

**CITY OF SAN MATEO
ORDINANCE NO. 2015-3**

AMENDING THE SAN MATEO MUNICIPAL CODE BY ADDING CHAPTER 23.72, "WATER CONSERVATION IN LANDSCAPING," AND AMENDING CHAPTER 27.71, "LANDSCAPE"

WHEREAS, a reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the City of San Mateo, California; and

WHEREAS, the California Water Conservation in Landscaping Act, also known as the State Landscape Model Ordinance ("Model Ordinance"), has been implemented by a Statewide Landscape Task Force which was overseen by the California Urban Water Conservation Council; and

WHEREAS, The California Water Conservation Landscaping Act was amended pursuant to Assembly Bill (AB) 2717 (Chapter 682, Stats. 2004) and AB 1881 (Chapter 559, Stats. 2006); and

WHEREAS, AB 1881 required cities and counties, no later than January 1, 2010 to either adopt the updated Model Ordinance or an equivalent document which is "at least as effective as" the Model Ordinance in conserving water; and

WHEREAS, in the event cities and counties did not take such action, the State's Model Ordinance was deemed to be automatically adopted by statute; and

WHEREAS, the City of San Mateo has been applying the state model ordinance to date; and

WHEREAS, the City of San Mateo has developed this local ordinance to meet the requirements and guidelines of the Model Ordinance and to address the unique physical characteristics, including average landscaped areas, within the City of San Mateo's jurisdiction in order to ensure that this Ordinance will be "at least as effective as" the Model Ordinance in conserving water; and

WHEREAS, although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the City Council finds that it is "at least as effective as" the Model Ordinance for the following reasons:

1. This Ordinance applies to more accounts than the Model Ordinance does because it lowers the size threshold for applicable landscapes from 2,500 square feet (or, in the case of single-family residences, from 5,000 square feet) to 1,000 square feet, to better reflect the typical landscaped areas located within this City's boundaries;
2. This Ordinance includes a default turf restriction of 25% of the irrigated areas and requires that at least 80% of the plants in non-turf landscape areas be native plants, low-water using plants, or no-water using plants (unless the applicant elects to utilize an approved water budget); and
3. This Ordinance expands the requirement for dedicated irrigation meters to all residential accounts with landscaping greater than 5,000 square feet. The Model Ordinance does not contain any such default turf restrictions or specified plant requirements and only requires dedicated irrigation meters on non-residential accounts with landscaping greater than 1,000 square feet; and

WHEREAS, although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the City Council, further finds that it is “at least as effective as” the Model Ordinance because this Ordinance includes water budget parameters and values and landscape parameters that are consistent with the Model Ordinance; and

WHEREAS, by using the same water budget parameters as the Model Ordinance (e.g., plant factors, irrigation efficiency), this Ordinance will be as effective as the Model Ordinance in developing landscape water budgets; and

WHEREAS, by using the same landscape parameters as the Model Ordinance for, among other things, slope restrictions and width restrictions for turf, irrigation times, and minimum mulch requirements, this Ordinance will be at least as effective as the Model Ordinance in achieving water savings; and

WHEREAS, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof; and

WHEREAS, the San Francisco Public Utilities Commission has imposed an interim water supply limitation on its wholesale customers, including local water suppliers, until at least 2018; and

WHEREAS, this Ordinance is consistent with the provisions requiring reductions in outdoor water use for landscaping in the California Green Building Standards Code, as such provisions will be implemented in the coming years; and

WHEREAS, such requirements include the development of a water budget for landscape irrigation in accordance with methodology outlined in either the Model Ordinance or pursuant to a locally adopted ordinance; and

WHEREAS, the State Legislature has identified the provision of a more reliable water supply and the protection, restoration and enhancement of the Delta ecosystem as a high priority for the state; and

WHEREAS, in November 2009, the State Legislature passed Senate Bill requiring certain urban water suppliers to reduce per capita urban water use by 20% by the year 2020; and

WHEREAS, the City Council finds that implementation of this Ordinance is consistent with the policies and goals established by the State Legislature in enacting; and

WHEREAS, Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, policy, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, pursuant to AB 1881, enforcement of the landscape conservation ordinance adopted by the City of San Mateo will require supportive measures by Cal Water, the local water

provider within this jurisdiction, so as to ensure the successful implementation and enforcement of this Ordinance; and

WHEREAS, Chapter 27.71, "Landscape," of the zoning code provides parameters for landscaping that are reviewed at the planning application phase of the development review process for specific types of projects that include landscaping with single family residential uses being excluded; and

WHEREAS, as detailed in the accompanying Administrative Report, Chapter 27.71, "Landscape," covers a number of landscaping regulations, including the amount of allowed turf and requirements for irrigation, mulch and drought tolerant plants, which are generally not appropriate to be analyzed at the planning application stage; and

WHEREAS, it is proposed that Chapter 27.71 be retitled "Landscape for Planning Applications" which is a more appropriate title for the regulations set forth in the amended chapter; and

WHEREAS, the amended Chapter 27.71 removes regulations to be covered in the newly created Chapter 23.72; and

WHEREAS, the adoption and enforcement of this Ordinance is necessary to manage the City's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the City; and

WHEREAS, this Ordinance is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, ORDAINS that:

Section 1. Chapter 23.72, "Water Conservation in Landscaping," is added to Title 23 of the San Mateo Municipal Code to read:

Chapter 23.72

WATER CONSERVATION IN LANDSCAPING

- 23.72.010** **Applicability.**
- 23.72.020** **Definitions.**
- 23.72.030** **Water conservation in landscaping ordinance requirements.**
- 23.72.040** **Compliance with ordinance.**
- 23.72.050** **Landscape project application.**
- 23.72.060** **Outdoor water use efficiency checklist.**
- 23.72.070** **Water budget calculations.**
- 23.72.080** **Landscape and irrigation design plans.**
- 23.72.090** **Landscape audit report.**
- 23.72.000** **Landscape and irrigation maintenance schedule.**
- 23.72.110** **Stormwater management.**

- 23.72.120 Provisions for existing landscaping over one acre in size.
- 23.72.130 Penalties.
- 23.72.140 Public education.

