



City Council Staff Report

DATE: March 16, 2016

LEGISLATIVE

SUBJECT: APPLICATION BY THE CITY OF PALM SPRINGS TO AMEND PALM SPRINGS MUNICIPAL CODE (PSMC) CHAPTER 8.60 TO UPDATE THE CITY'S WATER EFFICIENT LANDSCAPING REGULATIONS IN ACCORDANCE WITH STATE REQUIREMENTS (CASE NO. 5.1388 ZTA).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY:

The City Council will consider amendments to Chapter 8.60 of the Palm Springs Municipal Code (PSMC) to update the City's water-efficient landscape regulations in accordance with the model Water Efficient Landscape Ordinance, approved by the California Water Commission in July 2015.

RECOMMENDATION:

- 1) Waive the reading of the ordinance text in its entirety and read by title only; and
- 2) Introduce on first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 8.60 OF THE PALM SPRINGS MUNICIPAL CODE (PSMC) RELATING TO WATER EFFICIENT LANDSCAPE REGULATIONS."

BACKGROUND

In 2014, the City of Palm Springs adopted an amended and restated Chapter 8.60 of the Palm Springs Municipal Code (PSMC) relating to water-efficient landscape regulations.

In April of 2015, Governor Brown issued Executive Order B-29-15, declaring a statewide water shortage emergency. The Executive Order called for the Department of Water Resources to update the Model Water Efficient Landscape Ordinance through expedited regulation. On July 15, 2015, the California Water Commission approved an updated Model Water Efficient Landscape Ordinance for adoption by local agencies. Local agencies working together to develop a regional ordinance were given until February 2016 to adopt the new regulations.

ITEM NO. 32

The Coachella Valley Association of Governments (CVAG), through its Technical Planning Subcommittee, met to review the new model ordinance and provide input for a regional ordinance that could be adopted by local agencies. The Technical Planning Subcommittee approved the regional model ordinance on November 23, 2015.

Staff prepared amendments to PSMC Chapter 8.60 based on the regional model ordinance adopted by CVAG, and presented the amendments to the Sustainability Commission at their meeting of December 16, 2016. The commission referred the matter to its Water Conservation Subcommittee, which reviewed the draft ordinance and assisted in preparing revisions. The Sustainability Commission reviewed the revised amendments at their meeting of January 19, 2016, and recommended approval of the amendments to City Council.

ANALYSIS

The State Model Ordinance is designed to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, turf limitations, prohibitions against high-water use plants, and requirements for sensors to prevent water waste. The regional model ordinance prepared by CVAG is modeled on the State ordinance, with minor variations for local conditions.

The following changes are proposed to PSMC Chapter 8.60, based on the State and regional model ordinances:

- **Applicability:** The proposed change to the threshold for new landscape projects is reduced from 2,500 square feet to 500 square feet in accordance with the State and regional models. No changes are proposed to the existing threshold of 2,500 square feet for rehabilitated landscapes. New single-family subdivisions would also be subject to the landscape ordinance, regardless of size.
- **Plant Water Use Factor:** The rating for plant water use (ET or Evapotranspiration Factor) is proposed to be reduced from 0.50 to 0.45 in accordance with the new requirements (a lower ET factor requires that more water-efficient plants be used for landscaping plans).
- **Irrigation Efficiency:** PSMC Chapter 8.60 does not currently include efficiency requirements for irrigation systems. It is proposed that the City adopt the regional model, which requires an efficiency of 0.75 for spray systems and 0.90 for drip systems.
- **Turf Restrictions:** The current ordinance prohibits turf in areas of six feet in width or less, unless low-volume irrigation is used; the proposed amendment would prohibit turf in areas 10 feet in width or less unless low-volume irrigation is used.
- **Mulch Requirements:** Chapter 8.60 does not require the use of mulch or ground cover as a means to reduce soil moisture evaporation. In accordance with the State requirements, it is proposed that a minimum of three inches of mulch or mineral groundcover be required around trees and shrubs and non-irrigated areas.
- **Annual Color Plantings:** The code does not currently address the use of annual plants that may be changed out seasonally. It is proposed that annual color

plants be allowed, subject to the requirement that irrigation for annual color plants be limited to systems with 90% efficiency (such as drip systems) so as to prevent overspray and water waste.

- **High-water Use Plants:** The State ordinance prohibits high-water use plants (having a plant factor of 0.7 to 1.0) in medians; it is proposed that high-water use plants also be restricted in parking islands and any landscape areas less than 10 feet in width.
- **High-Flow Water Sensors:** The use of high-flow sensors was previously required for any project over 5,000 square feet; based on the regional ordinance, high-flow sensors will be required for any system where a dedicated water meter is required.
- **Audit Requirements:** No changes are proposed to the requirements for irrigation audit reports; however, contractors will now be required to certify that irrigation systems comply with the new efficiency requirements upon project completion.

These proposed changes will further assist in reducing water usage within the City of Palm Springs. All of the state-mandated changes make a positive contribution to the water conservation and efficiency efforts in the city. Because the Architectural Advisory Committee will continue to review most new and rehabilitated landscape plans, landscape plans will receive proper scrutiny, and impacts to existing corridors and neighborhoods can be addressed through the design review process.

ENVIRONMENTAL IMPACT:

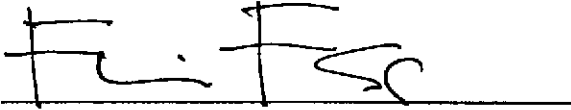
Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15307, "Actions by Regulatory Agencies for Protection of Natural Resources," Class 7 projects include actions taken by regulatory agencies for the conservation of natural resources. Therefore, the Project is considered categorically exempt from CEQA. On the basis that the Project qualifies for a categorical exemption under CEQA, staff prepared and filed a CEQA Notice of Exemption on February 23, 2016; a copy of the CEQA Notice of Exemption is included as an attachment to this report.

FISCAL IMPACT:

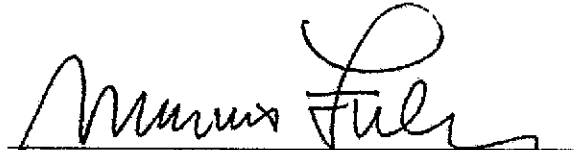
The administration of Chapter 8.60 is carried out by the Department of Planning Services and is offset by the fees charged for either Major Architectural Review or Minor Architectural Review applications.

