

**CITY OF PIEDMONT  
COUNCIL AGENDA REPORT**

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MEETING DATE: April 6, 2009

FROM: Kevin Jackson, Assistant Planner  
Kate Black, City Planner  
Mark Feldkamp, Parks and Project Manager

SUBJECT: Civic Bay-Friendly Landscaping Ordinance

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RECOMMENDATION:

1. At the recommendation of the Parks Commission, approve a first reading of Ordinance 687 N. S., Civic Bay-Friendly Landscaping Ordinance (Exhibit A, page 11), citing the 11 findings listed on pages 7 and 8 of this report.

*Please note that proposed ordinance makes changes to Section 17.11.10 of the Municipal code. The proposed changes are shown with the text highlighted in yellow (Exhibit A, page 11).*

INTRODUCTION

At its regular hearing on May 19, 2008, Council considered a first reading of a Civic Green Building/Bay-Friendly Landscaping Ordinance. As indicated in the attached meeting minutes (Exhibit D, page 25), Council did not take action on the ordinance and requested that staff return with additional information including a comparison of ordinances in other Alameda County jurisdictions (page 3), the possible effect of the ordinance on future civic projects (pages 6-7), how the exemption to the ordinance requirements would work (page 4), how the City's current practices are in compliance with the ordinance (Exhibit F, pages 35-36), and an examination of relevant comments by residents in the general plan survey (page 3). Subsequently, Council approved a Civic Green Building Ordinance on July 7, 2008, but staff required additional time to compile the requested information on the Civic Bay-Friendly Landscaping Ordinance, which is now complete.

On January 5, 2009, Council was presented with the first quarterly report of Piedmont's Environmental Task force, which included Recommendation D1: that the City continue to pursue Bay-Friendly landscaping practices. In addition, on March 4, 2009, the Piedmont Parks Commission, which makes recommendations to the City Council about improvements to the public parks and landscapes, received a presentation from StopWaste.Org on Bay-Friendly Landscaping (Exhibit C, pages 19-24) and reviewed the proposed Civic Bay-Friendly Landscaping Ordinance. As indicated in the attached meeting minutes (Exhibit B, page 15), the Commission, by unanimous vote,

recommended Council adopt the proposed ordinance. Thus, staff is returning with this report providing additional information so that Council may consider approval of a proposed Civic Bay-Friendly Landscaping Ordinance. The proposed ordinance would apply to City Projects only and not to any private projects.

**BACKGROUND:**

**Continued Eligibility for Import Mitigation Grant Funds**

As part of the development of the FY 2007/2008 budget, the Alameda County Waste Management Authority Board (StopWaste.Org) approved to continue granting Waste Import Mitigation funds to member agencies through FY 2009/2010. On average, Piedmont receives approximately \$22,000 in Import Mitigation Grant Funds each year, which must be used on new non-residential landfill diversion programs or within the first two years of any residential landfill diversion programs. In the past several years, Piedmont has used these grant funds to cover, in full or part, the cost of the City’s Residential Curbside E-Waste Recycling Program, the C&D Recycling Drop Box Incentive Program, the City’s participation in the Alameda County Climate Protection program, and the City’s Recycling Outreach Materials Program. Currently, the City is considering using Mitigation funds to cover the cost of recycling receptacles for the City’s parks and playgrounds.

As part of their decision to continue disbursing Import Mitigation Grant funds, StopWaste.Org also approved a set of five programs and measures each city must adopt in order to continue to receive these funds in FY 09/10 and beyond. Table 1, below, indicates the City of Piedmont’s adoption status of the five measures required for eligibility. The 5<sup>th</sup> and final measure the City must adopt to be eligible to receive the grant funds is a Civic Bay-Friendly Landscaping Ordinance, which is the proposed ordinance before you (Exhibit A, pages 11-14).

Table 1 – Piedmont Adoption Status as of March 4, 2009

Import Mitigation Fund Eligibility Measures	
Eligibility Measure	Date Adopted
1. Residential food scraps co-collected with plant debris for composting	Implemented 7/1/08
2. Formal adoption of a 75% diversion goal	Adopted 5/5/08
3. C&D Debris Diversion Ordinance applicable to private projects as well as to civic projects	Implemented 2/1/07
4. Civic Green Building Ordinance	Implemented 9/4/08
5. Civic Bay-Friendly Landscaping Ordinance	Pending

Thus, an additional benefit to adopting the proposed Civic Bay-Friendly Landscaping ordinance is that the City will have all 5 of the eligibility measures in place and can continue to receive annual Import Mitigation grant funds.

## 2007 General Plan Survey

488 Piedmont residents, or 38 percent of the respondents to the 2007 General Plan Survey, provided comments to the final open-ended question asking for ideas “about how Piedmont can become a ‘greener’ city in the future.” Relevant responses to the question include:

- Discourage pesticides in City landscaping;
- Use native plants;
- Reduce water consumption;
- Discourage excessive lawns;
- Promote tree planting; and
- Adopt organic gardening practices on city parks, fields and landscapes.

Each of these are an element of Bay-Friendly landscaping practices

## Bay-Friendly Landscaping Ordinances

### Status and Thresholds for Alameda County Jurisdictions

As indicated by Table 2, below, 14 of the 17 jurisdictions in Alameda County, including Piedmont, have either implemented a Civic Bay-Friendly Landscape Ordinance or have one pending. Most have set the threshold for compliance for civic projects at \$100,000 in construction costs. Two have set the threshold at 5,000 square feet. In addition, 5 of these jurisdictions have some language in the ordinance related to private properties.

Table 2 – Bay-Friendly Landscaping ordinances of Alameda County jurisdictions

<b>Jurisdiction</b>	<b>Threshold for Covered Civic Projects</b>	<b>Private Sector Policies</b>
Alameda, County	\$100,000 Construction Costs	
Alameda, City	Pending	
Albany	5,000 square feet	Voluntary
Berkeley	Pending	
Castro Valley SD	\$100,000 Construction Costs	
Emeryville	\$100,000 Construction Costs	Pending
Hayward	\$100,000 Construction Costs	Required – BF Basics
Newark	\$100,000 Construction Costs	
Oakland	Pending	Voluntary
Oro Loma SD	\$100,000 Construction Costs	
Pleasanton	\$100,000 Construction Costs	
San Leandro	Pending	Voluntary
Union City	5,000 square feet	

## ELEMENTS OF THE PROPOSED BAY-FRIENDLY LANDSCAPING ORDINANCE:

### Overview

The attached ordinance (Exhibit A, page 11) was developed by staff from a model Civic Bay-Friendly Landscaping Ordinance provided by StopWaste.Org. It would amend section 17.11 of the Municipal Code, which regulates construction in Zone B, public facilities, to require that city projects with a construction cost above a defined threshold be in compliance with Bay-Friendly landscaping standards. The ordinance was crafted to

be practicable while allowing the City to provide leadership in the area of Bay-Friendly landscaping, waste reduction, healthy environments and climate protection.

**Applicable only to City Projects**

The ordinance would apply only to City Projects, which includes any new or renovated landscape owned or occupied by a City department or agency in Zone B. The ordinance would not apply to Zone B uses such as public schools, private schools, or churches.

**Project threshold**

The provisions of the ordinance would apply to all city landscaping projects, both new and renovated landscapes, with construction costs valued at \$100,000 or more.

City landscape projects that do not meet the threshold above but have costs in excess of \$10,000 would need to meet as many green building or Bay-Friendly Landscaping points or measures as practicable and the appropriate scorecard or checklist would need to be completed and submitted to the City’s Bay-Friendly Landscaping Compliance Official in order to document the Bay-Friendly landscaping practices incorporated into the project.

**Penalties for Noncompliance**

There is no language in the ordinance that penalizes the City should it not comply with the ordinance requirements. However, the City is encouraged to implement Bay-Friendly landscaping practices to the extent practicable. Indeed, should the City receive financial or professional assistance from StopWaste.Org for a planned Bay-Friendly landscape, compliance would need to be verified through the submission of a scorecard.

**Waiver to Compliance**

It is important to note that under Section 17.11.10 of the new ordinance Council would maintain the right to waive the ordinance provisions when the public interest is not served by compliance with the Bay-Friendly landscaping standards. The ordinance is not meant to place an undue burden on the City. Circumstances in which the public interest would not be served may include:

- Natural disasters during which compliance would be an undue burden;
- Renovation of historical landscapes where educational and social benefits are primary; and
- Other unforeseen natural or man-made circumstances.

Should such a circumstance occur, the City’s designated Bay-Friendly Landscaping Compliance Official would ask Council to waive the ordinance provisions.

