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WHEREAS, Jim & Kim Cleveland (appellants) filed an appeal of the Planning & Zoning Commission decision on September 25, 2013; and

WHEREAS, the appeal cites discrepancies in the site survey and concerns related to project height; and

WHEREAS, City staff scheduled the appeal hearing for City Council on October 21, 2013 pursuant to Section 20.100.080 (E) (1) which requires that the appeal be scheduled within thirty (30) days of the initial filing; and

WHEREAS, a public hearing notice was mailed to property owners within 300 ft. of the subject site and was posted in three public places on Friday October 11, 2013 for the City Council appeal pursuant to Government Code Section 65090; and

WHEREAS, on October 21, 2013 the City Council continued the matter to a date uncertain so that discrepancies in the site surveys could be resolved; and

WHEREAS, the City scheduled the hearing for November 18, 2013 pursuant to Section 20.100.080 (E) (1) which requires that hearing be set within thirty (30) days of the appeal filing and that the hearing be held within sixty (60) days of the original Planning & Zoning Commission hearing; and

WHEREAS, a public hearing notice was mailed to property owners within 300 ft. of the subject site and was posted in three public places on Friday November 8, 2013 for the City Council appeal pursuant to Government Code Section 65090; and

WHEREAS, the City Council held a public hearing on November 18, 2013 considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request;

1 **WHEREAS**, Planning and Zoning Code Section 20.100.080.F establishes the
2 following standards for review of appeals:

3
4 *When reviewing any decision of the Planning and Zoning Commission on*
5 *appeal, the City Council shall use the same standards for decision making and*
6 *is required to make findings in accordance with the Municipal Code. The*
7 *Council may adopt the Planning and Zoning Commission’s decision and*
8 *findings as its own. In either case, the City Council shall have the option to*
9 *prepare a resolution stating the council’s decision or shall render its decision*
10 *by minute action.*

11
12 **WHEREAS**, the final General Plan and the Zoning Code are incorporated
13 herein by reference, and are available for review at City Hall during normal business
14 hours.

15 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the
16 City of Albany approves application request PA 13-044 and upholds the decision of
17 the Planning & Zoning Commission:

18
19 **1. FINDINGS FOR EXEMPTION FROM CEQA**

20
21 **Finding:** The project is Categorical Exempt from the California Environmental
22 Quality Act Guidelines pursuant to Section 15303 “New Construction or
23 Conversion of Small Structures”.

24
25 **Evidence:** The proposed application would result in construction of a modest
26 sized single family residence in an R-1 Zoning District.

27
28 **2. FINDINGS FOR APPROVAL OF DESIGN REVIEW**

29
30
31

1 **Findings for Design Review approval (Per section 20.100.050.E of the AMC)**
2

- 3 1. **Finding Required for Approval:** The project conforms to the General Plan,
4 any applicable specific plan, applicable design guidelines adopted by the City
5 of Albany, and all applicable provisions of this Chapter.
6

7 **Evidence:** The General Plan designates this area for residential
8 development. Additionally, the project meets City zoning standards for
9 location, intensity and type of development.
10

- 11 2. **Finding Required for Approval:** Approval of project design is consistent
12 with the purpose and intent of this section, which states “designs of
13 projects...will result in improvements that are visually and functionally
14 appropriate to their site conditions and harmonious with their surroundings,
15 including natural landforms and vegetation. Additional purposes of design
16 review include (but are not limited to): that retention and maintenance of
17 existing buildings and landscape features are considered; and that site access
18 and vehicular parking are sufficient.”
19

20 **Evidence:** The proposal is in scale and harmony with existing
21 development in the vicinity of the site. The architectural style, design
22 and building materials are consistent with the City’s Residential
23 Design Guidelines. The project will not require significant grading or
24 excavation with Conditional Use Permit for front yard setback.
25 Additionally, the proposed new home is attractive in appearance, and
26 is in scale with the surrounding properties.
27

- 28 3. **Finding Required for Approval:** Approval of the project is in the interest of
29 public health, safety and general welfare.
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Evidence: The proposed project will result in a new home similar in size and character to others an existing residential neighborhood.

- 4. **Finding Required for Approval:** The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.

Evidence: The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well proportioned massing.

3. FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT

- 1. **Finding Required for Approval:** The size, location and intensity of the project are desirable and compatible with the neighborhood and community.

Evidence: The General Plan designates this area for Low Density Development. Additionally, the project meets City zoning standards for location, intensity and type of development.

