

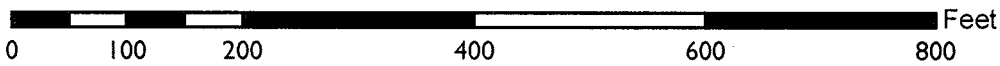
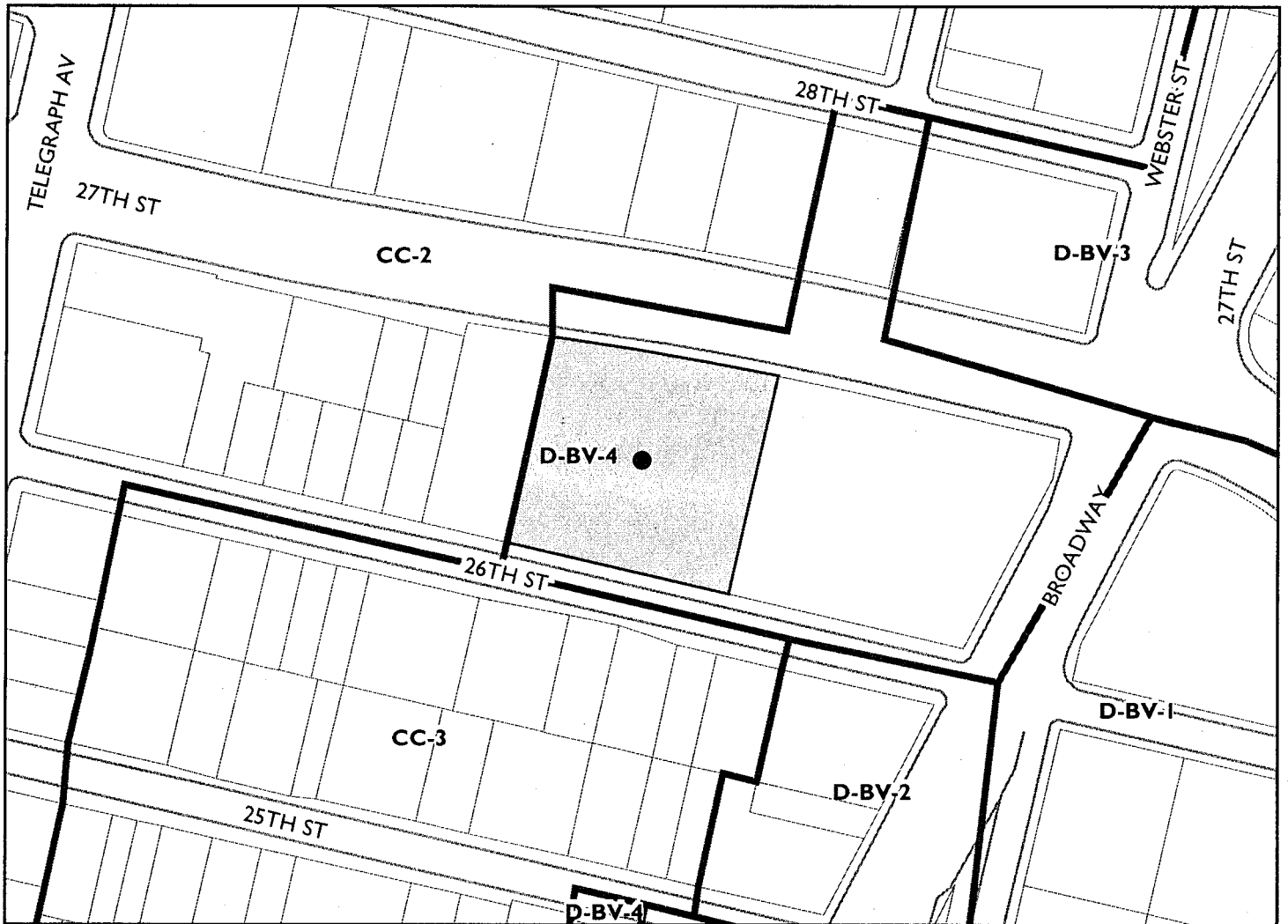
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|-------------------------------------|---|
| Location: | 401 27 th Street (see map on reverse) |
| Assessor's Parcel Number: | 009-0684-004-008 |
| Proposal: | Legalize an existing auto repair and service facility and make interior and façade improvements. |
| Applicant: | Adam Carr of RRR Architects (510)272-0654 |
| Owner: | Ishi Real Estate Partnership |
| Planning Permits Required: | Minor Conditional Use Permit for an Auto Repair and Cleaning Commercial Activity in the D-BV-4 Zone and Regular Design Review for exterior changes to the building. |
| General Plan: | Community Commercial |
| Zoning: | D-BV-4 |
| Environmental Determination: | Exempt 15332; State CEQA Guidelines, Infill development; Exempt 15301; State CEQA Guidelines, Existing Facilities; and Section 15183 of the CEQA Guidelines (projects consistent with a community plan, general plan, or zoning). |
| Historic Status: | Not a Potential Designated Historic Property (PDHP) |
| Decision to be taken | Recommendation to the City Council. Approval only permitted after adoption of proposed code amendments by the City Council. |
| Status | Pending |
| City Council District: | 3 |
| For further information: | Contact case planner Neil Gray at 510-238-3878 or by email: ngray@oaklandnet.com |

