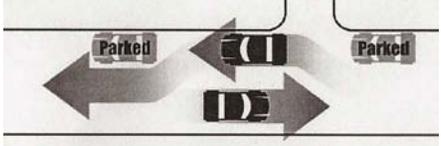
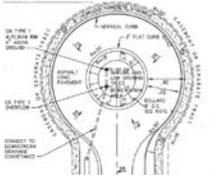
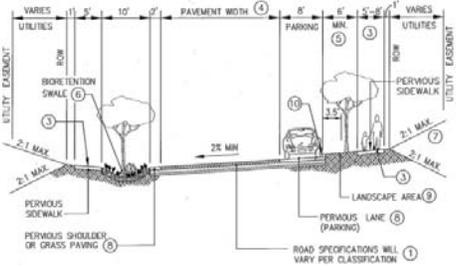




REGULATORY IMPEDIMENT GAP ANALYSIS TOOL

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Street Width		
Is the minimum pavement width allowed for streets in low density residential developments that have less than 500 daily trips (ADT) between 18 and 22 feet?	City Code is silent on this.	Yes, 20-foot minimum width without parking is utilized. The City utilizes U.S. Dept. of Transportation, Fed. Hwy. Admin., Manual on Uniform Traffic Control Devices (MUTCD) standards.
At higher densities, are parking lanes also allowed to serve as traffic lanes?	City Code is silent on this.	This is not an advisable practice in the City due to issues associated with the function and classifications of streets per MUTCD.
Is a single, shared travel lane to serve traffic flowing in both directions permitted in low volume single family residential neighborhoods? 	City Code is silent on this.	The design shown here is not advisable for future redevelopment design in as it is in conflict with fire and emergency access width needs. Therefore, this design approach is not advisable in the City of Monterey. Per the City's General Plan, the City of Monterey is largely a built-out urban community. Development mostly occurs as redevelopment or infill on sites with an established traffic circulation system.
Street Length		
Do street layout standards promote the most efficient street layouts that reduce overall street lengths and impervious surfaces?	City Code is silent on this.	Per MUTCD, street layouts standards must reflect street function and classification first and foremost.
Right of Way Use		
Does code allow for utilities to be placed under paved section of the ROW?	City Code is silent on this.	Franchise agreements allow for this.
Cul-de-Sacs		