SUBMITTED:

Prepared by:

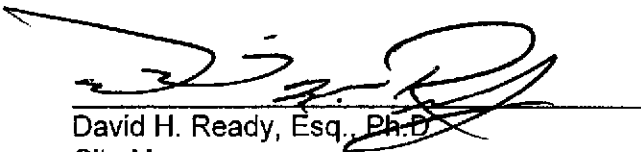


Flinn Fagg, AICP
Director of Planning Services



Marcus L. Fuller, MPA, P.E., P.L.S.
Assistant City Manager/City Engineer

Approved by:



David H. Ready, Esq., Ph.D.
City Manager

Attachments:

1. Draft Ordinance
2. Comparison Table – Water Efficient Landscape Requirements
3. Strikeout/Underline Version of Draft Ordinance
4. Sustainability Commission Minutes – January 19, 2016
5. CEQA Notice of Exemption

Attachment 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PALM SPRINGS,
CALIFORNIA, AMENDING CHAPTER 8.60 OF THE PALM
SPRINGS MUNICIPAL CODE (PSMC) RELATING TO
WATER EFFICIENT LANDSCAPE REGULATIONS.

City Attorney Summary

This Ordinance amends Chapter 8.60 of the Palm Springs Municipal Code providing water efficient landscape standards consistent with the State Model Water Efficient Landscape Ordinance (23 CCR 490 et. seq.), and the 2015 Coachella Valley Model Water Efficient Landscape Ordinance.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

- A. On April 1, 2015, the Governor of the State of California issued Executive Order B-29-15, declaring a statewide water shortage emergency. The Executive Order called for the Department of Water Resources to update the Model Water Efficient Landscape Ordinance through expedited regulation.
- B. On July 15, 2015, the California Water Commission approved an updated Model Water Efficient Landscape Ordinance (MWELo) for adoption by local agencies.
- C. On November 23, 2015, the Technical Planning Subcommittee of the Coachella Valley Association of Governments (CVAG) approved an updated regional Model Water Efficient Landscape Ordinance for use by local agencies in the Coachella Valley.
- D. On December 15, 2015, the Sustainability Commission of the City of Palm Springs reviewed a draft of the proposed amendments to PSMC Chapter 8.60, based on the regional Model Water Efficient Landscape Ordinance, and referred the matter to subcommittee.
- E. On January 19, 2016, the Sustainability Commission received a report from the subcommittee on the proposed amendments, and voted to recommend approval of the proposed amendments to the City Council.
- F. The proposed zone text amendment (Case 5.1388 ZTA) is considered Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305, "Minor Alterations in Land Use Limitations," of the CEQA Guidelines because the proposed zone text amendment does not propose any changes to land use or density.
- G. The City Council hereby finds that adoption of the proposed Ordinance Text would:
 - 1. The proposed amendments are consistent with the General Plan and the Zoning Ordinance, in that they will result in a reduction in the City's overall

water usage while allowing for the continued high quality of development.

2. The proposed amendments are consistent with the State Model Water Efficient Landscape Ordinance and will result in the improved conservation of available water resources, which are essential to the future health and welfare of the community.
3. Approval of the ordinance will not materially impact public health, safety or welfare of the community.

SECTION 1. Amend Section 8.60.010(d) of the Palm Springs Municipal Code to read as follows:

- (d) These provisions are supplementary and additional to the subdivision and zoning and water conservation and water waste prevention regulations of this Code and shall be read and construed as an integral part of the regulations and controls established thereby.

SECTION 2. Amend Section 8.60.020 of the Palm Springs Municipal Code to add the following definitions and renumber the section accordingly:

"Annual color plantings" shall mean plants that perform their entire life cycle from seed to flower within a single growing season, and are typically replaced on a regular basis.

"High-water use plants" shall mean any plant which is characterized by a plant factor of 0.7 to 1.0, as defined by the Water Use Classification of Landscape Species list.

"Mulch" means any organic material such as bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

"Plant factor" means a factor that, when multiplied by reference evapotranspiration, estimates the amount of water used by plants. For purposes of these criteria, the average plant factor of very low water using plants ranges from 0.01 to 0.10, for low water using plants the range is 0.10 to 0.30, for moderate water using plants the range is 0.40 to 0.60, and for high water using plants, the range is 0.70 to 0.90. Reference: *Water Use Classifications of Landscape Species IV (WUCOLS IV)*.

SECTION 3. Amend Section 8.60.030 of the Palm Springs Municipal Code to read as follows:

- (a) New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or architectural review;
- (b) Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a landscape permit, plan check or architectural review;
- (c) New single family residential subdivisions where the front and/or side yards are landscaped by the developer or contractor;
- (d) All persons and properties as well as all pre-existing and newly installed or rehabilitated landscape areas shall comply with the water conservation and water waste prevention provisions in Chapter 11.06 of this Code.

SECTION 4. Amend Section 8.60.040 of the Palm Springs Municipal Code to read as follows:

This chapter shall not apply to the following:

- (a) Registered local, state or federal historic sites;
- (b) Ecological restoration projects that do not require a permanent irrigation system.

SECTION 5. Amend Section 8.60.050 of the Palm Springs Municipal Code to read as follows:

8.60.050 Landscape document package filing procedure.

- (a) Prior to the construction and installation of any new or rehabilitated landscaping as specified in Section 8.60.030, a landscape document package shall be prepared and submitted for review and approval. Approval shall be made through the landscape application form provided by the Department of Planning Services. The landscape document package shall include the following elements:
 - (1) Water conservation concept statement;
 - (2) Calculation of maximum water allowance (MAWA);
 - (3) Calculation of total estimated water use;
 - (4) Landscape design plan, including specifications for all plant materials and mulch materials;

- (5) Landscape grading plan;
- (6) Irrigation design plan:
 - (A) Showing the location, type and size of all components of the irrigation system that will provide water to the landscape area, including, but not limited to, controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and backflow devices.
 - (B) The irrigation water source and type (potable or recycled), point of connection, the static water pressure at the point of connection, the application rate in inches per hour and the design operating pressure in pounds per square inch for each station.
 - (C) Irrigation schedule information including typical irrigation schedules that demonstrate that landscape can thrive using the MAWA calculated as part of that package. Include specification notes for routine inspection, repair and replacement of equipment and state the party responsible for maintenance.
- (7) Reclaimed water specifications;
- (8) Irrigation water specifications;
- (9) Soil analysis. (A soil analysis is recommended but not mandatory.)
- (b) The landscape application shall be supplemented by additional plans and water calculations, and submitted to the applicable water authority, with other pertinent information to adequately address all applicable aspects of the application.
- (c) Once the project is approved by the applicable water authority, the Department of Planning Services shall review applications and approve, conditionally approve or deny such application and shall assure conformity with this chapter. At the discretion of the Planning Director, the planning commission may consider and render decisions on landscape applications.
- (d) All landscape and irrigation plans for private development projects shall be in conformance with this Chapter and shall be prepared by a registered landscape architect or other qualified professional in a related field and be installed by a licensed contractor, except as provided elsewhere in this

Section.

