

### D – CONSTRUCTION MITIGATION

Any damage to the vegetation, slope, or placement of boulders due to or related to construction shall be mitigated as provided herein.

**Standard CM-1:** Due to the area's proximity to the Petroglyph National Monument and the importance of protecting petroglyphs from fugitive dust that may arise ~~In order to minimize opportunities for fugitive dust during site development and construction,~~ development shall comply with the following standards:

- a. All development ~~over~~  $\frac{3}{4}$  acres or over [15] must comply with the joint Albuquerque and Bernalillo County Fugitive Dust Ordinance found in the New Mexico Administrative Code 20.11.20.
- b. All development must comply with the City Drainage Control Ordinance and the Flood Hazard Control Ordinance, including a requirement for an approved Erosion and Settlement Control Plan prior to being issued a grading permit.
- c. ~~Due to the area's proximity to the Petroglyph National Monument and the importance of protecting petroglyphs from fugitive dust, preferred methods for soil stabilization should be incorporated where appropriate.~~
- c.d. ~~For all non-residential and mixed-use developments, grading permits shall only be issued concurrently with building permits. For developments over  $\frac{3}{4}$  of an acre or over [15], applicants shall provide proof of a 20.11.20 NMAC Fugitive Dust Control Permit from the Environmental Health Department prior to being issued a building permit.~~
- d.e. ~~For exclusively residential developments, a grading permit shall only be issued after a preliminary plat and an Erosion and Sediment Control Plan have been approved.~~
- f. ~~In situations that require grading without a building permit or a preliminary plat, or in advance of a building permit or a preliminary plat, the City Engineer may grant a grading permit if an applicant makes a special request, provided that the requirements in items (a) through (c) above are met, as well as other requirements from both the City Engineer and the City Environmental Health Department. [16]~~
- e.g. ~~Grading within public rights-of-way or public easements is exempt~~ requires a fugitive dust permit and grading permit per items a and b above. [13]

~~Grading permits shall only be issued concurrently with building permits for all non-residential and mixed-use developments, as well as residential developments over two lots. Grading permits for commercial lot developments in the Volcano Cliffs Sector Development Plan Area will be issued concurrently with the respective commercial building permits. Grading permits for residential developments greater than 10 acres shall require soil stabilization, approved by the Environmental Health Department, which shall be applied to the disturbed area within three months after grading of the site commences. Grading within public rights-of-way or public drainage easements is exempt. [13]~~