SUMMARY

This item is a Conditional Use Permit (CUP) for the legalization of an auto repair facility related to a Subaru showroom on Broadway. The legalization is required because the operator transitioned the facility from a showroom to a repair and service facility without the benefit of permits.

The Planning Commission cannot give final approval for the CUP because the activity is currently prohibited in the D-BV-4 Zone. Thus, this CUP cannot be approved unless/until the City Council adopts proposed code amendments to the D-BV-4 Zone. As a result, this item appears before the Planning Commission with a recommendation that the Planning Commission, in its advisory capacity, recommend that the City Council approve the CUP after adoption of the code amendments.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN19029
Applicant: Adam Carr of RRR Architects
Address: 401 27th Street
Zone: D-BV-4

BACKGROUND

On the previous item on the agenda, the Planning Commission considered a proposed code amendment that would conditionally permit stand-alone Auto Repair and Cleaning Commercial Activities in the D-BV-2 and D-BV-4 Zones between 27th Street and I-580. Discussion of the CUP criteria is contained in the “Zoning Analysis” section of this report.

On February 19th, 2019, representatives for Subaru applied for a CUP to legalize and upgrade an auto repair facility at 401 27th Street associated with their showroom at 4133 Broadway. This CUP is the subject of this report. The legalization is required because the operator transitioned the facility from a showroom to a repair and service facility without the benefit of permits. As described in the “Zoning Analysis” section of this report, auto repair is currently prohibited in the D-BV-4 Zone.

The City cannot approve the CUP because the activity is prohibited until the City Council adopts the proposed code amendments. Therefore, this item is a recommendation that the City Council approve the CUP after adoption of the code amendments.

PROPERTY DESCRIPTION

The 50,165 square-foot site is flat and contains a one-story, 28,000 square foot commercial building. The through lot has its main entrance on 27th Street, approximately 100 feet from Broadway. A vehicle entrance on 27th Street leads to parking between the building and 27th Street and between the building and the eastern property line. There is not significant landscaping on the site.

NEIGHBORHOOD DESCRIPTION

27th Street is a wide, four-lane transit corridor that contains heavy traffic leading to a freeway entrance at Northgate Avenue. Between Telegraph Avenue and Broadway, 27th Street contains a mix of medium density housing, low-scale office buildings, churches, and vacant and surface parking lots. A small fire station is adjacent to the site. Broadway near 27th Street contains a mix of auto showrooms, high density housing, retail and service businesses, and restaurants.

PROJECT DESCRIPTION

The project includes legalizing an auto repair and service operation and implementing tenant and façade improvements to the building on the site. The auto repair, which is associated with a Subaru dealership located at 4133 Broadway, would operate 7:00 am to 6:00 pm weekdays and 7:00 am to 5:00 pm on Saturday.

The façade improvements would include an aluminum cap at the roofline, and eight feet of metal panels at the top of the building and stucco on the bottom 12’-2” of the building. A new service canopy with matching façade treatments and a channel letter sign would be integrated into the front of the building. The canopy would accommodate cars queueing prior to being driven into the service facility. A small showroom is proposed adjacent to the front entrance of the building.

GENERAL PLAN ANALYSIS

The site is in the Community Commercial designation in the Land Use and Transportation Element of the General Plan (LUTE). The intent of the Community Commercial designation is to: “identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City’s major corridors and in shopping districts or centers.” The desired character and uses include: “neighborhood center uses and larger scale retail and commercial uses, such as auto related businesses, business and personal services, health services and medical uses, educational facilities, and entertainment uses. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed use development.”

