

ATTACHMENT C: EXCERPT OF THE DRAFT MINUTES FOR MARCH 1, 2012 SAN LEANDRO BOARD OF ZONING ADJUSTMENTS MEETING

Item 8A: Miscellaneous

Consideration of an amendment to the City of San Leandro Zoning Code, Article 19, related to Bay Friendly Landscape Protocols. (Barros)

Secretary Barros said that two years ago the City modified its landscape requirements to comply with a State mandate for water-efficient landscaping, following the State's WELO (Water Efficient Landscape Ordinance) model and with input from the Alameda County Waste Management Authority (StopWaste.Org.) Certain Bay-Friendly Landscaping protocols were included at that time as recommended practices, and now, as part of an annual review of the organization's mitigation funds, these practices are being made mandatory.

Since the 1980s, Secretary Barros explained, StopWaste.Org have received money for all the waste processed through Alameda County, and have been passing those funds onto local jurisdictions, including their sanitary districts. This brings about \$90,000 annually to San Leandro.

Strategic StopWaste.Org workplans require member cities to implement certain policies from time to time to remain eligible for that funding. For example, Secretary Barros said, in past years such requirements prompted the City to pass an ordinance that specifies recycling of at least 50% of any construction and demolition (C&D) waste (the Construction and Demolition Debris Recycling Ordinance), as well as the Civic Bay-Friendly Landscape Ordinance and Civic Green Building Ordinance. In FY2011-2012, the City is being asked to adopt two programs that fall under the aegis of the Recycling Division for follow-up – a Green Halo compliance tracking system for recycling and a program to promote recycling in the schools – as well as “Bay-Friendly Basics,” the item Secretary Barros is presenting to ensure the ongoing flow of that funding stream.

Accordingly, she is recommending adding two elements to San Leandro Zoning Code Article 19, Landscape Requirements:

- Locate plants to grow to natural size – This is already in the code as a recommendation; the proposal now is to make it mandatory.
- Divert 50% of landscape C&D debris – The City's C&D Ordinance requires recycling of 50% of C&D debris for projects valued at \$100,000 and up, but some projects below that amount may trigger the Bay-Friendly Landscaping provisions so it should be included in the Landscape Ordinance as well.

The other basics specified in the StopWaste.Org protocols are already covered by 2010 amendments to Article 19 Landscape Requirements, she explained, but may call for minor tweaking in the language:

- Apply a three-inch layer of mulch to all soil.
- Amend soil with one inch of compost or bring soil organic matter content to 3.5%.
- Do not plant invasive plant species.
- 75% of plants are low-water using and climate adapted.

- A maximum of 25% of total irrigated area is specified as turf, with sports or multiple-use fields exempted.
- Specify weather-based irrigation controllers.
- Sprinklers and spray heads are not specified for areas less than eight feet wide.

Member Mendieta asked whether these changes could be submitted for County review in advance, inasmuch as they aren't due until June 2012. Secretary Barros said that she's already submitted the proposal, because it must be acceptable to the County before it goes to the City Council for approval. The Zoning Code amendments must be effective as of July 31, 2012. She said that she submitted a copy of the ordinance showing the changes proposed. Her next step is to take the proposed changes to the Planning Commission on March 15, 2012.

Member Mendieta also asked who provides the Bay-Friendly Rated Landscape Certificate. Secretary Barros said that's a StopWaste.Org program, which conducts training to help landscape designers and contractors implement its protocols. She said that she doesn't know the cost of the rating, but she will find out and let BZA members know.

Chair Daly asked what the BZA should do about this proposal at this meeting. Secretary Barros said that she could share the BZA's thinking about the proposal when she presents it to the Planning Commission and City Council.

Member Palma said she's surprised to see the diversion of C&D debris coming up only now, because she remembers it as part of an Alameda County project she worked on many years ago. Secretary Barros said that it's been in effect for a long time, but the monetary threshold may not be enough to satisfy the Bay-Friendly Landscape protocols, which would apply to commercial landscaping of 2,500 square feet or more. Member Palma said that's all great – the more we can do, she said, the better.