- (e) All public agency projects are not required to be prepared by a landscape architect or installed by a landscape contractor or other qualified professional. However, all public agency projects shall be in compliance with the approved plans and installed correctly to specifications and standards approved by the City and in compliance with this Chapter.

SECTION 6. Amend Section 8.60.060(a)(2) of the Palm Springs Municipal Code to read as follows:

- (2) Only low volume irrigation or a surface flow/wick system shall be used for turf in a landscape area where any dimension of the landscape area is ten feet or less in width.

SECTION 7. Amend Section 8.60.060(b) of the Palm Springs Municipal Code to read as follows:

- (b) Plant materials.
 - (1) All plant materials shall be selected utilizing the Lush and Efficient Landscape Guidelines, published by the Coachella Valley Water District. A copy of the Lush and Efficient Guidelines shall be on file at the Department of Planning Services for public inspection and review.
 - (2) Annual color plantings shall be used only in areas of high visual impact and must be irrigated with drip, micro-irrigation or other systems with efficiencies of 90 percent or greater. Otherwise, drip-irrigated perennial plantings should be the primary source of color.
 - (3) High-water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in parking islands, medians, and landscape areas where any dimension of the landscape area is ten feet or less in width.

SECTION 8. Amend Section 8.60.060 of the Palm Springs Municipal Code a add a new subsection (c) as follows:

- (c) Mulch. The use of soil-covering mulch or mineral groundcover with a minimum depth of three (3) inches shall be required to reduce soil surface evaporation around trees, shrubs and on non-irrigated areas. The use of boulders and cobble shall be considered to reduce the total vegetation area. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

SECTION 9. Amend Section 8.60.070 of the Palm Springs Municipal Code to read as follows:

- (a) An irrigation plan satisfying the design guidelines outlined in the landscape application shall be submitted as part of the landscape document package. Where irrigation water is taken from the domestic water supply, separate landscape water meters shall be installed for all projects except single-family homes with landscaped areas of less than 5,000 square feet or as directed by the domestic water purveyor. When irrigation water is from a well, the well shall be metered per the requirements of the water purveyor having jurisdiction.
- (b) The irrigation design plan shall be drawn on project base sheets. The irrigation design plan shall be separate from, but use the same format as the landscape design plan.
- (c) The following techniques and practices shall be incorporated into the design of irrigation systems:
 - (1) The irrigation system shall be designed to conform to the hydrozones of the plants specified in the planting plan.
 - (2) The irrigation system shall be designed to prevent runoff, over spray, low head drainage and other similar conditions where irrigation water flows or sprays onto area not intended for irrigation and use low volume irrigation for mulched areas wherever feasible.
 - (3) The minimum irrigation efficiency shall be 0.75 (75%) for spray systems and 0.90 (90%) for drip systems.
 - (4) Portions of irrigation systems containing slopes greater than 25 percent shall utilize a precipitation rate of 0.75 inches per hour or less to prevent runoff.
 - (5) Sprinkler heads and other low emission devices shall be selected based on what is appropriate for the plant type in the hydrozone and shall have matched precipitation rates unless otherwise directed by the manufacturer's recommendations.
 - (6) Sprinkler spacing shall be designed to achieve the highest possible distribution uniformity.
 - (7) The system shall provide that only low volume irrigation is used to irrigate any vegetation within 36 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and

constructed to cause water to drain entirely into landscaped areas.

- (8) The irrigation system shall be regulated by means of a smart controller (either evapotranspiration, weather based, soil moisture based or similar).
- (9) Irrigation projects equal or greater than 5,000 square feet shall include the installation of a master valve. High-flow sensors that detect and report high flow conditions created by system damage or malfunction shall be specified for all projects where a dedicated landscape irrigation meter is required.
- (10) Water calculations shall include an evapotranspiration factor of 0.45.
- (11) Trees shall be placed on separate valves from shrubs, groundcover and turf.

SECTION 10. Amend Section 8.60.080 of the Palm Springs Municipal Code to read as follows:

- (a) For all private development projects, a licensed landscape architect, installing licensed contractor or other qualified professional in a related field shall conduct a final field observation and shall provide a certificate of completion. The certificate shall specifically indicate that plants were installed as specified. The installing contractor shall certify that the irrigation system was installed as designed pursuant to the approved plan, and that the efficiency of the drip and/or spray systems comply with the minimum standards contained herein.
- (b) Certification shall be accomplished by completing a certificate of completion and delivering it to the Department of Planning Services and to the owner of record.

SECTION 11. Amend Section 8.60.090(d) of the Palm Springs Municipal Code to read as follows:

- (d) An appeal may be filed with the Department of Planning Services regarding ordinary high water use caused by a line breakage or some type of occurrence which results in unavoidable water usage to exceed standards. An appeal shall include information regarding water usage the previous year, current year, proof of failure and repair bill. An appeal shall be filed pursuant to Section 8.60.120 of this Code.

SECTION 12. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance

shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2016.

