

**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT**



**STAFF REPORT**

**TO** CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

**RE** Introduction of an Ordinance incorporating the California Water Efficient Landscape Ordinance (WELO) and Bay Friendly Landscaping Basic Principles

**MEETING DATE** March 26, 2012

**GENERAL INFORMATION**

The following is an overview of proposed Ordinance amendments relating to the California Water Efficient Landscape Ordinance (WELO) and Bay Friendly Basic Principles.

**STAFF RECOMMENDATION**

Staff requests that the Committee hear the staff presentation on the ordinance update, and endorse adoption and/or provide staff with comments and guidance on the proposed Zoning Ordinance amendment.

**STAFF ANALYSIS**

Background and Rationale for Proposed Amendments

*WATER EFFICIENT LANDSCAPE ORDINANCE*

Alameda County adopted the California Water Efficient Landscape Ordinance (WELO) by default with the statewide adoption of said ordinance on January 1, 2010. The proposed County ordinance update would add those measures from WELO into the Zoning Ordinance in order to reduce confusion for developers and public agencies. WELO's standards are applicable to Public agency or private developer-installed projects that require a permit with 2,500 square feet or more of landscaped area, developer-installed single- or multi-family residential projects that require a permit with 2,500 square feet or more of landscaped area, and homeowner-provided landscapes that require a permit with 5,000 square feet or more of landscaped area. The Cal Green Ordinance, adopted by Alameda County, and incorporated into section 15.08 of the Alameda County Ordinance, also directs landscaping projects to follow WELO, where applicable.

Basically, WELO does the following:

To minimize the inefficient use of water in new and rehabilitated landscapes, this ordinance prescribes the use of drought tolerant and low water use plants for the largest landscaped areas, with high water use plants designated for accent areas. Turf is minimized, with the exception of sport fields and other uses that require turf for their use. Landscape development packages that are compliant with WELO will include irrigation plans and scheduling that group plants with similar water needs into specific hydrozones. Using the methods prescribed by WELO, the licensed landscape architect can show how the landscape will comply with the ordinance.

## *BAY FRIENDLY LANDSCAPING*

Bay-Friendly Landscaping is a holistic approach to gardening and landscaping that works in harmony with the natural conditions of the San Francisco Bay Watershed. Bay-Friendly landscapes can provide a sense of place and are suited to the local climate, soils, and topography. Appropriately chosen and placed plants have greater pest resistance, require less care, use fewer resources, and generate less waste. The use of Bay-Friendly landscaping techniques can also help meet recycling goals set regionally and statewide.

In Alameda County, the organization StopWaste.Org has developed Bay-Friendly Landscape Guidelines for professional landscapers and a Bay Friendly Gardening Guide for residents. StopWaste.Org is a program funded by the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board.

To promote sustainability and economic and environmental health throughout the unincorporated areas, the County should implement the nine Bay-Friendly basic landscaping principles as put forth by StopWaste.org. These basic principles are in line and compatible with recently-adopted County Climate Action Plan policy measures, specifically, those strategies requiring new landscape projects to reduce potable water use by 40 percent, and the increase in solid waste reduction and diversion to 90 percent by 2030. These same basic principles are also being adopted by other jurisdictions within Alameda County as implementations of sustainable landscaping policies.

For public and privately-developed landscapes of certain threshold areas, this ordinance would require the implementation of the following nine Bay-Friendly landscaping strategies (called Bay Friendly Basics).

1. Three Inches of Mulch on Non-Turf Areas
2. Amend the Soil with Organic Compost prior to Planting
3. Reduce and Recycle Landscape Construction Waste
4. Choose and Locate Plants to Grow to Natural Size
5. Do Not Plant Invasive Plant Species
6. Grow Drought Tolerant California Native, Mediterranean or Climate Adapted Plants
7. Minimize the Lawn to 25% of Landscaped Areas Not Actively Used
8. Specify Weather-Based Irrigation Controllers
9. No Sprinkler & Spray Heads for Areas Less Than 8 Feet Wide

The Bay Friendly Basics apply to the same project thresholds that are applicable to WELO: to Public agency or private developer-installed projects that require a permit with 2,500 square feet or more of landscaped area, developer-installed single- or multi-family residential projects that require a permit with 2,500 square feet or more of landscaped area, and homeowner-provided landscapes that require a permit with 5,000 square feet or more of landscaped area.