**BAY-FRIENDLY LANDSCAPING:**

Conventional landscaping provides beauty, recreation, and positive environmental effects. But it often relies on large lawns, non-native plants, abundant irrigation, and heavy use of fertilizers and pesticides. In addition, conventional landscaping requires significant mowing, blowing, trimming and removal of plant debris. Conventional landscaping maintenance often removes food and habitat for birds, insects and beneficial soil organisms, and degrades soil health by depriving it of nutrients. The result is often an

increased dependency on labor and machinery, fertilizers and irrigation, greater stormwater runoff, erosion, pollution of the Bay, and global warming.

Bay-Friendly Landscaping is a “whole systems” approach to the design, construction and maintenance of the landscape in order to support the integrity of the San Francisco Bay watershed. Bay-Friendly landscapes are designed to maintain the health, safety and environment of both humans and wildlife while lowering the costs of water consumption, maintenance, and waste hauling and disposal. The guidelines for Bay-Friendly Landscaping were developed by StopWaste.Org and are organized around seven basic practices for protecting the environment:

1. Landscape Locally;
2. Landscape for Less to the Landfill;
3. Nurture the Soil;
4. Conserve Water;
5. Conserve Energy;
6. Protect Water and Air Quality; and
7. Create and Protect Wildlife Habitat.

The attached *Bay-Friendly Landscape Guidelines*, by StopWaste.Org (Exhibit H, separate) provide more detailed information on Bay-Friendly landscape practices. Additionally, the *Plants and Landscapes for Summer-Dry Climates of the San Francisco Bay Region* by the East Bay Municipal Utility District (EBMUD) contains examples of landscapes and plant species that are compatible with, but not specific to, Bay-Friendly landscape practices (See Exhibit I, separate).

### **Bay-Friendly Landscaping Standards of Compliance**

As part of its Bay-Friendly Landscaping program, StopWaste.Org developed the Bay-Friendly Landscape Scorecard (Exhibit E, pages 27-33). The proposed ordinance requires that Covered Projects for new or renovated landscapes meet the most recent minimum points recommended by StopWaste.Org. Currently, the minimum points required are 60 out of a possible 215.

The scorecard has a variety of practices to choose from in a detailed menu of choices. Each practice or measure has a point value assigned to it. The points are added up to meet the required certification level. The following are examples of the types of measures or practices available to meet the requirements:

#### Required:

- Amend the soil with compost before planting – **(current City practice)**
- Use mulch to enhance the soil – **(current City practice)**
- Reduce and recycle landscape construction waste – **(current City practice)**
- Use California native, Mediterranean or other climate adapted plant species for 75% of the non-turf plants (See EBMUD’s *Plants and Landscapes for Summer-Dry Climates of the San Francisco Bay Region* for examples.)
- Minimize lawn areas
- No species will require shearing
- Use weather-based irrigation controllers – **(current City practice)**
- Spray heads are not used in areas less than 8 feet wide

Sample of practices that earn points:

- Avoid compacting soils
- Produce compost from plant debris and retain on site
- Group plants by water requirements and sun exposure
- Plant trees – **(current City practice)**
- Use high efficiency irrigation systems – **(current City practice)**
- Use Integrated Pest Management to prevent pest problems – **(current City practice)**
- Stormwater capture and filter system
- Use building materials that are salvaged or have recycled content
- Permeable paving or other porous surface

**Current City Bay-Friendly Practices**

The City's Parks and Project Manager and Supervisor of Public Works have indicated that the City already implements a majority of the Bay-Friendly landscaping best practices (Exhibit F, page 35). A memorandum of comments regarding the proposed ordinance from the City's Director of Public Works and Parks and Project Manager is also attached (Exhibit G, page 37). It is also important to note, that no plant species is forbidden. Water-loving non-native plants can be used, but with limits on amount and placement (normally high-visibility areas where showy displays are desired).

IMPACTS AND BENEFITS OF A BAY-FRIENDLY LANDSCAPING ORDINANCE:

**No increase to up-front costs:** Because the initial cost of plant material and the design process is not expected to be significantly different than for conventional landscaping, Bay-Friendly landscaping measures are not expected to see an increase in up-front costs. Indeed, many of the Bay-Friendly landscaping practices have no additional costs, such as choosing drought tolerant plants and leaving room for plants to reach maturity without shearing. The required 60 out of 215 points can normally be earned by choosing less expensive practices. Currently, StopWaste.Org has grants to help offset costs for projects that meet or exceed the requirements for a Bay-Friendly Landscape.

**Long term cost savings:** It is expected that the long-term costs of Bay-Friendly landscapes will be lower because they are designed to reduce maintenance, water consumption, and waste hauling and disposal.

**Visual qualities:** The visual impact of Bay-Friendly landscapes may be discernable. Although NO plant species is forbidden by Bay-Friendly landscaping, species with characteristics that improve the health of the San Francisco Bay watershed are preferred. Mediterranean and native plant species might be more abundant. Water-loving plant species would remain available but would be grouped together in high-visibility areas. Ornamental lawns would give way to ornamental flowers, bunch grasses, shrubs and trees.

**Relevance to up-coming City landscaping projects**

An up-coming landscaping project, which is on hold due to the current drought, is a new median at the intersection of Ronada and Ramona Avenues. With estimated construction

costs of \$55,000, this project would not meet the ordinance's \$100,000 threshold for compliance. But since the project costs exceed \$10,000 a Bay-Friendly Landscaping Scorecard would need to be completed for the project and submitted to the City's Bay-Friendly Landscaping Compliance Official to document that the project incorporated as many Bay-Friendly landscaping practices as are practicable.

Should the City have any up-coming landscaping projects in excess of \$100,000, such as one related to Civic Center Master Plan implementation, compliance with the ordinance would be required. Please note that sport or multiple use fields are exempt from Bay-Friendly practices as indicated by Practice E.4(c) on the Bay-Friendly scorecard (Exhibit E, page 30).

### **Free professional services**

For covered projects in Piedmont and other Alameda County jurisdictions, StopWaste.Org has landscape architects on contract who provide design review and Bay-Friendly assessment for free. There is usually some additional time and cost associated with the time City contractors need to interact with the StopWaste.Org team. In addition, some practices – such as permeable paving – cost more.

### **Benefits**

The benefits of Bay-Friendly landscaping practices include:

- A reduction in the amount of waste generated by landscaped areas. The waste that can be reduced or eliminated includes plant debris, greenhouse film, plastic pots, plastic groundcover, leftover pesticides and leftover insecticides;
- A healthier environment and San Francisco Bay watershed through the reduction of runoff and pollution; and
- A reduction in greenhouse gas emissions through the elimination of conventional landscaping practices (fossil fuels for powering equipment, transporting landscape materials and waste, manufacturing pesticides and fertilizer, and pumping and using water), the elimination of organic debris going to the landfill, the reduction of mowing and trimming, and the increase in soil organic matter.

All of the above result in financial and environmental benefits.

### **FINDINGS:**

The City Council may consider adoption of the following findings as part of adopting the attached ordinance:

1. The City finds that the design, construction, and maintenance of landscapes within the City can have a significant impact on the City's environmental sustainability, resource usage and efficiency, waste management, and the health and productivity of residents, workers, and visitors to the City.
2. The City finds, based on studies by StopWaste.Org, that plant debris from landscape construction, renovation and maintenance comprises 7% of the materials disposed in Alameda County landfills.
3. The City finds that Bay-Friendly landscape design, construction, operation and maintenance can have a significant positive effect on energy, water and resource

- efficiency, waste and pollution generation, wildlife habitat and the health and productivity of a property's occupants over the life of the landscape.
4. The City finds that Bay-Friendly landscape design contributes to a reduction in greenhouse gas emissions, improves air quality and enhances urban sustainability.
  5. The City finds that Bay-Friendly landscaping benefits are spread throughout the systems and features of the landscape, the larger SF Bay area ecosystem and the community. Bay-Friendly landscaping is a whole systems approach to the design, construction and maintenance of the landscape in order to support the integrity of the San Francisco Bay watershed. Key components of Bay-Friendly landscaping include reducing waste and using materials that contain recycled content; nurturing healthy soils while reducing fertilizer use; conserving water, energy and topsoil; using Integrated Pest Management (IPM) to minimize chemical use; reducing stormwater runoff; and creating wildlife habitat.
  6. The City finds that Bay-Friendly landscape design and construction decisions made by the City in the construction and remodeling of City landscapes can result in significant cost savings to the City over the life of the projects.
  7. The City finds that it is critical to both the economic and environmental health of the City that the City provide leadership to both the private and public sectors in the area of Bay-Friendly landscaping.
  8. The most immediate and meaningful way to provide leadership is to include Bay-Friendly landscaping elements in City projects and in projects built as public-private partnerships, and to encourage private projects to include Bay-Friendly landscaping elements.
  9. Bay-Friendly landscaping design, construction, operations and maintenance techniques are increasingly widespread in residential and commercial landscape construction.
  10. In Alameda County, StopWaste.Org has taken the lead in defining and promoting environmentally friendly landscaping for the commercial, institutional and residential sectors by developing the Bay-Friendly Landscape Guidelines for professional landscapers and the Bay-Friendly Gardening Guidelines for residents.
  11. Requiring City Projects and public-private partnership projects to incorporate Bay-Friendly Landscape Guidelines is necessary and appropriate to achieving the benefits of Bay-Friendly landscaping in the City.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Staff has determined that the proposed ordinance is categorically exempt from the requirements of CEQA per Section 15308, "Actions by Regulatory Agencies for Protection of the Environment" of the CEQA Guidelines, which exempts actions taken by regulatory agencies for protection of the environment.

