

PLANNING COMMISSION STAFF REPORT

July 21, 2016 Meeting

Applicant:

Larry Lachner
Dynamo Constructors, Inc.
20455 Covina Hills Road
Covina, CA 91724

Case Type / Number:

Second-floor Review 16-07
Setback Modification 16-02

Property Owner:

Nitin and Sapna Dhariwal
4818 La Cañada Boulevard
La Cañada Flintridge, CA 91011

Site Address:

4818 La Cañada Boulevard

Case Planner:

Gary Yesayan

1. Request:

A Second-floor Review is requested for a new second-floor addition to an existing single-story residence at 4818 La Cañada Boulevard. A Setback Modification is also requested to allow retention of an existing, legal non-conforming garage to the rear, and for a 1'-4" front-yard encroachment by the main residence. The project will also include expansion at the first-floor level. Pursuant to the City of La Cañada Flintridge Zoning Ordinance, the removal of more than thirty percent (30%) of the existing roofed-area to accommodate the second-floor addition, qualifies the existing structure as "new". As such, any encroachments on site need to be brought into compliance or approved by the Planning Commission.

2. Location:

The project site is located along the east side of La Cañada Boulevard, midway between Flanders Road and Pequena Lane, within the R-1-10,000 zone.

3. Recommendation:

Staff recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A" attached to the draft resolution.

4. Previous Actions: None.

5. Floor-area Data:

Subject lot area:	9,100 sq. ft.
Maximum allowed floor area: (36%)	3,276 sq. ft.
Existing habitable area:	1,329 sq. ft.
Existing 613 sq. ft. garage to be reduced by 17 sq. ft.	596 sq. ft.
Proposed 1 st - floor addition:	500 sq. ft.
Proposed 1 st - floor entry porch (excluded from floor-area) per Section 11.11.050.B.3.d	(27 sq. ft.)
Proposed 2 nd -floor addition:	850 sq. ft.
Total floor-area after additions:	3,275 sq. ft.
Floor-area ratio:	36%

6. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Low Density Residential – up to 4 Dwelling Units per Acre. The property’s zoning designation is R-1-10,000 (Single Family Residential, 10,000 Square Foot Minimum Lot Size). The lot is presently developed with a single-story residence and a garage.

