

CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT

Agenda date: December 14, 2010
Prepared by JB

ITEM/ **6c**
SUBJECT **Planning Application 10-050. Design Review. Parking Exception.** The applicant is requesting approval to demolish the existing home and construct a new 2,139 square foot residence

SITE: 722 Key Route

APPLICANT/
OWNER: Dennis Fox for William and Kimberly Hale

ZONING: R-1 (Residential Single Family)

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission approve the request for design review, subject to the attached findings and conditions of approval

BACKGROUND/DISCUSSION

The subject property is a 5,000 square foot lot with an existing 1,398 sq ft split-level single-family home. The applicant is requesting Design Review approval to demolish the existing home and construct a new 2,139 square foot residence. The proposed addition will be 24 feet in height, feature cross-gable roof, and be finished with shingles and horizontal siding. One off-street parking space is proposed to be provided in a garage and a second off-street parking space is proposed to be provided in the front yard setback area.

In 2008 and 2009, the property was the subject of Police Department and Community Development Department code enforcement efforts. Ultimately, the Alameda County Sheriff's Department took possession of the property and sold it to the current owners.

On October 12, 2010, the Commission held a study session on the proposed project. At that time, the applicant was considering a design that would have involved one off-street parking space. The Commission indicated a preference for meeting parking requirements. In addition, the Commission expressed support for the proposed design, with refinements to the front porch.

Site Constraints and Parking

One of the unique considerations of this property is the existence of a 4-foot by 5-foot storm drain running east to west on the north edge of the property (see Attachment 2). The City

requires that all construction avoid having an impact on the structural integrity of the storm drain. If the home is constructed at the existing location of the home, special foundation design would have to be incorporated that in effect shifts the weight of the north side of the home away from the storm drain. It should be noted that there is no formal recorded easement on the property establishing standards for protection of the storm drain.

The revised design features a single car garage as part of the residence, and a side yard driveway leading to a rear yard parking pad for the second parking space. The driveway also serves as a setback over the footprint of the storm drain. Thus, with the proposed amendments to the application, no parking exception is required and standard foundation design would be applied.

Design Review

The proposed addition will be approximately 24 feet in height and feature cross-gable roof with standing seam metal roof and mix of shingles and horizontal siding. From staff's perspective, the proposal will result in an attractive home that will comply with the city's design guidelines. The cross gable roof and mix of materials creates an attractive design that will not appear bulky. Since the preliminary design, the porch has been refined. Staff would suggest, however, that the Commission consider whether the mix of windows be more consistent and complimentary to the front door and garage.

Other Site Regulations

The proposed home would result in an FAR of approximately 0.37, which is far less than the maximum of 0.55 allowed by the Code. The height of the home will be approximately 24 feet, which is less than the 28-foot maximum allowed height. In addition, all setback requirements would be met.

Attachments:

- 1 Application and Preliminary Plans
- 2 City storm drain and sewer map

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20 12 Zoning Districts and Permitted Uses

General Plan Low Density Residential
 Zoning R-1 – Single-Family Residential

20 16 Land Use Classifications

Single family residential

Surrounding North - SFR East – SFR
 Property Use South - SFR West - SFR

20 20 080 Secondary Residential Units

Not applicable

20 24 020 Table of Site Regulations by District

	Existing (approx.)	Proposed-Construction (approx.)	Requirement
Setbacks			
Front (east)	15' 4"	15' 4"	15'
Side (north)	5' 0"	7' 0"	5' 0"
Side (south)	20' 4"	12' 4"	5' 0"
Rear (west)	35' 3"	34'	20"
Area			
Lot Size	5,000	No change	--
Lot Coverage	23.6%	25%	50%
Maximum Height	19'	24' 4"	28' max

