

**ORDINANCE NO. 2018-452**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LOS ALTOS AMENDING SECTIONS 10.16.020, 10.16.030, AND  
10.16.031 OF CHAPTER 10.16 STORMWATER POLLUTION  
PREVENTION MEASURES OF THE LOS ALTOS MUNICIPAL  
CODE TO REFLECT CURRENT REGIONAL WATER QUALITY  
CONTROL BOARD PERMIT REQUIREMENTS**

**WHEREAS**, the City of Los Altos is a member of the Santa Clara Valley Urban Runoff Pollution Prevention Program (Program), which consists of fifteen public agencies in Santa Clara County; and

**WHEREAS**, the California Regional Water Quality Control Board, San Francisco Bay Region (Board), administers the National Pollutant Discharge Elimination System (NPDES) permit program under the Federal Water Pollution Control Act; and

**WHEREAS**, on November 19, 2015, the Board adopted Order No. R2-2015-0049 under NPDES Permit No. CAS029718 (collectively, the Permit), which replaced and amended the 2009 NPDES Permit requirements; and

**WHEREAS**, it is necessary to partially amend certain sections of the Los Altos Municipal Code Chapter 10.16 to reflect the current Permit requirements; and

**WHEREAS**, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

**NOW THEREFORE**, the City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** A portion of Section 10.16.020, Definitions of Chapter 10.16 Stormwater Pollution Prevention Measures, Title 10 Public Services of the Los Altos Municipal Code is hereby partially amended as follows:

"Low impact development (LID) measures" means an approved combination of source control measures, site design measures, and/or stormwater treatment measures that reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. LID measures embody principles such as preservation and recreation of natural landscape features and minimization of imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. LID measures include rain barrels and cisterns, green roofs, permeable pavement, preservation of undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales and planter/tree boxes. The design and implementation of the LID measures must be in accordance with the guidelines and technical specifications provided by the City or other City-approved authority and the requirements of Order No. R2-2015-0049 and any subsequent orders.

"Permanent stormwater pollution prevention measures" or "PSPPM" means an approved combination of source control measures, site design measures, and/or stormwater treatment

measures that reduce stormwater pollution to the maximum extent practicable as required by Order No. R2-2015-0049 under NPDES Permit No. CAS612008 issued by the water board, as it may be amended from time to time. The design and implementation of the PSPPM must be in accordance with the guidelines and technical specifications provided by the city or other city-approved authority and the requirements of Order No. R2-2015-0049 and any subsequent orders.

**SECTION 2. AMENDMENT OF CODE:** Subdivisions A, C, and C.2.f of Section 10.16.030, Permanent Stormwater Pollution Prevention Measures Required of Chapter 10.16 Stormwater Pollution Prevention Measures, Title 10 Public Services of the Los Altos Municipal Code are hereby partially amended as follows:

A. Permanent stormwater pollution prevention measures shall be incorporated into the following projects (collectively referred to sometimes in this chapter as "regulated projects"):

1. All development projects;
2. All significant redevelopment projects;
3. All road projects;
4. All high impact projects;
5. All trail projects; and
6. All street widening projects.

C. Unless the project is exempt as a special project pursuant to administrative guidelines adopted by the city engineer and approved by the water board, all permanent stormwater pollution prevention measures shall include the following low impact development (LID) measures or other alternative measures to be approved by the city engineer:

2.
  - f. Treatment of one hundred (100) percent of the amount of runoff identified in subsection D. below for the regulated project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility.
    - i. LID treatment measures are harvesting and re-use, infiltration, evapotranspiration, and biotreatment.
    - ii. Biotreatment systems shall be designed to have a surface area no smaller than what is required to accommodate a five (5) inches/hour stormwater runoff surface loading rate. The planting and soil media for biotreatment systems shall be designed to sustain plant growth and maximize stormwater runoff retention and pollutant removal, and shall conform to material specifications approved by the water board and the city engineer.
    - iii. Green roofs may be considered biotreatment systems for treatment of roof runoff only if they conform to specifications approved by the water board and the city engineer.

**SECTION 3. AMENDMENT OF CODE:** Subsections A.2 and B of Section 10.16.031, Hydromodification management measures required of Chapter 10.16 Stormwater Pollution Prevention Measures, Title 10 Public Services of the Los Altos Municipal Code are hereby partially amended as follows:

- A.
  - 2. Projects located in areas designated as exempt from hydromodification management requirements on the hydromodification management plan applicability map contained in Attachment C of Order No. R2-2015-0049 under NPDES Permit No. CAS612008 issued by the water board, as it may be amended from time to time.
- B. Hydromodification management measures shall be designed and implemented in accordance with guidelines and technical specifications provided by the City or other City-approved authority, the requirements of Order No. R2-2015-0049 under NPDES Permit No. CAS612008 issued by the Water Board, as it may be amended from time to time, and the provisions of the hydromodification management plan for the Santa Clara Valley Urban Runoff Pollution Prevention Program as approved by the water board.

**SECTION 4. AMENDMENT OF CODE.** Section 10.16.036, Required site design measures for small projects and detached single-family home projects, is hereby partially amended as follows:

- A. Any private or public project under the planning and building authority of the City, which creates and/or replaces between two thousand five hundred (2,500) square feet and ten thousand (10,000) square feet of impervious surface, and detached single-family home projects which are not part of a larger plan of development which create and/or replace two thousand five hundred (2,500) square feet or more of impervious surface, shall install one or more of the following site design measures:

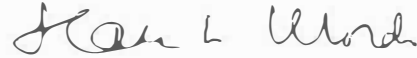
**SECTION 5. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 6. PUBLICATION.** This Ordinance shall be published as provided in Government Code section 36933.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 25, 2018 and was thereafter, at a regular meeting held on October 9, 2018 passed and adopted by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE



Jean Mordo, MAYOR

Attest:

  
Jon Maginot, CMC, CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA ) CERTIFIED COPY OF ORDINANCE  
CITY OF LOS ALTOS ) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2018-452, adopted by the Los Altos City Council on October 9, 2018 by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: October 3, 2018 and October 17, 2018. Said ordinance shall be effective November 9, 2018.

Dated this 5 day of November, 2018.

  
Jon Maginot, CMC  
City Clerk