RESOLUTION NO. 15796

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY, ESTABLISHING GREEN INFRASTRUCTURE DEVELOPMENT STANDARDS FOR NEW BUILDINGS AND SUBSTANTIAL COMMERCIAL REMODELS IN ACCORDANCE WITH CITY CODE CHAPTERS 18 AND 27A

WHEREAS, Chapter 18, Article XIV of the City Code for the City of Redwood City ("City") governs the planned extension and repair of utility and street improvements upon the construction of new buildings (residential or commercial) or upon substantial commercial remodeling of existing buildings; and

WHEREAS, a recent amendment to City Code Chapter 18, Article XIV added Section 18.236.1 (Utility Improvements - Stormwater) to establish stormwater improvement requirements upon construction of new buildings (residential or commercial) or upon substantial commercial remodeling of existing buildings. These requirements are detailed in the recently amended City Code Chapter 27A, Article II; and

WHEREAS, the purpose of these recent City Code amendments is to implement the City’s Green Infrastructure Plan ("GI Plan") and protect and enhance the water quality of our watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act, as amended, commonly known as the Clean Water Act (33 U.S.C. section 1251 et seq.); and

WHEREAS, being authorized to do so, the City wishes to establish design and development standards applicable to all new buildings (residential or commercial) and substantial commercial remodeling of existing buildings in accordance with its GI Plan and with the ultimate goal to protect said watercourses, water bodies, and wetlands through the implementation of green infrastructure; and

WHEREAS, on April 22, 2019, the City Council received a report from City staff and public comments from all interested parties regarding the design and development of a GI Plan for the installation of green infrastructure improvements; and

WHEREAS, on June 24, 2019, the City Council adopted the GI Plan and introduced related amendments to City Code Chapters 18 and 27A; and

WHEREAS, on August 26, 2019, the City Council adopted the amendments to City Code Chapters 18 and 27A; and

WHEREAS, the City wishes to set forth Green Infrastructure Development
Standards through the adoption of this Resolution as part of its GI Plan implementation, to be effective at the same time as the amendments to City Code Chapters 18 and 27A; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct, and are hereby incorporated by reference.

SECTION 2. The City Council of the City of Redwood City hereby adopts this Resolution establishing Green Infrastructure Development Standards for new buildings and substantial commercial remodels, which is attached hereto as “Exhibit A” and incorporated herein by reference.

SECTION 3. If any provision of this Resolution or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the Resolution that can be given effect without the invalid provision or application, and to this extent, the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any portion thereof.

SECTION 4. This Resolution shall be effective on September 25, 2019.

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EXHIBIT A

GREEN INFRASTRUCTURE DEVELOPMENT STANDARDS

The following design standards shall apply to all new commercial and residential buildings and all substantial commercial remodels except as noted:

A. DEFINITIONS

1. Commercial Building, Residential Building, New Building(s), and Substantial Commercial Remodeling are defined in Section 18.235 of the City Code.

2. Green Infrastructure ("GI"), C.3 Regulated Project, and Permanent Stormwater Pollution Prevention Measures ("PSPPM") are defined in Section 27A.36 of the City Code.

3. Large Development shall be defined as a project that is any of the following: a) a subdivision of 5 or more parcels; b) a property with twenty (20) or more new dwelling units; c) a new commercial property with fifty thousand (50,000) square feet of new floor area; or d) some combination of dwelling units and new square footage that would exceed the above thresholds.

B. NEW BUILDINGS

The construction of any new Commercial Building or new Residential Building, in addition to C.3 Regulated Projects, shall be required to install PSPPM for the entire property except as follows:

1. The construction of a new Accessory Dwelling Unit, as defined in Zoning Ordinance Article 37, is exempt from PSPPM requirements, unless the Accessory Dwelling Unit is constructed at the same time as a new Residential Building or the property falls into another category that requires the installation of PSPPM.

2. New Residential Buildings that consist solely of affordable housing (including extremely low-, very low-, low-, and moderate-income households) shall not be required to install PSPPM unless they meet the definition of a C.3 Regulated Project.

3. If Commercial Buildings exist within a property that has not previously been required to install PSPPM, the development of any new Commercial Building shall
require installation of PSPPM for a percentage of the site equal to the ratio of new building to existing building floor area.

C. SUBSTANTIAL COMMERCIAL REMODELING

The Substantial Commercial Remodeling of existing buildings shall be required to install PSPPM for the entire property except as follows:

1. For zero-lot line buildings and other similar buildings that lack the physical space to build the required improvements as determined by the City Engineer in their sole discretion.

2. Substantial Commercial Remodeling that consists of ten thousand (10,000) square feet or less of remodeled space.

3. If Commercial Buildings exist within a property that has not previously been required to install PSPPM, the development of the Commercial Building with the Substantial Commercial Remodeling shall require installation of PSPPM for a percentage of the site equal to the ratio of remodeled to existing building floor area.

D. GREEN INFRASTRUCTURE IN THE PUBLIC RIGHT-OF-WAY

All Large Developments shall provide a preliminary utility study including GI improvements in the right-of-way to capture and treat the runoff tributary to the project frontage. The City Engineer will review said study and determine whether the improvements are feasible and conform to other improvements located in the right-of-way. All GI improvements deemed feasible by the City Engineer shall be designed and constructed by the developer, and the developer and/or property owner shall enter into an agreement for the maintenance of those improvements in accordance with the same requirements for PSPPM.
Passed and adopted by the Council of the City of Redwood City at a Joint City Council/Successor Agency Board/Public Financing Authority Meeting thereof held on the 26th day of August 2019 by the following votes:

AYES: Aguirre, Borgens, Hale, Howard, Masur, Reddy and Mayor Bain

NOES: None

ABSENT: None

ABSTAINED: None

RECUSED: None

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Ian Bain
Mayor of the City of Redwood City

Attest:

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Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing resolution this 27th day of August 2019.

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Ian Bain
Mayor of the City of Redwood City

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