#### CONCLUSION:

Piedmonters enjoy and want to protect their environment, both built and natural. The city consists of stately homes, tree-lined streets, and beautiful gardens. Residents have



demonstrated their commitment to the environment through creek clean-ups, high waste diversion rates, exemplary recycling practices, the installation of energy-saving and alternate energy products and systems, and the planting of drought-tolerant landscapes. As the results of the 2007 general plan survey indicated, most Piedmonters wish to continue to do their part to address environmental issues, and look to the City to provide leadership and promote “green” programs. Staff have developed this ordinance so that without undue burden the City can demonstrate to the public and private sectors that Bay-Friendly landscaping practices are practical, cost effective, CO<sub>2</sub> efficient, and aesthetically pleasing while having a positive effect on the environment.

Alternatively, the Council may determine that the City’s best interests are not served through compliance with a Civic Bay-Friendly Landscaping ordinance and that such a determination would result in the forfeiture of approximately \$22,000 of annual Import Mitigation Grant Funds.

Date report prepared: April 1, 2009

ATTACHMENTS:

Exhibit A, page 11	Bay-Friendly Landscaping Ordinance
Exhibit B, page 15	Minutes: Parks Commission hearing, March 4, 2009
Exhibit C, page 19	StopWaste.Org BFL presentation to Parks Comm., March 4, 2009
Exhibit D, page 25	Minutes: City Council hearing, May 19, 2008
Exhibit E, page 27	Bay-Friendly Landscaping Scorecard
Exhibit F, page 35	Current City implementation of Bay-Friendly Best Practices
Exhibit G, page 37	Memo from Director of Public Works & Park and Project Manager
Exhibit H, separate	StopWaste.Org’s <i>Bay-Friendly Landscape Guidelines</i>
Exhibit I, separate	EBMUD’s <i>Plants and Landscapes for Summer-Dry Climates of the San Francisco Bay Region</i>

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**DRAFT  
ORDINANCE NO. 687 N. S.**

AN ORDINANCE AMENDING SECTION 17.11.10  
OF THE PIEDMONT MUNICIPAL CODE  
REGARDING BAY-FRIENDLY LANDSCAPING  
REGULATIONS FOR CITY FACILITIES IN ZONE B (PUBLIC FACILITIES)

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The City Council of the City of Piedmont does hereby ordain:

SECTION 1.

The City Council of the City of Piedmont intends to promote economic and environmental health in the City through the incorporating of Bay-Friendly landscaping practices at city facilities through the integration of Bay-Friendly landscaping strategies in City and public-private partnership landscapes.

SECTION 2.

Section 17.11.10 is amended as follows:

“17.11.10 Green Building and Bay-Friendly Landscaping Regulations for City Facilities. City owned and/or operated Permitted Use facilities in Zone B shall be subject to the following regulations:

(a) Definitions. As used in this section, the following words and definitions shall have the meanings listed:

- (i) Bay-Friendly Landscaping Guidelines. “Bay-Friendly Landscaping Guidelines” means the most recent version of guidelines developed by StopWaste.Org for use in the professional design, construction and maintenance of Landscapes.
- (ii) Bay-Friendly Landscaping Scorecard. “Bay-Friendly Landscaping Scorecard” means the most recent version of the Bay-Friendly Landscaping points system developed by StopWaste.Org.
- (iii) Building. "Building" shall have the same meaning as defined in section 17.2 of this code.
- (iv) City Project. "City Project" means any new construction or Renovation of a Building or Landscape owned or occupied by a City Department or Agency.

- (v) Covered Project. “Covered Project” means (1) all new Building or Renovation projects that equal or exceed \$3 million in construction costs; and are either owned or occupied by a City Department or Agency or developed as a Public-Private Partnership; and (2) all new Landscaping projects or Renovations of Landscapes that equal or exceed \$100,000 in construction costs and are either owned or occupied by a City Department or Agency or developed as a Public-Private Partnership.
- (vi) Green Building and Bay-Friendly Landscaping Compliance Official. "Green Building and Bay-Friendly Landscaping Compliance Official" means the Director of Public Works or his or her designee.
- (vii) GreenPoint Rated. “GreenPoint Rated” means the most recent version of the residential green building rating program developed by Build It Green.
- (viii) Initiated. “Initiated” means officially identified and substantially funded to offset the costs associated with the project.
- (ix) Landscape. “Landscape” means the parcel area less the building pad and includes all planted areas and hardscape surfaces (i.e. driveway, parking, paths and other paved areas).
- (x) LEED™ Rating System. "LEED™ Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Green Building Rating System approved by the United States Green Building Council.
- (xi) LEED™ Accredited Professional. “LEED™ Accredited Professional” means an individual who has passed the LEED™ accreditation exam administered by the US Green Building Council.
- (xii) Public-Private Partnership. “Public-Private Partnership” means any project built on city-owned land, primarily funded by the City, or built under a Disposition and Development Agreement with the City.
- (xiii) Renovation. “Renovation” means any change, addition, or modification to an existing Building Structure or Landscape, including, but not limited to, tenant improvements.
- (xiv) Structure. "Structure" shall have the same meaning as defined in section 17.2 of this code.

- (xv) Traditional Public Works Project. “Traditional Public Works Project” means heavy construction projects including but not limited to such items as pump stations, flood control improvements, roads, and bridges, as well as traffic lights, sidewalks, bike paths, bus stops, and associated infrastructure on City owned and maintained property.
  
- (b) Regulations and Standards for Compliance
  - (i) At all times, City staff shall maintain the most recent version of the Bay-Friendly Landscape Guidelines; the Bay-Friendly Landscaping Scorecard; the GreenPoint checklists and Residential Green Building Guidelines for New Home Construction, Remodeling, and Multifamily Building; and the LEED™ Rating System.
  
  - (ii) LEED™ Rating and GreenPoint Score. All Covered Projects Initiated on or after the effective date of this Ordinance, shall meet either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum GreenPoint Rated score of 50 and be so verified by Build It Green. All Covered Projects shall also have a LEED™-Accredited Professional or a Certified Green Building Professional as a principal member of the design team from the beginning of the project.
  
  - (iii) Bay-Friendly Landscape Scorecard Points. All Covered Projects with landscapes Initiated on or after the effective date of this Ordinance shall meet the most recent minimum Bay Friendly Landscape Scorecard points as recommended by StopWaste.Org or its designee.
  
  - (iv) Practicable Effort and Documentation. For the purposes of reducing operating and maintenance costs in all City facilities and Public-Private Partnership facilities, Covered Projects that do not meet the threshold that triggers compliance with the requirements of this ordinance and that have Building construction costs greater than \$200,000 or Landscape construction costs greater than \$10,000 are required to meet as many LEED credits, or GreenPoint Rated measures and as many Bay-Friendly Landscaping Scorecard points as practicable and are required to complete and submit to the City’s Green Building and Bay-Friendly Landscaping Compliance Official the LEED or GreenPoint checklist and the Bay-Friendly Landscaping scorecard as a way of documenting the green building and Bay-Friendly Landscaping practices that have been incorporated into the project.

- (v) Project Specifications in Bids. In developing project specifications for use in building “Traditional Public Works Projects,” the Public Works Department shall consider including in those specifications green building, Bay-Friendly landscape and environmentally sound practices whenever practicable.

(c) Unusual Circumstances. Compliance with the provisions of this Article may be waived in unusual circumstances where the City Council has, by resolution, found and determined that the public interest would not be served by complying with such provisions.”

**SECTION 3. EFFECTIVE DATE**

This ordinance shall be effective thirty days after the second reading by the City Council

**SECTION 4. NOTICE**

This ordinance shall be posted at City Hall after its second reading by the City Council for at least thirty (30) days and shall become effective thirty (30) days after the second reading.

**PIEDMONT PARK COMMISSION**

**Regular Meeting Minutes for Wednesday, March 4, 2009**

A Regular Session of the Piedmont Park Commission was held March 4, 2009, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on February 23, 2009.

**CALL TO ORDER**

Chairman Mills called the meeting to order at 5:35 p.m.