23.71.10 APPLICABILITY.

- a. This Chapter shall apply to the following landscape projects:
 - (1) Tier 1 Landscapes: All new construction and rehabilitated landscapes with irrigated landscape areas between 1,000 square feet and 2,500 square feet requiring a building or landscape permit, plan check or design review, or requiring new or expanded water service; and
 - (2) Tier 2 Landscapes: All new construction and rehabilitated landscapes with irrigated landscape areas equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review or requiring new or expanded water service.
- b. Existing landscapes, including existing cemeteries and parks, shall only be subject to the provisions for existing landscapes provided for in 23.72.120, "Provisions for Existing Landscapes Over One Acre in Size."
- c. New and rehabilitated cemeteries and parks shall only be subject to the provisions of 23.72.070 "Water Budget Calculations," 23.72.090 "Landscape Audit Report," and 23.72.100 "Landscape and Irrigation Maintenance Schedule."
- d. The provisions of this Chapter shall not apply to:
 - (1) New construction and rehabilitated landscapes with irrigated landscape areas less than 1,000 square feet or that do not require a building or landscape permit, plan check or design review, or new or expanded water service;
 - (2) Landscapes, or portions of landscapes, that are only irrigated for an establishment period;
 - (3) Registered local, state or federal historical sites where landscaping establishes a historical landscape style, as determined by a public board or commission responsible for architectural review or historic preservation;
 - (4) Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system; or
 - (5) Community gardens or plant collections, as part of botanical gardens and arboretums open to the public, agricultural uses, commercial nurseries and sod farms.

23.72.20 DEFINITIONS.

- a. "**Applied water**" means the portion of water supplied by the irrigation system to the landscape.
- b. "**Automatic irrigation controller**" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather- based) or soil moisture data.
- c. "**Backflow prevention device**" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- d. "**Certified irrigation designer**" means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the U.S. Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
- e. "**Certified landscape irrigation auditor**" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the U.S. Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

- f. **“Certified professional”** or **“authorized professional”** means a certified irrigation designer, a certified landscape irrigation auditor, a licensed landscape architect, a licensed landscape contractor, a licensed professional engineer, or any other person authorized by the state to design a landscape, an irrigation system, or authorized to complete a water budget.
- g. **“Conversion factor (0.62)”** means the number that converts acre-inches per acre per year to gallons per square foot per year.
- h. **“Drip irrigation”** means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- i. **“Ecological restoration project”** means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- j. **“Effective precipitation”** or **“usable rainfall”** (Eppt) means the portion of total precipitation which becomes available for plant growth.
- k. **“Establishment period”** means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.
- l. **“Estimated Total Water Use”** (ETWU) means the total water used for the landscape as described in Section VIII “Water Budget Calculations.”
- m. **“ET adjustment factor”** (ETAF) means a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes shall not exceed 0.8.
- n. **“Evapotranspiration rate”** means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
- o. **“Flow rate”** means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- p. **“Hardscapes”** means any durable material (pervious and non-pervious).
- q. **“Hydrozone”** means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
- r. **“Invasive plant species”** means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. **“Noxious weeds”** means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- s. **“Irrigation audit”** means an in-depth evaluation of the performance of an irrigation system. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.
- t. **“Irrigation efficiency”** (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this Ordinance is 70%. Greater irrigation efficiency can be expected from well-designed and maintained systems.
- u. **“Irrigation survey”** means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

- v. **“Irrigation water use analysis”** means an analysis of water use data based on meter readings and billing data.
- w. **“Landscape architect”** means a person who holds a license to practice landscape architecture in California as further defined by the California Business and Professions Code, Section 5615.
- x. **“Landscape area”** means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation), agricultural uses, commercial nurseries and sod farms.
- y. **“Landscape contractor”** means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- z. **“Landscape project”** means the total area comprising the landscape area, as defined in this Chapter.
- aa. **“Lateral line”** means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- bb. **“Local agency”** means a city or county, including a charter city or charter county, or water district that is responsible for adopting and implementing this Chapter. The local agency is also responsible for the enforcement of this Chapter, including but not limited to, in the case of a city or county, approval of a permit and plan check or design review of a project; and in the case of a district, approval of a new or expanded water service application.
- cc. **“Local water purveyor”** means any entity, including a public agency, city, county, district or private water company that provides retail water service.
- dd. **“Low volume irrigation”** means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers.
- ee. **“Low water use plant”** means a plant species whose water needs are compatible with local climate and soil conditions. Species classified as “very low water use” and “low water use” by *WUCOLS*, having a regionally adjusted *plant factor* of 0.0 through 0.3, shall be considered low water use plants.
- ff. **“Maximum Applied Water Allowance”** (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in 23.72.070 “Water Budget Calculations.”
- gg. **“Mined-land reclamation projects”** means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- hh. **“Mulch”** means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- ii. **“Native plant”** means a plant indigenous to a specific area of consideration. For the purposes of these guidelines, the term shall refer to plants indigenous to the coastal ranges of Central and Northern California, and more specifically to such plants that are suited to the ecology of the present or historic natural community(ies) of the project’s vicinity.
- jj. **“New construction”** means the construction of a new building or structure containing a landscape or other new land improvement, such as a park, playground, or greenbelt without an associated building.
- kk. **“No-water using plant”** means a plant species with water needs that are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established.
- ll. **“Operating pressure”** means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

