

# F *Sustainable Street Policy Development*

- F.1 – Overview of Policy Mechanisms and Approaches
- F.2 – Model Municipal Planning Document Language
- F.3 – Model Sustainable Streets Resolution and Policy
- F.4 – Model Resolution Establishing Green Infrastructure Development Standards for New Buildings
- F.5 – Model Standard Conditions of Approval for Development Projects

## Appendix F.1

### Overview of Policy Mechanisms and Approaches

#### Background

Many municipalities in the San Francisco Bay Area have sustainable transportation goals, policies and plans that require, promote, and/or encourage sustainable transportation practices to be implemented when transportation-related projects are being considered. However, additional policy mechanisms may be needed to facilitate implementation of green infrastructure and other sustainable transportation design elements in the public right-of-way via public and private redevelopment and transportation projects. This section describes several approaches to establishing such mechanisms, including examples and models of municipal sustainable streets plans, policies, resolutions, and conditions of approval.

Policy mechanisms for sustainable streets can build upon past policy work related to complete streets. Complete streets policies have been adopted by municipalities in San Mateo County, the Bay Area, and nationally over the last 10-30 years. The Metropolitan Transportation Commission (MTC) has used the carrot of its One Bay Area Grant funding program to encourage agencies to implement these policies. Model policies, resolutions, ordinances, and procedures were developed by the MTC, Caltrans, and regional multi-modal transportation advocacy organizations that promote complete streets practices for improving infrastructure and services for pedestrians, cyclists, and transit users.<sup>1</sup> Sustainable streets policies can use some of the same tools and processes that complete street advocates have used, with the aim of complementing and broadening the benefits achieved with complete streets policies to achieve the additional water and climate resiliency benefits of sustainable streets.

#### Sustainable Streets Policy Implementation Approaches

There are two approaches described in this section that enable implementation of sustainable streets. The first entails adoption of policies and goals for general support of sustainable streets in municipal transportation planning activities and projects on a jurisdiction-wide scale. These are referred to as Sustainable Streets Policies. Model policies, resolutions, ordinances, and recommended language for municipal plans are provided in Appendices F.2-F.5 that will assist municipalities with setting policy objectives and metrics for implementation.

The other approach relates to the specific sustainable streets typology that consists of integrated green infrastructure and street frontage improvements for development projects (Typology 4), which may be preferred by some municipalities. This approach leverages new development and redevelopment projects by requiring construction of green street and complete street measures when work in the public right-of-way is being considered or required as part of the project entitlements. Development projects often have conditions of approval that require public improvements along their frontages including street, gutter, curb, sidewalk, trees, and landscaping modifications. When planned and integrated with other improvements, green infrastructure can be achieved at a lower cost, with better aesthetics and a lower maintenance burden for the municipality.

---

<sup>1</sup>C/CAG has compiled complete street resources for local agencies on its website:

<https://ccag.ca.gov/programs/transportation-programs/active-transportation/complete-streets/>

Policy mechanisms to support these two approaches are described in the following subsections. The two approaches are interrelated and can be implemented sequentially or separately, as appropriate for each municipality. For example, adopting a sustainable streets policy can establish a foundation for adding sustainable streets language to other municipal plans, developing municipal ordinances as needed, and applying conditions of approval to development projects. The flow chart in Figure 5-10 of the Sustainable Streets Master Plan illustrates the relationships among the various options for policy-based sustainable street implementation.

## Policy Tools for General Support of Sustainable Streets

### ***Model Sustainable Streets Policy***

Some jurisdictions in San Mateo County, other parts of the Bay Area, and Southern California (City of Los Angeles, 2011; County of Los Angeles, 2011) are already implementing policies related to green streets and complete streets. These policies, as well as the Model Complete Streets Resolution and Policy developed by ChangeLab Solutions in 2012<sup>2</sup>, served as examples for development of a Model Sustainable Streets Resolution and Policy (Appendix F.3).

The Model Sustainable Streets Resolution and Policy provides example language that local jurisdictions can adopt to demonstrate their commitment to, and establish mechanisms for, creating and maintaining sustainable streets. The policy can establish an important nexus for further development of policies related to sustainable streets. Once a plan with sustainable street policies is adopted, it expresses buy-in from the elected officials and creates precedent for establishing further policy. Ideally the process of establishing precedent starts with the General Plan since it is the over-arching guidance document for a municipality, but other plans such as Bicycle and Pedestrian plans can also be the starting point for incorporating sustainable street policies.