7. Environmental Impact Review:

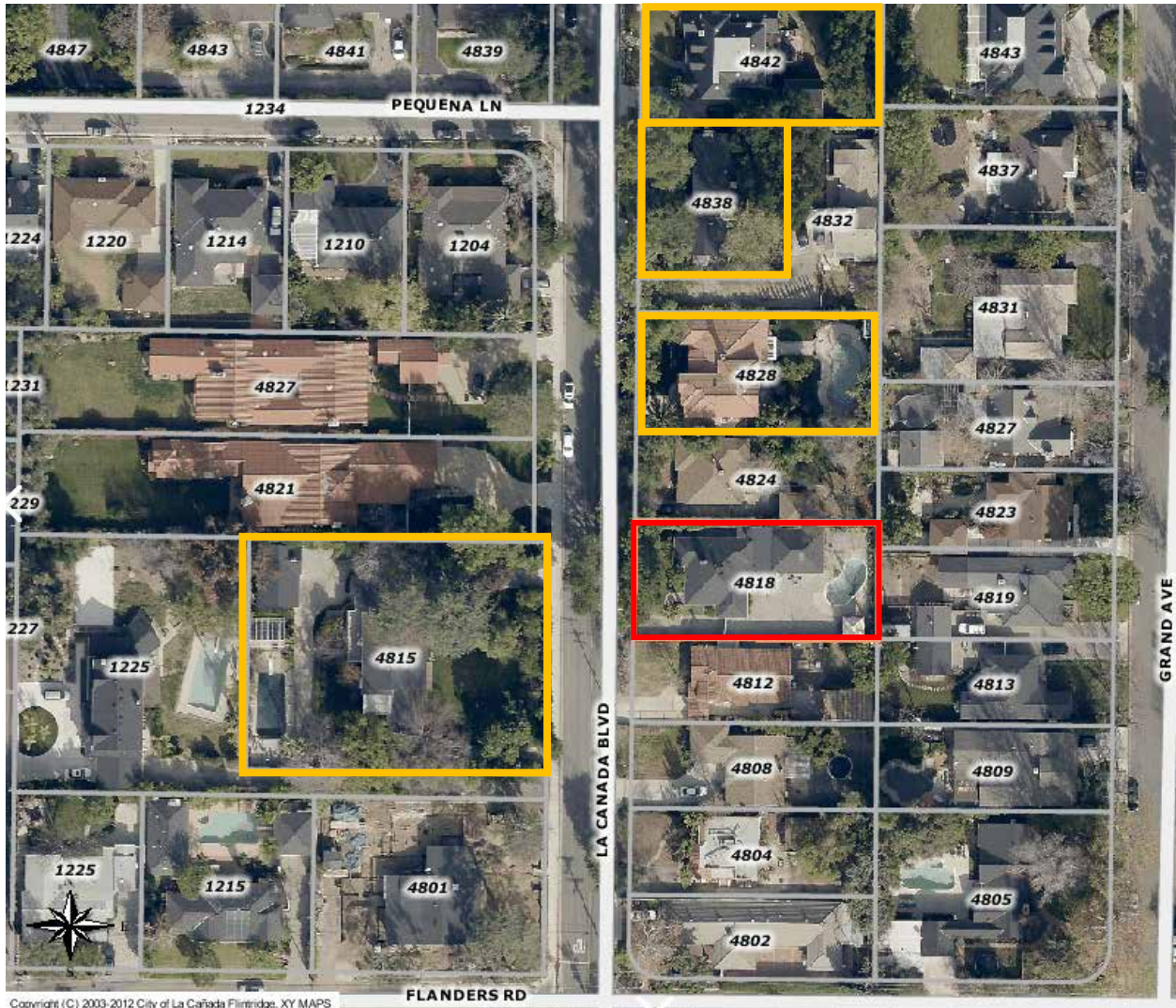
Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA), under Section 2.5(a)(4)(ii)(additions) and 2.5(e)(1)(minor variances) of the State Guidelines.

8. Pending and Potential Action: Structural Plan Check, Fire Department approval and issuance of building permits.

9. Staff Analysis:

A. Context:

Ascending north from Foothill Boulevard, La Cañada Boulevard includes a variety of single-story and two-story residential dwellings before ending at its peak. The variation of zoning designations ranging from R-1-7,500 to R-1-40,000 along La Cañada Boulevard provide architecturally diverse single-family homes along both sides of the street. Although the immediate adjacent structures are single story, directly across the street from the subject site is an existing two-story structure. Additionally, numerous two-story houses south and north of the subject site are also present. Ample mature trees along both sides of La Cañada Boulevard buffer most of the single story and two-story structures from public views. The subject house is located behind two established Pine trees located along the curb among other smaller trees. The majority of the lots within the immediate project vicinity are under 10,000 sq. ft., with a maximum permitted floor-area ratio of 36 percent.



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Two Story Homes

Project Site

B. Project Description:

The existing single-story residence will be expanded by a total of 1,350 sq. ft. At the first-floor level, a new family room will be extended toward the back yard and connected to the existing garage. This will allow direct access from the garage into the living room and the kitchen. The garage will be modified to include a bathroom and a laundry facility. The new 850 sq. ft. second floor will include an east-facing open deck overlooking the pool. The residence currently includes an unpermitted single-story addition constructed between the main structure and the garage. This structure encroaches within the north side-yard setback, and, as part of the new project, it will be demolished.

As a result of the second-floor addition, the overall height of the building will increase to 24'-10". This remains below the maximum permitted height of 28-feet for the 9,100 sq. ft. lot. The garage will maintain its existing height of 13'-6". A new entry porch at the front will maintain the required front-yard setback of 26'-6" and the required 6'-6" first-floor side-yard setback will be preserved throughout the site. The second-story addition is also designed to meet the minimum 13-foot side-yard setbacks for second floors. The development would result in a total floor area of 3,275 sq. ft., which is the maximum allowed for this 9,100 sq. ft. lot.