- mm. **“Overhead sprinkler irrigation systems”** means systems that deliver water through the air (e.g., spray heads and rotors).
- nn. **“Overspray”** means the irrigation water which is delivered beyond the target area.
- oo. **“Permit”** means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- pp. **“Pervious”** means any surface or material that allows the passage of water through the material and into the underlying soil.
- qq. **“Plant factor”** or **“plant water use factor”** is a factor, when multiplied by ETo, estimates the amount of water needed by plants.
- rr. **“Precipitation rate”** means the rate of application of water measured in inches per hour.
- ss. **“Project applicant”** means the individual or entity submitting a Project Landscape Application required under 23.72.050, to request a permit, plan check, or design review from the local agency or requesting new or expanded water service from the water district. A project applicant may be the property owner or his or her designee.
- tt. **“Rain sensor”** or **“rain sensing shutoff device”** means a component which automatically suspends an irrigation event when it rains.
- uu. **“Recreational area”** means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.
- vv. **“Reference evapotranspiration”** or **“ETo”** means a standard measurement of environmental parameters which affect the water use of plants.
- ww. **“Rehabilitated landscape”** means any re-landscaping project that requires a permit, plan check, design review, or requires a new or expanded water service application.
- xx. **“Runoff”** means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area.
- yy. **“Soil moisture sensing device”** or **“soil moisture sensor”** means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- zz. **“Special Landscape Area”** (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
- aaa. **“Sprinkler head”** means a device which delivers water through a nozzle.
- bbb. **“Station”** means an area served by one valve or by a set of valves that operate simultaneously.
- ccc. **“Turf”** means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool- season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are warm-season grasses.
- ddd. **“Valve”** means a device used to control the flow of water in the irrigation system.
- eee. **“Water feature”** means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).
- fff. **“WUCOLS”** means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, the Department of Water Resources and the Bureau of Reclamation, 2000.

23.72.030 WATER CONSERVATION IN LANDSCAPING ORDINANCE REQUIREMENTS.

- a. All owners of new construction and rehabilitated landscapes of applicable sizes shall: (1) complete a Landscape Project Application and (2) comply with the Landscape and Irrigation Maintenance Schedule requirements of this Ordinance.

b. All owners of existing landscapes over one acre in size, even if installed before enactment of this Ordinance, shall: (1) comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and (2) shall maintain landscape irrigation facilities to prevent water waste and runoff.

23.72.040 COMPLIANCE WITH ORDINANCE.

a. The local agency shall:

(1) Provide the project applicant with the Ordinance and Landscape Project Application requirements and the procedures for permits, plan checks, design reviews, or new or expanded water service;

(2) Review the Landscape Project Application submitted by the project applicant;

(3) Approve or deny the project applicant's Landscape Project Application submittal;

(4) Issue or approve a permit, plan check or design review that complies with the approved Landscape Project Application or approve a new or expanded water service application that complies with the approved Landscape Project Application; and

(5) Submit a copy of the complete Landscape Project Application to the local water purveyor or land use authority, as the case may be.

b. The project applicant shall:

(1) Prior to construction, submit all portions of the Landscape Project Application, except the Landscape Audit Report, to the local agency; and

(2) After construction, submit the Landscape Audit Report portion of the Landscape Project Application to the local agency.

23.72.050 LANDSCAPE PROJECT APPLICATION.

a. The elements of a landscape must be designed to achieve water efficiency and will comply with the criteria described in this Chapter. In completing the Landscape Project Application, project applicants may choose one of two options to demonstrate that the landscape meets the Ordinance's water efficiency goals. Regardless of which option is selected, the applicant must complete and comply with all other elements of this Chapter. The options include:

(1) Planting restrictions:

A. The turf area may not be more than 25% of the landscape area and;

B. At least 80% of the plants in non-turf landscape areas shall be native plants, low-water using plants, or no-water using plants; or the

(2) Water Budget Calculation option.

b. The Landscape Project Application shall include the following elements:

(1) Project Information;

(2) Outdoor Water Use Efficiency Checklist;

(3) Water Budget Calculations, if applicant selects to use a water budget approach rather than comply with the turf area limitations or specified plant type restrictions;

(4) Landscape and Irrigation System Design Plans; and

(5) Landscape Audit Report.

23.72.060 OUTDOOR WATER USE EFFICIENCY CHECKLIST. The City of San Mateo has developed an Outdoor Water Use Efficiency Checklist (Checklist), based on the criteria described below. For Tier 1 projects, either the project applicant or a certified or authorized professional shall complete the Checklist and submit it to City of San Mateo along with the Landscape and Irrigation Design Plan. For Tier 2 projects, the Checklist shall be completed by a certified or authorized professional and submitted

to the City of San Mateo along with the Landscape and Irrigation Design Plan.

a. Plant Material

(1) Each hydrozone shall have plant materials with similar water use that are selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

(2) The turf area shall not be more than 25% of the landscape area, unless the project applicant develops a site-specific water budget and the ETWU of the landscape area does not exceed the MAWA.

(3) Turf shall not be planted on slopes greater than 25% or in areas that are less than eight feet wide, unless irrigated with subsurface irrigation or a low volume irrigation system.

(4) At least 80% of the plants in non-turf landscape areas shall be native plants, low-water using plants, or no-water using plants, unless the project applicant develops a site-specific water budget and the ETWU of the landscaped area does not exceed the MAWA.

(5) Fire-prone plant materials and highly flammable mulches should be avoided.

(6) The use of invasive and/or noxious plant species is strongly discouraged.

(7) The architectural guidelines of a common interest development shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

b. Mulch. A minimum two-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas, although a three-inch layer is recommended.

c. Irrigation System. An irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance.

(1) Dedicated landscape water meters shall be required for all non-residential landscapes of over 1,000 square feet and for all residential landscape areas greater than 5,000 square feet and are highly recommended for landscape areas greater than 2,500 square feet.

(2) All landscapes are required to have automatic irrigation controllers that utilize either evapotranspiration or soil moisture sensor data for irrigation scheduling.

(3) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems.

(4) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions.

(5) Low volume irrigation required in mulched areas, in areas with slope greater than 25%, and within 24-inches of a non-permeable surface, or in narrow or irregularly shaped areas that are less than eight feet in width in any direction.

(6) Average irrigation efficiency is assumed to be 70%. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average landscape irrigation efficiency of 70%.

(7) Irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m., unless unfavorable weather prevents it or otherwise renders irrigation unnecessary.

d. Hydrozone

(1) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(2) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(3) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.

(4) Individual hydrozones that mix plants with different water uses may be allowed if a water budget is performed, and the plant factor calculation is based on the proportion of the respective plant water uses or the plant factor of the higher water using plant is used.

e. Water Features

- (1) Recirculating water systems will be used for water features.
- (2) The surface area of a water feature will not exceed 10% of the landscape area and will be counted as a high-water using plant for purposes of a water budget calculation.
- (3) Pool and spa covers are highly recommended.
- f. Soil Amendments. Soil amendments, such as compost, shall be incorporated according to the soil conditions at the project site and based on what is appropriate for the selected plants.

23.72.070 WATER BUDGET CALCULATIONS. Project applicant may elect to complete a water budget calculation for the landscape project. A Tier 1 water budget may be developed and completed by the project applicant. A Tier 2 water budget calculation must be completed by a certified or authorized professional. Water budget calculations, if prepared, shall adhere to the following requirements:

- a. The plant factor used shall be from WUCOLS. The plant factor ranges from 0.0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- b. All water features shall be included in the high water use hydrozone.
- c. All Special Landscape Areas (SLA) shall be identified and their water use included in the water budget calculations.
- d. The reference evapotranspiration adjustment factor (ETAF) for SLA shall not exceed 1.0. The ETAF for all other landscaped areas shall not exceed 0.7.
- e. Irrigation system efficiency shall be greater than or equal to 70%.
- f. Maximum Applied Water Allowance (MAWA) shall be calculated using the equation below:

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Where:

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.7 = Reference Evapotranspiration Adjustment Factor (ETAF)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet).

- g. A local agency or project applicant may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate the MAWA:

$$\text{MAWA} = (\text{ETo} - \text{Eppt}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})].$$

- h. Estimated Total Water Use (ETWU) will be calculated using the equation below. The sum of the ETWU calculated for all hydrozones will not exceed the MAWA.

$$\text{ETWU} = (\text{ETo})(0.62) \left(\frac{\text{PF} \times \text{HA}}{\text{IE}} \right) + \text{SLA}]$$

Where:

ETWU	= Estimated Total Water Use per year (gallons)
ETo	= Reference Evapotranspiration (inches)
PF	= Plant Factor from WUCOLS (see Section 491)
HA	= Hydrozone Area [high, medium, and low water use areas] (square feet)
SLA	= Special Landscape Area (square feet)
0.62	= Conversion Factor
IE	= Irrigation Efficiency (minimum 0.70).

23.72.080 LANDSCAPE AND IRRIGATION DESIGN PLANS.

- a. Tier 1 Landscapes: The Landscape and Irrigation Design Plan shall be prepared by, and bear the signature of, the project applicant, or that of a certified or authorized professional.
- b. Tier 2 Landscapes: The components of the Landscape and Irrigation Design Plan shall be prepared as follows:
 - (1) The landscape design portion shall be prepared by, and bear the signature of, a licensed landscape architect, licensed landscape contractor, or that of a certified or authorized professional; and
 - (2) The irrigation design portion shall be prepared by, and bear the signature of, a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or that of a certified or authorized professional.
- c. The landscape design portion of the Landscape and Irrigation Design Plan, at a minimum, shall:
 - (1) Delineate and label each hydrozone;
 - (2) Identify each hydrozone as low, moderate, high water, or mixed water use;
 - (3) Identify Special Landscape Areas (i.e., recreational areas; areas permanently and solely dedicated to edible plants; areas irrigated with recycled water);
 - (4) Identify type of mulch and application depth;
 - (5) Identify type and surface area of water features;
 - (6) Identify hardscapes (pervious and non-pervious); and
 - (7) Contain the following statement: "I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the Landscape and Irrigation Design Plan."
- d. The irrigation design portion of the Landscape and Irrigation Design Plan, at a minimum, shall contain:
 - (1) Location and size of separate water meters for landscape;
 - (2) Location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
 - (3) Static water pressure at the point of connection to the public water supply;
 - (4) Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
 - (5) Irrigation schedule;
 - (6) The following statement: "I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them accordingly for the efficient use of water in the Landscape and Irrigation Design Plan."

e. Grading. If the Landscape Project will be graded, then the grading shall be designed to minimize soil erosion, runoff, and water waste. All grading should be conducted to:

- (1) Maintain all irrigation and normal rainfall within property lines and avoid drainage onto non-permeable hardscapes;
- (2) Avoid disruption of natural drainage patterns and undisturbed soil;
- (3) Avoid soil compaction in landscape areas; and
- (4) Be consistent with city and county grading requirements.

