

ATTACHMENT 1

**ORDINANCE INCORPORATING MODEL WATER EFFICIENT LANDSCAPE
REQUIREMENTS INTO HUMBOLDT COUNTY CODE**

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING CHAPTER 1 TO DIVISION 3 OF TITLE III OF THE HUMBOLDT COUNTY CODE, INCORPORATING BY REFERENCE MODEL WATER EFFICIENT LANDSCAPE REQUIREMENTS

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Findings:

Whereas, California’s recent droughts emphasized the necessity for increased conservation in use of water; and

Whereas, California Assembly Bill 1881 (“AB 1881”), enacted into law on September 28, 2008, modified and strengthened a model water efficient landscape ordinance (“MWELO”) for local agencies to adopt and use for the purpose of reducing water waste associated with irrigation of outdoor landscaping; and

Whereas, AB 1881 (2010) required the State Department of Water Resources (“Department”) to provide guidelines for cities and counties to adopt the MWELO or more stringent local landscape irrigation ordinances; and

Whereas, the Governor’s Drought Executive Order of April 1, 2015 (EO B- 29-15), mandated the Department to prepare an update to the state’s MWELO; and

Whereas, all California counties and cities are required to either adopt the updated MWELO or another water efficient landscape ordinance which is at least as effective in conserving water as the MWELO, and submit annual compliance reports to the Department; and

Whereas, the County of Humboldt has determined adopting the updated MWELO, as may be amended, will benefit the county and provide clarity to permit applicants; and

Whereas, Chapter 1 of Division 3, Building Regulations, of Title III of the Humboldt County code allows incorporation by reference of Uniform Building Codes and standards.

SECTION 2. Chapter 1 of Division 3, Building Regulations, of Title III of the Humboldt County Code is hereby amended to replace subsection (o) and insert a new subsection (p) to section 331-11 as follows:

(o) *Model Water Efficient Landscape Ordinance.* The updated Model Water Efficient Landscape Ordinance, Sections 490-495, Chapter 2.7, Division 2, Title 23 in the California Code of Regulations (MWELO)

(p) For all of the above cited codes, it is intended that the references include all of their respective successor provisions.

SECTION 3. California Environmental Quality Act (“CEQA”). The Board of Supervisors finds this ordinance is exempt from CEQA (California Public Resources Code Section 21000 et seq.) review under a Class 7 Categorical Exemption, pursuant to CEQA Guidelines Section 15307 (14 Cal. Code Regs., § 15307) which exempts actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource, where the regulatory process involves procedures for protection of the environment, because adoption of the updated MWELo assures the protection of water resources. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this ordinance. As such, adoption of the updated MWELo is exempt from the provisions of CEQA.

SECTION 5. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again within fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

AYES: Supervisors—
NOES: Supervisors—
ABSENT: Supervisors—

Steve Madrone, Chair
Humboldt County Board of Supervisors

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt
