

Letter from Contra Costa Community Development Dept.  
to Realtor Associations regarding Residential Second Units  
in Kensington

This letter was sent to three Realtor Associations whose members often work in Kensington. They are:

- Berkeley Association of Realtors
- West Contra Costa Association of Realtors
- Oakland Association of Realtors

The letter explains the process to establish legal Residential Second Units in Kensington.

The reference to the document “Residential Second Units Ordinance” is also available for inspection on the KMAC webpage under the Ordinances menu.

# Community Development Department

County Administration Building  
651 Pine Street  
4th Floor, North Wing  
Martinez, California 94553-0095

Phone: 925-335-1210

# Contra Costa County



Dennis M. Barry, AICP  
Community Development Director

March 13, 2006

Berkeley Association of Realtors  
1553 Martin Luther King, Jr. Way  
Berkeley CA 94709

Subject: Residential Second Units in Kensington

Dear Realtors:

The Kensington Municipal Advisory Council forwarded to our office copies of a couple of advertisements which identified that there was a potential for an "in-law" unit, expressing their concern that this information was not correct and may lead to confusion on the part of new property owners.

Our Department provides the planning services for Kensington. The County's Second Unit Ordinance allows residential second units for projects that meet a specific list of requirements. One of the requirements for the property itself, is that it must total at least 6,000 square feet. Approximately 54% of the 2309 parcels in Kensington do not have this required square footage and, thus, would not be eligible for a residential second unit.

The Second Unit ordinance also requires that three "off-street" parking spaces be provided. An "off-street" parking space is one that is located outside of the front and side yard setback areas. In the R-6 Zoning District which is the primary residential zoning district in Kensington, the three parking spaces must be located at least 20 feet back from the front property line and at least five feet from each side property line (a total of 15 feet is required for both side yards combined). This further reduces the number of lots in the community in which a second unit could be established.

If possible, we would appreciate this information being provided to your members that may work within Kensington. Please also inform them that our staff is available to explain this information in more detail if they wish, as well as to assist them with understanding the requirements that apply to specific properties. I have enclosed a copy of our Residential Second Unit Ordinance, as well as our handout for property owners wishing to apply for a second unit.

For your members wishing assistance, you may direct them to either our telephone help desk (925) 335-1381 or the following email address: [ccc\\_cdd@yahoo.com](mailto:ccc_cdd@yahoo.com). They may

also wish to contact either Ruben Hernandez or David Brockbank, our two planning staff members who handle the second unit proposals. Both planners may be reached by calling (925) 335 -1210.

Thank you for your consideration. Please feel free to call me directly at (925) 335-1210 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Osterman Kutsuris", with a long horizontal flourish extending to the right.

Catherine Osterman Kutsuris  
Deputy Director

CK/mp

cc: Ray Barraza, KMAC Chair  
Ruben Hernandez, Senior Planner  
David Brockbank, Planner II  
Keith Denison, Planning Counter Services Manager

# HELPFUL HINTS

## FOR ESTABLISHING YOUR SECOND UNIT

- Check fees with other departments prior to applying for your second unit. These include Building Inspection Department, Public Works Department, Water Provider, and Sanitary District. They may have fees that could double or triple the estimated cost of establishing your second unit.
- Remember, a second unit is limited to 1,000 square feet of floor area and 400 square feet of garage space. Covered porches, carports, trellises, etc. are counted towards floor area (Detached Units).
- Anything that is not garage space or living area (including covered porches) is not allowed. "Storage" space is not an allowed use in the 2<sup>nd</sup> Unit ordinance.
- Make sure that your second unit has a separate entrance on the rear or side of the building and is not visible from the street.



# COMMUNITY DEVELOPMENT DEPARTMENT

## SECOND UNIT APPLICATION

### TO BE COMPLETED BY APPLICANT/OWNER

#### OWNER

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State \_\_\_\_\_  
 Phone \_\_\_\_\_ Zip \_\_\_\_\_

#### APPLICANT

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State \_\_\_\_\_  
 Phone \_\_\_\_\_ Zip \_\_\_\_\_

By signing below, owner agrees to pay all costs, including any accrued interest, if costs not paid by the applicant.

☐ Check here if billings are to be sent to applicant rather than owner.

Owner's Signature \_\_\_\_\_

By signing below, the applicant agrees to pay all costs for processing this application, plus any accrued interest, if costs not paid within 30 days of invoicing.