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
<p>(1) Does the minimum allowable cul-de-sac radius exceed 35 feet? (2) Is the minimum radius greater than 45 feet?</p>	<p>City Code is silent on these items.</p>	<p>Per City standard details: (1) No; minimum is 30-foot radius, but can be up to 40 feet in radius. (2) No.</p>
<p>Can a landscape island be created within the cul-de-sac?</p> 	<p>City Code is silent on this.</p>	<p>Yes, landscape islands may be proposed/created per City standard detail for cul-de-sacs. Any such cul-de-sac design must allow for fire/emergency and refuse truck access.</p>
<p>Are alternative turnarounds such as "hammerheads" allowed on short streets in low density residential developments?</p> 	<p>Although City Code doesn't speak to this specifically, Section 33-24 Streets and Arterials does allow for design variation.</p>	<p>The City has allowed this design in a few instances in the past; however, through experience, City staff would not encourage this practice today due to fire/emergency and refuse truck minimum access needs.</p> <p>The City of Monterey is largely a built-out, urban community. Development mostly occurs as redevelopment or infill. The type of development contemplated in this item is rare for this community today.</p>
<p>Street-side Bioretention</p>		
<p>Are curb and gutters required for most residential street sections?</p> 	<p>Section 33-26(a) Curbs, Gutters and Sidewalks; and, Section 33-35(a) Improvements, General.</p>	<p>Yes, per Section 33-26, vertical-type curbs and gutters on both sides of the streets shall be required in all subdivisions. Per 33-35(a), subdivider is required to provide curb, gutter, sidewalk, and pathway improvements, among many other items.</p> <p>City discretionary processes may allow a proposed development design to vary from this requirement if it's found to be harmonious with existing configurations, drainage, fire/emergency access, aesthetic, etc.</p> <p>Opportunity: Where curb and gutters are proposed by an applicant, pervious surface options could be explored. Such a design would be allowable by the City as demonstrated appropriate/feasible per site conditions.</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
<p>Do adopted street sections allow for the use of open treatment and conveyance of stormwater within landscape strips?</p> 	<p>City Code is silent on this.</p>	<p>The City is currently undertaking the development of Specific Plans. Where applicable, conceptual LID options for potential right-of-way improvements may be explored and included in such documents (where physical and drainage characteristics, location, and land area allow).</p>
<p>Land Conservation Incentives</p>		
<p>Are there any incentives for developers or landowners to conserve non-regulated land (e.g., open space designs, density bonuses, stormwater credits, etc.)?</p>	<p>Code is silent on this.</p>	<p>Although mechanisms such as zoning code open space requirements and CEQA exist to conserve open space areas and environmental resources, no such “incentives” exist in City Code of the types listed.</p> <p>Note: Per the City’s General Plan, the City of Monterey is largely a built-out urban community and its natural resources are an integral part of the City’s setting, economy, and physical development. Development mostly occurs as redevelopment or infill.</p>
<p>Is flexibility to meet regulatory or conservation restrictions (e.g., density compensation, buffer averaging, transferable development rights, offsite mitigation, etc.) offered to developers?</p>	<p>Code is silent on this.</p>	<p>No, not for the listed items. However, with required findings, a Variance (Section 38-156) may be granted for open space, landscaping, special setbacks, etc. Important note: Variances cannot be utilized for density compensation.</p>
<p>Structured Parking</p>		
<p>Are there any incentives for developers to provide parking <u>within garages</u> rather than surface parking lots?</p>	<p>Code is silent on this.</p>	<p>No covered parking incentives exist in Chapter 38, Article 18 Off-Street Parking and Loading.</p>
<p>Parking Ratios</p>		
<p>Do maximum parking standards exist in addition to minimum standards?</p>	<p>Code is silent on this.</p>	<p>No such provision exists in Chapter 38, Article 18 Off-Street Parking and Loading.</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is the minimum parking ratio for single family homes (per home) less than or equal to 2 spaces?	Section 38-115 Off-Street Parking and Loading Spaces Required	<p>Yes, minimum ratios are one or two parking spaces, depending on lot size. If two spaces are required minimum, one space must be covered.</p> <p>Note: Due to the reality of vehicular use, we believe the focus should be on how the off-street parking areas are designed to minimize water quality impacts, rather than the focus be placed on reducing off-street parking spaces for single-family homes.</p>
Is the minimum parking ratio for a professional office building (per 1,000 sf of gross floor area) less than 3 spaces?	Section 38-115 Off-Street Parking and Loading Spaces Required	No; the minimum parking ratio for this use is one (1) parking space per 275 sq.ft. of gross floor area.
Is the minimum required parking ratio for shopping center (per 1,000 sf gross floor area) less than 4.5 spaces?	Section 38-115 Off-Street Parking and Loading Spaces Required; and, Urban Land Institute (ULI) shared parking standards	<p>No. City off-street parking standards do not specify a Shopping Center standard but rather requires a "Shopping Center Plan" that, among other stipulations, discloses the parking ratio to be utilized. In the past, and per 1999 ULI "Parking Requirements for Shopping Centers", the City utilized a parking ratio of 4.5 spaces per 1,000 square feet for the one shopping center in the City. This ratio was based on the shopping center's size and a percentage of combined area in cinema, restaurant, and entertainment uses, which resulted in the 4.5 spaces per 1,000 square-foot ULI standard. If a new development project of this type were to be submitted, the City would again consult ULI standards.</p> <p>Note: The City of Monterey is largely a built-out urban community. Development mostly occurs as redevelopment or infill on relatively "smaller" sites than other growing communities.</p>
Parking Codes		
Are model shared parking agreements provided?	Section 38-116(e) Adjustment to Parking Standards, Shared Parking	No, but agreement conditions exist in Section 38-116(e) Adjustment to Parking Standards, Shared Parking, if this arrangement is desired or proposed for a project.