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

Attachment 2

**Water Efficient Landscape Requirements
Comparison Table**

City of Palm Springs Existing Ordinance	CVAG/CVWD Model Ordinance	State Updates July 2015	Proposed Modifications
<p>Threshold:</p> <ul style="list-style-type: none"> • New and rehabilitated landscape for commercial & multifamily over 2,500 SF • New residential subdivisions with developer-provided landscape (regardless of size) • New single-family over 5,000 SF • New single-family between 2,500 SF and 5,000 SF shall comply with 8.60.060 and 8.60.070 only 	<p>Threshold:</p> <ul style="list-style-type: none"> • New and rehabilitated landscape for all commercial projects • New and rehabilitated landscape for residential over 2,500 SF 	<p>Threshold:</p> <ul style="list-style-type: none"> • New landscape over 500 SF • Rehabilitated landscape over 2,500 SF 	<ul style="list-style-type: none"> • Threshold: • New landscape over 500 SF • Rehabilitated landscape over 2,500 SF • New residential subdivisions with developer-provided landscape (regardless of size)
ET Adjustment Factor: 0.50	ET Adjustment Factor: 0.45	ET Adjustment Factor: 0.55 for residential, 0.45 for commercial	• ET Adjustment Factor reduced to 0.45 (ET factors to be reviewed by DWA)
Irrigation Efficiency: N/A	<p>Irrigation Efficiency:</p> <ul style="list-style-type: none"> • 0.75 for spray systems • 0.90 for drip systems 	<p>Irrigation Efficiency:</p> <ul style="list-style-type: none"> • 0.75 for spray systems • 0.81 for drip systems 	• Irrigation efficiency requirements proposed for both spray (0.75) and drip (0.90) systems
Maximum Applied Water Allowance: N/A	Maximum Applied Water Allowance – Rehabilitated Landscapes: .045 ET adjustment factor	Maximum Applied Water Allowance: N/A	• No change proposed
Turf: no turf in areas less than 6' in width, unless low-volume irrigation is used	Turf: No turf in areas less than 10' in width, unless subsurface irrigation or surface flow/wick system is used	Turf: Areas less than 10' in width shall use subsurface system or other means that produces no runoff	• Turf area restriction increased from 6' wide to 10' wide areas, and alternate requirement added for surface flow/wick irrigation system (Lines 242-244)
Soil-covering mulch/mineral groundcover: N/A	Soil-covering mulch/mineral groundcover: Min. 3" depth	<p>Soil-covering mulch/mineral groundcover:</p> <ul style="list-style-type: none"> • Min. 3" depth • Up to 5% of landscape area may be left without mulch to preserve habitat 	• Minimum 3" mulch or ground cover requirement added
Annual color plantings: N/A	Annual color plantings: Must be irrigated with drip, micro-irrigation or other systems with 90% efficiency	Annual color plantings: N/A	• Annual color plantings allowed, subject to irrigation by systems with 90% efficiency

City of Palm Springs Existing Ordinance	CVAG/CVWD Model Ordinance	State Updates July 2015	Proposed Modifications
High-water use plants (plant factor = 0.7 to 1.0): N/A	High-water use plants (plant factor = 0.7 to 1.0): Prohibited in medians	High-water use plants (plant factor = 0.7 to 1.0) prohibited in medians	<ul style="list-style-type: none"> High-water use plants prohibited in parking islands, medians, and any landscape area less than 10' in width
Separate landscape meters: Required for all commercial and multifamily projects over 2,500 SF	Separate landscape meters: Required for all projects except single-family under 5,000 SF	Separate landscape meters: <ul style="list-style-type: none"> Required for all commercial projects over 1,000 SF Required for residential projects over 5,000 SF 	<ul style="list-style-type: none"> Separate meters required for all commercial and multifamily projects Separate meters required for single-family residential projects over 5,000 SF
High-flow sensors: Required for any project over 5,000 SF	High-flow sensors: Required for all projects where a dedicated meter is required	High-flow sensors: Required for all commercial projects and residential projects over 5,000 SF	<ul style="list-style-type: none"> High-flow sensors required for all projects where a dedicated meter is required
Irrigation audit report: Required every 5 years for projects over 60,000 SF	Irrigation audit report: Required for submittal to local agency upon installation with Certificate of Completion	Irrigation audit report required for submittal to local agency upon installation with Certificate of Completion	<ul style="list-style-type: none"> No change to existing audit requirements; contractor to certify that irrigation system meets efficiency requirements upon project completion
Watering schedule: N/A	Watering schedule: Between 8:00pm and 10:00am	Watering schedule: N/A	<ul style="list-style-type: none"> No addition of watering schedule proposed; DWA to establish/enforce watering schedules

Attachment 3

Proposed Modifications
Water Efficient Landscape Ordinance – PSMC Chapter 8.60
City of Palm Springs

8.60.010 Purpose.

- (a) The purpose and intent of this chapter is to establish minimum water efficient landscape requirements for newly installed and rehabilitated landscapes. It is also the purpose of this Chapter to implement these minimum requirements to meet the state of California Code of Regulations Title 23. Water Division 2. Department of Water Resources Chapter 2.7 Model Water Efficient Landscape Ordinance and the state of California Water Conservation in Landscaping Act, Reference: California Government Code Sections 65591, 65593, 65596.
- (b) The City Council determined the provisions of this Chapter more appropriately address the specific needs of the City, and this Ordinance is more effective in conserving water than the state Department of Water Resources Model Water Efficient Landscape ordinance.
- (c) It is the intent of the City Council to promote water conservation through the planning, design, installation, and maintenance of landscapes by the use of climate appropriate plant material and efficient irrigation.
- (d) These provisions are supplementary and additional to the subdivision and zoning and water conservation and water waste prevention regulations of this Code and shall be read and construed as an integral part of the regulations and controls established thereby.

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.020 Definitions.

The following words and terms used in this chapter shall be defined as follows:

- (a) “Annual color plantings” shall mean plants that perform their entire life cycle from seed to flower within a single growing season, and are typically replaced on a regular basis.
- ~~(a)~~(b) “Drip irrigation” means a method of irrigation where the water is applied slowly at the base of plants without watering the open space between plants.
- ~~(b)~~(c) “Estimated water use” means the annual total amount of water estimated to be needed to keep the plants in the landscape healthy. It is based upon such factors as the local evapotranspiration (ET) rate, the size of the landscaped area, the types of plants, and the efficiency of the irrigation system.