**ROLL CALL**

Present: Chairman Stephen Mills and Commissioners Brian Cain, Randy Deutsch, Chris Kukula, Tom Lister and Jukka Valkonen

Absent: Commissioner Teddy King (excused)

Staff: Park & Projects Manager Mark Felkamp, Public Works Superintendent Dave Frankel and Recording Secretary Chris Harbert

City Council Liaison: Councilmember Garrett Keating

**PUBLIC FORUM**

There were no speakers for the public forum.

**REGULAR CALENDAR**

The Commission considered the following items of regular business:

**Minutes**

**Resolved**, that the Park Commission approves as submitted its meeting minutes of February 4, 2009.

Moved by Valkonen, Seconded by Kukula

Ayes: Mills, Deutsch, Kukula, Lister

Noes: None

Abstain: Valkonen

Absent: Cain, King

**Bay-Friendly  
Landscaping  
Ordinance**

Assistant City Planner Kevin Jackson submitted for Commission review and adoption recommendation a proposed Bay-Friendly Landscaping Ordinance required by StopWaste.Org in order for the City to continue to receive Import Mitigation Grant Funds (approximately \$22,000 annually). The proposed ordinance applies only to City landscaping projects valued at \$100,000 or more, provides flexibility to the City Council to waive ordinance compliance in unusual circumstances and basically reflects current City practices with regard to the design and maintenance of City landscapes. Mr. Jackson read a letter of support of City adoption of the Bay-Friendly Ordinance submitted by Piedmont resident and architect Rebecca Schnier.

Commissioner Cain arrived at 5:40 p.m.

Teresa Eade, Senior Program Manager of StopWaste.Org, narrated a power point presentation outlining the goals and benefits of Alameda County agencies/municipalities instituting sustainable landscaping practices, noting in particular reductions in greenhouse gas emissions, water consumption and landfill deposits as well as increased energy conservation and protections of water/air quality and wildlife habitat. She also explained how the Bay-Friendly "scorecard" approach to

implementation assists agencies in balancing competing interests, preserving historic landscape designs and materials and providing exemptions and protections for unique landscaping situations.

The Commission discussed the ordinance and proposed landscaping practices with Ms. Eade and staff with regard to potential impacts on established “English Garden” landscaped designs such as Crocker Park. It was noted that the guidelines provide the City with enough flexibility to maintain and preserve historic landscape designs. However, ordinance adoption will encourage sustainable landscaping practices on small, strictly decorative landscaped areas such as traffic medians, creek beds, etc. It was further acknowledged that the proposed implementation will not increase City landscaping costs, and in fact will reduce them. The Commission agreed that ordinance adoption will enable the City to continue to receive grant funding, allow the City to take advantage of professional resources offered by StopWaste.Org as well as provide the additional benefit of increasing water and energy conservation and decreasing greenhouse emissions and waste hauling and disposal costs. In addition, ordinance adoption may have the added benefit of encouraging residents to follow the City’s example in employing sustainable landscape practices on their own properties. The Commission further noted that the absence of any penalties or fines for City failure to abide by the Bay-Friendly practices results in no “downside” to ordinance adoption.

Councilmember Keating noted that some zone designations and City Code sections cited in the proposed ordinance will be incorrect when the City adopts its updated General Plan next month; e.g., “Parks, Recreation and Open Space” are designated as Zone F in the updated Plan – currently they are designated as Zone B. Mr. Jackson responded that all necessary Code and zoning reference changes will be made when the City Code is updated to comply with the new General Plan.

**Resolved,** that the Park Commission recommends City Council adoption of the proposed Civic Bay-Friendly Landscaping Ordinance based upon the following findings:

1. The City finds that the design, construction, and maintenance of landscapes within the City can have a significant impact on the City’s environmental sustainability, resource usage and efficiency, waste management, and the health and productivity of residents, workers and visitors to the City;
2. The City finds, based on studies by StopWaste.Org, that plant debris from landscape construction, renovation and maintenance comprises 7% of the materials disposed in Alameda County landfills;
3. The City finds that Bay-Friendly landscape design, construction, operation and maintenance can have a significant positive effect on energy, water and resource efficiency, waste and pollution generation, wildlife habitat and the health and productivity of a property’s occupants over the life of the landscape;



## EXHIBIT B

4. The City finds that Bay-Friendly landscape design contributes to a reduction in greenhouse gas emissions, improves air quality and enhances urban sustainability;
5. The City finds that Bay-Friendly landscaping benefits are spread throughout the systems and features of the landscape, the larger SF Bay area ecosystem and the community. Bay-Friendly landscaping is a whole systems approach to the design, construction and maintenance of the landscape in order to support the integrity of the San Francisco Bay watershed. Key components of Bay-Friendly landscaping include reducing waste and using materials that contain recycled content; nurturing healthy soils while reducing fertilizer use; conserving water, energy and topsoil; using Integrated Pest Management to minimize chemical use; reducing stormwater runoff; and creating wildlife habitat;
6. The City finds that Bay-Friendly landscape design and construction decisions made by the City in the construction and remodeling of City landscapes can result in significant cost savings to the City over the life of the projects;
7. The City finds that it is critical to both the economic and environmental health of the City that the City provide leadership to both the private and public sectors in the area of Bay-Friendly landscaping;
8. The most immediate and meaningful way to provide leadership is to include Bay-Friendly landscaping elements in City projects and in projects built as public-private partnerships and to encourage private projects to include Bay-Friendly landscaping elements;
9. Bay-Friendly landscaping design, construction, operations and maintenance techniques are increasingly widespread in residential and commercial landscape construction;
10. In Alameda County, StopWaste.Org has taken the lead in defining and promoting environmentally friendly landscaping for the commercial, institutional and residential sectors by developing the Bay-Friendly Landscape Guidelines for professional landscapers and the Bay-Friendly Gardening Guidelines for residents;
11. Requiring City projects and public-private partnership projects to incorporate Bay-Friendly Landscape Guidelines is necessary and appropriate to achieving the benefits of Bay-Friendly landscaping in the City.

**Resolved further**, that the Commission further recommends that if any code reference changes in the ordinance are required in order to comply with the City's updated General Plan, these changes be accomplished by staff.

Moved by Lister, Seconded by Valkonen

Ayes: Mills, Cain, Deutsch, Kukula, Lister, Valkonen

Noes: None

Absent: King

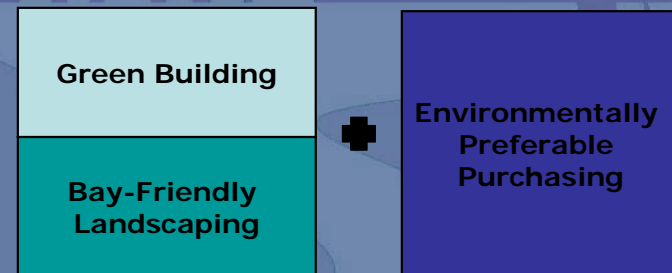
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## BAY-FRIENDLY LANDSCAPING Overview & Program Resources



City of Piedmont  
Park Commission  
March 4, 2009  
Teresa Eade, StopWaste.Org  
Sr. Program Manager

## Integrated Approach



Design, construction and maintenance

## BAY-FRIENDLY LANDSCAPING IS...

A whole systems approach to the design, construction & maintenance of the landscape.



## BENEFITS OF BAY-FRIENDLY LANDSCAPING

Helps local agencies meet their goals to :

- Reduce Greenhouse Gas emissions
- Conserve Water
- Reduce Stormwater Runoff
- Reduce Air pollution
- Reduce Waste & increase Recycling
- Create Healthier Communities

## Supports Compliance

Helps projects meet compliance in:

- AB 1881 – CA Model Water Efficiency Landscape Ordinance
- AB 32- Greenhouse Gas Initiatives
- Green Building Policies – recognized as an innovation credit with LEED & GPR Homes
- Countywide Clean Water Programs
- Local initiatives on Construction & Demolition Debris Diversion
- Alameda County Landfill Ban on Plant Debris

## 7 PRINCIPLES of BAY-FRIENDLY LANDSCAPING

1. Landscape Locally
2. Landscape for Less to the Landfill
3. Nurture the Soil
4. Conserve Water
5. Conserve Energy
6. Protect Water & Air Quality
7. Create Wildlife Habitat



### 1. LANDSCAPE LOCALLY



Built landscapes are a part of the larger ecosystem of the San Francisco Bay watershed.

Natural features such as topography, climate, exposure should inform the design.



### 2. LANDSCAPE FOR LESS TO THE LANDFILL



Means not generating waste in the first place.

Select the right plants, avoid invasive plants, overplanting, and over watering or over fertilizing.

Select materials with recycled content or that are sustainably harvested.

Compost, mulch and grasscycle plant debris.



### 3. NURTURE THE SOIL



Soils are living ecosystems and when healthy can filter pollution, store water, provide plant nutrients, and help plants resist pests naturally.



