

## **Santa Clara Community Garden Program Guiding Principles 2020 Lawrence Station Area Mini Park G - Community Garden Rules**

### **Guiding Principles**

The Community Garden Program is a City (public) recreation program. The Guiding Principles established for the City of Santa Clara Community Garden Program (Program) support and promote: safe garden practices, garden aesthetics, equity, environmental stewardship, and creation of a community of gardening neighbors. While Guiding Principles apply to the Program as a whole, Garden Rules are site specific due to the differences in each community garden background, development, size, shape, locations, land use restrictions (such as CC&R's or ), as well as specific adjacent neighborhood issues and concerns.

### **Community Garden Rules- Mini Park G**

#### **Garden Background**

The City of Santa Clara established a 0.27 acre Community Garden within the Community Facilities District 2019-1 (Lawrence Station) at 3450 Copper Road. The Community Garden is a City owned and operated public facility with individual raised garden beds where members of the general public are able to reserve a garden bed for purpose of growing fruits, vegetables, flowers, herbs and other plants according to the specific Garden Rules enumerated below.

This Community Garden is intended to be a beautiful, safe, and peaceful refuge. As in any group endeavor, individual gardeners have both rights and responsibilities as community garden members that assist in the functioning of the community program.

#### **Membership**

Garden Program Membership includes access to the community garden, one raised garden bed filled with approved/appropriate soil, use of water, access to educational classes, access to the tool shed and use of its contents, and a proportionate yield from the community orchard and compost bins.

The Community Garden Program uses the following definitions and standard application of rules:

- 1) A Primary Garden Member may be defined as an individual, a lead organizer of a group, or an entity assigned sole access to a garden bed.
- 2) The Primary Garden Member may identify a Secondary Garden Member who will have equal access to the garden bed. Both the Primary Garden Members and Secondary Garden Members are defined as "Garden Members" and must be Santa Clara Residents.
- 3) One household, group or organization cannot rent more than one (1) garden bed. Two households or more may share one bed upon request.
- 4) To become a Garden Member, you must do the following before the City provides Community Garden access and bed assignment:
  - a) Submit a Garden Application online or in person and receive approval.
  - b) Sign the Release of Liability & Assumption of Risk Agreement.
  - c) Pay annual fees and security deposit.
  - d) Attend an orientation.



- 5) Applications are accepted year-round. New Garden Members admitted into the program before November 1<sup>st</sup> will join the current program year at a pro-rated rate (2021-2022). New Garden Members admitted after November 1<sup>st</sup> will join the next program year (2022-2023).
- 6) Garden Membership is for one year (March 1– February 28 or 29) with registration happening in February for each sub-sequent year.
- 7) Renewal applications are mailed to current Primary Garden Members in good standing (see “Rules and Regulations”) in December for the following membership year. If the signed rental application, agreement, and annual dues are not received by February 15, the bed will be made available to those on the waitlist. Membership renewal payments can be made online upon request.
- 8) Memberships can be renewed for a maximum of three (3) years. After the three-year term limit, eligible participants can submit a new application for the waiting list starting March 1.
- 9) During registration, returning and new applicants will be required to provide proof of residency in the form of a government issued photo I.D., and a copy of a current utility bill or vehicle registration. Other forms of proof of residency may be considered subject to approval by the City.
- 10) Payment in full is to be made by cash, check, VISA/Master Card/Discover/American Express, or money order, payable to the City of Santa Clara.
- 11) Garden Members do not have any ownership in the garden beds and may not sell, transfer, or sublet their garden bed. In the case where the Garden Member(s) is unable to care for their assigned bed, the transfer of a bed will be managed by the City.
- 12) A Garden Member is allowed to bring guests to show them their garden bed, and must accompany guests into and out of the garden.

### **Waitlist**

If the number of applicants exceeds the available beds, those applicants will be placed on a waiting list in adherence to the priority and eligible qualifications. Garden Members whose 3-year term limit has expired may submit a new application for the waiting list. City of Santa Clara staff maintains the waitlist. The waitlist application can be found on the City’s Parks & Recreation ActiveNet Registration portal.

