

**Attachment 1 – Draft Resolution with Findings**

**CITY OF SAN MATEO  
RESOLUTION NO. \_\_ (2023)**

**APPROVING SPECIAL USE PERMIT, SITE PLAN AND ARCHITECTURAL REVIEW, SITE DEVELOPMENT  
PLANNING APPLICATION, AND USE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
CATEGORICAL EXEMPTION FOR CONSTRUCTION OF A NEW MIXED-USE BUILDING CONSISTING OF  
OFFICE USES AND 120 RESIDENTIAL UNITS LOCATED AT 477 9<sup>TH</sup> AVENUE  
(PA-2022-047, 477 9th AVENUE, MIXED-USE PROJECT)**

WHEREAS, Stephen Siri of the Martin Group (herein referred to as the “Applicant”) submitted a planning application PA-2022-047 with the Planning Division for a Special Use Permit, Site Plan and Architectural Review, and Site Development Planning Application, for construction of a new mixed-use building consisting of 29,207 square-feet of office uses and 120 residential units located at 477 9th Avenue (collectively referred to as “Project”) in the City of San Mateo (“City”); and,

WHEREAS, the proposed Project is located within the Downtown Area Plan study area; and,

WHEREAS, the San Mateo City Charter and Municipal Code Section 23.40.040 authorize the Planning Commission to take final action on Site Plan and Architectural Review for Projects of six or more dwelling units and over 10,000 square feet of non-residential development; and,

WHEREAS, approval of the Applicant’s proposal is considered a “Project” for purposes of the California Environmental Quality Act, Pub. Resources Code §21000, et seq. (“CEQA”); and

WHEREAS, the City finds that the Project is Categorically Exempt from CEQA under Section 15332 In-Fill Development Projects based on the findings in the section below; and,

WHEREAS, the City finds the Project consistent with the applicable policies of the General Plan and other applicable policies as set forth in the below section; and,

WHEREAS, the Planning Commission held a duly noticed public hearing for the Project on \_\_\_\_\_, continued from November 28, 2023 at the Applicant’s request, and considered all public comments.

NOW, THEREFORE BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, CALIFORNIA AS FOLLOWS:

1. The Planning Commission finds on the basis of the whole record before it that the Project will not have a significant effect on the environment and is therefore Categorically Exempt from the provisions of CEQA under CEQA Section 15332 (In-Fill Development Projects).

- a. The Project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as the applicable zoning designation of E2-2 (Executive Office with a 2.0 maximum Floor Area Ratio) and regulations.
- b. The Project site is located within the City of San Mateo on a Project site less than five acres (1.6 acres) that is surrounded by urban uses.
- c. The Project site has no value for endangered, rare, or threatened species. The Project will not have a substantial adverse effect on any riparian habitat or sensitive natural community, or on any species identified as a candidate, sensitive, or special status species, identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The Project will not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means, and will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, nor will it conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The Project will not impact any threatened or endangered biological resources, as the site is developed. The Project will include the removal of 32 trees and planting of 19 new trees on the Project site, 11 of which are street trees. The Project Applicant will pay a fee in lieu for the difference between the number of trees removed and the number of new trees to be planted, as required under SMMC 13.40 and 27.71.

- d. Approval of the Project will not result in any significant effects relating to traffic. Fehr & Peers, the City's traffic consultant, prepared a Transportation Impact Assessment (TIA), and Steer, the City's transportation demand management (TDM) consultant, prepared a TDM Plan. The TIA concludes that while the Project would generate a net increase in the number of vehicle trips during the weekday AM peak and PM peak hours and a net increase in the Vehicle Miles Traveled (VMT) when compared to the existing uses, it will have a less than significant impact through the Project design and incorporated conditions of approval which includes implementation of the TDM Plan.

The TDM plan contains numerous measures to encourage use of alternative transportation modes, including reduced parking, new resident and employee packets, an on-site TDM coordinator, bike lockers, sustainable transportation incentives, etc.

The Project will not conflict with an applicable congestion management program and will not result in a change in air traffic patterns. The Project will not substantially increase hazards due to a design feature or incompatible uses, result in inadequate emergency access or inadequate parking capacity, conflict with other adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. All safety elements will be designed to meet applicable California Building, Fire, Safety and any other requirements.

- e. Approval of the Project will not result in any significant effects relating to noise with the incorporation of Project conditions of approval. The Project, as conditioned, will not expose persons to, or generate, noise levels, groundborne vibration, or groundborne noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards, and will not create a substantial permanent increase in ambient noise levels in the Project vicinity above existing levels.

The Project may expect a substantial temporary or periodic increase in groundborne vibration during construction. Noise generated during construction would differ depending on the construction phase and the type and amount of equipment used at the construction site. The Applicant will be required to abide by the Project conditions of approval, construction work hours, and the City's Noise Element and Noise Ordinance.

- f. Approval of the Project will not result in any significant effects relating to air quality. The Project will not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or Projected air quality violation, result in a cumulatively considerable net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people.

The Project will have limited impact on air quality and would not subject surrounding businesses, visitors, residents, and/or neighbors to objectionable odors.

The Project would not result in additional exposure of sensitive receptors to substantial pollutant concentrations in the long term but has the potential to generate dust and other pollutants, during demolition, grading, and construction. The impact of dust generated by demolition, grading and/or construction activities is temporary in nature and limited to site preparation and future construction of the new development. The Project conditions of approval would minimize dust and vehicle emissions during grading and construction activities.

- g. Approval of the Project will not result in any significant effects relating to water quality. The Project will not violate any water quality standards or waste discharge

requirements or substantially deplete groundwater supplies or interfere substantially with groundwater recharge as the site is not serviced by nearby wells, nor will it alter the existing drainage pattern of the site or area, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems.

The Project will not otherwise substantially degrade water quality or place housing or structures within a 100-year flood hazard area since the Project is not located within a 100-year flood plain.

- h. The site is adequately served by all required utilities. The Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, require or result in the construction of new storm water drainage facilities or expansion of existing facilities. The Public Works department has determined that there is adequate infrastructure capacity serving the site to adequately handle the increases. The Project is conditioned to obtain a Will Serve letter from CalWater prior to issuance of any building permit.
- i. The site is adequately served by all required public services. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for Fire protection, Police protection, Schools, Parks, or other public facilities. The Project will be subject to various impact fees, and is located in an urbanized area served by municipal services, therefore it is not anticipated to significantly impact public services or require the additional construction of public facilities as the proposed multi-family residential use can be accommodated with existing levels of service.

BE IT FURTHER RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, CALIFORNIA AS FOLLOWS:

1. The Project conforms to applicable policies of the Land Use, Circulation, Urban Design, Housing, Conservation and Open Space, and Noise Elements of the City's General Plan.
  - a. The Project conforms to Policy LU 1.8 of the Land Use Element, which encourages allowance of mixed-use developments that include multi-family dwellings in non-residential land use categories. The Project combines both office uses and multi-family residential uses, which also complements the existing commercial uses in the vicinity and in the adjacent downtown core. In conformance with Policies LU 2.4 and 3.1, the Project proposes these uses at high intensities and densities to further the downtown area as the social, cultural, and economic center of the City.
  - b. In conformance with Policies C2.5 and 2.10 of the Circulation Element, a Transportation Impact Analysis and Transportation Demand Management Plan have

been prepared for the Project. The Project will also install new pedestrian enhancements such as sidewalks, ramps, and streetlights in conformance with Policies C4.4 and C4.5. Lastly, the Project is within 0.5-mile of a major public transit stop, which is the Downtown San Mateo Caltrain Station. Therefore, subject to Government Code Section 65863.2 (Assembly Bill 2097), there are no minimum parking requirements or parking in-lieu fees for this Project.

- c. The Project conforms to Policies UD 2.3 of the Urban Design Element in that the proposed design and materials will greatly enhance an area without a predominant style. The Project proposes a Spanish Revival Style building with traditional elements, such as arched entries and enhanced building corners, and uses high-quality materials that consist of cast stone base and cement plaster walls. In addition, the Project provides an abundance of public improvements and open space opportunities, such as a mini dog park, widened sidewalks and public plaza, in conformance with Policies UD 2.5 and 2.9.
- d. The Project conforms to Policy H1.3 of the 2023-2031 Housing Element in that the Project provides 120 new rental housing units in a mixed-use building. In addition, the Project devotes twelve of the total units to the very low-income category and will be responsible for payment of a Commercial Linkage Fee in conformance with the City's below-market-rate inclusionary program and Policy H3.3.
- e. Policy C/OS 6.6 of the Conservation and Open Space Element requires that new developments provide street trees, which this Project conforms to in that it will plant a total of 19 new trees, 11 of which are street trees that are proposed in conformance to the Street Tree Master Plan. The Project will pay an in-lieu fee for the remainder of any trees that are not replaced on-site.
- f. The Project conforms to Policies N1.1 and N1.2 of the Noise Element in that a Noise and Vibration Report was prepared for the Project, which provides noise reduction measures and recommendations. An Acoustical Analysis will be required for the Project at the building permit stage to ensure that operational noise levels will not exceed noise limits. In addition, the Project shall conform to Policy N2.1 in that noise measures and monitoring during construction have been included as conditions of approval.

2. The Project conforms to applicable policies of the City's Downtown Area Plan.

- a. In conformance with Policy I.3, the Project proposes a well-designed Spanish Revival Style building at an appropriate building scale and massing, which serves as a landmark entrance to the downtown core from east of the railroad corridor. The Project also integrates new street trees, sidewalks and a public plaza to further enhance pedestrian connectivity from 9<sup>th</sup> Avenue and S. Claremont Street to the downtown core.
- b. The Project conforms to Policies II.8 and II.10 in that the Project integrates both office and residential uses in the E2-2 zoning district to support the downtown retail core

and complement the existing office, commercial, and residential uses in the surrounding South Claremont sub-area.

- c. The Project's proposed building setbacks (7'-6") and building height (53'-6" plate line) conforms to the minimum setbacks and building height provisions of the Zoning Code and provides enhanced sidewalks along the Project street frontages for substantial conformance with Policies III.2 and III.3. The Project proposes to increase the maximum bulk or Floor Area Ratio (FAR) limits from 2.0 to 3.0 and to reduce at-grade open space from 20% to 15%, which are allowed as a waiver and concession request under the State Density Law (California Government Code Section 65915).
- d. In conformance with Policies III.7 and III.8, the Project activates the pedestrian realm with new landscaping, bicycle parking, street trees at the street-level that is consistent with the Street Tree Master Plan and other recently approved development projects in the downtown area.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, DOES HEREBY APPROVE 477 9<sup>TH</sup> AVENUE MIXED-USE PROJECT, PA-2022-047 AT 477 9<sup>TH</sup> AVENUE, BASED UPON THE FOLLOWING FINDINGS FOR APPROVAL AND THE CONDITIONS OF APPROVAL INCLUDED IN EXHIBIT A TO THIS RESOLUTION:

1. The Special Use Permit (Municipal Code Section 27.74.020) application and associated Conditions of Approval to allow residential uses are approved based on the findings that:
  - a. The Project is a mixed-use development that results in an increase of office uses (approximately 7,606 square-feet of net new gross floor area) and new housing units, which is consistent with the existing uses of the site and surrounding neighborhood. The Project has also been analyzed to not cause disturbance to the surrounding neighborhood with respect to traffic or noise.
  - b. Granting of the Special Permit for residential uses will not adversely affect the general health, safety and/or welfare of the community nor will it cause injury or disturbance to adjacent property by traffic or by excessive noise, smoke, odor, noxious gas, dust, glare, heat, fumes or industrial waste given that the proposed residential uses are compatible with existing residential uses to the northwest.
2. The Site Plan and Architectural Review (Municipal Code Section 27.08.030) application for construction of a mixed-use building and associated Conditions of Approval are approved based on the following findings:
  - a. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood in that:
    - i. The Project proposes a high-quality, Spanish Revival Style building using traditional details and contemporary materials that positively enhance the existing neighborhood character of the surrounding area;

- ii. The Project serves as a positive transition between the existing office, commercial and residential uses within the South Claremont neighborhood to the downtown retail core, by providing new sidewalks, street trees and streetlights to further enhance the 9<sup>th</sup> Avenue corridor;
  - iii. The Project provides substantial site plan and landscape improvements to create an inviting, walkable pedestrian realm that substantially conform with the City's guidelines relating to sidewalks.
- b. The development will not be detrimental to the harmonious and orderly growth of the City in that:
  - i. The Project is consistent with Land Use Policy LU 1.14 of the City's General Plan allowing residential uses in nonresidential land use areas without a residential overlay district through a Special Use Permit. The Project provides residential and office uses that together complement existing commercial and residential uses in the vicinity and in the downtown core to the west;
  - ii. The Project has analyzed traffic, circulation, parking, and noise to minimize impacts to the neighborhood;
  - iii. The Project is consistent with the General Plan and Zoning Code excepting standards modified under the State Density Bonus law; and,
  - iv. The Project is in substantial conformance with the Downtown Area Plan, Bicycle Master Plan, and Citywide Pedestrian Master Plan.
- c. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare in that:
  - i. The Project consists of a new mixed-use building with office uses and residential uses at high intensities and densities in an area well-served by public transit;
  - ii. The Project provides new, quality housing units, particularly rental housing to further opportunities for those unable to manage the expense of ownership housing; and,
  - iii. The Project optimizes the Project vicinity's development potential for mixed-use commercial and residential uses to further downtown as the social, cultural and economic center of the City.
- d. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site.
- e. The development will not adversely affect matters regarding police protection, crime prevention, and security in that the buildings, paths of travel, and parking facilities will be

required to conform to the City's current Security Ordinance through conditions of approval.

3. The Site Development Planning Application (Municipal Code Section 23.40.040) for the removal of major vegetation and associated Conditions of Approval are approved based on the following findings:
  - a. The Project will result in the removal of 32 existing trees, seven of which qualify as Protected Trees. The removal of these trees is necessary to accommodate the development of the proposed Project. The project proposes appropriate replacement landscaping to enhance the site and pedestrian realm through planting of 19 trees, including 11 new street trees along both frontages of the Project.
  - b. All concerns regarding tree removal on the site have been addressed as conditions of approval requiring conformance to the City's landscape regulations, through the provision of extensive landscaping, including planting of 19 new trees, 11 of which are street trees, as shown on the Project plans, and/or through the payment of a fee to the City's tree planting fund.



**EXHIBIT A**  
**CITY OF SAN MATEO PLANNING APPLICATION**  
**CONDITIONS OF APPROVAL**

PA-2022-047, 477 9TH AVE., SUP + SPAR + SDPA

477 9TH AVE 101, SAN MATEO, CA 94402-1854

PARCEL # 033281130

AS APPROVED BY THE PLANNING COMMISSION ON \_\_/\_\_/\_\_\_\_

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Types of Building permits include Demolition, Shoring/Excavation, Foundation, and Superstructure.

**The following conditions shall be satisfied prior to issuance of a DEMOLITION PERMIT, BUILDING PERMIT FOR SHORING OR FOUNDATION, or SITE DEVELOPMENT PERMIT, whichever is issued first, or prior to the deadline specified in that condition.**

**Planning Division (PA)**

- 1 APPROVED PLANNING APPLICATION CONFORMANCE – All building permit plans, details, and subsequent construction shall substantially conform with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The Community Development Director, or his/her designee, shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)
- 2 CONDITIONS OF APPROVAL – This complete list of Conditions of Approval shall be reproduced onto the second sheet of all building permit plan sets. (PLANNING)
- 3 CONSTRUCTION NOISE – As required in the Noise and Vibration Assessment prepared by Illingworth & Rodkin dated August 25, 2023, the applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible, as such the applicant and contractor shall incorporate the following standards:
  - (a) The applicant or their designated contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. This

construction plan shall be submitted to the Building and Planning Division subject to the review and satisfaction of the Community Development Director, or their designee prior to the issuance of any construction, grading or demolition permit.

(b) The applicant or their designated contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that measures be implemented to reduce the noise impact. The applicant or their designated contractor shall conspicuously post a construction project sign that includes a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

(c) The applicant or their designated contractor shall provide a plan for construction staging areas, which shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. The construction staging plan shall be submitted to the Planning Division and Public Works, subject to review and satisfaction of the Community Development and Public Works Directors, or their designees, prior to issuance of any construction, grading or demolition permit.

(d) Quieter saws, cement mixers, cranes, dozers, excavators, graders, and pavers shall be selected. No individual device or piece of equipment shall produce a noise level exceeding 90 dBA at a distance of 25 feet from the source, in accordance with San Mateo Municipal Code section 7.30.060(e).

(e) All internal combustion engine-driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

(f) Idling of internal combustion engines for longer than five minutes in duration shall be strictly prohibited.

(g) Stationary noise-generating equipment shall be located as far as possible from sensitive receptors and property lines. If they must be located within 30 feet of receptors and property lines, adequate muffling (with temporary barriers where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors to 90 dBA. All temporary barriers used shall be eight feet in height at minimum, continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three pounds per square foot (e.g., one-inch thick wood fence boards).

