

Title 12. Subdivision of Land, Development Fees, and Dedications

Division 3. Park Lands and Sports Fields

Chapter 12.40. PARK LANDS DEDICATION

§ 12.40.010. Title.

This chapter is known as the "Park Lands Dedication Ordinance" and may be cited as such.
(Ord. 565 § 3, 2019)

§ 12.40.020. Definitions.

In this chapter:

"Development" means a subdivision, mobile home park or construction or installation of a dwelling.
Development does not include:

1. Subdivisions created for industrial or commercial purposes;
2. Resort and recreational facilities for which occupancy is limited to 90 days for any person in any 12-month period, or cabin or motel units which are not to be used as primary residences and which are to be constructed within and primarily to serve Federal, State or County parks or forests;
3. Recreational trailer parks, temporary trailer parks, or travel trailer parks as those terms are defined in the Mobilehome Parks Act.

"Director" means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

"Dwelling" means a building or portion thereof used exclusively for residential purposes, including one-family, two-family, and multiple dwellings, and also means mobile home, and mobile home sites or spaces in mobile home parks.

"Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons, and includes an accessory dwelling as defined in Title 13.

"Family" has the same meaning set forth in the zoning code.
(Ord. 565 § 3, 2019; Ord. 612 § 2, 2023)

§ 12.40.030. Applicability.

- A. Except as otherwise provided, this chapter applies to all tentative maps of subdivision, all applications for special use permits filed with the Director, and all building permits or other permits for development filed with the Director. For major subdivisions to which this chapter applies, the required amount of land, or fees in lieu of land, is the amount prescribed by this chapter on the date on which the environmental impact initial study or draft environmental impact report was filed, together with required maps and fees for the subdivision; provided, that the tentative subdivision map is approved within two years after the date.
- B. This chapter does not apply to the following:
 - 1. Any subdivisions containing fewer than five parcels; provided, however, that a condition may be placed on the approval of such a parcel map, that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four years, the fee may be required to be paid by the owner of each parcel as a condition of the issuance of the permit;
 - 2. Commercial, industrial, or other nonresidential subdivision;
 - 3. Condominium stock cooperative projects consisting of the subdivision of airspace in an existing apartment building which is more than five years old and when no new dwelling units are added;
 - 4. The replacement on the same parcel by the owner of a dwelling or dwelling destroyed by fire or other calamity, provided that the application for a building permit to replace such dwelling is filed with the Director within six months after destruction of the dwelling.

(Ord. 565 § 3, 2019)

§ 12.40.040. Dedication or payment of fee required.

- A. Except as otherwise provided in this chapter, the applicant for any development must, as a condition of approval of the development, dedicate land, pay fees in lieu of land, or a combination of both, pursuant to this chapter for the purpose of providing park or recreation facilities to serve future residents of such development.
- B. Before receiving any building permit or other permit for development under the jurisdiction of the Director, the applicant must pay fees prescribed in Section **12.40.070** or present a written statement from the Director certifying that the requirements of this chapter have otherwise been satisfied with respect to the development for which permits are sought.
- C. In the event that subsequent development occurs with respect to property for which fees have been paid or land dedicated, additional fees or dedication are required only for additional lots or dwelling units which were not included in computing the prior fee or dedication requirements.

(Ord. 565 § 3, 2019)

§ 12.40.050. Filing procedures.

- A. An applicant for a tentative subdivision map or other application for development approval, must, as a part of such filing, indicate a preference to either dedicate land for park or recreation purposes, pay a fee in lieu of land, or both. If the applicant prefers to dedicate land, the applicant must specify the land proposed to be dedicated.
- B. To facilitate decisions regarding dedication of land, the developer must furnish a tabulation showing the number of dwelling units proposed to be constructed in each portion of the development. The Director may waive the tabulation requirement at the Director's sole discretion.

(Ord. 565 § 3, 2019)

§ 12.40.060. Dedication or payment—Criteria for determination.

