commending the Council for taking this action and amending language to Section 12-9. 17 Mandatory Measures, and Section 12-9. 21 Administrative Exceptions. Council approved a motion to waive reading in full on introduction and a second motion to introduce the ordinance for first reading by title only.

The Ordinance was brought back to Council for second reading and adoption at the Regular meeting of November 18, 2009 at which time it was determined that more input from the community and refinement of the language was necessary. Council scheduled a Special Meeting of the Council for November 24, 2009 to continue discussions.

Council may, on completion of discussion and revision of the Ordinance, make the following motions.

Recommended Motions - 2 motions

Motion To Waive Reading In Full Ordinance No. 09-05, An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter XII Article 9 And Repealing Chapter IV, Article 19 Of The City Of Ridgecrest Municipal Code Concerning Water Efficient Landscape Requirements

Requires A Second

Motion To Adopt, By Title Only, Ordinance No. 09-05, An Ordinance Of The City Council Of The City Of Ridgecrest Amending Chapter XII Article 9 And Repealing Chapter IV, Article 19 Of The City Of Ridgecrest Municipal Code Concerning Water Efficient Landscape Requirements

Requires A Second

PUBLIC COMMENT

MAYOR AND COUNCIL COMMENTS

ADJOURNMENT

Ordinance No. 09-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING CHAPTER XII ARTICLE 9 AND REPEALING CHAPTER IV, ARTICLE 19 OF THE CITY OF RIDGECREST MUNICIPAL CODE CONCERNING WATER EFFICIENT LANDSCAPE REQUIREMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

WHEREAS, water is an increasingly limited and costly resource which is subject to ever increasing demands; and

WHEREAS, this ordinance complies with the State of California Government Code; and

WHEREAS, the City's economic prosperity depends on adequate supplies of water; and

WHEREAS, the City's policy promotes conservation and efficient use of water; and

WHEREAS, landscapes provide recreation areas, clean the air and water, prevent erosion, and offer fire protection; and

WHEREAS, landscape design, installation, and maintenance can and should be water efficient.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

Chapter IV, Article 19, Waste of Water is hereby repealed;

Chapter XII, Article 9, Water Conservations Methods is hereby replaced with the following;

Section 12-9

WATER EFFICIENT LANDSCAPE ORDINANCE

Sections:

Title	12-9.1
Purpose and Intent	12-9.3
Definitions	12-9.5
Applicability	12-9.7
Single Family Residential Landscape Procedure	12-9.9
Multi-Family Residential, Commercial, Industrial or Institutional Landscape Procedure	12-9.11
Swimming Pools and Water Bodies	12-9.13
Recommended Plant List	12-9.15
Mandatory Measures	12-9.17
Penalties	12-9.19
Administrative Exceptions	12-9.21

Section 12-9 of the Ridgecrest Municipal Code is hereby added to read as follows:

Section 12-9. 1 Title

This section shall be known and may be cited as the Water Efficient Landscape Ordinance.

Section 12-9. 3 Purpose and Intent

1. promote the values and benefits of landscaping while recognizing the need to utilize water and other resources as efficiently as possible;
2. establish a water conservation plan to reduce water consumption in the residential and commercial landscape environment by encouraging single family residential water conservation, and, in multi-family, commercial and manufacturing zone districts, limiting the use of turf and requiring the utilization of low water use plant materials in new projects;
3. establish provisions for water management practices and water waste prevention for new development;
4. establish a plan for designing, installing, and maintaining water efficient landscapes in new projects;
5. implement a more efficient use of water through swimming pool and water body design by the use of efficient water body management and proper recirculation of water; and
6. implement water conservation policies contained in the General Plan.

Section 12-9. 5 Definitions

For the purpose of carrying out the intent of this article, the words, phrases and terms included herein have the meaning ascribed to them in this article.

Drainage system shall mean a landscape or irrigation system design to drain the water to be reused on the property or to channel the water off the property.

Drip Irrigation System shall mean the use of a drip emitter system that permits no more than 5 gallons of water per hour from each emitter.

Emitter shall mean a drip irrigation component that dispenses water to plants at a predictable rate, measured in gallons or liters per hour.

Hand Watering shall mean the actual watering of landscape by a person who remains present and holds onto and directs the watering device.

Irrigation Systems shall mean appropriately designed system that utilizes water sprinklers, emitters and bubblers.

Landscape area shall mean all permeable area located on the property. and land set aside exclusively for shrubs, flowers, trees, water features and other landscape material to enhance the natural beauty of an area.

Low volume irrigation systems shall mean appropriately designed irrigation systems that utilize low volume sprinklers appropriate to the climatic and site factors. Such heads include low volume sprinkler heads, drip emitters, and bubbler emitters.

Low water use plants shall mean trees, shrubs, and ground covers that survive with a limited amount of supplemental water as recommended by the City approved plant list or as identified in the "*Landscape Plants for the California High Desert*" published by the Indian Wells Valley Water District, Rosamond Community Services District, Palmdale Water District, City of Palmdale, Kern County Water Agency, and Naval Air Weapons Station China Lake. A copy of this list and booklet shall be on file and available for inspection in the Planning Office. Other plant material that is believed to be low water use may be added to the City Approved Plant List by special application to the Planning Commission.

Recirculation shall mean the reuse of water in a pond in such a way that the water would enter from one point and be reused in another portion in such a way that the water is not wasted or lost but reused in the pond.

Recycling shall mean the reuse of water in a pool or pond through a series of pumps and filters.

