

CITY COUNCIL ORDINANCE 90-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF IRVINE PROVIDING FOR SUSTAINABILITY IN
LANDSCAPING

WHEREAS, it is state policy that local governments make decisions to maintain, improve, and enhance the quality of air, water and land according to state and national standards and local needs; and

WHEREAS, it is state policy that local governments make decisions to conserve water, air and energy by considering the effect of future development on these resources and by encouraging new development which uses public facilities currently available; and

WHEREAS, it is state policy that local governments make decisions to ensure land use decisions are made with full knowledge of the long- and short-term economic and fiscal implications, as well as environmental effects; and

WHEREAS, the General Plan states it is important to provide direction for the management of the natural and built environment to accommodate the unique situations of various planning areas; and

WHEREAS, the General Plan states it is important to create a visually attractive identity for the City within the region; and

WHEREAS, the General Plan states it is important to ensure that Irvine's park system is developed and maintained in a manner that is cost effective and consistent with the community's ability to pay; and

WHEREAS, the General Plan states it is important to maximize energy efficiency of the City's facilities and operations by use of renewable sources and conservation measures; and

WHEREAS, the City Council of the City of Irvine requested an ordinance be prepared to implement water conservation and plant suitability in landscaping; and

WHEREAS, the Community Services Commission, Finance Commission and Planning Commission have reviewed this ordinance and upon consideration of the recommendation of the City of Irvine staff, have recommended adoption of this ordinance to the City Council;

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY FIND as follows:

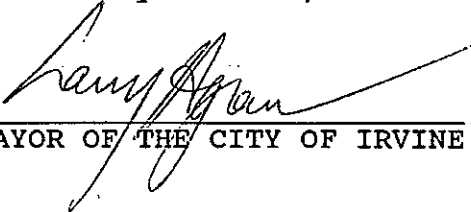
Section 1. That the proposed ordinance will implement the General Plan goals and objectives, and result in more efficient landscapes which contribute to environmental quality.

Section 2. The text of the proposed Sustainability in Landscaping Ordinance is attached as Exhibit A, and incorporated by this reference.

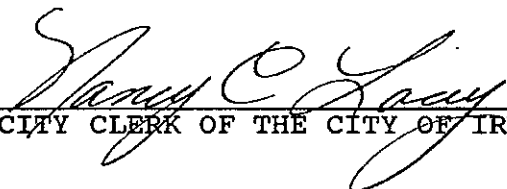
Section 3. That pursuant to Section 7 of the City of Irvine CEQA procedures and Article 6 of the State Environmental Guidelines, it has been determined that the proposed project cannot or will not have a significant effect on the environment. Thus a negative declaration has been prepared, processed and considered according to the California Environmental Quality Act.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ADOPT the Sustainability in Landscaping Ordinance.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 26th day of June, 1990.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE

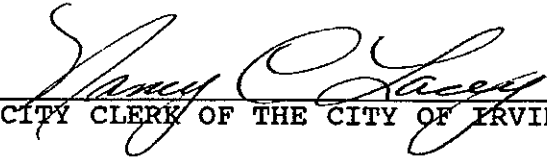
STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, NANCY C. LACEY, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was duly adopted at a regular meeting of the City Council of the City of Irvine on the 26th, day of June, 1990, by the following roll call vote:

AYES: 5 COUNCILMEMBERS: Cosgrove, Dornan, Sheridan,
Werner and Agran

NOES: 0 COUNCILMEMBERS: None

ABSENT: 0 COUNCILMEMBERS: None


CITY CLERK OF THE CITY OF IRVINE

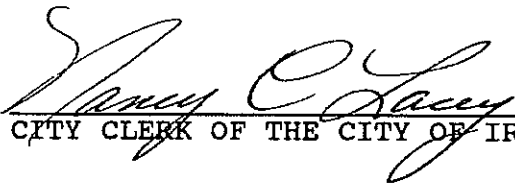
AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OR IRVINE)

I, Nancy C. Lacey, City clerk of the City of Irvine, HEREBY DO CERTIFY that on the 6th day of July, 1990, I caused to have posted the foregoing true and correct copy of Ordinance No. 90-12 of the City of Irvine in the following public places in the City:

1. Bulletin Board in Walnut Village Shopping Center, Culver and Walnut, Irvine.
2. Bulletin Board in University Park Shopping Center, Culver at Michelson, Irvine.
3. Bulletin Board in Northwood Shopping Center, Irvine Boulevard at Yale, Irvine

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City Council of the city of Irvine, California, the 6th day of July, 1990.


CITY CLERK OF THE CITY OF IRVINE

Division G

SUSTAINABILITY IN LANDSCAPING

- Ch. 1. Title, Purpose and Intent, V.G.--100-102
- Ch. 2. Sustainable Landscaping Guideline Manual, V.G.--200
- Ch. 3. Application and Procedures, V.G.--301-305

CHAPTER 1. TITLE, PURPOSE AND INTENT

V.G.-100. Title.

This ordinance shall be known and cited as the "Sustainability in Landscaping Ordinance".

V.G.-101. Purpose and Intent.

The purpose of this ordinance is to provide policies, standards, procedures, and guidelines to achieve long term levels of sustainability in landscapes. Sustainability is a concept which emphasizes the environmental impacts and benefits of landscapes. In most instances, a sustainable landscape is one which provides positive levels of carbon storage and oxygen productivity after all demands for energy, water, soil improvement and maintenance activities to support have been accounted for. This ordinance is intended to promote actions that conserve, recycle, and reuse the resources which are invested in landscapes.