Applicant's Signature \_\_\_\_\_

#### CONTACT PERSON (optional)

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State \_\_\_\_\_  
 Phone \_\_\_\_\_ Zip \_\_\_\_\_

#### PROJECT DATA

Total Parcel Size \_\_\_\_\_  
 Number of Units \_\_\_\_\_  
 Estimated Project Value \_\_\_\_\_  
 Comm./Ind. Sq. Footage \_\_\_\_\_

#### APPLICATION TYPE

☐ Development Plan  
☐ Land Use Permit  
☐ DP/LUP Combo  
☐ Other

Nature of Request: (Attach supplemental statement if necessary) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### OFFICE USE ONLY

Application Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Property Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Ordinance Ref. \_\_\_\_\_

Area \_\_\_\_\_

Fire Dist. \_\_\_\_\_

Sphere of Influence \_\_\_\_\_

Flood Zone \_\_\_\_\_

Panel No. \_\_\_\_\_

x-ref Files \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Concurrent Files: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### Type of Fee: FEE AMOUNT: S-CODE

\*Base Fee/Deposit: \$ 1,000 **027A S-**

\*Late Filing Penalty \$ \_\_\_\_\_ S-066  
 (if applicable - 50% of above)

# Units \_\_\_\_\_ x 195 \$ \_\_\_\_\_ S-014  
 (Development Plan)

\_\_\_\_\_ Sq. Ft. x .20 \$ \_\_\_\_\_ S-014

½ % value over \$100,000 \$ \_\_\_\_\_ S-029  
 (of est. Project value LUP)

Notification Fee \$ \_\_\_\_\_ S-052B  
 #Addresses x \$1.50 + \$30

Fish & Game Posting \$ 50.00 S-048  
 (if not CEQA exempt.)

Environmental Health \$ 33.00 5884

Other \$ \_\_\_\_\_

TOTAL \$ 1,000

Receipt # \_\_\_\_\_

Other \_\_\_\_\_

\*ADDITIONAL FEES BASED ON TIME AND MATERIALS  
 WILL BE CHARGED AFTER STAFF COSTS EXCEED BASE FEE

Assessor's No. \_\_\_\_\_

Site Address \_\_\_\_\_

Zoning District \_\_\_\_\_

Census Tract \_\_\_\_\_

Atlas Page \_\_\_\_\_

General Plan \_\_\_\_\_

Supervisory Dist. \_\_\_\_\_

Rec'd by \_\_\_\_\_

Date Filed \_\_\_\_\_

File Number \_\_\_\_\_

## SECOND UNIT APPLICATION CHECKLIST

- |      | CDD<br>O.K. | APP.<br>O.K. |   |
|------|-------------|--------------|---|
| 1.   | ___         | ___          | Application Form with name(s) and address(es) of applicant(s) and property owner(s).  |
| 2.   | ___         | ___          | Address and assessor's parcel number for the lot.   |
| 3.   | ___         | ___          | Size, indicating dimensions and square footage of the primary residence and the proposed second unit.   |
| 4.   | ___         | ___          | A legible scale site plan, showing:   |
| (a.) | ___         | ___          | Location, species, driplines and trunk circumferences of all trees on the property.   |
| (b.) | ___         | ___          | A north arrow to indicate parcel orientation.   |
| (c.) | ___         | ___          | Lot dimensions with labels for all property lines, distances between all structures and improvements, both existing and proposed.   |
| (d.) | ___         | ___          | Lot size (in square feet).  |
| (e.) | ___         | ___          | Siting and location of the primary residence and the proposed second unit.  |
| (f.) | ___         | ___          | Floor plan configuration of the primary residence and the proposed second unit.   |
| (g.) | ___         | ___          | All other existing improvements (structures and buildings), including driveways and parking areas (three spaces).   |
| (h.) | ___         | ___          | Elevations of the primary residence and the proposed second unit. Elevations should include "exterior design", which includes architectural style and exterior features, such as trim, windows, and roof. |
| (i.) | ___         | ___          | Percentage of lot coverage. Total square footage of all improvements, buildings and accessory structures footprints on property to total property square footage.   |
| 5.   | ___         | ___          | A description of the building and roof materials of the primary residence if detached and second unit, also a sample board of the colors of the primary residence and second unit.                        |
| 6.   | ___         | ___          | Color photographs of the primary residence and surrounding properties taken from each of the property lines of the project site.  |
| 7.   | ___         | ___          | Location and description of water and sanitary services for both the primary residence and the proposed second unit.  |
| 8.   | ___         | ___          | Property owner's consent to physical inspection of the premises.  |
| 9.   | ___         | ___          | A written legal description of the property (deed).   |