23.72.090 LANDSCAPE AUDIT REPORT.

a. Tier 1 Landscapes: Landscape irrigation audits for new or rehabilitated landscapes installed after the effective date of this Ordinance shall be conducted after the landscaping and irrigation systems have been installed. The audit may be conducted by the project applicant or by a certified landscape irrigation auditor.

b. Tier 2 Landscapes: Landscape irrigation audits for new or rehabilitated landscapes installed after the effective date of this Ordinance shall be conducted by a certified landscape irrigation auditor after the landscaping and irrigation system have been installed.

c. The Landscape Audit Report shall include, but is not limited to, inspection to confirm that the landscaping and irrigation system were installed as specified in the Landscape and Irrigation Design Plan, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule.

d. The Landscape Audit Report shall include the following statement: "The landscape and irrigation system has been installed as specified in the Landscape and Irrigation Design Plan and complies with the criteria of the Ordinance and the permit."

23.72.100 LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE. Landscapes shall be maintained to ensure water use efficiency.

a. A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas; and removing obstructions to emission devices.

b. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents.

c. A Project applicant is encouraged to implement sustainable or environmentally- friendly practices for overall landscape maintenance.

23.72.110 STORMWATER MANAGEMENT. Stormwater best management practices should be implemented into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration and should be consistent with city and county stormwater management requirements.

23.72.120 PROVISIONS FOR EXISTING LANDSCAPES OVER ONE ACRE IN SIZE. This section shall apply to all existing landscapes that were installed before the effective date of this Ordinance and are over one acre in size.

a. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(1) For landscapes that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a

level that does not exceed the MAWA for existing landscapes. The MAWA for existing landscapes shall be calculated as:

$$\text{MAWA} = (0.8) (\text{ETo})(\text{LA})(0.62).$$

(2) For landscapes that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(3) All landscape irrigation audits for existing landscapes that are greater than one acre in size shall be conducted by a certified landscape irrigation auditor.

b. Water Waste Prevention. Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.

23.72.130 PENALTIES. Violation and Notice of Correction. It is unlawful for any person, firm, partnership, association, or corporation subject to the requirements of this Ordinance to fail to comply with the outdoor water use efficiency requirements of this Ordinance. City of San Mateo has the authority to conduct such inquiries, audits or surveys to ensure compliance with the requirements of this Chapter. Whenever the City of San Mateo determines that a violation of this Chapter has occurred, the City of San Mateo may utilize any of the code enforcement methods set forth in Title 1 of the City's Municipal Code in addition to any other available legal remedies.

23.72.140 PUBLIC EDUCATION. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water-efficient landscapes that are described in this Ordinance.

Section 2. Chapter 27.71, "Landscape" is amended to be retitled "Landscape for Planning Applications" which shall read:

Chapter 27.71

LANDSCAPE FOR PLANNING APPLICATIONS

- 23.71.010 Purpose.**
- 27.71.020 Scope.**
- 27.71.030 General objectives.**
- 27.71.040 Definitions.**
- 27.71.050 Maintenance**
- 27.71.060 Plant establishment period.**
- 27.71.070 Submittals required for a planning application.**
- 27.71.080 Submittals required for a building permit application.**
- 27.71.090 Requirements for use or issuance of a certificate of occupancy.**
- 27.71.100 Landscape compatibility and soil testing.**
- 27.71.110 Plant coverage and tree sizes.**
- 27.71.120 Street trees.**
- 27.71.130 Parking areas.**
- 27.71.140 Right-of-way landscaping.**
- 27.71.150 Preservation of existing trees.**

27.71.010 PURPOSE. The purpose of this chapter is to enhance the quality of life in San Mateo by the provision for appropriate design of landscaping and through the preservation of existing trees. Landscaping shall be a major component of all site design in order to create a city that has a strong landscaped character. The intent is that individual neighborhood character be developed and maintained, architecture be softened by plant materials where appropriate, conflicting uses be buffered, parking areas be screened, comfortable outdoor living and walking spaces be created, air pollution be mitigated and future developments be made water efficient.

27.71.020 SCOPE. This chapter shall apply as a minimum for all projects requiring approval of a planning application pursuant to Section 27.08.010, except for Single Family Dwelling Design Review applications. Landscaping not subject to this chapter shall be governed by the provisions of Chapter 10.52—Heritage Trees. The Zoning Administrator may determine that minor additions or changes to existing property are not reasonably related to the purpose of this chapter and may be exempt from the requirements of this chapter.

27.71.030 GENERAL OBJECTIVES.

(a) **Required Landscaping.** All required front and street side yards shall be landscaped, except for necessary driveways and walkways. In all other areas landscaping shall be required except for necessary circulation areas, paved outdoor living areas or water features.

(b) **Buffering and Screening.** Plantings shall be provided to buffer residential uses from commercial or industrial uses. Plantings shall also be provided to screen service and storage areas, parking lots or unsightly areas. Plantings shall be used where appropriate to control noise, wind, climate and ensure privacy.

(c) **Outdoor Living Areas.** Landscaping shall be arranged so as to provide usable outdoor living areas where appropriate. Plant materials and architectural features should be used to control noise, sun and wind and provide adequate privacy.