The Sustainable Streets Resolution and Policy is not intended to replace existing complete streets policies or local green infrastructure planning efforts. It is anticipated that the Sustainable Streets Resolution and Policy will augment and reaffirm local jurisdictions' commitment to these efforts. In fact, some green infrastructure plans already contain green street policy and prioritization information.

Additionally, jurisdictions may consider changes to their municipal code and general plan to further solidify and institutionalize the commitment and policy backing for sustainable streets. The San Francisco Estuary Partnership developed a "Model Green Streets Ordinance" (SFEP, 2013) that provides useful language. The City of Redwood City updated its municipal code in 2019 and included requirements for green infrastructure in the public right-of-way in their stormwater code section (see Appendix F.4).

### ***Model Sustainable Streets Municipal Plan Language***

To achieve sustainable streets goals and objectives, policy language can be added to a municipality's General Plan, transportation plans, climate action plans, urban design and streetscape guidelines, specific area and neighborhood plans, parks and urban forest plans, and other documents. This section provides examples of recommended model language for municipal plans within San Mateo County related to the implementation of sustainable streets policies.

---

<sup>2</sup> <https://www.changelabsolutions.org/product/complete-streets-policies-local-level>

### General Plan Language

Transportation-related sections of the jurisdiction's General Plan, such as the circulation/mobility element, are an obvious place to start for incorporating sustainable streets objectives. The following section of Redwood City's General Plan (2010) included both green street and complete street policies in the Built Environment chapter:

Policy BE-11.1: Improve the corridors to create a network of "complete streets" that emphasize pedestrian orientation and safety, public transit access, safe bicycle movement, and other improvements.

Policy BE-11.2: Improve the corridors to create a network of "green streets" that address the environmental impacts of street paving, *and improve water quality and management and achieve the goals of the Municipal Regional Stormwater NPDES Permit (MRP) and Redwood City's Green Infrastructure Plan, to be adopted in 2019. Green streets are complementary to complete streets and can be provided together for community benefit.*

### Transportation-Related Plans

In San Mateo County, there are a number of jurisdictions that have included complete and green street goals and objectives in various plans. One leader is the City of San Mateo, which completed a Sustainable Streets Plan in 2015. It was the first plan to integrate green streets and complete streets in a comprehensive manner. The Vision statement includes the following language:

"The City of San Mateo envisions a transportation system that is sustainable, safe, and healthy and supports a sense of community and active living, where walking, bicycling, and transit are integral parts of daily life. Furthermore, the City envisions integrating complete streets and green streets into street designs that are comfortable and convenient for the breadth of travel choices and that improve water quality and reduce other environmental impacts, while creating more vital places that fit with desired community character."

An example of a Bicycle and Pedestrian Plan that has integrated green infrastructure is from the City of Emeryville (2012). It includes green street elements in the list of bike-ped capital projects in the Plan and in its vision statement:

"Emeryville is a livable city, with a connected network of green streets and a fine-grained transportation network that emphasizes and supports an active and healthy lifestyle. There are new, safe, and enticing pedestrian and bicycle linkages within the City and to the San Francisco Bay and surrounding communities. Community members have a diversity of transportation choices. Walking and bicycling are integral to daily life. The goals that support this vision are drawn directly from the general plan and supported by more detailed policies and actions."

Additional model policy language for municipal plans is included in Appendix F.2.

## Policy Tools for Green Infrastructure Integration into Development Frontage Zones

### *Establishing a Policy Nexus*

There are a number of different strategies or mechanisms for leveraging development projects to implement sustainable streets measures. The first step is to establish the legal policy nexus backing up the jurisdiction's requirements for these measures. The desired nexus is related to the establishment of policy and having evidence that the elected officials have authorized the policy as opposed to a requirement created by administrative process alone. Additionally, the policy nexus should show that there is no undue burden placed on one property or development project alone – it should be a policy that will apply to all or a multitude of development projects with a reasonable explanation for the new requirements, some regulatory backing such as from a municipal stormwater permit or local municipal code, a reasonable level of cost related to the required improvements, and evidence that there is community and/or environmental benefit for the new policy.

Sometimes a nexus study is required when fees are being established and proposed for inclusion in the master fee schedule of an agency. Fees must be derived from empirical data and based on the actual cost to provide the service or facility that the municipality is providing.

