



**DATE:** February 19, 2009  
**TO:** Planning Commission  
**FROM:** Planning Manager  
**SUBJECT:** Hayward Environmentally Friendly Landscape Guidelines and Checklists for Private Development Projects

**RECOMMENDATION**

That the Planning Commission finds that the proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Sections 15308, *Actions by Regulatory Agencies for Protection of the Environment*; and recommends that the City Council adopt the use of the Hayward Environmentally Friendly Landscape Guidelines and Checklists for private development projects.

**BACKGROUND**

The Council Sustainability Committee expressed support to wait to adopt a City water-efficient landscape ordinance until [Stopwaste.org](http://Stopwaste.org) completed development of its Bay Friendly system, including developing a checklist and third-party rater system for single-family developments; and until the State released its new Model Water Efficiency standards. However, the Committee expressed a desire to adopt, by resolution, standards for landscaping that could be used ahead of the later ordinance. The Committee also encouraged more substantial requirements with associated guidelines and a checklist for larger developments, intended for use by landscape professionals.

In response to direction given by the Council Sustainability Committee, staff has developed a new set of sustainable landscaping guidelines and checklist for new single-family home construction, and single-family remodels and additions, which include a plant list. They are designed for use by the homeowner and non-landscape professional. The Committee also encouraged higher standards for new, larger developments and, therefore, staff is recommending utilization of a more comprehensive set of guidelines and checklist for such projects.

Staff is proposing three thresholds related to the use of specific guidelines and checklists:

1. **LANDSCAPE PROFESSIONALS:** A set of guidelines and associated checklist required for use by landscape professionals (Exhibit B), applicable to more substantial projects, such as

those involving four or more new single-family homes, new multi-family residential development, new commercial development, and commercial tenant improvements or additions with more than 5,000 square feet of landscape area renovations. These guidelines and checklist would not be required for projects that have already received City approval.

2. **HOMEOWNER:** A set of guidelines and associated checklist required for use by a homeowner (Exhibit C) for developments consisting of one to three new single-family homes, including duplexes, or for major remodels or additions that increase existing building footprint area by more than 50 percent. These guidelines and checklist would not be required for projects that have already received City approval.
3. **SMALL PROJECTS:** Proponents for smaller residential and commercial remodels and additions would not be required to implement checklist items, but would be encouraged to do so.

Exhibit A summarizes these three thresholds and staff's recommendation based on the recommendation of the Committee and comments by the Planning Commission and the City Council at a work session on December 9, 2008.

## **DISCUSSION**

Hayward's General Plan sets forth goals for preserving and improving the City's natural and built environment in order to protect the health of its residents and to foster its economy. Sustainable landscape design, construction, operation and maintenance can have a significant positive effect on energy, water, and resource efficiency, waste and pollution reduction, and human health. Environmentally-friendly landscaping contributes to a reduction in greenhouse gas emissions, improves air quality, and enhances urban sustainability.

To provide these benefits, staff recommends adoption of both sets of guidelines and checklists. Where existing City ordinance provisions conflict with the guidelines and checklists, the existing ordinance provisions would prevail; however, staff has made all attempts to ensure compatibility between the proposed guidelines and existing ordinance provisions.

The more substantial set of guidelines and checklist (Exhibit B) are recommended for larger projects, including those entailing four or more single-family unit developments, new multi-family developments, and commercial developments with new or renovated landscape area, exceeding 5,000 square feet. Staff is recommending that for such projects, the checklist be required to be submitted, and the checklist items be incorporated into plans and construction. As is the current practice, the City's landscape architect would review plans and conduct inspections to ensure required compliance for these larger projects.

The second set of guidelines and checklist (Exhibit C) have been developed in response to the Committee's previous comments, and are for single-family developments, encompassing less than four units or less than 50 percent footprint expansion, and are intended to be used by the non-landscape professional (e.g., homeowner/builder). Staff recommends that submittal of the checklist be required with building permit application submittals, and that the checklist items, which include provisions for planting and irrigation, be incorporated into projects.

For smaller multi-family residential projects and commercial remodels and additions (with less than 5,000 square feet of landscape renovation), use of the guidelines and checklist is only encouraged. The guidelines and checklist also include gardening tips and a plant list for guidance to assist homeowners with compliance and desired landscaping practices. Staff would review plans to encourage the inclusion of checklist items into plans. Staff would not typically conduct final inspections of such landscaping, but would require submittal of a verification form from the homeowner or project proponent indicating compliance with the approved plans. Such form is attached to the guidelines, and would be placed in the project file.

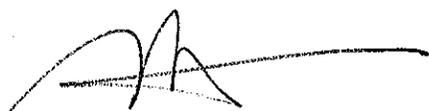
## COMMUNITY PARTICIPATION

A community meeting to discuss the proposed guidelines and checklists was held on December 18, 2008. Landscape professionals, neighborhood task forces and associations, and other known interested parties were invited to attend. Three landscape professionals and a Fairway Park resident attended; the resident suggested that stricter guidelines be adopted. The proposed guidelines and checklists are meant to be an interim measure; the resident's concerns will be addressed at the time the later ordinance is considered based upon [Stopwaste.org](http://Stopwaste.org)'s Bay Friendly system and the State's Model Water Efficiency standards.

## NEXT STEPS

A City water-efficient landscape ordinance will be considered once [Stopwaste.org](http://Stopwaste.org) has completed development of its Bay Friendly system, including developing a checklist and third-party rater system for single-family developments; and once the State has released its new Model Water Efficiency standards (for which a draft was distributed for review in January 2009).

Prepared and Recommended by:



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## Attachments:

- Exhibit A: Summary Matrix of Staff Recommendations for Private Developments
- Exhibit B: Draft Hayward Environmentally Friendly Landscape Guidelines and Checklist for Landscape Professionals
- Exhibit C: Draft Hayward Environmentally Friendly Landscape Guidelines and Checklist for Single-Family Developments