(d) **Composition of Required Landscaping.** All required landscaping shall include the planting and maintenance of some combination of trees, groundcover, shrubs, vines, annuals and lawns. In addition, the combination or design may include natural or structural features, including but not limited to fountains, reflecting pools, artwork, screens, walls, and fences.

(e) **Security.** Landscaping shall be installed and maintained to provide aesthetic quality while promoting building security.

(f) **Minimum Requirements.** The provisions contained in this chapter are intended to be a minimum standard. Compatibility with other projects and compliance with required findings and adopted goals and policies of the City shall be evaluated through the planning application process.

27.71.040 DEFINITIONS. The following definitions shall apply to this chapter:

(a) "Groundcover" means low growing live perennial vegetation, other than turf, of a species which is sold as a groundcover or shrub by licensed nurserymen.

(b) A "heritage tree" is any one of the following:

(1) Any bay (*Umbellularia californica*), buckeye (*Aesculus* spp.), oak (*Quercus* spp.), cedar (*Cedrus* spp.) or redwood (*Sequoia sempervirens*) tree that has a diameter of ten (10) inches or more measured at forty-eight (48) inches above natural grade;

(2) A tree or stand of trees designated by resolution of the City Council to be of special historical value or of significant community benefit;

(3) A stand of trees, the nature of which makes each dependent on the others for survival; and

(4) Any other tree with a trunk diameter of sixteen (16) inches or more, measured at forty-eight (48) inches above natural grade.

(c) "Landscape" or "landscaped area" means an area that consists of living plantings.

(d) "Landscape unit (LU)" means the unit of measurement for trees which indicates the worth of each relative to one another and towards satisfying City requirements.

(e) "Natural landscaping" means an area consisting of uncultivated native plant growth and other features of natural terrain such as rock outcroppings, streams or other areas covered by water.

(f) "Plantings" means annuals, groundcover, turf grass, shrubs or trees.

(g) "Shrubs" means live perennial vegetation, greater than an average height of two feet (2') and maintained below twelve feet (12') in height. Vines shall be considered as shrubs.

(h) "Trees" means a live self-supporting woody plant having at least one well defined stem or trunk and normally attaining a mature height and spread of at least twelve feet (12'), and having a trunk that may, at maturity, be kept clear of leaves and branches at least six feet (6') above grade.

(i) "Turfgrass" means live vegetation of a species normally grown as turf by a nursery and which is maintained at a height of three inches (3") or less.

27.71.050 MAINTENANCE. All landscape areas shall be maintained free of weeds, litter and debris. All plantings shall be maintained in a healthy growing condition and whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans.

27.71.060 PLANT ESTABLISHMENT PERIOD. A plant establishment period of three growing season months (March through October) shall be required for all landscape areas. At the completion of this period all plant materials shall be in a healthy condition and the landscaped area shall be maintained free of weeds, litter and debris.

(a) For projects with less than 10,000 square feet of landscaped area, proof of a contract with a licensed landscape contractor to maintain the landscape for the plant establishment period shall be submitted.

(b) For projects with greater than 10,000 square feet of landscape area and for all residential condominiums, financial securities shall be held by the City as required in Section 27.71.090 to ensure compliance with the plant establishment period.

27.71.070 SUBMITTALS REQUIRED FOR A PLANNING APPLICATION.

(a) All landscape plans must be at a reasonable scale to indicate all types of improvements. All plans must contain sufficient information to ensure conformance with the requirements of this chapter and must include but are not limited to the following information:

- (1) North arrow and scale;
- (2) The name of the applicant/owner;
- (3) The name, address, and phone number of the person or firm responsible for the preparation of the plans and other required information;
- (4) The dates the plans are submitted and revised;
- (5) All existing and proposed buildings and other structures, paved areas, planted areas, power poles, fire hydrants, light standards, signs, fences, and other permanent features to be added and/or retained on the site;
- (6) All existing plant material to remain and to be removed, a tree evaluation schedule identifying trees as to size, species, the condition of trees to be removed as determined by an arborist and the existing and proposed replacement LU values;
- (7) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches, and other public or semi-public improvements within and immediately adjacent to the site;
- (8) Contour lines, if the slopes are in excess of 10 percent;
- (9) Existing and proposed topographic elevations at sufficient locations, to clearly show the drainage pattern unless this information is provided on a grading plan or other documents in the planning application;
- (10) All property lines and easements;
- (11) Square footage of all planted area;
- (12) Species, sizes and location of all proposed plant material;
- (13) Soil tests as required by the discretion of the Zoning Administrator; and
- (14) A tree protection plan consistent with the section 13.52.025(c) of the municipal code.

(b) All projects with over 1,000 square feet of new or modified planting areas as required to meet the provisions of this chapter shall have all landscape plans and accompanying documents prepared or reviewed and found acceptable by a licensed landscape architect registered with the State of California.

27.71.080 SUBMITTALS REQUIRED FOR A BUILDING PERMIT APPLICATION.

- (a) All of the required submittals for a planning application;
- (b) Type and depth of mulch indicated on the plan;
- (c) An irrigation plan accurately drawn to scale that indicates all components of the irrigation system including sprinklers and other outlets, valves, the backflow prevention device(s), controller(s), and piping;
- (d) All required tree preservation fees as required in Section 27.71.150;

- (e) For projects with less than 10,000 square feet of landscaped area, proof of a contract with a licensed landscape contractor to maintain the landscape area for the plant establishment period;
- (f) For projects with greater than 10,000 square feet of landscape area, financial securities as required in Section 27.71.090; and
- (g) Soil tests as required in Section 27.71.110.

