

ORDINANCE NO. ____

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, AMENDING CHAPTER 18.118 (WATER
CONSERVATION REGULATIONS FOR LANDSCAPE DESIGN) OF
TITLE 18 (ZONING) OF THE NAPA COUNTY CODE TO ACHIEVE
CONSISTENCY WITH THE CALIFORNIA CODE OF REGULATIONS
TITLE 23, DIVISION 2, CHAPTER 2.7 MODEL WATER EFFICIENT
LANDSCAPE ORDINANCE**

WHEREAS, water efficient landscape ordinances not only increase water efficiency but improve environmental conditions in the built environment. Landscapes replace habitat lost to development and provide many other related benefits such as improvements to public health and quality of life, climate change mitigation, energy and materials conservation and increased property values; and

WHEREAS, the Model Water Efficient Landscape Ordinance (MWELO) is a statewide water efficiency law for new and renovated landscapes in California. The MWELO provides definitions, sample documents, and technical information for the development of water efficient landscapes; and

WHEREAS, all local agencies must adopt, implement, and enforce the MWELO or a local Water Efficient Landscape Ordinance that is at least as effective as the MWELO; and

WHEREAS, in 1992, the Napa County Board of Supervisors adopted Ordinance No. 1029 outlining a water conservation program for Napa County. This program was implemented through landscape guidelines adopted by Resolution No. 92-161; and

WHEREAS, Napa County Code Chapter 18.118 (Water Conservation Regulations for Landscape Design) and the Landscape Guidelines, which implement this program, have not been amended since 1992; and

WHEREAS, effective January 2, 2025, the California Department of Water Resource issued a rulemaking revising the MWELO Regulations and Appendices; and

WHEREAS, the Board wishes to revise Napa County Code Chapter 18.118 (Water Conservation Regulations for Landscape Design) and the Napa County Water Conservation in Landscape Guidelines to implement the provisions of California Code of Regulations Title 23, Division 2, Chapter 2.7 (Model Water Efficient Landscape Ordinance) to align the standards and achieve consistency with State regulations; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 17, 2025. The Planning Commission considered all written and oral testimony presented at the public hearing in making its recommendation; and

WHEREAS, the Planning Commission forwarded a recommendation to approve the Zoning Code Amendments to the Board of Supervisors; and

WHEREAS, prior to the consideration and adoption of this ordinance, the noticing requirements of County Code Section 18.136.040 were complied with.

NOW, THEREFORE, the Napa County Board of Supervisors, State of California, ordains as follows:

SECTION 1. Section 18.118.010 (Purpose.) of Chapter 18.118 (Water Conservation Regulations for Landscape Design) of the Napa County Code is amended to read as in full as follows:

18.118.010 – Purpose.

The purpose and intent of this chapter is to implement the provisions of California Code of Regulations Title 23, Division 2, Chapter 2.7 and to conserve water through the promotion of the most efficient use of water in landscape design, while respecting the economic, environmental, aesthetic, and lifestyle choices of individuals and property owners.

SECTION 2. Section 18.118.020 (General provisions.) of Chapter 18.118 (Water Conservation Regulations for Landscape Design) of the Napa County Code is amended to read as in full as follows:

18.118.020 – General provisions.

A landscape documentation package shall be submitted to the director or the director's designee for review and approval before any building permit is issued. This section shall apply to public agency projects and private development projects that require a site plan approval or a discretionary permit, where any landscaping is required or provided, and in accordance with California Code of Regulations Title 23, Division 2, Chapter 2.7.

SECTION 3. Section 18.118.030 (Requirements for landscape documentation package.) of Chapter 18.118 (Water Conservation Regulations for Landscape Design) of the Napa County Code is amended to read as in full as follows:

18.118.030 – Requirements for landscape documentation package.

A. Submission of the landscape documentation package. The landscape documentation package

shall be submitted to the director or the director's designee for review and approval.

B. Contents. Each landscape documentation package shall be prepared as provided in California Code of Regulations Title 23, Division 2, Chapter 2.7.

C. Reserved.

D. Reserved.

E. Reserved.

F. Certificate of Completion Package. No certification of occupancy shall be issued until the director or the director's designee has reviewed the certificate of completion package.

G. Reserved.

SECTION 4. Section 18.118.040 (Violations.) of Chapter 18.118 (Water Conservation Regulations for Landscape Design) of the Napa County Code is amended to read as in full as follows:

18.118.040 – Violations.

A. It is unlawful and a public nuisance to cause, permit or otherwise allow water waste to result from inefficient landscape irrigation systems. Whenever the director or the director's designee determines that such landscape irrigation water waste by runoff, low head drainage, over-spray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures, has occurred, the Director may notify the violator in writing of the violation and require the preparation of a landscape irrigation audit by a certified landscape irrigation auditor.

B. Upon receipt of the audit, the director shall determine if all deficiencies have been corrected. If not, the director may commence proceedings, civil or criminal, to correct the deficiencies and abate the public nuisance in accordance with Section 1.20.010 et seq. of this code.

C. It is unlawful and a public nuisance for any person to violate any of the provisions of this chapter for any purpose or to cause any other person to do so. Such a violation shall be enforceable as a misdemeanor pursuant to Napa County Code Sections 1.20.150 and 1.20.160.

SECTION 5. Section 18.118.050 (Public education.) of Chapter 18.118 (Water Conservation Regulations for Landscape Design) of the Napa County Code is amended to read as in full as follows:

18.118.050 – Reserved.

SECTION 6. The provisions of Napa County Board of Supervisors Resolution No. 92-161 are hereby repealed in their entirety. The Napa County Water Conservation in Landscape Guidelines shall be replaced with the requirements provided in California Code of Regulations Title 23, Division 2, Chapter 2.7, Model Water Efficient Landscape Ordinance.

SECTION 7. The Board finds that the adoption of this Ordinance will not have a significant effect on the environment and is exempt from the California Environmental Quality Act pursuant to Categorical Exemption Class 8 (“Actions by Regulatory Agencies for the Protection of the Environment”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15308; and the General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines for the Implementation of the CEQA 14 CCR §15061(b)(3).]

SECTION 8. Pursuant Chapter 4, Title 7, commencing with Section 65800, of the California Government Code, this Ordinance is consistent with the following policies and goals of the 2008 General Plan Update: Action Items CON WR-9 and Policies CON-52, 57, 58, 60, 63, and 64.

SECTION 9. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 10. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 11. A summary of this ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was recommended for adoption and public hearing held thereon before the Napa County Planning Commission on the 17th day of December 2025. The Planning Commission's recommendation was considered by the Board of Supervisors and this Ordinance was introduced and passed at a regular meeting of the Napa County Board of Supervisors ("the Board"), State of California, held on 10th day of February 2026, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____
ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the State of California

AMBER MANFREE, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>McKayla McMahon</u> Deputy County Counsel By: <u>/S/ Brandon Aguilera</u> Code Services Date: <u>December 2, 2025</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
NEHA HOSKINS, CLERK OF THE BOARD