- 2. **Finding Required for Approval:** The project will not be detrimental to the health, safety, convenience or general welfare of people residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures
- b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

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- c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.
- d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

Evidence:

- a. The site is of sufficient size and shape to successfully construct a new single-family residence. The applicant has taken the site grade into consideration with the project design and designed the structure to minimize grading to the extent possible.
- b. The project will not have any increased traffic impacts.
- c. The project will not develop significant new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities.
- d. The applicant has taken care to preserve neighboring views, minimize tree removal, and accommodate new landscaping.

3. **Finding Required for Approval:** That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan.

Evidence: The proposed project is otherwise consistent with the City's General Plan zoning standards and requirements relating new single-family home construction.

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PASSED AND ADOPTED by the City Council of the City of Albany on the 18th
day of November 2013.

AYES: *Council members: Atkinson, Barnes,
Maass, Vice Mayor Wile & Mayor Thomsen*

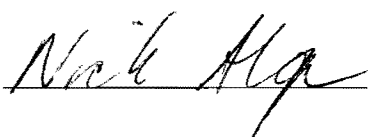
NOES: *none*

ABSENT: *none*

ABSTAIN: *none*



MAYOR PEGGY THOMSEN

ATTEST: 

Nicole Almaguer
Albany City Clerk

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EXHIBIT A
CONDITIONS OF APPROVAL
PLANNING APPLICATION 13-044

SPECIAL CONDITIONS

Special 1- the sidewalk retaining wall shall be built a 12 inch minimum planting strip.

GENERAL PROJECT CONDITIONS

Gen-1 **Project Approval.** This Design Review approval is for 726 Cerrito Street, as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans prepared by Christopher Linvill and Mike Pond Architects, date received August 1, 2013, as presented to the Planning and Zoning Commission on September 11, 2013 and presented to the City Council on November 18, 2013. 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 expire on December 2, 2014 (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. 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.

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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.

- 1 GEN-10 **Modifications to Approved Plans.** The project shall be constructed
2 as approved. Planning staff may approve minor modifications in the
3 project design, but not the permitted land use (per MC 20.12). A
4 change in an item requiring discretionary approval and any other
5 changes deemed appropriate by the Planning staff shall require further
6 Planning and Zoning Commission approval through the Design
7 Review process.
8
- 9 GEN-11 **Hold Harmless Agreement.** Pursuant to Government Code Section
10 66474.9, the applicant (including any agent thereof) shall defend,
11 indemnify, and hold harmless, the City of Albany and its agents,
12 officers and employees, from any claim, action, or proceeding against
13 the City or its agents, officers or employees to attack, set aside, void,
14 or annul the City's approval concerning this application, which action
15 is brought within the time period provide for in Section 66499.37. The
16 City will promptly notify the applicant of any such claim action or
17 proceeding and cooperate fully in the defense.
18
- 19 GEN-12 **Public Improvements Standards.** Public improvements shall be
20 designed and constructed in accordance with the City's Standard
21 Specifications and Standard Details, unless specifically waived in
22 writing by the City Engineer.
23
- 24 GEN-13 **Title 24 Standards.** All construction shall be designed and built in
25 accordance with California Title 24 handicap accessibility standards.
26 Appropriate details and specifications shall be incorporated into the
27 plans and submitted at time of building permit application.
28
- 29 GEN-14 **Energy Conservation Standards.** All buildings shall be designed in
30 accordance with the State of California energy conservation standards
31 for non-residential buildings. The necessary plans and documentation
32 shall be submitted at time of building permit application.
33
- 34 **ARCHITECTURE CONDITION**
- 35 ARCH-1 **Material Samples.** Descriptions or samples of final exterior materials
36 and the proposed color palette shall be submitted for review and
37 approval by the Community Development Department as part of
38 building permit application.
39
- 40 ARCH-2 **Final Architectural Drawings.** The applicant shall submit final
41 architectural elevations, details and revisions for the review and
42 approval of the Community Development Department as part of
43 building permit application.
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- 45 ARCH-3 **Window Recess.** All new windows shall be recessed two inches from
46 face of building to provide adequate shade and shadow and to promote

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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.** n/a.

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.

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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.

1 GRAD-6 **Stormwater Pollution Prevention Plan.** The project developer shall
2 submit a Stormwater Pollution Prevention Plan (SWPPP) for review
3 by the City before the issuance of a building or grading and/or
4 building permit. The SWPPP shall be consistent with standards
5 adopted by the Regional Water Quality Control Board and the City of
6 Albany Clean Water Program and implemented by the project general
7 contractor, all subcontractors and suppliers of material and equipment.
8 Construction site cleanup and control of construction shall also be
9 addressed in the SWPPP. The project developer shall be responsible
10 for SWPPP compliance. A copy of the SWPPP shall be kept at the
11 construction site at all times.