## **SECOND UNIT DEVELOPMENT STANDARDS**

1. 2<sup>nd</sup> units must comply with Zoning District setbacks and building height. **No Variances allowed.** This includes new proposals as well as previously approved variances. Meaning: the new second unit cannot attach to an existing accessory structure with a reduced yard or variance to yard.
2. 2<sup>nd</sup> units are **exempt** from small lot review (save the 6,000 square foot minimum).
3. The total floor area of the 2<sup>nd</sup> unit must not exceed 1,000 square feet and may be established in one of the following configurations.
  - a. The 2<sup>nd</sup> unit can be attached/part of the primary residence or detached.
  - b. A detached 2<sup>nd</sup> unit can be attached to an accessory structure, only if the accessory structure meets standard yard requirements. Total area of accessory structure cannot exceed 400 square feet and is limited to garage space (when attached to 2<sup>nd</sup> unit).

**Note:** Second Units are limited to **1,000 square feet of floor area and 400 square feet of garage.** Accessory structures such as trellis, and storage areas are not permitted as part of the unit. On second units, the square footage under a covered porch or similar structure is counted towards the total floor area.

4. Construction of a 2<sup>nd</sup> unit cannot cause total lot coverage to exceed;  
40% in residential districts (R- ).  
25% in multiple family districts, M-6 thru M-17  
35% in M-29 multiple family district,.  
Minimum standards established by Final Development Plan for P-1 districts or  
40% if lot coverage is not included in FDP.
5. A second unit must provide complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The second unit may include one kitchen, living room, and dining room, and no more than two bathrooms and two bedrooms only.
6. The second unit must have a separate entrance located on either building side or rear and not visible from the street front area.
7. A total of three (3) off-street parking spaces are required for the establishment of a 2<sup>nd</sup> unit, **NO EXCEPTIONS.**
8. The second unit must incorporate the same exterior design, building and roof materials, and colors as the primary dwelling unit. "Exterior design" includes architectural style and exterior features, such as trim, windows, and roof.
9. The 2<sup>nd</sup> unit must be on a permanent foundation.
10. If a private sewage disposal system, water system or both are proposed to be used, it must meet all applicable county regulations and be approved by the health officer before a second unit may be established. Verification that the standard has been met is required prior to final inspection.

WHEN RECORDED MAIL TO:

COMMUNITY DEVELOPMENT  
651 PINE STREET, 4TH FLOOR, NORTH WING  
MARTINEZ, CA 94553

APN:  
CDD FILE #

# DRAFT

## NOTICE OF RESTRICTION

I \_\_\_\_\_ (name), owner of the property identified as \_\_\_\_\_ (address), wish to have the following statement included within the title to the above property:

- (1) "You are purchasing a property with a permit for a second residential unit. This permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the second unit separately. The second unit is restricted to the maximum size allowed under County Ordinance Code Section 82-24.012. The permit is available from the current owner or from the Contra Costa County Community Development Department."
- (2) The second unit shall not be sold separately.
- (3) The second unit is restricted to the maximum size allowed under Ordinance Code section 82-24.012.
- (4) The restrictions are binding upon any successor in ownership of the property and lack of compliance may result in legal action by the County against the property owner.
- (5) The owner of this parcel containing a second unit shall occupy either the primary dwelling unit or the second unit.
- (6) The property owner is responsible for maintaining the compatibility between the main residence and the second unit at all times.

The undersigned as owner of the property at \_\_\_\_\_ agrees to the above statement(s).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **APPLYING FOR A RESIDENTIAL SECOND UNIT**

### **1. THINGS YOU SHOULD KNOW BEFORE APPLYING FOR A RESIDENTIAL SECOND UNIT ON PARCELS LOCATED IN UNINCORPORATED CONTRA COSTA COUNTY.**

A. In order to qualify for a residential second unit the subject property must meet the following requirements:

1. At least 6,000 square feet of lot area.

2. Be located in one of the following zoning districts:

- Any of the Single-Family Residential (R-6, R-7, R-10, R-12, R-15, R-20, R-40, R-65, and R-100) districts.
- Residential planned unit district (P-1).
- Multiple-family residential district (M-6, M-9, M-12, M-17 and M-29).