A. Developments Containing 50 or Fewer Parcels.

1. Except as otherwise provided in this section, only the payment of fees is required for developments containing 50 or fewer parcels, except that when a condominium project, stock cooperative, or community apartment project, as those terms are defined in Sections 4105, 4125, and 4190 of the **Civil Code**, exceed 50 dwelling units, dedication of land may be required, even though the number of parcels may be less than 50.
2. An applicant for a development containing 50 or fewer parcels may offer to dedicate land in lieu of paying fees, in which event the City Council may elect to accept the land or require the payment of fees, or a combination of both, and in making such election will consider the factors set forth in this section.

B. Developments Containing More Than 50 Parcels. The City Council determines whether to require dedication of land, payment of a fee in lieu of land, or a combination of both, for developments containing more than 50 parcels. In making this determination, the City Council considers the following factors:

1. Conformity of lands offered for dedication with the recreation element of the General Plan;
2. The topography, soils, soil stability, drainage, access, location and general utility of land in the development available for dedication;
3. The size and shape of the development and land available for dedication;
4. The amount, usability, and location of publicly owned property available for combination with dedicated lands in the formation of local park and recreation facilities;
5. The recreation facilities to be privately owned and maintained by future residents of the development.

(Ord. 565 § 3, 2019)

§ 12.40.070. Dedication or payment—Amount.

A. The amount of land to be dedicated pursuant to this chapter must be based on the average occupancy rate per dwelling type and the ratio of dedication equivalent to five acres per 1,000 population according to the following table:

Dwelling Type	Square Feet to Be Dedicated Per Unit
Single-family	740.5
Multifamily	675.2
Mobilehome	370.3

B. The amount of a fee in lieu of land to be paid pursuant to this chapter is set by resolution of the City Council and is based on the City-wide average of land available for park purposes within the urbanized area of the City, plus the estimated cost for developing said land into usable parks. The fee is automatically adjusted for inflation on July 1 of each year. The inflation adjustment is two percent or based on the previous calendar year's increase in the San Diego Consumer Price Index (CPI-U: All Items) as published by the Bureau of Labor Statistics, whichever is higher. The fees received under this chapter are deposited in the park in lieu fund and must be used for the purchase, development and/or rehabilitation of park and recreational facilities.

(Ord. 565 § 3, 2019)

§ 12.40.080. Dedication or payment—Time.

- A. If the development in question is a subdivision and land is to be dedicated, approval of the tentative map will be conditioned on offering the land for dedication prior to approval of the final map.
- B. If the development in question is a subdivision and fees alone are to be paid or fees are to be paid in combination with the dedication of land, approval of the tentative map will be conditioned on a requirement that the subdivider must deposit the fees with the City before receiving any building permits.
- C. If the development in question is other than a subdivision, the land must be offered for dedication or the fee in lieu of land must be deposited with the Director before issuance of a building permit, permit to construct a mobile home park, or if neither permit is required, prior to the issuance of any other permit that may be required to authorize the replacement, construction, or installation of a dwelling.

(Ord. 565 § 3, 2019)

§ 12.40.090. Refunds.

Any fee paid pursuant to the provisions of this chapter will not be refunded except under either of the following circumstances:

- A. **Timely Withdrawal of Application.** On written application for a refund, after the application for approval of the development is timely withdrawn as follows:
 - 1. For a subdivision, the withdrawal must occur prior to recording the final map, except as otherwise provided in subsection **B** of this section;
 - 2. For all other developments, the withdrawal must occur prior to the commencement of actual construction.
- B. **Credit or Land Dedication.** An applicant for a building permit to construct a dwelling within a planned residential development or other subdivision for which a tentative map has been filed, and for which fees required by this chapter have been paid, may submit a written request for a refund of the amount deposited and the Director is authorized to issue refund, in the following circumstances:
 - 1. If the Director determines to allow a credit to the applicant for private parks pursuant to Section **12.40.100**, the Director is authorized to refund the amount set forth in a verified copy of the action taken by the Director authorizing such credit;
 - 2. If the City Council elects to accept land in lieu of fees pursuant to Section **12.40.060**, the Director is authorized to refund the amount set forth in a verified copy of the action taken by the City Council accepting such land.