Runoff shall mean water that leaves the property, as it relates to landscaping and/or irrigation.

Swimming pool cover shall mean any coverage that covers the swimming pool from receiving direct sunlight into the swimming pool. The pool cover purpose is to reduce the heating and evaporation of the water from the swimming pool.

Turf shall mean a surface layer of earth containing mowed or un-mowed grass with its roots.

Section 12-9.7 Applicability

All new developer, homeowner, and commercial installed landscape projects shall be subject to this article and all water users shall be subject to Section 12-9.17.

Section 12-9.9 Single-Family Residential Landscape Procedure

1. All single-family residential landscape projects are encouraged to abide by this article. Existing landscape areas larger than one acre may be audited so recommendations can be made for water savings.
2. The following is recommended for all single-family residential projects subject to the following limitations:
 - a. Turf landscaping may not exceed 2,000 square feet of single-family residential lots 10,000 square feet or smaller.
 - b. Turf landscaping may not exceed 3,000 square feet of single-family residential lots 10,001 square feet or larger.
 - c. Irrigation and Landscape Design. Homebuilders, developers, and/or landscape contractors should provide the residential customer an irrigation design and landscape design that would, if installed, demonstrate compliance with the City ordinance. Low volume irrigation systems will be demonstrated along with low water use plant material.
 - d. The irrigation design needs to show proper drainage to eliminate water waste.
 - e. Irrigation Drainage. All irrigation water is to retain on property during normal water run cycle, such that there is no runoff from the area being irrigated, specifically onto sidewalks and streets.
 - f. All new landscapes and irrigation designs must provide adequate water supply such that all of the water needed can be delivered every other day within the water window of 8:00 PM – 8:00 AM during the months of May, June, July, August, September, and October.

Section 12-9.11 Multi-Family Residential, Commercial, Industrial or Institutional Landscape Procedure

1. New landscape projects for multi-family residential, commercial, Industrial or Institutional shall comply with this section.
2. Multi-family residential, commercial, industrial or institutional projects shall submit landscape and irrigation designs that are consistent with this article prior to the issuance of a building permit.
3. The following limitations apply:
 - a. Turf landscape is limited up to 50% of the landscape area.
 - b. an irrigation and landscape plan shall be submitted, including low volume irrigation systems and low water use plants. The irrigation plan shall demonstrate drainage to eliminate water waste. The plan must provide adequate water supply such that all of the water needed can be delivered every other day within the water window of 8:00 PM – 8:00 AM during the months of May, June, July, August, September, and October.
 - c. Irrigation Drainage. All irrigation water is to retain on property during normal water run cycle, such that there is no runoff from the area being irrigated, specifically onto sidewalks and streets.

Section 12-9.13 Swimming Pools and Water Bodies

- a. Public and private swimming pools and water bodies over 300 square feet shall adhere to the goal of water efficiency as set forth in this article.
- b. new swimming pools shall have a swimming pool cover.
- c. new swimming pools shall have a drainage plan.
- d. water features including swimming pools must have recycling or recirculation features.

Section 12-9.15 Recommended Plant List

The Recommended Plant List is on file, available, and maintained by the Planning Division. The Recommended Plant List shall be formulated by staff with input from the Indian Wells Valley Water District staff, approved by Planning Commission resolution and amended from time to time as the need arises or an individual wishes to request that the Planning Commission consider amending the Plant List. The provisions of the Recommended Plant List as determined by the Planning Commission may be appealed to the City Council.

12-9.17 Mandatory Measures.

The General Manager of Indian Wells Valley Water District, or designee, may provide health and safety exceptions with regards to mandatory measures on a case by case basis.

1. No water user shall waste water. For the purposes of this section enforcement shall be to that degree necessary to prevent the waste of water. "Waste" means the following:
 - a. Landscape irrigation to an extent which allows water to runoff the area being irrigated, specifically onto sidewalks and streets.
 - b. Using water to wash or rinse sidewalks, driveways, parking areas, tennis courts or other exterior paved areas.
 - c. Knowingly allowing water to leak through water connections, hoses, faucets, pipes, outlets or plumbing fixtures.
2. Landscape shall not be irrigated on the surface, except for hand watering and/or the use of a drip irrigation system, between the hours of 8:00 AM – 8:00 PM during the months of May, June, July, August, September, and October, unless a special permit is issued to accommodate newly planted material.
3. No water shall be provided to any structure hereafter constructed or remodeled if the plumbing fixtures are to be installed unless the plumbing fixtures conform with requirements of law as to flow capacity.

12-9.19 Penalties.

A Violation of Section 12-9.17 is an infraction punishable by a civil fine as approved within the most recent City Council Resolution pertaining to civil infractions. Each day's violation of Section 12-9.17 is a separate offense.

Section 12-9.21 Administrative Exceptions

The General Manager of the Indian Wells Valley Water District, or designee, may provide administrative exceptions to the landscape and irrigation plan requirements of this article on a case by case basis.

The General Manager of Indian Wells Valley Water District, or designee, will notify the City Manager of any administrative exemption granted pursuant to this section prior to the date the exception becomes effective.

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause this ordinance to be published in the manner required by law.

I, Rachel Ford, City Clerk of the City of Ridgecrest, do hereby certify the foregoing ordinance was regularly introduced and placed upon its first reading on, November 4, 2009, and placed upon its second reading and adoption at a regular meeting of the City Council on , _____, 2009, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor of the City of Ridgecrest, California

ATTEST:

City Clerk of the City of Ridgecrest, California