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RESOLUTION NO. 2014-12

**A RESOLUTION OF THE ALBANY CITY COUNCIL
ADOPTING FINDINGS FOR APPROVAL FOR A SECOND STORY
ADDITION AT 1017 ORDWAY AND UPHOLDING THE DECISION OF THE
PLANNING AND ZONING COMMISSION APPROVING DESIGN REVIEW
AND A PARKING EXCEPTION (PA 13-047)**

WHEREAS, On December 6, 2004, the City Council of the City of Albany adopted Ordinance #04-09 establishing Chapter XX “Planning and Zoning” of the Albany Municipal Code; and

WHEREAS, Chapter XX established development standards and review procedures for new single family home construction; and

WHEREAS, the City Council adopted Residential Design Guidelines for residential additions and new homes in the City of Albany on April 9, 2009 which provide specific design elements that encourage thoughtful development, interaction between neighbors and a sense of community in an urban environment; and

WHEREAS, Jarvis Architects submitted an application for Design Review and a Parking Reduction for a second story addition on August 7, 2013; and

WHEREAS, the property at 1017 Ordway contains an existing single-family residential home with accessory structure located in the “R-1” (Residential Single Family) zoning district; and

WHEREAS, the Planning & Zoning Commission reviewed and approved Design Review and the Parking Reduction for 1017 Ordway at its September 11, 2013 hearing; and

1 **WHEREAS**, Andre Ptaszynski filed an appeal of the Planning & Zoning
2 Commission decision on September 23, 2013; and

3
4 **WHEREAS**, the original appeal cites the roof top deck as the basis for the
5 appeal; and

6
7 **WHEREAS**, City staff scheduled the appeal hearing for City Council on
8 November 4, 2013 pursuant to Section 20.100.080 (E) (1) which requires that the appeal
9 be scheduled within thirty (30) days of the initial filing; and

10
11 **WHEREAS**, the City Council reviewed the appeal on November 4, 2013 and
12 remanded the project to the Planning & Zoning Commission to review the proposed
13 roof deck modifications; and

14
15 **WHEREAS**, the Planning & Zoning Commission reviewed and approved the
16 roof deck modifications and bamboo plantings on the subject site at its December 11,
17 2013 hearing; and

18
19 **WHEREAS**, a second appeal was filed on December 30, 2013 by Andre
20 Ptaszynski and cites the roof deck and bamboo plantings as the basis of the appeal;
21 and

22 **WHEREAS**, the appeal hearing date was established pursuant to Section
23 20.100.080 (E) (1) which requires that a hearing date be set within 30 days of the
24 initial filing and that the hearing be held within 60 days of the original date of
25 approval when feasible; and

26
27 **WHEREAS**, Planning and Zoning Code Section 20.100.080.F establishes the
28 following standards for review of appeals:

29
30 *When reviewing any decision of the Planning and Zoning Commission on*
31 *appeal, the City Council shall use the same standards for decision making and*

1 *is required to make findings in accordance with the Municipal Code. The*
2 *Council may adopt the Planning and Zoning Commission's decision and*
3 *findings as its own. In either case, the City Council shall have the option to*
4 *prepare a resolution stating the council's decision or shall render its decision*
5 *by minute action.*

6
7 **WHEREAS**, on February 3, 2014 the City Council held a public hearing,
8 considered all public comments received, the presentation by City staff, the staff
9 report, and all other pertinent documents regarding the proposed request;

10
11 **WHEREAS**, a public hearing notice was mailed to property owners within
12 300 ft. of the subject site and was posted in three public places on Friday January 24,
13 2014 for the City Council appeal pursuant to Government Code Section 65090; and

14
15 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the
16 City of Albany approves application request PA 13-047 and upholds the decision of
17 the Planning & Zoning Commission:

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

20
21 **Finding:** The project is Categorically 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 an addition to
26 a modest sized single-family residence in an R-1 Zoning District.

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

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

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1. **Finding Required for Approval:** 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.

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

2. **Finding Required for Approval:** 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.”

Evidence: 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 require significant grading or excavation. The project will not create a visual detriment at the site or the neighborhood.

The proposed addition is attractive in appearance, and is in scale with the surrounding neighbors. The design is complementary with the existing home.

3. **Finding Required for Approval:** Approval of the project is in the interest of public health, safety and general welfare.

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Evidence: 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.

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.

Findings of Approval for Parking Reduction

1. **Finding Required for Approval:** Required spaces cannot be located in front or side yards.

Evidence: The home has one off-street parking space contained in the garage. The only additional area where a second parking space could be accommodated is in the front yard setback.