As an “auto related business,” the proposed auto service and repair center is consistent with the desired character described in the LUTE.

BROADWAY VALDEZ DISTRICT SPECIFIC PLAN ANALYSIS

The goal of the BVDSP is to create a region-serving mixed use, destination retail district within the plan area, which runs along Oakland’s Broadway corridor between Grand Avenue and I-580 (see Attachment A). The BVDSP intends to decrease the City’s retail leakage and transition the plan area to a more urban environment. According to the following policies, the Specific Plan intends accommodate automotive sales:

Policy LU-9.5

The Plan Area will continue to accommodate new automobile dealerships who are willing to operate in an urban format with the granting of a conditional use permit.

Policy LU-9.6

Emphasis is placed on the renovation and repurposing of historic garage and auto showroom buildings primarily along Broadway to preserve a link to the corridor’s past and enrich its character.

Policy CD-3.17

Promote the protection and adaptive re-use of the garages and showrooms in the North End subarea in a manner that preserves their distinctive architectural character and references to the area’s Auto Row heritage.

Policy IMP-1.15

Allow existing auto dealerships to remain in the Plan Area to the north of 27th Street and retain branding as Broadway Auto Row.

The proposed auto repair supports an auto dealership with an urban format on Broadway and reuses a building historically used for auto uses. Therefore, the proposal is consistent with the policies contained in the Broadway Valdez District Specific Plan.

ZONING ANALYSIS

Zoning Intent

The D-BV-4 Zone is intended to create, maintain, and enhance areas that do not front Broadway, 27th Street, Piedmont Avenue, or Harrison Street, and allows the widest range of uses on the ground floor including both residential and commercial businesses. Upper-story spaces are intended to be available for a broad range of Residential or Commercial Activities.

An auto repair facility accessory to an auto dealership is consistent with this intent. Note that the intent states the D-BV-4 Zone not be designated on 27th Street. Discussions with Strategic Planning staff indicates that the intent was meant to avoid designating 27th Street east of Broadway as D-BV-4 and that the subject site is appropriately zoned because it is outside the concentrated retail neighborhoods.

Conditional Use Permit

The proposed code amendments would allow for stand-alone auto servicing activities upon the granting of the CUP. A project would have to meet the following CUP criteria to be approved:

1. The auto servicing must be related to a showroom on Broadway;
2. No outdoor auto repair or overnight inoperable car storage; and
3. The amount of added or wholly reconstructed floor area devoted to that auto repair cannot exceed more than 20 percent of that already existing on the affected lot.

These criteria are met. The auto servicing is related to the Subaru dealership at 4133 Broadway. As conditioned, no outdoor auto repair or overnight inoperable car storage will be allowed. The proposal does not include additional floor area, only a canopy area, which is not considered floor area as defined in Section 17.09.040 of the Planning Code. The CUP is considered major because it involves more than 25,000 square feet of nonresidential floor area.

ENVIRONMENTAL DETERMINATION

The project qualifies for an exemption from the California Environmental Quality Act (CEQA) under Sections 15332 Infill development and 15301 Existing Facilities under the CEQA Guidelines. Under Section 15183 of the CEQA Guidelines, the project does not require further environmental review because it is consistent with a community plan and general plan, for which an environmental impact report was certified.

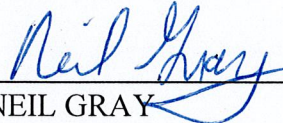
KEY ISSUES AND IMPACTS

The proposed auto repair meets the findings and criteria for approval proposed in the code amendments. It will support an existing showroom on auto row that operates in an urban format, which is encouraged in the Broadway Valdez District Specific Plan. All auto repair and overnight storage will be indoors and no new floor area is proposed.

RECOMMENDATION

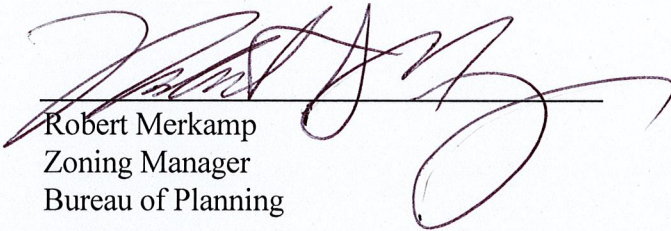
- (1) Recommend adoption of staff's environmental determination to the City Council.
- (2) Recommend that the Planning Commission provide a recommendation to City Council to approve the CUP following necessary code amendments based upon the attached findings and subject to the attached conditions of approval.