	Requirement	Existing	Proposed
Front Setback:	26'-6"	25'-2"	25'-2"
Side Setback:			
1 st Floor:	6'-6"	North 3'-0" / South 13'-4"	North 5'-0" / South 13'-4"
2 nd Floor:	13 feet	N/A	North 13'-2" / South 13'-4"
Rear Setback:	15 feet	31'-1"	31'-1"
Height:	28 feet	15'-6"	24'-10"

C. Second-floor Review:

Issues

The overall building height and bulk will ultimately increase as is the case with any new second floor. Since the neighboring properties are single story, the new second-floor addition will be noticeable. The existing mature Pine trees at the front although large, will screen the second-floor from certain perspectives. However, the second-floor addition will be setback 43-feet from the front property line which will significantly reduce visual bulk from the street. The residence with an existing total height of 15'-6" will be increased by 9'-4". Since the lot is under 10,000 sq. ft., the maximum height is limited to only 28-feet. This is lower than the standard 32-foot maximum for two-story homes on larger lots. Furthermore, the new second floor will not reach the 28-foot height maximum and will be limited to 24'-10" at the ridge as proposed.

At the second-floor level, the addition will introduce two restroom windows along the north elevation. The proposed deck at the second-floor level will primarily be oriented toward the back-yard facing east. A section of the deck's viewing area will also extend along the north side. However, as proposed, the deck is setback 21-feet from the north property line and as observed on site, dense landscaping along the north property line will limit neighboring views and potential privacy impacts. Along the east (rear) property line an existing fence is present with minimal landscaping. The second-floor and the deck will be located 62'-8" from the rear property line.

Findings:

- 1. The two-story design includes adequate setbacks, screening and modulation.**

The second-story addition is 43-feet from the front property line. This is 16'-6" beyond the minimum 26'-6" requirement for this lot. The second floor also preserves the required 13-foot minimum side-yard setback from its north and south property boundaries. The proposed second-floor setbacks are consistent with current standards. Along the north property line, dense existing landscaping is evident. No landscaping is present along the east and south property lines. While the addition exhibits modulation it is designed to maintain the architectural features and characteristics of the existing house. *Staff supports the finding.*

2. The two-story design preserves the existing scale and character of the surrounding neighborhood.

Although positioned between two single-story structures, this new two-story design is not incompatible with the existing neighborhood. Due to the size of the lot, the maximum height is limited to 28-feet, while proposed height will be limited to 24'-10". In addition to height consideration, the second-floor addition is substantially set-back from the street and recessed to minimize the appearance of mass and to preserve the character of the existing neighborhood. *Staff supports the finding.*

3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors.

While the overall height and the size of the existing structure will increase, the proposed addition is reasonable in size and scale. The house north of the project site would potentially be the most impacted; however, since it is single-story, no view blockage would occur. The second-floor addition will include two bathroom windows along its north elevation and a substantially recessed deck. Along the east side the second-floor addition and the deck will be 62'-8" from the rear property line. No privacy impacts are anticipated. *Staff supports the finding.*

4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council.

The scale, massing and materials utilized for the addition will be consistent with the existing structure. City's Residential Design Guidelines were applied to achieve a design, which through modulation, setbacks and limited overall height would create minimal impacts as observed from the neighboring properties and from the public right-of-way. *Staff supports the finding.*

D. Setback Modification:

Issues

The project site has two existing encroachments. The rear garage currently encroaches 3'-6" within the required 6'-6" north side-yard setback and is located 3-feet from the

north property line. Due to removal of more than 30 percent of the existing roofed-area to accommodate the second floor, the entire project is considered as “new”. Although the applicant had requested to maintain the 3-foot setback, staff, taking into account the extent of the proposed work, suggests that a 5-foot setback be provided along the north property line. This would shift the north wall of the garage 2-feet to the south. To maintain a minimum of 20-foot interior space, the south wall of the garage will also need to be relocated by 6-inches. The result would be a 1’-6” north side-yard setback encroachment. Staff also discussed the alternative of meeting the required 6’-6” side-yard setback; however, this would require a greater shift of the garage’s south wall to maintain a 20-foot interior depth. This would bring the garage significantly closer to the edge of the pool. Since the existing garage at 4824 La Cañada Boulevard, the neighbor north of the project site, is located directly on the property line, staff believes that providing a minimum 5-foot setback is appropriate and reasonable.

In addition, the existing residence has a minor 1’-4” front-yard setback encroachment. The first-floor addition will generally be to the rear of the structure with its existing footprint entirely preserved. The new front-yard porch will remain outside of the 26’-6” front-yard setback and will not create any additional encroachments. The existing 1’-4” front-yard encroachment is also to be retained and regarded as reasonable by staff.

Findings:

1. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity.

The project would increase the residential use but will not be developed beyond the lot’s permissible floor-area ratio. The existing legal non-conforming garage will generally be preserved with its existing 3-foot north side-yard setback increased to 5-feet. A small 1’-4” front-yard encroachment is also being retained. The proposed addition will be consistent with the existing structure and with the development within the vicinity. *Staff supports the finding.*

2. The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone.

The requested Setback Modification would allow retention of existing minor encroachments. No new structural encroachments are proposed. The existing garage is located 3-feet from the north property line. This distance would be increased to 5-feet. Additionally, an existing 1’-4” front-yard setback encroachment is also proposed to be preserved. Due to the prevalence of narrow lots, most properties within the project vicinity display minor structural encroachments. This request will not grant a special privilege and will be consistent with the development within the neighborhood. *Staff supports the finding.*

- 3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards.**

The existing garage and the first-floor will be preserved in conjunction with the second-floor addition. Mandating conformance to the required setback will entail demolition of the front façade and the garage. Since the encroachments are minimal, and the project is considered “new” due to roof removal and not complete demolition, retention of these existing minor encroachments is reasonable. All new first floor and second-floor additions will conform to the required setbacks in addition to all other applicable zoning standards. *Staff supports the finding.*

- 4. The Modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property located in the vicinity.**

There is no evidence to suggest any public health, safety or general welfare impacts. The modification is requested to maintain existing encroachments. No new encroachments are proposed. The existing garage located 3-feet from the north property line will be relocated to provide a 5-foot north side-yard setback per staff’s recommendation, given that the adjacent garage located at 4824 La Cañada Boulevard is located on the north property line. *Staff supports the finding.*

- 5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood.**

The front yard and side-yard encroachments will have no impact on the scale and character of the surrounding neighborhood. No view or aesthetic impacts are anticipated. *Staff supports the finding.*

E. Summary/Recommendation:

Based on the review and project evaluation, positive Second-floor Review and Setback Modification findings can be made. Staff therefore recommends that the request **BE APPROVED**, subject to the conditions of approval listed in Exhibit “A”, attached to the draft resolution.

C:

*Applicant - Larry Lachner
Dynamo Constructors, Inc.
20455 Covina Hills Road
Covina, CA 91724*

*Property Owner:
Nitin and Sapna Dhariwal
4818 La Cañada Blvd.
La Cañada Flintridge, CA 91011*



RESOLUTION NO. 16 -

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING SECOND-FLOOR REVIEW 16-07
AND SETBACK MODIFICATION 16-02
TO ALLOW 2ND-FLOOR ADDITION AND 1ST-FLOOR EXPANSION
OF AN EXISTING SINGLE-STORY RESIDENCE
AND TO RETAIN A NON-CONFORMING 1ST-FLOOR
FRONT YARD SETBACK AND TO INCREASE THE NORTH SIDE-YARD
SETBACK AT 4818 LA CAÑADA BOULEVARD
AS REQUESTED BY
NITIN & SAPNA DHARIWAL**