2. **Finding Required for Approval:** Space is not available to provide required parking facilities without undue hardship.

Evidence: The configuration of the existing driveway prohibits the applicant from expanding the existing parking area as is too shallow to accommodate a second legal size parking space.

3. **Finding Required for Approval:** Provision of required parking spaces would be disruptive to landmark trees or would severely restrict private outdoor living space on the site.

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Evidence: N/A

- 4. **Finding Required for Approval:** Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.

Evidence: N/A

- 5. **Finding Required for Approval:** The proposed reduction in parking requirements is appropriate to the total size of the dwelling unit upon completion of the proposed addition.

Evidence: The home will contain three bedrooms, four and a half bathrooms, and will be 1,959 sq. ft. in area. One off-street covered parking space will be provided.

Special finding upholding the Planning & Zoning Commission Decision to approved Design Review & a Parking Exception for 1017 Ordway:

Finding: The appellant identified the roof deck and bamboo plantings as the basis for the appeal.

Evidence: The Planning & Zoning Commission considered the appellant’s concerns included special conditions of approval related to the on-going maintenance of the bamboo.

PASSED AND ADOPTED by the City Council of the City of Albany on the 3rd day of February 3, 2014.

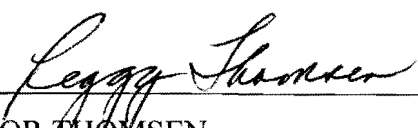
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AYES: *Council members: Atkinson, Barnes, Maas,
Vice Mayor Skille and Mayor Thomsen.*

NOES: *none*

ABSENT: *none*

ABSTAIN: *none*



MAYOR THOMSEN

ATTEST: 

Nicole Almaguer
Albany City Clerk

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**EXHIBIT A
CONDITIONS OF APPROVAL
PLANNING APPLICATION 13-047
AS APPROVED BY THE PLANNING & ZONING COMMISSION**

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SPECIAL CONDITIONS

1. Reduce the plate height by 6”.
2. Ridge height and railing height shall match.
3. The bamboo that is planted shall be maintained to the reasonable satisfaction of the neighbors
4. The maintenance of the bamboo is the responsibility of the property owner.
5. Outdoor construction shall be limited to the regular construction hours on Monday-Friday only.

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GENERAL PROJECT CONDITIONS

Gen-1 **Project Approval.** This Design Review approval is for 1017 Ordway Street as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans prepared by Jarvis Architects, received October 23, 2013, as presented to the City Council on February 3, 2014. 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 February 3, 2015 (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

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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

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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. Descriptions or 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

1 approval of the Community Development Department as part of
2 building permit application.

3
4 ARCH-3 **Window Recess.** All new windows shall be recessed two inches from
5 face of building to provide adequate shade and shadow and to promote
6 visual relief. Final window details shall be submitted for review and
7 approval at the time of building permit application.

8
9 ARCH-4 **Non-Reflective Glazing.** Any glazing material shall be non-
10 reflective.

11
12 **LIGHTING CONDITIONS**

13
14 LGHT-1 **Exterior Lighting.** All exterior lighting shall be installed in such a
15 manner that glare is directed away from surrounding properties and
16 rights-of-way. If required, exterior light fixtures shall be equipped with
17 "cut off" lenses to minimize light and glare spill over onto adjacent
18 properties.

19
20 LGHT-2 **Shielding of Lighting.** Prior to the certificate of occupancy, all accent
21 lighting shall be directed downward and, if necessary, fixed with cut-
22 off lenses to ensure that no glare spills onto neighboring properties.

23
24 **LANDSCAPING CONDITIONS**

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

30
31 **PUBLIC WORKS DEPARTMENT CONDITIONS**

32
33 *GENERAL ENGINEERING CONDITIONS*

34
35 ENGR-1 **Title Report.** n/a.

36
37 ENGR-2 **Geo-Technical Report.** The applicant shall submit, as part of a
38 building permit application, a geotechnical investigation report
39 prepared by a California certified engineering geologist and
40 geotechnical engineer, if determined necessary by the City Engineer.
41 The investigation shall specifically address any hazards of surface
42 fault rupture in accordance with the Alquist-Priolo Special Study
43 Zones Act. Any mitigation measures or conditions requiring further
44 review noted during the Planning process shall be fully addressed prior
45 to plan check.
46

1 ENGR-3 **Backflow Device.** Any required water service for fire protection
2 purposes shall be equipped with a City approved backflow device.
3 Services for irrigation purposes also require a separate City approved
4 backflow prevention device.
5