- 48 (d) "High-water use plants" shall mean any plant which is characterized by a plant
49 factor of 0.7 to 1.0, as defined by the Water Use Classification of Landscape
50 Species list.
- 51
- 52 (e)(e) "Irrigation efficiency" means the measurement of the amount of water beneficially
53 used divided by the amount of water applied. Irrigation efficiency is derived from
54 the measurements and estimates of irrigation system characteristics and
55 management practices.
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- 57 (e)(f) "Irrigation System" means the network of piping, valves and irrigation heads.
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- 59 (e)(g) "Landscape irrigation audit" means a process to perform site inspections, evaluate
60 irrigation systems, and develop efficient irrigation schedules.
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- 62 (f)(h) "Landscaped area" means the entire parcel less the building footprint, driveways,
63 non-irrigated portions of the parking lots, hardscapes such as decks and patios,
64 and other nonporous areas.
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- 66 (e)(i) "Low volume irrigation" means an irrigation method to distribute irrigation water
67 slowly in small volumes and targeting it to plants' root zones with no runoff or
68 overshooting. Low volume irrigation systems include but are not limited to drip
69 emitters, tickle-"spider spray," micro spray-sprinklers, and/or mist emitters.
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- 71 (h)(i) "Maximum water allowance (MAWA)" means, for the design purposes, the upper
72 limit of annual applied water for the established landscape area as specified in
73 Div. 2, Title 23, CA. Code of Reg., Chapter 7, Section 702. It is based upon the
74 area's reference evapotranspiration, ET adjustment factor, and the size of the
75 landscaped area.
- 76
- 77 (h)(k) Micro-irrigation. See "drip irrigation."
- 78
- 79 (l) "Mulch" means any organic material such as leaves, bark, straw, compost, or
80 inorganic mineral materials such as rocks, gravel, or decomposed granite left loose
81 and applied to the soil surface for the beneficial purposes of reducing
82 evaporation, suppressing weeds, moderating soil temperature, and preventing soil
83 erosion
- 84
- 85 (m) "Plant factor" means a factor that, when multiplied by reference
86 evapotranspiration, estimates the amount of water used by plants. For purposes
87 of these criteria, the average plant factor of very low water using plants ranges
88 from 0.01 to 0.10, for low water using plants the range is 0.10 to 0.30, for
89 moderate water using plants the range is 0.40 to 0.60, and for high water using
90 plants, the range is 0.70 to 0.90. Reference: Water Use Classifications of
91 Landscape Species IV (WUCOLS IV).
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- 93 (k)(n) "Qualified professional" means a person that has been certified by their
94 professional organization or as a person that has demonstrated knowledge and is
95 locally recognized among landscape architects due to long time experience as
96 qualified.

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- (h)(o) "Reclaimed water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation. Reclaimed water is not for human consumption.
- (m)(p) "Rehabilitated landscape" means any re-landscaping project that requires a permit.
- (n)(q) "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the area.
- (o)(r) "Smart Controller" means an irrigation scheduling device which incorporates either weather or soil moisture levels into the scheduling of irrigation times.
- (p)(s) "Turf" means a surface of earth containing mowed grass with roots.
- (q)(t) "Valve" means a device used to control the flow of water in the irrigation system.
- (r)(u) "Xeriscape" means the utilization of plants that are appropriate to the local climate and do not require supplemental irrigation.

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.030 Applicability.

This Chapter shall apply to the following:

- (a) ~~New construction and rehabilitated landscapes for public agencies and private development projects with a proposed cumulative landscape area equal to or greater than 2,500 square feet. These include, but are not limited to, industrial, commercial, public, quasi-public, institutional, residential common areas, multi-family residential development and developer installed front yards projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or architectural review;~~
- (b) ~~New construction of landscapes for single family residences which are homeowner provided or contractor installed on behalf of the homeowner with a total landscape area of equal to or greater than 5,000 square feet; Rehabilitated landscape project with an aggregate landscape area equal to or greater than 2,500 square feet requiring a landscape permit, plan check or architectural review;~~
- (c) ~~New construction of landscapes for single family residences which are homeowner provided or contractor installed on behalf of the homeowner with a total landscape area of 2,500 to 5,000 square feet shall comply with the provisions of Sections 8.06.060 and 8.06.070;~~
- (d)(c) New single family residential subdivisions where the front and/or side yards are landscaped by the developer or contractor;

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- (e) All persons and properties as well as all pre-existing and newly installed or rehabilitated landscape areas shall comply with the water conservation and water waste prevention provisions in Chapter 11.06 of this Code.

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.040 Exemptions.

This chapter shall not apply to the following:

- (a) ~~Homeowner-provided landscaping at single-family projects with a total project landscape area equal to or less than 2,500 square feet;~~ Registered local, state or historic sites;
- (b) Ecological restoration projects that do not require a permanent irrigation system.

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.050 Landscape document package filing procedure.

- (a) Prior to the construction and installation of any new or rehabilitated landscaping as specified in Section 8.60.030, a landscape document package shall be prepared and submitted for review and approval. Approval shall be made through the landscape application form provided by the Department of Planning ~~Services and Zoning~~. The landscape document package shall include the following elements:
 - (1) Water conservation concept statement;
 - (2) Calculation of maximum water allowance (MAWA);
 - (3) Calculation of total estimated water use;
 - (4) Landscape design plan, including specifications for all plant materials and mulch materials;
 - (5) Landscape grading plan;
 - (6) Irrigation design plan:
 - (A) Showing the location, type and size of all components of the irrigation system that will provide water to the landscape area, including, but not limited to, controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and backflow devices.
 - (B) The irrigation water source and type (potable or recycled), point of connection, the static water pressure at the point of connection, the

- 195 application rate in inches per hour and the design operating
 196 pressure in pounds per square inch for each station.
 197
 198 (C) Irrigation schedule information including typical irrigation schedules
 199 that demonstrate that landscape can thrive using the MAWA
 200 calculated as part of that package. Include specification notes for
 201 routine inspection, repair and replacement of equipment and state
 202 the party responsible for maintenance.
 203
 204 (7) Reclaimed water specifications;
 205
 206 (8) Irrigation water specifications;
 207
 208 (9) Soil analysis. (A soil analysis is recommended but not mandatory.)
 209
 210 (b) The landscape application shall be supplemented by additional plans and water
 211 calculations, and submitted to the applicable water authority, Desert Water
 212 Agency or the Coachella Valley Water District, as applicable, with other pertinent
 213 information to adequately address all applicable aspects of the application.
 214
 215 (c) Once the project is approved by the applicable water authority, the Department
 216 of Planning Services ~~department of planning and zoning~~ shall review applications
 217 and approve, conditionally approve or deny such application and shall assure
 218 conformity with this chapter. At the discretion of the Planning Director ~~director of~~
 219 ~~planning and zoning department~~, the planning commission may consider and
 220 render decisions on landscape applications.
 221
 222 (d) All landscape and irrigation plans for private development projects shall be in
 223 conformance with this Chapter and shall be prepared by a registered landscape
 224 architect or other qualified professional in a related field and be installed by a
 225 licensed contractor, except as provided elsewhere in this Section.
 226
 227 (e) All public agency projects are not required to be prepared by a landscape
 228 architect or installed by a landscape contractor or other qualified professional.
 229 However, all public agency projects shall be in compliance with the approved
 230 plans and installed correctly to specifications and standards approved by the City
 231 and in compliance with this Chapter. (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)
 232