### Community Comments

After the initial presentation of these proposals, stakeholders shared the following concerns:

1. The question that there is even a need to conserve water in California.
2. Perception that this ordinance will take away individual freedom to landscape as one chooses (ie., with lawns)
3. Some drought tolerant landscapes that are Bay Friendly and WELO compliant are seen as homogenous, with bunch grasses and other plant species.
4. Landscapes with drought tolerant vegetation may not look appealing post-installation
5. Some perceive a lack of follow-up by county staff after landscape installation

These comments and concerns are addressed below:

1. Estimates based on projected population growth, are the state will face annual water shortages during years of regular rainfall by 2020, and increasing development will lead to diminishing opportunities for ground water recharge
2. In addition to the hundreds of climate-adapted plants that meet this requirement in the Bay Area, Bay Friendly Basics allow for 25% of the plants to be high water users, and allow unlimited use of recreational turf.

Issues 3, 4, and 5 above have been addressed through updated changes to the proposed ordinance that address the quality of the landscape proposal in the design and maintenance stages. These changes, noted within the text of the proposed ordinance, provide guidance for applicants and staff on the treatment of critical viewsheds, infrastructure, plant sizes and types. Note that these changes would apply to commercial and public landscapes, or developer-installed residential landscapes, that already meet the Bay Friendly Ordinance threshold. Instances would come only rarely in which a residential landscape renovation provided by a homeowner in conjunction with a project requiring a permit through the Planning Department or Public Works Agency would meet the five thousand square foot applicability.

#### Fiscal Impact to Developers

While the incorporation of these Bay-Friendly Basics might mean an increase in the costs of landscape design and construction, post installation, maintenance costs would in most cases decrease, relative to landscapes not incorporating Bay Friendly Principles. The reduction in needs for water and trimming would result in long-term savings in labor, water, and energy. As an example, approximately 10,000 gallons of water per dry season can be saved through the reduction in area from 1,000 to 500 square feet a lawn that receives 1 inch of water per week. Further, American Water Works Association has estimated that overwatering causes 85% of all landscape problems, such as erosion, plant disease and mortality. While there may be some additional cost involved in recycling construction material waste, costs can be offset at least in part from the reduced needs to transport new and discarded materials.

#### Fiscal Impact to the County

Alameda County receives Waste Import Mitigation Funds on a per-ton fee basis from the City and County of San Francisco in exchange for disposing of its waste at the Altamont Landfill operated by Waste Management, Incorporated. The Waste Import Mitigation fund is a pass-through from the Waste Management Authority (StopWaste.Org) which allocates the moneys to the various cities, utility districts, and the unincorporated County within Alameda County.

The Waste Management Authority (StopWaste.Org) has received Waste Import Mitigation fee payments from the City and County of San Francisco since the mid 1980's. The Authority began in the mid 1990's to allocate revenues to member agencies and jurisdictions within Alameda County. The amount of this allocation was increased from \$1M to \$1.1M for fiscal year FY 07/08. While the monies in this fund are distributed to jurisdictions throughout Alameda County, the unincorporated area has historically received about \$40,000 per annum. In order to continue to receive funding for the fiscal year FY 11/12, the County must adopt by June 30, 2012, the nine Bay-Friendly Basics described herein and in the attached ordinance amendment.

## **CONCLUSION**

To streamline and clarify existing landscape development requirements for staff, and to better serve the community in a manner consistent with current measures and policies, staff proposes the included amendments to the Zoning Ordinance. Staff respectfully seeks comment from the Committee and input regarding the attached amendments.

## **ATTACHMENTS**

1. Draft Ordinance Amendments
2. Bay Friendly Basics

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