(h) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists. (PLANNING)

- 4 EXCAVATED SOILS – The applicant shall submit a compliance letter from San Mateo County Environmental Health Services to the Planning Division subject to the satisfaction

of the Community Development Director, or their designee, prior to issuance of a demolition or site development permit, whichever is issued first. The compliance letter shall indicate that site soils have been tested prior to disposal to confirm that the concentration of constituents present in site soils do not exceed hazardous waste criteria of local, state and federal regulations. If the concentration of constituents in the project site soils exceed hazardous waste criteria, the letter shall document how the project complies with city, regional, state, and federal laws that require the safe handling, removal, and disposal of hazardous building materials, prior to the start of building demolition activities. (PLANNING)

5 LANDSCAPE SOIL TESTING – The applicant shall submit a soils report prepared by a Soil Testing Laboratory for review and approval by the Planning Division. The report shall analyze the existing soil conditions and recommend any corrective action or soil amendment necessary to make the soil suitable to support the proposed plantings. Any proposed corrective action or soil amendments shall be incorporated into the landscape plans to the satisfaction of the Community Development Director or his/her designee. (PLANNING)

6 NESTING BIRDS AND MIGRATORY RAPTORS – All potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are planned to be removed by the project shall be removed prior to February 1 or after August 31, unless the applicant or his/her designee complies with the following procedures:

(A) Should construction activities be scheduled between February 1 or after August 31, pre-construction surveys shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats within 250 feet of the limits of construction activities. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 50 feet for other species), to ensure that nests of species protected by the Migratory Bird Treaty Act and California Department of Fish & Wildlife shall not be disturbed during project implementation. These buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest with the permission of the ornithologist.

(B) The applicant shall submit a report prepared by a qualified ornithologist indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her

designee. (PLANNING)

7 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall pay all outstanding planning application fees. (PLANNING)

8 PHASING PLAN – The applicant shall submit a complete phasing plan indicating all on-site and off-site infrastructure improvements and their estimated duration of construction. The applicant shall also indicate at what phase each off-site improvement is to be constructed. This plan shall be subject to the review by the Community Development Director or his/her designee. (PLANNING)

9 SITE DEVELOPMENT PERMIT FOR TREE REMOVAL – The applicant shall obtain a Site Development Permit for tree removal from the Planning Division for removal of existing trees with a diameter of 6 inches or larger at 54" above grade. The Site Development Permit for tree removal shall authorize the applicant to replace on-site and street trees equivalent or greater than the Landscape Unit (LU) value of trees to be removed by planting on-site and street trees, pay a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule upon permit issuance, or a combination of both. (PLANNING)

10 VECTOR CONTROL PLAN – The applicant shall enter into a contract with a pest control specialist and develop a vector control plan to be submitted for review and approval by the Community Development Director and the San Mateo County Mosquito and Vector Control District. The plan shall describe measures which shall be taken by the applicant to prevent rodent and pest infestation to adjacent sites, specify pest control measures, cover all phases of demolition, landscaping removal, and construction plus for a minimum period of six months after the completion of construction. The plan shall also specify that modifications will be developed and implemented should additional pest control measures be required during construction or demolition activity, subject to approval by the Community Development Department Director or his/her designee. (PLANNING)

#### **Building Division (PA)**

11 AMMR FOR EMERGENCY ESCAPE AND RESCUE OPENINGS FACING THE COURTYARD, LEVELS 3 TO 5 – The applicant shall, as a prerequisite to obtaining any permit issuance, submit an Alternative Means and Methods Request (AMMR) to the Building Division. The AMMR shall be subject to review and approval by the Building Official. The application

must include previously approved AMMR by the San Mateo Consolidated Fire Department (SMCFD), to support the proposed alternative methods of compliance. (BUILDING)

- 12 APPLICABLE BUILDING STANDARDS AND LOCAL CODES – All building permit plans shall demonstrate compliance with the applicable California Building Standards Codes and local amendments as adopted by the Building Division at the time of filing the building permit application. (BUILDING)
- 13 BAAQMD JOB NUMBER – The applicant shall submit an asbestos demolition and renovation notification job number (J#) from Bay Area Air Quality Management District. (BAAQMD). (BUILDING)
- 14 DEMOLITION – A building permit for demolition shall be issued in accordance with Section 23.06.100 of the San Mateo Municipal Code, to the satisfaction of the Building Official or his/her designee. (BUILDING)
- 15 PRE-CONSTRUCTION CONFERENCE FOR LARGE PROJECTS- A pre-construction conference shall be held at a time and location agreed upon by the City and applicant for the purpose of reviewing Conditions of Approval and construction-site procedures. The applicant shall be represented by his design and construction staffs, which include any sub-contractors. Departments having conditions of approval for the project will represent the City. This meeting shall be held prior to issuance of the Demolition Permit, Building Permit or Site Development Permit, and shall be satisfied prior to issuance of whichever permit is issued first. (BUILDING)
- 16 SITE SURVEY – The applicant shall provide a full site survey stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to: location and dimensions of property lines, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, and other structures. (BUILDING)
- 17 SOILS REPORT AND INVESTIGATION LETTER – The applicant shall submit a stamped, signed, and dated soils investigation report containing design recommendations and integrate recommendations into the plans as-appropriate, to the satisfaction of the Building Official or his/her designee. The applicant shall also submit a letter stamped and signed by the Geotechnical engineer of-record stating the plans and specifications

substantially conform to the recommendations in the soil report, subject to the satisfaction of the Building Official or his/her designee. (BUILDING)

**Fire Department (PA)**

- 18 FIRE FLOW – The applicant shall provide fire flow information to the Fire Plan Checker, which is subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

**Public Works Department (PA)**

- 19 ADDRESS PLAN – The applicant shall submit to the Public Works Department a final address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the Director of Public Works or designee prior to the submittal of plans for any demolition permit, building permit, or site development permit and shall be satisfied prior to issuance of whichever permit is issued first. (PUBLIC WORKS)
- 20 CHARGES FOR PUBLIC WORKS SERVICES – Prior to plan checking, the applicant shall be required to deposit with the City, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan check and construction of the project. The amount of the deposit shall be 0.3% of the project valuation or \$30,000, whichever is greater. The amount of the initial deposit shall not exceed \$100,000. Public Works plan checking of the plans submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to increase the deposit at the discretion of the City, for any costs in excess of the deposit. Invoices shall not become delinquent (shall be paid within 30 days of receipt). Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)
- 21 ENCROACHMENT PERMITS, BONDS, AND INSURANCE – The applicant shall obtain an encroachment permit, posting the required bonds and insurance, and provide a one (1) year warranty for all work to be done in the City's right of way or easements prior to any work being done. (PUBLIC WORKS)
- 22 GRADING AND DRAINAGE PLANS – All grading and drainage plans shall identify the vertical elevation datum, date of survey, and surveyor. Grading plans shall show existing topo and features at least 50' beyond the project boundary. Plan shall show existing topography, label contour elevations, drainage patterns, flow lines, slopes, and all other

property encumbrances. (PUBLIC WORKS)

- 23 NOTICE OF INTENT – For construction activities that will disturb one (1) acre or more, the project applicant shall obtain coverage under the General Construction Activity Storm Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB) for stormwater discharges associated with construction activity. To obtain coverage, the project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit shall be provided to the Public Works Department along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)
- 24 POLYCHLORINATED BIPHENYLS (PCB) SCREENING ASSESSMENT FORM – As per Stormwater Municipal Regional Permit requirements and San Mateo Municipal Code Chapter 7.39, Demolition Permit Applicants shall complete the PCBs Screening Assessment Form located here: <https://www.cityofsanmateo.org/160/Demolition-Requirements> The Form shall be reviewed and approved by the Director of Public Works or his/her designee. (PUBLIC WORKS)
- 25 REVERSION TO ACREAGE FINAL MAP – The applicant shall file a final map, prepared by a person authorized to practice land surveying in California, to eliminate the condominium subdivision on the parcel in conformance with San Mateo Municipal Code Chapter 26.52. The reversion to acreage final map shall be approved by the Department of Public Works prior to City Council approval and recorded by the County Recorder's Office prior to issuance of the first building permit.
- A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the map to the title company for recordation. Prior to the City's release of the final map to the title company, the applicant may, at the discretion of the Director of Public Works designee, be required to submit to the City an electronic copy of the map in PDF and the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)
- 26 STORMWATER POLLUTION PREVENTION PERMIT – The applicant shall obtain a

Stormwater Pollution Prevention Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program in accordance with San Mateo Municipal Code Chapter 7.39.170. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. (PUBLIC WORKS)

- 27 TRAFFIC CONTROL & SITE LOGISTICS PLANS – The applicant shall submit traffic control plans for any impact to the right-of-way for each phase of operation, including pedestrian and bicycle detour plans as applicable. The traffic control plan shall comply with the most recent version of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the City’s Traffic Control Plan Requirements.