### 4. CONSERVE WATER



Create drought resistant soils with compost and mulch, select plants naturally adapted to summer-dry climates, use efficient irrigation systems



### 5. CONSERVE ENERGY

Reduce the need for mowing and shearing, shade buildings and paved areas, use efficient outdoor lighting, and buying local landscape products.



### 6. PROTECT WATER & AIR QUALITY



- Maximize pervious surfaces and minimize stormwater runoff, use Integrated Pest Management, reduce fossil fuel consumption, and plant trees.



## 7. CREATE WILDLIFE HABITAT

- Using native plants and increasing the diversity of plant palettes allow built landscapes to provide habitat for birds, butterflies, and beneficial insects.

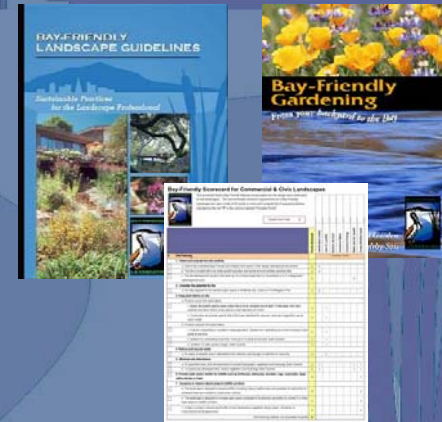


## Landscape Standards

*Bay-Friendly Landscape Guidelines: Sustainable Practices for the Landscape Professional*

*Bay-Friendly Rated Landscapes*

*Bay-Friendly Gardening: from your backyard to the Bay for Residents*



## Policy Recommendations

### Civic Projects:

- Lead by Example
- Require Bay-Friendly landscaping in civic and public/private projects
- City sets threshold for which landscapes are included. Recommended 10,000 sq ft or \$100,000 construction costs
- Projects must meet minimum score and requirements on BF scorecard



## Policy Recommendations

### Private Sector Projects:

- Voluntary
- Educate and motivate
- Adopt BFL Guidelines & Scorecard as "Official Reference Documents"
- Require submittal of Bay-Friendly Landscape Scorecard



## Bay-Friendly Policies

Member Agency	Civic Mandatory Policy Covered Projects	Threshold for	Private Sector Policies
Alameda, County	\$100,000 Construction Costs		
Alameda, City	Pending		
Albany	5,000 sq ft		Voluntary
Berkeley	Pending		
Castro Valley SD	\$100,000 Construction Costs		
Emeryville	\$100,000 Construction Costs		Pending
Hayward	\$100,000 Construction Costs		Required – BF Basics
Newark	\$100,000 Construction Costs		
Oakland	Pending		Voluntary
Oro Loma SD	\$100,000 Construction Costs		
Pleasanton	\$100,000 Construction Costs		
San Leandro	Pending		Voluntary
Union City	5,000 sq ft		

## Member Agency Grants

	Member Agency	Landscape Project	BF Grant
1	Alameda, County*	Castro Valley Library	\$25,000
2	Albany	Buchanan St. Medians	\$27,500
3	Albany	3 Parks renovations	\$25,000
4	Albany*	Civic Center	\$15,000
5	Berkeley*	Hills Fire Station	\$20,000
6	Castro Valley, SD	Admin Offices	\$5,000
7	Emeryville	Doyle St. Park	\$25,000
8	Oakland*	Studio One, Art Center	\$15,000
9	Oakland*	81st Library	\$20,000
10	Pleasanton*	Fire Station #3	\$20,000
11	Union City*	7th Street Fire Station	\$10,000
12	Union City	Willow Park	\$25,000
13	Union City	Alvarado Blvd Medians	\$15,000
		<b>Total</b>	<b>\$247,500.00</b>

\* Also received a Green Building Grant from StopWaste.Org

## Bay-Friendly Resources

- Model Policies and Implementation Assistance
- Design Assistance & Grants
- Bay-Friendly Rated Landscapes
- Landscape Guidelines
- Bay-Friendly Training and Qualification program for professionals
- Marketing & Consumer Outreach

Teresa Eade, Sr Program Mgr.  
teade@stopwaste.org

[www.BayFriendly.org](http://www.BayFriendly.org)



Albany Street Medians



Sara Conner Court, Affordable Housing, Hayward



Fire Station , Pleasanton



Bay Street Shopping Center, Emeryville



**PIEDMONT CITY COUNCIL**

Regular Meeting Minutes for Monday, May 19, 2008

A Regular Session of the Piedmont City Council was held May 19, 2008, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on May 15, 2008.

**CALL TO ORDER**

Following a 7:00 p.m. Closed Session regarding employee contract negotiations with the Piedmont Police Officers Association, International Association of Firefighters, Local 1021 and the Confidential Unit Employees as well as discussion of possible litigation regarding the Light Brown Apple Moth held pursuant to Government Code Sections 54957.6 and 54956.8, Mayor Friedman called the meeting to order at 7:35 p.m. with the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Abe Friedman, Vice Mayor Dean Barbieri and Councilmembers John Chiang, Margaret Fujioka and Garrett Keating

Staff: City Administrator Geoff Grote, City Attorney George Peyton, Public Works Director Larry Rosenberg, Recreation Director Mark Delventhal, City Clerk Ann Swift, City Engineer Russ Moore, City Planner Kate Black, Assistant Planner Kevin Jackson, Parks & Projects Manager Mark Feldkamp, and Recording Secretary John Tulloch

**REGULAR CALENDAR**

The Council considered the following items of regular business:

**Ordinance**

The Assistant Planner requested Council first reading approval of a proposed Ordinance Regarding Civic Green Building and Bay Friendly Landscaping Regulations for Public Facilities. Ordinance adoption is required in order for the city to continue to receive Waste Import Mitigation grant funding from StopWaste.Org. He stated that the proposed ordinance applies only to City projects in Zone B (Public Facilities) and would impose Green Building Standards on construction projects with budgets over \$3 million and Bay Friendly Landscaping requirements on landscaping projects with budgets over \$100,000. Projects with budgets in excess \$20,000 that do not meet the thresholds would be required to meet as many of the Green Building and/or Bay-Friendly Landscaping practices as possible. He also indicated that there is a provision in the ordinance that allows the Council to waive the requirements of the ordinance in "unusual circumstances... where the public interest would not be served by complying with such provisions."

**Correspondence** was received from: A. Sung on May 19.

**Public testimony** was received from:

Karen Kho, StopWaste.Org representative, stated that 10 of the 15 jurisdictions in the county have adopted civic green building ordinances at this time and that Piedmont and three other cities are currently in the process of adopting them. She also stated that the California Building Code includes several of green-building requirements required for certification. She went on to say that the project thresholds and

## **EXHIBIT D**

requirements adopted by the other jurisdictions in the county were substantially similar to those proposed in the ordinance.

Teresa Eade, Stopwaste.Org representative, indicated that 6 of the 15 jurisdictions in Alameda County had adopted the Bay-Friendly Landscaping standards. She also indicated that there were no prohibitions on the use of pesticides.

The Council discussed the proposed ordinance, the general policy questions involved and whether action should be taken at this meeting. The Council directed staff to research and submit additional information on this matter, including a comparison of the provisions of ordinances adopted by the various jurisdictions in the county on these topics, how upcoming city projects might be affected by each of the requirements of the proposed ordinance, how the historical exemption to the requirements would work, how the city's current practices are in compliance with the proposed ordinance, and an examination of the comments from the General Plan Survey to determine if any of them addressed these issues.

# Bay-Friendly Scorecard for Commercial & Civic Landscapes



This scorecard tracks Bay-Friendly features incorporated into the design and construction of new landscapes. The recommended minimum requirements for a Bay-Friendly Landscape are: earn a total of 60 points or more and complete the 9 required practices indicated by the red "R" in the columns labeled "Possible Points".