Four types of mechanisms for providing a policy nexus are described below. The mechanisms present examples of a policy, opportunity, or process that can be used to establish the nexus for inserting a condition into planning permit Conditions of Approval for a project or into another document such as a final map, final development plan, community benefits agreement, etc.

#### *Sustainable Streets Policy or Other Municipal Plan/Policy/Ordinance*

Jurisdictions can adopt a Sustainable Streets Policy (such as the one in Appendix F.3) to establish the nexus needed to begin using related CoA. They can also include sustainable streets policies or projects in their Green Infrastructure Plan or other municipal plan or ordinance to provide the nexus to a particular development project. For example, if a specific travel corridor in a municipality is planned for a sustainable streets “road diet,” then the development projects occurring along that corridor can be required to contribute to the implementation of that sustainable streets facility when they come up for entitlements. The City of Redwood City requires, via its green infrastructure ordinance and the resulting municipal code, that development projects install green infrastructure on the frontages of the projects as a condition of approval. The Town of Atherton's Drainage Criteria policy has been updated to require full-site single family residential development projects that create or replace 10,000 square feet of impervious area to not only meet on-site stormwater treatment and detention requirements, but to also add green infrastructure that is sized to treat runoff from immediately adjacent public streets, either within the adjacent public street frontage or on the single family development's property.

Examples of other municipal plans or policy documents that can be used to establish nexus include the General Plan, Specific Area Plan, Storm Drain Master Plan, Urban Forest Master Plan, Bicycle and Pedestrian Plan, or Sustainable Transportation Plan. Some jurisdictions include a list of improvement projects in their Bicycle and Pedestrian Plans in enough detail to allow development projects to build their respective sections of the improvements along their frontages as the projects are built. If one section is going to be built long before other sections are completed, projects can be required to pay an in-lieu fee, place a bond, and/or build the improvements at a later date.

### *Alternative Compliance Process*

The stormwater permit allows for off-site stormwater treatment measures to be constructed in addition to, or in-lieu of, on-site treatment measures as part of the Alternative Compliance provision. In this strategy, conditions of approval would be modified to detail the off-site improvements within the Alternative Compliance framework. All, or a percentage of, the required on-site treatment could be achieved off-site along the frontage of the project in combination with complete street measures such as bike and pedestrian improvements. Some jurisdictions may require a project to install stormwater control measures along the frontage in addition to what is required on-site by the stormwater permit. The City of Emeryville has taken this approach for a large multi-phase project that had on-site treatment constraints.

### *Special Projects Requirements*

Development projects that have specific transit-oriented and/or urban infill project characteristics are defined in the stormwater permit as Special Projects. These projects are allowed to use mechanical treatment systems for a portion or all of the required on-site stormwater treatment. However, if a jurisdiction so desires, it may require that green infrastructure measures be installed along the frontage of the regulated project in addition to the mechanical treatment on site. For example, the City of South San Francisco has developed a condition of approval for Special Projects that requires green infrastructure to be used for treating the project frontages when mechanical treatment systems are to be used for the on-site treatment.

### *Public Improvements Plan*

Improvements in the public right-of-way are often discussed as part of development project entitlements before conditions of approval are developed. The improvements can entail new or replaced sidewalks, curbs and gutters, or other roadway improvements. New landscaping such as street trees or above and/or below-ground utilities can also be upgraded as part of the requirements. A Public Improvements Plan can be required as part of a tentative or final map or other entitlement mechanism at an early or later stage, but it is often useful to require and detail public right-of-way improvement requirements as early as possible in the planning process to give notice to the developer and/or prospective owners of the required improvements and cost implications.

### ***Conditions of Approval***

All the nexus strategies discussed in the previous section can assist with providing the legal standing needed to require developers to construct green infrastructure and sustainable transportation elements in the public and private areas fronting their development projects. These requirements are typically expressed as conditions of approval associated with the planning permit for the project. The “Public Improvements” section of the permit conditions can be utilized for this purpose. The conditions of approval can be either project specific, established as part of a municipality’s standard conditions, or a combination of standard and specific conditions. Additional discussion of the three approaches and examples from local cities are provided in Appendix F.5.

Operation and maintenance (O&M) responsibilities for the green infrastructure and complete street facilities can be added to conditions of approval as well, if needed and appropriate. For example, in the City of Redwood City, if stormwater treatment measures are going to be used to treat the roadway runoff of the public right-of-way fronting a private development project, the City requires that the private property owner maintain them in perpetuity. The obligation is also expressed in the typical Stormwater Treatment Systems O&M Agreement that is usually recorded with the property deed. The O&M of the installed sustainable transportation facilities along the frontage could be similarly obligated in the conditions of approval and/or other mechanism.