The applicant shall also submit a site logistics plan for each phase of operation. The plan, at a minimum, shall include estimated timeframes for implementation, duration, construction operations. (PUBLIC WORKS)

#### **CDD Arborist (PA)**

- 28 STREET TREES – The landscape plans shall specify installation of street trees in accordance with the City of San Mateo Street Tree Master Plan. In accordance with Municipal Code Section 27.71.120(a)(1), 24-inch box shall be the minimum size for street trees planted along public streets and shall include tree grates and root barriers as specified by the City Standard Drawings 3-1-847 and 3-1-933. The landscape plans shall be subject to the review and approval of the Community Development Director, or his/her designee. (CDD ARBORIST)

- 29 TREE PROTECTION PLAN – Prior to the issuance of any building permit, an Arborist report and protection plan shall be required. All tree protection measures shall be consistent with the following Code requirements (SMMC 13.40.080):
- I. Six (6') foot high chain-link fence shall enclose the entire Tree Protection Zone (TPZ) of the tree(s). When fencing the TPZ area is not feasible, Trunk wraps in combination with Root & Soil buffers as specified in the Administrative Guidelines shall be installed within the TPZ to protect the trunk, roots, and branches from injury and avoid soil compaction.
  - II. Soil Compaction and disturbance from vehicles, storage of materials, structures, paving, excavation, grading, soil deposit, drainage, leveling, etc., shall be avoided within the TPZ. Otherwise, provisions must be made in the TPP to protect roots from injury and avoid soil compaction.
  - III. Trenching or excavation for irrigation, utility lines, services, pipe, drainage, or other



improvements below grade shall be located outside of the TPZ. Otherwise, provisions must be made in the TPP to protect roots from injury and avoid soil compaction.

IV. Pruning and Removal of Protected Trees shall be avoided. Otherwise pruning specifications must be made in the TPP. A separate permit shall be required when pruning more than 25% of existing foliage or cutting roots closer than six (6) times the trunk diameter of a Protected tree.

V. Disposal or depositing of oil, gasoline, chemicals, paints, solvents, or other materials within the TPZ or in drainage channels, swales, or areas that may lead to the TPZ shall be avoided.

VI. Periodic monitoring for Protected trees by the Project Arborist is required on a regular basis and whenever activities occur within the TPZ.

VII. The approved TPP shall contain the signature of the property owner and permit applicant. (CDD ARBORIST)

30 TREE PROTECTION VERIFICATION LETTER – To verify that all tree protection measures are properly implemented, the applicant shall submit a tree protection verification letter prepared by the project arborist to the Building Division that includes photographs showing the tree protection installed. The letter shall also include a schedule of future inspections by the Project Arborist. The verification letter is subject to the review and satisfaction of the Community Development Director, or his/her designee. (CDD ARBORIST)

**The following conditions shall be satisfied prior to issuance of a BUILDING PERMIT FOR THE SUPERSTRUCTURE.**

**Planning Division (PA)**

31 ACOUSTICAL ANALYSIS – The applicant shall provide an acoustical analysis prepared by a qualified acoustical consultant which shall contain recommendations to ensure the building's interior noise levels comply with the levels established in the General Plan or Municipal Code, whichever is more restrictive, subject to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)

32 CHILD CARE DEVELOPMENT FEE – The applicant shall pay a Child Care Development Fee subject to the rate established in the Comprehensive Fee Schedule in effect on January 13, 2022. (PLANNING)

33 COMMERCIAL LINKAGE FEE – The applicant shall pay the Affordable Commercial Housing

Linkage Fee in accordance with Municipal Code Section 23.61 and Resolution 84 (2016), subject to the rate established in the annual Comprehensive Fee Schedule in effect on January 13, 2022. (PLANNING)

34 EXTERIOR LIGHTING – An exterior lighting plan and light standard details shall be included in the plans submitted for building permit(s). The plans shall include: 1) the location on the property where each type of outdoor luminaire will be installed, indicating the type of fixture; and 2) the specifications for each outdoor luminaire to be installed including the manufacturer's catalog cuts, photometric study and drawings. All outdoor lighting shall comply with San Mateo Municipal Code 23.54 Building Security Code. Additionally, all outdoor lighting that is not regulated by State or federal law, shall be fully shielded with an opaque or translucent cover to avoid glare, and shall be downward directed, such that all light emitted by the fixture, either directly from the lamp or a defusing element, or indirectly by reflection or refraction from any part of the luminaire is below the horizontal plane, as determined by photometric test or certified by the manufacturer. (PLANNING/POLICE)

35 LANDSCAPING AGREEMENT – The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for the duration of the project's Plant Establishment Maintenance Period, which consists of three (3) growing season months (March through October) for all proposed landscaped areas. (PLANNING)

36 LOCATION AND SCREENING OF ABOVE GROUND UTILITIES AND EQUIPMENT – All screening for any ground-level utilities, equipment, and other project related operational/utility devices shall be shown on the building permit plans in substantial conformance with the approved planning application. All above ground utilities and equipment shall be screened with landscaping, fencing, and/or other solid materials to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)

37 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment shall be shown on the building permit plans in substantial conformance with the approved planning application. All equipment shall be painted and/or screened by a solid enclosure or parapet wall with materials compatible with the building design subject to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)

38 SIGNAGE – Preliminary signage shown in the approved planning application plans are for information only. Final signage shall be reviewed and approved in accordance with Title 25 of the Municipal Code. (PLANNING)

39 TRASH AND RECYCLING ENCLOSURES – All above-grade trash and recycling enclosures shall be shown on the building permit plans in substantial conformance with the approved planning application and be screened to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)

#### **Building Division (PA)**

40 CALGREEN – The building permit plans shall incorporate the applicable CALGreen Checklist noting the green building measures the project will incorporate in accordance with the California Green Building Standards Code and City of San Mateo Reach Codes subject to the review and approval by the Building Official, or his/her designee. Current City of San Mateo CALGreen checklists are located on Building Division webpage or will be provided by Community Development Department staff, if requested. (BUILDING)

41 WATER CONSERVATION IN LANDSCAPING – The applicant shall submit a completed Water Conservation in Landscaping Screening Form. If the screening form indicates the project is subject to the Water Conservation in Landscaping Ordinance pursuant to Municipal Code Section 23.72.030, additional documentation prescribed by the screening form shall also be included with the site plan. City of San Mateo Water Conservation in Landscaping forms are located on Building Division webpage. The applicant shall submit the required landscape documentation package with building permit application subject to the review and satisfaction of the Building Official, or his/her designee. (BUILDING)

#### **Fire Department (PA)**

42 CODE CONFORMANCE – The applicant shall indicate on all building permit plans that all construction shall meet current code standards at the time of building permit submittal. The building permit plans are subject to review and approval by the Fire Marshal or his/her designee. (FIRE)

43 FIRE CONTROL ROOM – The plans shall show a fire control room with direct access from the exterior of the building subject to the requirements listed in the Fire Department's local Ordinance and subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

- 44 FIRE DEPARTMENT SUBMITTALS – The applicant shall submit all plans involving fire systems (including but not limited to fire sprinklers, fire hydrants, and fire alarms) in conjunction with the superstructure building permit plans to the Fire Department. The plans are subject to review and approval by the Fire Marshal or his/her designee. (FIRE)

**Police Department (PA)**

- 45 BUILDING SECURITY CODE COMPLIANCE – The building permit plans shall comply with the City’s Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

- 46 PARKING GARAGE SECURITY – The building permit plans for the superstructure shall show:

(A) Electrically operated closures to prevent unauthorized access into the parking garage. The closures, whether overhead, sliding or swinging shall be provided with reopening devices which will function to stop and reopen the closure in case the closure is obstructed when closing.

(B) Access to the parking garage shall be restricted outside of standard business hours (restricted hours defined as bank holidays, Saturday, Sunday, and Monday through Friday from 6:00pm to 6:00am, or as specified in a shared use agreement the City is a party to).

(C) Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens.

(D) Digital keypads and/or wireless “click to enter” systems complying with SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL shall be provided to allow for entry into all portions of the garage at all times.

(E) If egress doors are required by code to connect secure garage spaces with different uses, the egress doors shall be alarmed and monitored.

(F) Exterior doors or gates providing access into secure areas of the parking garage shall be equipped with self-closing devices, locked during restricted hours, and only be accessible when garage access is restricted through the use of keys, key fob or remote keyless entry system devices furnished to building tenants.

(G) All storage, maintenance, and trash rooms within parking garages shall have doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit.

(H) Parking spaces shall not be numbered to coincide with interior unit numbers.

