

August 24, 2007

Ketzel Levine  
National Public Radio

Dear Ms. Levine:

Thank you so much for responding to the City's concerns over the posting at NPR.org regarding a code violation in our community.

By way of background, in 2004 the City of Arvada sponsored a contest called "This Old Yard" as part of an overall program to embrace sustainability and water conservation, and as a response to the severe drought of 2001 – 2003. Armed with the fact that residential outdoor irrigation consumes about half of all residential water use, City of Arvada staff takes seriously its responsibility to educate the public on water conservation, especially through the conversion of thirsty bluegrass to water-wise landscaping or drought-tolerant grass varieties. Over 160 households applied for the program designed to encourage Arvadans to convert at least a portion of their yards to a water-wise landscape, and to educate the public on both the techniques and the joys of water-wise landscaping.

Luanne Stehno was one of two residents chosen to participate in "This Old Yard." Her front yard at the time consisted primarily of blue grass. The water-wise landscape conversion designed by a local landscape architect called for the removal of several shrubs and a tree. All existing blue grass was to be replaced with blue gramma grass and other flowering perennials. City of Arvada taxpayers contributed \$12,000 in services, labor, and materials to make this conversion possible.

In the redesigned landscape, approximately 1,500 square feet of her front yard is described as "urban meadow lawn" which was planted with blue gramma grass. This variety of grass is typically used to replace Kentucky blue grass or other water-guzzling grass varieties.

I should point out that 2007 has been an unusual year along the front range because we had a very wet and cool spring which resulted in extraordinary growth of plants, lawns, shrubs, etc. Blue gramma grass, which normally does not exceed 12" in a growing season, was not exempt from this 'extraordinary growth.' Indeed, Ms. Stehno's lawn grew rapidly and the grass exceeded 20" by July.

Arvada City Code places a height limit of 12" on grass and weeds. This is actually more generous than some of our neighboring communities (like Denver) which have a 6" limit.

In any event, the issue at hand is whether lawns, when planted with drought resistant grass such as blue gramma, should be exempt from any height limit. In other words, is it acceptable for cities to require Kentucky blue grass to be maintained but not require people who plant their entire front lawn with blue gramma grass to mow?

Generally speaking, in residential neighborhoods most people like to see well-groomed lawns. The City of Arvada wholeheartedly supports lawns planted with drought-tolerant varieties, but we also believe those lawns should be maintained. Supporting water-wise landscaping and requiring well-maintained landscapes are not mutually exclusive goals.

Ms. Stehno is concerned about the health of the blue gramma grass. Please note that this grass variety can be maintained at many different heights, and can certainly live and thrive at heights below 12 inches.

Contrary to the implication that the City of Arvada is somehow 'anti-green' or 'anti xeriscape,' Arvada has shown tremendous support for the environment. Some examples are:

- Arvada owns and operates an 80-acre environmental education community park called Majestic View Park.
- Majestic View Park has a water conservation specialist as well as a large xeriscape demonstration garden.
- There are five additional xeric demonstration gardens at various City facilities. Indeed, our community was included in the 2006 Colorado Xeriscape Garden Tour.
- The entire City parks system is controlled by computerized irrigation.
- We have not planted any turf in our medians for 25 years, instead utilizing drought-tolerant plants.
- We recently invested in two synthetic soccer fields.
- We sponsored the This Old Yard Contest in 2004, which to our knowledge is unique in the nation.
- The City of Arvada was named a "Colorado Energy Champion" by the Governor's Office of Energy Management and Conservation (OEMC) in 2006 for making substantial, cost-effective improvements in energy efficiency throughout existing City facilities. These improvements resulted immediately in a 20% savings on the existing annual energy budget of \$707,094.
- The City recently received a grant from the Regional Air Quality Council to retrofit 27 vehicles, installing diesel oxidation catalysts and preheat units on each. The combined effect will reduce tailpipe emissions by an estimated 45%.

As you know, Ms. Stehno's blue gramma grass was the subject of a code violation because it exceeded the 12" height limit. Our code enforcement division investigated only because a complaint was called in to the City. Code enforcement asked her to trim the grass back to 12", not to mow it. We advised her that 'string cutting' was acceptable. Obviously, Ms. Stehno disagrees with this.

City staff has devoted a great deal of time to this issue and has met with Ms. Stehno on a number of occasions. In addition, both the City's mayor and Ms. Stehno's district representative have met with her. We are looking into a number of possibilities, and have researched what other communities do. As I stated earlier, many cities have a maximum height of 6" as opposed to 12", and do not grant exceptions for drought-tolerant grass.

Please note that the landscape architect that designed Ms. Stehno's yard recommends to his clients that they string cut blue gramma grass both early in the growing season and towards the end. If string cut at the beginning of the growing season, it does not grow as high but still produces the seed heads that Ms. Stehno desires in her yard.

Finally, I have included some photographs. You will note that the photograph Ms. Stehno sent to you for the website is not a current photo.

Please let me know if I can provide you with any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria VanderKolk". The signature is fluid and cursive, with a long horizontal stroke at the end.

Maria VanderKolk  
Assistant to the City Manager



Bottom photo is before work.

Top photo is after installation. Grass was newly seeded.



Recent photo of yard



Photo of yard on NPR website sent in by Ms. Stehno.

Does not reflect current condition