(Ord. 565 § 3, 2019)

§ 12.40.100. Credit for private parks.

Where a development provides a private area for park and recreational purposes and such area is to be privately owned and maintained by the future owner(s) of the development, such area may be credited against up to 50% of the requirement of land dedication or fees payment, if the Director determines that it is in the public interest to do so, and that all of the following standards either have been or will be met prior to approval of the final subdivision map:

- A. That yards, court areas, setbacks, and other open areas, required to be maintained by the zoning and building ordinances and other regulations, will not be included in the computation of such private areas;
- B. That the private ownership and maintenance of the area will be adequately provided for by recorded written agreement, covenants or restrictions;

- C. That the use of the private area is restricted for park and recreational purposes by an open space easement or other instrument approved by the City Attorney;
- D. That the proposed private area is reasonably adaptable for use for park or recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location;
- E. That the facilities proposed:
 - 1. Are in substantial accordance with the provisions of the recreation element of the General Plan, or adopted community or specific plans,
 - 2. Are appropriate to the recreation needs of the future residents of the development, and
 - 3. Will substitute for the park lands otherwise required to be dedicated in meeting the recreation needs of the residents.

(Ord. 565 § 3, 2019)

§ 12.40.110. Credit for public parks.

When an applicant has dedicated a park to the public to serve a subdivision for which a tentative map was filed, the City Council may, pursuant to Sections **12.40.060** and **12.40.070**, allow the following credits for such park:

- A. A credit against up to 100% of the requirement for land dedication;
- B. A credit against up to 100% of fee payment required by this chapter for building permits to construct dwellings on the subdivision lots served by the dedicated public park; or
- C. A credit against fees required for such building permits for the value of improvements to such park installed or constructed by the applicant; provided that such credit must not exceed the value of improvements normally authorized by the City for similar parks.

(Ord. 565 § 3, 2019)

§ 12.40.120. Limitations on use.

The land and fees required pursuant to this chapter must be used only for the purpose of providing park or recreation facilities which are in accordance with the principles and standards contained in the recreation element of the General Plan, and which will serve residents of a local park planning area as delineated in the recreation element which includes the development from which the fees were derived.

(Ord. 565 § 3, 2019)

§ 12.40.130. Commencement of park development.

Development of park or recreational facilities for which land has been dedicated or for which fees have been paid in lieu thereof will begin when the City Council determines that sufficient residential development has occurred so as to render the park or recreational facilities reasonably necessary.

(Ord. 565 § 3, 2019)

§ 12.40.140. Regulations.

The City Council may from time to time approve such regulations as it deems necessary to implement the provisions of this chapter.

(Ord. 565 § 3, 2019)

Title 13. Zoning

Chapter 13.36. LANDSCAPE AND IRRIGATION REGULATIONS

§ 13.36.010. Purpose and General Plan consistency.

A. The City of Santee has found:

1. That the City of Santee is required by California Assembly Bill 1881 to adopt a water efficient landscape ordinance that is at least as effective at conserving water as the California Model Water Efficient Landscape Ordinance;
2. That some areas of the City of Santee have an established recycled water infrastructure;
3. That water purveyors with service areas within the City of Santee with water budget-based allocations and tiered rate structures allow the City of Santee to document water use in landscapes;
4. That current local design practices in new landscapes typically already achieve the State Model Water Efficient Landscape Ordinance water use goals in many cases;
5. That most City services are metered and all new construction will be metered where service is available from local water purveyors;
6. That landscape plan submittal and review has been a long standing practice in the City of Santee;
7. That the local water purveyors are implementing tiered-rate billing, water budgeting, public education programs, and enforcement of water waste prohibitions for all existing and new metered landscape areas throughout their service areas, which include the majority of the City of Santee;
8. Implementation of tiered rate structures by the local water purveyors have resulted in a reduction in water use that exceeds the target reduction established by the San Diego County Water Authority;
9. That those areas of the City of Santee that are not located within the service areas of the local water purveyors obtain water service through existing groundwater supplies;
10. Over irrigating landscaping can potentially wash pollutants into the storm drain system. By contrast appropriately designed and managed landscaping can be used to treat and/or infiltrate stormwater before it is discharged to the storm drain system;
11. That this chapter is consistent with the policies established by the land use element of the General Plan in that it encourages the use of recycled water and is an update of the landscape design standards for future development;
12. That this chapter is consistent with the policies established by the conservation element of the General Plan in that it encourages the use of drought-resistant vegetation and recycled water

for irrigation for private development as well as public projects and facilities;