(I) Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to SITE LIGHTING. No dark areas shall exist inside the parking garage. (POLICE)

47 PHOTOMETRIC PLAN SUBMITTAL REQUIREMENT – The building permit plans for the superstructure shall include a photometric plan showing the installation of lighting fixtures and lighting levels to be reviewed and approved by the Chief of Police or his/her designee. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire plot and ten feet beyond the project property lines. The point-by-point photometric plan shall provide lighting levels on a grid not to exceed five feet by five feet across the entire site. Each point shall report the illuminance to the nearest 0.1 foot-candles. Photometric calculations including maximum foot-candles, average foot-candles, minimum foot-candles, average to minimum uniformity, and maximum to minimum uniformity shall be included on the plan submitted. Select specifications for fixtures selected shall be provided on the photometric plan sufficient to ensure compliance with the SITE LIGHTING STANDARDS. (POLICE)

48 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS – The building permit plans for the superstructure shall show compliance with Security Code SMMC “23.54.020 CITY COMMUNICATION SYSTEMS – HIGH RISE BUILDINGS”, by providing for the following allowances for the placement of emergency communications equipment on the building permit plans:

(A) Enough enclosed space for the equivalent of one dedicated server rack in a locked server room that is clean, dry, and well-ventilated (this does not need to be a fire control room);

(B) One 4” conduit from the designated server rack through the roof. The conduit shall be provided with wide radius bends, a weatherhead on the roof, and a pull string and ring;

(C) Authorization to mount antennas on the roof. The maximum allowable distance from the designated server rack to the antenna mounting location shall be 100 feet;

(D) One 20 amp, 120 VAC dedicated electrical circuit on the building's emergency generator. An uninterruptable power supply (UPS) may be installed by the City if the building is not provided with an emergency generator;

(E) 12 copper cable pairs to the building's main telephone terminal; and,

(F) Ground buss bar bonded to the building grounding system.

This requirement is in addition to the requirement of the California Fire Code to supply a functional emergency responder radio coverage system. (POLICE)

- 49 SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL – The building permit plans for the superstructure shall show the detailed specifications for and the installation of telephone entry pads (TEPs) and/or wireless “click to enter” systems at the main exterior building entrance(s) and parking garage entrance(s) for secured buildings. These access systems must allow emergency personnel to access all levels of the interior of the building. Access system placement location is subject to the review and approval of the Chief of Police or his/her designee, prior to the approval of the first building permit for the project. Police access codes shall be as provided by the Chief of Police or his/her designee at the time of installation. (POLICE)
- 50 SITE FURNITURE – The building permit plans for the superstructure shall show permanent site furniture accessible to the public designed and installed to prevent an adult from laying down by installing arm rests not more than 4' apart, or by designing elevation changes 4" or more on horizontal surfaces every 4'. Temporary site furniture shall be secured at the close of each business day. (POLICE)
- 51 STAIRWELL & EXTERIOR DOORS – The building permit plans for the superstructure shall show the maximum allowable viewing panel in egress doors from stairwells and exterior doors leading to exterior areas, parking garages, and basement levels. (POLICE)
- 52 VIDEO SURVEILLANCE SUBMITTAL REQUIREMENT – The building permit plans for the superstructure shall include a plan showing the installation of cameras and approximate viewing fields of surveillance cameras to be reviewed and approved by the Chief of Police or his/her designee. The plan shall include cameras placed to view areas as required by VIDEO SURVEILLANCE STANDARDS, and include select specifications for cameras and storage equipment to ensure compliance with the VIDEO SURVEILLANCE STANDARDS.

(POLICE)

**Public Works Department (PA)**

- 53 CLEAN, INSPECT AND REPAIR SANITARY SEWER – The applicant shall clean and inspect (via remote TV camera) the mainline sewer from the manhole upstream to the manhole downstream of the project lateral connection (MH 284-19X to MH 305-05X). The video inspection shall be done by a professional sanitary sewer video inspection company in accordance with City standards and the Sewer System Management Plan (SSMP) and shall be completed prior to issuance of the building permit for the superstructure. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs (spray foam-RazoRooter or flushing, or removal of roots, or replacement), as determined by the Public Works Department, shall appear on the building permit plans for the superstructure submitted by the applicant for permit plan check. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer. The building permit plans for the superstructure shall show all sanitary sewer lines to be clean and inspected. (PUBLIC WORKS)
- 54 COVERED PARKING GARAGE DRAINAGE – The building permit plans for the superstructure shall show that water from the covered parking garage shall not be discharged onto the public street. The applicant shall direct discharge from covered or underground garage to the City's sanitary sewer system. Stormwater runoff from the roof or other exposed areas of the project shall not discharge to these garage drains. The design shall be done by a licensed Civil Engineer who shall provide hydraulic calculations and drawings subject to the approval of the Director of Public Works or designee. (PUBLIC WORKS)
- 55 DRAINAGE – The building permit plans show drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented, to extent feasible, subject to the approval of the Director of Public Works or designee. No increase to the peak discharge shall be permitted downstream. In addition, discharge shall conform to any non point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets and shall be submitted to the City for review and approval with the project civil plans submitted as

part of the building permit for the superstructure. Projects that include permanent stormwater treatment measures shall comply with requirements of Section C.3 of the California Municipal Regional Permit. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; NRCS soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; and a brief summary of how the project is complying with Provision C.3. Stormwater treatment measures that treat on-site stormwater runoff shall be located on-site. If stormwater treatment measures need to be placed in the public right-of-way, the project shall treat the stormwater runoff from the public right-of-way up to the centerline along the project frontage they are installed. The O&M (operation and maintenance) procedures for such control features shall be submitted for review and approval prior to occupancy and specify the owner's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded with the County of San Mateo Recorder's Office. The building permit plans for the superstructure shall show drainage. (PUBLIC WORKS)

56 FENCES AND OTHER PERMANENT STRUCTURES – The applicant shall locate all project fencing and foundations of a permanent nature within the project's property and out of the City right-of-way. (PUBLIC WORKS)

57 FOOD SERVICE EQUIPMENT CLEANING – The applicant of any food service facilities shall have any sink or other floor mat, container, and equipment cleaning area, connected to a grease interceptor prior to discharging to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a covered outdoor area; either areas being plumbed to the sanitary sewer. Outdoor cleaning areas shall be designed to prevent stormwater run-on from entering the sanitary sewer and to prevent stormwater run-off from carrying pollutants to the site storm drains. Signs shall be posted indicating that all food service equipment washing activities shall be conducted in this area. Regular maintenance and cleaning of the grease interceptor is required. The building permit plans for the superstructure shall show connection to grease interceptors. (PUBLIC WORKS)



- 58 GARBAGE/RECYCLE/COMPOSTING STORAGE AND SERVICE – The applicant shall provide an adequate area for the purposes of storing garbage, recycling, composting collection containers for scheduled servicing by the franchise solid waste collection service. The containers shall be placed at the service location allowing enough room for the truck to safely approach the containers. The collection containers shall be brought to the service area and returned to the storage enclosure by the property owner. The containers are not to be in public view or in the public right-of-way prior to, or beyond the scheduled service times. A letter shall be provided from the City’s franchise solid waste collection service provider stating that service is available to the project as designed. The building permit plans for the superstructure shall show garbage and recycling areas. (PUBLIC WORKS)
- 59 INTERIOR FLOOR DRAINS – The building permit plans for the superstructure shall show all interior floor drains and shall be plumbed to connect to the sanitary sewer system and shall not be connected to stormwater collection system per the San Mateo Countywide Water Pollution Prevention Program’s C.3 requirements. (PUBLIC WORKS)
- 60 PARK IN-LIEU/IMPACT FEES – The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park In-lieu fee or prior to the issuance of the building permit for the park impact fee. The park in-lieu fee shall be paid prior to the release of the final map for recordation and the park impact fee shall be paid prior to the issuance of the building permit. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the park impact fee only prior to the issuance of the first building superstructure permit. (PARKS)
- 61 PARKING LOTS – The building permit plans for the superstructure shall include all required off street parking lots, showing proper grading, drainage, ramps profile, and parking dimensions in conformance with City parking standards. Drainage should be directed to adjacent landscaping wherever possible. (PUBLIC WORKS)
- 62 PUBLIC IMPROVEMENTS – An Encroachment Permit shall be required for all public improvements in the public right-of-way or easements. All public improvements shall be completed prior to the Certificate of Occupancy.

The developer shall repair or replace all existing improvements not designated for removal and all new improvements that are damaged or removed because of developer's operations. Developer shall request a walk-through with the Public Works Construction Inspector before the start of construction to verify existing conditions.

The applicant shall have improvement plans prepared for all work in the public right of way or easements by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. The improvement plans shall be included in the superstructure building permit submittal and substantially conform to the approved planning application. Any changes to the improvements shall be approved by the Director of Public Works or designee at their sole discretion. All design assumptions and criteria shall be submitted. Project specifications shall be included for review.

All work shown on the improvement plans shall be inspected and approved by Public Works.