## Appendix F.2

### Model Municipal Planning Document Language

#### Model vision statements for sustainable streets policies or plans:

1. The [Jurisdiction] envisions a transportation system that is sustainable, safe, and healthy and supports a sense of community and active living; where walking, bicycling, and transit are integral parts of daily life. Furthermore, the [Jurisdiction] envisions sustainable streets designs that are comfortable and convenient for the breadth of travel choices; that improve water quality; are resilient, regenerative and sustainable, while creating more vital places that fit with desired community character.
2. The [Jurisdiction] is a livable city, with a connected network of green and complete streets and a fine-grained transportation network that emphasizes and supports an active and healthy lifestyle. Community members have a diversity of transportation choices. Walking and bicycling are integral to daily life. The goals that support this vision are drawn directly from the general plan and supported by more detailed policies and actions.

#### Model sustainable streets implementation language for policies or plans:

1. The [Jurisdiction] will incorporate sustainable streets features, designs, systems and maintenance, in accordance with the [Jurisdiction's] Green Infrastructure Plan and the C/CAG Green Infrastructure Design Guide and Sustainable Streets Master Plan, into all projects in the public right of way to the maximum extent practicable or feasible to create safe and environmentally resilient streets for the community of the [Jurisdiction].
2. The [Jurisdiction] will utilize the latest version of the C/CAG Green Infrastructure Design Guide and Sustainable Streets Master Plan for projects in the public right of way, or on other public property, to maximize the improvement of water quality and use of sustainable and green infrastructure practices.
3. The [Jurisdiction] will utilize the National Association of City Transportation Officials (NACTO) Urban Street Stormwater Guide and Urban Street Design Guide as resources for the design, construction and maintenance of all roadways.
4. The [Jurisdiction] will utilize the latest version of the C/CAG Green Infrastructure Design Guide, C/CAG C.3 Regulated Projects Guide and the regenerative landscaping principles from ReScape California for all urban forestry, tree planting and landscaping projects in the [Jurisdiction] to maximize the improvement of water quality and use of resilient and green infrastructure practices.

#### Model sustainable streets training and education language for municipal staff:

1. The [Jurisdiction] shall provide staff [X] hours of professional development to staff on sustainable streets through participation in C/CAG, ReScape CA, California



Stormwater Quality Association conferences, classes, seminars, or workshops, or a combination thereof.

2. The [Jurisdiction] shall provide [X] hours of training to maintenance crews and/or contractors on best practices in maintaining sustainable street facilities.
3. The [Jurisdiction] shall seek all current and potential future sources of funding for staff professional development and training on sustainable streets planning, design, engineering, construction, and maintenance.

## Appendix F.3

### Model Sustainable Streets Resolution and Policy

#### A RESOLUTION OF THE [Town/City Council/Board of Supervisors] OF THE [Jurisdiction] ADOPTING SUSTAINABLE STREETS POLICY

**WHEREAS**, the [Jurisdiction] amended the Circulation Element of its General Plan in [year] to integrate complete streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358);

**WHEREAS**, complete streets provide safe, comfortable, and convenient travel through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, and users and operators of public transportation;

**WHEREAS**, as required by the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Stormwater Permit, the [Jurisdiction] adopted a Green Infrastructure Plan that demonstrates how the [Jurisdiction] will gradually shift from traditional gray stormwater infrastructure to systems using nature-based processes, such as pervious pavement and bioretention, to reduce the quantity of runoff and pollutants flowing into storm drains and local creeks, and that streets that integrate Green Infrastructure elements are called green streets;

**WHEREAS**, the term "Sustainable Streets" describes a comprehensive, integrated transportation network that combines complete streets and green streets approaches to encourage street designs that achieve multiple benefits, including increased multi-modal travel and safety, clean water and air, climate change resilience and mitigation, placemaking and community cohesion, habitat, and energy savings;

**WHEREAS**, the [Jurisdiction] has developed a Sustainable Streets Policy (Exhibit A) to demonstrate its intent to integrate Sustainable Streets elements into street and road projects, where feasible.