V.G.-102. Policies.

The following policies are established to achieve the purpose and intent of the Sustainability in Landscaping Ordinance.

- (a) To develop and maintain landscapes that conserve, recycle, and reuse resources to achieve optimum levels of sustainability.
- (b) To develop and maintain landscapes with increasing levels of conservation and efficiency in energy use.
- (c) To develop and maintain landscapes upon principles of water conservation and to optimize the use of reclaimed water resources.
- (d) To develop and maintain landscapes towards optimum levels of biomass storage which provides increased storage of carbon and production of oxygen.
- (e) To design landscapes comprised of associations of plant which have similar climate, water, soil, sun exposure and maintenance needs.
- (f) To design and maintain landscape for optimum levels of micro-climate benefit to reduce urban heat build-up and energy demand for heating and cooling.

- (g) To design and maintain landscapes with reduced levels of turfgrass.
- (h) To design and maintain landscapes with incorporate organic soil management practices and which will accommodate composted landscape trimmings.
- (i) To encourage the minimum use of inorganic fertilizers, herbicides, and pesticides in the development and maintenance of landscapes.
- (j) To design and maintain landscapes which are supportive of the Conservation and Open Space Element with particular reference to enhancement and preservation of significant biotic resources.
- (k) To develop and maintain landscapes which, to the greatest extent possible, incorporate a balance in regards to function and aesthetics to achieve optimum levels of sustainability of the landscape.
- (l) To develop and sponsor activities and programs to educate residents to the ideas and benefits of sustainable landscapes.

CHAPTER 2. SUSTAINABLE LANDSCAPING GUIDELINE MANUAL

V.G. - 200. Sustainable Landscaping Guideline Manual.

The Director of Community Development shall formulate such rules, procedures, and interpretations as may be necessary or convenient to administer this division. Such rules, procedures, and interpretations shall be referred to as the "City of Irvine Sustainable Landscaping Guideline Manual" or the "Sustainable Landscaping Guideline Manual" which is subject to approval by the the City Council. The Standards Committee which contains representatives of the community development and public works departments is hereby authorized to incorporate further amendments into the Sustainable Landscaping Guideline Manual provided such amendments are consistent with this division. Compliance with this manual shall be a condition of approval for all discretionary development case applications to which this division applies. Compliance with this manual shall also be demonstrated prior to approval of any non-discretionary development case application to which this division applies and prior to the issuance of a landscape permit. In the event of any conflict between said manual and this ordinance the provisions of this ordinance shall govern. Copies of the current Sustainable Landscaping Guideline Manual shall be on file in the office of the City Clerk and be made available to the public at a fee sufficient to recover costs.

CHAPTER 3. APPLICATION AND PROCEDURES

V.G.-301. New Development.

This ordinance shall apply to all discretionary and non-discretionary development case applications and when landscape permits are required. Single family home lots and agriculture are exempt.

V.G.-302. Approved Projects

Approved landscape plans for discretionary and non-discretionary development case applications which are valid on the effective date of this ordinance shall remain valid. Landscapes for these projects may be built in accordance with the development standards and landscape standards in effect at the time of approval provided that the development case or non-discretionary approval is valid at the time landscape permits are issued. Any reapplication for an expired permit, development case, or major modification must comply with this ordinance at the time of reapplication or modification.

V.G.-303. Projects in Progress.

Discretionary development case applications which have been received by the City, but have not been publicly noticed for the approval hearing by the effective date of this ordinance shall be subject to the provisions of this ordinance unless waived by the Director of Community Development.

V.G.-304. Conceptual Landscape Plan.

Conceptual Landscape Plans as defined in the Sustainable Landscaping Guideline Manual shall be approved by an approval body in conjunction with discretionary and non-discretionary development case applications. The approval body for development cases may impose conditions and may require evidence that such conditions are being or will be complied with in the form of subdivision agreements and security as it deems necessary to satisfy the intent of this ordinance.

V.G.-305. Landscape Permits.

- (A) A landscape permit shall be required for the installation of all landscape planting and irrigation. The Director of Community Development or his/her authorized representative may determine the following to be exceptions:
- 1 Alterations to existing landscape within a parcel which are not required or proposed in conjunction with discretionary or non-discretionary development case applications.
 - 2 Alterations to existing landscape which are a result of routine or necessary maintenance and is consistent with the approved landscape plans, and City regulations pertaining to landscapes.
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- (B) To obtain a landscape permit, the applicant must first file an application in writing on a form prescribed by the City. The permit application shall be accompanied by information required by the City and as specified in the Sustainable Landscaping Guideline Manual.
- (C) Funds sufficient to cover the cost incurred by the City in processing applications for landscape permits shall be paid to the City in compliance with the most recent city council resolution pertaining to setting development processing and inspection fees.
- (D) Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans submitted for checking may thereafter be

returned to the applicant or destroyed. The Director of Community Development or his/her authorized representative may extend the time for action by the applicant for a period not to exceed one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action for an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

- (E) If a permit holder presents satisfactory evidence that unusual difficulties have prevented work from being started within sixty (60) days, or completed within one (1) year, or continued without being suspended for one hundred twenty (120) days, the Director of Community Development or his/her authorized representative may grant extensions of time reasonably necessary by reason of such difficulties. In no case shall such extensions of time exceed a total of one (1) year.