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Are parking ratios reduced if shared parking arrangements are in place?	Section 38-116 Adjustment to Parking Standards; and, Section 38-117 Reduced Parking for Other Uses	Yes, shared parking and reduced parking with multiple uses at one site may be approved. (Also, see “Note” below regarding current City shared parking efforts in highly urban mixed-use areas.)
If mass transit is provided nearby, may the parking ratio reduced?	Section 38-115 (Para. 3) Off-Street Parking and Loading Spaces Required	Yes, this Code allows Plans and Public Works to review proposed parking plans to minimize parking impacts, protect air quality, and encourage alternative transportation. Note: Through current City Specific Plan processes for highly urban mixed-use areas, City is shifting toward “shared parking” to encourage higher occupancy in public garages, and examining parking in-lieu fee options to fund future public transit projects.
Parking Lot Runoff		
Is a minimum percentage of a parking lot required to be landscaped?	Code is silent on this.	No, not at this time. The City of Monterey is a built-out, urban community. Development mostly occurs as redevelopment or infill on relatively “smaller” sites than other growing communities.
Is the use of bioretention islands and other stormwater practices within landscaped areas and/or setbacks allowed? 	Code is silent on this.	Yes, they could be allowed in areas demonstrated by the applicant to be amenable to such practices, as reviewed and approved by City.
Does your design manual specify a requirement designs that would preclude the ability to use parking lot landscaped areas for bioretention?	Code is silent on this.	No. The City has no parking lot design manual. Such conceptual designs may be appropriate for incorporation into a Regional LID Manual to be developed through the Joint Effort.
Parking Lots		
Is the minimum stall width for a standard parking space less than 9 feet?	Section 38-121 Size and Access	No – 9 feet wide is the standard parking space width.
Is the minimum stall length for a standard parking space less than 18 feet?	Section 38-121 Size and Access	No – 20 feet in length is the standard parking space depth.
Does your code allow compact parking spaces?	Section 38-121 Size and Access, PC Parking Standards adopted by Resolution.	Yes. Compact parking spaces may account for up to 50% of total off-street parking needs, including 50% of covered parking stalls.

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Are at least 30% of the spaces in parking lots permitted to be designed as compact parking spaces?	Section 38-121 Size and Access, PC Parking Standards adopted by Resolution.	Yes. Compact parking spaces may account for up to 50% of total off-street parking needs, including 50% of covered parking stalls.
Can pervious materials be used for parking areas?	Section 38-122 Design Standards	Yes. No restriction exists against this practice, except that the surface must be "all-weather" to meet Engineering/Maintenance needs. It also requires all driveways and surface parking areas to be adequately drained of any accumulated surface water, so pervious materials would assist in achieving this goal.
Driveways		
(1) Is the minimum driveway width of a one-lane driveway 9 feet or less? (2) Is the minimum width for a two-lane driveway 18 feet or less?	Section 32-46 Driveway Locations and Dimensions.	(1) Yes – 8 ft. min. (2) No – 19 ft. min. Note: All widths must meet fire/emergency access needs.
Can pervious materials be used for single family home driveways?	Section 38-122 Design Standards	Yes. Section 38-122 requires surface to be "all-weather" to meet Engineering/Maintenance needs. Pervious, all-weather materials could be utilized.
Can a "two track" or "Hollywood driveway" design be used for single family driveways?	Code is silent on this.	Yes. Section 38-122 requires surface to be "all-weather" to meet Engineering/Maintenance needs. A design variation such as this could be utilized.
Are shared driveways permitted in residential developments?	Section 32-46(g) Driveway Locations and Dimensions	Yes, Code allows common use driveways in "special cases". Those special instances are not defined.
Sidewalks		
Is the minimum sidewalk width allowed in the community 4 feet?	Code is silent on this.	Yes, this is allowed per engineering standard detail. However, a greater width is recommended to accommodate accessibility and utility needs.
Are sidewalks required on both sides of residential streets?	Section 33-26(b) Curbs, Gutters, and Sidewalks	Yes, generally. However, City does not require them where an alternative design is proposed, feasible, and fits the location/neighborhood.
Can sidewalks be made from pervious materials?	Code is silent on this.	Yes. No regulatory restrictions would prevent such a practice if proposed and feasible.
Buffer Systems		