**NOW THEREFORE BE IT RESOLVED**, the [Town/City Council/Board of Supervisors] of the [Jurisdiction], adopts the attached Sustainable Streets Policy.

**PASSED AND ADOPTED** by the [Town/City Council/Board of Supervisors] of the [Jurisdiction], State of California, on \_\_\_\_\_, 202\_, by the following vote:

# Sustainable Streets Policy

This Sustainable Streets Policy was adopted by Resolution No. \_\_\_\_\_ by the [Town/City Council/Board of Supervisors] of the [Jurisdiction] on \_\_\_\_\_, 202\_.

## Exhibit A

### SUSTAINABLE STREETS POLICY OF THE [JURISDICTION]

#### Purpose

The purpose of the Sustainable Streets Policy is to state the [Jurisdiction's] commitment to creating and maintaining sustainable streets that combine complete streets and green streets approaches to achieve multiple benefits, including increased multi-modal travel and safety, clean water and air, climate change resilience and mitigation, placemaking and community cohesion, habitat, and energy savings.

#### Policy

- 1. Sustainable Streets Encouraged by All Departments.** All relevant departments of the [Jurisdiction] shall work towards making sustainable streets practices a part of standard procedures; approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users and to provide multiple benefits to the environment and community; and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for sustainable streets.
- 2. All Projects and Phases.** Sustainable streets practices shall be incorporated into planning, funding (including when pursuing grant funding from other agencies), design, approval, and implementation processes, as feasible, for projects, both public and private, involving construction, reconstruction, retrofit, maintenance, or repair of streets.
- 3. Bicycle and Pedestrian Advisory Committee Consultation [or other relevant bodies].** Sustainable streets projects shall be reviewed by the Bicycle and Pedestrian Advisory Committee (BPAC) [and/or other appropriate local committee(s)] early in the planning and design stage prior to seeking funding or commencing environmental review, to ensure early comments and recommendations regarding sustainable streets features are incorporated into the project.

4. **Consistency with Other Plans and Policies.** Planning, design, and maintenance of sustainable streets projects shall be consistent with the [Jurisdiction's] Green Infrastructure Plan, and local bicycle, pedestrian, transit, multimodal, urban forestry, and other relevant plans, as well as local policies related to requiring construction and maintenance of public facilities by private entities, business improvement districts, or other relevant entities.
5. **Update Plans and Policies.** The [Designated Department] shall assess additional steps and potential obstacles to implementing sustainable streets in the [Jurisdiction] and recommend proposed revisions to all related plans, zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, templates, and design manuals to integrate sustainable streets approaches. Such analysis shall be completed by [X date] and presented to the [Town/City Council/Board of Supervisors] with recommendations for making necessary plan updates.
6. **Design Guidance.** The [Jurisdiction] shall use its own relevant plans, including the Green Infrastructure Plan, along with the City/County Association of Governments of San Mateo County's Sustainable Streets Master Plan and Green Infrastructure Design Guide and associated tools to guide the planning, evaluation, and design of sustainable streets.
7. **Responsibility and Funding for Operation and Maintenance** – The [Jurisdiction] shall ensure that the responsible department (or private party) and the required funding is identified for the ongoing maintenance of each sustainable streets project, and that appropriate mechanisms are put in place to assure facilities are maintained in perpetuity.

#### **Definitions:**

**Complete Street** – A transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Every complete street looks different, according to its context, community preferences, the types of road users, and their needs.

**Green Infrastructure** - Infrastructure that uses vegetation, soils, and natural processes to manage water and create healthier urban environments. At the scale of a city or county, green infrastructure refers to the patchwork of natural areas that provides habitat, flood protection, cleaner air, and cleaner water. At the scale of a neighborhood

or site, green infrastructure refers to stormwater management systems that mimic nature by soaking up and storing water.

**Green Infrastructure Design Guide** – A comprehensive design guide to help agencies, developers, design professionals and construction firms design, build and maintain green infrastructure in San Mateo County, developed and maintained by the City/County Association of Governments of San Mateo County (C/CAG).

**Green Infrastructure Plan** – A long-term planning document that describes how the [Jurisdiction] will integrate green infrastructure drainage design into storm drain infrastructure on public and private lands, including streets, roads, storm drains, parking lots, building roofs and other storm drain infrastructure element.

**Green Street** – A stormwater management approach that incorporates vegetation (perennials, shrubs, trees), soil, and engineered systems (e.g., pervious pavement) to slow, filter, and cleanse stormwater runoff from impervious surfaces (e.g., streets, sidewalks).