20 24 030 Overlay District Regulations

Not applicable

20 24 040 Hillside Residential Regulations

Not applicable

20 24 050 Floor-Area-Ratio

	Existing (approx.)	Proposed	Requirement
Lot Size	5,000	No change	--
Floor Area			
Garage/Storage		291	
Main Level	820	958	--
Second-floor		890	
Total	1,006	2,139	--
Total Counted*	820	1,859	--
Floor Area Ratio*	22%	37%	55%

* 220 square feet of garage and 60 square foot of internal stair exempted from FAR calculations due to height less than five feet above grade

20 24 060 Setback Areas, Encroachments

Not applicable

20 24 100 Distances between Structures

Not applicable

20 24 110 Fences, Landscaping, Screening

Not applicable

20 24 130 Accessory Buildings

Not applicable

20 28 Off-Street Parking Requirement

See Summary of Key Issues

20 40 Housing Provisions

Not applicable

20 44 Non-conforming Uses, Structures and Lot

Not applicable

20 48 Removal of Trees

Not applicable

20 52 Flood Damage Prevention Regulations

Not applicable

20 100 030 Use Permits

Not applicable

20 100 040 Variances

Not applicable

20 100 010 Common Permit Procedures

Public notice of this application was mailed on December 3, 2010, in the form of mailed notice, to property owners and occupants within a 100-foot radius, and posted in three locations

20 100 050 Design Review
See Summary of Key Issues

ATTACHMENT 2 – FINDINGS

Findings for Design Review approval (Per section 20.100.050.E of the AMC)

Required Finding	Explanation
<p>1 <i>The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter</i></p>	<p>The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.</p>
<p>2 <i>Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to) that retention and maintenance of existing buildings and landscape features are considered, and that site access and vehicular parking are sufficient."</i></p>	<p>The proposal is in scale and harmony with existing development in the vicinity of the site. The architectural style, design and building materials are consistent with the City's Residential Design Guidelines. The project will not create a visual detriment at the site or the neighborhood.</p>
<p>3 <i>Approval of the project is in the interest of public health, safety and general welfare</i></p>	<p>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.</p>
<p>4 <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D</i></p>	<p>The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well proportioned massing.</p>

ATTACHMENT 3

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL

GENERAL PROJECT CONDITIONS

- Gen-1 **Project Approval** This Design Review approval is for William and Kimberly Hale, as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans include preliminary master site plan prepared by Dennis Fox for Fox Design Group, date received November 12, 2010, architectural plans (project perspectives, building sections, and floor plans, all as presented to the Planning and Zoning Commission on December 14, 2010. For any condition herein that requires preparation of a Final Plan where the project developer has submitted a conceptual plan, the project developer shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.
- GEN-2 **Project Approval Expiration** This Design Review approval expires on December 28, 2011 (one year from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless [a building permit has been issued and construction diligently pursued, a certificate of occupancy has been issued, the use is established, the use permit, variance or design review approval is renewed]. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval.
- Gen-3 **Fees** The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning, building and engineering plan check and inspection, as mutually agreed between the City and developer.

- GEN-4 **Appeals** The Albany Municipal Code provides that any action of the Planning staff may be appealed to the Planning and Zoning Commission, and any action of the Planning and Zoning Commission may be appealed to the City Council as per the procedures described in Section 20 100 080 The City Clerk will then schedule the matter for the next available City Council meeting
- GEN-5 **Requirement for Building Permit** Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City
- GEN-6 **Fire Department Approval** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD
- GEN-7 **Engineering Approval** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer
- GEN-8 **Construction Hours** Construction activity shall be restricted to the hours of 8 00 a m to 6 00 p m Mondays through Saturdays, and 10 00 a m to 6 00 p m , Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity Failure to comply with construction hours may result in stop work orders or other administrative actions
- GEN-9 **Archeological Remains** In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions
- GEN-10 **Modifications to Approved Plans** The project shall be constructed as approved Planning staff may approve minor modifications in the project design, but not the permitted land use (per MC 20 12) A change in an item requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process