Quantities for items below are provided only to determine minimum bonding requirements for the encroachment permit. The building permit plans for the superstructure shall show the following public improvements in the public right of way:

(A) STREET MARKINGS – The applicant shall install necessary street markings of a material and design approved by the Director of Public Works or designee and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings. All permanent pavement markings shall be thermoplastic. Color and location of painted curbs shall be shown on the plans and subject to approval by the Director of Public Works or designee. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, sand blasting if in paint. Once installed, the applicant shall coordinate with City crews to mark any red curb within the proposed City right-of-way with a City seal. (PUBLIC WORKS)

(B) SIDEWALK – The applicant shall replace all sidewalk along the project frontage as shown on the approved planning application plans. Sidewalk shall be constructed per City Standard Drawings. (PUBLIC WORKS)

(C) CURB RAMPS – The applicant shall construct one (1) curb ramp in accordance with Caltrans Standard Plans at the corner of 9th Avenue and South Claremont Street. The actual ramp "Case" shall be identified on the plans and shall be approved by the Director of Public Works or designee. (PUBLIC WORKS)

(D) CURB AND GUTTER – The applicant shall replace to existing City standards all curb and gutter along the project frontage. Curb and gutter shall be constructed per City Standard Drawings. (PUBLIC WORKS)

(E) DRIVEWAY APPROACHES – The applicant shall remove and replace two (2) driveway approaches per Caltrans Standard Plans as shown on the approved planning application plans. (PUBLIC WORKS)

(F) SEWER LATERAL – The applicant shall install two (2) sewer lateral connections from the property line to the sewer main located in the street right of way on South Claremont Street. The installation shall be done in accordance with City Standard Drawings. (PUBLIC WORKS)

(G) STORM DRAIN - The applicant shall abandon the existing 18-inch storm drainpipe on the south east approach of the 9th Avenue and S Claremont Street intersection and install a new 18-inch storm drainpipe and connect to the existing upstream curb inlet and downstream manhole. The applicant shall install all other storm drain facilities, including but not limited to manholes and catch basins, to accommodate new storm drain connections and stormwater treatment measures in accordance City Standards established by the Director of Public or designee. The new storm lines shall be RCP or as approved by the City Engineer or designee. Applicant is required to submit plans, drawings and hydrology report for review and approval by the Public Works Director or designee. (PUBLIC WORKS)

~~(H) STORMWATER TREATMENT MEASURES – In accordance with San Mateo Municipal Code Chapter 7.39, the applicant shall install and maintain stormwater treatment measures on 9th Avenue. The improvements shall be in accordance with the guidance and specifications provided by San Mateo Countywide Water Pollution Prevention Program or City of San Mateo Green Infrastructure Plan and shall be approved by the Director of Public Works or designee. Drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed Engineer's stamp shall appear on the calculation sheets, and shall be submitted to the City for review and approval with the project superstructure plans. Stormwater treatment improvements shall be maintained by the adjacent property owner and included in the stormwater treatment O&M (operation and maintenance) agreement that is recorded with the County of San Mateo Recorder's Office. (PUBLIC WORKS)~~

(H) STREETLIGHTS AND INFRASTRUCTURE – The applicant shall furnish and install 13 cobra

head street lights and necessary infrastructure in accordance with the photometric analysis prepared as part of the approved planning application. The Streetlight Improvement Plan shall show all electrical conduits, pull boxes, service connections, fuse holders, bus fuses and all other electrical components necessary to construct the improvements. The Streetlight Improvement Plan shall include voltage drop calculations for all streetlight circuits that will be modified. A maximum of 5% voltage drop is allowed on streetlight circuits. The plans shall include circuit maps that show the full extent of all existing and proposed streetlight circuits that include streetlights on both sides of the street along all project frontages. Circuit maps shall contain all necessary information to facilitate review of the voltage drop calculations, including but not limited to length of conductor runs, luminaire wattage, conductor sizes, circuit voltage, and location of the electrical service connection. It shall be the responsibility of the developer to field verify existing streetlight facilities as needed to prepare the Streetlight Improvement Plan. The Streetlight Improvement Plan shall be approved by the Director of Public Works or designee. If an application for change to electrical service is required by PG&E the City shall submit the application. The developer shall assist the City by providing all documents required as attachments to the application. If any changes to streetlight locations or quantities are proposed during the building permit phase, a new photometric analysis shall be prepared by the applicant for review and approval by the Director of Public Works or designee and the lighting shall be furnished and installed in accordance with the new photometric analysis as approved. (PUBLIC WORKS)

63 SANITARY SEWER CONNECTION CHARGE – The applicant shall pay a charge proportional to the project's share of the increased amount of sewage generated by the project, as established by San Mateo Municipal Code Chapter 3.54.060. The charge will be based upon the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)

64 SEPARATE WATER METERS – When a development includes multiple uses, there shall be a separate water meter for each development use. The building permit plans for the superstructure shall show the separate water meters. (PUBLIC WORKS)

65 SIDEWALK EASEMENT – The owner shall dedicate an easement for sidewalk and pedestrian access purposes as delineated in the approved planning application plans. The easement shall be approved by the Director of Public Works or designee, recorded with

the County Recorder's Office, and a recorded copy of the document returned to the City prior to the release of the building permit for the superstructure. The easement may also be dedicated on any associated parcel or subdivision map. The building permit plans for the superstructure shall show all easements. (PUBLIC WORKS)

66 SOUTH TRUNK AREA SEWER IMPROVEMENT FEE – In order to meet the increased demands on the South Trunk Sewer system created by this project, the applicant shall contribute fees toward the construction cost to increase its capacity based upon the project's average projected sanitary flow, as established by San Mateo Municipal Code Chapter 3.54.080. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)

67 STORM DRAIN INLETS AND WATERWAYS – The building permit plans shall show the marking of the words "No Dumping! Flows to Bay," or equivalent, on all storm inlets surrounding and within the project site using methods approved by the City standards, consistent with the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements (PUBLIC WORKS)

68 TRANSPORTATION IMPROVEMENT FEE – The applicant shall pay a fee proportional to the project's share of transportation improvements needed to serve cumulative development within the City of San Mateo, as established by San Mateo Municipal Code Chapter 27.13. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)

69 TRASH CAPTURE DEVICES – The building permits shall show installation of trash capture devices in storm drain systems that lead directly to the off-site storm drain system or outfall. Devices shall be approved by the Director of Public Works or designee. Trash capture devices are required on site consistent with the State Water Resources Control Board definition of Full Capture System. All on-site trash capture devices shall be cleaned routinely and maintained by the Owner per the Stormwater Treatment Facilities Maintenance Agreement. The building permit plans for the superstructure shall show trash capture devices. (PUBLIC WORKS)

70 TRIANGULAR AREA OF VISIBILITY – The building permit plans for the superstructure shall

show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 25' triangular area of visibility at any project corner meets the requirements of a minimum vertical clearance of 7', and/or are less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)

- 71 UNDERGROUND UTILITIES – The building permit plans for the superstructure shall show the installation of all new, and upgraded, utility services, including telephone, electric, power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. Transformers and switch gear cabinets shall be placed on private property or within a utility easement. (PUBLIC WORKS)

- 72 UTILITIES – Utility plans shall be submitted as part of the building permit plans for the superstructure and shall show appropriate line types and labels to identify different type of utilities and pipe sizes. Clearly identify both public and private utilities.

The Developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television, and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures.

The developer shall underground 420 linear feet of overhead electrical distribution lines along the project frontage on South Claremont Street.

Developer is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, developer shall obtain an encroachment permit and submit a pothole plan for City review and approval. Developer shall provide the pothole results to the Director of Public Works or designee prior to final design. Any utility conflicts shall be the responsibility of the developer to rectify. (PUBLIC WORKS)

- 73 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE – In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, as established by City Council Resolution No. 24 (2006). The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)

74 WILL SERVE LETTER FOR WATER – A Will Serve Letter from the water company shall be supplied to the Director of Public Works or designee. (PUBLIC WORKS)

**The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first.**

**Planning Division (PA)**

- 75 ACOUSTICAL COMPLIANCE LETTER – The applicant shall submit an acoustical compliance letter to the Project Planner written and signed by the project acoustical consultant indicating all recommendations incorporated into the project to reach compliance with the noise limits listed in Tables N-1 and N-2 of the Noise Element of the General Plan. This letter shall be submitted prior to scheduling the Planning Final Inspection. (PLANNING)
- 76 FINANCIAL SECURITIES FOR ONSITE PRIVATE LANDSCAPING – The applicant shall submit a cost estimate and financial securities in a form and amount sufficient to ensure the installation of all approved onsite private landscape improvements including all new trees, to the satisfaction of the Community Development Director or his/her designee. The Project Planner shall conduct and pass a follow-up inspection in accordance with Section 27.71.060 of the Municipal Code in order to reclaim the financial securities after all landscaping has sustained a Plant Establishment Maintenance Period of three consecutive growing season months (March through October). (PLANNING)
- 77 LANDSCAPE VERIFICATION LETTER – The applicant shall submit a landscape verification letter to the Project Planner written, signed, and stamped by the project landscape architect indicating that all on-site and off-site landscape improvements (including on-site trees, street trees, shrubs, and irrigation systems) have been installed in compliance with the approved landscape plans. This letter shall be submitted prior to scheduling the Planning Final Inspection. (PLANNING)
- 78 PLANNING FINAL INSPECTION – Upon completion of all construction and landscaping, the applicant shall request the Project Planner conduct a Planning Final inspection for verification of compliance with all outstanding conditions of approval. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)