### **Garden Member Eligibility & Priority Categories**

- 1) City of Santa Clara Residents living within the Community Facilities District (CFD)
- 2) City of Santa Clara Residents who receive Cal Fresh (WICC, SNAP) benefits
- 3) Residents 55 and older and/or families with children under age 18
- 4) All other City of Santa Clara Residents over age 18

Each of the Priority Categories will be weighted in the order listed per application.

### **Annual Fees**

The City charges an annual Community Garden Program membership fee to defray the costs of water and program administration.

Annual Use Fees		
Bed size (approximate)	Individual 3Hx4Wx8L. Raised Bed	ADA or 55+ 3Hx4Wx8L Raised Bed
Deposit (refundable)	\$50.00	\$50.00
CFD Participation fee	TBD	TBD



(March 1 – Feb 29)		
Resident Participation Fee (March 1 – Feb 29)	TBD	TBD

Membership fees are *non-refundable* and *non-transferable*. Mid-year rentals (on or after March 1) will be prorated accordingly (full deposit required). Payment plans and financial assistance may be available upon request.

### **Security Deposit**

A one-time \$50.00 key, bed cleaning and compliance deposit will be collected for each garden bed to encourage Garden Members to keep their garden bed active, weed-free, and to comply with all Community Garden Guiding Principles & Rules. Deductions to deposits (due to maintenance performed by City Staff) will be tracked by the Garden Coordinator and applied at the time your Garden Membership ends. The remaining balance of the deposit is refundable when the bed is vacated and key is returned, pending approval from the City. (Please see "Termination").

### **Administrative Procedures**

The City of Santa Clara Parks & Recreation Department staff is responsible for administering the Community Garden and enforcing Community Garden Guiding Principles & Rules. City staff duties include garden inspection, policy enforcement and interpretation, maintenance of physical facilities, organization of work parties, maintenance of approved members list and waitlist, and other recreational and garden community activities.

The Community Garden Guiding Principles & Rules may be amended by the City at its sole discretion. Garden Members shall be subject to the Guiding Principles & Rule as amended regardless of notice of any such amendments, but when possible, the City will notify Garden Members in advance (i.e. bulletin board, garden member meetings, email, etc.) of any change to the program, the guidelines, and/or fees.

The main contact, for any matter relating to the Community Garden Program, is the Community Garden Coordinator:

Derek Bryant, Recreation Coordinator  
2446 Cabrillo Ave., Santa Clara, CA, 95051  
[DBryant@SantaClaraCA.gov](mailto:DBryant@SantaClaraCA.gov)  
(408) 615-3743

### **RULES AND REGULATIONS:**

Community Garden Principles & Rules are set by the City of Santa Clara. Failure to comply with the rules and regulations may result in loss of garden bed without refund and prohibition on future membership. City shall have the right to inspect any garden bed at any time.

Garden Member waives any and all claims for personal or property damage against the City, its officers, agents, or employees, arising directly or indirectly out of this policy. Garden Member further agrees to indemnify City against any such claims made by persons coming into the Community Garden premises at the actual or implied invitation of the Garden Member.

The City is not liable for loss or damage to personal property, vandalism to the garden bed, and/or destruction of crops due to disease, pests, rodents, or inclement weather.

### **City Responsibilities**

- A. Assign garden beds to individuals, groups, and community organizations as appropriate and based on priority criteria.
- B. Provide garden bed, water, hoses, trash receptacles and various garden tools.
- C. Work to diminish “pest” problems (e.g., rodents, squirrels, etc.), but will not guarantee that pests will not invade the garden.
- D. Perform periodic general cleanup. A notice regarding scheduled work will be posted on the Garden’s bulletin board whenever possible.
- E. Maintain all walkways, fencing, and non-garden bed landscaping, including citrus and fruit trees.
- F. Provide access to storage shed equipped with limited supplies and large tools for gardeners’ use.
- G. Adhere to the Santa Clara County Orders and protocols for public safety in a community garden setting.
- H. The City is not responsible for the theft of crops, tools, or personal belongings.

### **Garden Member Responsibilities**

The Primary Garden Member on the registration form is solely responsible for the maintenance of the entire garden bed, the borders of the garden bed, and for payment of all associated fees. It is the responsibility of Garden Members to supervise minors and guests while in the Community Garden to ensure guests are following all rules and regulations. Garden Members are responsible for the actions of all minors/guests they bring into the Community Garden.

- 1) Attend two (2) Garden Member Meetings within the program year. Garden Members will learn about upcoming events, communicate concerns, share ideas, and build relationships.
- 2) Attend one (1) Santa Clara Master Composters Workshop within the program year.
- 3) Ensure the gate and storage shed are locked when they are the last member leaving for the day. It is also each Garden Members responsibility to close the gate behind them when entering the garden and do not open the gate to allow non-Garden Members to enter the garden.
  - a) Providing the Garden Key Card/Code to anyone not listed on the Membership Application and Agreement is cause for immediate termination.
- 4) Provide all personal use tools, seeds, plants, equipment, and other supplies necessary for gardening.
- 5) Contact the Garden Coordinator if unable to tend to their garden bed for an extended period.
- 6) Inform the Garden Coordinator of any changes to their contact information, including home address and telephone number.
- 7) Inform the Garden Coordinator if you wish to discontinue your garden membership, in writing, so that the bed may be reassigned to the next person on the waiting list.
- 8) Report conflicts amongst Garden Members, maintenance issues, or unauthorized guests to the Community Garden Coordinator.

### **Code of Conduct**

All Garden Members and guests shall conduct themselves as responsible individuals, and with consideration towards others. Garden Members will be respectful of the fact that the garden is

located in a community park where children and families are present and will not behave in such a way or display items that may be deemed offensive or inappropriate.

**Garden Members Shall Not:**

- A. Bring vehicles into the Community Garden area at any time.
- B. Bring unleashed pets into the garden; pet owners must clean up after their pet. Some animal's behavior may constitute a nuisance and not be permitted.
- C. Enter another Garden Members bed without permission. Removal of any item (crop, plant, tool, etc.) that is not yours is considered theft and cause for permanent loss of participation in Garden.
- D. Bring illegal substances, firearms, weapons or alcoholic beverages onto Community Garden premises.
- E. No smoking of any kind is allowed in the Community Garden, including but not limited to: cigarettes, e-cigarettes, cigars, or marijuana/canabis.

**Hours of Operation**

Sunday – Saturday, 6:00am to ½ hour after sunset, year-round.

**Garden Amenities**

The Community Garden is full of amenities. These amenities were placed for members' use and should be maintained properly to ensure its longevity.

- 1) General Common Areas
  - a) Be sure to clean up after yourself and ensure waste is placed into proper trash containers. Only waste originating from the Community Garden can be disposed in the trash containers.
  - b) No pets are allowed in the Community Garden, with the exception of Service Animals.
  - c) Pick weeds around the borders of your garden bed.
- 2) City of Santa Clara Display Garden areas
  - a) The designated demonstration beds should not be maintained by anyone but the staff or volunteer appointed by the City staff.
- 3) Compost
  - a) All organic waste should be chopped and deposited in the compost area.
  - b) Weeds and diseased plants should be deposited in the compost area.
  - c) Participants are welcomed and encouraged to turn compost piles frequently.
  - d) All gardeners can use available completed compost.
- 4) Restrooms
  - a) Access is located near the Community Center.
- 5) Parking lot
  - a) Public parking is available at Copper and La Ramba Avenue. All supplies should be unloaded in the parking area and transported to the garden area via hand, handcart, or wheelbarrow.
  - b) Dumping of any materials in the parking area is strictly prohibited.
- 6) Water use
  - a) There are garden bibs and hoses for Garden Members to share.
  - b) Drain and hang hoses after each use.
  - c) Consult with Garden Coordinator before tampering with irrigation or hoses.
  - d) For more see "Water" in "Planting Guidelines" Section.
- 7) Tool Shed and Storage
  - a) In the shed you will find a few basic tools.