6 **GRADING CONDITIONS**

7 GRAD-1 **Grading Permit.** Any grading required in association with the project
8 shall require a grading permit from the Community Development
9 Department. To obtain this permit, the applicant shall submit a grading
10 plan, indicating the extent and volumes of earth proposed to be moved.
11 A grading permit is subject to 2001 California Building, Appendix 33.
12

13 GRAD-2 **Demolition Permit.** Site demolition shall not occur until construction
14 permits are issued for the development project. All demolition shall be
15 in accordance with permits issued by the City and Bay Area Air
16 Quality Management District (BAAQMD).
17

18 GRAD-3 **Water on Site.** The site shall be graded so as to prevent rainfall
19 runoff originating from improved areas on the project site from
20 crossing onto adjoining private property. Building floor elevations
21 shall be above the FEMA-mapped 100-year flood plain as established
22 by a licensed civil engineer. Provide the elevation and compaction
23 certificates during and upon the completion of grading required by the
24 Uniform Building Code and in conformance with the
25 recommendations of the geotechnical engineer's report. Shore and
26 dewater all excavations in accordance with the requirements of the
27 geotechnical engineer's report.
28

29 GRAD-4 **Flooding Damages.** The project developer shall execute an
30 assumption of risk, indemnification and hold harmless agreement as
31 required by the City. The agreement, in substance, shall state that the
32 project developer, and any successor in interest, shall assume all risk
33 for damages to the project and to project improvements, flooding
34 caused by surface water intrusion, stormwater runoff, or water under
35 the ground surface pressing on or flowing or seeping through
36 foundations, walls, floors, or paved surfaces, basements, whether
37 paved or not, or windows, doors or other openings, and shall
38 indemnify and hold the City harmless from any claims of such
39 damages, including third-party claims, of such damage or of such
40 damages or of damages arising from rainfall runoff which is not
41 prevented from leaving the project site in violation of Condition
42 GRAD-3.
43

44 GRAD-5 **Dust Control Program.** A dust control program shall be prepared by
45 the project developer and approved by the Community Development
46 Department and City Engineer before issuance of a grading permit.

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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.

1 INFR-5 **Hydraulic Calculations.** The applicant shall submit hydraulic
2 calculations, prepared by a California licensed civil engineer,
3 necessary to determine if the existing water and sewer mains that serve
4 this lot have available capacity for the addition of the proposed
5 development. If capacity is not available, sewer and water mains of
6 adequate size shall be designed and secured prior to issuance of
7 building permits and constructed in a manner acceptable to the City
8 Engineer prior to occupancy release, unless determined otherwise by
9 the City Engineer.

10
11 INFR-6 **Completion of Off-Site Improvements.** Off-site improvements, as
12 required by the City Engineer, shall be complete before issuance of a
13 Certificate of Occupancy unless alternatives are approved in writing
14 by the Albany City Engineer.

15
16 **PUBLIC IMPROVEMENTS CONDITIONS**

17 PUBIM-1 **Encroachment Permit.** The applicant shall obtain an encroachment
18 permit from the Engineering Division before commencing any
19 construction activities within any public right-of-way or easement.

20
21 PUBIM-2 **Debris Removal.** All mud, dirt or construction debris carried off the
22 construction site onto adjacent streets shall be removed each day. No
23 materials shall be discharged onto a sidewalk, street, gutter, storm
24 drain or creek.

25
26 PUBIM-3 **Damage to Street Improvements.** Any damage to street
27 improvements now existing or done during construction on or adjacent
28 to the subject property, shall be repaired to the satisfaction of the City
29 Engineer at the full expense of the applicant. This shall include
30 sidewalk repair, slurry seal, street reconstruction or others, as may be
31 required by the City Engineer.

32
33 PUBIM-4 **Right-of-Way Construction Standards.** All improvements within
34 the public right-of-way, including curb, gutter, sidewalks, driveways,
35 paving and utilities, shall be reconstructed in accordance with
36 approved standards and/or plans and shall comply with the standard
37 plans and specification of the Community Development Department
38 and Chapter 14 of the City Code.

39
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41 **FIRE DEPARTMENT CONDITIONS**

42 FIRE-1 **Construction of 1,500 Square Feet or Greater.** 1500 sq. ft. or more
43 or any addition, remodel, rehabilitation, etc. is 50% of the existing sq.
44 ft.:

45 a) This dwelling will be required install an Automatic Fire
46 Extinguishing System throughout the entire dwelling. Ordinance

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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

1 timing of sunlight, prevailing winds, rainfall, air movement,
2 patterns of land use, ecological consistency and plant interactions
3 to ensure successful establishment.