### **Building Division (PA)**

79 ART IN PUBLIC PLACES – The applicant shall comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places. (BUILDING/PLANNING)

80 SOIL FINAL REPORT – The Geotechnical Engineer or Civil Engineer who prepared the soil investigation, or an equally qualified professional, shall issue a final report stating the completed pad, foundation, finish grading and associated site work substantially conform to the approved plans, specifications and investigations, to the satisfaction of the Building Official or his/her designee. (BUILDING)

81 WATER CONSERVATION IN LANDSCAPING – (This condition applies when there is 2500 sqft or more landscaping work performed to the project site) In accordance with the City's Water Conservation in Landscaping Ordinance in Municipal Code Section 23.72.030, a licensed landscape architect, a licensed landscape contractor, or a certified irrigation designer shall complete the "Certification of Completion" in the City of San Mateo Water Conservation in Landscaping form. Upon completion of the work, the certification of completion shall be submitted to the City's Building Inspector subject to the review and approval of the Building Official, or his/her designee. (BUILDING)

### **Fire Department (PA)**

82 EMERGENCY RESPONDER RADIO COVERAGE – An Emergency Responder Radio Coverage system may be required for this project. Testing shall occur during construction due to circuit protection requirements that will affect building design. The applicant shall provide a third-party testing grid report to the Fire Department subject to the review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection. (FIRE)

83 FIRE HYDRANTS – The applicant shall install the approved number of public/private fire hydrant(s) spaced as per the Fire Department's local Ordinance. All fire hydrants used for fire flow for the project site shall be upgraded to a Clow model 960 or equivalent consisting of (2) 2-½ inch and (1) 4-½ inch outlets. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with water purveyor's specifications. The water supply shall be tested, flushed and approved operable prior to any combustible construction materials being placed on the site. Staged construction shall insure that the necessary water supply is maintained from stage to stage in the construction planning. The letter shall be submitted to the Fire Marshal or his/her



designee for review and approval prior to the Fire Final Inspection. (FIRE)

**Public Works Department (PA)**

- 84 RECORD DRAWINGS – The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the as-builts in PDF and the AutoCAD Version being used by the City at the time of completion of the work. (PUBLIC WORKS)
- 85 RESTORATION OF ROADWAY – The applicant shall grind and overlay the entire width of South Claremont Street and 9th Avenue along the project frontage including the intersection with 2.5 inches of asphalt concrete and provide deep-lift restoration as directed by the Public Works Inspector. If the street abutting the property is classified as being in a failed condition or a Pavement Condition Index (PCI) of 50 or below prior to final restoration, the applicant will be required to reconstruct the street including the base course. Final pavement restoration shall be subject to the review and approval of the Director of Public Works or designee. (PUBLIC WORKS)
- 86 STORMWATER TREATMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City's Director of Public Works or designee as specified in San Mateo Municipal Code Chapter 7.39 of the Stormwater Management and Discharge Control ordinance and the San Mateo Countywide Water Pollution Prevention Program C.3 Program Technical Guidance. The agreement shall outline the continuous operation and maintenance (O&M) plan for the permanent storm water treatment facilities including irrigation and landscape maintenance of Green Infrastructure elements constructed in the public right-of-way and on private property and shall be recorded with the County Recorder's Office. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)
- 87 TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management (TDM) Plan has been prepared for this project (477 9th Avenue TDM Plan, dated November 2023). The property owner or designee shall submit a written letter to the Public Works Director on an annual basis with an assessment of compliance with the Transportation Demand Management Plan, including mode split survey results, by the end of every calendar year (December 31st). (PUBLIC WORKS)

88 TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – The property owner or designee is required to participate in the Downtown TMA, including annual payment of membership dues, when it has been established by the City. The TMA will develop TDM measures and make them available to both existing and future development within the Downtown area. (PUBLIC WORKS)

**CDD Arborist (PA)**

89 FINAL ARBORIST REPORT – The Project Arborist shall perform a final site inspection and submit a final arborist report to the Building Division. At minimum, the final arborist report shall confirm that the approved tree protection measures were implemented and shall assess the condition of Protected Tree(s). Any damage to existing Protected Tree(s) shall be subject to replacement and/or penalties in accordance with Municipal Code Section 13.40.160 subject to the satisfaction of the Community Development Director, or his/her designee. (CDD ARBORIST)

**The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP.**

**Public Works Department (PA)**

90 SUBDIVISION IMPROVEMENT AGREEMENT – The applicant shall enter into a subdivision improvement agreement with the City per Gov. Code Section 66462(a) and shall arrange to provide security for the public improvements to be completed. The agreement will be forwarded to the City Council for approval with the final map. (PUBLIC WORKS)

**The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.**

**Planning Division (PA)**

91 ARCHAEOLOGICAL RESOURCES – In the event of the discovery of archaeological resources whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the find, notify the Planning Manager and/or Project Planner, and retain a qualified archaeologist. The archaeologist shall evaluate the uniqueness of the find and propose recommendations for continuing construction to protect the find in consultation with the appropriate native American tribe and submit a summary of findings to the Project Planner. The applicant shall incorporate these recommendations into project construction. A final report detailing how these recommendations were met shall be provided prior to occupancy. (PLANNING)

- 92 CULTURAL RESOURCES – In the event of the discovery of human remains whether on-site in the public right-of-way, the applicant shall halt all activity within 50 feet of the discovery and notify the Planning Manager and/or Project Planner. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. (PLANNING)
- 93 FRAME/PLANNING ROUGH INSPECTION – Upon completion of all framing and prior to the installation of exterior sheathing and windows, the applicant shall request the Project Planner conduct a Rough Frame inspection to verify items including, but not limited to, window locations, window sizes, and massing. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)
- 94 PALEONTOLOGICAL RESOURCES – In the event of the discovery of paleontological resources (fossils) whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the discovery, notify the Planning Manager and/or Project Planner, and retain a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, prepare a written report documenting the find and recommending further courses of action, and submit a summary of findings to the Project Planner. The applicant shall incorporate the recommendations of the paleontologist when continuing construction. (PLANNING)
- 95 VACANT LOT MAINTENANCE – Following entitlements, the applicant shall establish the project site as a vacant lot in accordance with Municipal Code Chapter 7.48, to alleviate visual blight and nuisance conditions associated with vacant lots, should existing structures remain vacant or construction activities cease for a period of more than 180 consecutive days. All vacant lots shall be improved and maintained at all times with landscaping and fencing; or in accordance with an approved maintenance plan; or by a third party through an agreement with the property owner, as approved by the

Community Development Director, or his/her designee. Vacant lot maintenance of dormant construction sites may include, but is not limited to, provision of permanent fencing, landscaping, and ongoing maintenance of weeds, debris, and stockpiling of materials. (PLANNING/BUILDING)

### **Building Division (PA)**

96 CONSTRUCTION WORK HOURS – Construction shall occur only between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, and between 12:00 noon and 4:00 p.m. on Sundays and holidays. These hours do not apply to construction that takes place inside a completely enclosed building and does not exceed the exterior ambient noise level as measured 10 feet from the exterior property lines. The applicant shall conform to the construction work hours to control traffic congestion, noise, and dust unless an exemption is granted in accordance with Municipal Code Section 23.06.061. (BUILDING)

### **Fire Department (PA)**

97 ADDRESS NUMBERS – The applicant shall post temporary address numbers on each building at the project site that must be easily visible from the street or fire access road. (FIRE)

98 BARRICADES ACROSS EMERGENCY ACCESS ROADS – Prior to the installation or use of barricades, fences, or gates across emergency vehicle access roads during construction, the applicant submit plans to the Fire Plan Checker subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

99 DEMOLITION – The applicant shall comply with the California Fire Code Chapter 33 during all phases of construction of the project. (FIRE)

100 EGRESS – The applicant shall maintain required egress for all adjacent buildings/properties. (FIRE)

101 STANDPIPES – For projects that require standpipes by California Fire Code Section 905.3.1, the applicant shall provide not less than one standpipe for use during construction or demolition. (FIRE)