- b) Please return tools cleaned and promptly when you are through using them, so they are available to other gardeners. Please report missing or broken tools to the Garden Coordinator. Tools are used and maintained at the gardener's own risk. Tools are for garden use.
- 8) First Aid
  - a) In case of an emergency, call 9-1-1.
  - b) There is First Aid in the shed, in case of injury.
- 9) Garden Key
  - a) Primary Garden Members are allowed two (2) Garden Keys per household. If the Secondary Garden Member lives in another household, he/she/they must fill out a registration form to receive a Garden Key Card.
  - b) Do not share Garden Keys with any unauthorized individuals
  - c) Report lost or stolen Garden Key Cards immediately to the Garden Coordinator.
  - d) A \$5.00 deduction of your deposit will be applied for any issued Garden Keys not returned at the end of Garden Membership.
- 10) Bulletin Board
  - a) The Community Garden Bulletin Board is for the purpose of posting Community Garden related information only. All items posted on the bulletin board must contain the date posted and the name and Bed number of the Garden Member. Items not in compliance or inappropriate will be removed. All items will be removed after 30 days.

<b>NOTICES, VIOLATIONS, AND PROCEDURES:</b>
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### **Contacting You**

It is your responsibility to keep the Garden Coordinator informed of any changes of address, phone numbers, or email address. Important information (renewal packets, etc.) will be mailed to your last known address. Notices to individual Garden Members may be mailed, sent via email, attached to a post in the garden bed, or made by phone. General notices will be posted on the bulletin board.

### **Inspections**

Adherence to established rules and regulations is critical in to ensure the Community Garden remains in quality condition. Periodic checks will be made to all garden spaces to ensure they are being cared for properly and follow all Community Garden Guiding Principles. The Garden Coordinator is responsible for interpreting and enforcing the policies.

### **Vacations and Extended Absences**

Vacationing Garden Members or those who prefer to “rest” their garden bed during the cold seasons, are not exempt from weed removal and other maintenance rules, or compliance deadlines.

### **Abandonment**

Any garden bed that appears to be abandoned will be sent an “Abandonment Notice”. The Garden Member will have fifteen (15) days to restore the bed. If progress has not been made, the garden bed will be reassigned, and the deposit will be forfeit.

### **Vandalism & Theft**

Vandalism and/or theft will not be tolerated. These acts are cause for immediate termination of all Community Garden privileges without refund of participation deposit. Accusations of misconduct, vandalism or theft will be considered by Community Garden Coordinator. If you

observe an intruder in the community garden area, please contact the Santa Clara Police Department at (408) 615-4700.

### **Termination Based on Violations**

When a garden bed is found to conflict with these regulations, the Primary Garden Member will be notified of the violation(s). Notification of a violation shall be transmitted via letter from the City to the Primary Garden Member as follows:

- a. Notification #1: The first email and/or phone call will serve as notice of the violation and provide the date (15 days from date sent) that the garden bed will be checked for compliance.
- b. Letter #2: If, after those 15 days, the garden bed is found to still be noncompliant, a letter will be sent to the Primary Garden Member advising them that that compliance must occur by the date provided (15 days from date sent).
- c. If Garden Members fails to comply, then garden bed will be immediately forfeited with no refund of fees and deposits.

If a Primary Garden Member receives three (3) separate notifications of noncompliance within a six (6)-month period, then any subsequent violations within that same six (6)-month period will result in forfeiture of garden bed with no refund of fees paid. The Garden Member(s) will not be able to join the waiting list for a calendar year.

Upon any termination due to violations between a Garden Member and the City, a Garden Member will not be entitled to a refund of any fee paid to the City, nor will they be entitled to any payment or reimbursement from the City for any materials planted, growing, or otherwise located within the Community Garden or for any improvements made on the premises. All or any part of such material and improvements shall become the property of the City.

### **Appeals**

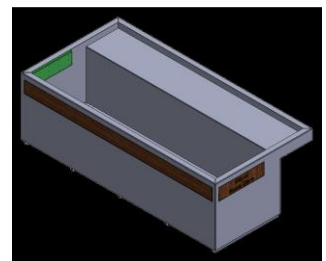
All final evictions are reviewed by the Garden Coordinator. Garden Member grievances will be presented to the Community Garden Coordinator.