13. That this chapter is at least as effective at conserving water as the State Model Water Efficient Landscape Ordinance because:
 - a. This chapter is applicable to all landscapes identified in the applicability section of the State Model Ordinance,
 - b. This chapter requires the most efficient and appropriate irrigation equipment and the irrigation design plan encourages the use of improved technology,
 - c. This chapter requires that irrigation scheduling shall be based on reliable reference evapotranspiration (ET_o) data or soil moisture sensors,
 - d. This chapter establishes a maximum applied water allowance (MAWA) based on an evapotranspiration adjustment factor (ETAF) of 0.55 for residential landscapes, 0.45 for nonresidential landscapes, and 1.0 for new and existing (nonrehabilitated) special landscape areas,
 - e. This chapter prohibits overspray and requires that new landscape areas be designed to retain storm runoff, including from impervious surfaces such as roofs and paved surfaces, and allow rainfall to permeate through soil,
 - f. This chapter includes audit and maintenance provisions that meet the minimum requirements of the State Model Ordinance,
 - g. This chapter requires a landscape documentation package that complies with State Model Ordinance requirements and as part of this package plants are grouped into hydrozones,
 - h. This chapter requires the use of recycled water where it is available,
 - i. This chapter requires a minimum of three inches of mulch in all landscape areas except for those which contain turf or creeping or rooting groundcovers as specified in the State Model Ordinance,
 - j. This chapter requires that the soil be assessed and amended if necessary prior to planting,
 - k. This chapter incorporates mechanisms such as a tiered rate structure by local water purveyors, penalties for water waste, and allows irrigation surveys and audits, and water use analyses to ensure compliance with requirements of this chapter,
 - l. Landscape guidelines have been drafted to provide further information for project applicants in the implementation of this chapter.

B. The State Legislature has found:

1. That the waters of the State of California are of limited supply and are subject to ever increasing demands;
2. That continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
3. That it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
4. That landscapes are essential to the quality of life in the City of Santee by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;
5. That landscape design, installation, maintenance and management can and should be water efficient;

6. That Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.
- C. Consistent with these findings, the purpose of the City of Santee Water Efficient Landscape Ordinance is to establish an alternative ordinance at least as effective as the State Model Ordinance in the context of conditions in the City of Santee, in order to:
1. Promote the values and benefits of landscaping practices that integrate stormwater runoff retention and go beyond the conservation and efficient use of water;
 2. Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;
 3. Establish provisions for water management practices and water waste prevention for existing landscapes;
 4. Use water efficiently without waste by setting a maximum applied water allowance as an upper limit for water use and reduce water use to the lowest practical amount;
 5. Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;
 6. Encourage the use of economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure.
- D. Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of this chapter, conditions in the urban setting will be improved by:
1. Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.
 2. Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
 3. Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
 4. Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
 5. Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted nonnatives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.

(Ord. 566 § 3, 2019)

§ 13.36.020. Applicability.

- A. This chapter shall apply to all of the following landscape projects:
1. New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;

2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
 3. Existing landscapes limited to Section **13.36.050** of this chapter;
 4. Cemeteries. Recognizing the special landscape management needs of cemeteries, the applicability of this chapter to new and rehabilitated cemeteries is limited to Section **13.36.040** and the applicability of this chapter to existing cemeteries is limited to Section **13.36.050**.
- B. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D of the City of Santee Water Efficient Landscape Guidelines.
- C. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2,500 square feet of landscape and meets the lot or parcel's landscape water requirement (estimated total water use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D Section (5) of the City of Santee Water Efficient Landscape Guidelines.
- D. This chapter does not apply to:
1. Registered local, State or Federal historical sites;
 2. Ecological restoration projects that do not require a permanent irrigation system;
 3. Mined-land reclamation projects that do not require a permanent irrigation system; or
 4. Existing plant collections, as part of botanical gardens and arboretums open to the public.
- (Ord. 566 § 3, 2019)

§ 13.36.030. Definitions.