233 **8.60.055 Maintenance schedule.**

- 234
 235 (a) Landscape and irrigation system shall be maintained to ensure water efficiency. A
 236 regular maintenance schedule shall include, but not be limited to, checking,
 237 adjusting and repairing irrigation equipment, resetting the time clocks monthly,
 238 aerating and dethatching turf areas, replenishing mulch, fertilizing, pruning, and
 239 weeding all planted areas.
 240
 241 (b) Whenever possible, repair of irrigation equipment shall be done with originally
 242 specified materials or their equivalents.
 243

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.060 Landscape design plan.

A landscape design plan satisfying the design guidelines outlined in the landscape application shall be submitted as a part of the landscape document package. Guideline objectives are to ensure that future landscaping projects are designed and constructed to the highest level of aesthetic values and water efficiency, and to make wise water management viable and easy.

(a) Turf Regulations. The following regulations shall apply to all projects that are required to submit a landscape design package to the City for approval:

- (1) Turf shall not be used on slopes greater than 25 percent where the toe of the slope is adjacent to an impermeable surface.
- (2) Only low volume irrigation or a surface flow/wick system shall be used for turf in a landscape area where any dimension of the landscape area is ~~six~~ ten feet or less wide in width.
- (3) On commercial, industrial or multi-family landscape no turf shall be installed in a median, parking lot island or parkway unless, if determined by the planning director, limited use of turf is necessary to provide safe access for pedestrians leaving a parked vehicle to reach the sidewalk.
- (4) On commercial, industrial or multifamily landscape no turf shall be installed on any portion of the site that is inaccessible.
- (5) On commercial or industrial projects, turf shall be limited to a maximum of fifteen percent (15%) of the total landscaped area.
- (6) On single family residences, turf shall be limited to a maximum of 15 percent of the total landscaped area. This restriction shall only apply to the front and side street frontage yards.
- (7) An athletic field, park, golf course, cemetery or other similar use shall be designed to limit the use of turf to only those areas where it is essential for the operation of the facility, as determined by the planning director. Areas where turf is not essential to the operation of the facility shall be landscaped with plants with lower water use requirements than turf.
- (8) No turf shall be allowed in a landscape area that cannot be efficiently irrigated, or where overspray and run off cannot be avoided.

(b) Plant materials.

- (1) All Plant materials shall be selected utilizing the Lush and Efficient Landscape Guidelines, published by the Coachella Valley Water District. A copy of the ~~Coachella Valley Water District Plant Materials~~ Lush and

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Efficient Guidelines shall be on file at the Department of Planning Services ~~department of planning and zoning~~ for public inspection and review.

(2) Annual color plantings shall be used only in areas of high visual impact and must be irrigated with drip, micro-irrigation or other systems with efficiencies of 90 percent or greater. Otherwise, drip-irrigated perennial plantings should be the primary source of color.

(3) High-water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in parking islands, medians, and landscape areas where any dimension of the landscape area is ten feet or less in width.

(c) Mulch. The use of soil-covering mulch or mineral groundcover with a minimum depth of three (3) inches shall be required to reduce soil surface evaporation around trees, shrubs and on non-irrigated areas. The use of boulders and cobble shall be considered to reduce the total vegetation area. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

(Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

8.60.070 Irrigation design plan.

- (a) An irrigation plan satisfying the design guidelines outlined in the landscape application shall be submitted as part of the landscape document package. Where irrigation water is taken from the domestic water supply, separate landscape water meters shall be installed for all projects except single-family homes ~~with landscaped areas of less than 5,000 square feet or any project with a landscaped area of less than two thousand five hundred square feet~~ or as directed by the domestic water purveyor. When irrigation water is from a well, the well shall be metered per the requirements of the water purveyor having jurisdiction.
- (b) The irrigation design plan shall be drawn on project base sheets. The irrigation design plan shall be separate from, but use the same format as the landscape design plan.
- (c) The following techniques and practices shall be incorporated into the design of irrigation systems:
 - (1) The irrigation system shall be designed to conform to the hydrozones of the plants specified in the planting plan.
 - (2) The irrigation system shall be designed to prevent runoff, over spray, low head drainage and other similar conditions where irrigation water flows or sprays onto area not intended for irrigation and use low volume irrigation for mulched areas wherever feasible.

341 (3) The minimum irrigation efficiency shall be 0.75 (75%) for spray systems
342 and 0.90 (90%) for drip systems.

343
344 (4) Portions of irrigation systems containing slopes greater than 25 percent
345 shall utilize a precipitation rate of 0.75 inches per hour or less to prevent
346 runoff.

347
348 (5) Sprinkler heads and other low emission devices shall be selected based on
349 what is appropriate for the plant type in the hydrozone and shall have
350 matched precipitation rates unless otherwise directed by the manufacturer's
351 recommendations.

352
353 (6) Sprinkler spacing shall be designed to achieve the highest possible
354 distribution uniformity.

355
356 (7) The system shall provide that only low volume irrigation is used to irrigate
357 any vegetation within 36 inches of an impermeable surface unless the
358 adjacent impermeable surfaces are designed and constructed to cause
359 water to drain entirely into landscaped areas.

360
361 (8) The irrigation system shall be regulated by means of a smart controller
362 (either evapotranspiration, weather based, soil moisture based or similar).

363
364 (9) Irrigation projects equal or greater than 5,000 square feet shall include
365 the installation of a master valve, ~~and flow sensor to prevent water waste~~
366 ~~associated with mainline breaks and other failures.~~ High-flow sensors that
367 detect and report high flow conditions created by system damage or
368 malfunction shall be specified for all projects where a dedicated
369 landscape irrigation meter is required.