B. **NO VARIANCES** are allowed with the establishment of the second unit. The entire second unit must meet **ALL** primary structure development standards of the applicable zoning district (setback, yard, height, etc.).

C. Once you have determined that the property meets the requirements above you can proceed with the application.

### **2. APPLICATION SUBMITTAL REQUIREMENTS**

A. Prior to preparing the application submittal for a residential second unit, please make sure that you have read and understand the attached development standards for Residential Second Units in the County Ordinance (§82-24.012).

B. The review process for residential second units will generally take 30 to 45 days.

C. All of the information and materials in the Second Unit Application Checklist must be provided upon submittal of application.

D. Upon acceptance of the application package for the residential second unit, the request will be reviewed for compliance with the Residential Second Unit Ordinance by staff. In order to insure compliance with the

Residential Second Unit Ordinance, additional information or modification to the proposal may be required.

3. GETTING A BUILDING PERMIT FOR AN APPROVED RESIDENTIAL SECOND UNIT.

A. After approval but prior to the issuance of a final building permit for the residential second unit, the applicant shall do the following:

- (a) Enter into an agreement of restrictions (example attached) with the County that refers to the deed under which the property was acquired by the applicant and provides the following:
  - (1) “You are purchasing a property with a permit for a second residential unit. This permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the second unit separately. The second unit is restricted to the maximum size allowed under County Ordinance Code Section 82-24.012. The permit is available from the current owner or from the Contra Costa County Community Development Department.”
  - (2) The second unit shall not be sold separately.
  - (3) The second unit is restricted to the maximum size allowed under Ordinance Code section 82-24.012.
  - (4) The restrictions are binding upon any successor in ownership of the property and lack of compliance may result in legal action by the County against the property owner.
  - (5) The owner of this parcel containing a second unit shall occupy either the primary dwelling unit or the second unit.
  - (6) The property owner is responsible for maintaining the compatibility between the main residence and the second unit at all times.
- (b) Record the notarized agreement with the County Recorder (The County will provide a form containing the above language to be recorded with the application package).

(2) The significant remodeling or rehabilitation of a residential or nonresidential building, provided there is no intensification of the use or enlargement of the building;

(3) The significant repair or reconstruction of a building resulting from damage by fire or other natural disaster, provided there is no intensification of the use or enlargement of the building;

(4) Any modification or remodel of an existing, legally established dwelling unit that does not create an additional dwelling unit, or the temporary occupancy of a mobile home not situated in a mobile home park;

(5) Child care facilities;

(6) Any project for which a final development plan approval has been given by the planning agency or for which a development agreement or amended development agreement exists prior to the effective date of this chapter, except those projects which include as part of the conditions compliance with this chapter or with the child care requirements of a TSM ordinance or program;

(7) Studio and one-bedroom dwelling units shall not be counted in multifamily residential projects of more than thirty units;

(8) Senior housing project;

(9) Nonresidential projects having fewer than one hundred potential employees or having a floor area of fewer than fifteen thousand gross square feet. (Ords. 92-56 § 6, 88-1 § 3).

## Chapter 82-24

### RESIDENTIAL SECOND UNITS

#### Sections:

82-24.002	Purposes.
82-24.004	Definition.
82-24.006	Permitting procedure.
82-24.008	Location.
82-24.010	Applications.
82-24.012	Development standards.
82-24.014	Occupancy.
82-24.016	Deed restrictions.
82-24.018	Nonconforming units.
82-24.020	Fees.

#### 82-24.002 Purposes.

The purposes of this chapter are to authorize second units; to establish a procedure for reviewing and approving their development to ensure and maintain healthy and safe residential living environments; to establish location and development standards for second units; and to comply with Government Code Section 65852.2, which requires

local agencies to consider applications for second unit permits ministerially without discretionary review or a public hearing. (Ords. 2003-17 § 3, 87-67 § 3.)

#### 82-24.004 Definition.

For purposes of this chapter, "second unit" has the meaning set forth in California Government Code Section 65852.2. (Ord. 2003-17 § 3, 87-67 § 3.)