**Sustainable Street** - A right-of-way project that incorporates both complete street elements such as pedestrian and bicycle improvements as well as green street components such as stormwater planters and pervious pavement. Sustainable streets are designed to provide safe mobility and access for all users with the added environmental and community benefits of green infrastructure – which can include benefits such as water quality protection, flood risk reduction, groundwater recharge, and neighborhood greening.

**Sustainable Streets Master Plan** - A comprehensive long-term master plan that integrates stormwater management with local priorities, like bike and pedestrian mobility, transit improvements, climate change adaptation, etc., to identify how and where to build sustainable streets in San Mateo County, developed and maintained by C/CAG.

## Appendix F.4

### *Model Resolution Establishing Green Infrastructure Development Standards for New Buildings<sup>3</sup>*

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE [Elected Body] OF THE (Jurisdiction), ESTABLISHING GREEN INFRASTRUCTURE DEVELOPMENT STANDARDS FOR NEW BUILDINGS [and in accordance with the {Jurisdiction's} municipal code, general plan or other policy]

WHEREAS, Chapter X, Article X of the [Jurisdiction's] Code for the [Jurisdiction] governs the planned extension and repair of utility and street improvements upon the construction of new buildings (residential or commercial) or upon substantial commercial remodeling of existing buildings; and

WHEREAS, the purpose of this Resolution is to implement the [Jurisdiction's] Green Infrastructure Plan ("GI Plan") and protect and enhance the water quality of our watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act, as amended, commonly known as the Clean Water Act (33 U.S.C. section 1251 et seq.); and

WHEREAS, being authorized to do so, the [Jurisdiction] wishes to establish design and development standards applicable to all new buildings (residential or commercial) and substantial commercial remodeling of existing buildings in accordance with its GI Plan and with the ultimate goal to protect said watercourses, water bodies, and wetlands through the implementation of green infrastructure; and

WHEREAS, on [Date], the [Elected Body] received a report from staff and public comments from all interested parties regarding the design and development of a GI Plan for the installation of green infrastructure improvements; and

WHEREAS, on [Date], the [Elected Body] adopted the GI Plan; and

WHEREAS, the [Jurisdiction] wishes to set forth Green Infrastructure Development Standards through the adoption of this Resolution as part of its GI Plan implementation, to be effective upon [Date]; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

---

<sup>3</sup> This model resolution is based on a resolution adopted by the City of Redwood City and will need to be customized for each jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE [Elected Body] OF THE [Jurisdiction] AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are hereby incorporated by reference.

Section 2. The [Elected Body] of the [Jurisdiction] hereby adopts this Resolution establishing Green Infrastructure Development Standards for new buildings, which is attached hereto as “Exhibit A” and incorporated herein by reference.

Section 3. If any provision of this Resolution or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the Resolution that can be given effect without the invalid provision or application, and to this extent, the provisions of this Resolution are severable. The [Elected Body] declares that it would have adopted this Resolution irrespective of the invalidity of any portion thereof.

Section 4. This Resolution shall be effective on [Date].

#### Exhibit A

### GREEN INFRASTRUCTURE DEVELOPMENT STANDARDS

The following design standards shall apply to all new commercial and residential buildings and all substantial commercial remodels except as noted:

#### A. DEFINITIONS

1. Commercial Building, Residential Building, New Building(s), and Substantial Commercial Remodeling are defined in Section \_\_\_\_ of the City Code.
2. Green Infrastructure (“GI”), C.3 Regulated Project, and Permanent Stormwater Pollution Prevention Measures (“PSPPM”) are defined in Section \_\_\_\_ of the City Code.
3. Large Development shall be defined as a project that is any of the following: a) a subdivision of 5 or more parcels; b) a property with twenty (20) or more new dwelling units; c) a new commercial property with fifty thousand (50,000) square feet of new floor area; or d) some combination of dwelling units and new square footage that would exceed the above thresholds.

#### B. NEW BUILDINGS

The construction of any new Commercial Building or new Residential Building, in addition to C.3 Regulated Projects, shall be required to install PSPPM for the entire property except as follows:

1. The construction of a new Accessory Dwelling Unit, as defined in Zoning Ordinance Article 37, is exempt from PSPPM requirements, unless the Accessory Dwelling Unit is constructed at the same time as a new Residential Building or the property falls into another category that requires the installation of PSPPM.