Garden Members may appeal to the Director of Parks and Recreation, whose decision will be final.

James Teixeira, Director of Parks and Recreation  
1500 Warburton Ave, Santa Clara, CA, 95050  
(408) 615-2260

### **GARDENING GUIDELINES:**

The Community Garden features custom steel fabricated raised garden beds decorated with an IPE wood inlay. There are both standard and ADA access models. They come with many advantages to maintain the beauty and quality of the park for the next twenty years. Raised garden beds, or “garden boxes,” keep pathway weeds from your garden soil, prevent soil compaction, provide good drainage, and serve as a barrier to pests such as slugs and snails. The sides of the beds keep your valuable garden soil from eroding or washing away





during heavy rains. These custom beds are slightly raised off the ground and have a solid bottom so they may be moved. This feature is important in the rare case major utility work is needed. In many regions, gardeners can plant earlier in the season because the soil is warmer and better drained when it is above ground level. By raising the soil level, raised garden beds also reduce back strain when bending over to tend the bed.

### **Organic Gardening**

The Community Garden Program adheres strictly to the gardening principles, concepts, and practices popularly called “organic.” Products simply labeled “organic” or “natural” are not allowed unless they are approved by the U.S. Department of Agriculture’s (USDA) National Organic Program or by the Organics Materials Review Institute (OMRI). To see if a substance is allowed in a community garden check the USDA National Organic Program National List, Subpart G, 205.601 and 205.602 or the OMRI Web site ([www.omri.org](http://www.omri.org)).

### **Planting Guidelines**

- 1) Garden Members may grow fruits, vegetables, herbs, flowers, and edible weeds in their bed. Edible weeds must be harvested and not allowed to go to seed.
- 2) Due to the three (3) year term limit, and garden bed design, seasonal or annual crops are encouraged. Therefore, the following crops are prohibited:
  - a) Water-intensive crops: Taro, rice, sugar cane.
  - b) Invasive crops and weeds: Bamboo, Japanese Honey Suckle, English Ivy, Passion Flower, Bermuda grass, Mint.
  - c) Trees or permanent plants: Trees, grape vines, rose bushes, blackberry, or raspberry bushes, etc.
  - d) Any government regulated illegal plants: cannabis, tobacco, etc.
- 3) Crops that produce “runners,” or spread from the roots, should be constantly managed or grown in a container above the soil surface. These plants are, but not limited to, strawberries and the Mint family. Garden Member may be asked to remove the plant if it is not properly contained.
- 4) Garden Members are encouraged to plant a variety of crops (at least two). The exception would be if you are growing a cover crop for the duration of the winter.
- 5) Beds are not to be used to store materials/tools.
- 6) Diseased plants (such as whitefly or powdery mildew) are to be treated or removed within five days of written notification from City. Gardeners are urged to notify the Community Garden Coordinator immediately if they suspect diseased plants on another person’s garden bed.
- 7) Respect the need of your neighbors’ plants for sunlight. Do not plant crops in a way that will cause excessive shading to nearby beds.
- 8) Trellises, arbors, or fencing around the bed is permitted so long as they follow these guidelines:
  - a) Must be installed inside the bed.
  - b) May not be more than 6 feet high from the soil surface.
  - c) May not shade a neighbor’s bed.
  - d) May not be installed permanently or anchored into the garden bed.
- 9) Any permanent drilling into the garden bed with nails or screws are absolutely prohibited.
- 10) All fencing and trellis material must have a pleasant appearance, be an earth tone/neutral color, and be non-toxic and non-rusting.
- 11) Tires or any toxic materials are not permitted in the garden.
- 12) Vining plants should be either trellised or may hang over the sides of the garden bed but cannot lie across the ground or obstruct pathways. The Garden Coordinator or City



representative has the right to trim excess plants overhanging into the walkway without prior notification to the Garden Member.