- GEN-11 **Hold Harmless Agreement** Pursuant to Government Code Section 66474 9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499 37 The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense
- GEN-12 **Public Improvements Standards** Public improvements shall be designed and constructed in accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer
- GEN-13 **Title 24 Standards** All construction shall be designed and built in accordance with California Title 24 handicap accessibility standards Appropriate details and specifications shall be incorporated into the plans and submitted at time of building permit application
- GEN-14 **Energy Conservation Standards** All buildings shall be designed in accordance with the State of California energy conservation standards for non-residential buildings The necessary plans and documentation shall be submitted at time of building permit application

ARCHITECTURE CONDITION

- ARCH-1 **Material Samples** Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Community Development Department as part of building permit application
- ARCH-2 **Final Architectural Drawings** The applicant shall submit final architectural elevations, details and revisions for the review and approval of the Community Development Department as part of building permit application
- ARCH-3 **Window Recess** All new windows shall be recessed two inches from face of building to provide adequate shade and shadow and to promote visual relief Final window details shall be submitted for review and approval at the time of building permit application
- ARCH-4 **Non-Reflective Glazing** Any glazing material shall be non-reflective

LIGHTING CONDITIONS

- LGHT-1 **Exterior Lighting** All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way If required, exterior light fixtures shall be equipped with "cut off" lenses to minimize light and glare spill over onto adjacent properties

LGHT-2 **Shielding of Lighting** Prior to the certificate of occupancy, all accent lighting shall be directed downward and, if necessary, fixed with cut-off lenses to ensure that no glare spills onto neighboring properties

LANDSCAPING CONDITIONS

LNDS-1 **Street Tree Requirement** The applicant shall apply for one street tree before the issuance of the building permit. The City's Environmental Resource Assistance will determine the type and location of the tree and may waive this requirement if site conditions will not reasonably support establishment of a new tree

PUBLIC WORKS DEPARTMENT CONDITIONS

GENERAL ENGINEERING CONDITIONS

ENGR-1 **Title Report** A recent preliminary title report for the property, prepared within six months of the date of application, shall be submitted to the City Engineer for review. If any interior lot line(s) exist, the applicant must obtain approval of a minor lot line adjustment from the City to remove the interior lot line(s), and cause that lot line adjustment to be recorded before any building permits will be issued

ENGR-2 **Geo-Technical Report** The applicant shall submit, as part of a building permit application, a geotechnical investigation report prepared by a California certified engineering geologist and geotechnical engineer, if determined necessary by the City Engineer. The investigation shall specifically address any hazards of surface fault rupture in accordance with the Alquist-Priolo Special Study Zones Act. Any mitigation measures or conditions requiring further review noted during the Planning process shall be fully addressed prior to plan check

ENGR-3 **Backflow Device** Any required water service for fire protection purposes shall be equipped with a City approved backflow device. Services for irrigation purposes also require a separate City approved backflow prevention device

GRADING CONDITIONS

GRAD-1 **Grading Permit** Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicant shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved. A grading permit is subject to 2001 California Building, Appendix 33