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is there a stream buffer ordinance in the community?	Code is silent on this.	Although no stream buffer Ordinance exists, the City's General Plan Open Space and Conservation Elements contain goals and policies for the protection and preservation of streams, riparian habitat, wetlands, etc. CEQA process also requires such policy considerations and environmental review.
Is expansion of the buffer to include freshwater wetlands, steep slopes or the 100-year floodplain required?	Code is silent on this.	All of these elements (wetlands, steep slopes, and 100-year floodplain) are addressed separately in the City's General Plan and through CEQA review.
Does the stream buffer ordinance specify that at least part of the stream buffer be maintained with native vegetation?	Code is silent on this.	Although no stream buffer Ordinance exists, the City's General Plan Urban Design, Open Space, and Conservation Elements contain goals and policies for the protection and preservation of streams, riparian habitat, wetlands, etc. CEQA processes also require such policy considerations and environmental review.
Does the stream buffer ordinance outline allowable uses?	Code is silent on this.	The City's Zoning Ordinance outlines allowable uses for each land use type in City jurisdiction.
Does the ordinance specify enforcement and education mechanisms?	Code is silent on this.	
Open Space/Cluster Design Regulations		
<p>Does your jurisdiction have open space/cluster design regulations?</p> 	Section 38-25(D)(7) Open Space	<p>Yes; in the Medium Density Multi-Family Dwelling District, open space regulations exist for a site having three or more dwelling units. Open space regulations include private, shared, and permeable open space areas.</p> <p>Note: The City of Monterey is largely a built-out urban community within a world-renowned natural and scenic environment. Development of the type contemplated here would be rare, as development mostly occurs as redevelopment or infill on relatively "smaller" sites than in other growing communities. The City's General Plan Urban Design Element goals and policies focus on preserving and enhancing Monterey's special physical and environmental setting and its image as a historic, wooded hillside, coastal town.</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is land conservation or impervious cover reduction a major goal or objective of the open space/cluster design regulations?	Section 38-25(D)(7)(d) Permeable Open Space	Yes; this Code examines open space when an applicant is proposing a site plan with three or more dwelling units. An opportunity may exist to better define design parameters and guidelines for permeable open space.
Are the submittal/review requirements for open space/cluster design greater than those for conventional development?	Section 38-25(D)(7) Open Space	No; these Open Space requirements apply to any site development having three or more dwelling units.
Are flexible site design criteria available for developers that utilize open space/cluster design options (setbacks, road widths, lot sized)?	Section 33-42 Optional Design and Improvement Provisions	Yes. Optional design and improvement provisions are allowed to be proposed as reviewed and approved by the Planning Commission.
Open Space Management		
Does the community have enforceable requirements to establish associations that can effectively manage open space?	Code is silent on this.	Conditions of Approval on discretionary applications are utilized to cause the applicant to establish such associations for management of property elements such as open space.
Are open space areas required to be consolidated into larger units?	Section 38-25(D)(7)(c) Shared Open Space	Not exactly, but the City does have a minimum size standard for "Shared Open Space" as a requirement at Section 38-25(D)(7)(c).
Does a minimum percentage of open space have to be managed in a natural condition?	Code is silent on this.	An opportunity may exist to examine how maintaining some portion of natural conditions could be incorporated into Open Space regulations.
Are allowable and unallowable uses for open space in residential developments defined?	Sections 38-11 Definitions and Section 38-25(D)(7) Open Space	Yes.
Can open space be managed by a third party using land trusts or conservation easements?	Code is silent on this.	Yes; no restrictions exist prohibiting this.
Tree Conservation		
If forests or specimen trees are present at residential development sites, does some of the stand have to be preserved?	Section 33-28 Existing Trees, and Chapter 37 Trees and Shrubs Ordinance (Section 37-8).	Yes, per Ordinance as noted and General Plan Urban Design, Conservation, and Open Space Element policies to protect trees and forests.
Setbacks and Frontages		
Are irregular lots shapes (pie-shaped, flag lots) allowed in the community?	Section 33-22 Lot Criteria	No, they are avoided per Code.
Is the minimum requirement for <u>front</u> setback in residential zones less than or equal to 20 feet?	Chapter 38 Article 5 Residential Districts	Yes, 15- and 20-foot front setbacks.