27.71.090 REQUIREMENTS FOR USE OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

- (a) Prior to use, final inspection, or the issuance of certificate of occupancy, all landscaping shall be installed in conformance with the approved plans.
- (b) Phased Projects. Incremental landscape installation may be permitted by the Zoning Administrator when building construction is phased.
- (c) Financial Security. Financial security shall be required for all projects with over 10,000 sq. ft. of landscape area and for all residential condominiums. On smaller projects where adverse weather, drought conditions or project phasing prohibit the installation of landscaping, the Zoning Administrator may allow financial security to be submitted to the City in order to allow use or issuance of a certificate of occupancy. The security shall be in a form which is legally sufficient to ensure the preservation of trees and the installation of all approved landscape improvements. Financial security shall be returned to the applicant upon completion of the plant establishment period. The City shall be the beneficiary and the sole determinant of compliance and completion. A detailed cost estimate of all landscape improvements plus the value of any existing trees to remain, as determined in Section 27.71.150, shall be used to determine the amount of security.

27.71.100 LANDSCAPE COMPATIBILITY AND SOIL TESTING. The location and nature of all landscaping shall be compatible with the soil, amendments, existing plantings to remain and character of the landscaping in the vicinity. For projects with over 10,000 sq. ft. of landscape area or in areas of questionable soils such as the foothills or areas of bay fill, soils testing shall be required. Testing shall be performed by a professional testing laboratory. Soil shall be amended according to test report recommendations.

27.71.110 PLANT COVERAGE AND TREE SIZES.

- (a) Allowed Bare Ground. Areas of bare ground or ground covered only by bark or rocks shall be allowed on site only where required as part of an approved facility, such as a baseball diamond, vegetable garden, flowerbed, or similar use.
- (b) Allowed Natural Landscaping. Natural landscaping shall be allowed only in areas where it is compatible with the surrounding environment.
- (c) Minimum Tree Size. All required trees shall be a minimum size of 15 gallon container at time of installation, except for Heritage tree replacements, which require a minimum size of 24" box.
- (d) Plant Coverage:
 - (1) Trees shall be planted at a minimum ratio of 1 per 400 square feet of required landscaped area. The ratio may include existing trees and required street and parking area trees. In some instances a greater ratio will be necessary to achieve desired landscaping objectives. Required tree ratio excluded for public parks, golf courses, cemeteries and school recreation areas.
 - (2) Groundcover and shrub massing areas shall be planted in a manner or at the spacings recommended by the American Association of Nurserymen, to uniformly cover the proposed groundcover areas within two years and the shrub areas within five years or a period optimum for the species.

(e) Security planting. The use of plant materials that promote building security is encouraged. A list of such materials may be obtained from the planning division. Perimeter landscaped areas should incorporate thorny plant materials to discourage persons from cutting through parking areas, trampling vegetation near ground floor windows, or climbing perimeter fences and walls.

27.71.120 STREET TREES.

(a) Tree Planting. Fifteen-gallon or larger street trees shall be planted along public streets in accordance with the City Street Tree Master Plan. Trees shall be planted at a spacing not to exceed 30 feet except to allow for utilities, street furnishings and driveways. Trees shall be planted closer than 30 feet if so recommended by the City Arborist.

(b) Tree Maintenance Easement. Where a planning application requires a parcel or tentative map, a street tree maintenance easement shall be required if the street trees are to be located on private property and no such easement exists. However, it is recommended that even when a parcel or tentative map is not required or included, an easement be provided to allow the City to maintain the trees (other than irrigating) on private property.

27.71.130 PARKING AREAS. The following requirements shall apply to open parking areas containing five or more parking spaces.

(a) Setbacks. Whenever a parking area is located adjacent to any residential use or zone and along all street frontages, a landscape strip shall be provided that is equal in width to five percent (5%) of the parking lot depth or six feet (6'), whichever is greater.

(b) Percentage of Parking Areas to be Landscaped. At least ten percent (10%) of the open parking area shall be landscaped. The following shall be considered in computing the landscape area:

- (1) Parking area includes all paved surfaces devoted to on-site circulation and parking;
- (2) Only those landscaped areas within six feet (6') of a parking stall or aisle shall apply towards meeting the 10% requirement;
- (3) Areas to be considered shall include planting areas and required curbing.

(c) Screening. All open parking areas shall be effectively screened on each side adjoining or fronting on any property in a residential zone and along all street frontages. Screening of adjoining property shall be a minimum of four feet (4') to a maximum of six feet (6') in height. Screening along street frontages shall be at least two and one-half feet (2'-6") in height for at least eighty percent (80%) of its length. Screening shall be accomplished by a wall, fence, earth berm, densely planted shrub mass or any combination of the above. Where walls or fences are provided, they shall be located adjacent to the edge of the parking lots. Screening shall conform with the sight distance requirements contained in Chapter 27.84 of the San Mateo Municipal Code.

(d) Parking Lot Islands.

- (1) All islands and small areas unused for parking or circulation shall be landscaped. The Zoning Administrator may determine that certain areas for reasons of size, aesthetics or circulation should not be landscaped and may approve paving in those areas.
- (2) Interior landscape islands, having a minimum dimension of five feet (5') including curb, shall be provided after every ten parking spaces in a row to provide for tree planting.

(e) Required Trees. For each three parking spaces at least one tree shall be planted within the parking lot landscaped area in addition to any required street trees. Existing trees may be included in the required total.