2. New Residential Buildings that consist solely of affordable housing (including extremely low-, very low-, low-, and moderate-income households) shall not be required to install PSPPM unless they meet the definition of a C.3 Regulated Project.

3. If Commercial Buildings exist within a property that has not previously been required to install PSPPM, the development of any new Commercial Building shall require installation of PSPPM for a percentage of the site equal to the ratio of new building to existing building floor area.

#### C. GREEN INFRASTRUCTURE IN THE PUBLIC RIGHT-OF-WAY

All Large Developments shall provide a preliminary utility study including GI improvements in the right-of-way to capture and treat the runoff tributary to the project frontage. The City Engineer will review said study and determine whether the improvements are feasible and conform to other improvements located in the right-of-way. All GI improvements deemed feasible by the City Engineer shall be designed and constructed by the developer, and the developer and/or property owner shall enter into an agreement for the maintenance of those improvements in accordance with the same requirements for PSPPM.



## Appendix F.5

### Model Standard Conditions of Approval for Development Projects

#### Model Sustainable Streets Standard Conditions of Approval (CoA):

1. Provide sustainable street measures including complete street facilities and stormwater treatment areas within the project's [Frontage Street Name] frontage. The treatment area should be sized to treat the stormwater flows from the entire drainage area (project side of the street from [Cross Street to Cross Street]). The treatment area shall be located either as shown on the tentative map or within the landscape area between the sidewalk and curb, or within a combination of both areas. The treatment systems should be designed using the details and guidance in the C/CAG Green Infrastructure Design Guide and Sustainable Streets Master Plan. The complete street facilities should be built to comply with requirements for the fronting public right-of-way (ROW), as identified in the [Jurisdiction]'s [appropriate plan name such as: Bike-Ped Plan, Transportation Master Plan, Specific/Area Plan etc.]
2. Construct sustainable streets measures and comply with the [Jurisdiction]'s Sustainable Streets Policy, Complete Streets Policy and GI Plan, including complete street facilities and stormwater treatment areas within the project's [Frontage Street Name] and [Frontage Street Name] frontages. The treatment area shall be sized to treat the stormwater flows from the entire drainage area (project side of the street from [Cross Street to Cross Street]) and landscaping designed to receive a rating from ReScape California.
3. As part of the [Frontage Street Name] reconstruction, the project shall include sustainable streets measures along the frontage to treat stormwater runoff from the public ROW and provide complete street facilities, integrating the sustainable streets systems with street trees as shown on the approved Tentative Map.

#### Example Standard CoA for GI and Sustainable Streets along Development Frontages:

##### *1. Project-Specific GI and Sustainable Streets CoA Examples:*

- 1.A. The City of Menlo Park has used the following language to require GI in the public ROW for regulated projects:

“Green Infrastructure – Provide a stormwater treatment area along the project’s frontage to treat runoff from the public right of way. The treatment area shall be located within the landscape area between the curb and sidewalk. Sizing and design shall conform to San Mateo Countywide Water Pollution Prevention Program design templates and technical guidance and be approved by the Engineering Division.”

- 1.B. The City of Emeryville has used CoA to require sustainable streets measures and urban forestry. One example required what is now being called “Stormwater Cycletracks” (a new term for a Class 4 bike facility integrated with stormwater control measures) in a reconstructed roadway along the frontage of a regulated project that was also integrated with a bus stop, mid-block stormwater curb extensions, pedestrian crossings and street tree planting. The CoA also includes an O&M-related condition. Here are three of the sustainable streets ROW-related CoA for that project taken from the project’s approved Tentative Map in 2015:

“Design, construct, and install, the C3 stormwater treatment measures along both sides of 62nd Street from Market Drive to Shellmound Street, 63rd Street from Christie Avenue to Shellmound Street, and Market Drive from 64th Street to 62nd Street, and along the west side of Shellmound Street from 63<sup>rd</sup> Street to 62nd Street. The maintenance of the C3 measures, including all piping connecting to the public storm drain, shall be the responsibility of the Applicant. Prior to the acceptance of the Public Street Improvements by the City, Applicant shall enter into and record in the Official Records of Alameda County, a Stormwater Treatment Measures Operations and Maintenance Agreement encumbering Parcel G, for the C3 stormwater treatment measures on said public streets.