Prepared by:



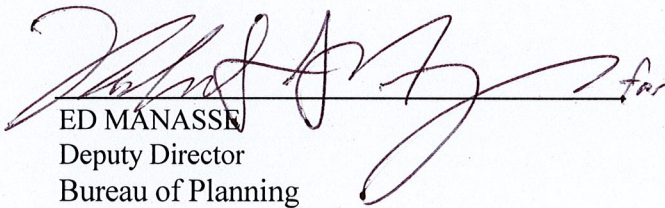
NEIL GRAY
Planner IV

Reviewed by:



Robert Merkamp
Zoning Manager
Bureau of Planning

Reviewed by:



ED MANASSE
Deputy Director
Bureau of Planning

ATTACHMENTS:

- A. Project Plans

FINDINGS FOR APPROVAL

This proposal meets the required findings under Sections 17.136.050 -- General Design Review Criteria and 17.134.050 -- General Use Permit Criteria. Required findings are shown in **bold** type; explanations as to why these findings can be made are in *italic*.

Section 17.136.050 Regular design review criteria.

- 1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060;**

The design related aspect of the proposal is a façade improvement and canopy addition to an existing facility. No new construction is proposed. As conditioned, the design will reduce the scale of the façade by delineating a clear bottom, middle, and top and articulating the front of the building. The aluminum siding and cap will provide the existing, relatively nondescript building a contemporary style that is common in new construction and façade renovations on auto row.

- 2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;**

The rehabilitation and façade renovation of the existing building will improve the property and the neighborhood and be consistent with the mixed-use character of the area. As conditioned, the street trees and parking lot landscaping will contribute to the public investment in the area and improve the overall appearance to the street.

- 4. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.**

See “General Plan Analysis” and “Broadway Valdez Specific Plan Analysis” sections above in the Agenda Report.

17.134.050 General Use Permit criteria.

- A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable**

neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development;

The repair facility will not significantly affect the surrounding neighborhood. The 37 outdoor and 21 indoor parking spaces will accommodate the cars visiting the site. As conditioned, no car repair or storage will be permitted outside the building. Auto queuing space in front of the building that accommodates ten cars will assure that cars do not block traffic on 27th Street. Existing street capacity will easily accommodate the traffic needs of the site.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant;**

A queuing system in front of the building will accommodate customer car drop off and the repair stations will be built to industry standards. A small showroom and waiting room will accommodate customers. Parking will be easily accessible from 27th Street, and there will be enough indoor parking to accommodate 21 parked cars and 15 cars being repaired.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region;**

The repair facility will support an existing auto showroom on Broadway and auto sales is a basic community function for auto row. The accommodation of showrooms is important to preserve the authenticity and history of the area, employment, and sales tax revenue.

- D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050**

See Design Review Findings, above.

- E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.**

See "General Plan Analysis" and "Broadway Valdez Specific Plan Analysis" sections in the above Agenda Report.

17.101C.030 Use Permit Criteria for Auto Repair in the D-BV-2 Zone

- A. The auto repair facility is between 26th Street and I-580, and the auto showroom is on Broadway;**

The proposed auto repair facility is on 27th Street, which is between 26th Street and I-580 and is accessory to a Subaru showroom at 4133 Broadway.

- B. With the exception of the building addition described in criteria 3. below, the auto repair activity is within an existing nonresidential facility;**

The auto repair is within an existing facility.

- C. The amount of added floor area devoted to the auto repair activity does not exceed twenty percent (20%) of that already existing on the affected lot; and**

No floor area is being added on the affected lot.

- D. All overnight storage (including vehicle storage) and auto repair takes place indoors.**

As conditioned, all overnight storage will take place indoors.

STANDARD CONDITIONS OF APPROVAL RECOMMENDED TO THE CITY COUNCIL

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, staff report and the approved plans as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **Februa** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. Minor and Major Changes

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant’s expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City’s Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within sixty (60) days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys’ fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called “Action”) against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and

attorneys' fees.

- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with Engineering Services and/or the Bureau of Building, if directed by the Director of Public Works, Building Official, Director of City Planning, Director of Transportation, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

11. Public Improvements

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

12. Regulatory Permits and Authorizations from Other Agencies

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit

evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

13. Trash and Blight Removal

Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

14. Graffiti Control

Requirement:

- c. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
 - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - iii. Use of paint with anti-graffiti coating.
 - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
 - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- d. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.
 - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Landscape Plan

e. *Landscape Plan Required*

- Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf> and <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf>, respectively), and with any applicable streetscape plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

f. *Landscape Installation*

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

g. *Landscape Maintenance*

Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Lighting

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point

below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Dust Controls – Construction Related

Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project:

- a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) Limit vehicle speeds on unpaved roads to 15 miles per hour.
- e) All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
- f) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- g) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

18. Criteria Air Pollutant Controls - Construction Related

Requirement: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:

- a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).

- c) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.
- d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.
- e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- f) All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

19. Asbestos in Structures

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

20. Archaeological and Paleontological Resources – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design,

costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

21. Human Remains – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

22. Construction-Related Permit(s)

Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

23. Hazardous Materials Related to Construction

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

24. Hazardous Materials Business Plan

Requirement: The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:

- a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
- b. The location of such hazardous materials.
- c. An emergency response plan including employee training information.
- d. A plan that describes the manner in which these materials are handled, transported, and disposed.

When Required: Prior to building permit final

Initial Approval: Oakland Fire Department

Monitoring/Inspection: Oakland Fire Department

25. Source Control Measures to Limit Stormwater Pollution

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:

- a. Stencil storm drain inlets “No Dumping – Drains to Bay;”
- b. Minimize the use of pesticides and fertilizers;
- c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;
- d. Cover trash, food waste, and compactor enclosures; and
- e. Plumb the following discharges to the sanitary sewer system, subject to City approval:
- f. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;
- g. Dumpster drips from covered trash, food waste, and compactor enclosures;
- h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;
- i. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and
- j. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible.

When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: N/A

26. Construction Days/Hours

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

27. Construction Noise

Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.

- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

28. Extreme Construction Noise

a. Construction Noise Management Plan Required

Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:

- i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and

- v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. *Public Notification Required*

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

29. Operational Noise

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

[The following condition applies to all projects involving new residential facilities or new dwelling units located adjacent to an active rail line.]

30. Exposure to Vibration

Requirement: The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:

- a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be

selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above.

- b. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

31. Jobs/Housing Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Jobs/Housing Impact Fee Ordinance (chapter 15.68 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

32. Construction Activity in the Public Right-of-Way

- a. ***Obstruction Permit Required***

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

- b. ***Traffic Control Plan Required***

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design

Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

c. *Repair of City Streets*

Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

33. Construction and Demolition Waste Reduction and Recycling

Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

34. Green Building Requirements

d. *Compliance with Green Building Requirements During Plan-Check*

Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
 - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
 - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
 - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
 - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:
 - CALGreen mandatory measures.
 - All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
 - The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

e. *Compliance with Green Building Requirements During Construction*

Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.

The following information shall be submitted to the City for review and approval:

- i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
- ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.

- iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

f. ***Compliance with Green Building Requirements After Construction***

Requirement: Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

When Required: Prior to Final Approval

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

35. Employee Rights

Requirement: The project applicant and business owners in the project shall comply with all state and federal laws regarding employees' right to organize and bargain collectively with employers and shall comply with the City of Oakland Minimum Wage Ordinance (chapter 5.92 of the Oakland Municipal Code).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

PROJECT SPECIFIC CONDITIONS OF APPROVAL RECOMMENDED TO THE CITY COUNCIL

36. Landscape Plan

a. ***Landscape Plan Required***

Requirement: The project applicant shall submit a final Landscape Plan for City review and approval of the Zoning Manager. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and include:

- A street tree at least every 25 feet of parcel frontage. Fewer street trees may be required depending on site constraints. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf> and <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf>, respectively), and with any applicable streetscape plan.
- Significant parking lot landscaping.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

b. *Landscape Installation*

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

c. *Landscape Maintenance*

Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

37. Outdoor Activities

Requirement: No overnight outdoor storage, including cars, or car repair shall be permitted at the subject site.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

38. Bulkhead

Requirement: Provide plans, for review and approval of the Zoning Manager, that show a bulkhead at the base of the building that is made of a durable and smooth material such as ceramic tile, metal, or marble or other polished stone.

When Required: Prior to approval of Building Permits

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building