The following are definitions of terms contained in this chapter:

"Applied water" means the portion of water supplied by the irrigation system to the landscape.

"Automatic irrigation controller" means a timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

"Best management practices (BMPs)" means schedules of activities, prohibitions of practices, training and education, maintenance procedures, and other management practices to prevent or reduce the discharge of pollution to surface and groundwater. BMPs include, without limitation, treatment requirements, operating procedures, and practices to control urban runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Certificate of completion" means the document required under Section **13.36.040**.

"Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the U.S. Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor Program.

"City" means the City of Santee.

"Compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

"Distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.

"Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

"Established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

"Establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.

"ET adjustment factor (ETAF)" means a factor of 0.55 for residential areas and 0.45 for nonresidential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (nonrehabilitated) special landscape areas shall not exceed 1.0. The ETAF for existing (nonrehabilitated) landscapes is 0.8.

"Evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

"Friable" means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

"Graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.

"Hardscapes" means any durable material (pervious and nonpervious).

"Hydrozone" means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or nonirrigated.

"Integrated pest management (IPM)" means an effective and environmentally sensitive approach to pest management that is focused towards prevention, and natural controls as opposed to pesticides. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.

"Irrigation audit" means an in-depth evaluation of the performance of an irrigation system conducted by a certified landscape irrigation auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "WaterSense" labeled auditing program.

"Irrigation efficiency (IE)" means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiencies for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.

"Irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

"Irrigation water use analysis" means an analysis of water use data based on meter readings and billing data.

"Landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the maximum applied water allowance calculation. The landscape area does not include foot-prints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or nonpervious hardscapes, and other nonirrigated areas designated for nondevelopment (e.g., open spaces and existing native vegetation).

"Landscape contractor" means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

"Landscape documentation package" means the documents required under Section **13.36.040**.

"Landscape guidelines" means the City of Santee landscape guidelines for implementation of the City of Santee Water Efficient Landscape Ordinance.

"Landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section **13.36.020**.

"Local water purveyor" means any entity, including a public agency, City, County or private water company that provides retail water service.

"Maximum applied water allowance (MAWA)" means the upper limit of annual applied water for the established landscaped area as specified in Section 3.B of the guidelines for implementation of the City of Santee Water Efficient Landscape Ordinance. It is based upon the area's reference evapotranspiration, the ET adjustment factor, and the size of the landscape area. The estimated total water use shall not exceed the maximum applied water allowance. Special landscape areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$.

"Mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

"New construction" means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

"Nonresidential landscape" means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

"Permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.

"Pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.

"Plant factor" or "plant water use factor" is a factor, when multiplied by ET_o , that estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication "Water Use Classification of Landscape Species." Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

"Project applicant" means the individual or entity submitting a landscape documentation package required under Section 3 of the landscape guidelines, to request a permit, plan check, or design review from the City. A project applicant may be the property owner or designee.

"Record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

"Recreational area" means areas, excluding private single family residential areas, designated for active play, recreation or public assembly such as in parks, sports fields, picnic grounds, amphitheaters and or golf courses tees, fairways, roughs, surrounds and greens.

"Recycled water" means treated or recycled waste water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.

"Reference evapotranspiration" or "ET_o" means a standard measurement of environmental parameters which affect the water use of plants. ET_o is expressed in inches per day, month, or year as represented in Appendix A of the landscape guidelines, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum applied water allowance so that regional differences in climate can be accommodated.

"Rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section **13.36.020**, and the modified landscape area is equal to or greater than 2,500 square feet.

"Residential landscape" means landscapes surrounding single-family or multifamily homes.

"Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

"Special landscape area (SLA)" means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

"Turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

"Valve" means a device used to control the flow of water in the irrigation system.

"Water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(Ord. 566 § 3, 2019)

§ 13.36.040. Provisions for new construction or rehabilitated landscapes.

- A. The City will collaborate with the water purveyors that provide water to Santee to define each entity's specific responsibilities relating to this chapter.

- B. The landscape documentation package shall be submitted by the project applicant to the City for review and approval with appropriate water use calculations. Water use calculations shall be consistent with calculations contained in the landscape guidelines and shall be provided to the local water purveyors as appropriate, under procedures determined by the City. Submittal requirements for a landscape documentation package include the water efficient landscape worksheet, soil management report, landscape design plan, irrigation design plan, and grading design plan, if applicable. Further information on the landscape documentation package can be found in the landscape guidelines.
- C. A certificate of completion package and supporting documentation as specified in the landscape guidelines shall be submitted by the project applicant to the City for review and copy of the approved certificate of completion shall be provided to the local water purveyor. The City shall approve or deny the certificate of completion prior to final inspection and permit closure. If the certificate of completion is denied, the City shall provide information to the project applicant regarding reapplication, appeal, or other assistance. Submittal requirements for the certificate of completion package include the certificate of completion, irrigation schedule, landscape and irrigation maintenance schedule, irrigation survey, and as-built drawings, if applicable. Further information on the certificate of completion package can be found in the landscape guidelines.
- (Ord. 566 § 3, 2019)

§ 13.36.050. Provisions for existing landscapes.

- A. The City will collaborate with the water purveyors that provide water to Santee to define each entity's specific responsibilities relating to this chapter. Water users are advised to consult with water purveyors regarding additional usage regulations that may apply.
- B. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis. This subsection shall apply to all existing landscapes that were installed before December 1, 2015 and are over one acre in size.
1. For all landscapes in this subsection that have a water meter, the City or the local water purveyor shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the maximum applied water allowance for existing landscapes. The maximum applied water allowance for existing landscapes shall be calculated as: $MAWA = (0.8)(ET_o)(LA)$ (0.62). The local water purveyor may require a lower ETAF for calculating the MAWA of existing landscapes. The stricter of the two ETAF requirements shall be used in the MAWA calculation.
 2. For all landscapes in this subsection that do not have a meter, the City or the local water purveyor shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
- C. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.
- (Ord. 566 § 3, 2019)

§ 13.36.060. Recycled water.

- A. The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
- B. All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
- C. Landscapes using recycled water are considered special landscape areas. The ET adjustment factor for new and existing (nonrehabilitated) special landscape areas shall not exceed 1.0.
- (Ord. 566 § 3, 2019)

§ 13.36.070. Stormwater management and rainwater retention.

- A. Stormwater management practices, as described in Chapter **9.06**, minimize runoff and increase infiltration which recharges groundwater and improves water quality. Stormwater best management practices shall be integrated into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration.
- B. All landscape and irrigation shall comply with the requirements of the current City of Santee municipal stormwater permit issued by the San Diego Regional Water Quality Control Board.
- C. All planted landscape areas are required to have friable soil to maximize water retention and infiltration.
- D. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e., roof and paved areas) from either: (1) the one inch, 24-hour rain event; or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, State or Federal regulation.
- E. To the maximum extent practicable, all projects shall promote on-site stormwater and dry weather runoff capture and use through measures including:
 - 1. Implement design concepts recommended in the San Diego County Low Impact Design Manual.
 - 2. Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
 - 3. Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
 - 4. Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 - 5. Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 - 6. Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 - 7. Incorporate infiltration beds, swales, basins and drywells to capture stormwater and dry weather runoff and increase percolation into the soil.
 - 8. Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.
 - 9. Utilize drip irrigation systems.
- F. Appropriate stormwater best management practices (BMPs) shall be used during the installation and testing of landscape and irrigation projects.

(Ord. 566 § 3, 2019)

§ 13.36.080. Water waste prevention.