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is the minimum requirement for <u>rear</u> setback in residential zones less than or equal to 25 feet?	Chapter 38 Article 5 Residential Districts	It varies, and can range from 15-35 feet throughout the residential districts.
Is the minimum requirement for <u>side</u> setback in residential zones less than or equal to 8 feet?	Chapter 38 Article 5 Residential Districts	Yes. Side setbacks are highly variable, and depend on zone, lot width, and lot configuration. Since side setback standards allow an applicant to vary side setbacks based on a certain percentage of lot width, the possible minimum side setback allowed may be 4 feet in some instances.
Is the minimum lot <u>frontage</u> in residential zones less than or equal to 60 feet?	Chapter 38 Article 5 Residential Districts	Yes, 50-feet is the minimum if a new lot were created. However, historic parcel layouts allowed for more narrow lot frontages that still exist throughout the City today.
Rooftop Runoff		
Can rooftop runoff be discharged to yard areas?	Code is silent on this.	Yes, in the right physical circumstances, a proposed project element of this type may be possible.
Do current grading or drainage requirements allow for temporary ponding of stormwater on front yards or rooftops? 	Code is silent on this.	Ponding would not be allowed or encouraged due to the need for mosquito abatement and vector control per the Monterey County Department of Health to prevent spread of disease such as West Nile Virus.
Are vegetated roofs allowed? Do criteria exist to allow designers to receive credit for landscaping, stormwater, etc. for the use of vegetated roofs?	Section 38-112.3 Green Building Regulations	Yes, vegetated roofs and credits toward City Green Building Requirements are allowed if feasible per the City's Green Building Program.
Clearing and Grading		

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
<p>Do regulations require or encourage the preservation of natural vegetation at residential development sites?</p> 	<p>Chapter 37 Preservation of Trees and Shrubs, and Section 33-28 Existing Trees</p> <p>Sec. 33-77(a) Environmental impact</p> <p>Section 33-77 (b) Grading and erosion control.</p>	<p>Yes, the City's General Plan and City Ordinances as noted require and encourage the preservation of natural trees and vegetation.</p> <p>Preservation of this type is examined per the CEQA review processes, and City Code which generally states no parcel or tentative map filed pursuant to Chapter 33 Subdivision shall be approved until an environmental impact analysis is prepared, processed and considered in accordance with the provisions of the CEQA.</p> <p>Additionally, every map approved pursuant to Chapter 33 Subdivision shall be conditioned upon compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to offsite property.</p>
Stormwater Outfalls		
<p>Can stormwater be directly discharged into jurisdictional wetland without pretreatment?</p>	<p>Code is silent on this specific item.</p>	<p>Although Code does not address this specific item, the City Storm Water Ordinance (Chapter 31.5, Article 2) does require, through its purpose and intent and as otherwise noted, the requirement to reduce pollutants in storm water discharges to the maximum extent practicable. Treatment may be a BMP option explored.</p>
<p>Does a floodplain management ordinance that restricts or prohibits development within the 100-year floodplain exist?</p>	<p>Chapter 9 Article 7 Flood Damage Prevention (Section 9-69.3 Compliance);</p> <p>and,</p> <p>General Plan Safety Element, Policy c., Program c.1.a</p>	<p>Yes; Code states no structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of the Flood Damage Prevention Ordinance and other applicable regulations. The General Plan Safety Element supports the review of development in 100-year flood hazard zone consistent with FEMA National Flood Insurance Program (NFIP), and development in these areas must be mitigated as necessary to conform to NFIP standards.</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is stormwater required to be treated before it is discharged?	Code is silent on this.	No storm water outfall discharge “treatment” is specified in the Monterey Regional Storm Water Management Program or MS4 permit (referred to herein below as “MRSWMP”). MRSWMP BMPs are implemented to prevent pollutants and help protect receiving water quality. Only in those instances where development projects meet MRSWMP Mandatory Design Standards (State General Permit Attachment 4 Design Standards) is post-construction treatment control implemented.
Are there effective design criteria for stormwater best management practices?	Code is silent on this.	No design criteria exist in the Small MS4 permit, except for projects meeting the applicability thresholds for the MRSWMP Mandatory Design Standards (State General Permit Attachment 4 Design Standards).
Potential Thresholds		
Are there reviewable methods of determining and inspecting compliance with water quality standards?	Code is silent on this.	
Have hydromodification standards been adopted?	Code is silent on this.	Although runoff reduction design standards have been developed and implemented by the City Interim LID Program as required by the Regional Board Joint Effort, MRSWMP BMPs, and Monterey Regional September 2009 Notice of Violation, no standards have been adopted.
Does the hydromodification control standard require the management of runoff generated from the site’s impervious areas be contained on site?	Code is silent on this.	Design standards currently being implemented through the Joint Effort do require retention where feasible. In many instances, retention may not be feasible in the City due to soil conditions and high (close to land surface), unconfined groundwater tables.
Are runoff controls clearly specified?	Code is silent on this.	As a part of the City Interim LID Program required by the Joint Effort, example runoff controls are provided and additional LID resources are noted for applicant reference.