12 **INFRASTRUCTURE CONDITIONS**

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14
15 INFR-1 **Sewer System Requirements.** The sewer system for the subject
16 building shall comply with Chapter 15 of the Albany Municipal Code
17 and to the satisfaction of the City Engineer before Final Inspection
18 approval of the construction permit.

19
20 INFR-2 **Two-Way Cleanout.** Installation of a two-way curbside cleanout
21 shall be required per Chapter 15 of the Albany City Code. This
22 applies to all properties, including properties with a valid upper sewer
23 lateral certificate of compliance. All 2-way curbside clean outs shall
24 be fitted with a loose cap in accordance with the City's standard detail
25 SS6.

26
27 INFR-3 **Property Run-off Requirements.** All runoff from impervious
28 surfaces shall be intercepted at the project boundary and shall be
29 collected and conducted via an approved drainage system through the
30 project site to an approved storm drain facility, as determined by the
31 City Engineer. Development that contributes additional water to the
32 existing drainage system shall be required to complete a hydraulic
33 study and make improvements to the system as required to
34 accommodate the expected ultimate peak water flow and to stabilize
35 erosive banks that could be impacted by additional storm water flow.

36
37 INFR-4 **Roof Drainage.** Roof drainage from the structure shall be collected
38 via a closed pipe and conveyed to an approved storm drain system off
39 the street curb. No concentrated drainage of surface flow across
40 sidewalks shall be permitted. Alternative natural treatment measures
41 are subject review and approval by the City Engineer.

42
43 INFR-5 **Hydraulic Calculations.** The applicant shall submit hydraulic
44 calculations, prepared by a California licensed civil engineer,
45 necessary to determine if the existing water and sewer mains that serve
46 this lot have available capacity for the addition of the proposed

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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.

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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.

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- 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)

- 1 BMP-CNST1 **Construction Access Routes.** Construction access routes shall be
2 limited to those approved by the City Engineer and shall be shown on
3 the approval grading plan.
4
- 5 BMP-CNST2 **Collection of Construction Debris.** Gather all construction debris on
6 a regular basis and place them in a dumpster or other container that is
7 emptied or removed on a weekly basis. When appropriate, use tarps on
8 the ground to collect fallen debris or splatters that could contribute to
9 stormwater pollution.
10
- 11 BMP-CNST3 **Removal of Waste.** Remove all dirt, gravel, rubbish, refuse and green
12 waste from the sidewalk, street pavement, and storm drain system
13 adjoining the project site. During wet weather, avoid driving vehicles
14 off paved areas and other outdoor work.
15
- 16 BMP-CNST4 **Sweeping of Public Right-of-Way.** Broom sweep the sidewalk and
17 public street pavement adjoining the project site on a daily basis.
18 Caked on mud or dirt shall be scraped from these areas before
19 sweeping.
20
- 21 BMP-CNST5 **Filter Materials at Storm Drain Inlet.** Install filter materials (such
22 as sandbags, filter fabric, etc.) at the storm drain inlet nearest the
23 downstream side of the project site prior to:
24 a) start of the rainy season (October 1);
25 b) site dewatering activities;
26 c) street washing activities;
27 d) saw cutting asphalt or concrete; and
28 e) order to retain any debris or dirt flowing into the City storm
29 drain system.
30 Filter materials shall be maintained and/or replaced as necessary to
31 ensure effectiveness and prevent street flooding. Dispose of filter
32 particles in the trash.
33
- 34 BMP-CNST6 **Containment of Materials.** Create a contained and covered area on
35 the site for the storage of bags of cement, paints, flammables, oils,
36 fertilizers, pesticides, or any other materials used on the project site
37 that have the potential for being discharged to the storm drain system
38 by wind or in the event of a material spill.
39
- 40 BMP-CNST7 **Cleaning of Equipment.** Never clean machinery, tools, brushes, etc.
41 or rinse containers into a street, gutter, storm drain or stream. See the
42 *Building Maintenance/ Remodeling* flyer for more information.
43
- 44 BMP-CNST8 **Minimize Removal of Natural Vegetation.** Minimize removal of
45 natural vegetation or ground cover from the site in order to minimize
46 the potential for erosion and sedimentation problems. Replant the area

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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.