4 c) Existing native trees, shrubs, and ground cover shall be
5 retained and incorporated into the landscape plan to the maximum
6 extent practicable.

7 d) Proper maintenance of landscaping, with minimal pesticide
8 use, shall be the responsibility of the property owner.
9

10 OPERATIONAL BEST MANAGEMENT PRACTICES (BMPs)

11
12 BMP-GEN1 **Stormwater Pollution Prevention Control Measures.** The project
13 plans shall include stormwater pollution prevention and control
14 measures for the operation and maintenance of the project during and
15 after construction for the review and approval of the City or County
16 Engineer. The project plan shall identify Best Management Practices
17 (BMPs) appropriate to the uses conducted on-site in order to limit to
18 the maximum extent practicable the entry of pollutants into stormwater
19 runoff.
20

21 BMP-GEN2 **Erosion Control Measures.** The project plan shall also include
22 erosion control measures to prevent soil, dirt and debris from entering
23 the storm drain system, in accordance with the practices outlined in the
24 ABAG *Erosion and Sediment Control Handbook*, California Storm
25 Water Best Management Practice Handbooks, and Regional Water
26 Quality Control Board's *Erosion and Sediment Control Field Manual*
27

28 BMP-GEN3 **Responsibility of Contractors.** The applicant is responsible for
29 ensuring that all contractors and subcontractors are aware of and
30 implement all stormwater quality control measures. Failure to comply
31 with the approved construction BMPs shall result in the issuance of
32 correction notices, citations and/or a project stop order.
33

34 BMP-1 **Paved Sidewalks and Parking Lots.** Sidewalks and parking lots
35 shall be swept regularly to prevent the accumulation of litter and
36 debris. Debris resulting from pressure washing shall be trapped and
37 collected to prevent entry into the storm drain system. Washwater
38 containing any soap, cleaning agent or degreaser shall be collected and
39 discharged to the sanitary sewer and shall not be discharged to a storm
40 drain. The applicant shall contact the City Engineer for specific
41 connection and discharge requirements.
42

43 BMP-2A **Private Streets, Utilities and Common Areas.** The owner of private
44 streets and storm drains shall prepare and implement a plan for street
45 sweeping of paved private roads and cleaning of all storm drain inlets.
46

1 GENERAL CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

2
3 BMP-CNST1 **Construction Access Routes.** Construction access routes shall be
4 limited to those approved by the City Engineer and shall be shown on
5 the approval grading plan.
6

7 BMP-CNST2 **Collection of Construction Debris.** Gather all construction debris on
8 a regular basis and place them in a dumpster or other container that is
9 emptied or removed on a weekly basis. When appropriate, use tarps on
10 the ground to collect fallen debris or splatters that could contribute to
11 stormwater pollution.
12

13 BMP-CNST3 **Removal of Waste.** Remove all dirt, gravel, rubbish, refuse and green
14 waste from the sidewalk, street pavement, and storm drain system
15 adjoining the project site. During wet weather, avoid driving vehicles
16 off paved areas and other outdoor work.
17

18 BMP-CNST4 **Sweeping of Public Right-of-Way.** Broom sweep the sidewalk and
19 public street pavement adjoining the project site on a daily basis.
20 Caked on mud or dirt shall be scraped from these areas before
21 sweeping.
22

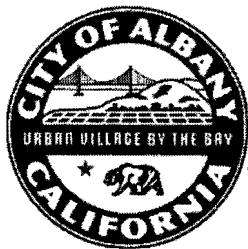
23 BMP-CNST5 **Filter Materials at Storm Drain Inlet.** Install filter materials (such
24 as sandbags, filter fabric, etc.) at the storm drain inlet nearest the
25 downstream side of the project site prior to:
26 a) start of the rainy season (October 1);
27 b) site dewatering activities;
28 c) street washing activities;
29 d) saw cutting asphalt or concrete; and
30 e) order to retain any debris or dirt flowing into the City storm
31 drain system.
32 Filter materials shall be maintained and/or replaced as necessary to
33 ensure effectiveness and prevent street flooding. Dispose of filter
34 particles in the trash.
35

36 BMP-CNST6 **Containment of Materials.** Create a contained and covered area on
37 the site for the storage of bags of cement, paints, flammables, oils,
38 fertilizers, pesticides, or any other materials used on the project site
39 that have the potential for being discharged to the storm drain system
40 by wind or in the event of a material spill.
41

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



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2014-12

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 3rd day of February, 2014, by the following votes:

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

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 4th
day of February, 2014.

Eileen Harrington
DEPUTY CITY CLERK