Date:

Current Point Total:

Enter Project Name Here		Points Achieved	Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>A. Site Planning</b>			Possible Points						
<b>1. Select and evaluate the site carefully</b>									
<input type="checkbox"/>	a. Submit the completed Bay-Friendly Site Analysis form before 100% design development documents	0	5						
<input type="checkbox"/>	b. The site is located within an urban growth boundary and avoids environmentally sensitive sites	0	3						
<input type="checkbox"/>	c. The site development results in the clean up of a contaminated site (i.e. brownfield) or is in a designated redevelopment area	0						3	
<b>2. Consider the potential for fire</b>									
<input type="checkbox"/>	a. For sites adjacent to fire sensitive open space or wildlands only: Submit a Fire Mitigation Plan	0	5						
<b>3. Keep plant debris on site</b>									
a. Produce mulch from plant debris									
<input type="checkbox"/>	i. Design documents specify areas under tree & shrub canopies and at least 10 feet away from hard surfaces and storm drains, to be used as a leaf repository for mulch	0		1					
<input type="checkbox"/>	ii. Construction documents specify that of the trees identified for removal, some are chipped for use as mulch onsite	0		1					
b. Produce compost from plant debris									
<input type="checkbox"/>	i. A site for composting is included in landscape plans. Systems for composting up to and including 3 cubic yards at one time	0		1					
<input type="checkbox"/>	ii. Systems for composting more than 3 and up to 10 yards at one time (total 2 points)	0		1					
<input type="checkbox"/>	iii. Systems 10 cubic yards or larger (total 3 points)	0		1					
<b>4. Reduce and recycle waste</b>									
<input type="checkbox"/>	a. An easily accessible area is dedicated to the collection and storage of materials for recycling	0		2					
<b>5. Minimize site disturbance</b>									
<input type="checkbox"/>	a. On greenfield sites, limit site disturbance to protect topography, vegetation and hydrology (total 3 points)	0	1					1	1
<input type="checkbox"/>	b. On previously developed sites, restore vegetation and hydrology (total 3 points)	0	1					1	1
<input type="checkbox"/>	<b>6. Provide water and/or shelter for wildlife such as birdhouse, bathhouses, boulders, logs, wood piles, large native shrubs or trees</b>	0							1
<b>7. Conserve or restore natural areas &amp; wildlife corridors</b>									
<input type="checkbox"/>	a. The landscape is designed to preserve 80% of existing mature healthy trees and penalties for destruction of protected trees are included in construction contract	0							2
<input type="checkbox"/>	b. The landscape is designed to increase open space compared to its previous use and/or to connect it to other open space or wildlife corridors	0							2
<input type="checkbox"/>	c. Create or protect a diverse plant buffer of low maintenance vegetation along creeks, shorelines or monocultured landscaped areas	0							2
Site Planning Subtotal, out of possible 33 points:		0							

Enter Project Name Here		Points Achieved	Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>B. Stormwater and Site Drainage</b>		Possible Points							
<b>1. Minimize impervious surfaces</b>									
a. Permeable paving, gravel or other porous surfaces are installed for									
<input type="checkbox"/>	i. 25% OR	0						1	
<input type="checkbox"/>	ii. 33% (total 3 points) OR	0						2	
<input type="checkbox"/>	iii. 50% of the paved area (total 5 points)	0						2	
<input type="checkbox"/>	b. No impervious surfaces directly connect to the storm drain	0						2	
<b>2. Design a system to capture and filter storm water</b>									
<input type="checkbox"/>	a. Capture and filter runoff from parking lots into landscape beds, vegetated swales or other landscape stormwater bmps	0						2	
b. Incorporate landscape measures, including vegetated swales, infiltration planters, detention basins and/or stormwater wetlands, that are designed to capture and filter:									
<input type="checkbox"/>	i. 85% of average annual stormwater runoff OR	0						2	
<input type="checkbox"/>	ii. 100% of average annual runoff (total 4 points)	0						2	
<input type="checkbox"/>	c. Bioswales specify flat bottoms of at least 18 inches across and/or rock cobble at points of concentrated flow	0						1	
<input type="checkbox"/>	d. Turf is not specified in bioswales	0						1	
<input type="checkbox"/>	e. Direct rain water from all down spouts to planters, swales or landscaped areas	0						1	
Stormwater and Site Drainage Subtotal, out of possible 16 points:		0							
<b>C. Earthwork and Soil Health</b>		Possible Points							
<b>1. Assess the soil and test drainage</b>									
<input type="checkbox"/>	a. Submit laboratory soil analysis results and recommendations for compost and natural fertilizers (total 3 points)	0	2		1				
<b>2. Remove and store topsoil before grading</b>									
<input type="checkbox"/>	a. The removal, temporary storage, and re-spreading of topsoil is specified in the landscape design documents AND specifications include a maximum topsoil pile height of 6 feet, as well as measures to protect the stored topsoil from erosion	0			2				
<b>3. Protect soil from compaction</b>									
<input type="checkbox"/>	a. Grading specifications and construction plans call for the installation and maintenance of fencing to prohibit parking or materials staging in areas identified for protection	0			2				
<input type="checkbox"/>	b. Design documents specify that soil is not worked when wet	0			1				
<b>4. Aerate compacted soils</b>									
<input type="checkbox"/>	a. Design documents include specification to alleviate compacted soils to a depth of at least 8 inches, before planting, for all landscaped areas that can not be protected during construction	0			1				
<input type="checkbox"/>	b. Design documents include specification to alleviate compacted soils to a depth of at least 12 inches, before planting, for all landscaped areas that can not be protected during construction (total 2 points)	0			1				
<b>5. Feed soils naturally &amp; avoid synthetic fertilizers</b>									
<input type="checkbox"/>	a. Fertilizers or soil amendment materials prohibited by Organic Materials Research Institute (OMRI) in its generic materials list are not allowed in the construction of the project	0			1				
<b>6. Mulch</b>									
<input type="checkbox"/>	a. <b>Required:</b> Planting specifications and plans indicate that after construction, all soil on site is protected with a minimum of 3 inches of mulch				R				

Enter Project Name Here	Points Achieved	Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>7. Amend the soil with compost before planting</b>								
a. Quality compost is specified as the soil amendment, at the rates indicated by a soil analysis, to bring the soil organic matter content to a minimum of:								
<input type="checkbox"/> i. <b>Required:</b> 3.5% by dry weight OR 1 inch of quality compost OR					R			
<input type="checkbox"/> ii. 5% by dry weight OR (total 2 points)	0				1	1		
<input type="checkbox"/> iii. Specify the use of compost from processors that participate in the US Composting Council's Standard Testing Assurance program	0				1			
<b>8. Use IPM design and construction practices to prevent pest problems</b>								
<input type="checkbox"/> a. Sheet mulch is specified for weed control (total 3 points)	0			1			2	
<input type="checkbox"/> b. Synthetic chemical pre-emergents are prohibited	0						2	
<b>9. Keep soil &amp; organic matter where it belongs</b>								
<input type="checkbox"/> a. Compost berms or blankets or socks are specified for controlling erosion (total 2 points)	0			1			1	
Earthwork and Soil Health Subtotal, out of possible 21 points:	<b>0</b>							
<b>D. MATERIALS</b>		Possible Points						
<b>1. Use salvaged items &amp; recycled content materials</b>								
a. Non-plant landscape materials are salvaged or made from recycled content materials or FSC certified wood:								
<input type="checkbox"/> i. Decking (100% of non structural materials)	0		1					
<input type="checkbox"/> ii. Fencing (100% of non structural materials)	0		2					
<input type="checkbox"/> iii. Outdoor furniture such as bike racks, benches, tables and chairs (50% minimum)	0		2					
<input type="checkbox"/> iv. Planters or retaining walls (100% of either or both)	0		1					
<input type="checkbox"/> v. Parking stops or lighting/sign posts (100% of either or both)	0		1					
<input type="checkbox"/> vi. Play structures or surfaces (100% of either or both)	0		2					
<input type="checkbox"/> vii. Edging or decorative glass mulch (100% of either or both)	0		1					
<input type="checkbox"/> b. A minimum 25% of recycled aggregate (crushed concrete) is specified for walkway, driveway, roadway base and other uses	0		2					
c. Replace Portland cement in concrete with flyash or slag								
<input type="checkbox"/> i. 20%	0		1					
<input type="checkbox"/> ii. 25% (total 2 points)	0		1					
d. Purchased compost and/or mulch is recycled from local, organic materials such as plant or wood waste								
<input type="checkbox"/> i. 100% of compost OR 100% of mulch	0		1					
<input type="checkbox"/> ii. 100% of both (total 2 points)	0		1					
<b>2. Reduce and recycle landscape construction waste</b>								
<input type="checkbox"/> a. <b>Required:</b> Divert 50% of landscape construction and demolition waste.			R					
<input type="checkbox"/> b. Divert 100% of asphalt and concrete and 65% of remaining materials OR	0		2					
<input type="checkbox"/> c. Divert 100% of asphalt and concrete and 80% of remaining materials (total 4 points)	0		2					
<input type="checkbox"/> d. Donate unused materials	0		1					
<b>3. Reduce the heat island effect with cool site techniques</b>								
<input type="checkbox"/> a. at least 50% of the paved site area includes cool site techniques	0					2		