Water waste resulting from inefficient landscape irrigation runoff shall be prevented. Therefore, runoff is prohibited from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways, parking lots, structures and other nontargeted surfaces.

(Ord. 566 § 3, 2019)

§ 13.36.090. Penalties.

The City may establish and administer penalties to the project applicant, property owner, or property resident for noncompliance with this chapter to the extent permitted by law and as stated in Title 1 of the Santee Municipal Code.

(Ord. 566 § 3, 2019)

§ 13.36.100. Landscape development standards.

- A. Residential Landscape Standards. The following site development criteria are intended to provide minimum standards for residential development. These site development standards should be used in conjunction with the landscape design guidelines, which are set forth in the guidelines for implementation of the City of Santee Water Efficient Landscape Ordinance.
1. Front Yard Landscaping. Front yard landscaping for all new single-family and duplex development shall include, at a minimum, one 15-gallon size tree, one five-gallon size tree, seeded ground cover, and a permanent irrigation system to be installed by the developer prior to occupancy.
- B. Parking Landscape Standards. The following standards shall apply to landscaping for parking areas within the residential, commercial and industrial districts:
1. A minimum of 10% of the total off-street parking area shall be landscaped with at least one 15-gallon minimum size tree with root barrier per each three parking stalls and appropriate ground cover. The parking area shall be computed by adding the areas used for access drives, aisles, stalls, maneuvering, and landscaping within that portion of the premises that is devoted to vehicular parking and circulation.
 2. Each unenclosed parking facility shall provide a perimeter landscaped strip at least five feet wide (inside dimension) where the facility adjoins a side property line, unless specifically waived by the Director. The perimeter landscaped strip may include any landscaped yard or landscaped area otherwise required, and shall be continuous, except for required access to the site or to the parking facility.
 3. All landscaping shall be continuously maintained free of weeds, debris or litter.
 4. Where feasible, infiltration BMPs shall be integrated into the landscape design to reduce the quantity and velocity of stormwater discharging to the MS4 from the parking or loading facility.
- C. General Landscape Standards. Unless stated otherwise within this code, the following landscape standards shall be met for all developments:
1. All setbacks, parkways, and nonwork areas shall be landscaped.
 2. The visibility of decorative water features, including but not limited to, ponds, decorative fountains, basins, reflective pools, and spray/mist fountains should be confined to areas of high visibility and high use. Re-circulating water shall be used for all decorative water features. All such features shall be designed such that they present a positive visual statement when water is not available.
 3. Landscape plans which are required pursuant to a development review permit or a conditional use permit shall be required to be prepared and signed by a registered landscape architect unless waived by the Director.
 4. All groundcover installed pursuant to an approved landscape plan shall provide 100% coverage within nine months of planting or additional landscaping, to be approved by the Director, shall be required in order to meet this standard.
 5. A bond, equal to the cost of full landscape installation, will be required for a minimum of one year for any project requiring a development review permit or conditional use permit, with the exception of projects for single-family homes. The Director may waive this requirement provided special circumstances exist which alleviate the need for a bond.

6. Property owners are responsible for the continual maintenance of all landscaped areas on-site and between the property line and the curb. All landscaped areas shall be kept free from weeds and debris and maintained in a healthy, growing condition, and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased or decaying plant material shall be replaced within 30 days from the date of damage.
7. The Director shall prepare, and revise as required, a landscape design manual to assist residents and property owners in understanding the requirements and objectives of the zoning ordinance landscape standards.
8. A combination of berming, landscape materials, low level walls and buildings, shall be used to screen parking areas, loading areas, trash enclosures, and utilities from public view.
9. Walls may be required in landscape areas where they are necessary to screen sensitive uses from adjacent development or provide sound attenuation. Height, placement and design of walls shall be considered as it relates to the surrounding area.
10. Unless otherwise specified within this code, or by conditional use permit all activities, work and storage of materials shall be entirely within an enclosed building. Normal customer or employee parking and temporary provisions are excepted.

(Ord. 566 § 3, 2019)

§ 13.36.110. Public education.

Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

(Ord. 566 § 3, 2019)