Design, construct, and install the realigned Shellmound Street and the existing portion of Shellmound Street fronting Parcels A and G including all public utilities (e.g. water, reclaimed water, gas, electrical, telecommunications (telephone, cable, fiber etc.)), curb, gutter, sidewalk, street furniture, street lighting system, street trees, structural soil, landscaping, irrigation system using reclaimed water, C3 Stormwater treatment measures, and transit improvements per the requirements of the approved Tentative Map.

Permanent curb, gutter, sidewalk, street furniture, C3 treatment areas, landscaping, streetlight poles with foundations, structural soil, street tree, and transit improvements along the realigned Shellmound Street fronting Parcels A and B shall be installed with the development of each respective Parcel. Improvements fronting each parcel shall be completed prior to the issuance of a certificate of occupancy for Parcels B or A building improvements.”

## 2. *Standard CoA Examples for GI CoA:*

- 2.A. The City of South San Francisco has developed the following standard CoA for public ROW GI installation:

“Applicant shall provide 100% Low-Impact Development for C.3 stormwater treatment for all of the project’s impervious areas. In-lieu of on-site

treatment, applicants seeking Special Project Status exemption to Low Impact Development for C.3 treatment may install LID treatment within the Right-of-Way. If Applicant chooses to treat any of their Project's impervious areas within the ROW, Applicant shall size the treatment measures to treat both the Project's impervious areas and the ROW. The ROW area to be treated shall be from the property line to the street centerline or crown whichever is a greater distance along the entire project frontage. Sizing and design shall conform to the San Mateo Countywide Water Pollution Prevention Program design templates and technical guidance and be approved by the Water Quality Control Plant and the Engineering Division. Applicant shall maintain all treatment measures required by the project and enter into a Stormwater Treatment Measure Maintenance Agreement with the City."

2.B The City of San Mateo has developed the following standard CoA for public ROW GI installation:

"1. GREEN INFRASTRUCTURE [Use for GI in the public ROW. Applicable to all projects, except single-family homes] - Applicant shall install green infrastructure (GI) improvements including [description of improvements]. The improvements shall be in accordance with the guidance and specifications provided by San Mateo Countywide Water Pollution Prevention Program or City of San Mateo GI Plan design and shall be approved by the Director of Public Works or designee. (PUBLIC WORKS)

[Note to staff: Applicant shall provide a minimum of 75% project frontage (unless determined infeasible) greening on all sides of the project facing public right of way to treat storm water runoff from frontage and public right of way. Sizing and design shall conform to San Mateo Countywide Water Pollution Prevention Program City of San Mateo GI Plan design templates and technical guidance and be approved by the Director. Single family homes that are not part of a subdivision may be exempt. Frontages on State ROW are also excluded.]

2. GREEN INFRASTRUCTURE FOR SPECIAL PROJECTS - Applicant seeking Special Project Status exemption to Low Impact Development for C.3 treatment shall provide green infrastructure for a minimum of 75% (unless determined infeasible) of the project facing public right of way. Improvements include [street trees, landscaping, bioretention, sidewalk bulb outs, pervious pavements, etc.] in accordance with the guidance and specifications provided by San Mateo Countywide Water Pollution Prevention Program or City of San Mateo GI Plan design and shall be approved by the Director of Public Works or designee."

### 3. Hybrid CoA Example for GI CoA:

- 3.A. The City of Redwood City has used a range of CoA language options and strategies and has settled upon the hybrid strategy. The first step is to require a condition that is specific enough to adequately describe the requirement without being overly prescriptive allowing for flexibility in design and implementation later during the building permit stage. The condition is inserted into the planning CoA. The second step comes when the building permit is reviewed. Here's an example of the planning CoA:

“Green Infrastructure – Provide a stormwater treatment area within the project’s [Street Name] frontage {and additional [Street Name] frontage, if appropriate}. The treatment area(s) should be sized to treat the stormwater flows from the entire drainage area(s) (project side of the street(s) from [Street Name] to [Street Name] etc.). The treatment area shall be located either as shown on the tentative map or within the landscape area between the sidewalk and curb, or within a combination of both areas.  
[COA][ENGINEERING]”

- 3.B. The City of Redwood City also has an O&M requirement for the GI required in their CoA. The O&M is included in the O&M Agreement recorded with each property and the requirement for the O&M is in their municipal code.
- 3.C. The City of Emeryville requires the property owner to operate and maintain the installed sustainable street systems and street trees. The O&M requirements are listed in the CoA and are recorded in the O&M Agreement.