(f) Protection of Planting Areas. All planting areas shall be protected from common vehicular traffic. For parking lots containing five stalls or more, this requirement shall be met by a six-inch-high vertical concrete curb. For parking lots containing less than five stalls, this requirement may

be met by a concrete wheel stop in front of each diagonal or perpendicular stall plus a minimum six-inch-high concrete curb in other areas or approved equal. No trees or shrubs shall be planted and sprinkler heads shall be kept below curb height within two feet six inches (2'6") of any curb or wheel stops which front upon parking stalls or backup areas.

27.71.140 RIGHT-OF-WAY LANDSCAPING. The unpaved right-of-way area located between the public street and private property shall be landscaped in a manner compatible with the required landscaping on site. Such landscaping shall be permanently maintained by the property owner in conformance with the approved plans and so as not to create a safety hazard. Strips of public right-of-way located between the curb and sidewalks may not be paved but must likewise be landscaped. Long narrow strips of turfgrass such as traffic medians and areas between curbs and sidewalks are prohibited.

27.71.150 PRESERVATION OF EXISTING TREES.

(a) Evaluation of Existing Trees. Trees over six inches (6") in caliper shall be evaluated on the basis of species, size, condition, location and classification as a heritage tree.

(b) Required Submittals. To evaluate the existing trees the landscape plan and a tree evaluation schedule shall be submitted with the planning application showing:

- (1) The location of all existing trees six inches or greater in caliper, noting which are to be removed and which are located within the allowable building area;
- (2) Caliper size in inches measured 48 inches above grade;
- (3) Species name and species value as determined by utilizing the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers;
- (4) Condition and location value of trees as determined by an arborist or landscape architect;
- (5) The total LU value of trees to be removed; and
- (6) The total LU value of replacement trees.

(c) Landscape Unit Value (LU).

- (1) The tree species, condition, and location values of the trees shall be based on an evaluation by an experienced landscape appraiser recognized by the American Society of Consulting Arborists utilizing the most recent Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers; and approved by the Zoning Administrator.
- (2) Trees not within the allowable building area shall receive a location factor of 1.0 (100%). Trees located within the allowable building area shall receive a location factor of .70 (70%).
- (3) Trees designated as heritage trees shall receive a bonus percentage value of 1.25 (125%). Trees located within the allowable building area shall receive a location factor of .70 (70%).
- (4) Trees designated as heritage trees shall receive a bonus percentage value of 1.25 (125%).

The species, condition and location value assume an average tree value to be .70 (.7 x .7 x .7 =.343). All existing trees to be removed shall be given a LU value based upon the following calculation:

$$\frac{\text{species value}\% \times \text{condition value}\% \times \text{location value}\%}{.35} \times \text{caliper inches} \times \text{bldg./setback}\% \times \text{heritage tree}\% = \text{LU}$$

(d) Tree Replacement. Existing trees to be removed shall be replaced with new trees to equal the total removed LU value. The following rates shall be given to replacement trees to obtain the replacement LU value:

LU Value	Replacement Tree Size
1	15 gallon
2	24-inch box
3	36-inch box
4	48-inch box

Replacement trees shall be in addition to and not substitute requirements for street trees, parking lot trees or other required trees.

(e) **Preservation of Heritage Trees.** The site design shall make every reasonable effort to preserve heritage trees, consistent with Section 13.52.025 of the municipal code. Conditions shall also be imposed to protect heritage trees during construction. Heritage trees shall be removed only when it is demonstrated that preservation of these trees would result in a threat to health, safety, and welfare due to a hazardous tree condition, impacts on soil erosion and stability, or an unreasonable effect upon the economic enjoyment of the property, consistent with Section 13.52.040 of the municipal code.

(f) **Protection of Existing Trees.** The site design shall make reasonable effort to protect existing trees. The design shall be evaluated as to how it protects existing trees or the reasons for removal of existing trees. Tree protection measures shall be provided for trees to remain on site, which shall be consistent with Section 13.52.025 of the Municipal Code and imposed as a condition of approvals.

(g) **Alternates to On-Site Replacement.** If the required LU value for replacement of existing trees to be removed is not made up with replacement trees on-site, the City shall require that trees be planted in another location on-site or off-site or a contribution of funds be made to the City to be used for plantings on public land or a combination of the above options. If a contribution of funds is required, it shall be the fee as established by resolution of the City Council in the annual Comprehensive Fee Schedule.

Section 3. SEVERABILITY. If any section, subsection, provision or part of this Chapter or its application to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this Chapter, and the application of such provision to other person or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Chapter are severable.

Section 4. EFFECTIVE DATE. This Ordinance shall become effective thirty days after adoption.

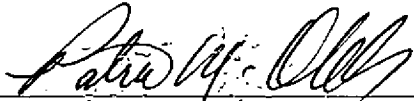
Section 5. PUBLICATION. This Ordinance shall be published in summary in the Examiner Peninsula Edition, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter.

Section 6. ENVIRONMENTAL DETERMINATION. This Ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) ("CEQA") pursuant to Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it makes and implements policies and procedures to ensure that water resources are conserved by reducing water consumption through the establishment of a structure for planning, designing, installing, maintaining and managing water-efficient landscapes.

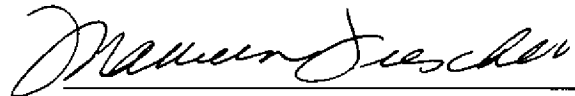
The foregoing ordinance was introduced on February 2, 2015, and adopted by the City Council of the City of San Mateo, State of California on the 17th day of February, 2015, by the following vote:

AYES: Council Members Freschet, Matthews, Goethals and Lim
NOES: None
ABSENT: Bonilla

ATTEST:



Patrice M. Olds, City Clerk



Maureen Freschet, Mayor