Enter Project Name Here	Points Achieved	EXHIBIT E						
		Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>4. Design lighting carefully</b>								
<input type="checkbox"/> a. Low energy fixtures are specified for all site lighting	0					2		
<input type="checkbox"/> b. Photovoltaic is specified for site lighting								
<input type="checkbox"/> i. all path lighting is solar powered	0					1		
<input type="checkbox"/> ii. 50% of all other site lighting is solar powered	0					2		
<input type="checkbox"/> iii. 100% of all other site lighting is solar powered (total 4 points)	0					2		
<input type="checkbox"/> c. Reduce light pollution and trespass: exterior luminaries emit no light above horizontal or are Dark Sky certified	0					1		
<input type="checkbox"/> d. The site and exterior building lighting does not cast direct beam illumination onto adjacent properties or right of ways	0					1		
<b>5. Choose and maintain equipment for fuel conservation</b>								
<input type="checkbox"/> a. Specify solar powered pump(s) for water features	0					1		
<b>6. Specify low embodied energy products</b>								
<input type="checkbox"/> a. 100% of any stone and non-concrete hardscapes materials are produced within 500 miles of the project site	0					2		
<b>7. Use integrated pest management</b>								
<input type="checkbox"/> a. Design documents include construction specifications that require integrated pest management	0						2	
<b>8. Use organic pest management</b>								
<input type="checkbox"/> a. Design documents include construction specifications that prohibit the use of pesticides that are prohibited by Organic Materials Research Institute in its generic materials list (total 4 points)	0							2
Materials Subtotal, out of possible 39 points:	0							
<b>E. PLANTING</b>		Possible Points						
<b>1. Select appropriate plants: choose &amp; locate plants to grow to natural size and avoid shearing</b>								
<input type="checkbox"/> a. <b>Required:</b> No species will require shearing			R					
<input type="checkbox"/> b. Plants specified can grow to mature size within space allotted them	0		1					
<b>2. Select appropriate plants: do not plant invasive species</b>								
<input type="checkbox"/> a. <b>Required:</b> None of the species listed by Cal-IPC as invasive in the San Francisco Bay Area are included in the planting plan			R					
<b>3. Grow drought tolerant CA native, Mediterranean or climate adapted plants</b>								
a. Specify California native, Mediterranean or other climate adapted plants that require occasional, little or no summer water for:								
<input type="checkbox"/> i. <b>Required:</b> 75% of all non-turf plants						R		
<input type="checkbox"/> ii. 100% of all non-turf plants	0					2		
<input type="checkbox"/> b. 100% of the non-turf plant palette needs no irrigation once established (total 5 points)	0					3		
<b>4. Minimize the lawn</b>								
<input type="checkbox"/> a. Turf is not specified in areas less than 8 feet wide or in medians, unless irrigated with subsurface or low volume irrigation	0					2		
<input type="checkbox"/> b. Turf shall not be installed on slopes exceeding 10%	0					2		
c. Total irrigated area specified as turf is limited to:								
<input type="checkbox"/> i. <b>Required:</b> A maximum of 25%, with sports or multiple use fields exempted.						R		
<input type="checkbox"/> ii. A maximum of 15%, with sports or multiple use fields exempted	0					2		
<input type="checkbox"/> iii. No turf is specified (total 5 points)	0					3		
<b>5. Implement hydrozoning</b>								
<input type="checkbox"/> a. Group plants by water requirements and sun exposure and select plant species that are appropriate for the water use within each zone and identify hydrozones on the irrigation plan (with separate irrigation valves for differing water needs, if irrigation is required)	0					2		

Enter Project Name Here	Points Achieved	EXHIBIT E						
		Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habit.
<b>6. Provide shade to moderate building temperatures</b>								
<input type="checkbox"/> a. Protect existing trees and/or specify new trees such that 50% or more of west facing glazing and walls will be shaded (at 4 pm in September) by the trees at their mature size AND trees must be deciduous	0				2			
<b>7. Plant trees</b>								
<input type="checkbox"/> a. At least 50% of the paved site area is shaded by trees or other vegetation	0				2			
<input type="checkbox"/> b. At least one tree species is a large stature species (total 2 points)	0				1			1
<b>8. Diversify</b>								
a. Landscapes less than 20,000 square feet shall have a minimum of:								
<input type="checkbox"/> i. 20 distinct species OR	0							1
<input type="checkbox"/> ii. 30 distinct plant species (total 3 points)	0							2
b. Landscapes with 20,000 to 43,560 square feet (1 acre) shall include a minimum of:								
<input type="checkbox"/> i. 30 distinct plant species OR	0							1
<input type="checkbox"/> ii. 40 distinct species OR (total 2 points)	0							1
<input type="checkbox"/> iii. 50 distinct plant species (total 4 points)	0							2
c. Landscapes of greater than 1 acre shall include a minimum of 40 distinct plant species AND								
<input type="checkbox"/> i. one additional species per acre over 1 acre OR	0							2
<input type="checkbox"/> ii. two additional species per acre over 1 acre (total 4 points)	0							2
<b>9. Choose California natives first</b>								
<input type="checkbox"/> a. CA natives are specified for 50% of non-turf plants	0							2
Planting Subtotal, out of possible 36 points:	0							
<b>F. IRRIGATION</b>		Possible Points						
<b>1. Design for on-site rainwater collection, recycled water and/or graywater use</b>								
<input type="checkbox"/> a. Irrigation systems and/or all ornamental uses of water (ponds, fountains, etc) are plumbed for recycled water where it is available from a municipal source	0				3			
<input type="checkbox"/> b. Design a system that can store and use rainwater and/or graywater to satisfy a percentage of the landscape irrigation requirements:								
<input type="checkbox"/> i. 10% OR	0				3			
<input type="checkbox"/> ii. 50% OR (total 4 points)	0				1			
<input type="checkbox"/> iii. 100% of dry season landscape water requirements satisfied with harvested rainwater (total 5 points)	0				1			
<b>2. Design and install high efficiency irrigation systems</b>								
<input type="checkbox"/> a. <b>Required:</b> Specify weather based (automatic, self adjusting) irrigation controller(s) that includes a moisture and/or rain sensor shutoff					R			
<input type="checkbox"/> b. <b>Required:</b> Sprinkler and spray heads are not specified for areas less than 8 feet wide					R			
c. Specify and install irrigation equipment with an operational distribution uniformity of 80% of greater, such as drip or bubblers for:								
<input type="checkbox"/> i. 75% of non-turf irrigated areas	0				2			
<input type="checkbox"/> ii. 100% of non-turf irrigated areas ( total 5 points)	0				3			
<input type="checkbox"/> d. For all turf areas: Specify and install equipment with a precipitation rate of 1 inch or less per hour and an operational distribution uniformity of 70% or greater	0				2			
<input type="checkbox"/> e. Design and install irrigation system that will be operated at 70% of reference ET	0				3			
<b>3. Install a dedicated meter for landscape water use or install a submeter</b>								
<input type="checkbox"/> a. A dedicated irrigation meter or submeter is specified to track irrigation water	0				2			
Irrigation Subtotal, out of possible 20 points:	0							

Enter Project Name Here		Points Achieved	Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>G. MAINTENANCE</b>		Possible Points							
<b>1. Keep plant debris on site</b>									
a. Grasscycle									
<input type="checkbox"/>	i. Ongoing maintenance includes grasscycling (grass clippings left on the lawn after mowing) for all lawns from April through October, or longer. Sports turf may be excluded "in season" when clippings will interfere with play	0		2					
b. Produce mulch from plant debris									
<input type="checkbox"/>	i. Ongoing maintenance requires that leaves and/or plant debris less than 4 inches (including cut or chipped woody prunings) be re-incorporated into the mulch layer of landscaped areas away from storm drain	0		2					
c. Produce compost from plant debris									
<input type="checkbox"/>	i. Ongoing maintenance includes composting plant debris on site	0		3					
<b>2. Separate plant debris for clean green discounts</b>									
<input type="checkbox"/>	a. Ongoing maintenance requires all exported plant debris be separated from other refuse and taken to a facility where it will be used to produce compost or mulch	0		3					
<b>3. Protect soil from compaction</b>									
<input type="checkbox"/>	a. Ongoing maintenance requires that soil is not worked when wet, generally between October and April	0			1				
<b>4. Feed soils naturally &amp; avoid synthetic fertilizers</b>									
<input type="checkbox"/>	a. Ongoing maintenance includes topdressing turf with finely screened quality compost after aeration 1-4 times per year	0			1				
<input type="checkbox"/>	b. Ongoing maintenance uses compost, compost tea or other naturally occurring, non-synthetic fertilizers as the plant and soil amendment for all landscape areas	0			1				
<input type="checkbox"/>	c. Ongoing maintenance prohibits fertilizers that are prohibited by Organic Materials Research Institute	0			1				
<b>5. Mulch Regularly</b>									
<input type="checkbox"/>	a. Ongoing maintenance requires regular reapplication of organic mulch, to a minimum depth of 3 inches (total 2 points)	0			1	1			
<b>6. Manage and maintain irrigation system so every drop counts</b>									
<input type="checkbox"/>	a. Ongoing maintenance includes a schedule for reading the dedicated meter or submeter and reporting water use	0				1			
<input type="checkbox"/>	b. At completion of the installation, the contractor shall provide the property owner with 1. precipitation rate for each valve zone, 2. area calculations for each irrigation zone and the irrigation plans which include the location of irrigation supply shut off, 3. internet address for watering index information	0				2			
<input type="checkbox"/>	c. Ongoing maintenance includes regular checking of irrigation equipment, and/or checking soil moisture content before watering AND/OR immediate replacement of broken equipment with equal or superior materials	0				1			
<b>7. Use IPM as part of maintenance practices</b>									
<input type="checkbox"/>	a. Ongoing maintenance includes integrated pest management specifications	0						2	
<input type="checkbox"/>	b. At least one landscaping staff member or contractor is trained in the use of IPM or is a Bay-Friendly Qualified Professional	0						2	