370
371 (10) Water calculations shall include an evapotranspiration factor of ~~.5~~ 0.45.

372
373 (11) Trees shall be placed on separate valves from shrubs, groundcover and
374 turf.

375
376 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

377
378 **8.60.080 Certification of project completion.**

- 379
380 (a) For all private development projects, a licensed landscape architect, installing
381 licensed contractor, or other qualified professional in a related field shall conduct
382 a final field observation and shall provide a certificate of completion. The
383 certificate shall specifically indicate that plants were installed as specified. The
384 installing contractor shall certify that the irrigation system was installed as
385 designed pursuant to the approved plan, and that the efficiency of the drip
386 and/or spray systems comply with the minimum standards contained herein.
387

388 (b) Certification shall be accomplished by completing a certificate of completion and
389 delivering it to the Department of Planning Services ~~city planning department~~ and
390 to the owner of record.

391
392 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

393
394 **8.60.090 Landscape audit schedules.**

395
396 (a) Existing landscaped areas that are irrigated with groundwater that are over sixty
397 thousand square feet in planted area shall have an irrigation audit within five
398 years of the effective date of the ordinance codified in this chapter. The audit
399 shall be submitted to the water authority for review and approval. Those subject to
400 an audit are public agencies, schools, cemeteries, public parks, commercial uses,
401 golf courses, common areas, greenbelts, and multifamily housing with common
402 area.

403
404 (b) Water audits shall be conducted by a certified landscape water auditor in
405 accordance with the current edition of the landscape irrigation auditor handbook
406 as provided by the state of California Landscape Water Management Program.

407
408 (c) A landscape project is exempted from a water audit if the water use is less than
409 the maximum water use allowance during the previous twelve months. To qualify
410 for exemption the owner must submit a request for exemption with square footage
411 (acreage) of property including the amount of water used during the previous
412 twelve months and certified by the water purveyor having jurisdiction.

413
414 (d) An appeal may be filed with the Department of Planning Services ~~department of~~
415 ~~planning and zoning~~ regarding ordinary high water use caused by a line
416 breakage or some type of occurrence which results in unavoidable water usage to
417 exceed standards. An appeal shall include information regarding water usage the
418 previous year, current year, proof of failure and repair bill. An appeal shall be
419 filed pursuant to Section 8.60.120 of this Code.

420
421 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

422
423 **8.60.100 Fees for initial review and program monitoring.**

424
425 The following fees are determined to be necessary to cover the costs of reviewing landscape
426 applications and monitoring landscape irrigation audits and shall be imposed on the subject
427 applicant, property owner, or designee.

428
429 (a) The city council, by resolution, shall establish the amount of the landscape
430 application fee in accordance with applicable law.

431
432 (b) A landscape application fee shall be due at the time of initial project application
433 submission to the city.

434
435 (c) The water authority may require every five years the project owner to cause a
436 landscape irrigation audit to be completed by a certified landscape irrigation

437 auditor. The sole cost of the water audit will be borne by other than the water
438 purveyor having jurisdiction.

439
440 (d) If a landscape application is not submitted prior to the start of landscape
441 construction work, for those persons required to submit an application, a late
442 submittal fee of twice the review fee shall be required.

443
444 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

445
446 **8.60.110 Enforcement and penalties.**

447
448 For the purposes of ensuring that persons comply with the provisions of this chapter, the city may,
449 following written notices to subject property owner(s), initiate enforcement action(s) against such
450 property owner(s) or designer(s), which enforcement actions may include, but are not limited to,
451 the following:

- 452
453 (a) Revocation of a landscape application;
454
455 (b) Withholding issuance of a certificate of use and occupancy or building permit;
456
457 (c) Issuance of a stop work order;
458
459 (d) In addition to any other remedies for violation of city ordinances in force, the city
460 may bring and maintain any action permitted by law to restrain, correct or abate
461 any violation of this chapter, and in the event that legal action is brought by the
462 city, reasonable attorney's fees and court costs shall be awarded to the city and
463 shall constitute a debt owed by the violator to the city. The city may place a lien
464 on the affected property in the event any debts so incurred are not timely paid.

465
466 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

467
468 **8.60.120 Appeals.**

469
470 A person aggrieved by an action taken by the city may appeal the action pursuant to Chapter
471 2.05 of this Code.

472
473 (Ord. 1859 § 1, 2014; Ord. 1463 § 1, 1993)

Attachment 4

Sustainability Commission
CITY OF PALM SPRINGS, CALIFORNIA



MEETING MINUTES

Tuesday, January 19, 2016
Palm Springs City Hall, Large Conference Room

CALL TO ORDER: Chair Jackson called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE: Led by Commissioner Polischak

ROLL CALL: A quorum was present for this Regular Meeting of the City of Palm Springs Sustainability Commission.

AGENDA APPROVAL: The agenda was presented by Sustainability Manager Mician. A motion to approve by Commissioner Bettinger and seconded by Commissioner Freedman and unanimously carried.

	This Meeting	Present to Date	FY 2015/2016 Excused Absences	FY 2015/2016 Unexcused Absences
Thom Bettinger	X	41		
Joe Jackson	X	32		
Grant Wilson	X	34	1	
Mark Polischak	X	28	1	
Travis Armstrong	X	28	1	
Tara Lazar	X	16	1	
Nate Otto	X	16		
David Freedman	X	7		
Nancy Ferguson	X	6		

X = Present
L = Late

E = Excused (notified Chair and Staff of absence)
U = did not notify of absence

CITY STAFF PRESENT: Michele Mician MS, Manager, Office of Sustainability
Dan DeGarmo, Clerical Assistant
Gary Calhoun, Recycling Coordinator

CITY MANAGER AND ASSISTANT CITY MANAGER REPORT - None

PUBLIC COMMENTS: None

A. PRESENTATIONS

1. Mayor's Healthy Planet, Healthy You Race and Wellness Festival, Jeff Hocker, Event Manager
Jeff Hocker updated Commissioners on status of the 2016 Mayor's Race and Wellness Festival including radio and billboard advertising.
Commissioner Bettinger commented on the Citrus Exchange.
2. Review of Water Efficient Landscaping Ordinance Changes, Flinn Fagg, Planning Director
Planning Director Fagg updated the Commissioners on the local changes made to the State's recommended ordinance. Questions and comments from Commissioners were discussed.