WHEREAS, a request by Nitin and Sapna Dhariwal has been received for Second-floor Review and a Setback Modification to allow 1st-floor expansion of 500 square feet and a 2nd-floor addition of 850 square feet of an existing single-story residence with retention of a non-conforming 1st-floor front-yard setback of 1'-4" and increase of the north side-yard setback from 3'-0" to 5'-0", said request attached and incorporated by reference; and

WHEREAS, the public hearing, noticed for June 28, 2016, was re-scheduled to July 21, 2016, due to lack of quorum; and

WHEREAS, the Planning Commission, on July 21, 2016, after publication and posting in the prescribed manner, held a public meeting and conducted a review of the request; and

WHEREAS, the Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(a)(4)(ii)(additions) and 2.5(e)(1)(minor variances) of the State Guidelines for the implementation of CEQA; and

WHEREAS, the Planning Commission finds that all the facts contained in the staff report dated June 28, 2016 regarding the application for Second-floor Review and a Setback Modification at 4818 La Cañada Boulevard are true and correct, and the Planning Commission hereby adopts said staff report as its own findings of facts; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission finds the following:

Section 1.

Second-floor Review:

1. The two-story design includes adequate setbacks, screening and modulation since the second-story addition is 43-feet from the front property line. This is 16'-6" beyond the minimum 26'-6" requirement for this lot. The second floor also preserves the 13-foot side-yard setback from its north and south property boundaries. Along the north property line, dense existing landscaping is evident. No landscaping is proposed or present along the south property line. While the addition exhibits modulation it is designed to maintain the architectural features and characteristics of the existing house.
2. The two-story design preserves the existing scale and character of the surrounding neighborhood. Although positioned between two single-story structures, this new two-story design is not incompatible with the existing neighborhood. Due to the size of the lot, the maximum height is limited to 28-feet, while proposed height will be limited to 24'-10". In addition to height consideration, the second-floor addition is substantially set-back from the street and recessed to minimize the appearance of mass and to preserve the character of the existing neighborhood.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors, since the proposed addition is reasonable in size and scale. The house north of the project site would potentially be the most impacted; however, since it is single-story, no view blockage would occur. The second-floor addition will include two bathroom windows along its north elevation and a substantially recessed deck. Along the east side the second-floor addition and the deck will be 62'-8" from the rear property line. No privacy impacts are anticipated.
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council. The scale, massing and materials utilized for the addition will be consistent with the existing structure. City's Residential Design Guidelines were applied to achieve a design which through modulation, setbacks and limited overall height would create minimal impacts as observed from the neighboring properties and from the public right-of-way.

Setback Modification:

1. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity since the project would increase the residential use but will not be developed beyond the lot's permissible floor-area ratio. The existing legal non-conforming garage will generally be preserved with its existing 3-foot north side-yard setback increased to 5-feet. A small 1'-4" front-yard encroachment is also being retained. The proposed addition will be consistent with the existing structure and with the development within the vicinity.
2. The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone, as the requested Setback Modification would allow retention of existing minor encroachments. No new structural encroachments are proposed. The existing garage is located 3-feet from the north property line. This distance would be increased to 5-feet. Additionally, an existing 1'-4" front-yard setback encroachment is also proposed to be preserved. Due to the prevalence of narrow lots, most properties within the project vicinity display minor structural encroachments. This request will not grant a special privilege and will be consistent with the development within the neighborhood.
3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards, since the existing garage and the first-floor will be preserved in conjunction with the second-floor addition. Mandating conformance to the required setback will entail demolition of the front façade and the garage. Since the encroachments are minimal, and the project is considered "new" due to roof removal and not complete demolition, retention of these existing minor encroachments is reasonable. All new first floor and second-floor additions will conform to the required setbacks in addition to all other applicable zoning standards.
4. The Modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property located in the vicinity because there is no evidence to suggest any public health, safety or general welfare impacts. The modification is requested to maintain existing encroachments. No new encroachments are proposed. The existing garage located 3-feet from the north property line will be relocated to provide a 5-foot north side-yard setback per staff's recommendation.
5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other

property values in the neighborhood since the front yard and side-yard encroachments will have no impact on the scale and character of the surrounding neighborhood. No view or aesthetic impacts are anticipated.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Second-floor Review and Setback Modification at 4818 La Cañada Boulevard, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 21st day of July, 2016.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
SECOND-FLOOR REVIEW 16-07
SETBACK MODIFICATION 16-02
4818 LA CAÑADA BOULEVARD