- GRAD-2 **Demolition Permit** Site demolition shall not occur until construction permits are issued for the development project. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD)
- GRAD-3 **Water on Site.** The site shall be graded so as to prevent rainfall runoff originating from improved areas on the project site from crossing onto adjoining private property. Building floor elevations shall be above the FEMA-mapped 100-year flood plain as established by a licensed civil engineer. Provide the elevation and compaction certificates during and upon the completion of grading required by the Uniform Building Code and in conformance with the recommendations of the geotechnical engineer's report. Shore and dewater all excavations in accordance with the requirements of the geotechnical engineer's report.
- GRAD-4 **Flooding Damages** The project developer shall execute an assumption of risk, indemnification and hold harmless agreement as required by the City. The agreement, in substance, shall state that the project developer, and any successor in interest, shall assume all risk for damages to the project and to project improvements, flooding caused by surface water intrusion, stormwater runoff, or water under the ground surface pressing on or flowing or seeping through foundations, walls, floors, or paved surfaces, basements, whether paved or not, or windows, doors or other openings, and shall indemnify and hold the City harmless from any claims of such damages, including third-party claims, of such damage or of such damages or of damages arising from rainfall runoff which is not prevented from leaving the project site in violation of Condition GRAD-3.
- GRAD-5 **Dust Control Program** A dust control program shall be prepared by the project developer and approved by the Community Development Department and City Engineer before issuance of a grading permit. The dust control plan shall address such items as covering stockpiled material, frequent watering of graded areas, revegetating graded areas, speed limits for grading equipment and similar items.
- GRAD-6 **Stormwater Pollution Prevention Plan** The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City before the issuance of a building or grading and/or building permit. The SWPPP shall be consistent with standards adopted by the Regional Water Quality Control Board and the City of Albany Clean Water Program and implemented by the project general contractor, all subcontractors and suppliers of material and equipment. Construction site cleanup and control of construction shall also be addressed in the SWPPP. The project developer shall be responsible for SWPPP compliance. A copy of the SWPPP shall be kept at the construction site at all times.

INFRASTRUCTURE CONDITIONS

- INFR-1 **Sewer System Requirements** The sewer system for the subject building shall comply with Chapter 15 of the Albany Municipal Code and to the satisfaction of the City Engineer before Final Inspection approval of the construction permit.

- INFR-2 **Two-Way Cleanout.** Installation of a two-way curbside cleanout shall be required per Chapter 15 of the Albany City Code. This applies to all properties, including properties with a valid upper sewer lateral certificate of compliance. All 2-way curbside clean outs shall be fitted with a loose cap in accordance with the City's standard detail SS6.
- INFR-3 **Property Run-off Requirements** All runoff from impervious surfaces shall be intercepted at the project boundary and shall be collected and conducted via an approved drainage system through the project site to an approved storm drain facility, as determined by the City Engineer. Development that contributes additional water to the existing drainage system shall be required to complete a hydraulic study and make improvements to the system as required to accommodate the expected ultimate peak water flow and to stabilize erosive banks that could be impacted by additional storm water flow.
- INFR-4 **Roof Drainage** Roof drainage from the structure shall be collected via a closed pipe and conveyed to an approved storm drain system off the street curb. No concentrated drainage of surface flow across sidewalks shall be permitted. Alternative natural treatment measures are subject review and approval by the City Engineer.
- INFR-5 **Hydraulic Calculations** The applicant shall submit hydraulic calculations, prepared by a California licensed civil engineer, necessary to determine if the existing water and sewer mains that serve this lot have available capacity for the addition of the proposed development. If capacity is not available, sewer and water mains of adequate size shall be designed and secured prior to issuance of building permits and constructed in a manner acceptable to the City Engineer prior to occupancy release, unless determined otherwise by the City Engineer.
- INFR-6 **Completion of Off-Site Improvements** Off-site improvements, as required by the City Engineer, shall be complete before issuance of a Certificate of Occupancy unless alternatives are approved in writing by the Albany City Engineer.

PUBLIC IMPROVEMENTS CONDITIONS

- PUBIM-1 **Encroachment Permit** The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.
- PUBIM-2 **Debris Removal.** All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.
- PUBIM-3 **Damage to Street Improvements** Any damage to street improvements now existing or done during construction on or adjacent to the subject property, shall

be repaired to the satisfaction of the City Engineer at the full expense of the applicant This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer

PUBIM-4 **Right-of-Way Construction Standards** All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be reconstructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the Community Development Department and Chapter 14 of the City Code