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
<p>Are mandatory source control measures defined?</p>	<p>City Resolution No. 05-001, City of Monterey Recycling and Waste Enclosure Standards and Guidelines.</p> <p>Section 14-2 Solid Waste Containers, and, Section 14-3 Service Required, Collection</p> <p>Section 30-10 Requirement for grease trap, grease interceptor, or other device.</p> <p>Section 31.5-15 Requirement to Prevent, Control, and Reduce Storm Water Pollutants [Parts (a) and (b)]</p>	<p>Yes, mandatory standards exist for new recycling and waste enclosure designs to require roofs and drainage connection to the sanitary sewer, among other standards and guidelines.</p> <p>City requires occupants of every premise to maintain/utilize sufficient solid waste containers (correct tight fitting lids and sufficient capacity) to accommodate waste generated between collection times. It also requires restaurants and food facilities to utilize appropriate equipment to store/dispose of all food waste, to be placed in leak- and rodent-proof containers, minimize odor and insect development with close-fitting lids. Sealed plastic bags must be utilized and placed in appropriate waste container. Removal and disposal must be performed in sanitary manner frequently to prevent nuisance. Waste storage areas shall be kept clean and free of litter, uncontained waste, and vermin, and free of noxious odors. Occupant or owner shall obtain and maintain adequate disposal service and is liable for and shall pay full amount of any and all fees or charges for such services.</p> <p>Additionally, fat, oil, and grease related to food establishments or related businesses must be captured with a grease trap, interceptor, or other comparable device.</p> <p>Section (a) refers to the “BMP Guidance Series” located in the MRSWMP, which contains the “Mandatory Design Standards”. As a part of these standards, mandatory source controls are required to be implemented for particular new and redevelopment projects captured by the applicability thresholds of the MRSWMP Mandatory Design Standards (also known as the Design Standards of Attachment 4 of the Small MS4 General Permit.)</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Do drainage policies, standards and details allow for infiltration of stormwater or separation of directly-connected impervious areas?	Code is silent on this.	City Code and policies do not prevent such a practice where applicable/feasible; MRSWMP and Joint Effort promote this practice.
<p>(1) If stormwater management is required, which redevelopment projects are required to meet the standard?</p> <p>(2) What are the applicability thresholds for other development types?</p>	Code is silent on this.	<p>(1) Per State General Permit (WQO No. 2003-0005-DWQ) Attachment 4 and 9, discretionary redevelopment projects meeting the seven (7) project categories listed in the "Design Standards" of Attachment 4 that create or add 5,000 square feet or more impervious area (definition in Attachment 9), are subject to post-construction storm water management. In the MRSWMP, this is otherwise known as the "Mandatory Design Standards".</p> <p>(2) Other than the applicability thresholds/categories listed in State General Permit Attachment 4, the new City Interim LID Program per Regional Board Joint Effort requires LID post-construction storm water management for discretionary new and redevelopment multi-family dwelling, commercial and industrial projects creating or adding 5,000 square feet or more of impervious surface. Routine maintenance projects and single-family dwelling (less than 25% slope) and accessory structure projects are exempt.</p>