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Second-floor Review 16-07 and Setback Modification 16-02.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, building elevations, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained substantially as shown on the plans labeled Second-floor Review 16-07 and Setback Modification 16-02, except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 24 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to project approval expiration if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building & grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the

applicable legal standards for determining when vested property rights to complete the project have arisen.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the city.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Second-floor Review and Setback Modification. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Community Development Director or the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development or Planning Commission. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets.

Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.

12. **Prior to final building inspection** the play structure within the front yard setback shall be removed or an application for Director's Review shall be submitted for review.
13. **Prior to building permit issuance** protection recommendations during construction activity shall be obtained from the Public Works Department for the City trees located at the front of the project site.
14. Any work in the public right-of-way shall conform to City standards, codes and requirements.
15. An encroachment and/or excavation permit shall be required for any work within the public right-of-way.
16. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Commission for additional review and approval prior to permit issuance.
17. Unless this approval is appealed to the City Council, story poles shall be removed promptly (within one week) after expiration of the 15-day appeal period. Verification of this shall be required prior to submittal of the project for plan check OR prior to issuance of building permits for those projects where "at-risk" plan check is in process or has already been completed.
18. The City of La Cañada Flintridge is a Permittee under the Los Angeles County National Pollutant Discharge Elimination System, NPDES Permit No. CAS614001 and as such is required by federal and state law to implement procedures to prevent and control the entry of pollutants and non-storm water discharges into the City's storm drain system to the maximum extent practicable. No person shall commence or continue any construction project in the City of La Cañada Flintridge that causes the disturbance of City right-of-way by clearing, grading, cold milling, saw cutting, paving, or excavating without obtaining a permit from the City. Pursuant to state and federal law, such permit shall include NPDES requirement as summarized below. The following requirements shall apply to all projects undergoing construction in the City of La Cañada Flintridge. The requirements set forth below shall apply at the time of demolition of an existing structure or construction.

- a) No washing of construction or other industrial vehicles shall be allowed adjacent to a construction site. No water from washing vehicles on a construction site is allowed to run off into the City's storm drain system.
- b) Sediment, construction waste, and other pollutants from construction sites and parking areas shall be retained on the site to the maximum extent practicable. The discharge from washing out concrete trucks and saw cutting, cold milling materials to the gutter or storm drain system is prohibited.
- c) Any sediment or other materials which are not retained on the site shall be removed the same day prior to leaving the site. Where determined necessary by the City Engineer or his or her designated representative, a temporary sediment barrier shall be installed.
- d) On an emergency basis only, plastic covering may be utilized to prevent erosion of an otherwise unprotected area, along with runoff devices to intercept and effectively convey the runoff to the storm drain system after elimination of contaminants.
- e) Drainage controls shall be utilized, as needed, depending on the extent of proposed construction activities.
- f) Contractor shall refer to and be familiar with the most recent edition of the Construction Best Management Practices Handbook, produced and published by the Storm Water Quality Task Force, to be used for specific guidance on selecting Best Management Practices for reducing pollutants in storm water discharges from construction activities.
- g) Littering. No person shall throw, deposit, place, leave, maintain, keep or permit to be thrown, deposited, placed, left or maintained or kept, any refuse, rubbish, garbage, broken concrete, or any other discarded or abandoned, articles or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant, except in containers, recycling bags, or other lawfully established waste disposal facilities.

Whenever an authorized inspector has reasonable cause to believe that there exists on the construction site any condition which constitutes a violation of the provisions of the requirements herein, the permit will be voided and no longer in effect, and all construction work on the site shall be terminated at the contractor's expense.