#### 82-24.006 Permitting procedure.

An application for a second unit permit that meets the location and development standards contained in this chapter and all applicable building standards in Title 7 shall be approved ministerially without discretionary review or public hearing. (Ord. 2003-17 § 3.)

#### 82-24.008 Location.

(a) One second unit may be located on any lot in a single-family residential district (R-6, R-7, R-10, R-12, R-15, R-20, R-40, R-65, and R-100), planned unit district (P-1) for residential uses, or a multiple-family residential district (M-6, M-9, M-12, M-17, and M-29).

(b) No subdivision rights are authorized that would result in the second unit being located on a separate lot. (Ords. 2003-17 § 3, 87-67 § 3.)

#### 82-24.010 Applications.

(a) An application for a second unit permit must be submitted to the Community Development Department prior to the submittal to the County of a building permit application.

(b) An application for a second unit permit must be made in writing and contain the following information:

(1) Name(s) and address(es) of applicant(s) and property owner(s).

(2) Address and assessor's parcel number for the lot.

(3) Size, indicating dimensions and square footage of the primary residence and the proposed second unit.

(4) A legible scale drawing, showing:

(A) A north arrow to indicate parcel orientation.

(B) Lot dimensions and labels for all property lines.

(C) Siting and location of the primary residence and the proposed second unit

(D) Floor plan configuration of the primary residence and the proposed second unit.

(E) All other existing improvements, including driveways and parking areas.

(F) Exterior design of the primary residence and the proposed second unit. "Exterior design" includes architectural style and exterior features, such as trim, windows, and roof.



(5) A description of the building and roof materials of the primary residence and second unit, and a sample board of the colors of the primary residence and second unit.

(6) Color photographs of the primary residence and surrounding properties taken from each of the property lines of the project site.

(7) Location and description of water and sanitary services for both the primary residence and the proposed second unit.

(8) Property owner's consent to physical inspection of the premises.

(9) A written legal description of the property. (Ords. 2003-17 § 3, 87-67 § 3).

#### **82-24.012 Development standards.**

A second unit permit will be issued only if it complies with the following development standards:

##### **(a) Yards and Building Height.**

(1) In single-family and multi-family residential districts, second units must comply with requirements relating to yards (front setbacks, side, and rear) and building height that are generally applicable to residential construction in the zone in which the property is located.

(2) In P-1 planned unit districts where an approved final development plan specifies requirements relating to yards (front setbacks, side, and rear) and building height, second units must comply with the requirements specified in the plan. In P-1 planned unit districts where an approved final development plan does not specify requirements relating to yards and building height, second units must comply with requirements relating to yards and building height that are generally applicable to residential construction in the R-6 zone.

(b) Lot Size. The minimum size of a lot with a primary residence and a second unit is six thousand square feet. Applications for a second unit permit are exempt from the requirements of Ordinance Code section 82-10.002(c).

##### **(c) Size and Configuration.**

(1) The total floor area of the second unit must not exceed one thousand square feet.

(2) A second unit may be in one of the following configurations:

(A) An internal conversion of a garage or other area within the existing primary residence.

(B) An addition attached to the existing primary residence.

(C) The creation of a detached structure on the lot separate from the existing primary residence.

(D) An addition attached to an existing or newly constructed accessory structure.

A second unit may be attached to an accessory structure only if the accessory structure meets all of the following requirements:

(i) The total floor area of the accessory structure does not exceed four hundred square feet, not including the second unit.

(ii) The accessory structure is limited to garage space.

(iii) The accessory structure complies with all requirements relating to yards (front setbacks, side, and rear) and building height that are applicable to the primary residence in the zone in which the property is located.

##### **(d) Lot Coverage.**

(1) In single-family residential districts, the second unit must not cause the maximum total structural lot coverage to exceed forty percent. In multiple-family residential districts, the second unit must not cause the maximum total structural lot coverage to exceed twenty-five percent in the M-6 through M-17 districts or thirty-five percent in the M-29 district.

(2) In P-1 planned unit districts where an approved final development plan specifies maximum total structural lot coverage, the second unit must not cause the maximum total structural lot coverage to exceed the specified percentage. In P-1 planned unit districts where an approved final development plan does not specify maximum total structural lot coverage, the second unit must not cause the maximum total structural lot coverage to exceed forty percent.