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Is there a maximum impervious area for specific land uses or zones?	<p>Section 38-25(D)(7)(d) Permeable Open Space</p> <p>Section 38-11 Definitions</p> <p>Chapter 38 Articles 5 Residential Districts</p> <p>Chapter 38 Article 6 Commercial Districts</p>	<p>No, not specifically. Code Section 38-25(D)(7)(d) states that a significant portion of the site shall be developed with permeable surfaces to allow recharge wherever possible as approved by the Architectural Review Committee. An opportunity may exist to provide more definition and understanding of permeable surfaces, as well as provide examples of acceptable pervious surfaces and encourage preservation of natural areas and native soils.</p> <p>Lot coverage is defined for residential zones as the coverage of all structures on a lot with some exemptions.</p> <p>Residential zones generally require maximum lot coverage of 35-40%.</p> <p>Commercial zones allow 50-100% lot coverage with a Use Permit.</p>
Are "end of the pipe" facilities (proprietary stormwater quality treatment devices) allowed to be installed as stand-alone treatment?	Code is silent on this.	Yes. City and MRSWMP regulations do not prevent such a practice.
Does databases exist which can send out inspection reminders for the long-term maintenance of stormwater BMPs?	Code is silent on this.	No, not at this time.
Is a stormwater pollution prevention plan or other permit required as a condition of development?	Section 31.5-15(c) Requirement to Prevent, Control, and Reduce Storm Water Pollutants, Construction Sites	Yes, compliance with this Section and MRSWMP construction requirements is a condition of development.
Are maintenance agreement templates for stormwater quality facilities included in your engineering standards?	Code is silent on this.	The City recently developed a maintenance agreement template for an applicant's use.

BENCHMARK/OBJECTIVE	CODE REFERENCE AND SUMMARY OF EXISTING STANDARD	GAP BETWEEN EXISTING STANDARD AND BENCHMARK (OPPORTUNITY TO IMPROVE)
Other		
<p>(1) Is stormwater quality a topic of the pre-applicant conference? (2) Is a representative knowledgeable in stormwater obliged to attend? (3) Is a stormwater management plan required as part of the preliminary plan review process?</p>	<p>Code is silent on these topics.</p>	<p>(1) Pre-application meetings are not currently a City/Code requirement. However, if an applicant requests such a meeting, call, or emails us on the topic, the City meets with the applicant. (2) City staff knowledgeable in storm water would attend such a meeting if the project were applicable. Most importantly though, we see a need for applicants to have their engineer or other storm water professional present and involved in such meetings for project-specific understanding. (3) Previously, yes. However, due to recent applicants' concerns related to costs, Conditions of Approval are now utilized and storm water management plans are received at the plan check phase prior to building permit issuance for applicable projects.</p>
<p>Do applicants' CEQA Initial Studies include analyses of the potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas.</p>	<p>California Environmental Quality Act (CEQA) and Guidelines; and, Section 38-154 Environmental Review</p>	<p>Yes, potential storm water quality impacts related to pollutants of concern from the areas listed are considered during CEQA analyses. Additionally, whether a project is exempt or an Initial Study is prepared, projects must comply with MRSWMP water quality considerations related to these source areas.</p>

Gap Analysis Framework prepared by AHBL, Inc. from the following sources:

- Santa Clara Valley Urban Runoff Pollution Prevention Program Model Development Principles memo dated May 16, 2005
- Center for Watershed Protection Draft Code and Ordinance Worksheet
- Alameda Countywide Clean Water Program