Enter Project Name Here		Points Achieved	Landscape Locally	Less to Landfill	Nurture the Soil	Conserve Water	Conserve Energy	Water and Air Quality	Create Wildlife Habitat
<b>8. Choose and maintain your materials, equipment &amp; vehicles carefully</b>									
<input type="checkbox"/>	a. Ongoing maintenance requires that all oil leaks are repaired immediately and that repairs are not done at the landscape site	0						1	
<input type="checkbox"/>	b. Landscape maintenance equipment uses biobased lubricants and/or alternative fuels.	0						2	
<b>9. Use organic pest management</b>									
<input type="checkbox"/>	a. Ongoing maintenance does not allow the use of pesticides that are prohibited by Organic Materials Research Institute in its generic materials list	0							2
Maintenance Subtotal, out of possible 29 points:		0							
<b>H. INNOVATION</b>			Possible Points						
<input type="checkbox"/>	<b>1. Bay-Friendly Landscape Guidelines and Principles are defined and referenced in the construction bid documents</b>	0	3						
<b>2. Design &amp; install educational signage</b>									
<input type="checkbox"/>	a. Provide instructional signs and other educational materials to describe the Bay-Friendly design, construction and maintenance practices	0	4						
<b>3. Create a Bay-Friendly Maintenance task list</b>									
<input type="checkbox"/>	a. Provide a detailed Bay-Friendly maintenance task list and/or use the BF Model Maintenance Specifications as an official reference document in the the landscape maintenance contract and/or with on site landscape staff (total 7 points)	0	1	1	1	1	1	1	1
<b>4. Employ a holistic approach</b>									
<input type="checkbox"/>	a. Site analysis is submitted AND 65% of landscape construction waste is diverted AND planting plan includes a diverse palette AND 50% of non-turf plants are California native species AND none of the landscape area is in turf AND compost is specified for amending the soil during installation AND natural fertilizers are specified as the exclusive source of nutrients AND integrated OR organic pest management is specified (total 7 points)	0	1	1	1	1	1	1	1
<b>5. Innovation: Design your own Bay-Friendly Innovation</b>									
a. Enter description of innovation below, and enter up to 4 points at the right. Points will be evaluated by a Bay-Friendly rater.									
<input type="checkbox"/>	i. Innovation description:	0	0	0	0	0	0	0	0
Innovation Subtotal, out of possible 25 points:		0							
<b>Summary</b>									
Total Possible Points:		215	25	41	18	45	22	36	28
Total Points Achieved:		0	0	0	0	0	0	0	0

Project has not yet met the following recommended minimum requirements:

- Total Project Score of At Least 60 Points
- Required Measures:
  - C6a: Mulch
  - C7ai: Amend the soil with compost before planting
  - D2a: Reduce and recycle landscape construction waste
  - E1a: No Species Will Require Shearing
  - E2a: Do Not Plant Invasive Species
  - E3a: Grow Drought Tolerant, CA Native, Mediterranean or Climate Adapted Plants
  - E4c: Minimize the Lawn
  - F2a&b: Specify Weather-Based Irrigation Controllers
  - F2b: Spray Heads Are Not Specified For Areas Less Than 8 Feet Wide

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## EXHIBIT F

Bay Friendly Best Practices currently being implemented by City of Piedmont

**1**

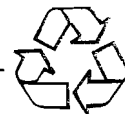
### Landscape Locally



- 1. Select and evaluate the site carefully
- 2. Assess the soil and test drainage
- 3. Survey and protect flora & fauna
- 4. Consider the potential for fire
- 5. Use local, natural plant communities as models

**2**

### Landscape for Less to the Landfill



- 1. Select appropriate plants:
  - A. Choose plants to match the microclimate & soil conditions
  - B. Choose plants that can grow to their natural size in the space allotted them
  - C. Replace sheared hedges with plants that can grow to their natural shape & size
  - D. Do not plant invasive species
- 2. Keep plant debris on site:
  - A. Grasscycle
  - B. Produce mulch from plant debris
  - C. Compost plant debris
- 3. Prune selectively and properly
- 4. Water and fertilize judiciously
- 5. Use goats for controlling weeds and creating firebreaks
- 6. Use salvaged items & recycled content materials
- 7. Reduce and recycle waste
- 8. Separate plant debris for clean green discounts

**3**

### Nurture the Soil



- 1. Remove and store topsoil before grading
- 2. Protect soil from compaction
- 3. Defend against erosion
- 4. Amend the soil with compost before planting
- 5. Grasscycle
- 6. Mulch regularly
- 7. Aerate compacted soils
- 8. Feed soils naturally
- 9. Avoid synthetic, quick release fertilizers
- 10. Minimize the use of chemical pesticides

**4 Conserve Water**

- 1. Create drought resistant soils with compost & mulch
- 2. Grow drought-resistant California native or Mediterranean plants
- 3. Minimize the lawn
- 4. Implement hydrozoning — group plants by water needs
- 5. Design for on-site rainwater collection, recycled water and/or graywater use
- 6. Design and install high efficiency irrigation systems
- 7. Install a dedicated meter to monitor landscape water use
- 8. Manage irrigation according to need
- 9. Maintain the irrigation system so every drop counts
- 10. Request an irrigation audit



**5 Conserve Energy**

- 1. Shade buildings to moderate temperatures
- 2. Reduce the heat island effect
- 3. Shade air conditioners
- 4. Design lighting carefully
- 5. Choose and maintain equipment for fuel conservation
- 6. Specify low embodied energy materials



**6 Protect Water & Air Quality**

- 1. Use Integrated Pest Management:
  - A. Prevent pest problems
  - B. Train your staff to identify and monitor pest & beneficial populations
  - C. Educate your clients
  - D. Control pest problems with physical & mechanical methods
  - E. Control pest problems with biological controls
  - F. Control pest problems with the least toxic pesticide as a last resort
- 2. Eliminate high input decorative lawns
- 3. Minimize site disturbance
- 4. Choose and maintain your materials, equipment & vehicles carefully
- 5. Keep soil & organic matter where it belongs
- 6. Minimize impervious surfaces
- 7. Plant and protect trees
- 8. Maintain and manage the irrigation system carefully
- 9. Design a system to capture and treat water



**7 Create & Protect Wildlife Habitat**

- 1. Diversify
- 2. Choose California natives first
- 3. Provide water & shelter
- 4. Use organic pest management
- 5. Conserve or restore natural areas & wildlife corridors



Menu

## CITY OF PIEDMONT

## MEMORANDUM

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**DATE:** May 14, 2008

**FROM:** Lawrence Rosenberg, Director of Public Works  
Mark Feldkamp, Parks & Project Manager

**TO:** Geoff Grote, City Administrator

**SUBJECT:** Comments Regarding the Proposed Civic Green Building/Bay-Friendly Landscaping Ordinance

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**BACKGROUND:**

The City is considering adopting a new Landscaping ordinance that is Bay-Friendly. Currently the city already has in place several Bay-Friendly practices regarding the care and maintenance of it's parks and open spaces. Some of these practices in use are the following:

1. Mulch all planting areas with 2" to 3" inches of mulch.  
The mulch we currently use is recycled wood chips and organic compost.
2. Irrigation systems are closely monitored and we are in the process of cutting all irrigation watering by 20% to 30% to comply with the new EBMUD requirements.
3. Adjust watering times for early morning or during the night to reduce the evapo-transpiration rates
4. Limit the amount of pesticides and herbicides and use organic pest management practices.
5. Use of field turf for athletic fields reducing dramatically our water and fertilizer usage.

A significant change that is required by the new landscaping ordinance will be the requirement that the city use a Mediterranean/native plant palette on all future landscape projects exceeding \$100,000 in construction costs. All existing landscaping are excluded under the proposed ordinance. The city has a rich tradition of lush green 'English Garden' style landscapes with wide expanses of manicured lawns, pockets of annual and perennial color, clipped green hedges and water loving plant materials such as: azaleas, camellias, rhododendrons and hydrangeas. The effect is a lush, serene, green oasis: but this comes with a price of higher water usage, significant labor requirements and some use of fertilizers and pesticides.

The City has already implemented the use of native and drought tolerant plantings in areas that are more natural in character, such as along stream banks and in meadow areas. The new ordinance will require that future, larger, landscape projects expand the use of Mediterranean/native plantings. These new projects will be in contrast with the existing 'English Garden' style tradition that now characterizes the parks in Piedmont.

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