**Public Works Department (PA)**

- 102 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.39), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at: <https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/>  
(PUBLIC WORKS)
- 103 CONSTRUCTION WORKER PARKING – The applicant shall provide a construction-parking plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the Director of Public Works or designee prior to issuance of City permits and shall be complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the City permits. (PUBLIC WORKS)
- 104 GROUND WATER DISCHARGE – In accordance with the Director of Public Works Groundwater Discharge Policy, discharge of contaminated groundwater to the sanitary sewer is only allowed on a temporary basis and will not be permitted for a period greater than 6 months. Discharges for longer than 6 months shall obtain an NPDES permit from the State Water Board to discharge to the storm drain system. Discharge of uncontaminated groundwater to the storm drain is permissible if the applicant can provide analytical data to support the claim. No discharge to the storm drain shall be allowed without prior approval from the Public Works Department. All discharges to the sanitary sewer (contaminated and uncontaminated) require a Waste Discharge Permit and shall comply with the City’s discharge limits. (PUBLIC WORKS)
- 105 MATERIAL HAULING – For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code Chapter 11.28.040 for the approval of the Director of Public Works or designee. The project sponsor shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. The haul route for this project shall be approved by the Director of Public Works or designee. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works,

and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. Entry and exit from the site will use rock or rumble strips to prevent tracking. The applicant shall provide an approved method of cleaning tires and trimming loads on site. Any job related dirt and/or debris that impacts the public right of way shall be removed immediately. No wash down of dirt into storm drains will be allowed. Use of a sweeper is permissible as long as it operates dry (no water used, only vacuum). All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Violation of such may be cause for suspension of work. (PUBLIC WORKS)

106 PUBLIC WORKS CONSTRUCTION ACTIVITIES – The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

(A) Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m. Please note, however, that no work shall be allowed to take place within the City right-of-way after 5:00 p.m. In addition, no work being done under the issuance of a Public Works encroachment permit may be performed on the weekend unless prior approvals have been granted by Public Works. Earth haul and materials delivery to and from the site, including truck arrivals and departures to and from the site, will be prohibited between the weekday hours of 4:00 p.m. 5:30 p.m. Signs outlining these restrictions shall be posted at conspicuous locations on site. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation.

The allowed hours of Public Works construction activities may be waived or modified through an exemption, for limited periods, if the Director of Public Works or designee finds that:

(i) The following criteria are met:

(a) Permitting extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole; or

(b) Permitting extended hours of construction are required to accommodate design or engineering requirements, such as a large concrete pour. Such a need would be determined by the project's design engineer and require approval of the Director of Public Works or designee.

(c) An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the City may waive any of the remaining requirements outlined below.

(ii) The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts.

(iii) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This notification shall be provided three days prior to the start of the extended construction activity.

(iv) The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.

The Director of Public Works or designee may revoke the exemption at any time if the contractor or owner of the property fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction. The waiver application shall be submitted to the Public Works Construction Inspector ten (10) working days prior to the requested date of waiver.

(B) All construction vehicles shall be properly maintained and equipped with exhaust mufflers that meet State standards.

(C) Newly disturbed soil surfaces shall be watered down regularly by a water trucks or by other approved method maintained on site during all grading operations. Construction grading activity shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust problems. Wash down of dirt and debris into storm drain systems will not be allowed.

(D) Construction activities shall be scheduled so that paving and foundation placement

begin immediately upon completion of grading operation.

(E) All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.

(F) Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the satisfaction of the Director of Public Works or designee, for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2012, and standard construction practices. (PUBLIC WORKS)

#### **CDD Arborist (PA)**

107 PROJECT ARBORIST INSPECTIONS – The Project Arborist shall submit a report to the Building Division within five business days after each of his/her inspection documenting the condition of trees, protection measures changes or adjustments, and/or any damages to Protected trees. (CDD ARBORIST)

108 TREE PROTECTION MEASURES – All approved tree protection measures shall remain in place and be properly maintained during all phases of construction. The applicant or contractor shall notify the Project Arborist in advance when construction operations are to be performed within the Tree Protection Zone of protected trees. (e.g. trenching, excavation, grade changes, etc.) Adjustment of Tree Protection Measures requires approval from the City Arborist. (CDD ARBORIST)

**The following conditions shall be complied with AT ALL TIMES that the project permitted by this planning application occupies the premises.**

#### **Planning Division (PA)**

109 APPROVED PLANNING APPLICATION CONFORMANCE AT ALL TIMES – All physical improvements, uses, and operational requirements authorized by the approved planning application shall, at all times that the use permitted by this planning application occupies the premises, substantially conform with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The



Community Development Director, or his/her designee shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)

110 EXTERIOR LIGHTING AND REPLACEMENT LIGHTING – All outdoor lighting, including any replacement lighting, that is not regulated by State or federal law, shall be fully shielded with an opaque or translucent cover to avoid glare, and shall be downward directed, such that all light emitted by the fixture, either directly from the lamp or a defusing element, or indirectly by reflection or refraction from any part of the luminaire is projected below the horizontal plane, as determined by photometric test or certified by the manufacturer. (PLANNING)

111 ONGOING LANDSCAPE MAINTENANCE – All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and, whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans. (PLANNING)

112 ROADWAY AND UTILITY EASEMENT – The Applicant acknowledges that the Property is burdened by a non-exclusive 40-foot wide roadway and utilities easement that runs parallel to the railroad tracks for the length of the Property. At no time shall the construction or operation of the proposed project unreasonably interfere with any easement holders' rights. The Applicant shall comply with the terms of the easement agreement at all times. (PLANNING/PUBLIC WORKS)

**City Attorney (PA)**

113 INDEMNIFICATION – The applicant will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If applicant is required to defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)

114 PENALTY – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is

unlawful and will subject the applicant to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies.  
(CITY ATTORNEY)

**Police Department (PA)**

- 115 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS, ACCESS AND SECURITY – The applicant shall allow 24 hour, 7 day per week access to the dedicated public safety communications radio server rack and antenna(s) for maintenance purposes at all times that the use permitted by this planning application occupies the premises. If the City installs radio equipment, applicant shall take reasonable measures to secure and safeguard City equipment from theft or vandalism. (POLICE)
- 116 SITE LIGHTING STANDARDS – Exterior security lighting in compliance with the Building Security Code “Exterior Security Lighting” (San Mateo Municipal Code Section 23.54.060) shall be provided and maintained at all times that the use permitted by this planning application occupies the premises. Site lighting shall comply with the requirement of an average illuminance of 1 foot-candle, a minimum illuminance of 0.3 foot-candle, and a uniformity ratio not to exceed 4:1 average to minimum. Light sources shall be capable of producing a “bright white” light with a color temperature between 3000K and 4000K and a color rendering index (CRI) of at least 65 unless otherwise approved. This lighting standard is applicable to all parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. The lighting system shall be so designed as to limit light spill beyond property lines and to shield the light source from view from off site. (POLICE)
- 117 VIDEO SURVEILLANCE STANDARDS – The applicant shall install and operate for the life of the project a video surveillance system subject to the following requirements:
- (A) The information shall be maintained and retrievable for a minimum of 30 days. The captured video material shall be accessible to investigating police personnel through some form of facility management during regular business hours. The applicant shall provide proof of registration of the video surveillance camera system with the City through the City’s Neighborhood Eyes Security Team web form (<https://www.cityofsanmateo.org/forms.aspx?FID=134>).
- (B) Cameras shall be placed and maintained to view common areas of the property accessible to the public such as lobbies, parking lots, parking garages and entrances and

exits to all parking garages, gates dividing different uses inside mixed-use parking garages, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. This condition is not intended to require Applicant to install pole mount cameras on the property, cameras to view these areas may be installed on the building facing out.

(C) The cameras in this system shall be megapixel or better CCTV cameras that shall be capable of operating in all lighting conditions anticipated at project completion. Cameras viewing locations intended to allow routine vehicle passage onto the sites and/or garages shall additionally be capable of capturing the front and rear of all entering and exiting vehicles that use the sites and/or garages, and be of sufficient quality to identify the make and model of vehicles accessing the site, clearly read both front and rear license plates of vehicles, and clearly depict faces of occupants through the front windshield. (POLICE)

#### **Public Works Department (PA)**

118 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City's Storm Water Management and Discharge Control Rules and Regulations, San Mateo Municipal Code Chapter 7.39, and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:

(A) Owner/occupant shall inspect stormwater treatment devices on private property and in the public right-of-way at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.

(B) The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, City inspection of the private stormwater treatment facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The fee shall be based upon the Comprehensive Fee Schedule, established by the City Council, in effect at the time.

(C) Label new and redeveloped storm drain inlets with the phrase "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available from the Department of Public Works.

(D) All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum based wastes, tallow, and grease planned for

storage outdoors shall be stored in covered containers at all times. (PUBLIC WORKS)

- 119 TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN – Once implemented, the Transportation Demand Management Plan shall be monitored and assessed annually for the occupied life of the development. The program shall be recorded with the County. The assessment of compliance with the Transportation Demand Management Plan, including mode split survey results, shall be submitted to Public Works by the end of every calendar year (December 31st).