B. MEETING MINUTES

1. December 15, 2015 Meeting Minutes approval
Motion by Commissioner Otto and seconded by Commissioner Bettinger.
Unanimously approved with Commissioner Lazar abstaining.

C. PARKS & RECREATION COMMISSION REPORT Cheryl Houck, Liaison & Commissioner Armstrong
Commissioner Armstrong reported that the Parks & Recreation Commission is working on plans for an integrated pest management plan and obtaining an architect for the Dog Park to make it more sustainable.

D. RECYCLING REPORT, Gary Calhoun

1. City Facility Recycling Update and Employee Education Campaign
Gary Calhoun updated the Commissioners on AB1826 Organic Waste Disposal and Mattress recycling program. He also reported on efforts to increase the City's Downtown recycling. Questions and comments from Commissioners were discussed

E. SUSTAINABILITY MANAGERS REPORT, Michele Mician

1. Sustainability Master Plan: Budget for Additional Outreach and Study Session Workshop II
Manager Mician reported on cost from Raimi and Associates to come out to facilitate a second Study Session. Questions and comments from Commissioners were discussed including having a Study Session without Raimi and Associates.
2. Fiscal Year 2016-17 Budget Planning Phase 1
Manager Mician presented a preliminary plan for the Fiscal Year 2016-17 Sustainability Department budget explaining the three funds managed by the Sustainability Department. She also asked for ideas from Commissioners for new programs to be considered for next Fiscal Year budget. Questions and comments from Commissioners were discussed.

F. OLD BUSINESS

1. Model Water Efficient Landscape Ordinance

RECOMMENDATION: Motion by Commissioner Freedman and second by Commissioner Bettinger to adopt the Model Water Efficient Landscape Ordinance as presented. Questions and comments from Commissioners were discussed. Unanimously approved.

2. Review Priorities for Measure J Funding of Biking and Walking Projects.
Commissioner Ferguson presented information on the status of biking and walking projects for the City, including plans for Measure J funding of bike lanes and a pedestrian plan. Commissioner Ferguson also mentioned using the balance of Measure J funding for the Tahquitz Creek cleanup and walkability plan. Commissioner Ferguson also requested that the City file an application with the League of American Bicyclists to become a bicycle friendly city. Senior Civil Engineer Laurie answered questions regarding bike lanes and sharrows. Questions and comments from Commissioners were discussed.

RECOMMENDATION: Accept Active Transportation Subcommittee recommendations to be forwarded to Measure J Commission.
Motion by Vice Chair Wilson and seconded by Commissioner Freedman. Passed unanimously on a roll call vote.

G. NEW BUSINESS

1. Appointment of Ad Hoc Sub-Committee on Integrated Pest Management at City Parks and Facilities
Motion to appoint Commissioner Armstrong and Commissioner Ferguson to an ad hoc sub-committee on Integrated Pest Management. Moved by Vice Chair Wilson and seconded by Commissioner Polischak and unanimously approved.
2. Additional Outreach and Workshop for Sustainability Master Plan

RECOMMENDATION: Approve funding in the amount of \$2880.00 to fund additional working session on Sustainability Master Plan with the Sustainability Commission to prepare before the City Council meeting presentation.

Motion by Commissioner Freedman and seconded by Commissioner Lazar.
Questions and comments from Commissioners were discussed.
Motion was defeated: Yay = 0; Nay = 9.

H. SUBCOMMITTEE REPORTS

1. Water Conservation Subcommittee
Commissioner Freedman reported that there is a new General Manager at Desert Water Agency. DWA changing their water conservation mandates to 32%.
2. Outreach Subcommittee
Commissioner Lazar reported on status of creating new Logo and brand identity. A Purchase Order has been created for this project.
3. Green Building/Solar Subcommittee
Commissioner Freedman reported on creating a Green Building Standards for downtown.
4. Waste Reduction Subcommittee
Commissioner Polischak reported on status of Safe Drug Disposal program and contact with SHARPS regarding disposal sites.
5. Wellness Subcommittee
Chair Jackson referred to printed report given to commissioners. No further report was given.
6. Active Transportation Subcommittee
Commissioner Ferguson stated no further report.

I. COMMISSIONER COMMENTS

Commissioner Bettinger reported that the first Sustainable Film Series film will be Saturday January 23rd. Commissioner Otto requested if a date should be set for a team building session. Manager Mician will send out a request for a date to have the session.

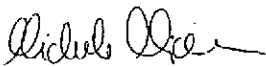
- J. ADJOURNMENT – 7:00 PM** - Motion by Vice Chair Wilson and Second by Commissioner Lazar to adjourn the meeting of the Sustainability Commission to the Regular Meeting, which will be held at 5:00 p.m. on Tuesday, February 16, 2015 in the Large Conference Room at City Hall. The Sustainability Commission's normal meeting schedule is at 5 p.m. on the third Tuesday of every month except August unless otherwise noted or amended.

THE PUBLIC IS INVITED TO ATTEND

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk at (760) 323-8204 at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis. If additional information is needed, please contact the Office of Sustainability at (760)323-8214.

Pursuant to G.C. Section 54957.5(b) (2) the designated office for inspection of records in connection with the meeting is Office of Sustainability, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92264. If you would like additional information on any item appearing on this agenda, please contact Office of Sustainability at 760-323-8248.

AFFIDAVIT OF POSTING: I, Michele C. Mician, Sustainability Manager of the City of Palm Springs, California, certify this Agenda was posted at or before 6:00 p.m. on December 10, 2015, as required by established policies and procedures.



Michele C. Mician, Sustainability Manager

Attachment 5

Notice of Exemption

Appendix E

To: Office of Planning and Research
 P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044
 County Clerk
 County of: Riverside
 PO Box 751
 Riverside, CA 92502-0751

From: (Public Agency): City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
 (Address)

Project Title: Case 5.1389 ZTA - Water Efficient Landscape Ordinance

Project Applicant: City of Palm Springs

Project Location - Specific:
Citywide

Project Location - City: Palm Springs Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project: City of Palm Springs

Exempt Status: (check one):

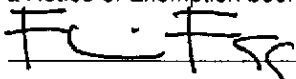
- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15307 - Protection of Natural Resources
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency
 Contact Person: Flinn Fagg Area Code/Telephone/Extension: 760-323-8245

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 03/09/16 Title: Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____