- 13) Garden Members are to keep their garden beds clear of all waste materials including, but not limited to, plastic, weeds, dead plants, and decaying fruits or vegetables.
- 14) All disease-free, non-invasive organic waste should be added to the compost area. All other waste materials must be disposed of in the provided receptacle.
- 15) Each garden bed has been provided an ideal soil profile that should produce a healthy harvest. No major amendments or modifications are needed. Accepted soil amendments include:
  - a) Chicken/steer manure applied once a year.
  - b) Raised bed or potting soil applied twice a year.
  - c) No limitations to adding compost.
  - d) No sand amendments.
- 16) Soil should stay in the bed and be cleaned up if spilled on to the decomposed granite pathways. Soil level should not mound over the edges of the boxes.
- 17) The Community Garden is a publicly maintained City property and there is no presumption of privacy.
- 18) No attachments to the City's fencing are permitted. No Garden Member shall use the City's perimeter fencing as a trellis or to hang garden equipment.

### **Chemicals and Fertilizers**

The Community Garden will be located on City of Santa Clara property and therefore obligated to follow its policies. The City of Santa Clara prohibits the application of chemical pesticides on its property unless approved in writing by the City's Integrated Pest Management (IPM) Coordinator and is applied by a trained, certified technician. Any Garden Member who believes their bed has a pest problem that would justify the use of chemical pesticides should contact the Garden Coordinator for a consultation.

Garden Members must consult with the Garden Coordinator before using any herbicide, including those on the "less-toxic" lists.

The following table includes, but is not limited to, some substances that are allowed and prohibited:

PEST AND DISEASE CONTROL	Allowed		Prohibited
	<ul style="list-style-type: none"><li>- bacillus thuringiensis (Bt)</li><li>- Soap Spray</li><li>- Horticulture pepper/onion spray</li><li>- sulfur</li><li>- wood ashes</li><li>- sour mil solution</li><li>- dormant oils</li><li>- micro-cop or equivalent nematodes (orchard use only)</li><li>- diatomaceous earth (DE)</li></ul> <p>*Pyrethrin: <b>It is a naturally occurring</b> insect-killing chemical taken from chrysanthemum flowers. In the flowers, these bug-killers exist as a mixture of six separate chemicals that together are called <b>pyrethrum</b> or <b>pyrethrins</b>. Pyrethrins (without piperonyl butoxide or other enhancers) are permitted for use on organically grown crops.</p>	<ul style="list-style-type: none"><li>- baking soda</li><li>- borax, boric acid</li><li>- sluggo</li><li>- wood ashes</li><li>- ladybugs</li><li>- tanglefoot</li><li>- marigolds</li><li>- beneficial</li><li>- Pyrethrum*</li></ul>	<ul style="list-style-type: none"><li>- rotenone</li><li>- pyrethrate, pyrethroids</li><li>- nicotine sulfate</li><li>- malathion</li><li>- diazinon</li><li>- sevin</li><li>- organophosphates</li><li>- Roundup</li><li>- Finale</li><li>- Dursban</li><li>- organ chlorides</li><li>- chlorpyrifos</li></ul>
	Allowed		Prohibited



<b>FERTILIZERS</b>	<ul style="list-style-type: none"><li>- cotton seed</li><li>- kelp</li><li>- compost</li><li>- manure</li><li>- blood, bone, horn, and hoof meals</li><li>- liquid fish or seaweed</li><li>- fertilizers classed as "organic"</li></ul>	<ul style="list-style-type: none"><li>- ammonium sulfate</li><li>- ammonium nitrate</li><li>- muriate of potash</li><li>-superphosphates</li><li>- highly soluble chemical fertilize</li><li>- Ozmicote</li><li>- Non organic Miracle Grow</li></ul>
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## **Water Use**

### **Hoses**

The amount of water used determines future fees. Excessive water use may be defined as the following; water allowed to leave the defined vegetable bed, water allowed to run off into the pathway, unattended water hoses left running for extended periods of time. Garden hoses must be drained before they are put away. Garden Members who continue to use water in excess may be terminated from the program.

### **Standing Water**

To reduce the breeding of mosquitoes and the spread of West Nile Virus, no stagnant/standing water is allowed, including but not limited to water in containers and buckets.