FIRE DEPARTMENT CONDITIONS

FIRE-1 **Construction of 1,500 Square Feet or Greater** 1500 sq ft or more or any addition, remodel, rehabilitation, etc is 50% of the existing sq ft
a) This dwelling will be required install an Automatic Fire Extinguishing System throughout the entire dwelling Ordinance No 94-010, Albany Municipal Code, Chapter 11, Section 11-2 3a(3)(a)
b) Plans, information sheets on all sprinkler components and hydraulic calculations are required
c) A 110-volt interconnected smoke alarm system with a 10-year lithium battery back-up is acceptable with a fire suppression system

FIRE-2 **Fire Rated Construction** Any portion of a building five (5) feet or less from the property line shall comply with fire-rating requirements of the CBC

FIRE-3 **Gallons-per-Minute Requirement** The water system for fire protection shall comply with City of Albany Fire Department standards Fire flow test data and water system plans must be provided at time of building plan check The plans must include all equipment, components and layout of the system Private fire protection water systems shall be supplied through an approved backflow device per City Engineering Division standards

FIRE-5 **Distance From Fire Hydrant** Before building permit issuance the distance from existing fire hydrants to the building shall be verified and if necessary, a new hydrant shall be shown on the plans and installed prior to combustible construction

Structural Control Measures

STRUC-1 **Illegal Dumping to Storm Drain Inlets and Waterways** On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City of Albany

STRUC-2 **Pesticide/Fertilizer Application** Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and

minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:

- a) Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
- b) Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
- c) Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
- d) Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

OPERATIONAL BEST MANAGEMENT PRACTICES (BMPs)

- BMP-GEN1 Stormwater Pollution Prevention Control Measures** The project plans shall include stormwater pollution prevention and control measures for the operation and maintenance of the project during and after construction for the review and approval of the City or County Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit to the maximum extent practicable the entry of pollutants into stormwater runoff.
- BMP-GEN2 Erosion Control Measures** The project plan shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the practices outlined in the *ABAG Erosion and Sediment Control Handbook*, California Storm Water Best Management Practice Handbooks, and Regional Water Quality Control Board's *Erosion and Sediment Control Field Manual*.
- BMP-GEN3 Responsibility of Contractors** The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop order.
- BMP-1 Paved Sidewalks and Parking Lots.** Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Washwater containing any soap, cleaning agent or degreaser shall be collected and discharged to the sanitary sewer and shall not be discharged to a storm drain. The applicant shall contact the City Engineer for specific connection and discharge requirements.

BMP-2A **Private Streets, Utilities and Common Areas.** The owner of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets

GENERAL CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

BMP-CNST1 **Construction Access Routes** Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approval grading plan

BMP-CNST2 **Collection of Construction Debris** Gather all construction debris on a regular basis and place them in a dumpster or other container, which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution

BMP-CNST3 **Removal of Waste** Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work

BMP-CNST4 **Sweeping of Public Right-of-Way** Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping

BMP-CNST5 **Filter Materials at Storm Drain Inlet** Install filter materials (such as sandbags, filter fabric, etc) at the storm drain inlet nearest the downstream side of the project site prior to

- a) start of the rainy season (October 1),
- b) site dewatering activities,
- c) street washing activities,
- d) saw cutting asphalt or concrete, and
- e) order to retain any debris or dirt flowing into the City storm drain system

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash

BMP-CNST6 **Containment of Materials** Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind or in the event of a material spill

BMP-CNST7 **Cleaning of Equipment** Never clean machinery, tools, brushes, etc or rinse containers into a street, gutter, storm drain or stream. See the *Building Maintenance/ Remodeling* flyer for more information

BMP-CNST8 **Minimize Removal of Natural Vegetation** Minimize removal of natural vegetation or ground cover from the site in order to minimize the potential for

erosion and sedimentation problems Replant the area as soon as possible All cut and fill slopes shall be stabilized as soon as possible after grading is completed No site grading shall occur between October 1 and April 15 unless approved erosion and sedimentation control measures are in place

Appeals The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council, if such appeal is filed within 14 days of the date of the action Appeals may be filed in the Community Development Department by completing the required form and paying the required fee The City Clerk will then schedule the matter for the next available City Council meeting