(e) Living Provisions. A second unit must provide complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The second unit may include one kitchen, living room, and dining room, and no more than two bathrooms and two bedrooms.

(f) Entry. The second unit must have a separate entrance located on either building side or rear and not visible from the street front area.

(g) Off-Street Parking. A lot containing a second unit must provide an additional off-street parking space to serve the second unit. The additional space may be in tandem, or the additional space may be in the existing driveway if the additional space is outside the existing setback or side yard. The exception under Ordinance Code section 84-4.1202 shall not apply to lots for which a second unit permit is issued.

(h) Architectural Compatibility. The second unit must incorporate the same exterior design, building and roof materials, and colors as the primary dwelling unit. "Exterior design" includes architectural style and exterior features, such as trim, windows, and roof.



(i) **Permanent Foundation.** A permanent foundation is required for all second units.

(j) **Sewage and Water.** If a private sewage disposal system, water system or both are proposed to be used, it must meet all applicable county regulations and be approved by the health officer before a second unit may be established. Verification that the standard has been met is required prior to final inspection. (Ords. 2003-17 § 3, 87-67 § 3.)

#### **82-24.014 Occupancy.**

The owner of a parcel with a second unit shall occupy either the primary dwelling unit or the second unit. (Ord. 2003-17 § 3, 87-67 § 3.)

#### **82-24.016 Deed restrictions.**

Before obtaining a second unit permit, the applicant shall do the following:

(a) Enter into an agreement of restrictions with the County that refers to the deed under which the property was acquired by the applicant and provides the following:

(1) The second unit shall not be sold separately.  
(2) The second unit is restricted to the maximum size allowed under Ordinance Code Section 82-24.012.

(3) The restrictions are binding upon any successor in ownership of the property and lack of compliance may result in legal action by the County against the property owner.

(b) Record the agreement with the County Recorder.

(c) Prepare a disclosure statement that shall be included in any future offer or sale documents. The statement shall read as follows:

"You are purchasing a property with a permit for a second residential unit. This permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the second unit separately. The second unit is restricted to the maximum size allowed under County Ordinance Code Section 82-24.012. The permit is available from the current owner or from the Contra Costa County Community Development Department."

(Ord. 2003-17 § 3, 87-67 § 3.)

#### **82-24.018 Nonconforming units.**

Notwithstanding the provisions of Ordinance Code section 82-8.006, if the existing primary residence is a legal nonconforming unit, a second unit may be constructed only if the nonconformity is not expanded and the second unit meets all current applicable zoning and building standards. (Ord. 2003-17 § 3, 87-67 § 3.)

#### **82-24.020 Fees.**

Fees for second unit permits will be in amounts established by the Board of Supervisors in the Community Development Department's fee schedule. Second units are subject to all new development fees, including but not limited to development impact fees, park fees, and assessment district assessment allocations (Ord. 2003-17 § 3, 87-67 § 3.)

### **Chapter 82-26**

## **WATER CONSERVATION LANDSCAPING IN NEW DEVELOPMENTS**

### **Sections:**

#### **Article 82-26.2 General**

- 82-26.202 Water conservation landscaping.**
- 82-26.204 Intent and findings.**
- 82-26.206 Regulations.**

#### **Article 82-26.4 Application and Requirements**

- 82-26.402 Application to new developments.**
- 82-26.404 Requirements.**

#### **Article 82-26.2. General**

##### **82-26.202 Water conservation landscaping.**

All land within the unincorporated area of Contra Costa County shall be subject to the provisions in this chapter. (Ord. 90-59).

##### **82-26.204 Intent and findings.**

(1) Landscaping irrigation accounts for approximately fifty percent of all water used in urban areas. Water conserving landscapes use only about one-third of the water of a traditional nonwater conserving landscape.

(2) Water in the county is of limited supply. The county is growing in population. In order to meet the growing demand for water supply, water conservation measures need to be implemented.

(3) Water, as a valuable and limited resource, should not be wasted. The county has played a lead role in protecting bay and delta water quality, and in advocating water conservation before considering new water supply projects.

(4) Water conservation measures will save money and can be accomplished without degradation of aesthetic values of developments.

(5) For all of these reasons, it is in the interest of the public health, safety and welfare of the county to require water conservation methods for landscaping of new developments by regulating turf areas, planting materials, and irrigation practices. (Ord. 90-59).